

BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL
WESTERN ZONE, PUNE

Earlier OA NO. 770 OF 2024 (PB)

OA NO. 153 OF 2024 (WZ)

IN THE MATTER OF:

News Item titled "Six Killed in explosion at firecracker unit near Nagpur" appearing in
the Hindu dated 13.06.2024 ...Applicant

VERSUS

Petroleum & Explosives Safety Organisation (PESO) &Ors. ...Respondent(s)

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Place:

Dated:

Filed by:

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**REPLY AFFIDAVIT ON BEHALF OF THE MINISTRY OF
ENVIRONMENT, FOREST AND CLIMATE CHANGE (RESPONDENT
NO. 3)**

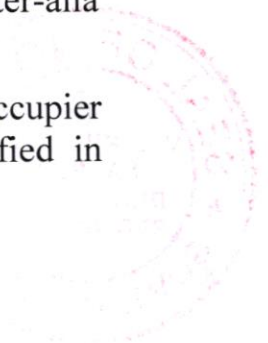
MOST RESPECTFULLY SHOWETH:

I, E. Thirunavukkarasu, S/o Shri. M. Elangovan, aged about 56 years, currently working as Scientist "E" in the Ministry of Environment, Forest and Climate Change (MoEF&CC), Regional Office, Nagpur, do hereby solemnly affirm and state as under:-

1. That I, in my official capacity of Scientist "E" in the Ministry Environment, Forest and Climate Change, wRO Nagpur i.e. Respondent No. 3 in the above mentioned matter, am authorized by the Competent Authority in the Ministry, New Delhi on the basis of official records to swear this affidavit.
2. That a short affidavit is being filed by the answering respondent at this stage and it craves leave and liberty to file a detailed Counter Affidavit to the aforesaid application, as and when required.



3. That the present Suo-Moto action taken by the Hon'ble National Green Tribunal in reference to a blast occurred at a firecracker manufacturing unit near Nagpur in Maharashtra, resulting in the death of at least six workers, including five women, and injury to three others.
4. That the respondent Ministry *vide* S.O. 966 (E) dated 27th November, 1989 had notified the Manufacture, Storage and Import of Hazardous Chemicals Rules, 1989 [MSIHC Rules, 1989]. These rules have been notified to put in place a regulatory mechanism aimed at putting in place an operational safety framework in industries dealing with hazardous chemicals thereby avoiding chemical accidents. Thereafter, the respondent Ministry *vide* G.S.R. 347 (E) dated 1st August, 1996 notified the Chemical Accidents (Emergency Planning, Preparedness and Response) Rules, 1996 [CAEPPR Rules, 1996] to supplement the MSIHC Rules, 1996.
5. That, *vide* the MSIHC Rules, 1989 and CAEPPR Rules, 1996, certain key responsibilities have been assigned to various State Government/ Central Government Departments with the objective to prevent major chemical accidents arising from industrial activities and limiting the effects of such accidents on human health and environment. Copy of MSIHC rules, 1989 & CA(EPPR) Rules, 1996 is marked and annexed herewith as **Annexure-R1 and Annexure-R2** respectively.
6. That the Rule 2 of the MSIHC Rules, 1989 deals with the 'definition clause' and further defines the following:
 - *Major accident means* – an accident 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 effects to the environment.
7. That Rule 5 provides for 'Notification of Major Accident' which inter-alia includes the following:
 - i. Where a major accident occurs on a site or in a pipe line, the occupier shall 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 instalments, if necessary, in Schedule 6.

- ii. 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 requisite information within 90 days to the Ministry of Environment and Forests through appropriate channel.
 - iii. An occupier shall notify the concerned authority, steps taken to avoid any repetition of such occurrence on a site.
 - iv. 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.
 - v. The concerned authority shall in writing inform the occupier, of any lacunae which in its opinion needs to be rectified to avoid major accidents.
8. That to complement the provisions of MSIHC Rules, 1989, the CAEPPR Rules, 1996 provide statutory backup for setting up a Crisis Management framework and associated organizational support in the Country. The Chemical Accidents (EPPR) Rules, 1996 envisage a Four-tier Crisis Management System in the Country at the Central, State, District and Local levels. A Central Crisis Group has been constituted in compliance with Rule 3 under the Chairmanship of Secretary (EF&CC). A Central Crisis Group Alert System i.e., Red Book has also been brought in compliance with Rule 4 to facilitate quick information exchange during chemical emergencies. The Red Book contains name, address and contact details of Central and State Nodal authorities, relevant national agencies/institutes pertaining to chemical (industrial) disaster management. The Red Book is maintained by the MoEF&CC and updated annually. A virtual crisis control room is also set-up in the MoEF&CC to coordinate with State Authorities during chemical (industrial) accident emergencies.

9. That various provisions of the MSIHC Rules, 1989 are briefly described as follows:

| Rule | Heading | Description |
|------|------------------------------|--|
| Rule | Short Title And Commencement | Manufacture, Storage and Import of Hazardous |



| | | |
|-----------|---|---|
| 1 | | Chemical Rules, 1989 |
| Rule 2 | Definitions | Various terms used in the rules like Hazardous Chemical, industrial activity, isolated storage, importer, export, exporter, major accident, major accident hazard etc. have been defined. |
| Rule 3 | Duties of Authorities | Duties of authorities are specified in Schedule 5. |
| Rule 4 | General Responsibility Of The Occupier During Industrial Activity | Responsibility of MAH occupier defined such as: (a) identify the major accident hazards; and (b) take 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. |
| Rule 5 | Notification Of Major Accident | Occupier should notify about the major chemical accident to concerned authority and concerned authority shall undertake full analysis of accident report and sent to MoEF&CC as prescribed. |
| Rule 6 | Industrial Activity To | Defined industrial activity, isolated storage, new industrial activity, |



| | | |
|---------|---|--|
| | Which Rules 7 To 15 Apply | existing industrial activity are mentioned in rules for application of Rules 7 to 15 |
| Rule 7 | Approval and Notification Of Sites | Occupier should not undertake any industrial activity without approval of concerned authority (as per Schedule 5) and submit a written report as per the particulars specified in Schedule 7 at least 3 months before commencing the activity. |
| Rule 8 | Updating of the site notification following changes in the threshold quantity | Any change in details submitted by occupier as per Schedule 7 is required to be updated by the way of submission of an updated report to the concerned authority. |
| Rule 9 | Transitional Provisions | Modus of applicability of various rule provisions in respect of units operating prior to these rules as well as new industrial activity/ isolated storages |
| Rule 10 | Safety Reports [And Safety Audit Reports] | Occupier to conduct safety audit for new and existing industrial activity and prepare a safety reports as per Schedule 8 and submit it to concerned authority |
| Rule 11 | Updating of reports under rule 10 | Occupier required to make prior reporting of the proposed modifications in an industrial activity as prescribed |
| Rule | | |



| | | |
|---------|--|--|
| 12 | Requirement for further information to be sent to the authority | Concerned authority may ask from occupier for additional information in industrial activity. |
| Rule 13 | Preparation to on-site emergency plan by the occupier | <p>Occupier should prepare and keep up-to-date 'on-site emergency plan' as specified in schedule 11.</p> <p>The occupier required to ensure that a mock drill of the 'on-site emergency plan' is conducted every six months and report submit to concerned authority as per Schedule 5</p> |
| Rule 14 | Preparation of off-site emergency plan by the authority | District collector/ District authority should prepare and keep up-to-date 'off site emergency plan' as per format specified in schedule 12. |
| Rule 15 | Information to be given to persons liable to be affected by a major accident | Occupier should inform public of the adjoining areas about the nature of the major accident hazard; and the safety measures and the "Do's" and "Don'ts" which should be adopted in the event of a major accident as prescribed |
| Rule 16 | Disclosures of Information | Provisions on disclosure of information by concerned authority |
| Rule 17 | Collection, Development and Dissemination | The occupier should prepare and develop a safety data sheet as specified in Schedule 9 in respect of a hazardous chemical handled by him |

| | | |
|---------|---|--|
| | of Information | and ensure that the information is recorded accurately and reflects the scientific evidence used in making the hazard determination. Container of hazardous chemical should be clearly labelled as specified under rule. |
| Rule 18 | Import of Hazardous Chemicals | Any person responsible for importing hazardous chemicals in India should provide prior-information specified under the rule to the concerned authorities prescribed under the rules. Any person importing hazardous chemicals should maintain the records of the hazardous chemicals imported as specified in Schedule 10 and the records can be checked by the concerned authority |
| Rule 19 | Improvement Notices | Concerned authority may serve the improvement notice to occupier in case of violation of rules |
| Rule 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. |

10. That various provisions of the CAEPPR Rules, 1989 are briefly described as follows:

| Rule | Heading | Description |
|------|---------|-------------|
|------|---------|-------------|



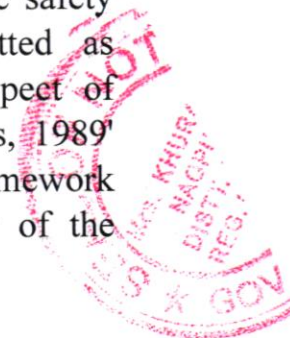
| | | |
|--------|--|---|
| Rule 1 | Short Title And Commencement | Chemical Accidents (Emergency Planning, Preparedness and Response) Rules, 1996 |
| Rule 2 | Definitions | Various definition viz. Chemical accident, industrial pocket, major chemical accident, industrial activity, hazardous chemical etc. has been given in the mentioned rule. |
| Rule 3 | Constitution Of Central Crisis Group (CCG) | Provision of constitution of CCG for management of chemical accident and functions. |
| Rule 4 | Setting up of Crisis Alert System | Provision of setting up a functional crisis control room, information networking system with the State Governments under Crisis Alert System. |
| Rule 5 | Functions of the Central Crisis Group | Defined responsibilities of CCG/provide expert guidance for handling chemical accidents. |
| Rule 6 | Constitution Of State Crisis Group | Provisions enabling the State Government to constitute a State Crisis Group for management of chemical accidents |
| Rule 7 | Functions of the State Crisis Group | Defined responsibilities of SCG/ to deal with chemical accidents and coordinate efforts in planning, preparedness and mitigation of a chemical accident |



| | | |
|---------|--|--|
| Rule 8 | Constitution of the District And Local Crisis Group | The State Government constitute a District and Local Crisis Group for management of chemical accidents |
| Rule 9 | Functions of The District Crisis Group | Apex body in the district to deal with major chemical accidents and to provide expert guidance for handling chemical accidents |
| Rule 10 | Functions of The Local Crisis Group (LCG) | To deal with chemical accidents and coordinate efforts in planning, preparedness and mitigation of a chemical accident |
| Rule 11 | Powers of the members of the Central, State and District Crisis Groups | The Members of the Central Crisis Group, State Crisis Groups and District Crisis Groups shall be deemed to be persons empowered by the Central Government in this behalf under sub-section (1) of section 10 of the Environment (Protection) Act, 1986 |
| Rule 12 | Aid And assistance for the functioning of the District and Local Crisis Groups | Major Accident Hazard installations provide aid, assist and facilitate functioning of the District Crisis Group and Local Crisis Group. |
| Rule 13 | Information to the Public | CCG, SCG, LCG provide information on request regarding chemical accident prevention, preparedness and mitigation in the country, state and industrial pocket respectively. |



11. That, apart from functionaries appointed under Factories Act, 1948, the Petroleum and Explosives Safety Organization (PESO), has also been made the nodal agency to approve and notify the sites of pipelines carrying hazardous chemicals including inter-state pipelines. The PESO has also been mandated to accept On-site Emergency Plans, review the safety reports and safety audit reports submitted by occupiers. PESO is also mandated to enforce directions and procedures under the Explosives Act, 1884 as well as the Petroleum Act, 1934.
12. That the PESO and the Chief Inspector of Factories (CIFs) or Director, Industry Safety and Health (DISH), while giving approvals to industrial units, transportation pipelines and isolated storage are expected to ensure preparation of on-site emergency plans & safety reports by units, reviewing the details of mock-drills conducted and implementation of Standard Operating Procedures (SOPs) of industrial operation by the unit from industrial safety point of view.
13. That in compliance to the directions of the Hon'ble NGT in the matter of *O.A. No. 60/2021 (related to the chemical accident at M/s UPL Limited, Bharuch, Gujarat in Feb-2021)*, the respondent Ministry and Central Pollution Control Board (CPCB) had prepared guidelines on the safety audit of chemical industries. The compilation was submitted as 'Integrated Guidance Framework for Chemicals Safety in respect of Isolated Storage(s) and Industries covered under MSIHC Rules, 1989' and duly taken on record by Hon'ble NGT. Thereafter, the framework was shared with all States/ UTs for implementation. A copy of the framework is attached at **Annexure-R3**.
14. 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.



15. That, the respondent 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 respondent Ministry Notified Public Liability Insurance Rules, 1991 vide dated 15th May, 1991. A copy of the Public Liability Insurance Act, 1991 and Public Liability Insurance Rules dated 15th May, 1991 is annexed herein as **Annexure-R4** and **Annexure R5** respectively.

16. That, further the respondent Ministry had notified S.O. No. 227 (E) dated 24th March 1992, which states that the applicability of the Public Liability Insurance 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 said notification. A copy of the said Notification is annexed herein as **Annexure-R6**.

17. That in exercise of the powers conferred by section 7A of the Public Liability Insurance Act, 1991, An Environment Relief Fund (ERF) has been established by the Central Government under the scheme which is called Environment Relief Fund Scheme, 2008 vide notification G.S.R. No. 768(E) dated 4th November, 2008. A copy of the said Scheme is annexed herewith as **Annexure-R7**. The Section 7A reads as follows:

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

*(1A) There shall be credited to the Relief Fund established under sub-section (1)- [as amended vide S.no. 32 of Jan Vishwas Act, 2023, annexed herein as **Annexure-R8**].*

a. the amount as prescribed 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 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.*

(3) *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."*

18. That, an owner unless exempted under sub-section (3) of section 4 of the Act, 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.

19. That the Public Liability Insurance Act provides for 3rd party insurance for immediate relief on "no fault" principle. That, 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.

20. It is submitted that section 4 (1) of the PLI Act 1991, mandates:

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

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 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 of that act. [as amended vide S.no. 32 of Jan Vishwas Act, 2023].

21. That section 4 (2) of the PLI Act 1991, mandate that every owner shall get the insurance policy, referred to in sub-section (1) of section 4, 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.

22. 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.

23. 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.

(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. [as amended vide S.no. 32 of Jan Vishwas Act, 2023]

(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.

24. 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).

25. It is submitted that, a claim for relief can be claimed through the authority referred above in Para 22, The applicant who are eligible to make application for claim for relief is referred in para 23 and the procedure to claim the fund is mentioned in Para 24.

26. It is respectfully submitted that in view of the above submissions, this Hon'ble Tribunal may pass such order(s) as deemed fit and proper in the facts and circumstances of the case.

DEPONENT

(E. Thirunavukkarasu)

वैज्ञानिक 'ई' / Scientist 'E'

पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय
Ministry of Environment, Forest & Climate Change
क्षेत्रीय कार्यालय, नागपुर-४४०००१
Regional Office, Nagpur-440001

VERIFICATION

Verified at Nagpur on this 6th day of September, 2024 that the contents of this affidavit based on official record(s) maintained and information available in the office are true and correct, no part of it is false and nothing has been concealed there from.

DEPONENT
(इ. थिरुनावुक्करसु)
(E. Thirunavukkarasu)
वैज्ञानिक 'ई' / Scientist 'E'
पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय
Ministry of Environment, Forest & Climate Change
क्षेत्रीय कार्यालय, नागपुर-४४०००१
Regional Office, Nagpur-440001



NOTARIAL REG
ENTRY NO. 25366
DATE 6/9/2024

SWORN BEFORE ME ON THIS 6th
DAY OF Sep 20 24 AT NAGPUR BY
SHRI / SMT. / Ku. E. Thirunavukkarasu
R/o NAGPUR WHO HAS BEEN IDENTIFIED BY
SHRI / SMT. Arunhati Roy
ADVOCATE, NAGPUR.

NOTARY
GOVT. OF INDIA
Nagpur (M.S.) INDIA



101

**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 ¹[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.

- (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;]
- (k) "pipeline" means a pipe (together with any apparatus and works associated therewith) or system of pipes (together with any

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.

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 ³3 & 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 rules.

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 MSIHC (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, ¹[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.

PART II
LIST OF HAZARDOUS AND TOXIC CHEMICALS

| S. No. | NAME OF HAZARDOUS CHEMICALS | S. No. | NAME OF HAZARDOUS CHEMICALS |
|--------|-----------------------------|--------|--|
| 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. | Bitoscanate |
| 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 Nitrimethylidyne 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. | Diphosphoramidate 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. | Ethanesulfenyl 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-nitrosaminoguynyl-1-tetrazene |
| 255. Ethyl mercaptan | 296. Heptachlor |
| 256. Ethyl mercuric phosphate | 297. Hexamethyl terta-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 | |

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

- | | | | |
|------|---|------|---|
| 415. | Naphtha | 454. | Oxamyl |
| 416. | Nephtha 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 ethylthiomethylphospho-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 |

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

578. Stannane acetoxy triphenyl
579. Stibine (Antimony hydride)
580. Strychnine
581. Strychnine sulphate
582. Styphinic acid (2, 4,6-trinitroresorcinol)
583. Styrene
584. Sulphotec
585. Sulphoxide, 3-chloropropyl octyl
586. Sulphur dichloride
587. Sulphur dioxide
588. Sulphur monochloride
589. Sulphur tetrafluoride
590. Sulphur trioxide
591. Sulphuric acid
592. Tellurim (powder)
593. Tellurium hexafluoride
594. TEPP (Tetraethyl pyrophosphate)
595. Terbufos
596. Tert-Butyl alcohol
597. Tert-Butyl peroxy carbonate
598. Tert-Butyl peroxy isopropyl
599. Tert-Butyl peroxyacetate (Conc $\geq 70\%$)
600. Tert-Butyl peroxyvalate (Conc $\geq 77\%$)
601. Tert-Butyl peroxyiso-butyrate
602. Tetra hydrofuran
603. Terta methyl lead
604. Tetra nitromethane
605. Tetra-chlorodibenzo-p-dioxin, 1, 2, 3, 7, 8(TCDD)
606. Tetraethyl lead
607. Tetrafluoriethyne
608. Tetramethylene disulphotetramine
609. Thallic oxide
610. Thallium carbonate
611. Thallium sulphate
612. Thallous chloride
613. Thallous malonate
614. Thallous sulphate
615. Thiocarbazide
616. Thiocynamicacid, 2(Benzothiazolyethio) methyl
617. Thiofamox
618. Thiometon
619. Thionazin
620. Thionyl chloride
621. Thiophenol
622. Thiosemicarbazide
623. Thiourea (2 chloro-phenyl)
624. Thiourea (2-methyl phenyl)
625. Tirpate (2,4-dimethyl-1,3-dithiolane)
626. Titanium powder
627. Titanium tetra-chloride
628. Toluene
629. Toluene -2,4-di-isocyanate
630. Toluene 2,6-di-isocyanate
631. Trans-1,4-di chloro-butene
632. Tri nitro anisole
633. Tri (Cyclohexyl) methylstannyl 1,2,4 triazole
634. Tri (Cyclohexyl) stannyl-1H-1, 2, 3-triazole
635. Triaminotrinitrobenzene
636. Triamphos
637. Triazophos
638. Tribromophenol 2, 4, 6
639. Trichloro naphthalene
640. Trichloro chloromethyl silane
641. Trichloroacetyl chloride
642. Trichlorodichlorophenylsilane
643. Trichloroethyl silane
644. Trichloroethylene
645. Trichloromethane sulphenyl chloride
646. Trichloronate
647. Trichlorophenol 2, 3, 6
648. Trichlorophenol 2, 4, 5
649. Trichlorophenyl silane
650. Trichlorophon
651. Triethoxy silane
652. Triethylamine
653. Triethylene melamine
654. Trimethyl chlorosilane
655. Trimethyl propane phosphite
656. Trimethyl tin chloride
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 creosyl phosphate | 677. | Vinylidene 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) | |
|-------------------|---|---|---|
| | | 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 |
| 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(E), 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-isoprophylthiomethyl 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 phosphorimidocynidic 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. | Hexmathylphosphoramide | 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 Rule14 (a to h) of MSIHC (Amendment) Rules, 1994 notified vide notification S.O.2882, dated 3.10.1994.

² Inserted by Rule14 (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 peroxyisobutyrate (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 | Cyclotetramethyleneteranitramine | 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, -Hexanitrositibene | 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 |

¹[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) |
| | | repots 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 - casualtiesKilled
-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.

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.

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 Codes/Lable | Hazchem No.: | |
| | | 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 @ 35 °C mm/Hg | Odour |
| Vapour Density (Air=1) | Solubility in Water at 30°C Others | |
| Specific Gravity Water =1 | pH | |

| | | | | | |
|--|--------|-------------------|-------------------------------------|---------|-------------------|
| 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 CHEMICAL ACCIDENTS (EMERGENCY PLANNING, PREPAREDNESS,
AND RESPONSE) RULES, 1996

MINISTRY OF ENVIRONMENT & FORESTS

NOTIFICATION

(New Delhi, the 1st August, 1996)

**RULES ON EMERGENCY PLANNING, PREPAREDNESS AND RESPONSE
FOR CHEMICAL ACCIDENTS**

***G.S.R.347(E):-** In exercise of the power 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 Chemical Accidents (Emergency Planning, Preparedness, and Response) Rules, 1996.

(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. "chemical accident" means an accident involving a fortuitous, or Sudden or unintended occurrence while handling any hazardous chemicals resulting in continuous, intermittent or repeated exposure to death, 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) "hazardous chemical" means,-

i. any chemical which satisfies any of the criteria laid down in Part I of Schedule 1 or is listed in Part 2 of the said schedule;

(ii) any chemical listed in Column 2 of Schedule 2;

(iii) any chemical listed in Column 2 of Schedule 3;

(c) "industrial activity" includes an operation or process,-

i. carried out in an industrial installation referred to in Schedule -4 involving or likely to involve one or more hazardous chemicals;

i. on-site storage or on-site transport which is associated with that operation or process as the case may be;

(iii) isolated storage;

(iv) pipeline;

- d. "industrial pocket" means any industrial zone ear-marked by the Industrial Development Corporation of the State Government or by the State Government;
- e. "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 at least the quantities of that chemical set out in **Schedule-2**;
- f. "major chemical accident" means, - an occurrence including any particular major emission, fire or explosion involving one or more hazardous chemicals and resulting from uncontrolled developments in the course of industrial activity or transportation or due to natural events leading to serious effects both immediate or delayed, inside or outside the installation likely to cause substantial loss of life and property including adverse effects on the environment;
- g. "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;
- h. "Manufacture, Storage and Import of Hazardous Chemical, Rules" means, - the Manufacture, Storage and Import of Hazardous Chemicals Rules, 1989, published in the notification of Government of India in the Ministry of Environment & Forests No. S.O.966 (E), dated 27 1h November, 1989;
- i. "off-site emergency plan" means,- the off-site emergency plan prepared under rule 14 of the Manufacture, Storage and Import of Hazardous Chemicals Rules;
- j. "pipeline" means,- a pipe (together with any apparatus and works associated therewith) or system of pipes (together with any apparatus and works associated therewith) for the conveyance of a hazardous chemical other than a flammable gas as set out in column 2 of Part 11 of Schedule 1, at a pressure of less than 8 bars absolute;
- k. "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;
- l. "transport" means.- movement of hazardous chemicals by any means over land, water or air.

3. Constitution of Central Crisis Group.- (1) The Central Government shall constitute a Central Crisis Group for management of chemical accidents and set up a Crisis Alert System in accordance with the provisions of Rule-4 within thirty days from the date of the commencement of these rules.

(2) The composition of the Central Crisis Group shall be as specified in Schedule 5.

(3) The Central Crisis Group shall meet at least once in six months and follow such procedure for transaction of business as it deems fit.

(4) Notwithstanding anything contained in sub-rule (2), the Central Crisis Group may co opt any person whose assistance or advice is considered useful in performing any of its functions to participate in the deliberations of any of its meetings.

4. Constitution of Crisis Alert System:- The Central Government shall,-

- (a) set up a functional control room at such place as it deems fit;
 - a. set up an information net working system with the State and district control rooms;
- (c) appoint adequate staff and experts to man the functional control room;
- (d) publish a list of Major Accident Hazard installations;
- (e) publish a list of major chemical accidents in chronological order;
- (f) publish a list of members of the Central, State and District Crisis Groups;
 - g. take measures to create awareness amongst the public with a view to preventing chemical accidents.

5. Functions of the Central Crisis Group: (1) The Central Crisis Group shall be the apex body to deal with major chemical accidents and to provide expert guidance for handling major chemical accidents.

(2) Without prejudice to the functions specified under sub-rule (1), the Central Crisis Group shall,-

- a. continuously monitor the post accident situation arising out of a major chemical accident and suggest measures for prevention and to check recurrence of such accidents;
- a. conduct post-accident analysis of such major chemical accidents and evaluate responses;
- b. review district off-site emergency plans with a view to examine its adequacy in accordance with the Manufacture, Storage and Import of Hazardous Chemicals, Rules, and suggest measures to reduce risks in the Industrial pockets;
- (d) review the progress reports submitted by the State Crisis Groups;
- c. respond to queries addressed to it by the State Crisis Groups and the District Crisis Groups;
- d. publish a State-wise list of experts and officials who are concerned with the handling of chemical accidents;
- e. render, in the event of a chemical accident in a State, all financial and infra-structural help as may be necessary.

6. Constitution of State Crisis Group.- (1) The State Government shall constitute a State Crisis Group for management of chemical accidents within thirty days from the date of the commencement of these rules.

(2) The composition of the State Crisis Group shall be as specified in **Schedule 6**.

(3) The State Crisis Group shall meet at least once in three months and follow such procedure for transaction of business as it deems fit.

(4) Notwithstanding anything contained in sub-rule (2), the State Crisis Group may co-opt any person whose assistance or advice is considered useful in performing any of its functions, to participate in the deliberation of any of its meetings.

7. Functions of the State Crisis Group.- (1) The State Crisis Group shall be the apex body in the State to deal with major chemical accidents and to provide expert guidance for handling major chemical accidents.

(2) Without prejudice to the functions specified under sub-rule (1), the State Crisis Group shall,-

- a. review all district off-site emergency plans in the State with a view to examine its adequacy in accordance with the Manufacture, Storage and Import of Hazardous Chemicals, Rules and forward a report to the Central Crisis Group once in three months;
- (b) assist the State Government in managing chemical accidents at a site;
- b. assist the State Government in the planning, preparedness and mitigation of major chemical accidents at a site in the State;
- c. continuously monitor the post accident situation arising out of a major chemical accident in the State and forward a report to the Central Crisis group;
- (e) review the progress report submitted by the District Crisis groups;
- (f) respond to queries addressed to it by the District Crisis groups;
 - a. publish a list of experts and officials in the State who are concerned with the management of chemical accidents.

8. Constitution of the District and Local Crisis Group.- (1) The State Government shall cause to be constituted within thirty days from the date of commencement of these rules,-

- a. District Crisis Groups;
- b. Local Crisis Groups;

(2) The composition of the District Crisis Groups and the Local Crisis Groups shall be as specified in **Schedule 7 and 8** respectively.

(3) The District Crisis Group shall meet every forty five days and send a report to the State Crisis Group;

(4) The Local Crisis Group shall meet every month and forward a copy of the proceedings to the District Crisis Group.

9. Functions of the District Crisis Group.-(1) The District Crisis Group shall be the apex body in the district to deal with major chemical accidents and to provide expert guidance for handling chemical accidents;

(2) Without prejudice to the functions specified under sub-rule (1). the District Crisis Group shall,-

- (a) assist in the preparation of the district off-site emergency plan;
- c. review all the on-site emergency plans prepared by the occupier of Major Accident Hazards installation for the preparation of the district off-site emergency plan;
- (c) assist the district administration in the management of chemical;
- (d) continuously monitor every chemical accident;
- d. ensure continuous information flow from the district to the Central and State Crisis Group regarding accident situation and mitigation efforts;
- e. forward a report of the chemical accident within fifteen days to the State Crisis Group;
- f. conduct at least one full scale mock-drill of a chemical accident at a site each year and forward a report of the strength and the weakness of the plan to the State Crisis Group.

10. Functions of the Local Crisis Group.-(1) The Local Crisis Group shall be the body in the industrial pocket to deal with chemical accidents and coordinate efforts in planning, preparedness and mitigation of a chemical accident;

(2) Without prejudice to the functions specified under sub-rule (1), the Local Crisis Group shall,

- (a) prepare local emergency plan for the industrial pocket;
 - a. ensure dovetailing of the local emergency plan with the district off-site emergency plan;
 - (c) train personnel involved in chemical accident management;
 - b. educate the population likely to be affected in a chemical accident about the remedies and existing preparedness in the area;
 - c. conduct at least one full scale mock-drill of a chemical accident at a site every six months forward a report to the District Crisis Group;
- (f) respond to all public inquiries on the subject.

11. Powers of the Members of the Central, State and District Crisis Groups.-

1. the Members of the Central Crisis Group, State Crisis Groups and District Crisis Groups shall be deemed to be persons empowered by the Central Government in this behalf under sub-section (1) of section 10 of the Environment (Protection) Act, 1986.

12. Aid and Assistance for the functioning of the District and Local Crisis Groups.-

(1) The Major Accident Hazard installations in the industrial pockets in the district shall aid, assist and facilitate functioning of the District Crisis Group;

(2) The Major Accident Hazard installations in the industrial pockets shall also aid, assist and facilitate the functioning of the Local Crisis Group.

13. Information to the Public.- (1) the Central Crisis Groups shall provide information on request regarding chemical accident prevention, preparedness and mitigation in the country;

(2) The State Crisis Group shall provide information on request regarding chemical accident prevention, preparedness and mitigation to the public in the State;

(3) The Local Crisis Group shall provide information regarding possible chemical accident at a site in the industrial pocket and related -information to the public on request;

(4) The Local Crisis Group shall assist the Major Accident Hazard installations in the industrial pocket in taking appropriate steps to inform persons likely to be affected by a chemical accident.

SCHEDULES

Schedule 1

[see rule 2(b) & 2(j)]

Part - 1

(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:

| Sr. No. | Degree of Toxicity | Oral Toxicity LD50 (mg/kg) | Dermal Toxicity (Dermal LD50) (mg/kg) | Inhalation toxicity by dust & mists (mg/l) |
|---------|--------------------|----------------------------|---------------------------------------|--|
| | | | | |

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|---|-----------------|--------|----------|---------|
| 1 | Extremely toxic | 1-50 | 1-200 | 0.1-0.5 |
| 2 | Highly Toxic | 51-500 | 201-2000 | 0.5-2.0 |

(b) Flammable Chemicals: - (i) Flammable gases: chemicals which in the gaseous state at normal pressure and mixed with air become flammable and the boiling point of which at normal pressure is 20T or below;

(ii) Highly Flammable liquids: Chemicals which have a flash point lower than 23°C and the boiling point of which a normal pressure is above 20° C;

(iii) Flammable liquids: chemicals which have a flash point lower than 65°C and which remains liquids under pressure, where particular processing conditions, such as high pressure and high temperature, may create major accident hazards.

(c) Explosives: Chemicals which may explode under the effect of flame, heat or photo-chemical conditions or which are more sensitive to shocks or friction than dinitro-benzene.

Notes:

* As published in Gazette of India, Part 11 Section 3 (i) Extraordinary S.NO. 241, dated 2/8/1996.

PART II

List of Hazardous and Toxic Chemicals

| Sr. No. | Name of the Chemical |
|---------|----------------------|
| | Acetone |
| | Acetone Cynohydride |
| | Acetylene Chloride |
| | Acetylene (Ethyne) |

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| | Acrolein (2-Propenal) |
| | Acrylonitrile |
| | Aldicarb |
| | Aldrin |
| | Alkyl Phthalate |
| | Allyl Alcohol |
| | Allylamine |
| | Alpha Naphthyl Thiourea (Antu) |
| | Aminodiphenyl-4 |
| | Aminophenol-2 |
| | Amiton |
| | Ammonia |
| | Ammonium Nitrate |
| | Ammonium Nitrates in fertilizers |

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| | Ammonium Sulfamate |
| | Anabasine |
| | Aniline |
| | Anisidine-p |
| | Antimony and Compounds |
| | Antimony Hydride (Stibine) |
| | Arsenic Hydride (Arsine) |
| | Arsenic Pentoxide, Arsenic (v) Acid, and Salts |
| | Arsenic Trioxide, Arsenious (iii) Acids and Salts |
| | Asbestos |
| | Azinophos-Ethyl |
| | Azinphos-Methyl |
| | Banum Azide |
| | Benzene |

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| | Benzidine |
| | Benzidine Salts |
| | Benzoquinone |
| | Benzoyl Chloride |
| | Benzoyl Peroxide |
| | Benzyl Chloride |
| | Benzyl Cyanide |
| | Beryllium (Powders Compound) |
| | Biphenyl |
| | Bis (2-Chloromethyl) Ketone |
| | Bis (2, 4, 6-Trinitrophenyl) Amine |
| | Bis (2, Chloroethyl sulphide) |
| | Bis (Chloromethyl) ether |
| | Bis (tert-Butyl peroxy) Butane-2, 2 |

| | |
|--|--|
| | Bis (tert-Butyl peroxy) Cyclohexane-11 |
| | Bis-1, 2 Tribromophenoxy Ethane |
| | Bis phenol |
| | Boron and Compounds |
| | Bromine |
| | Bromine Pentafluoride |
| | Bromoform |
| | Butoadine |
| | Butane |
| | Butanethiol |
| | Butanone-2 |
| | Butoxy Ethanol |
| | Butyl Glycidal Ether |
| | Butyl Peroxy acetate, tert |

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| | BUtyL Peroxyisobutyrate, tert |
| | Butyl Peroxyisopropyl Carbonate, tert |
| | Butyl Peroxymaleate, tert |
| | Butyl Peroxypivalate, tcrt |
| | Butyl Vinyl Ether |
| | Buty-n-Mercaptan |
| | Butylamine |
| | C-9, Aromatic Hydrocarbon Fraction |
| | Cadmium and Compounds |
| | Cadmium Oxide (fumes) |
| | Calcium Cynicde |
| | Captan |
| | Captofol |
| | Carbaryl (Sevin) |

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| | Carbofuran |
| | Carbon Disulphide |
| | Carbon Monoxide |
| | Carbon Tetrachloride |
| | Carbophenothion |
| | Cellulose Nitrate |
| | Chlorats (used in explosives) |
| | Chlordane |
| | Chlorfenvinphos |
| | Chlorinated Benzenes |
| | Chlorine |
| | Chlorine Di Oxide |
| | Chlorine Oxide |
| | Chlorine Trifluoride |

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| | Chloromequal Chloride |
| | Chloroacetalchloride |
| | Chloroacetaldehyde |
| | Chloroanilin-2 |
| | Chloroaniline4 |
| | Chlorobenzene |
| | Chlorodiphenyl |
| | Chloropoxypropane |
| | Chloroethanol |
| | Chloroethyl |
| | Chloroformate |
| | Chorolfluorocarbons |
| | Chloroform |
| | Chloroformyl-4, Merpholine |

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| | Chloromethane |
| | Chloromethyl Ether |
| | Chloromethyl Methyl Ether |
| | Chloronitrobenzene |
| | Chloroprene |
| | Chlorosulphonic Acid |
| | Chlorotrinitro benzene |
| | Chloroxuron |
| | Chromium and Compounds |
| | Cobalt and Compounds |
| | Copper and Compounds |
| | Coumafuryl |
| | Coumaphos |
| | Coumateralyl |

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| | Cresols |
| | Cumidine |
| | Cumene |
| | Cynophos |
| | Cynothoate |
| | Cyanuric Fluoride |
| | Cyclohexane |
| | Cyclohexanol |
| | Cyclohexane |
| | Cycloheximide |
| | Cyclopentadinene |
| | Cyclopentane |
| | Cyclotetramethylenetrinitramine |
| | Cyclotriethylene Trinitramine |

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| | DDT |
| | Dicarbomodiphenyl Oxide |
| | Demeton |
| | Di-Isobutyl Peroxide |
| | Di n-Propyl Peroxydicarbonate |
| | Di-sec-Butyl Peroxydicarbonate |
| | Dalifos Mazodinitrophewl |
| | Diszomethane |
| | Dibenzyl Peroxydicarbonate |
| | Diehloroaeethylene |
| | Diehlorobenzene-0 |
| | Dichlorobenzene-2 |
| | Di-chloroethane |
| | Dichlorethyl Ether |

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| | Dichlorophenol-2, 4 |
| | Dichlorophenol-2, 6 |
| | Dichlorophenoxy Acetic Acid, -2,4 (2,4-D) |
| | Dichloropropane-1, 2 |
| | Diehlorosalicylic Acid, -3,5 |
| | Dichlorovos (DDVP) |
| | Dicrotophos |
| | Dieldrin |
| | Diepoxybutane |
| | Diethyl Peroxydicarbonate |
| | Diethyl Glycol Dinitrate |
| | Diethylene Triarnine |
| | Diehylene glycol Butyl Ether/Diethyleteglycol Butyl Acetate |
| | Diethylenetriarnine (DETA) |

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| | Diglycidyl Ether |
| | Dihydroperoxypropane, -2,2 |
| | Diisobutyryl Peroxide |
| | Dimethoate |
| | Dimethyl Phosphoramidocynidic Acid |
| | Dimethyl Phthalate |
| | Dimethylcarbonyl |
| | Dimethylnitrosamine |
| | Dinitrophenol, Salts |
| | Dinitroluene |
| | Dinitro-o-Cresol |
| | Dioxane |
| | Dioxathion |
| | Dioxalane |

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| | Diphacinone |
| | Diphosphoramid Octamethyl |
| | Dipropylene Glycolmethylether |
| | Disulfoton |
| | Endosulfan |
| | Endrin |
| | Epiehlorohydrine |
| | EPN |
| | Epoxypropane, 1, 2 |
| | Ehion |
| | Ethyl Carbarnate f |
| | Ethyl ether |
| | Ethyl Hexanol, -2 |
| | Ethyl Mercaptan |

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| | Ethyl Methacrylate |
| | Ethyl Nitrate |
| | Ethylamine |
| | Ethylene |
| | Ethylene Chlorohydrine |
| | Ethylene Diamine |
| | Ethylene Dibromide |
| | Ethylene Dichloride |
| | Ethylene Glycol Dinitrate |
| | Ethylene Oxide |
| | Ethyleneimine |
| | Ethylthiocynate |
| | Fensulphothion |
| | Fluometil |

| | |
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| | Fluoro, -4,2-Hydroxybutyric Acid and Salts, Esters, Amides |
| | Fluoroacetic Acid and Salts, Esters, Amides |
| | Fluorobutyric Acid, -4, and Salts, Esters, Amides |
| | Fluorocrotonic Acid, -4, and Salts, Esters, Amides |
| | Formaldehyde |
| | Glyconitrite (Hydroxyacetonitrite) |
| | Guanyl, -1, 4 Nitrosaminoguanyl-1-Tetrazenc |
| | Heptachlor |
| | Haxachloro Cyclopentadiene |
| | Hexachlorocyclohexane |
| | Hexachlorocy cloamethane |
| | Hexachlorodibenzo-p-Dioxin, -1, 2, 3, 7, 8, 9 |
| | Hexafluoropropene |
| | Hexamethylphosphoramide |

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| | Hexamethyl, -3, 3, 6, 6, 9, 9, -1, 2, 4, 5-Tetroxacyclononane |
| | Hexamethylenediamine |
| | Hexane |
| | Hexanitrosstibene, -2, 2, 4, 4, 6, 6, |
| | Hexavalent Chromium |
| | Hydrazine |
| | Hyrazine Nitrate Hydrochloric Acid |
| | Hydrogen |
| | Hydrogen Bromide (Hydrobromic Acid) |
| | Hydrogen Chloride (Liquified Gas) |
| | Hydrogen Cynide |
| | Hydrogen Fluoride |
| | Hydrogen Selenide |
| | Hydrogen Sulphide |

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| | Hydroquinone |
| | Iodine |
| | Isobenzan |
| | Isodrin |
| | Isophorone Diisocyanate |
| | Isopropyl Ether |
| | Juglone (5-Hydroxynaphthalene-1, 4-Dione) |
| | Lead (inorganic fumes & dusts) |
| | Lead 2, 4, 6 -Trinitroresorcinoxide (Lead Styphnate) |
| | Lead Azide |
| | Leptophos |
| | Lindane |
| | Liquified Petroleum Gas (LPG) |
| | Maleic Anhydride |

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| | Manganese & Compounds |
| | Mercapto Benzothiazole |
| | Mercury Alkyl |
| | Mercury Fulminate |
| | Mercury Methyl |
| | Methacrylic Anhydride |
| | Methacrylonitrile |
| | Methacryloyl Chloride |
| | Methamidophos |
| | Methanesulfonyl Fluoride |
| | Methanethiol |
| | Methoxy Ethanol (2-Methyl Cellosive) |
| | Methoxy ethyl mercuric Acetate |
| | Methyl Acrylate |

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| | Methyl Alcohol |
| | Methyl Amylketone |
| | Methyl Bromide (Bromomethane) |
| | Methyl Chloride |
| | Methyl Chloroform |
| | Methyl Cyclohexene |
| | Methyl Ethyl Ketone Peroxide |
| | Methyl Hydrazine |
| | Methyl Isobutyl Ketone |
| | Methyl Isobutyl Ketone Peroxide |
| | Methyl Isocyanate |
| | Methyl Isothiocyanate |
| | Methyl Mercaptan |
| | Methyl Methacrylate |

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| | Methyl Parathion |
| | Methyl Phosphonic Dichloride |
| | Methyl-N, 2, 4, 6,-Trinitroaniline |
| | Methylene Chloride |
| | Methylenebis, -4, 4, (2-Chloroaniline) |
| | Methyltrichlorosilane |
| | Mevinphos |
| | Molybdenum & Compounds |
| | N-Methyl-N, 2, 4, 6-N-Tetranitroanilin |
| | Naptha (Coal Tar) |
| | Naphthylamine, 2 |
| | Nickel & Compounds |
| | Nickel Tetracarbonyl |
| | Noitroaniline-O |

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| | Nitroaniline-P |
| | Nitrobenzene |
| | Nitrochloroberizene-P |
| | Nitrocyclohexane |
| | Nitriothage |
| | Nitrogen.Dioxide |
| | Nitrogen Oxide |
| | Nitrogen Trifluoride |
| | Nitroglycerine |
| | Nitrophenol-P |
| | Nitropropane-1 |
| | Nitropropane-2 |
| | Nitrosodirnethylarnine |
| | Nitrotolune |

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| | Octabromophenyl Oxide |
| | Oleurn |
| | Olelarnine |
| | OO-Diethyl-Sethylsulphonylmethyl phosphorothioate |
| | OO-Diethyl-S-Ethylthiornethyl Phosphorothioate |
| | OO-Diethyl S-Ethiomethyl Phosphorathioate |
| | OO-Diethyl-S-1sopropyliniornethyl Phosphorolithioate |
| | OO-diethyl-S-Propylthiornethyl Phosphorodithioate |
| | Oxyarnyl |
| | Oxydisulioton |
| | Oxygen (Liquid) |
| | Oxygen Difluoride |
| | Ozone |
| | Paraoxon (Diethyl 4-Nitrophenyl Phosphate) |

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| | Paraquat |
| | Parathion |
| | Parathion Methyl |
| | Paris green (Bis Aceto Hexametaatsinito Tetracopper) |
| | Pentaborane |
| | Pentabromodiphenyl Oxide |
| | Pentabromophenol |
| | Pentachloro Naphthalene |
| | Pentachloroethane |
| | Pentachlorophenol |
| | Pentacrythritol Tetranitrate |
| | Pentane |
| | Peracetic Acid |
| | Perchloroethylene |

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| | Perchlorornethyl Mercaptan |
| | Pentanone, 2,4-Methyl |
| | Phenol |
| | Phenyl Glycidal Ether |
| | Phenylene p-Diarnine |
| | Phenylmercury Acetate |
| | Phorate |
| | Phosacetim |
| | Phosalone |
| | Phosfolan |
| | Phosgene (Carbonyl Chloride) |
| | Phosmet |
| | Phospamidon |
| | Phosphine (Hydrogen Phosphide) |

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| | Phosphoric Acid and Esters |
| | Phosphoric Acid, Bromethyl Bromo (2,2-dimethylpropyl) Bromoethyl Ester |
| | Phosphoric Acid, Bromoethyl Bromo (2,2-Dimethylpropyl) Chlorethyethyl Ester |
| | Phosphoric Acid, Chloroethyl Bromo (2,2-Dimethoxylpropyl) Chloroethyl Ester |
| | Phosporous & Compounds |
| | Phostalan Pircic Acid (2,4,6-Trinitrophenol) |
| | Polybrominaled Biphenyl |
| | Potassium Arsenite |
| | Potassium Chlorate |
| | Promurit(1-(3,4-Dichlorophenyl)-3-Triazenethiocarboxamide) |
| | Propanesultone-1, 3 |
| | Propen,-1, 2-Chloro-1,3-Diol-Diacetate |
| | Propylene Dichloride |
| | Propylene Oxide |

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| | Propyleneimine |
| | Pyrazoxon |
| | Selenium Hexafluoride |
| | Semicarbazide Hydrochloride |
| | Sodium Arsenite |
| | Sodium Azide |
| | Sodium Chlorate |
| | Sodium Cyanide |
| | Sodium Picramate |
| | Sodium Selenite |
| | Styrene, 1, 1, 2, 2-Tetrachloroethane |
| | Sulfotep |
| | Sulphur Dichloride |
| | Sulphur Dioxide |

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| | Sulphur Trioxide |
| | Sulphuric Acid |
| | Sulphoxide, 3-Chloropropyloctyl |
| | Tellurium |
| | Tellurium Hexafluoride |
| | Tepp |
| | Terbufos |
| | Tetrabromobisphenol-A |
| | Tetrachloro, 2, 2, 5, 6, 2, 5-Cyclohexadiene-1, 4-Dione |
| | Tetrachlorodibenzo-p Dioxin, 2, 3, 7, 8 (TCDD) |
| | Tetraethyl Lead |
| | Tetrafluoroethane |
| | Tetramethylenedisulphotetramine |
| | Tetramethyl Lead |

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| | Tetramnitromethane |
| | Thalium & Compounds |
| | Thionzin |
| | Thionyl Chloride |
| | Tirpate |
| | Toluene |
| | Toluidien-2, 4 Diisocynate |
| | Toluidiene-O |
| | Toluene 2, 6-Diisocynate |
| | Trans-1, 4-Chlorobutene |
| | Tri, -1 (Cyclohexyl) Stannyl-1H, 1, 2, 4-Trazole |
| | Triamino, -1, 3, 5, 2, 4, 6-Trinitrobenzene |
| | Tribromophenol, 2, 4, 6 |
| | Trichloro Acetyl Chloride |

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|--|------------------------------------|
| | Trichloro Ethane |
| | Trichloro Naphthalene |
| | Trichloro (chloromethyl) Silane |
| | Trichlorodichlorophenylsilane |
| | Trichloroethane, 1, 1, 1 |
| | Trichloroethyl Silane |
| | Trichloroethylene |
| | Trichloromethanesulphenyl Chloride |
| | Trichlorophenol, 2, 2, 6 |
| | Trichlorophenol, 2, 4, 5 |
| | Triethylamine |
| | Triethylenemelamine |
| | Trimethyl Chlorosilane |
| | Trimethylopropane Phosphite |

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| | Trinitroaniline |
| | Trinitroanisole, 2, 2, 4, 6 |
| | Trinolrobenzene |
| | Trinitrobenzoic Acid |
| | Trinitrocresol |
| | Trinitrophenetole, 2, 4, 6 |
| | Trinitroesorcinol, 2, 4, 6 (Styphnic Acid) |
| | Trinitrotoluene |
| | Triorthocressyl Phosphate |
| | Triphenylin Chloride |
| | Turpenline Uranium & Compounds |
| | Vanadium & Compounds |
| | Vinyl Chloride |
| | Vinyl Fluoride |

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| | Warfarin |
| | Xylene |
| | Xylidine |
| | Zinc & Compounds |
| | Zirconium & Compounds |

SCHEDULE 2

Schedule 2

[(See rule 2(b), 2(e) 2(g)]

| S.No. | Chemicals | Threshold Quantities (tonnes) | |
|-------|----------------------------------|---------------------------------------|-----------------------------------|
| | | For application of Rules 4, 5 and 7-9 | For application of Rules 10 to 15 |
| 1 | Acrylonitrile | 350 | 5,000 |
| 2 | Ammonia | 60 | 600 |
| 3 | Ammonium nitrate (a) | 350 | 2500 |
| 4 | Ammonium nitrate fertilizers (b) | 1250 | 10000 |

499

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|----|---|-------|-------|
| 5 | Chlorine | 10 | 25 |
| 6 | Flammable gases as defined in Schedule 1, paragraph (b) (i) | 50 | 300 |
| 7 | Highly flammable liquids as defined in Schedule 1, paragraph (b) (ii) | 10000 | 10000 |
| 8 | Liquid oxygen | 200 | 2000 |
| 9 | Sodium chlorate | 25 | 250 |
| 10 | Sulphur dioxide | 20 | 500 |
| 11 | Sulphur trioxide | 15 | 100 |

Note:

(a) The threshold quantities set out below relate to each installation or group of installations 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 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 metres of the said site; and

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(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.

(c) 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

(d) 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).

SCHEUDLE 3

Schedule 3

[see rule 2(b), 2(b), 2(e), 2(g)]

Named Chemicals

| Sr. No. | Chemical | Threshold Quantity | | CAS Number |
|---------|--------------------------|---------------------------------------|---------------------------|------------|
| | | for appln. of Rules, 5, 7-9 and 13-15 | for appln. of Rules 10-12 | |
| 1 | 2 | 3 | 4 | 5 |
| | GROUP 1-TOXIC SUBSTANCES | | | |
| | Aldicarb | 100 kg | | 116-06-3 |

501

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|--|--|--------|--|-----------|
| | 4-Aminodiphenyl | 1 kg | | 96-67-1 |
| | Amiton | 1 kg | | 78-53-5 |
| | Anabasine | 100 kg | | 494-52-0 |
| | Arseinc pentoxide, Arsenic (V) acid & salts | 500 kg | | |
| | Arsenic trioxide, Arseius (III) acid & salts | 100 kg | | |
| | Arsine (Arsenic hydride) | 10 kg | | 7784-42-1 |
| | Azinphos-ethyl | 100 kg | | 2642-71-9 |
| | Azinphos-melhyl | 100 kg | | 86-50-0 |
| | Benzidine | 1 kg | | 92-87-5 |
| | Benzidine salts | 1 kg | | 10 kg |
| | Beryllium (powders, compounds} | | | |
| | Bis (2-chloroethyl) sulphide | 1 kg | | 505-60-2 |
| | Bis (chloromethyl) ether | 1 kg | | 542-88-1 |

502

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|--|---|---------|--|------------|
| | Carbophuran | 100 kg | | 1563-66-2 |
| | Carbophenothion | 100 kg | | 786-19-6 |
| | Chlorefenvinphos | 100 kg | | 470-90-6 |
| | 4-(Chloroformyl) morpholine | 1 kg | | 15159-40-7 |
| | Chloromethyl methyl ether | 1 kg | | 107-30-2 |
| | Cobalt (metal, oxides, carbonates, sulphides, as powders) | 1 000kg | | |
| | Crimidine | 100 kg | | 535-89-7 |
| | Cynthoate | 100 kg | | 3734-95-0 |
| | Cycloheximide | 100 kg | | 66-81-9 |
| | Demeton | 100 kg | | 8065-48-3 |
| | Dialifos | 100 kg | | 10311-84-9 |
| | OO-Diethyl S-ethylsulphinylmethyl phosphorothiate | 100 kg | | 2588-05-8 |

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|--|---|--------|--|------------|
| | OO-Diethyl S-ethylsulphonylmethyl phosphorothioate | 100 kg | | 2588-06-9 |
| | OO-Dielhyl S-ethylthiomethyl Phosphorothioate | 100 kg | | 2600-69-3 |
| | OO-Diethyl S-isopropylthiomethyl phosphorodithioate | 100kg | | 78-52-4 |
| | OO-Diethyl S-propylthiomethyl phosphorodithioate | 100 kg | | 3309-68-0 |
| | Dimefox | 100 kg | | 115-26-4 |
| | Dimethylcarbamoyl chloride | 1 kg | | 79-44-7 |
| | Dimethylnitrosamine | 1 kg | | 62-75-9 |
| | Dimethyl phosphoramidocynidic acid | 1 t | | 63917-41-9 |
| | Diphacinone | 100 kg | | 82-66-6 |
| | Disulfoton | 100 kg | | 298-04-4 |
| | EPN | 100 kg | | 2104-64-5 |
| | Ethion | 100 kg | | 563-12-2 |

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|--|--------------------------------|--------|--|------------|
| | Fensulfothion | 100 kg | | 115-90-2 |
| | Fluometil | 100 kg | | 4301-50-2 |
| | Fluoroacetic acid | 1 kg | | 144-49-0 |
| | Fluoroacetic acid, salts | 1 kg | | |
| | Fluoroacetic acid, salts ester | 1 kg | | |
| | Fluoroacetic acid, amides | 1 kg | | |
| | 4-Fluorobutyric acid | 1 kg | | 462-23-7 |
| | 4-Fluorobutyric acid, salts | 1 kg | | |
| | 4-Fluorobutyric acid, esters | 1 kg | | |
| | 4-Fluorobutyric acid, amides | 1 kg | | |
| | 4-Fluorocrotonic acid | 1 kg | | 37759-72-1 |
| | 4-Fluorocrotonic acid, salts | 1 kg | | |
| | 4-Fluorocrotonic acid, esters | 1 kg | | |
| | 4-Fluorocrotonic acid, amides | 1 kg | | |

505

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|--|---|--------|--|------------|
| | 4-Fluoro-2-hydroxybutyric acid, amides | 1 kg | | |
| | 4-Fluoro-2-hydroxybutyric acid, salts | 1 kg | | |
| | 4-Fluoro-2-hydroxybutyric acid, esters | 1 kg | | |
| | 4-Fluoro-2-hydroxybutyric acid, amides | 1 kg | | |
| | Glycolonitrile (Hydroxyacetonitrile) | 00 kg | | 1 107-16-4 |
| | 1, 2, 3, 7, 8, 9-Hexachlorodibenzo-p-dioxin | 100 g | | 194-8-74-3 |
| | Hexamethylphosphoramide | 1 kg | | 680-31-9 |
| | Hydrogen selenide | 10 kg | | 7783-07-5 |
| | Isobenzan | 100 kg | | 297-78-9 |
| | Isodrin | 100 kg | | 465-73-6 |
| | Juglone (5-Hydroxynaphthalene 1, 4 dione) | 100 kg | | 481-39-0 |
| | 4, 4-Methylenebis (2-chloroniline) | 10 kg | | 101-14-4 |

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|--|---|--------|--------|------------|
| | Methyl isocyanate | 150 kg | 150 kg | 624-83-9 |
| | Mevinphos | 100 kg | | 7786-34-7 |
| | 2-Naphthylamine | 1 kg | | 91 -59-8 |
| | 2-Nickcl (metal, oxides, carbonates, sulphides, as powders) | 1 t | | |
| | Nickel tetracarbonyl | 10 kg | | 13463-39-3 |
| | Oxygendisulfoton | 100 kg | | 2497-07-6 |
| | Oxygen difluoride | 10 kg | | 7783-41-7 |
| | Paraxon (Diethyl 4-nitsphenyl phosphate) | 100 kg | | 311 -45-5 |
| | Parathion | 100 kg | | 56-38-2 |
| | Parathion-methyl | 100 kg | | 298-00-0 |
| | Pentaborane | 100 kg | | 19624-22-7 |
| | Phorate | 100 kg | | 298-02-2 |

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|--|--|--------|--|------------|
| | Phosacetim | 100 kg | | 4104-14-7 |
| | Phosgene (carbonyl chloride) | 750 kg | | 75-44-5 |
| | Phosphamidon | 100 kg | | 13171-41-6 |
| | Posphine (Hydrogen phosphide) | 100 kg | | 7803-51-2 |
| | Promurit (1-(3, 4-dichlorophenyl)-3 triazenethiocarboxamide) | 100 kg | | 5836-73-7 |
| | 1, 3-Propanesultone | 1 kg | | 1120-7t-4 |
| | 1 -Propen-2-chloro- 1, 3-diol diacetate | 10 kg | | 10118-72-6 |
| | Pyrazoxon | 100 kg | | 108-34-9 |
| | Selenium hexafluoride | 10 kg | | 7783-79-1 |
| | Sodium selenite | 100 kg | | 10102-18-8 |
| | Stibine (Antimony hydride) | 100 kg | | 7803-52-3 |
| | Sulfotep | 100 kg | | 3689-24- |

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| | | | | 5 |
| | Sulphur dichloride | 1 t | | 10545-99-0 |
| | Tellurium hexanuroride | 100 kg | | 7783-80-4 |
| | TEPP | 100 kg | | 107-49-3 |
| | 2, 3, 7, 8-Tetrachlorodibenzo-p-dioxin(TCDD) | 1 kg | | 1746-01-6 |
| | Tetramethylenedisulphotetramine | 1 kg | | 80-12-6 |
| | Thionazin | 100 kg | | 97-97-22 |
| | Tirpate (2, 4-Dimethyl-1, 3-dihiolane-2-carboxaldehyde O-methylcarbarnoyloxime) | 100 kg | | 26419-8 |
| | Trichloromethanesulphenyl chloride | 100 kg | | 594-42-3 |
| | 1-Tri (cyclohexyl) stannyl-I H-1, 2,. 4-triazole | 100 kg | | 41083-11-8 |
| | Triethylenemelamine | 10 kg | | 51-18-3 |
| | Warfarin | 100 kg | | 81-81-2 |
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| | GROUP 2-TOXIC SUBSTANCES | | | |
| | Acetonecyanohydrin (2-Cyanopropan-2-01) | 200 t | | 75-86-5 |
| | Acrolein (2-Propenal) | 20 t | | 107-02-8 |
| | Acrylonitrile | 20 t | 200 t | 107-13-1 |
| | Allyl alcohol (Propen-1-01) | 200 t | | 107-18-6 |
| | Alylamine | 200 t | | 107-11-9 |
| | Ammonia | 50 t | 500 t | 7664-41-7 |
| | Bromine | 40 t | | 7726-95-6 |
| | Carbon disulphide | 20 t | 200 t | 75-15-0 |
| | Chlorine | 10 t | 25 t | 7782-fO 5 |
| | Dipneyl ethane di-isocynate (MDI) | 20 t | | 101-68-8 |
| | Ethylene dibromide (1, 2-Dibromoethane) | 5 t | | 106-93-4 |
| | Ethyleneimine | 50 t | | 151-56-4 |

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| | | | | |
| | Formaldehyde (concentration £90%) | 5 t | | 50-00 0 |
| | Hydrogen chloride (liquified gas) | 250 t | 25t | 7647-01-0 |
| | Hydrogen cynide | 5 t | 20 t | 74-90-8 |
| | Hydrogen fluoride | 5 t | 50 t | 7664-39-3 |
| | Hydrogen sulphide | 5 t | 50 t | 7783-06-4 |
| | Methyl bromide (Bromomethane) | 20 t | | 74-83-9 |
| | Nitrogen oxides | 50 t | | 11104-93-1 |
| | Propyleneimine | 50 t | | 75-55-8 |
| | Sulphur dioxide | 20 t | 250 t | 7446-09-5 |
| | Sulphur trioxide | 15 t | 75 t | 7446-11-9 |
| | Tetraethyl lead | 5 t | | 78-00-2 |
| | Tetramethyl lead | 5 t | | 75-74-1 |

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|--|---|--------|--------|-----------------|
| | Toluene di-isocyanate (TDI) | 10 t | | 584-84-975-01-4 |
| | | | | |
| | GROUP 3-- HIGHLY REACTIVE SUBSTANCES | | | |
| | Acetylene (ethyne) | 5 t | | 74-86-2 |
| | a. Ammonium nitrate (1) | 350 t | 2500 t | 6484-52-2 |
| | b. Ammonium nitrate in form of fertiliser (2) | 1250 t | | |
| | 2 2-Bis (tert-butylperoxy) butane) (concentration ³ 70%) | 5 t | | 2167-23-9 |
| | 1 1-Bis (tert-butylperoxy) cyclohexane (concentration ³ 80%) | 5 t | | 3006-86-8 |
| | tert-Butyl peroxyacetate (concentration ³ 70%) | 5 t | | 107-71-1 |
| | Tert-Butyl peroxyisobutyrate (concentration ³ 80%) | 5t | | 109-13-7 |
| | tert-Butyl peroxy isopropyl carbonate (concentration ³ 80%) | 5 t | | 2372-21-6 |
| | tert-Butyl peroxy maleate (concentration ³ 80%) | 5 t | | 1931-62-0 |

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| | Tert-Butyl peroxyvalate (concentration ³ 77%) | 50 t | | 927-07-1 |
| | Dibenzyl peroxydicarbonate (concentration ³ 90%) | 5 t | | 2144-45-8 |
| | Di-sec-butyl peroxydicarbonate (concentration ³ 80%) | 5 t | | 19910-65-7 |
| | Diethyl peroxydicarbonate (concentration ³ 30%) | 50 t | | 14666-78-5 |
| | 2, 2-dihydroperoxypropane (concentration ³ 30%) | 5 t | | 2614-76-08 |
| | Di-isobutyryl peroxide concentration ³ 50%) | 50 t | | 437-84-13 |
| | Di-n-propyl peroxydicarbonate(concentration ³ 80%) | 5 t | | 16066-38-9 |
| | Ethylene oxide | 5 t | 50 t | 75-21-8 |
| | Ethyl nitrate | 50 t | | 625-58-1 |
| | 3, 3, 6, 6, 9, 9Hexamcthyl-1, 2, 4, 5-tert oxacyclononane (concentration ³ 75%) | 50 t | | 22397-38-7 |
| | Hydrogen | 2 t | 50 t | 1333-74-0 |

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| | Liquid Oxygen | 200 t | | 7782-41-7 |
| | Methyl ethyl ketone peroxide (concentration ³ 60%) | 50t | | 1338-23-4 |
| | Methyl isobutyl ketone peroxide (concentration ³ 60%) | 50 t | | 37206-20-5 |
| | Peracetic acid (concentration ³ 60%) | 50 t | | 79-21-0 |
| | Propylene oxide | 50 t | | 75-56-9 |
| | Sodium chlorate | 25 t | | 7775-09-9 |
| | | | | |
| | GROUP 4-EXPLOSIVE SUBSTANCES | | | |
| | Barium azide | 50 t | | 18810-58-7 |
| | Bis (2,4, 6-trinitrophenyl) amine | 50 t | | 131-073-7 |
| | Chlorotrinitro benzene | 50 t | | 28260-61-9 |
| | Cellulose nitrate (containing 12.6% Nitrogen) | 50 t | | 9004-70-0 |

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| | Cyclotetramethyleneteranitramine | 50 t | | 2691-41-0 |
| | Cyclotrimetylenetiranitramine | 50 t | | 121-82-1 |
| | Diazodinitrophenol | 10 t | | 7008-81-3 |
| | Diethylene glycol dinitrate | 10 t | | 693-21-0 |
| | Dinitrophenol, salts | 50 t | | |
| | Ethylene glycol dinitrate | 10 t | | 628-96-6 |
| | 1-Gyanyl-4-nitrosaminoguanyl-1-tetrazene | 10 t | | 109-27-3 |
| | 2, 2', 4, 4', 6, 6'-Hexanirostilbene | 50 t | | 20062-22-0 |
| | Hydrazine nitrate | 50 t | | 13464-97-6 |
| | Lead azide | 50 t | | 13424-46-9 |
| | Lead styphnate (Lead 2, 4, 6-trinitroresorcinoxide) | 50 t | | 15245-44-0 |
| | Mercury fulminate | 10 t | | 20820-45-5 |

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| N-Methyl-N, 2, 4 6-tetranitroaniline | 50t | | 479-45-8 |
| Nitroglycerine | 10t | 10 t | 55-63-0 |
| Pentacrythritol tetranitrate | 50t | | 78-11-5 |
| Picric acid (2, 3, 6-Tr.nitrophenol) | 10 t | | 88-89-1 |
| Sodium picramate | 50 t | | 831-52-7 |
| Styphnic acid (2, 4, 6-Trinitroresorcinol) | 50 t | | 82-71-3 |
| 1, 3, 5-Triamino-2, 4, 6-trinitrobenzene | 50 t | | 3058-38-6 |
| Trinitroaniline- | 50 t | | 2695242-1 |
| 2, 4, 6-Trinitroanisole | 50 t | | 606-35-9 |
| Trinitrobenzene | 50 t | | 25377-32-6 |
| Trinitrobenzoic acid | 50 t | | 2890S-71-7 |
| 2,4, 6-Trinitrophenitolc | 50 t | | 47324-3 |
| 2,4, 6-Trinitrotulene | 50 t | 50 t | 118-96-7 |

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PART-II**Classes of chemicals not specifically named in Part-I**

| 1 | 2 | 3 | 4 |
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| | Group 5-Flammable Chemicals | | |
| 1 | Flammable gases: Substances which in the gaseous state normal pressure and mixed with air become flammable and the boiling point of which at normal pressure is 20°C or below; | 15 t | 200 t |
| 2 | Highly flammable liquids: Substances which have a flash point lower than 23°C and the boiling point Of which at normal pressure is above 20°C; | 1000 t | 50,000 t |
| 3 | Flammable liquids: Substances which have a Rash point lower than 65ø C and which remain liquid under pressure, where particular processing conditions, such as high pressure and high temperature, may create major accident hazards. | 25 t | 200 t |

- 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: -

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(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.

- c. 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.

(d) This applies 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).

SCHEDULE 4

Schedule 4

[See rule 2(c) 2(e)]

1. Installations 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 phosphorus-containing compounds
 - (p) formulation of pesticides and of pharmaceutical products
 - (q) distillation
 - (r) extraction
 - (s) solvation
 - (t) mixing
2. Installations 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 or treatment of energy gases, for example, LPG, LNG, SNG.
 5. Installations 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.

SCHEDULE 5

Schedule 5

[see rule -3)(2)]

Composition of the Central Crisis Group

- i. Secretary, Chairperson
Govt. of India,
Ministry of Environment & Forests
- ii. Joint Secretary/Adviser (Environment & Forests) Member Secretary
- iii. Joint Secretary (labour) Member
- iv. Joint Secretary/ Adviser "

(Chemical & Pharmaceuticals)
- v. Director General, Civil Defence "
- vi. Fire Advisor, Directorate General Civil Defence "
- vii. Chief Controller of Explosive "
- viii. Joint Secreary, (Deptt. of Industries) "
- ix. Director General, Indian Council of Medical Research "
- x. Joint Secretary (Health) "
- xi. Chairman, Central Pollution Control Board "
- xii. Director General, Indian Council of Agriculture Research "
- xiii. Director General, Council of scientific & Industrial Research "
- xiv. 4 Experts (Industrial Safety and Health) "
- xv. Joint Secretary(Fertilizers) "
- xvi. Director General(Telecom) "
- xvii. 2 Representatives of Industries to "

be nominated by the Central Govt.
- xviii. Joint Secretary (Surface Transport) "
- xix. General Manager (Rail safety) "
- xx. Adviser, Centre for environment and "

Explosive safety
- xxi. One Representative of Indian Chemical "

Manufacturers Association to be nominated by the Central Govt.

SCHEDULE 6

Schedule 6

[See rule 6(2)]

Composition of the State Crisis Group

- i. Chief Secretary Chairperson
- ii. Secretary (Labour) Member Secy.
- iii. Secretary (Environment) Member
- iv. Secretary (Health) "

- v. Secretary (Industries) "
- vi. Secretary (Public Health Engg.) "
- vii. Chairman, State Pollution Control Board "

viii 4-Experts (Industrial Safety & Health) "

to be nominated by the State Government

- viii. Secretary/Commissioner(Transport) "
- ix. Director(Industrial Safety)/Chief "
- x. Inspector of Factories "
- xi. Fire Chief "
- xii. Commissioner of Police "
- xiii. One Representative from the Industry "

to be nominated by the State Govt.

SCHEDULE 7

Schedule 7

[See rule 8]

Composition of the District Crisis Group

- i. District Collector Chair person
- ii. Inspector of Factories Member Secy.
- iii. District Energy Officer Member
- iv. Chief Fire Officer Member
- v. District Information Officer "
- vi. Controller of Explosives "
- vii. Chief, Civil Defence "
- viii. One Representative of Trade Unions "

to be nominated by the District Collector

- ix. Deputy Superintendent of Police "
- x. District Health Officer/Chief Medical Officer "
- xi. Commissioner, Municipal Corporations "
- xii. Representative of the Department "

of Public Health Engineering

- xiii. 4 Experts (Industrial Safety & Health) "

to be nominated by the District Collector

- xiv. Commissioner (Transport) "
- xv. One Representative of Industry "

to be nominated by the District Collector

xvi. Chair-person/Member-Secretary "

of Local Crisis Groups

SCHEDULE 8

Schedule 8

[See rule 8)]

Composition of the Local Crisis Groups

i. Sub-divisional Magistrate / District Chair person

Emergency Authority

ii. Inspector of Factories Member Secy.

iii. Industries in the District/ Member

Industrial area/ industrial pocket

iv. Transporters of Hazardous Chemicals(2 Numbers) "

v. Fire Officer "

vi. Station House Officer (Police) "

vii. Block Development Officer "

viii. One Representative of Civil Defence "

ix. Primary Health Officer "

x. Editor of local News paper "

xi. Community leader/Sarpanch/Village "

xii. Pradhan nominated by Chair-person "

xiii. One Representative of Non-Government "

xiv. Organisation to be nominated by the Chair-person "

xv. Two Doctors eminent in the Local area, to be "

nominated by Chair-person

xvi. Two Social Workers to be nominated by the Chair-person "

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नरेश पाल गंगवार, आई.ए.एस
Naresh Pal Gangwar, IAS



अपर सचिव
भारत सरकार
पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय
ADDITIONAL SECRETARY
GOVERNMENT OF INDIA
MINISTRY OF ENVIRONMENT, FOREST
AND CLIMATE CHANGE

D.O.No.11/14/2021-HSMD

Dated: 14th October, 2022

Respected Sir,

The Ministry of Environment, Forest and Climate Change (MoEFCC) is the nodal Ministry to deal with the chemical (industrial) accidents. It has put in place a regulatory regime to deal with chemical accidents in industrial units (covering isolated storage) through Manufacture, Storage and Import of Hazardous Chemicals Rules, 1989 [MSIHC Rules, 1989] and Chemical Accidents (Emergency Planning, Preparedness and Response) Rules, 1996 [CAEPPR Rules, 1996].

2. The above-mentioned rules complement each other and their collective purpose is to prevent major chemical accidents arising out of industrial activities. These rules assign key responsibilities to various State Government and Central Government agencies. Further, the MoEFCC has also formulated certain guidelines and frameworks for ensuring chemical safety to facilitate stakeholders.

3 In this regard, the MoEFCC and Central Pollution Control Board (CPCB) have developed an 'Integrated Guidance Framework for Chemicals Safety in respect of Isolated Storage(s) and Industries covered under MSIHC Rules, 1989' in compliance to the directions of Hon'ble National Green Tribunal. The CPCB was also directed to monitor the compliance of the framework on half-yearly basis. The framework was circulated to the Chief Secretaries/ UT Administrators of all States/ UTs in January-2022 by the MoEFCC for implementation (*copy enclosed*). The Integrated Guidance Framework prescribe for regular inspections of industrial and chemical sites, ensure preparation of on-site emergency plan, undertake safety audits and share information among other stakeholders agencies, in case of observed non-compliance.

4. Hence, I would request your personal intervention in the matter, and direct various agencies working at State Level to undertake thorough assessment of operational safety in the industrial units as per the 'Integrated Guidance Framework for Chemicals Safety in respect of Isolated Storage(s) and Industries covered under MSIHC Rules, 1989' and submit its compliance to the CPCB. A copy of the framework is also enclosed for reference and implementation.

With regards,

The Secretary In-charge
Environment Department
All State Government(s) / UT Administration(s)

(Naresh Pal Gangwar)

Copy to:

Shri Tanmay Kumar, IAS
Chairman
Central Pollution Control Board,
East Arjun Nagar, Parivesh Bhawan,
Shahdara, Delhi-110032.

(Naresh Pal Gangwar)



पृथ्वी विंग, पांचवा तल, कमरा नं. 505, इंदिरा पर्यावरण भवन, जोर बाग रोड,
नई दिल्ली-110003, फोन: (011) 20819247, ई-मेल: asnpg.mefcc@gov.in

Prithvi Wing, 5th Floor, Room No. 505, Indira Paryavaran Bhawan, Jor Bagh Road,
New Delhi-110003, Tel.: (011) 20819247, E-mail: asnpg.mefcc@gov.in



लीना नन्दन
LEENA NANDAN

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आज़ादी का
अमृत महोत्सव



सचिव
भारत सरकार
पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय
SECRETARY
GOVERNMENT OF INDIA
MINISTRY OF ENVIRONMENT, FOREST AND
CLIMATE CHANGE

D.O.No.11/14/2021-HSMD

18th January, 2022

Dear Chief Secretary,

The Ministry of Environment, Forest and Climate Change has put in place a regulatory framework to deal with chemical accidents in industrial units (covering isolated storage) through the Manufacture, Storage and Import of Hazardous Chemicals Rules, 1989 [MSIHC Rules, 1989] and Chemical Accidents (Emergency Planning, Preparedness and Response) Rules, 1996 [CAEPPR Rules, 1996].

2. Recently, the Hon'ble National Green Tribunal, in the matter of O.A. No. 60/2021 (related to the chemical accident at M/s UPL Limited, Bharuch, Gujarat on Feb-2021), had directed this Ministry and Central Pollution Control Board (CPCB) to prepare guidelines on the safety audit of chemical industries. Accordingly, the CPCB developed an 'Integrated Guidance Framework for Chemicals Safety in respect of Isolated Storage(s) and Industries covered under MSIHC Rules, 1989' which was duly taken on record by Hon'ble NGT. In compliance of directions to monitor the ground status on half-yearly basis, the Central Pollution Control Board has initiated follow-up action as per the framework.
3. It is vital that respective agencies that have been assigned key responsibilities, closely monitor the operations of industry w.r.t. safety and maintenance aspects so that accidents can be averted. Regular and periodic inspections of industrial and chemical sites, safety audits and sharing of information whenever there is non-compliance, are essential tasks that need to be focussed on.
4. You are requested to kindly issue necessary instructions to the concerned agencies / authorities accordingly. A copy of the framework is enclosed for ready reference.

Regards,

Yours sincerely,

Encl: as above.

Leena

[Leena Nandan]



Chief Secretaries of all States and UT Administrations

इंदिरा पर्यावरण भवन, जोर बाग रोड, नई दिल्ली-110 003 फोन: (011) 24695262, फ़ैक्स: (011) 24695270
INDIRA PARYAVARAN BHAWAN, JOR BAGH ROAD, NEW DELHI-110 003, Ph.: 011-24695262, Fax: 011-24695270
E-mail : secy-moef@nic.in, Website : moef.gov.in

Integrated Guidance Framework for Chemicals Safety in Respect of the Isolated Storages and Industries Covered Under Manufacture, Storage and Import of Hazardous Chemicals (MSIHC) Rules, 1989.

Background:

Hon'ble National Green Tribunal on 11.06.2021 in Original Application No. 60/2021 passed the order. The Para 12 of the aforementioned order read as follows:

"We also direct CPCB and MoEF&CC in coordination with other concerned authorities to consider issuing appropriate guidelines for conducting safety audits and taking other remedial measures throughout India in the light of present report as well as other recent reports in respect of industrial accidents so as to prevent such incidents and to save human lives and health."

In this regard, the guidelines are as follows:

A. Guidelines for Industries and Isolated Storages:

REPORTING

1. An occupier (of an industry or isolated storage) shall identify the major accident hazards and shall take adequate steps to prevent such major accidents and to limit their consequences to persons and the environment and shall provide the persons working on the site with the information, training and equipment including antidotes necessary to ensure their safety.
2. Where a major accident occurs on a site or in a pipe line, the occupier shall within 48 hours notify the concerned authority as identified in Schedule 5 (of the Manufacture, Storage and Import of Hazardous Chemical Rules, 1989 as amended) of that accident, and furnish thereafter to the concerned authority a report relating to the accidents in Schedule 6 (of the Manufacture, Storage and Import of Hazardous Chemical Rules, 1989 (as amended)). However, the concerned authorities, local crisis group, District emergency authorities etc. have to be informed by the occupier as early as possible.

3. The occupier shall not undertake any industrial activity or isolated storage unless he has been granted an approval for undertaking such an activity by the concerned authorities and has submitted a written report to the concerned authority containing the particulars specified in Schedule 7 of the Manufacture, Storage and Import of Hazardous Chemical Rules, 1989 as amended. In case of 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 the occupier has to take a separate approval for undertaking such activity.
4. The occupier shall furnish a further report to the concerned authorities, in case the changes to the threshold quantity of hazardous chemicals are made.
5. An occupier shall not undertake any industrial activity or isolated storage to which the Manufacture, Storage and Import of Hazardous Chemical Rules, 1989 (as amended) applies, unless he has prepared a safety report on that industrial activity containing the information specified in Schedule 8 of the Manufacture, Storage and Import of Hazardous Chemical Rules, 1989 (as amended) and has sent a copy of that report to the concerned authority at least ninety days before commencing that activity.
6. The occupier of both the new and the existing industrial activities or isolated storage shall carry out an independent safety audit of the respective industrial activities with the help of an expert, not associated with such industrial activities. The occupier shall forward a copy of the auditor's report along with his comments to the concerned authorities within 30 days after the completion of such audit.
7. 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 to the concerned authorities.
8. The occupier, within 30 days of the completion of the safety audit, shall send a report to the Chief Inspector of Factories with respect to the implementation of the audit recommendations.
9. The occupier shall not make any modification to the industrial activity or isolated storage 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 authorities at least 90 days before making those modifications.
10. Where an occupier has made a safety report and that industrial activity or isolated storage 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 previous report relating to safety and hazard assessment and shall within 30 days send a copy of the report to the concerned authority.
 11. For the purpose of enabling the concerned authority to prepare the off-site emergency plan, the occupier shall provide the concerned authority with such information relating to the industrial activity or isolated storage under his control as the concerned authority may require, including the nature, extent and likely effects off-site of possible major accidents.
 12. The occupier of an industry or isolated storage 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 the nature of the major accident hazard and the safety measures and the "Do's' and 'Don'ts" which should be adopted in the event of a major accident. The occupier of a new industry or isolated storage shall take these steps, before that activity is commenced.
 13. The industries / isolated storages shall update the comprehensive safety audit, on-site emergency plans and risk analysis reports annually and ensure that the reports are furnished to the concerned authorities.
 14. The industry or isolated storage shall conduct comprehensive hazard identification and risk assessment (HIRA) to identify the non-compliances and take corrective actions for the non-compliances identified. Emergency plans shall be established to deal with leakages / accidents. The safety & hazard audit should identify the control measures necessary to be taken during an emergency.
 15. A detailed study on the risk assessment and disaster management shall be carried out by the industry / isolated storage. Hazard identification and evaluation in a local community, preparation of standard operating procedures for accident prevention, preparedness and response, onsite emergency plans etc. have to be reviewed at least once in a year.

16. In the industries / isolated storages where gas leakages are suspected, an emergency plan to vent out / neutralize the gases safely should be prepared.
17. All industries and isolated storages should have mitigation plans for spillages / leakages of hazardous chemicals, fires, explosion or any other accident.
18. Standard Operating Procedure (SOP) for the steps to be taken during emergency situations / accidents shall be prepared by all industrial activities / isolated storages that are handling hazardous chemicals.

TESTING

19. The pressure test and leak test must be ensured after replacement of valves, pipes, joints etc. as per the original equipment manufacturer (OEM) manual or as per standard established procedure.
20. Check valves, relief valves should be installed at appropriate locations. Flow meters, sensors, measuring devices have to be regularly calibrated. Vents from relief valves shall be directed to a safe place.
21. Seals, glands and gaskets shall be regularly inspected, without dismantling. Leak detectors should be provided for all piping, valves, seals, flanges, and other pertinent equipment.
22. All hazardous chemicals carrying piping should be periodically inspected for failed insulation/ vapour barrier, rust and corrosion. Damaged and deteriorated piping / equipment should be replaced.
23. Operation and process control systems like Supervisory Control and Data Acquisition (SCADA) and Leak Detection and Repair (LDAR) systems should be adopted by the major accident hazard installations.
24. The safety measures including valve regulated systems shall be regularly checked and the concerned workers involved in the activity shall be properly trained.
25. Periodic inspection of equipment and machineries w.r.t. safety aspects should be done.
26. Portable gas masks should be kept at critical locations for use in any emergency.
27. Material Safety Data Sheets of raw materials & products should be made available to all the concerned personnel.

591322/2022/HSM 20. The design of storage tanks, pressure vessels etc. should be as per applicable standards. The material of the storage tanks, pressure vessels etc. should be of adequate strength and chemically inert for the chemicals to be stored. The inspection of storage tanks, pressure vessels etc. should be as per standard protocols.

29. All the vessels should be examined periodically by a competent person under the Factory Act / applicable extant laws.
30. Blanketing of tanks for fire protection of volatile / flammable chemicals should be considered.
31. Free Fall of any flammable material in the vessel has to be avoided. All solvents and flammable material storage tanks should be at a safe distance from the Process plant and required quantity of material should be charged in reactor through appropriate safe mode.
32. Earth connection should be provided to all solvent handling equipment, pipelines, reactors, vessels etc. for protection from electric current/ static electricity.
33. Separate safety manual should be prepared for each equipment along with the emergency management plan.
34. Periodic testing of firefighting equipment should be conducted.

DUTIES

35. Mock drills must be conducted regularly at every six months by the industries / isolated storages in controlled environment on actions to be taken during accidents, gas leakage, failure of critical process parameters etc.
36. It shall be ensured that the chemical storage tanks should be appropriately located so that adequate space to take action during emergency situation is available.
37. A clear documented emergency procedure should be laid down which details the precise duties of all staff and arrangements for evacuation, rescue, first aid etc. during an emergency.
38. All pipework containing hazardous chemicals shall be identified by colour coding or labelling (as per standards notified by Bureau of Indian Standards) and shall be protected to prevent corrosion / damage. The practice to identify



- 39. The industry or isolated storage shall install sensors with alarm system for detecting leakage of hazardous chemicals. Emergency ventilation, electricity tripping system to stop the process, sprinkling system to contain the leaked hazardous chemicals / gases etc. may be interlinked with the sensors for taking a prompt action in case of leakage / emergency.
- 40. Suitable gas sensors and alarm system should be installed in the industrial unit / isolated storages at appropriate locations where emission of gas is suspected so that any leaked gas is detected and the employees are immediately alerted. In sensitive areas of the unit where gas leakages are suspected, the unit shall work out an emergency prepared plan to neutralize / vent out the gases safely.
- 41. The industries / isolated storages should install automatic alarming system to alert its personnel as well as surrounding localities simultaneously in case of emergency situation and likelihood of emergency situation if any process parameter goes out of control.
- 42. There should be auto alarm system to alert the employees in case of any deviations noticed in process parameter that may cause emergency.
- 43. Only fully trained and qualified operators shall be permitted to operate the industrial processes involving hazardous chemicals. Training to all employees on Standard Operating Procedures, production process, safety aspects etc. should be provided. Refresher trainings should be conducted at least every year regarding safety and emergency preparedness aspects associated with the industrial process / isolated storage. The employees shall be given hands on experience with the product process under the supervision of senior employees. The industries / isolated storages only after ensuring that adequate training is imparted to its employees should engage the employees for independent works.
- 44. The industries and isolated storages should impart regular training to the staff to make them aware about process details, process functionalities. The employees should be trained to deal with emergencies arising out of leakage, abnormal temperature & pressure, increased emissions, pump failures, failure

- of air pollution control devices or effluent treatment plant, shock loads or any other accidents likely to occur. Overall the industries and isolated storages should be prepared for emergency response readiness & effectiveness in terms of major & minor accidents.
45. Any non-operational industry / isolated storage shall carry out proper risk study and safety audit before resuming the operations.
 46. Hazard and operability study must be carried out strictly and regularly by the industries and isolated storages. The concerned personnel should be made aware of the hazard and safety aspects associated with the process and material handled by them.
 47. The industry / isolated storage should procure chemicals from authorized dealers only. The spent solvents shall be procured from only those industries / solvent recyclers that are authorized by respective State Pollution Control Boards (SPCBs)/ Pollution Control Committees (PCCs).
 48. The industry / isolated storage shall provide essential Personnel Protective Equipment (PPE) to all the concerned employees and make it mandatory that the employees have to wear PPE during working hours.
 49. Occupational Health surveillance i.e., periodical health check-up of the employees should be conducted by the industries / isolated storage.
 50. The industries / isolated storages have to ensure self-compliance regarding recruiting competent staff, imparting Industrial, Environmental and Safety training to the staff, conducting safety audit, onsite emergency plans with record maintenance and information to SPCBs/ PCCs/ concerned Authorities.
 51. The distancing criteria for storage of hazardous chemicals have to be followed as per extant safety guidelines / rules. The chemicals should be stored as per compatibility and separate area for flammable, corrosive, explosive and toxic chemicals should be earmarked.
 52. The labelling of hazardous chemical storing containers shall be as per extant rules. The concerned employees should be made aware of the risks associated with the stored hazardous chemicals and appropriate precautions that need to be taken.
 53. To contain any spillage or leakage of hazardous chemicals or any uncontrolled reaction that may cause any emergency or accident, the industries / isolated storages should have sufficient stock of neutralizing

chemicals, absorbents, reaction quenchers with proper equipment and trained manpower.

54. Emergency ambulance services should be arranged in the industrial zones along with experienced doctors and paramedic staff.
55. Safety in operation greatly depends on proper commissioning of an industry / isolated storage and hence utmost care should be taken to monitor every aspect during erection and maintenance schedules or other areas which require proper planning.
56. The industries / isolated storages shall ensure that their premises should be constructed in accordance with the local government regulations.
57. A control room to deal with the emergencies should be commissioned by the industries / isolated storages. A quick response team of responsible officers should be constituted having duly assigned duties to be executed during emergencies.
58. The industry / isolated storage should conduct public awareness programmes in the surrounding localities about do's & don'ts during emergency situations on annual basis.
59. 'Mutual Aid Scheme' among industries to meet required response measures during chemical emergencies should be adopted.
60. Emergency contact numbers should be readily available at the isolated storages or industrial installations similar to 'Crisis Alert System' or Red Book.
61. Placing / indicating hazard signs at appropriate places in the isolated storage or industry or outside the shop floor (within the premises) should be done.
62. Increased automation that avoids physical handling of dangerous chemicals and substances should be brought into practice.
63. The industry / isolated storage should have proper firefighting arrangements in accordance with The Factories Act, 1948 / applicable extant laws.
64. All emergency valves and switches and emergency handling facilities should be easily accessible.
65. Safety audit reports shall be made online for public.
66. To ensure safety during operation/ handling / storage of hazardous chemicals, the industries/ isolated storages wherever and as applicable, shall obtain requisite clearances from The Chief Inspector, Factories and Boilers / Department of explosives / Fire Department etc. without fail.

67. The industries / isolated storages shall ensure that the effluent generated during any accident because of firefighting / decontamination activities etc. should be disposed in scientific manner after proper treatment. The hazardous wastes generated after any accident must be disposed in accordance with the extant rules.
68. Occupiers of storage installations like warehouses / tank farms are required to prepare an On-Site Emergency Plan and make available information regarding any possible off-site consequences to the District Collector to enable him to include the same in the Off Site Emergency Plan for the district or the particular area.
69. In order to avoid accidents, the following measures may be taken while establishing a warehouse/tank-farm. These should also be carried out in existing installations to enhance safety :
- i. Hazardous chemical storages should be located away from densely populated areas from drinking water sources, water bodies or from areas liable to flooding.
 - ii. The location should have easy access for transport and emergency services.
 - iii. Adequate emergency requirements like water for firefighting, drainage to prevent ground water contamination, standby source of electricity etc. should be provided.
 - iv. The layout of warehouses should be designed in accordance with nature of materials to be stored. The construction material should be non-flammable.
 - v. Floors should be impermeable to liquids and should be designed for easy cleaning.
 - vi. Drains should not be connected directly to water ways or public sewers. The drains should be connected to an interceptor pit.
 - vii. Proper embankments to contain any accidental spillage should be provided for all hazardous materials storages.
 - viii. Loading and unloading operations are to be done with utmost care.
 - ix. Procedure for receipt, despatch and transport should be clearly laid down.

- x. Details of hazardous chemicals, access and escape routes, available emergency & firefighting equipment should be available.
- xi. In addition to a storage plan, a safe operation of a storage facility should have planning for safety training, personal protective clothing and equipment, spillages and leaking containers, waste disposal, first aid, fire detection and protection equipment, environment protection, proper on site emergency plan etc.

70. Wherever applicable, the industries or the isolated storages shall invariably comply with the Manufacture, Storage and Import of Hazardous Chemical Rules, 1989 (as amended), The Major Accident Hazard Control Rules, 1997, The Factories Act, any other applicable rules or guidelines issued by the respective Government of State / Union Territory, The Ministry of Labour & Employment, Petroleum and Explosive Safety Organization, Oil Industry Safety Directorate etc.

B. Guidelines on the On Site Emergency Plans (for industries and isolated storages):

1. The occupier of an industrial activity / isolated storage shall prepare and keep up-to-date an on-site emergency plan containing details specified in Schedule 11 of the Manufacture, Storage and Import of Hazardous Chemical Rules, 1989 (as amended) detailing how major accidents will be dealt with on the site on which the industrial activity is carried 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 takes into account any modification made in the industrial activity / isolated storage 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 in the case of a new industrial activity or isolated storage, before that activity is commenced.

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4. The occupier shall conduct a mock drill ~~534~~ the on-site emergency plan every six months and a detailed report of the mock drill conducted shall be made immediately available to the concerned authorities as and when demanded.
5. With every change or modification made in a factory, operation or process, the on-site emergency plan may have to be modified and updated to keep it meaningful and effective. An on-site emergency plan should contain the following key elements:
- i. basis of the plan and hazard analysis;
 - ii. accident prevention procedure/measures;
 - iii. accident/emergency response procedure/measures; and
 - iv. recovery procedure.

Proper planning by industries / isolated storages helps in reducing the chances of accidents. For proper planning, the following needs to be considered:

- i. risk associated with the process technology;
- ii. safety measures;
- iii. siting and layout of industry / isolated storage ;
- iv. emergency preparedness; and
- v. compliance with the regulatory requirements.

Assessing the hazard potential of an installation is the first step in planning for emergencies. Preliminary Hazard Analysis which comprises hazard identification and vulnerability analysis should always be carried out at the conceptual stage for all installations including small and medium installation. However, Major Accident Hazard (MAH) installations, both existing and proposed ones, should carry out a risk analysis.

Hazard Analysis:

Hazard analysis is a critical component in planning for emergencies. To analyse the safety of a major installation as well as its potential hazards, a hazard analysis should be carried out covering the following areas:

- i. The toxic, reactive, explosive or flammable substance in the installation that constitute a major hazard.
- ii. The failures or errors that may cause abnormal conditions leading to a major accident.
- iii. The consequences of a major accident for the workers, people living or working outside the installation and the environment.
- iv. Preventive measures for accidents.
- v. Mitigation of the consequences of an accident.

Vulnerability Analysis:

Considering the maximum loss scenario e.g. catastrophic vessel rupture, the occupier may estimate the vulnerable zone or the zones which will be affected by the release of hazardous chemicals. It should be borne in mind that every effort should be made to confine the vulnerable zone within the factory premises. In order to achieve this, the following could be adopted:

- i. Reduce the quantity of hazardous substances stored.
- ii. Split the hazardous storages into number of smaller ones.
- iii. Isolate the storages that might lead to cascading effect.
- iv. Substitute extremely hazardous substances with less hazardous substance.

Risk Analysis:

Risk analysis can provide a relative measure of the likelihood and severity of various possible hazardous events and enable the emergency plan to focus on the greatest potential risks. Risk analysis involves an estimate of the probability or likelihood that an event will occur.

C. Guidelines for the Concerned Authorities:

1. The State Pollution Control Boards (SPCBs)/ Pollution Control Committees (PCCs) shall ensure that while issuing Consent to Establish (CET) or Consent to Operate (CTO) or renewing CET / CTO accorded to a plant,

- Onsite Emergency Plan, Safety Reports and Safety Audit Reports in accordance with The Manufacture, Storage and Import of Hazardous Chemical Rules, 1989 (as amended), be compulsorily sought from occupier, industry or installation handling hazardous chemicals in quantity equal to or more than the threshold quantity specified in the said rules.
2. The concerned authorities shall seek report from the occupier of the site in the event of major accident and shall undertake a full analysis of the major accident and send the requisite information within 90 days to the Ministry of Environment, Forests and Climate Change.
 3. The concerned authorities in the event of major accident shall seek report from the occupier of the site regarding steps taken to avoid any repetition of such occurrence of accident on the site and The concerned authorities shall in writing inform the occupier, of any lacunae which are needed to be rectified to avoid major accidents.
 4. The concerned authorities shall ensure that any person responsible for importing hazardous chemicals in India shall provide before 30 days or as reasonably possible but not later than the date of import to the concerned authorities in accordance with Rule 18 of the Manufacture, Storage and Import of Hazardous Chemical Rules, 1989 (as amended).
 5. The concerned authorities shall direct the importer to take appropriate safety measures if the concerned authorities are satisfied that the chemical being imported is likely to cause major accidents.
 6. The concerned authorities shall direct stoppage of import of the chemical which it considers not to be imported on safety or on environmental considerations and the concerned authorities 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.

- The concerned authorities shall ensure that any person importing hazardous chemicals shall maintain the records of the hazardous chemicals imported as specified in Schedule 10 of The Manufacture, Storage and Import of Hazardous Chemical Rules, 1989 (as amended) and the records so maintained shall be open for inspection by the regulatory authorities.
8. The concerned authorities shall ensure that any industry / isolated storage involved in the manufacturing, storage and import of hazardous chemicals shall comply with the stipulated provisions of The Manufacture, Storage and Import of Hazardous Chemical Rules, 1989 (as amended).
 9. The offsite emergency plans as well as the management of chemical accidents may be integrated with the district level disaster management plan.
 10. Local administration / Directorate of Industrial Safety and Health, SPCBs/ PCCs should keep stringent surveillance to avoid accidents at industries / isolated storages and to prevent environment damage.
 11. Periodic inspections including surprise inspections should be conducted by concerned authorities to assess the safety measures and documents maintained by the industry / isolated storage. If found not complying, necessary action shall be initiated against the industry / isolated storage.
 12. Maintenance of buffer zone for all industries / isolated storages, stoppage of encroachments and policy of not allocating residential houses near to industries / isolated storages should be strictly followed by the concerned authorities of State / Union Territory / Central Government.
 13. Risk assessment mapping of the industrial areas may be done w.r.t. gas leakages, fires, explosion etc.
 14. Awareness of the public residing around the isolated storages, industrial areas or industrial accident prone regions to deal with emergency situations shall be done by the industries / isolated storages as well as the district administration.

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15. Each industrial pocket shall have a Local Crisis Group which shall act as per the stipulations of The Chemical Accidents (Emergency Planning, Preparedness and Response) Rules, 1996.

16. The District crisis group, State Crisis Group and the Central Crisis Group should act in accordance with The Chemical Accidents (Emergency Planning, Preparedness and Response) Rules, 1996.

17. Industries / isolated storages shall not be allowed to operate in a non industrial zone. The District administration shall ensure that there shall not be any unauthorized storage of hazardous chemicals.

18. Land use planning decisions by public authorities should be taken after considering all aspects related to safety viz. possible hazards / anticipated accidents at the hazardous installations, cumulative risk of various hazardous installations situated in vicinity, safe distance for the surrounding localities, buffer zones, applicability of rescue plans in the eventuality of accidents etc.

19. State Government should devise their own system in accordance with the basic provisions provided in The Major Accident Hazard Control Rules (under Factories Act, 1948). As per these rules the safety audit should be conducted by an independent accredited auditor, and every time a fresh audit should be carried out with a periodicity of one year.

20. Special courses should be designed for auditing the industries / isolated storages to build competence and capabilities in our country which includes hazard identification and risk assessment.

21. Comprehensive safety audit must be carried out by trained professionals and the corrective actions recommended by them should be implemented in a time bound manner. The comprehensive safety audit should include policy, procedure and practices to minimise the risk of exposure of people and environment to potentially hazardous chemicals.

22. The states and districts which are lagging behind in conducting the safety audits of the industries / isolated storages should be prioritised.

23. The gap between two consequent audits can be further minimized by taking the entire procedure online so that the recommendations enumerated during

24. A robust and updated online mapping system, portraying all the hazards happening in the country can prove to be an aide in conducting the safety audits. A GIS- based system can be developed mapping all the hazards occurring in the industries containing all the information about the incident, which can be harnessed to make proper evaluations. This information can also be shared by the administrative authorities so that a prompt action can be taken to minimize the damage caused by the accident.

D. Guidelines on the Off Site Emergency Plans (for Concerned Authorities):

1. The concerned authority (as identified in Column 2 of Schedule 5 of the Manufacture, Storage and Import of Hazardous Chemical Rules, 1989 (as amended)) shall prepare and keep up-to-date an adequate off-site emergency plan containing particulars specified in Schedule 12 (of the Manufacture, Storage and Import of Hazardous Chemical Rules, 1989 (as amended)) 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 off site emergency plan the occupier of an industrial activity / isolated storage 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 provide the occupier with any information from the off-site emergency plan which relates to his duties under rule 13 (of the Manufacture, Storage and Import of Hazardous Chemical Rules, 1989 (as amended)).
3. In the case of a new industrial activity, before that activity is commenced, the concerned authority shall prepare off site emergency plan.
4. The concerned authority shall ensure that a rehearsal of the off-site emergency plan is conducted at least once in a calendar year.

591322/2022/HSM 5. All districts having major hazard installation should have an off-site emergency plan.

6. The off site emergency plan should be updated from time to time, especially when a new process is started or new units are established.

7. An off site emergency plan should have the following important components :

- i. Aims & Objectives of the Plan
- ii. Planning Team
- iii. Hazard Analysis and Quantification
- iv. Assessment of Capabilities
- v. Information regarding relevant past incidents / anticipated incidents.
- vi. Authorities for responding
- vii. Names and addresses of the key personnel with contact numbers for emergency assistance
- viii. Response components viz. Control Room, Communication amongst responders, Warning System/Emergency Notification , Public information, Resources Mobilisation and Management, Health and Medical Response, Public protection including evacuation, firefighting and rescue plans, law and order, ongoing incident assessment.
- ix. Containment, clean up and disposal,
- x. Mechanisms for plan testing and updating, community awareness, preparedness and training.

E. Guidelines on Safety Audit:

1. The safety audits should be conducted by the competent agency to be accredited by an Accreditation Board to be constituted by the Ministry of Labour and Employment, Government of India in this behalf and in absence of such Accreditation Board by a competent agency approved by Chief inspector of Factories.
2. The qualifications and experience of safety auditor should be as per extant rules.

3. The safety auditor carrying out the safety audit under Rule 10 of the Manufacture, Storage and Import of Hazardous Chemical Rules, 1989 (MSIHC Rules, 1989) shall bring out the status of compliance by the occupier in his safety audit report in addition to the compliance of provisions of the MSIHC Rules, 1989 (as amended from time to time) and the state CIMAH Rules. A copy of the safety audit report to be forwarded by the safety auditor to the concerned authority as identified under schedule 5 of the MSIHC Rules, 1989.

4. The audit should be carried out as per IS 14489:2018 – Code of Practice on Occupational Safety & Health Audit (as amended time to time).

5. The broad areas to be covered in the Safety Audit should be:

- i. Occupational Health and Safety Management
- ii. Physical, Mechanical and Electrical Hazards and their Control Measures
- iii. Chemical Hazards and their Control Measures
- iv. Fire and Explosion Hazard and their Control Measures
- v. Industrial Hygiene/Occupational Health
- vi. Accident/Incident Reporting, Investigation and Analysis.
- vii. Emergency Preparedness (On-Site/ Off Site)
- viii. Safety Inspection

6. The Objectives of Safety Audit should be :

- i. To examine the existing procedures, system and control measures for hazards.
- ii. To assess the adequacy of hazard identification.
- iii. To identify potential hazards not covered by the existing safety systems, procedures and practices.
- iv. To identify the adequacy of the control measures put in place by the occupier.
- v. To bring out any deviation from the set procedures and statutory non-compliance.
- vi. To recommend improvements for better effectiveness of the existing safety system, procedures & practices and also other measures of hazards control.
- vii. To recommend system, procedure and control measures for identified hazards.

- viii. To study compliance with statutory provisions and relevant codes of practice and recommend actions to be taken, wherever there is non-compliance.
- ix. To identify the compliance with the provisions under these guidelines.

Authority means an authority mentioned in Column 2 of Schedule 5 of the Manufacture, Storage and Import of Hazardous Chemical Rules, 1989 (as amended).

Export with its grammatical variations and cognate expression, means taking out of India to a place outside India.

Exporter means any person under the jurisdiction of the exporting country and includes the exporting country, who exports hazardous chemical.

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 Schedule 1 of the Manufacture, Storage and Import of Hazardous Chemical Rules, 1989 (as amended);
- ii. any chemical listed in Column 2 of Schedule 2 of the Manufacture, Storage and Import of Hazardous Chemical Rules, 1989 (as amended) ;
- iii. any chemical listed in Column 2 of Schedule 3 of the Manufacture, Storage and Import of Hazardous Chemical Rules, 1989 (as amended) .

Import with its grammatical variations and cognate expression, means bringing into India from a place outside India.

Importer means an occupier or any person who imports hazardous chemicals.

Industrial activity means 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 isolated storage or pipeline.

591322/2022/HSM storage means storage of a hazardous chemical, other than storage associated with an installation on the same site specified in Schedule 4 of the Manufacture, Storage and Import of Hazardous Chemical Rules, 1989 (as amended) where that storage involves at least the quantities of that chemical set out in Schedule 2 of the Manufacture, Storage and Import of Hazardous Chemical Rules, 1989 (as amended).

Occupier with its grammatical variations and cognate expression, means the person controlling the industrial activity or isolated storage.

Chemical accident means an accident involving a fortuitous, or sudden or unintended occurrence while handling any hazardous chemicals resulting in continuous, intermittent or repeated exposure to death, or injury to, any person or damage to any property but does not include an accident by reason only of war or radio-activity.

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 effects to the environment.

Major Accident Hazards 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 [of the Manufacture, Storage and Import of Hazardous Chemical Rules, 1989 (as amended)] respectively.

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 of the Manufacture, Storage and Import of Hazardous

absolute; the pipeline also includes inter state pipelines.

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.

Threshold quantity means:

- i. in the case of a hazardous chemical specified in Column 2 of Schedule 2 of the Manufacture, Storage and Import of Hazardous Chemical Rules, 1989 (as amended), 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 of the Manufacture, Storage and Import of Hazardous Chemical Rules, 1989 (as amended) , 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 of the Manufacture, Storage and Import of Hazardous Chemical Rules, 1989 (as amended); the total quantity of all substances of that class specified in the corresponding entry in Columns 3 and 4 of that part.

Industrial pocket means any industrial zone ear-marked by the Industrial Development Corporation of the State Government or by the State Government.

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 of sub-section (1) or sub-section (2) of section 4 or failure to comply with directions under section 12.
15. Penalty for failure to comply with direction under section 9 or order under section 11 or obstructing any person in discharge of his functions under section 10 or 11.
16. Offences by companies.
17. Offences by Government Departments.
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THE SCHEDULE.

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) “Relief Fund” means the Environmental Relief Fund established under section 7A];

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

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

3. Liability to give relief in certain cases on principle of no fault.—(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 give such relief as is specified in the Schedule for such death, injury or damage.

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

(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.—(1) Every owner shall take out, before he starts handling any hazardous substance, one or more insurance policies providing for contracts of insurance whereby he is insured against liability to give relief under sub-section (1) of section 3:

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.

(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.

¹[(2A) No insurance policy taken out or renewed by an owner shall be for an amount less than the amount of the paid-up capital of the undertaking handling any hazardous substance and owned or controlled by that owner, and more than the amount, not exceeding fifty crore rupees, as may be prescribed.

Explanation.— For the purposes of this sub-section, “paid-up capital” means, in the case of an owner not being a company, 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

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

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.

(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.

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

(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.

¹[(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.]

²[**7A. Establishment of Environmental Relief Fund.**—(1) The Central Government may, by notification, establish a fund to be known as the Environmental Relief Fund.

(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.

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

2. Ins. by s. 5, *ibid.* (w.e.f. 31-1-1992).

(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 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 of sub-section (1) or sub-section (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) or sub-section (2) or sub-section (2A) or sub-section (2C)] of section 4 or fails to comply with any direction issued under section 12, he shall be punishable with 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.

(3) Nothing contained in section 360 of the Code of Criminal Procedure, 1973 (2 of 1974), or in the Probation of Offenders Act, 1958 (20 of 1958), shall apply to a person convicted of an offence under this Act unless such person is under eighteen years of age.

15. Penalty for failure to comply with direction under section 9 or order under section 11 or obstructing any person in discharge of his functions under section 10 or 11.— If any owner fails to comply with direction issued under section 9 or fails to comply with order issued under sub-section (2) of section 11, or obstructs any person in discharge of his functions under section 10 or sub-section (1) or sub-section (3) of section 11, he shall be punishable with imprisonment which may extend to three months, or with fine which may extend to ten thousand rupees, or with both.

1. Subs. by Act 11 of 1992, s. 6, for “sub-section (1) or sub-section (2)” (w.e.f. 31-1-1992).

16. Offences by companies.—(1) Where any offence under this Act 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 the 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.

(2) Notwithstanding anything contained in sub-section (1), 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,” in relation to a firm, means a partner in the firm.

17. Offences by Government Departments.—Where an offence under this Act has been committed by any Department of Government, the Head of the Department shall be deemed to be guilty of the offence and shall be liable to be proceeded against and punished accordingly:

Provided that nothing contained in this section shall render such Head of the Department liable to any punishment 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.

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.

(2) In particular, and without prejudice to the generality of the foregoing power, such rules may provide for all or any of the following matters, namely—

¹[(a) the maximum amount for which an insurance policy may be taken out by an owner under sub-section (2A) of section 4;

(aa) the amount required to be paid by every owner for being credited to the Relief Fund under sub-section (2C) of section 4;

(ab) the manner in which and the period within which the amount received from the owner is required to be remitted by the insurer under sub-section (2D) of section 4];

²[(ac)] establishment and maintenance of fund under sub-section (3) of section 4;

(b) the form of application and the particulars to be given therein and the documents to accompany such application under sub-section (2) of section 6;

(c) the procedure for holding an inquiry under sub-section (4) of section 7;

(d) the purposes for which the Collector shall have powers of a Civil Court under sub-section (5) of section 7;

(e) the manner in which notice of the offence and of the intention to make a complaint to the Central Government shall be given under clause (b) of section 18;

(f) any other matter which is required to be, or may be, prescribed.

(3) Every ³[rule or scheme] made under this Act shall be laid, as soon as may be after it is made, before each House of Parliament, while it is in session for a total period of thirty days which may be comprised in one session or in two or more successive sessions, and if, before the expiry of the session immediately following the session or the successive sessions aforesaid, both Houses agree in making any modification in the ³[rule or scheme] or both Houses agree that the ³[rule or scheme] should not be made, the ³[rule or scheme] shall thereafter have effect only in such modified form or be of no effect, as the case may be; so, however, that any such modification or annulment shall be without prejudice to the validity of anything previously done under that ³[rule or scheme].

1. Ins. by Act 11 of 1992, s. 7 (w.e.f. 31-1-1992).

2. Clause (a) shall be re-lettered as clause (ac) by s. 7, *ibid.* (w.e.f. 31-1-1992).

3. Subs. by s. 7, *ibid.*, for “rule” (w.e.f. 31-1-1992).

THE SCHEDULE

[See section 3(I)]

(i) Reimbursement of medical expenses incurred up to a maximum of Rs. 12,500 in each case.

(ii) For fatal accidents the relief will be Rs. 25,000 per person in addition to reimbursement of medical expenses if any, incurred on the victim up to a maximum of Rs. 12,500.

(iii) For permanent total or permanent partial disability or other injury or sickness, the relief will be (a) reimbursement of medical expenses incurred, if any, up to a maximum of Rs. 12,500 in each case and (b) cash relief on the basis of percentage of disablement as certified by an authorised physician. The relief for total permanent disability will be Rs. 25,000.

(iv) For loss of wages due to temporary partial disability which reduces the earning capacity of the victim, there will be a fixed monthly relief not exceeding Rs. 1,000 per month up to a maximum of 3 months:

provided the victim has been hospitalised for a period exceeding 3 days and is above 16 years of age.

(v) Up to Rs. 6,000 depending on the actual damage, for any damage to private property.

**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.

¹[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;

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

¹[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.]

NOTIFICATION

New Delhi, the 24th 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 |
| PART - I | | | |
| GROUP 1-TOXIC CHEMICALS | | | |
| 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-ethylsophinylmethyl 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 |
| GROUP 2- TOXIC SUBSTANCES | | | |
| 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 |
| GROUP 3- HIGHLY REACTIVE CHEMICALS | | | |
| 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 |
| GROUP 4- EXPLOSIVE SUBSTANCES | | | |
| 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- 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. | 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) |
|-------------------------------------|--|--------|-----|
| GROUP 5-FLAMMABLE SUBSTANCES | | | |
| 1. | Flammable gases : 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; | 15 t | - |
| 2. | Highly flammable liquids: Substances which have flash point lower than 23°C and the boiling point of which at normal pressure is above 20° C; | 1000 t | - |
| 3. | Flammable liquids: 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. | 25 t | - |

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

New Delhi, the 4th 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



भारत का राजपत्र

The Gazette of India

सी.जी.-डी.एल.-अ.-12082023-248047
CG-DL-E-12082023-248047

असाधारण

EXTRAORDINARY

भाग II — खण्ड 1

PART II — Section 1

प्राधिकार से प्रकाशित

PUBLISHED BY AUTHORITY

सं० 21] नई दिल्ली, शुक्रवार, अगस्त 11, 2023/ श्रावण 20, 1945 (शक)
No. 21] NEW DELHI, FRIDAY, AUGUST 11, 2023/SRAVANA 20, 1945 (SAKA))

इस भाग में भिन्न पृष्ठ संख्या दी जाती है जिससे कि यह अलग संकलन के रूप में रखा जा सके।
Separate paging is given to this Part in order that it may be filed as a separate compilation.

MINISTRY OF LAW AND JUSTICE (Legislative Department)

New Delhi, the 11th August, 2023/Sravana 20, 1945 (Saka)

The following Act of Parliament received the assent of the President on the 11th August, 2023 and is hereby published for general information:—

THE JAN VISHWAS (AMENDMENT OF PROVISIONS) ACT, 2023

No. 18 OF 2023

[11th August, 2023.]

An Act to amend certain enactments for decriminalising and rationalising offences to further enhance trust-based governance for ease of living and doing business.

BE it enacted by Parliament in the Seventy-fourth Year of the Republic of India as follows:—

- (1) This Act may be called the *Jan Vishwas* (Amendment of Provisions) Act, 2023. Short title and commencement.
- (2) It shall come into force on such date as the Central Government may, by notification in the Official Gazette, appoint; and different dates may be appointed for amendments relating to different enactments mentioned in the Schedule.
- (3) The enactments mentioned in column (4) of the Schedule are hereby amended to the extent and in the manner mentioned in column (5) thereof. Amendment of certain enactments.
- (4) The fines and penalties provided under various provisions in the enactments mentioned in the Schedule shall be increased by ten per cent. of the minimum amount of fine or penalty, as the case may be, prescribed therefor, after the expiry of every three years from the date of commencement of this Act. Revision of fines and penalties.

Savings.

4. The amendment or repeal by this Act of any enactment shall not affect any other enactment in which the amended or repealed enactment has been applied, incorporated or referred to;

and this Act shall not affect the validity, invalidity, effect or consequences of anything already done or suffered, or any right, title, obligation or liability already acquired, accrued or incurred or any remedy or proceeding in respect thereof, or any release or discharge of, or from any debt, penalty, obligation, liability, claim or demand, or any indemnity already granted, or the proof of any past act or thing;

nor shall this Act affect any principle or rule of law, or established jurisdiction, form or course of pleading, practice or procedure, or existing usage, custom, privilege, restriction, exemption, office or appointment, notwithstanding that the same respectively may have been in any manner affirmed, or recognised or derived by, in or from any enactment hereby amended or repealed;

nor shall the amendment or repeal by this Act of any enactment revive or restore any jurisdiction, office, custom, liability, right, title, privilege, restriction, exemption, usage, practice, procedure or other matter or thing not now existing or in force.

THE SCHEDULE

(See section 2)

| Sl. No. | Year | No. | Short title | Amendments |
|---------|------|-----|---|--|
| (1) | (2) | (3) | (4) | (5) |
| 1. | 1867 | 25 | The Press and Registration of Books Act, 1867 | (A) In section 8C,— (i) in sub-section (1), after the words, figure and letter "declaration under section 8B", the words, figures and letter "or an order by the Press Registrar suspending or cancelling the certificate of registration under section 12 or imposing penalties under section 13 or under section 19K" shall be inserted; (ii) in sub-section (2), after the words "records from the Magistrate", the words "or from the Press Registrar, as the case may be," shall be inserted. (B) For sections 12 to 14, the following sections shall be substituted, namely:— "12. Suspension or cancellation of certificate of registration.—(1) The Press Registrar may, by order, suspend the certificate of registration of a newspaper for a period not exceeding one year, if— (a) the publisher has failed to publish the newspaper continuously. <i>Explanation.</i> —For the removal of doubts, it is hereby clarified that if a newspaper publishes less than half of its issues, as are required to be published under rule (6) of section 5, such newspaper shall be deemed to |

| (1) | (2) | (3) | (4) | (5) |
|-----|------|-----|--|--|
| | | | | <p>"(1) Any offence whether committed before or after the commencement of this Act punishable under section 177, section 177A, section 178, section 179, section 180, section 181, section 182, sub-section (1) or sub-section (3) or sub-section (4) of section 182A, section 182B, sub-section (1) or sub-section (2) of section 183, clause (c) of the <i>Explanation</i> to section 184, section 186, section 189, sub-section (2) of section 190, section 192, section 192A, sub-section (3) of section 192B, section 194, section 194A, section 194B, section 194C, section 194D, section 194E, section 194F, section 196, section 198 and section 201, may, either before or after the institution of the prosecution, be compounded by such officers or authorities and for such amount as the State Government may, by notification in the Official Gazette, specify in this behalf."</p> <p>(C) In section 215, in sub-section (3), the following proviso shall be inserted, namely:—</p> <p>"Provided that where a State Government has not constituted the District Road Safety Committee, the Central Government may, by notification in the Official Gazette, constitute a Committee for such District, consisting of a Chairman and such other members as it considers necessary and on such terms and conditions as it may determine."</p> |
| 27. | 1989 | 24 | The Railways Act, 1989 | <p>In section 144, for sub-section (2), the following sub-section shall be substituted, namely:—</p> <p>"(2) No person shall be permitted to beg in any railway carriage or upon any part of the railway."</p> |
| 28. | 1991 | 6 | The Public Liability Insurance Act, 1991 | <p>(A) In section 2,—</p> <p>(i) clause (ha) shall be numbered as clause (hb) thereof and before clause (ha) as so renumbered, the following clause shall be inserted, namely:—</p> <p>'(ha) "property" includes any private property or public property affected or damaged by any unit or undertaking, due to manufacture, processing, treatment, package,</p> |

| (1) | (2) | (3) | (4) | (5) |
|-----|-----|-----|-----|---|
| | | | | <p>storage, transportation, use, collection, destruction, conversion, transfer or such other processes of hazardous substance;";</p> <p>(i) after clause (j), the following clause shall be inserted, namely:—</p> <p>"(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."</p> <p>(B) In section 3, for sub-section (I), the following sub-section shall be substituted, namely:—</p> <p>"(I) 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—</p> <p>(a) death due to fatal accident;</p> <p>(b) medical expenses incurred due to total or partial disability;</p> <p>(c) loss of wages due to partial disability;</p> <p>(d) other injury or sickness;</p> <p>(e) damage to private property;</p> <p>or</p> <p>(f) such other loss or damage, as may be prescribed."</p> <p>(C) In section 4,—</p> <p>(a) for sub-section (I), the following shall be substituted, namely:—</p> <p>"(I) 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 (I) of section 3.</p> <p><i>Explanation.</i>—For the purposes of this sub-section, it is hereby clarified that any undertaking having separate consent to operate under—</p> <p>(i) the Water (Prevention and Control of Pollution) Act, 1974 (6 of 1974); and</p> <p>(ii) the Air (Prevention and Control of Pollution) Act, 1981 (14 of 1981),</p> |

| (1) | (2) | (3) | (4) | (5) |
|-----|-----|-----|-----|-----|
|-----|-----|-----|-----|-----|

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.";

(b) for sub-section (2A), the following shall be substituted, namely:—

(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.

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.'

(D) In section 6, after sub-section (I), the following sub-section shall be inserted, namely:—

(IA) 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."

(E) In section 7, after sub-section (8), the following sub-section shall be inserted, namely:—

(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

| (1) | (2) | (3) | (4) | (5) |
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| | | | | <p>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."</p> <p>(F) In section 7A, after sub-section (I), the following sub-section shall be inserted, namely:—</p> <p>"(IA) There shall be credited to the Relief Fund established under sub-section (I)—</p> <p>(a) the amount referred to in sub-section (2C) of section 4;</p> <p>(b) the amount of penalty imposed under this Act;</p> <p>(c) the interest or other income received out of investments made from the Fund; and</p> <p>(d) any other amount from such sources, as may be prescribed."</p> <p>(G) For sections 14 and 15, the following sections shall be substituted, namely:—</p> <p>"14. Penalty for contravention.— (I) Where any person contravenes any of the provisions of sub-section (I), 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.</p> <p>(2) Where contravention under sub-section (I) 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.</p> <p>15. Penalty for non-compliance of directions.—(I) 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.</p> <p>(2) Where any person continues non-compliance under sub-section (I), 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.</p> <p>(3) Where any owner does not</p> |

| (1) | (2) | (3) | (4) | (5) |
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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

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| | | | | Green Tribunal Act, 2010 (19 of 2010). |
| | | | | (2) Every appeal under sub-section (I) 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 (I), 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." |
| | | | | (H) Section 16 shall be omitted. |
| | | | | (I) For section 17, the following sections shall be substituted, namely:— |
| | | | | '17. Penalty for contravention by Government Department.—(I) 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 (I) 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 |

| (1) | (2) | (3) | (4) | (5) |
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| | | | | <p>section 15 or section 17, the amount of such penalty shall be credited to the Environmental Relief Fund established under section 7A.</p> <p>17B. Offence for failure to pay penalty or additional penalty.—(1) Where any person fails to pay the penalty or additional penalty imposed for—</p> <p>(a) contravention or continued contravention under section 14 or 17, as the case may be; or</p> <p>(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.</p> <p>(2) Where any offence under sub-section (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:</p> <p>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.</p> <p>(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.</p> <p><i>Explanation.</i>—For the purposes of this section,—</p> <p>(a) "company" means any body</p> |

| (1) | (2) | (3) | (4) | (5) |
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| | | | | <p>corporate and includes a firm or other association of individuals;</p> <p>(b) "director" includes director of the company and in relation to a firm, a partner in the firm.'</p> <p>(J) In section 23, in sub-section (2),—</p> <p>(i) for clause (a), the following clause shall be substituted, namely:—</p> <p>"(a) such amount under sub-section (2A) of section 4;"</p> <p>(ii) after clause (e), the following clauses shall be substituted, namely:—</p> <p>"(ea) amount or relief and any other loss or damage under sub-section (J) of section 3;</p> <p>(eb) such other person under sub-section (IA) of section 6;</p> <p>(ec) manner of allocation of fund for restoration of damage under sub-section (9) of section 7;</p> <p>(ed) any other amount from other sources under clause (d) of sub-section (IA) of section 7A;</p> <p>(ee) manner of holding inquiry and imposing penalty under sub-section (J) of section 15A;"</p> <p>(K) The Schedule shall be omitted.</p> |
| 29. | 1995 | 7 | The Cable Television Networks (Regulation) Act, 1995 | <p>(A) For CHAPTER IV, the following CHAPTER shall be substituted, namely:—</p> <p>"CHAPTER IV PENALTIES</p> <p>16. Penalty for contravention of provisions of this Act.—(1) Whoever contravenes any of the provisions of this Act shall be liable,—</p> <p>(a) for the first contravention with advisory, or censure, or warning, or a penalty which may extend to twenty thousand rupees, or with both;</p> <p>(b) for every subsequent contravention within a period of three years, with advisory, or censure, or warning, or a penalty which may extend to one lakh rupees, or with both,</p> <p>by such designated officer, as may be prescribed.</p> |