Sr No 42

-1-

(DR. BISHU KARMAKAR)
Member Secretary,
TSPCB, Agartala.

Before the National Green Tribunal

PrincipalBench,New Delhi

In the matter of

Original Application No. 623/2025

News item titled "Govt's efforts to tap KSPCB funds set to hit legal hurdle" appearing in The Deccan Herald dated 23.11.2025

Affidavit of Compliance affirmed on behalf of the Tripura State Pollution Control Board, respondent No. 26

Index

SAMIR BHATTACHARYA
Regd. No. 940/97
Govt. of India
NOTARY, CALCUTTA

01 JUL 2026

Bishu Karmakar
(DR. BISHU KARMAKAR)
Member Secretary,
TSPCB, Agartala.

Before the National Green Tribunal

Principal Bench, New Delhi

In the matter of

Original Application No. 623/2025

News item titled "Govt's efforts to tap KSPCB funds set to hit legal hurdle" appearing in The Deccan Herald dated 23.11.2025

Affidavit of Compliance affirmed on behalf of the Tripura State Pollution Control Board, respondent No. 26

I, Dr. Bishu Karmakar, S/o, Late Jogendra Karmakar, residing at P.O.-Noagaon Krishnanagar-799006, Police Station- New Capital Complex, Agartala, District- West Tripura, State – Tripura, aged about 51 years, by occupation- Service at a statutory organization, do hereby solemnly affirm and submit before this Hon'ble Tribunal as follows:-

1. Pursuant to the order of this Hon'ble Tribunal dated 14.05.2026 in the instant litigation the Tripura State Pollution Control Board (in short, "the TSPCB") is under direction for filing an affidavit about utilisation of environmental damage compensation fund.I am the Member Secretary of the TSPCB. By virtue of my office I am well conversant with the facts and circumstances of this case, and, as such, I am competent to swear this affidavit in compliance with the direction of the Hon'ble Tribunal.Asthe Member Secretary of the TSPCB, I am having office at 'Parivesh Bhawan' at Pandit Nehru Complex, Gorkhabasti, Post Office- Kunjaban, Agartala, West Tripura, PIN- 799006.

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2. I have perused the aforementioned order dated 14.05.2026 in O.A. No. 623 of 2025 of this Hon'ble Tribunal whereby the Tribunal has directed for filing of affidavit about the aforesaid fund utilisation, as would appear from paragraph 3 thereof.

(DR. BISHU KARMAKAR)
Member Secretary,
TSPCB, Agartala.

3. In the earlier affidavit of the TSPCB dated 06/02/2026, which was e-filed on 07/02/2026 with running pagination from page number 14 to page number 18 in compliance with the direction of the Hon'ble Tribunal dated 03/12/2025, it was, inter alia, averred that the funds received by the TSPCB from the Ministry of Environment, Forest and Climate Change of the Government of India, the Central Pollution Control Board and the State Government, and collected by way of consent fees, are utilized to attain the objectives of environmental protection and sustainable development in accordance with environmental legislations as the TSPCB with its vision and mission aligned with environmental protection is mandated to promote sustainable utilization of natural resources by controlling pollution.

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4. So far as the utilisation of environmental damage compensation fund is concerned it is to be stated that the TSPCB has recovered an amount of Rs. 3.79 Crores being the Environmental Compensation from a defaulting thermal power plant on 01/12/2023. The amount so recovered has been kept in a separate dedicated bank account as would be appearing from an Audited Statement of the bank account, a copy of which is annexed herewith as Annexure R-1.

5. It is to be stated further that in compliance with the direction of this Hon'ble Tribunal dated 21/10/2022 in the matter of M.A.No.74/2022 in OA No. 976/2019, an Action Plan has been prepared for Utilization of the Environmental Compensation Fund. A High-Powered Committee has been constituted under the Chairmanship of the Chief Secretary for planning, execution including utilization of the environmental compensation fund. The said fund will be

(DR. BISHU KARMAKAR)
Member Secretary,
TSPCB, Agartala.

utilized as per the existing Rules& Regulations at the earliest.

Copies of the said order of this Hon'ble Tribunal dated 21/10/2022, the Notification of the High-Powered Committee, Action Plan and Account Details are annexed herewith collectively as Annexure R-2.

6. The statements made in the paragraphs 1 to 5herein above are true to the best of my knowledge and belief.

Prepared in my Office

Arnab Ray

Advocate

The Deponent is known to me
And identified by me

Arnab Ray

Advocate

Enrolment No. WB/1335/2011

SAMIR BHATTACHARYA
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Govt. of India
NOTARY, CALCUTTA
NOTARIAL NOTARIAL

Notary

Solemnly Affirmed and Declared before me U/S 139 CPC,/U/S... (C) CRPC

Notary

01.7.26

Samir Bhattacharya
Notary Govt. of India
Regd. No.- 940 / 97
CITY CIVIL COURT, CALCUTTA

01 JUL 2026

(DR. BISHU KARMAKAR)
Member Secretary,
TSPCB, Agartala.

VERIFICATION

I, Dr. Bishu Karmakar, S/o, Late Jogendra Karmakar, residing at P.O.-Noagaon Krishnanagar-799006, Police Station- New Capital Complex, Agartala, District- West Tripura, State – Tripura, aged about 51 years, by occupation- Service at a statutory organization, do hereby solemnly declare and verify that I amtheMember Secretary of the Tripura State Pollution Control Boardat 'Parivesh Bhawan', Pandit Nehru Complex, Gorkhabasti, Post Office-Kunjaban, Agartala, West Tripura, PIN- 799006, and I am competent to swear Affidavit in the instant litigation on behalf of the TSPCB, and competent to affirm the same and, as such, I am well acquainted with the facts and circumstances of the present case, and that the statements made in the paragraphs 1 to 5 herein above are true to the best of my knowledge and belief. I have not suppressed any material facts. I am competent to sign this Verification.

I signed this verification on this the 01st day of July ~~June~~, 2026.

Prepared in my office

Advocate

Signature of the deponent
(DR. BISHU KARMAKAR)
Member Secretary,
TSPCB, Agartala.

Identified by me.

Advocate
Enrolment No. WB/1335/2011

ANNEXURE- R-1

Tripura State Pollution Control Board

Parivesh Bhawan, Pendit Nehru Complex, Gorkhabasti

Agartala, West Tripura- 799006

Audited Statement of Account in connection with "environmental Compensation" for the period from 14-11-2023 to 31-03-2026

T. K. SAHA & CO.
CHARTERED ACCOUNTANTS
SAKUNTALA ROAD, AGARTALA
TRIPURA, PIN-799001
email ID : tapan_saha@ymail.com

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T.K.SAHA& CO.
(Chartered Accountants)
Sakuntala Road,
Agartala : 799001

0381-232-6798 (O)
91-9436138193 (M)

AUDIT REPORT

1. *We have audited the attached Receipts & Payments Account of* ***Tripura State Pollution Control Board, Parivesh Bhawan, Pandit Nehru Complex, Gorkhabasti, Agartala, West Tripura, Pin : 799006*** *in connection with "ENVIRONMENTAL COMPENSATION" for the period from* ***14-11-2023to31-03-2026.*** *These financial statements are the responsibility of the management. Our responsibility is to express an opinion on these financial statements based on our audit.*

2. *We conducted our audit in accordance with auditing standards generally accepted in India. Those Standards require that we plan and perform the audit to obtain reasonable assurance about whether the financial statements are free of material misstatement. An audit includes (a) examining, on a test basis, evidence to support the financial statement amounts and disclosures in the financial statement (b) assessing the accounting principles used in the preparation of financial statements (c) assessing significant estimates made by the management in the preparation of financial statements and (d) evaluating overall financial statement presentation. We believe that our audit provides a reasonable basis for our opinion.*

a) We have obtained all the information and explanations, which to the best of our knowledge and belief were necessary for the purpose of our audit.

b) In our opinion and to the best of our information and according to explanations given to us, the said accounts give a true and fair view:-

In our opinion and to the best our information and according to explanations given to us, the said Receipts & Payments Account gives a true and fair view of the actual receipts & payments that have taken place during the auditperiod from ***14-11-2023to31-03-2026.***

UDIN :26052007NHILPV5556

Place : Agartala
Date :29-05-2026.

T. K. SAHA & CO. CHARTERED ACCOUNTANTS
TAPAN KUMAR SAHA
CHARTERED ACCOUNTANT
MEMBERSHIP No. 052007
AGARTALA

For T.K.Saha& Co.
Chartered Accountants
FRN : 0315003E

SAMIR BHATTACHARYA
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Tripura State Pollution Control Board
Parivesh Bhawan, Pandit Nehru Complex, Gorkhabasti
Agartala, West Tripura, Pin : 799006

A/C : ENVIRONMENTAL COMPENSATION

Receipts & Payments Account for the Period From 14th November 2023 to 31st March 2026

RECEIPTS			PAYMENTS		
To Opening Balance			By Bank Charges		
1) Cash in hand	0.00		1) F.Y. : 2023-24	0.00	
2) Cash at Bank	0.00	0.00	2) F.Y. : 2024-25	189.00	
			3) F.Y. : 2025-26	0.00	189.00
Environmental Compensation					
Received from the Rokhia Gas Based Thermal Power Plant		3,79,00,000.00	Closing Balance		
			1) Cash at Bank		
Bank Interest			Indian Bank		
1) F.Y. : 2023-24	3,55,164.00		Gorkhabast Branch		
2) F.Y. : 2024-25	10,81,935.00		S/B A/c 7650499064	4,03,90,129.00	
3) F.Y. : 2025-26	10,53,219.00	24,90,318.00	2) Cash in hand	0.00	4,03,90,129.00
		4,03,90,318.00			4,03,90,318.00

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Pranati Sen Majumder
Signature and Seal of the
Accountant, TSPCB
(PRANATI SEN MAJUMDER)
Accountant,
TSPCB, Agartala.

Dipak Rudrapal 29/5/26
Signature and Seal of the
DDO, TSPCB
(DIPAK RUDRA PAL)
Junior Scientist & DDO
TSPCB, Agartala.

29/5/2026
Signature and Seal of the
Head of Office, TSPCB

29.5.2026
Signature and Seal of the
Member Secretary, TSPCB
(DR. BISHU KARMAKAR)
Member Secretary,
TSPCB, Agartala.

T. K. SAHA & CO. CHARTERED ACCOUNTANTS * AGARTALA *
TAPAN KUMAR SAHA
CHARTERED ACCOUNTANT
MEMBERSHIP No. 052007

For T.K.Saha & Co
Chartered Accountants
FRN : 0315003E

SAMIR BHATTACHARYA * NOTARY, CALCUTTA *
Regd. No. 940/97
Govt. of India

Environmental Compen-
sation

इंडियन बैंक Indian Bank

इलाहाबाद ALLAHABAD

कार्पोरेट कार्यालय, 254-260 अव्वै षण्मुगम सालै, रायपेट्टा चेन्नै 600 014

CORPORATE OFFICE, 254-260, Avvai Shanmugam Salai, Royapettah, Chennai - 600 014

E-mail: indmail@indianbank.co.in I Visit us at www.indianbank.in

.... शाखा Branch

बचत बैंक पास बुक Savings Bank Pass Book

नाम Name: Member Secretary, [illegible] State Pollution Control Board

खाता सं. A/C No. 7 6 5 0 4 9 9 0 6 4

Regd. No. 940/97
Govt. of India
NOTARY, CALCUTTA

नामिती का ब्यौरा / Details of Nominee

पंजीकृत (हाँ/नहीं) 10
Registered (Yes/No.) :
यदि हाँ तो पंजीकरण सं.:
If Yes, Reg. No. :
(वैकल्पिक) / (Optional)
नामः / Name :

about:blank

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Photo

SAMIR BHATTACHARYA
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उपयोगी सुझाव / Useful Tips :

1. अपने खाते की जानकारी प्राप्त करने के लिए अपना मोबाइल नंबर एवं ई-मेल आईडी पंजीकृत करें। Register your Mobile and email-id for getting information about your account.
2. आप पूछताछ आदि के लिए टोल फ्री नंबर पर कॉल कर सकते हैं। You may call toll free number for inquiry etc.
3. नियमित रूप से पासबुक अद्यतन करें / Get pass-book updated regularly.
4. जहाँ कहीं भी संभव हो स्थायी अनुदेश जारी करें। / Issue standing instructions wherever possible.
5. पासबुक में कहीं भी हस्ताक्षर न करें। / Do not put signature anywhere in pass-book.
6. हम आपके सुझावों का स्वागत करते हैं। / We welcome your suggestions.
7. कोई भी कठिनाई होने पर मूल्य वर्धित सेवाओं के लिए शाखा प्रबंधक से संपर्क करें। Contact branch manager in case of difficulties / Value added services.
8. टोल फ्री हेल्प लाइन नं. 1800 425 00 000 है। Toll Free Help Line No. : 1800 425 00 000
9. झूठे वादों की चपेट में न आएँ। संदिग्ध योजनाओं से सावधान रहें। Do not fall prey to false promises; beware of dubious schemes
10. कृपया अपने खाते का ब्यौरा/इंटरनेट बैंकिंग की यूज़र आईडी एवं पासवर्ड/ एटीएम डेबिट कार्ड/क्रेडिट कार्ड/मोबाइल बैंकिंग, जैसी निजी जानकारी को किसी के साथ साझा न करें। Please do not disclose your Account details / Internet Banking. User Id and Password / ATM Debit Card / Credit Card / Mobile Banking Personal information to any Person

KATHAL BAGAN, AIR PORT ROAD
AGARTHALA
Phone No : 2227513
TRIPURA
799006
Phone No :
IFSC Code : IDIB000G077

इंडियन बैंक Indian Bank
इलाहाबाद ALLAHABAD

BUSINESS HOURS
continuity PB.No : 1
Branch : GURKHA BASTI (1923)
MICR Code : 799019003
Email Id : gurkhabasti@in
PPO Number:
Account No : 7650499064

PERSONAL DETAILS:
CIF No:00257063503
Name : MEMBER SECRETARY,TRIPURA STATE POLLUTION CONTROL BOARD
PAN No : AAABT3311M
Mobile No : 9436166371
Mode of Op : SELF
D.O.B. (if minor) : N/A
Email ID :
Date of A/C Opening : 14/11/2023
Nom.Reg No :
Date of Issue :

S/D/W of :
GURKHA...
KUNJA...
AGARTALA TRIPURA
799...
Nominee

इंडियन बैंक गुरखाबस्ती शाखा
GURKHABASTI BRANCH

Inform any change in your Address or Phone Number to the branch for updation [redacted] [redacted]

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खाता सं Account No

तारीख Date	विवरण Particulars	चेक सं Chq. No.	आहरण Withdrawals	जमा Deposits	शेष Balance	संक्षिप्त हस्ताक्षर Initials	ग्राहक के प्रयोग हेतु For Customer Use
	Brought Forward 37900000.00 Cr						
01/12/23	RTGS/SBIN/SBINR52023120187100 T/ FRM 94957000128			37900000.00	37900000.00		
04/12/23	CR INT CR UNCL-AMT: 0.00 CLR-BAL: 37900000.00 Cr;MOD-BAL: 0.00 Dr;			90087.00	37990087.00		
17/01/24	UNCL-AMT: 0.00 CLR-BAL: 37990087.00 Cr;MOD-BAL: 0.00 Dr;						
22/03/24	UNCL-AMT: 0.00 CLR-BAL: 37990087.00 Cr;MOD-BAL: 0.00 Dr; 69320 01923 7650499064			265077.00	38255164.00		
31/03/24	CR INT CR						
03/04/24	UNCL-AMT: 0.00 CLR-BAL: 38255164.00 Cr;MOD-BAL: 0.00 Dr;						
	69320 01923 7650499064		32.70		38255131.30		
09/04/24	SMS_CHGS_DEC-23_QTR 00000000 40665 01923 7650499064						
06/06/24	UNCL-AMT: 0.00 CLR-BAL: 38255131.30 Cr;MOD-BAL: 0.00 Dr;		53.10				
07/06/24							
03/07/24	UNCL-AMT: 0.00 CLR-BAL: 38522005.20 Cr;MOD-BAL: 0.00 Dr;						
	97167 01923 7650499064		50.10		38521955.10		
23/09/24	SMS_CHGS_JUNE-24_QTR 00000000			271744.00	38793699.10		
30/09/24	CR INT CR						
29/10/24	UNCL-AMT: 0.00 CLR-BAL: 38793699.10 Cr;MOD-BAL: 0.00 Dr;						
	100874 01923 7650499064		53.10		38793646		
18/11/24	SMS_CHGS_SEPT-24_QTR 00000000			273662.00	39067308		
31/12/24	CR INT CR						
13/01/25	UNCL-AMT: 0.00 CLR-BAL: 39067308.00 Cr;MOD-BAL: 0.00 Dr;						

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Regd. No. 940/97
Govt. of India
NOTARY, CALCUTTA

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खाता सं Account No

तारीख Date	विवरण Particulars	चेक सं Chq. No.	आहरण Withdrawals	जमा Deposits	शेष Balance	संक्षिप्त हस्ताक्षर Initials	ग्राहक के प्रयोग हेतु For Customer Use
			Brought Forward 39336910.00 Cr				
	40083 01923 7650499064						
31/03/25	CR INT CR			269602.00	39336910.00		
	CR INT CR						
30/06/25	40083 01923 7650499064 CR INT CR			274478.00	39611389.00		
04/08/25	UNCL-AMT: 0.00 CLR-BAL: 39611389.00 Cr;MOD-BAL: 0.00 Dr;						
01/07/25	UNCL-AMT: 0.00 CLR-BAL: 39611389.00 Cr;MOD-BAL: 0.00 Dr;						
04/09/25	UNCL-AMT: 0.00 CLR-BAL: 39611389.00 Cr;MOD-BAL: 0.00 Dr;						
	742130 01923 7650499064						
30/09/25	CR INT CR			260649.00	39872038.00		
	CR INT CR						
29/10/25	742130 01923 7650499064 : 39872038.00 Cr;MOD-BAL: 0.00 Dr;						
20/12/25	UNCL-AMT: 0.00 CLR-BAL: 39872038.00 Cr;MOD-BAL: 0.00 Dr;						
21/11/25	UNCL-AMT: 0.00 CLR-BAL: 39872038.00 Cr;MOD-BAL: 0.00 Dr;						
	742130 01923 7650499064						
31/12/25	CR INT CR			261046.00	40133084.00		
	CR INT CR						
08/01/26	UNCL-AMT: 0.00 CLR-BAL: 40133084.00 Cr;MOD-BAL: 0.00 Dr;						
	783817 01923 7650499064						
31/03/26	CR INT CR			257045.00	40390129.00		
	CR INT CR						
02/04/26	UNCL-AMT: 0.00 CLR-BAL: 40390129.00 Cr;MOD-BAL: 0.00 Dr;						

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NOTARY CALCUTTA
Regd. No. 940/97
Govt. of India

ANNEXURE-R-2

Item No. 05 Court No. 1

BEFORE THE NATIONAL GREEN TRIBUNAL
PRINCIPAL BENCH, NEW DELHI

(By Video Conferencing)

M.A. No. 74/2022
IN
Original Application No. 976/2019

Gurinder Singh & Ors. Applicant(s)

Versus

Union of India & Ors. Respondent(s)

Date of hearing: 21.10.2022

CORAM: **HON'BLE MR. JUSTICE ADARSH KUMAR GOEL, CHAIRPERSON**
HON'BLE MR. JUSTICE SUDHIR AGARWAL, JUDICIAL MEMBER
HON'BLE PROF. A. SENTHIL VEL, EXPERT MEMBER

Applicant: Mr. Nalin Kohli, Ms. Nimisha and Ms. Zeba Khair, Advocates for the Applicant in M.A No. 74/2022

ORDER

1. This application seeks compliance of order of this Tribunal dated 07.04.2021 in OA No. 778/2022, *Gurinder Singh & Ors. vs. Union of India & Ors.* Thereby, this Tribunal directed remedial action against violations of norms in construction project at Gurgaon by Respondent No. 12, M/s GP Realtors Pvt. Ltd. – the Project Proponent (PP). The action expected was by way of recovery of compensation on polluter pays principle, to be utilized for restoration of environment.

2. According to the applicant, though compensation was assessed at Rs. 707.17 lakhs by SEIAA, Haryana and show cause issued to the PP, no further action has been taken.

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3. In view of above, we are of the view that SEIAA, Haryana needs to check up the factual position and if compensation assessed has not been recovered, the matter may be now finalized within one month.

4. With above order, the matter could stand disposed of but consider it appropriate to take this opportunity to reiterate and add to directions on important related matter i.e. due utilisation of environmental compensation funds for restoration of environment expeditiously by devising appropriate mechanism by the State authorities.

5. It is a matter of common knowledge that environmental compensation funds for restoration of environment have been collected by statutory regulators, particularly State PCBs and SEIAAs but the same are not being utilised for such purpose though directions have been earlier issued on the subject. In Haryana, such funds may also be available with Haryana Water Resource Authority, under State law on the subject. It thus appears to be necessary to direct due utilisation for restoration of environment expeditiously.

6. This aspect has been dealt with inter alia order dated 22.1.2019 in OA 101/2019, filed by CPCB approving the course of action suggested by the CPCB. In pursuance of further order of the Tribunal dated 28.8.2019 in OA 593/2017, Paryavaran Suraksha case, CPCB issued guidelines for use of compensation which are in public domain. Further orders were passed by the Tribunal on 24.7.2020 in OA102/2019, Ashish Kumar Dixit case in response to which CPCB filed status report in the matter on 8.2.2021 which was dealt with vide order dated 9.2.2021 directing further action for utilisation of the funds. Extracts from order dated 27.4.2020 and 9.2.2021 are reproduced below for ready reference:

Order dated 24.7.2020 in OA102/2019

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"4. ....*What is required in terms of orders of this Tribunal is to spend the environmental restoration fund for the purpose it is meant for, viz., for* ***restoration of the environment such as strengthening vigilance mechanism, setting up of laboratories, for monitoring of environment, coordination with the District Magistrates to prepare District Environment Plans, hiring of experts and consultants, undertaking remediation and study of contaminated sites*** *etc. We may recall observations of the Hon'ble Supreme Court in dealing with Compensatory Afforestation (Campa) Fund in T.N.Godavarman v. UOI, (2014) 6 SCC 150 that such funds be spent as per plan to be approved by the National Campa Advisory Council (NCAC) for purposes such funds are raised and not for governmental functions.*

5. ***Accordingly, we direct the State PCB to revisit its plan. The CPCB may oversee preparation of such action plan in the light of earlier orders[1] of this Tribunal. The Chairman and Member Secretary may have a meeting (physical or online) with Chairman and Member Secretary of the State PCB within one month. Plan may be finalized, with the approval of CPCB, within two months. All other State PCBs and PCCs may also prepare similar action plans for restoration of environment and implementation of District Environment Plans, in coordination with CPCB. CPCB may also prepare such plan for utilization of funds available with it.*** *CPCB may file compliance report to this effect within four months by e-mail at judicial-ngt@gov.in preferably in the form of searchable PDF/ OCR Support PDF and not in the form of Image PDF."*

Order dated 9.2.2021 in OA 102/2019

"We now refer to the report of the CPCB on the subject of utilizing EC funds for restoration of environment:-

"Action taken/status: CPCB's New Proposals for utilization of EC Fund:

In compliance to the aforesaid directions of Hon'ble NGT, CPCB has prepared Action Plans on various activities for utilization of EC funds. The following Action Plans are under consideration of EC Project Appraisal Committee:

	Action Plan	Estimated Cost (INR in Crore)

[1] 17(iii), Order dated 28.08.2019, OA 95/2018, Aryavart Foundation v. M/s Vapi Green Enviro Ltd. & Ors.
12, Order dated 06.08.2019, OA 681/2018, News item published in "The Times of India" Authored by Shri Vishwa Mohan Titled "NCAP with multiple timelines to clean air in 102 cities to be released around August 15"
12, Order dated 05.11.2019, OA 639/2018, Shailesh Singh v. State of Haryana & Ors.
33, Order dated 10.07.2019, OA 1038/2018, News Item published in "The Asian Age" Authored by Sanjay Kaw titled "CPCB to rank industrial units on pollution levels"
20(viii), Order dated 26.08.2019, OA 804/2017, Rajiv Narayan v. Union of India & Ors.
8 & 9, Order dated 15.07.2019, OA 710/2017, Shailesh Singh v. Sheela Hospital & Trauma Center

	Framing of 36 Nos. of District Environmental Plan Covering all states of India	3.60
	Making of Air Pollution Awareness Videos/Animation for Mass Awareness	0.63
	Preliminary Study on Impact of Ecological Flows in Downstreamof Reservoir (s) on Riparian Ecosystem (Aquatic Life) in the River Ganga from Origin till Unnao along-with Biomonitoring along the entire stretch of River Ganga till confluence at Bay of Bengal.	2.30
	Development of Water Quality Criteria & National Water Quality Index	0.40
	Development of state of art laboratory infrastructure/furniture including plinth mounted island benches for CPCB Regional Directorate Laboratory, Bhopal	0.46

3. Status on Utilization of Environmental Compensation Fund (NGT-25%) available with CPCB:

It is submitted that the Hon'ble NGT ***vide order dated 22.01.2019 in O.A. No 101/2019 in the matter of Central Pollution Control Board Vs. Assam State Pollution Control Board & Ors, has granted approval for utilization of 25% Environmental Compensation Fund (hereinafter referred to as EC Fund) for specified activities in line with "Guidelines for Utilization of EC Fund" prepared by CPCB.***

In compliance of said order of Hon'ble NGT dated 22.01.2019, a separate dedicated account is being maintained by CPCB for receiving of EC (25%) fund. In this regard, ***CPCB also constituted an EC Project Appraisal Committee for utilization of EC fund. Recently, CPCB has re-constituted the said committee vide office order dated June 16, 2020 comprising of officials from CPCB, MoEF&CC, Department of Science and Technology and NEERI for evaluation and recommendation of projects proposals from CPCB/SPCBs/PCCs for financial assistance under EC fund.***

CPCB so far organized ten (10) EC Project Appraisal Committee meetings for evaluations and recommendations of project proposals submitted by CPCB/SPCBs/PCC in line with "Guidelines for Utilization of EC Fund" prepared by CPCB. Status on proposals evaluated and recommended by the Committee for utilization of EC fund as below:

a) Project Proposals received by the EC Project Appraisal Committee

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Items	No. of Proposals
(i) Total Proposals Received	80
(ii) Total Proposals Appraised	80
(iii) Proposals not considered / rejected / revised	47
(iv) Proposals Recommended & Approved	33

b) Number & type of project proposals recommended as per Guidelines for utilization of EC Fund

Type of Activities	No. of Proposals
(i) Strengthening of laboratory upgradation	9
(ii) Research & Development Projects	6
(iii) Follow-up for Hon'ble NGT Court cases	9
(iv) Inventorization sources of pollution	2
(v) IEC activities	2
(vi) Capacity building of CPCB/SPCBs/PCCs	2
(vii) Development Air & Water quality Monitoring & surveillance	3

b) EC fund utilization status

Components	Amount status (INR in Crore)
(i) EC Fund received (as NGT-25%) till date December, 2020	123.20
(ii) EC Fund (25%) released for 23 Project proposals	22.38
(iii) Committed expenditure for 11 Project proposals (Details is given at **Annexure-IV**)	65.32
(iv) Fund available under NGT-25% Account	35.49
(v) Retain emergency fund	16.01
(vi) Fund available for funding of Project proposals	19.48

4. Revised mechanism for Utilization of EC Fund available with CPCB

Based on the experience, it was felt necessary to revise the 100% funding to SPCBs/PCCs under EC fund from Central fund. Part contribution by SPCBs/PCCs may ensure their ownership and identification of meaning full proposals. Following fund sharing *pattern has been recommended by the EC Project Appraisal Committee is submitted for kind information of Hon'ble NGT as below:*

a) 100% funding for CPCB all project proposals
b) 100% funding to R & D projects, received from SPCBs/PCCs, with replicability in other areas
c) Projects (other than R & D) received from SPCBs/PCCs (except NE-States/Weaker States); fund sharing will be on 60:40 ratio (i.e. CPCB 60%, SPCB/PCC 40%)
d) Projects (other than R & D) from NE-SPCBs and Weaker SPCBs, fund sharing will be on 90:10 (i.e. CPCB- 90%, SPCB/PCC -10%)"

With regard to the issue of utilization of environmental funds, we find that the application for approval was filed by the State PCB on 13.10.2020 and the approval was granted on 14.10.2020. It is not clear whether the proposal received full attention, considering details of different heads such as Environmental Surveillance Cell. It may thus be necessary that the CPCB revisits the subject and grant its approval after due appraisal by the Chairman and the Member Secretary, considering the details and the observations in para 4 in the order of this Tribunal dated 24.07.2020 quoted above in para 6, namely hiring of Experts, undertaking remediation and study of the contaminated sites and allied issues. These observations are based on the judgment of the Hon'ble Supreme Court in T.N. Godavarman v. UOI, (2014) 6 SCC 150. The CPCB may also consider the details of expenditure to be incurred for the District Environment Plans and priority to be accorded to different items of expenditure, with funds being limited. Focus of utilization of EC funds should primarily be for remediation/restitution of environment."

7. Consistent with the above directions, we direct that updated action plans be got prepared and executed by the Chief Secretaries of all States/UTs. The recovered compensation may be credited to a separate account under the Chief Secretary and used as per said plans only. This will apply to compensation deposited with the State PCBs/PCCs and also other regulators such as SEIAAs, Water Resource Authorities etc. The utilisation plans may be in sync with State/District Environment Plans, in pursuance of order of this Tribunal dated 26.09.2019 in OA No. 360/2018, *Shree Nath Sharma vs. Union of India & Ors.* The process of planning and execution for utillistion of such funds may be preferably entrusted to a high powered Committee of three Additional Chief Secretaries, identified by the Chief Secretary within one month. Such plans and progress in execution may be placed on websites of the States/UTs after every six months. A part

of funds be provided for environment awareness through eco clubs in all Schools and Colleges upto grassroot levels in the State through the education Departments. States/UTs may also coordinate with Legal Services Authorities, if viable.

8. The Chief Secretary, Haryana may furnish an action taken as on 30.04.2023 before the Registrar General of this Tribunal on or before 15.05.2023 by e-mail at judicial-ngt@gov.in preferably in the form of searchable PDF/OCR Support PDF and not in the form of image PDF. If the Registrar General of this Tribunal considers it necessary, the matter may be placed before the Bench for further directions.

Subject to above, the application stands disposed of.

A copy of this order be forwarded to MoEF&CC, CPCB, Chief Secretaries, PCBs/PCCs, State Legal Services Authorities and District Magistrates of all the States/UTs by e-mail.

Adarsh Kumar Goel, CP

Sudhir Agarwal, JM

Prof. A. Senthil Vel, EM

October 21, 2022
M.A. No. 74/2022
IN OA No. 976/2019
DV

SAMIR BHATTACHARYA * NOTARY, CALCUTTA * Regd. No. 940/97 Govt. of India

ANNUAL ACTION PLAN FOR UTILIZATION OF ENVIRONMENTAL COMPENSATION FUND DURING 2026-2027

TRIPURA

tspcb

SAMIR BHATTACHA[illegible]
Regd. No. 940/97
Govt. of India
NOTARY, CALCUTTA

TRIPURA STATE POLLUTION CONTROL BOARD
PARIVESH BHAWAN, GORKHABASTI, KUNJABAN-799006, AGARTALA, TRIPURA WEST

1.0 BACKGROUND:

The Hon'ble National Green Tribunal, Principal Bench, New Delhi in M.A. No. 74/2022 in O.A No.976 of 2019in the matter of Gurinder Singh & Ors. Vs Union of India & Ors in its Order dated 21/10/2022 had passed some orders/directions, wherein one of the Direction was to prepare an updated action plan for restoration of environment of the State using the fund recovered from Environmental Compensation (EC) based on Polluter Pays principle. Accordingly, a fresh Action Plan needs to be framed for its early execution.

2.0 OBSERVATIONS OF THE COMMITTEE:

2.1. For effective utilization of Environmental Compensation Fund in compliance with the direction of the Hon'ble Tribunal, a committee has been constituted under the Chairmanship of Chief Secretary, Tripura vide Notification No.18(28)/TSPCB/NGT/976/382-91 dated 27/01/2023. The constituted committee has noted the fund to be recovered from Environmental Compensation (EC) on Polluter Pays principle.

The Committee feels that as the fund to be recovered from Environmental Compensation may be utilized for meeting the expenditure for restoration of environment of the State in different components, there shall be a specific thematic area of consideration.

2.2. The Committee has also noted that an amount of Rs. 3.79 Crore fund available with TSPCB on accounts of Environmental Compensation at this stage, therefore, it is the considered opinion of constituted Committee to utilize the fund to be recovered as EC exclusively for procuring required laboratory instruments/equipment, awareness generation through Eco Clubs, providing training on different Waste Management etc. (under Environment Education Programme), Survey Work, Technical Studies and Monitoring mechanism. The Bank Account opened under the **Indian Bank** for depositing the recovered Environmental Compensation, shall be managed by the TSPCB. However, the following thematic areas shall be accorded priority for allocation of EC funds:

a. Procurement of Instruments and Equipment's etc.
b. Inventorization of sources of pollution and Survey work
c. Imparting training for Waste Management
d. Awareness generation through Eco club schools and collages
e. Technical Studies
f. Preparation of DPR for remediation of contaminated site
g. Development of Data bank
h. Publication of Advertisement in Newspapers/TV Channels
i. Monitoring mechanism

Based on the aforementioned thematic areas, Annual Action Plan for each consecutive years shall be prepared for implementation wherein the requisite proposal will be incorporated.

3.0 IDENTIFIED THEMATIC AREAS FOR ABATEMENT OF POLLUTION:

3.1 PROCUREMENT OF INSTRUMENTS AND EQUIPMENT FOR ENVIRONMENTAL MONITORING:

To strengthen the enforcing statutory provisions for taking up pollution abatement measures by all concerned, providing suitable instruments and equipment is the prime requirement. To fulfill the requirement, the Committee will assess the requirement of instruments/ equipment's to be procured for testing of physical, inorganic (metal and non-metallic), organic and trace organic, microbiological and toxicological parameters of water and waste water/effluent samples, Air Quality Monitoring at different places, Noise level monitoring devices etc. Apart from the waste water parameters, the instruments required for particulate matters and other gaseous pollutants, vehicular exhaust emission and metrological monitoring. To cater facilitation of scientific instruments, the Committee intends to utilize environmental compensation fund towards this areas to strengthen the Air and Water quality monitoring network in different areas/locations and also to perform its function effectively as entrusted under the Water (Prevention & Control of Pollution) Act, 1974, Air (Prevention & Control of Pollution) Act, 1981 and Environment (Protection) Act, 1986 and Rules framed there under in the district level. It is to be noted that the Police (Home) Department is responsible for conducting Noise Level Monitoring in the State. Moreover, now a days, to implement the Plastic Waste Management Rules, 2021 there is a need to procure the thickness measuring equipment for all concerned Officials responsible for enforcing ban on identified Single Use Plastic. The Committee will decide the type and quantity of Instruments and Equipment to be procured based on the available fund and setting up the priority matters.

Development of Data Bank for the State can be done through monitoring, assessing of pollution and laboratory analysis. Any agency, Educational Institute or Individuals having excellent environmental background may carry out the study and enrich the Data bank. The EC funds may be spent for Development of Data bank also.

3.2 INVENTORIZATION OF SOURCES OF POLLUTION/ IMPACT ASSESSMENT STUDIES/SURVEY WORK:

Pollution is the introduction of harmful materials into the environment. These harmful materials are called pollutants. Pollutants can be natural, such as volcanic ash. They can also be created by human activity, such as trash or runoff produced by factories and gaseous emissions. Point-source pollution is easy to identify. As the name suggests, it comes from a single place. Nonpoint-source pollution is harder to identify and harder to address. It is pollution that comes from many places, all at once. So, it is important to identify sources of pollution be it of any nature for its control and sustain lives in the earth. Accordingly, the EC funds may also be spent for Inventorization of sources of pollution and survey work.

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Through technology, waste materials are recycled and produce products like animal feeds. Dirty water is recycled and ends up being used by human beings. These recycling acts save money, preserve natural resources, and avoid environmental damages. Using new technologies, lots of environmental issues can be resolved and promotion of such technologies shall be done with utmost priority.

Environmental Impact Assessment (EIA) is a tool used to assess the significant effects of a project or development proposal on the environment. EIAs make sure that project decision makers think about the likely effects on the environment at the earliest possible time and aim to avoid, reduce or offset those effects. To promote new technologies and assessing the environmental impacts of different activities, the EC fund may be spent.

The improvement of a contaminated site to prevent, minimizes, or mitigate damage to human health or the environment is a prime factor in this new era. During remediation, polluted or contaminated soil, sediment, surface water, or groundwater is removed to reduce the impact on the environment. Environmental impact regulations are put into place by the state and other concerned agencies / Organizations. Providing expert suggestions, preparation of DPR etc. can help the local agencies to execute the plans for remediation of contaminated site. The EC funds may be spent for making DPRs for remediation of contaminated sites.

3.3 GENERATION OF ENVIRONMENTAL AWARENESS THROUGH ECO CLUB SCHOOLS/ COLLAGES AND NGOS:

Eco clubs in schools & Collages are empowering students to participate and take up meaningful environmental activities and projects. It is a forum through which students can reach out to influence, engage their parents and neighborhood communities to promote sound environmental behavior. It is empowering students to explore environmental concepts and actions beyond the confines of a syllabus or curriculum. While everyone, everywhere, asserts the importance of 'learning to live sustainably,' environment remains a peripheral issue in the formal schooling system. The Eco Clubs in schools will play an important role in creating environmental awareness amongst the future generation.

Objectives of Eco-clubs in schools/Collages:

- Motivate the students to keep their surroundings green and clean by undertaking plantation of trees.
- Promote ethos of conservation of water by optimizing the use of water.
- Motivate students to imbibe habits and life style for minimum waste generation, source separation of waste and disposing the waste to the nearest storage point.

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- To develop skills of observation, experimentation, survey, recording, analysis, reasoning needed for conserving environment through activities
- Organize seminars, debates, lectures and popular talks on environmental issues in the school to motivate the students to keep their surroundings green and clean.
- Promote ethos of conservation of water by optimizing the use of water and cleaning of water body in the adjacent area.
- Motivate students to imbibe habits and life style for minimum waste generation, source separation of waste and disposing the waste to the nearest storage point.
- Sensitize the students to minimize the use of plastic bags, not to throw them in public places as they choke drains and sewers, cause water logging and provide breeding ground for mosquitoes.
- Organize tree plantation programmes, awareness programmes such as quiz, essay, painting competitions, rallies, nukkad natak etc. regarding various environmental issues and educate children about re-use of waste material & preparation of products out of waste
- Campaign against use of loud speakers, motivate students not to use crackers and fireworks, recycling of glass and metals, use of unnecessary horns.
- Field visit to environmentally important sites including polluted and degraded sites, wildlife parks, etc.
- Organise rallies, marches, human chains and street theatre at public places with a view to spread environmental awareness.
- Grow kitchen gardens, maintain vermin-composting pits, construct water harvesting structures in school, practice paper recycling etc.
- Maintenance of public places like parks, gardens both within and outside the school campus.
- Mobilize action against environmentally unsound practices like garbage disposal in unauthorized places, unsafe disposal of hospital wastes etc.
- Any other innovative programme on environmental issues.

Accordingly, these Eco Clubs may be funded from the EC Fund on demand basis.

As per order of the Hon'ble Supreme Court, NGT, High Court, various advertisements is to be issued in local as well as national newspaper and TV channels time to time. The expenditure related to such activity is to be mitigated from EC fund.

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4.0 ANNUAL ACTION PLAN:

Besides spending the EC Fund in aforesaid thematic areas based on requirement and proposal submitted by the concerned Government Departments/ Organization/ Educational Institution or even NGOs, it is necessary to frame an Annual Action Plan for each year to be executed for betterment of the environment as well as to strengthening the monitoring activities. The Annual Action Plan shall be updated every year taking into account of the present scenario and requirement with the approval of the Committee. The Approved Annual Action Plan for the financial year 2026-27 is furnished below:

Sl. No	Particulars of Activities	Quantity	Estimate (approx.)	Total	Implementing Agency
PROCUREMENT OF INSTRUMENTS AND EQUIPMENT FOR ENVIRONMENTAL MONITORING					
1	Procurement of 10 nos. Sound Level Meter (Class-I) for strengthening the monitoring mechanism to combat Noise Pollution by TSPCB	10 Nos	@Rs. 2.8 Lakhs each	Rs. 28.00 Lakhs	TSPCB
2	Procurement of 50 nos. Thickness Measuring Devices to be used during measuring thickness of Plastic Carry Bags for providing to District Administration, all ULBs for on-site measurement and verification of the thickness of plastic carry bags during inspection and enforcement activities in connection with effective implementation of ban order of SUP.	50 Nos	@Rs. 0.25 Lakhs each	Rs.12.50 Lakhs	TSPCB

Sl. No	Particulars of Activities	Quantity	Estimate (approx.)	Total	Implementing Agency
3	Procurement of Gas Chromatograph Mass Spectrometer (GCMS) for analysis of pesticides and other unknown parameters in water and air samples at TSPCB Laboratory, Agartala.	1 Nos	@Rs. 85.00 Lakhs each	Rs.85.00 Lakhs	TSPCB
4	Procurement of Ion Chromatograph for the simultaneous measurement of major anions and cations, including nitrates, phosphates, fluorides, chlorides and sulphates in water samples at TSPCB Laboratory, Agartala. It enables rapid, accurate, and reliable assessment of water quality, pollution sources.	1 Nos	@Rs. 12.00 Lakhs each	Rs.12.00 Lakhs	TSPCB
INVENTORIZATION OF SOURCES OF POLLUTION/ IMPACT ASSESSMENT STUDIES/SURVEY WORK					
5	Source apportionment study of air pollution in Agartala which enables the identification of the sources of air pollution for updation of the existing action plan to combat air pollution.	1 Nos	@Rs.30.00 Lakhs each	Rs.30.00 Lakhs	TSPCB in association with NEERI, Nagpur/any other educational institutions

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Sl. No	Particulars of Activities	Quantity	Estimate (approx.)	Total	Implementing Agency
GENERATION OF ENVIRONMENTAL AWARENESS THROUGH ECO CLUB SCHOOLS/ COLLAGES AND NGOS					
6	Awareness Activities through Eco-Club Schools/Collages & other organizations regarding Ban on Single Use Plastic, Noise Pollution, Air Pollution, Waste Management, Water Body Conservation etc.	Regular Activity	Rs. 20.00 Lakhs	Rs.20.00 Lakhs	TSPCB
7	Plantation drive involving eco club schools and NGOSs along riverbanks, especially in areas affected by or proposed for sand mining, to strengthen riverbank stability, reduce erosion etc for environmental conservation.	Regular Activity	Rs. 20.00 Lakhs	Rs.20.00 Lakhs	TSPCB
	Total			Rs. 207.50 lakhs	
	(Rupees two crore seven lakhs fifty thousand only)				

5.0 TERMS AND CONDITIONS:

i. All expenditures shall be incurred strictly in accordance with applicable financial rules, procurement procedures and other codal formalities.
ii. TSPCB shall act as the nodal implementing agency for execution of the approved activities.
iii. Procurement of equipment and engagement of agencies shall be undertaken through transparent and competitive procedures in accordance with Government norms.

6.0 MONITORING MECHANISM:

i. The High-Powered Committee shall periodically review implementation of the approved activities.
ii. Progress reports on physical and financial achievements shall be placed before the Committee at six-monthly intervals.
iii. Information regarding approved activities, implementation progress and utilization of funds shall be uploaded on the appropriate website in accordance with NGT directions.
iv. Upon completion of the approved activities, completion report together with supporting documents and a soft copy shall be submitted to the Committee.

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GOVERNMENT OF TRIPURA
DEPARTMENT OF SCIENCE, TECHNOLOGY & ENVIRONMENT.
AGARTALA, WEST TRIPURA .

No.F.18(28)/TSPCB/NGT/976/ 382-91 January 27, 2023

Notification

In compliance with the Direction of the Hon'ble National Green Tribunal, Principal Bench dated 21.10.2022 in OA No.976/2019 in the matter of Gurinder Singh & Ors. Vs Union of India & Ors. the Government of Tripura is hereby pleased to constitute a High Powered Committee for Planning and execution including utilization of fund recovered from Environmental Compensation (EC) on polluter pays principle with the following composition:

i.	The Chief Secretary, Government of Tripura	Chairman
ii.	The Principal Secretary, Government of Tripura Department of Science, Technology & Environment	Convener
iii.	The Secretary In-Charge, Government of Tripura Finance Department	Member
iv.	The Secretary In-Charge, Government of Tripura Planning Department	Member

2. The Committee will take initiative to plan and execute utilization of funds recovered from EnvironmentalCompensation(EC) on polluter pays principle.

3. The modalities of the Committee is hereunder:

i) A separate account under the Chief Secretary may be opened in any Nationalized bank for depositing recovered environmental compensation.

ii) An updated Action Plan for restoration of Environment of the State needs to be prepared for early execution.

iii)A part of fund be provided for environment awareness through Eco-Clubs in all schools and collages upto grassroot level in the State through Education Department. Legal Services Authorities may be coordinated, if viable.

4. This issues with the approval of the Competent Authority Vide UO No.318/ Dy.CM/STE/2022-23 dated 18.01.2023.

27/01/2023
(Debjani Deb, TCS)
Deputy Secretary
Science, Technology & Environment

To

i. The Chief Secretary, Government of Tripura.
ii. The Principal Secretary, Government of Tripura, Department of Science, Technology & Environment.
iii. The Secretary In-Charge, Government of Tripura, Finance Department.
iv. The Secretary In-Charge, Government of Tripura Planning Department.

Copy to:

i) PPS to the Chief Secretary to the Govt. of Tripura for kind information of the Chief Secretary
ii) PPS to the Principal Secretary to the Govt. of Tripura, Department of Science, Technology & Environment for kind information of the Principal Secretary
iii) PS to the Secretary to the Govt. of Tripura, Finance Department for kind information of the Principal Secretary
iv) PS to the Secretary to the Govt. of Tripura, Planning Department for kind information of the Secretary
v) The Director, Science, Technology & Environment, Govt of Tripura
vi) The Member Secretary, Tripura State Pollution Control Board

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