

Commission for Air Quality Management in the National Capital Region and Adjoining Areas Bill, 2021

July 20, 2021

In news- A bill related to the Commission for air quality management will be tabled in the Parliament during the Monsoon Season by the Ministry of Environment, Forests and Climate Change (MoEF).

Key updates-

- In April 2021, the Union government promulgated the Commission for Air Quality Management in the National Capital Region and Adjoining Areas Ordinance 2021 and issued a notification to constitute the commission.

Key provisions of the bill-

- This bill replaces the ordinance proposed by the government in April 2021.
- It has **decriminalised the act of stubble burning** and withdrawn the clause for possible jail time.
- It proposed to levy **environmental compensation fees** on those who are found to be engaged in stubble burning, including farmers.
- The proposed commission will **replace the Environment Pollution (Prevention and Control) Authority or EPCA.**
- The Commission will consist of:
 - A Chairperson.
 - An officer of the rank of a Joint Secretary as the member-secretary and Chief Coordinating Officer.
 - A currently serving or former Joint Secretary from the central government as a full-time member.

- Three independent technical members with expertise related to air pollution, and
- Three members from non-government organisations.
- The Commission will also include **ex-officio members** from the central government and concerned state governments, and Technical members from CPCB, Indian Space Research Organisation, and NITI Aayog. It may also appoint representatives of certain ministries.
- The Chairperson and members of the Commission will have a **tenure of three years or till the age of seventy years**, whichever is earlier.
- **The Selection Committee** will be constituted by the central government for recommending appointments of members of the Commission.
- The **committee will be headed by the Minister in charge of the Ministry of Environment, Forest and Climate Change.**
- Members of the Committee will include the Ministers in charge: Commerce and Industry, Road Transport and Highways, Science and Technology, and the Cabinet Secretary

Functions of the Commission-

- Coordinating actions taken under the Ordinance by concerned state governments (Delhi, Haryana, Punjab, Rajasthan, and Uttar Pradesh).
- Planning and executing plans to prevent and control air pollution in the NCR.
- Providing a framework for identification of air pollutants.
- Conducting research and development through networking with technical institutions
- Training and creating a special workforce to deal with issues related to air pollution, and
- Preparing various action plans such as increasing plantation and addressing stubble burning.

- Laying down parameters for control of air pollution, clean air as well as plan and execute programmes for pollution control in the region

Powers of the Commission:

- Restricting activities influencing air quality
- Investigating and conducting research related to environmental pollution impacting air quality.
- Preparing codes and guidelines to prevent and control air pollution
- Issuing directions on matters including inspections, or regulation which will be binding on the concerned person or authority.
- It will also be in charge of identifying violators, monitoring factories and industries and any other polluting unit in the region, and will have the powers to shut down such units.
- It will have the powers to overrule directives issued by the state governments in the region, that may be in violation of pollution norms.
- It may impose and collect environmental compensation from farmers causing pollution by stubble burning.
- In case of any conflict, the orders or directions of the Commission will prevail over the orders of the respective state governments, the Central Pollution Control Board (CPCB), state PCBs, and state-level statutory bodies.

Penalties:

- Contravention of orders and directions of the Commission will be punishable with imprisonment of up to five years, or fine of up to one crore rupees, or both.
- All appeals against the Commission's orders will be heard by the National Green Tribunal.