

**BEFORE THE NATIONAL GREEN TRIBUNAL**  
**PRINCIPAL BENCH, NEW DELHI**

**I.A. No. 154/2020**

**IN Original Application No. 73/2020**

**IN THE MATTER OF:**

**In re: Gas Leak at LG Polymers Chemical Plant in RR  
Venkatapuram Village Visakhapatnam in Andhra Pradesh**

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**NEW DELHI**

**DATED:**

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**AFFIDAVIT ON BEHALF OF THE MINISTRY OF ENVIRONMENT,**

**FOREST AND CLIMATE CHANGE.**

I, Amardeep Raju, currently working as Scientist- E in the Hazardous Substances Management Division of the Ministry of Environment, Forest and Climate Change (MoEF&CC), New Delhi, do hereby solemnly affirm and state as under: -

1. That I, in my official capacity of as Scientist-E/ Additional Director, Hazardous Substances Management Division, Ministry of Environment, Forest and Climate Change (MoEF&CC), New Delhi one of the Respondents in the above mentioned matter, am conversant with the facts and circumstances of the case on the basis of official records available, and as such authorized and competent to swear this affidavit.

2. That the contents of the application under reply, unless specifically admitted, are denied to the extent that they are inconsistent with the submissions made hereinafter. All annexure accompanying this affidavit are true copies of their respective originals.
3. That, without prejudice to the above and as an alternative submission, the deponent craves liberty to raise further required contentions during the course of the proceedings.
4. It is submitted that the Hon'ble NGT has taken up suo-motu in the above captioned matter on the basis of media reports to the effect that leakage of hazardous gas, Styrene, took place at 03:45AM on 07.05.2020, from a chemical factory owned by the South Korean company LG Polymers India Pvt., Limited, R.R. Venkatpuram village, Pendurthy Mandal, Vishakhapatnam resulting in death of 11 persons and hospitalization of more than 100 people of whom at least 25 were reported to be serious. These fatalities and injuries are reportedly likely to increase. More than 1000 persons are reported sick. There is also damage to environment and habitat. The media reports give rise to a substantial question of environment, which needs to be gone into by this Tribunal under Sections 14 and 15 of the NGT Act, 2010.
5. That, in the said application applicant has filed an I.A. No. 154/2020 requesting for providing remedies to the victims of leakage of hazardous gas styrene on 07.05.2020 from a chemical

factory owned by M/s LG Polymers India Private Limited, Vishakhapatnam. The applicant has mentioned that the Environment Relief Fund Manager under the provisions of Public Liability Insurance Act, 1991 should spend the available fund to rehabilitate the victims. The said fund may be utilized under the provisions of the NGT Act, 2010 for restoration of environment and compensation to the victims.

6. That MoEF&CC is the nodal Ministry under Govt. of India mandated to take steps for pollution control and environmental conservation, among other things. To achieve its mandate, the MoEF&CC administers various acts including Environment (Protection) Act, 1986.
7. It is submitted that the Toxic substance regulation in India is largely a response to the Bhopal gas tragedy that occurred in December, 1984. The judicial response to Bhopal tragedy was Supreme Court judgment in the Shriram Gas Leak Case (M.C. Mehta Vs. UOI & Ors: WP(C) No. 12739 of 1985), where the Hon'ble court articulated a new standard of "Absolute / No-fault Liability". The plight of the victim in the aftermath of Bhopal also underscored the need for a simple compensation regime that would assure a subsistence for chemicals accident victims and their dependents.
8. The Ministry had notified the Public Liability Insurance Act, 1991, vide dated 23.01.1991 and the same was amended in 1992. The said Act was published 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. Further the Ministry Notified Public Liability Insurance Rules, 1991 vide dated 15th May, 1991. A copy of the Rules dated 15th May, 1991 is annexed herein as **Annexure A**.

9. It is submitted that in exercise of the powers conferred by section 7A of the Public Liability Insurance Act, 1992, the Central Government made the Environment Relief Fund Scheme, 2008. A copy of the said Scheme is annexed herewith as **Annexure-C**.

10. It is submitted that under section 7A of the PLI Act, the Government has powers to set up the Environment Relief Fund (ERF). A Fund has been accordingly established by the Central Government under the scheme which is called Environment Relief Fund vide notification G.S.R. No. 768(E) dated 4<sup>th</sup> November, 2008(F/E). The Section 7A reads as follows:

i. The Central Government may, by notification in the official Gazette, establish a fund to be known as the Environment Relief Fund.

ii. The Relief Fund shall be utilized for paying, in accordance with the provisions of this Act and the scheme, relief under the award made by the Collector under section 7.

iii. The Central Government may, by notification in the Official Gazette, make a scheme specifying the authority in which the relief fund shall vest, the

manner in which the 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 there from.”

11. It is submitted that, the Hon’ble NGT has directed MoEF&CC to file its response stating whether unutilized amount of Rs 574 Crores as alleged is available and if so, what is the plan of action to utilize the amount in accordance with the mandate of law. However, as per the information provided by the Fund Manager (UIICL), the total deposits in ERF as on 31.03.2020, is of Rs. 881 crores (approx.)
12. It is submitted that the Act provides for 3rd party insurance for immediate relief on “no fault” principle. Section 3(1) of PLI Act 1991, covers death or injury to any person other than workman (General) Public or damage to property resulting from an accident while handling hazardous substance.
13. It is submitted that the Rule 4 (1) of the PLI Act 1991, mandate every owner to take out, before he starts handling hazardous substances (179 Chemicals and flammable substances), one or more insurance policies whereby he is insured against liability to give relief. Provided that any owner handling any hazardous substance immediately before the commencement of this Act shall take out such insurance policy or policies as soon as may be and in any case within a period of one year from such commencement.

14. That the Rule 4 (2) of the PLI Act 1991, mandate that every owner shall get the insurance policy, referred to in subsection (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.
15. That section 5 of the PLI Act 1991, mandate the 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.
16. That the section 6 of the PLI Act 1991, mandate application for claim for relief. (1) The 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.

(2) Every application under sub-section (I) 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.

17. That section 7 (1) of the PLI Act 1991, mandate that 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. 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).

18. It is submitted that, a claim for relief can be claimed through the authority referred above in Para 15, The applicant who are

eligible to make application for claim for relief is referred in para 16 and the procedure to claim the fund is mentioned in Para 17. It is pertinent to mention herein that the funds available in ERF cannot be used for any other purposes as mentioned in para 15, 16 and 17.

19. That section 10 of the PLI Act 1991, mandate 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.
20. That section 11 of the PLI Act 1991, mandate 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.

21. That section 12 of the PLI Act 1991, mandate 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 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.

22. That section 13 of the PLI Act 1991, mandate 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.

23. That section 14 (1) of the PLI Act 1991, mandate penalty for contravention of sub-section (1) or subsection (2) of section 4 or failure to comply with directions under section 12

(1) Whoever contravenes any of the provisions of 1[sub-section (1), sub-section (2), sub-section (2A) or sub-section (2C)] of section 4 or fails to comply with any directions issued under section 12, he shall be punishable imprisonment for a term which shall not be less than one year and six months but which may extend to six years, or with fine which shall not be less than one lakh rupees, or with both.

(2) Whoever, having already been convicted of an offence under sub-section (1), is convicted for the second offence or any offence subsequent to the second offence, he shall be punishable with imprisonment for a term which shall not be less than two years but which may extend to seven years and with fine which shall not be less than one lakh rupees.

24. It is submitted that, further this Ministry had notified S.O. No. 227 (E) dated 24th March 1992, the applicability of the Act is

presently limited to only 179 hazardous chemicals, a class of Flammable Substances, criteria of which has been prescribed in Part 2 of the Table given in the Rules. These units are called Major Accident Hazard Units (MAH Units). A copy of the said Notification is annexed herein as **Annexure-C**.

25. It is submitted that under section 7A of the PLI Act, the Government has powers to set up the Environment Relief Fund (ERF). A Fund has been accordingly established by the Central Government under the scheme which is called Environment Relief Fund vide notification G.S.R. No. 768(E) dated 4<sup>th</sup> November, 2008(F/E). The Section 7A. reads as follows:

- iv. The Central Government may, by notification in the official Gazette, establish a fund to be known as the Environment Relief Fund.
- v. The Relief Fund shall be utilized for paying, in accordance with the provisions of this Act and the scheme, relief under the award made by the Collector under section 7.
- vi. The Central Government may, by notification in the Official Gazette, make a scheme specifying the authority in which the relief fund shall vest, the manner in which the 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 there from.”

26. That, the MAH units shall contribute an amount equal to the amount of premium of the insurance policy to the Environment Relief Fund (ERF) to be created by the Central Government. The contribution shall be payable to the insurer only (two cheques of equal amounts) who in turn shall remit the amount to the ERF. The ERF is for the eventuality where the immediate liability claims are more than the insurance amount. In such cases the claims beyond the insurance amount shall be paid through ERF and in case the award exceeds the total of the amount of insurance and ERF, the amount which falls short of shall be met by the owner. No limit has been prescribed for the claims money to be provided through ERF.
27. It is most humbly prayed that this Hon'ble Court may kindly pass such order(s) as may be deemed fit and proper in the facts and circumstances of the case.

**DEPONENT**

**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)

### **NOTIFICATION<sup>1</sup>**

**New Delhi, the 15<sup>th</sup> 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) <sup>2</sup>["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.

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

<sup>2</sup> 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

<sup>1</sup>[(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.

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<sup>1</sup> 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.

#### <sup>1</sup>[8. 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;

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<sup>1</sup> 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].

#### <sup>1</sup>[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

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<sup>1</sup> 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.]

#### **<sup>1</sup>[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).

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<sup>1</sup> 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.

<sup>1</sup>[(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.]

**<sup>2</sup>[11. CONTRIBUTION OF OWNER TO THE ENVIRONMENTAL RELIEF FUND**

(1) <sup>3</sup>[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].

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<sup>1</sup> 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.

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

<sup>3</sup> 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

<sup>1</sup>[ **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)

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

<sup>1</sup> 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.]

**NOTIFICATION**New Delhi, the 24<sup>th</sup> March, 1992

**S.O. 227(E)** - In exercise of the powers conferred by clause (d) of Section 2 of the Public Liability Insurance Act, 1991 ( 6 of 1991 ), the Central Government hereby specifies the quantities shown in column 3 of the Table below for which or exceeding which every owner handling the hazardous substance mentioned in the corresponding entry in column thereof shall take out insurance policy as per the provisions of the said Act.

\*[TABLE

**LIST OF CHEMICALS WITH QUANTITIES FOR APPLICATION OF PUBLIC LIABILITY INSURANCE ACT**

Sl. No.	Name of hazardous substance	Quantity	CAS Chemicals Abstract service number
1	2	3	4
<b>PART - I</b>			
<b>GROUP 1-TOXIC CHEMICALS</b>			
1.	Aldicarb	100 kg	116-06-3
2.	4-Aminodiphenyl	1 kg	92-67-1
3.	Amiton	1 kg	78-53-5
4.	Anabasine	100 kg	494-52-0
5.	Arsenic pentoxide, Arsenic (V) acid and salts	500 kg	
6.	Arsenic trioxide, Arscius (III) acid & salts	100 kg	
7.	Arsine (Arsenic hydride)	10 kg	7784-42-1
8.	Azinpho-ethyl	100 kg	2642-71-9
9.	Azinpho-methyl	100 kg	86-50-0
10.	Benzidine	1 kg	92-87-5
11.	Benzidine salts	1 kg	-
12.	Beryllium (powders & 'Compounds')	10 kg	-
13.	Bis(2-chloroethyl) Sulphide	1 kg	505-60-2

\* As per S.O.227(E), dated 24.3.1992 corrected by Corrigendum Notification No.S.O.283(E), dated 21.4.1993.

Sl. No.	Name of hazardous substance	Quantity	CAS Chemicals Abstract service number
1	2	3	4
14.	Bis (chloromethyl) ether	1 kg	542-88-1
15.	Carbophuran	100 kg	1563-66-2
16.	Carbophenothion	100 kg	786-19-6
17.	Chlorfenvinphos	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, oxides, 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-ethylsuphinylmethyl phosphorothioate	100 kg	2588-05-8
27.	OO-Diethyl S-ethylsophonylmethyl phosphorothioate	100 kg	2588-06-9
28.	OO-Diethyl S-ethylthiomethyl Phosphorothioate	100 kg	2600-69-3
29.	OO-Diethyl S-isopropylthiomethyl phosphorodithioate	100 kg	78-52-4
30.	OO-Diethyl S- propylthiomethyl 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 phosphoramidocynicidic acid	1 t	63917-41-9
35.	Diphacinone	100 kg	82-66-6
36.	Disulfoton	100 kg	298-04-4

Sl. No.	Name of hazardous substance	Quantity	CAS Chemicals Abstract service number
1	2	3	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- Fluorocrotonic 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-hydroxy butyric 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-dioxine	100 kg	19408-74-3
59.	Hexamethylphosphoramide	1 kg	680-31-9
60.	Hydrogen selenide	10 kg	7783-07-5
61.	Isobenzan	100 kg	297-78-9

Sl. No.	Name of hazardous substance	Quantity	CAS Chemicals Abstract service number
1	2	3	4
62.	Isodrin	100 kg	465-73-6
63.	Juglone (5-Hydroxynaphthalene 1, 4-dione)	100 kg	481-39-0
64.	4, 4-Methylene bis (2-chloroniline)	10 kg	101-14-4
65.	Methyl isocynate	150 kg	624-83-9
66.	Mevinphos	100 kg	7786-34-7
67.	2-Naphthylamine	1 kg	91-59-8
68.	Nickel (metal oxides, carbonates , sulphide as powders)	1 t	-
69.	Nickel tetracarbonyl	10 kg	13463-39-3
70.	Oxydisulfoton	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	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-triazenethiocarboxamide	100 kg	5836-73-7
82.	1, 3-Propanesultone	1 kg	1120-71-4
83.	1-Propene-2-chloro-1, 3-diol diacetate	10 kg	10118-72-6
84.	Pyrazoxon	100 kg	108-34-9
85.	Selenium hexafluoride	10 kg	7783-79-1

Sl. No.	Name of hazardous substance	Quantity	CAS Chemicals Abstract service number
1	2	3	4
86.	Sodium selenite	100 kg	10102-18-4
87.	Stibine (Antimony hydride)	100 kg	7803-52-3
88.	Sulfotep	100 kg	10545-99-0
89.	Sulphur dichloride	1 t	3689-24-5
90.	Tellurium hexafluoride	100 kg	7783-80-4
91.	TEPP	100 kg	107-49-3
92.	2, 3, 7, 8-Tetrachlorodibenzo-p-dioxine (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-methylcarbarmoyloxime)	100 kg	26419-73-8
96.	Trichloromethanesulphenyl chloride	100 kg	594-42-3
97.	1-Tri ( cyclohexyl) stannyl-1,H-1, 2, 4-triazole	100 kg	41083-11-8
98.	Triethylenemelamine	10 kg	51-18-3
99.	Warfarin	100 kg	81-81-2
<b>GROUP 2- TOXIC SUBSTANCES</b>			
100.	Acetone cyanohydrin (2-Cyanopropane2-1)	200 t	75-86-5
101.	Acrolein (2-Propenal)	20 t	107-02-8
102.	Acrylonitrile	20 t	107-13-1
103.	Allyl alcohol (Propen-1-ol)	200 t	107-18-6
104.	Allylamine	200 t	107-11-9
105.	Ammonia	50 t	7664-41-7
106.	Bromine	40 t	7726-95-6
107.	Carbon disulphide	20 t	75-15-0
108.	Chlorine	10 t	7782-50-5

Sl. No.	Name of hazardous substance	Quantity	CAS Chemicals Abstract service number
1	2	3	4
109.	Diphenyl methane di-isocyanate (MDI)	20 t	101-68-8
110.	Ethylene dibromide (1,2-Dibromoethane)	5 t	106-93-4
111.	Ethyleneimine	50 t	151-56-4
112.	Formaldehyde (concentration $\geq 90\%$ )	5 t	50-00-0
113.	Hydrogen cyanide	5 t	74-90-8
114.	Hydrogen chloride (liquified gas)	25 t	7647-01-0
115.	Hydrogen fluoride	5 t	7664-39-3
116.	Hydrogen sulphide	5 t	7783-06-4
117.	Methyl bromide ( Bromomethane)	20 t	74-83-9
118.	Nitrogen oxides	50 t	11104-93-1
119.	Propyleneimine	50 t	75-55-8
120.	Sulphur dioxide	20 t	7446-09-5
121.	Sulphur trioxide	15 t	7446-11-9
122.	Tetraethyl lead	5 t	78-00-2 75-74-1
123.	Tetramethyl lead	5 t	584-84-9
124.	Toluene 2, di-isocyanate (TDI)	10 t	75-01-4
<b>GROUP 3- HIGHLY REACTIVE CHEMICALS</b>			
125.	Acetylene (ethyne)	5 t	74-86-2
126.	(a) Ammonium nitrate (1) (b) Ammonium nitrate in the form of fertilizers (2)	350 t 1250 t	6484-52-2
127.	2,2-Bis (tert-butylperoxy) butane (concentration $\geq 70\%$ )	5 t	2167-23-9
128.	1,1-Bis (tert-butylperoxy) cyclohexane (concentration $\geq 80\%$ )	5 t	3006-86-8
129.	tert-Butyl peroxyacetate (concentration $\geq 70\%$ )	5 t	107-71-1

Sl. No.	Name of hazardous substance	Quantity	CAS Chemicals Abstract service number
1	2	3	4
130.	tert-Butyl peroxyisobutyrate (concentration –in $\geq 80\%$ )	5 t	109-13-7
131.	tert-Butyl peroxy isopropyl carbonate (concentration-in $\geq 80\%$ )	5 t	2372-21-6
132.	terty-Butyl peroxy maleate (concentration $\geq 80\%$ )	5 t	1931-62-0
133.	tert-Butyl peroxy pivalate (concentration $\geq 77\%$ )	50 t	927-07-1
134.	Dibenzyl peroxydicarbonate (concentration $\geq 90\%$ )	5 t	2144-45-8
135.	Di-sec-butyl peroxydicarbonate (concentration $\geq 80\%$ )	5 t	19910-65-7
136.	Diethyl peroxydicarbonate (concentration $\geq 30\%$ )	50 t	14666-78-5
137.	2,2-Dihydroperoxypropane (concentration $\geq 30\%$ )	50 t	2614-76-08
138.	Di-isobutryl peroxide (concentration $\geq 50\%$ )	5 t	3437-84-1
139.	Di-n-propyl peroxydicarbonate (concentration $\geq 80\%$ )	5 t	16066-38-9
140.	Ethylene oxide	5 t	75-21-8
141.	Ethyl nitrate	50 t	625-58-1
142.	3,3,6,6,9,9-Hexamethyl-1, 2, 4,5-tetra-oxacyclononane (concentration $\geq 75\%$ )	50 t	22397-33-7
143.	Hydrogen	2 t	1333-74-0
144.	Liquid Oxygen	200 t	7782-44-7
145.	Methyl ethyl ketone peroxide (concentration $> 60\%$ )	5 t	1338-23-4
146.	Methyl isobutyl ketone peroxide (concentration $\geq 60\%$ )	50 t	37206-20-5
147.	Peracetic acid (concentration $\geq 60\%$ )	50 t	79-21-0
148.	Propylene oxide	5 t	75-56-9
149.	Sodium chlorate	25 t	7775-09-9

Sl. No.	Name of hazardous substance	Quantity	CAS Chemicals Abstract service number
1	2	3	4
<b>GROUP 4- EXPLOSIVE SUBSTANCES</b>			
150.	Barium azide	50 t	18810-58-7
151.	Bis (2, 4, 6-trinitrophenyl amine)	50 t	131-173-7
152.	Chlorotrinitrobenzene	50 t	28260-61-9
153.	Cellulose nitrate (Containing 12.6% Nitrogen )	50 t	9004-70-0
154.	Cyclotetramethylenetetranitramine	50 t	2691-41-0
155.	Cyclotrimethylenetiranitramine	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.	Ethylene glycol dinitrate	10 t	628-96-6
160.	1-Gyanyl-4nitrosaminogyanyl-1-tetrazene	10 t	109-27-3
161.	2, 2, 4, 4, 6, 6-Hexanitrostilbene	50 t	20062-22-0
162.	Hydrazine nitrate	50 t	13464-97-6
163.	Lead azide	50 t	13424-46-9
164.	Lead styphnate (Lead 2, 4, 6-trinitroresorcinoxide)	50 t	15424-44-0
165.	Mercury fulminate	10 t	20820-54-5 628-86-4
166.	N-Methyl-N,2, 4, 6-tetranitroaniline	50 t	479-45-8

Sl. No.	Name of hazardous substance	Quantity	CAS Chemicals Abstract service number
1	2	3	4
167.	Nitroglycerine	10 t	55-63-0
168.	Pentacrythritol tetranitrate	50 t	78-11-5
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- Trinitroesorcinol)	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.	Trinitrobenzene	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	24732-14-3
179.	2, 4, 6-Trinitrotoluene	50 t	118-96-7

**PART –II**

**CLASSES OF HAZARDOUS SUBSTANCES NOT SPECIFICALLY NAME IN PART – I**

(1)	(2)	(3)	(4)
<b>GROUP 5-FLAMMABLE SUBSTANCES</b>			
1.	<p><b>Flammable gases :</b></p> <p>Substances which in the gaseous state normal pressure and mixed with air become flammable and the boiling point of which at normal is 20°C or below;</p>	15 t	-
2.	<p><b>Highly flammable liquids:</b></p> <p>Substances which have flash point lower than 23°C and the boiling point of which at normal pressure is above 20° C;</p>	1000 t	-
3.	<p><b>Flammable liquids:</b></p> <p>Substances which have a flash point lower than 65°C and which remain liquid under pressure, where particular processing conditions, such as high pressure and high temperature may create Major accident hazardous.</p>	25 t	-

**THE ENVIRONMENT RELIEF FUND SCHEME, 2008****MINISTRY OF ENVIRONMENT AND FORESTS****NOTIFICATION**

**New Delhi, the 4<sup>th</sup> November, 2008.**

**G.S.R. 768 (E).**—In exercise of the powers conferred by section 7A of the Public Liability Insurance Act, 1991(16 of 1991), the Central Government hereby makes the following scheme, namely:—

**1. Short title and commencement.**—(1)The scheme may be called the Environment Relief Fund Scheme, 2008

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

**2. Definitions.** — In this scheme, unless context otherwise requires,—

- (a) “Act” means the Public Liability Insurance Act, 1991(16 of 1991);
- (b) “claims” means the claims for relief arising out of an accident covered by the scheme;
- (c) “claimant” means persons, owners or agents as specified in sub-section (1) of section 6 of the Act;
- (d) “Form” means a form appended to this scheme;
- (e) “Fund Manager” means an organisation selected to manage the Environment Relief Fund as indicated in paragraph 4;
- (f) “rules” means the Public Liability Insurance Rules, 1992;
- (g) words and expressions used in this scheme but not defined and defined in the Act and the rules made thereunder shall have the meanings respectively assigned to them in the Act and rules.

**3. Establishment of Relief Fund by the Central Government.**—(1) From the appointed day there shall be established by the Central Government, for the purposes of this scheme, a Fund to be called the Environment Relief Fund.

(2) The Relief Fund shall be managed and administered by the Fund Manager.

(3) The Fund Manager shall open one or more accounts in the nationalised banks to administer the Relief Fund.

(4) There shall be credited into the Relief Fund—

(i) amounts equal to that of premium of the insurance policy taken by the owner and income from investments along with other monies specified in sub-section (2C) of section 4 of the Act;

(ii) money remitted by the owner, as compensation for environment damages caused, under sub-section (1) of section 22 of the National Environment Tribunal Act, 1995 (27 of 1995).

**4. Fund Manager.**—(1) The United India Insurance Company Limited shall be the Fund Manager for a period of five years from the date of notification of this Scheme.

(2) On the expiry of the term of five years, any organisation ceasing to be a Fund Manager shall be eligible for reappointment along with any other organisation.

**5. Operation of the Relief Fund.**— (1) From the date of publication of this scheme, the Fund Manager shall open and operate a separate account in any Nationalised Bank for administering the Relief Fund in the name and style of “United Insurance Company Limited-Environment Relief Fund A/C”.

(2) The existing funds in the custody of various insurance companies shall be transferred to the Relief Fund account within fifteen days from the date the account becomes operative or from such date as may be communicated by the Fund Manager but not later than sixty days from the date of the notification of this scheme:

Provided that the funds lying in fixed deposits shall be prematurely withdrawn and transferred to the Relief Fund account by the respective insurance companies.

(3) The funds from all insurance companies shall be transferred to the Relief Fund account by way of RTGS and there shall be no charges on such transfer of funds.

(4) All payments made in to the Relief Fund shall be credited by way of Cheque or Demand Draft by the owner along with its annual premium and the insurer in turn shall credit the amount into the Relief Fund account by the 30th of every month.

(5) All owners contributing to the Relief Fund shall inform the Fund Manager and the Collector about payment of the amount in Form-III with in fifteen days of making of such payment of contribution to the insurer.

(6) In case of delay in payment by the owner or insurer, interest at the rate of 18% per annum shall be charged on the owners or insurer, as the case may be.

(7) 1% of the funds added in the corpus per annum or as decided by the Central Government from time to time, shall be paid as service fee to the Relief Fund Manager and this shall be paid from the corpus itself.

(8) The liability of the Fund Manager for making the payments from the Relief Fund shall be limited only to the extent of balance available in the corpus.

(9) Claim settlement shall be made by the Fund Manager as per the sanction order issued by the Collector.

**6. Investment of amount received under Relief Fund.**—(1) The amount received under the Relief Fund shall be invested by the Fund Manager in such a manner so that the sum of relief awarded from the said Relief Fund becomes available to the Collector within fifteen days.

(2) Amounts in the Relief Fund account shall be invested in fixed deposits preferably in the nationalised banks immediately, after leaving the minimum agreed balance in the Relief Fund account, in consultation with the Reserve Bank of India and standing instructions shall be given to the bankers to convert funds over and above the minimum balance to the fixed deposits.

(3) The Fund Manager shall decide the manner for splitting of fixed deposits among the bankers, the maximum and minimum limit and period of such fixed deposits.

(4) The interest on the Relief Fund shall be quarterly cumulative and shall be reinvested. The full maturity value on the fixed deposits also shall be reinvested.

(5) The Board of the Fund Manager shall approve the policy as to placement of fixed deposits and its monitoring.

(6) The Fund Manager shall submit to the Central Government the annual statement of accounts on the management of funds.

(7) The recovery of tax deducted at source on account of credit in the Relief Fund, conditions of Permanent Account Number and the legal status of funds from the point of taxation shall be decided in consultation with the Central Board of Direct Taxes and shall be binding on the Fund Manager.

**7. Disbursement of relief.**—(1) An application for claim for relief shall be made to the Collector in form-I and the Collector shall award the amount of relief to the claimant in Form-II.

(2) The payment of claims shall be made to all the affected persons on first come first serve basis or as may be decided by the Collector from time to time.

(3) The insurance company or Fund Manager shall ensure that the sum awarded is deposited with the Collector within thirty days of the receipt of the demand or as directed by the Collector.

(4) In case of claims exceeding the insurance liability and the Relief Fund money, the Collector shall demand the remaining relief money from the owner as arrears of land revenue or of public demand.

(5) In case the amount of award exceeds the amount payable under the insurance policy of the occupier or exceeds the liability of the insurance company, the Collector shall order the Fund Manager to pay the assessed amount from the Fund.

(6) The amount in excess of the policy so demanded shall be transferred by the Fund Manager to the Collector within a period of fifteen days or within such specified period as may be decided by the Collector. The owner shall be required to reimburse the money which was paid from the Relief Fund within a period of six months to the Collector who in turn will remit it to the Relief Fund and the Collector shall be responsible for the recovery of the amount from the owner along with interest as aforesaid as arrears of land revenue or of public demand.

(7) The Collector shall disburse this money among the claimants after taking a receipt from them in Form IV.

(8) The Collector shall furnish accounts relating to the disbursement of relief amounts under the Relief Fund within forty-five days to the Fund Manager.

(9) The Collector shall disburse the money to the claimants as soon as he receives it from the Fund Manager, and in any case not later than fifteen days from the receipt of the amount.

(10) In case where the liability is higher than the total assets or where the owner is declared insolvent, the matter shall be referred to the arbitrator to be appointed by the Central Government who would decide about the liabilities and the recovery of amount from the owner.

(11) The amount under the Relief Fund shall be used exclusively for claims admissible under the scheme.

**8. Accounts and audit.**—(1) The Fund Manager shall maintain proper accounts and other relevant records and prepare an annual statement of accounts for each State and Union Territory up to 31st March of every year showing the collection of amounts by them for crediting the said amounts into the Relief Fund.

(2) The Statement of accounts in respect of all the insurers shall be consolidated and a statement of investment and receipts shall be maintained by the Fund Manager.

(3) The accounts of the Relief Fund shall be audited by the auditor appointed by the Fund Manager in consultation with the Comptroller and Auditor-General.

(4) The Fund Manager shall prepare and forward a consolidated statement of accounts and investment details along with the audit report thereon, to the Central Government by 30th June of every year.

**9. Power to relax.**— Where the Central Government is satisfied that the operation of any of the provisions of this scheme causes undue hardship to the claimants, it may, by order, for reasons to be recorded in writing, relax the requirement of that provision in a manner not inconsistent with the provisions of the Act or the rules made thereunder.

[F.No. 18-3/9 -HSMD]  
Dr. G. K. Pandey  
Adviser

**FORM-I**

(Under section 7A of the Public Liability Insurance Act, 1992 )

I / we----- -as legal representative(s)  
of the deceased/injured----- hereby give undertaking that I /  
we shall refund the amount of relief awarded to me/us under this Act by the  
Claims Settlement officer to the owner in case I / we am/are awarded any other  
compensation or amount in lieu of or by way of satisfaction of –a claims for  
compensation in respect of death or grievous hurt to-- -----  
-----under  
**other provisions.**

Signature of the legal representatives of the  
deceased/injured person.

**F O R M - II****SERIAL NO:**

Collector:

Date :

**O R D E R**

I hereby sanction Rs.----- (Rupees.-----) as an interim relief in respect of the death/injury of Shri / Shrimati / Km. \_\_\_\_\_ resulting from chemical accident which took place at ----- (Name of the unit & Place) on ----- to Shri/Shrimati/Kumari -----as the legal representative of the deceased or to -----(Name of the injured).

Signature of the Collector

Copy to:

1. Fund Manager
2. Office of the Insurance Company
3. The Claimant
4. Collector office file
5. The Owner concerned

**F O R M – III**

ERF Scheme under the Public Liability Insurance Act 1991

1. Control No. (To be Allotted by Fund Manager)
2. Name of Insured Owner
3. Business
4. Address
5. Territorial Limits
6. Name & Quantities of hazardous substances handled by owner
7. Address of Collector under which Territorial limit is the unit handling hazardous substance falls.
8. Annual turn-over
9. Paid up capital as defined Sec.4 (2A) of the Act (as on the date of the policy).
10. Policy Period
11. Indemnity Limit
12. Premium
13. Contribution to the Environment Relief Fund
14. Date of proposal and declaration.
15. Address of Policy Issuing: office to whom payment has been made
16. Date and particulars of payment to insurer

Date:

Place:

For .....{ owner }

Name & Designation Authorised Signatory

NOTE: One copy each of the duly signed form is to be sent directly to the General Insurance Company, the District Collector or District Magistrate and Ministry of Environment and Forests by the owner and two copies are to be submitted to the Insurer. The insurer will send one copy to the Fund Manager duly signed along with contribution towards ERF.

**F O R M - I V**

Sanction Order NO.

Dated :

**DISCHARGE RECEIPT**

Received with thanks from----- Insurance Co. Ltd.  
 a sum of Rs.-----being the interim relief under the Public  
 Liability Insurance Act,1991 in part/full settlement of the claim for accident occurred to  
 me/to the, deceased person----- (Name of the  
 deceased) on ----- (date of accident) at-----  
 (Name of the Place). The amount has disbursed to me vide cheque / challan No.-----  
 ----- Dated----- drawn on-----from  
 (Name of Collector's Office).

Signature on revenue Stamp

by beneficiary/victim

\*\*\*\*\*