

INDIA: REGULATORY BACKGROUND

OVERVIEW

India is the world's second-largest country by population. It has a rapidly growing economy, of which the transportation sector is a key component. The number of vehicles on India's roads increased by 240 percent over the past ten years and is expected to expand at a similar rate throughout the next two decades.

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INDIA

DESCRIPTION

HISTORY OF VEHICLE EMISSIONS STANDARDS

In India, the [Air \(Prevention and Control of Pollution\) Act](#), 1981 established the right of the government to set vehicular emission standards. That law stipulates that an Indian state's Pollution Control Board (SPCB) may "lay down, in consultation with the Central Pollution Control Board (CPCB) and having regard to the standards for the quality of air laid down by the CPCB, standards for emission of air pollutants into the atmosphere from industrial plants and automobiles or for the discharge of any air pollutant into the atmosphere from any other source whatsoever not being a ship or an aircraft..." The law also gave states the right to inspect, examine and enforce air quality regulations set by their Pollution Control Boards. The [Environment \(Protection\) Act](#) of 1986 authorized the central government to regulate much of what previously had been in the realm of individual states.

Starting with Supreme Court rulings in the late 1980's and 1990's, India began to take the first steps towards mitigating the public health impacts of vehicle and fuel emissions. The initial steps consisted of eliminating lead in petrol, switching to compressed natural gas (CNG) for autorickshaws and buses in Delhi and, subsequently, other cities, and establishing Euro 1/I equivalent emission standards known as India-1 standards for new vehicles.

India has since progressively lowered its permissible vehicular pollution emission limits for new four-wheeled vehicles following the path laid out by the European Union by adopting parallel "Bharat" standards. The Auto Fuel Policy of 2003 laid down a road map for vehicular emission and fuel quality standards for the remainder of the new century's first decade. This road map has been largely implemented. In 2010, Bharat IV fuel quality standards and vehicle emission standards for four-wheeled vehicles were implemented in 13 major cities, while Bharat III standards took effect in the rest of the country. By January 2013, Bharat IV standards had been expanded to about 10 more cities, most of which are along fuel supply routes. A total of 50-60 cities are planned to have Bharat IV standards by 2015. For two and three-wheelers, India followed an independent path and regulated emissions in a different manner than Europe and China.

THE CREATION AND ENFORCEMENT OF VEHICLE EMISSIONS STANDARDS

Limit values for new vehicle emissions standards are first proposed by the Standing Committee on Implementation of Emission Legislation (SCOE), which is composed of representatives from the Ministry of Environment and Forests (MoEF), Ministry of Petroleum and Natural Gas (MoPNG), MoHIPE, the Society of Indian Automobile Manufacturers (SIAM), and various emissions testing agencies (such as the ARAI and ICAT). The joint secretary of the MoRTH is the chairman of the SCOE. Proposals are then sent to the Central Motor Vehicle Rule – Technical Standing Committee (CMVR-TSC) for finalization. Rules come into effect with the approval of the proposal by the secretary and the minister of the MoRTH. The CMVR-TSC is composed of representatives from the MoHIPE, the Bureau of Indian Standards (BIS), the Automotive Component Manufacturers Association of India (ACMA), SIAM, and various state governments and testing agencies. The following table illustrates the makeup of the two Standing Committees.

Indian Vehicle Rulemaking Process Stakeholders

Standing Committee on the Implementation of Emission Legislation (SCOE)	Central Motor Vehicle Rule – Technical Standing Committee (CMVR-TSC)
Chairman: Joint Secretary, MoRTH	Chairman: Joint Secretary, MoRTH
Members: Test agencies, SIAM, TMA, MoPNG, MoHI, MoEF, others	Members: Test agencies, SIAM, ACMA, TMA, MoHI, BIS, others

While the Air Act, 1981 and Environment Act, 1986 specifically mention The Central Pollution Control Board and State Pollution Control Board's roles in setting environmental standards, it is ultimately the Ministry of Road Transport and Highways (MoRTH) that is responsible for enforcing compliance with India's vehicular emission standards. This is because the MoRTH is responsible for enforcing the Motor Vehicles Act, 1989, which specifically assigns the central government the responsibility of regulating vehicle emission standards.

While the MoRTH sets norms for in-use emission standards, individual states and municipalities are responsible for enforcing them. Another diversion of responsibility is with the national agencies that conduct type approval and COP testing. These agencies are under the management of other ministries rather than the MoRTH. For example, two such agencies, the Automotive Research Association of

The function and mission of individual agencies and regulatory bodies are as follows.

BUREAU OF INDIAN STANDARDS (BIS)

The [Bureau of Indian Standards \(BIS\)](#) was created by acts of Parliament on November 26 1986 and April 1 1987, which renamed while broadening the scope and power of the former Indian Standards Institution (ISI). The BIS deals with the following activities:

- Formulation of standards of national interest and harmonization of national standards with international standards
- Product certification
- Certification of imported products
- Hallmarking of jewelry
- Management System Certification (IS/ISO)
- Laboratory Services
- Awareness programs and training services

CENTRAL POLLUTION CONTROL BOARD (CPCB)

The [Central Pollution Control Board \(CPCB\)](#) was created in September 1974 under the Water (Prevention and Control of Pollution) Act and strengthened by the Air (Prevention and Control of Pollution) Act of 1981. Under the MoEF, the CPCB, in conjunction with the State Pollution Control Boards (SPCB), aims to ensure the quality of water from streams and wells by preventing and controlling water pollution and to improve the quality of air by preventing, controlling, or abating air pollution. The CPCB spearheads the National Air Monitoring Program (NAMP) which monitors and collects data on air quality in India and identifies sources of pollution for the purpose of meeting air quality standards. Other functions of the CPCB include:

- Advising the central government on issues relating to water and air pollution
- Issuing water and air quality standards in conjunction with SPCBs
- Collecting and publishing data relating to the abatement of air and water pollution
- Creating guidelines for the treatment and disposal of sewage and smoke stack effluents
- Organizing and coordinating the SPCBs and resolving disputes among them

MINISTRY OF ENVIRONMENT AND FOREST (MOEF)

The [Ministry of Environment and Forest \(MoEF\)](#) is primarily concerned with the health of India's natural resources such as lakes and rivers, biodiversity, forests, and wildlife. According to their [website](#), "the Ministry is guided by the principle of sustainable development and enhancement of human well-being." The Ministry also serves as India's representative agency for international environmental dialogue. Generally, the MoEF is entrusted with the following objectives:

- The preservation of wildlife and forests
- The prevention and control of pollution
- Afforestation and habitat restoration
- Environmental protection and ensuring the welfare of animals
- Governing the Central Pollution Control Board (CPCB)

MINISTRY OF PETROLEUM AND NATURAL GAS (MOPNG)

According to their [official website](#), the [Ministry of Petroleum and Natural Gas \(MoPNG\)](#) is "entrusted with the responsibility of exploration and production of oil and natural gas, their refining, distribution and marketing, import, export, and conservation of petroleum products and Liquefied Natural Gas." The Ministry is concerned with the following areas of work:

- The exploration and use of petroleum and natural gas resources
- Production, supply, distribution, marketing, and pricing of petroleum and natural gas resources including petroleum products
- Additives and blending of petroleum products
- Public sector projects falling within related topics
- Planning, development and control of, and assistance to all industries falling under the Ministry

MINISTRY OF ROAD TRANSPORTATION AND HIGHWAYS (MORTH)

The [Ministry of Road Transport and Highways \(MoRTH\)](#) is concerned with the creation and administration of policies and research surrounding road transport and highways in India. Its purpose is to increase the efficiency of road transport in India. It is comprised of two wings, with separate responsibilities:

- Roads Wing:
 - The development and maintenance of national highways
 - Providing technical and financial support to states for road development projects
 - The development of standard specifications and the collection of information for India's roads and bridges
- Transport Wing:
 - The taxation of motor vehicles
 - Enforcement of mandatory insurance of motor vehicles
 - The administration of government acts relating to road transport, such as the Motor Vehicles Act of 1988
 - The promotion of road safety

forfeiture of the right to do business for those who violate the act.

- The [Air \(Prevention and Control of Pollution\) Act, 1981](#) gives SPCBs the right to prohibit the production or burning of any fuel that is determined to lead to air pollution.
- The [Environment \(Protection\) Act, 1986](#) does not specifically mention fuels, but does authorize the central and the state governments to regulate activities that can harm the environment, under which the burning of fossil fuels could be included.
- The [Motor Vehicles Act](#) of 1988 established vehicular emission standards and authorized the central government and state governments to further regulate and enforce them.
- The [Petroleum and Natural Gas Rules \(PNGR\), 2002](#) list specific guidelines to be followed for the importation and/or refinement of fuel in India, and the transport of fuel within the country.
- The [Petroleum and Natural Gas Regulatory Board Act, 2006](#) created the Petroleum and Natural Gas Regulatory Board (PNGRB), under MoPNG, and is responsible for ensuring fuel quality standards, from import or production through retail sales. PNGRB is charged with ensuring that the PNGR are followed. The PNGRB is also authorized to resolve all disputes that may arise among producers, transporters, retailers, and consumers over fuel related issues and has legal authority to enforce fuel quality standards at retail outlets.

LINKS

Regulatory documents

- [Air \(Prevention and Control of Pollution\) Act, 1981](#)
- [The Environment \(Protection\) Act, 1986](#)
- [Status of the Vehicular Pollution Control Programme in India](#), 2010, Ministry of Environment & Forests.

Regulatory agencies

- [Bureau of Indian Standards](#)
- [Central Pollution Control Board](#)
- [Ministry of Environment and Forests](#)
- [Ministry of Petroleum and Natural Gas](#)
- [Ministry of Road Transport and Highways](#)

Additional Resources

- [MoEF Environmental Standards](#)
- [CPCB Vehicular Exhaust Standards](#)
- [CPCB National Ambient Air Quality Standards](#)
- [CPCB Auto Fuel Quality Standards](#)

CONTACT US

Questions or updates about policies?

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