

BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL
PRINCIPAL BENCH, NEW DELHI

IN OA No.868of 2019

Shamsher Singh

-----Petitioner

Versus

State of Haryana

-----Respondent

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Place: Chandigarh
Dated:- 22.02.2021

Kamal Dew
Superintendent,
for Additional Chief Secretary to Govt. Haryana,
Environment & Climate Change Department

**BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL
PRINCIPAL BENCH, NEW DELHI**

IN OA No.868of 2019

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State of Haryana

-----Respondent

Action taken report in compliance of order dated 15.06.2020 by Shekhar Vidyarthi, Secretary to Government Haryana, Environment & Climate Change Department, Haryana.

I, the above named deponent do hereby solemnly affirms and declare as under:-

1. That State of Haryana through Environment & Climate Change Department is committed to provide clean and healthy environment to people, animals, flora and fauna. To achieve the objectives of article 48A of the Constitution of India and in exercise of power conferred under section 5 of The Environment Protection Act, 1986 various notifications have been issued and rules have been framed to protect the environment and to maintain ecological balance in the State to prevent environmental degradation and to avoid human health hazards.

2. That the Hon'ble NGT vide its order dated 15.06.2020 in case O.A. No.868 of 2019, titled as Shamsheer Singh Vs. State of Haryana issued directions to Chief Secretary, Haryana to take remedial action for manning the Appellate Authority under Section 28 of the Water (Prevention & Control of Pollution) Act, 1974, Section 31 of Air (Prevention & Control of Pollution) Act, 1981, under Rule 12 of Hazardous waste (Management & Handling) Rules, 1989 as per the directions issued by the Hon'ble Supreme Court in APPCB vs. Prof. M.V. Nayudu (Retd.) and ors. (1999) 2 SCC 718. The relevant portion of the paragraph of the aforementioned order is reproduced below:-

“Different statutes in our country relating to the environment provide appeals to appellate authorities. But most of them still fall short of a combination of judicial and scientific of them fall short of a combination of judicial and scientific needs. For example, the qualifications of the persons to be appointed as appellate authorities under Section 28 of the water (Prevention & Control of Pollution), 1974, Section 31 of Air (Prevention & Control of Pollution) Act, 1981, under Rule 12 of Hazardous waste (Management & Handling) Rules, 1989 are not clearly spelled out. While the appellate authority under Section 28 in Andhra Pradesh as per the notification of the Andhra Pradesh Government is a retired High Court Judge and there is nobody on his panel to help him in technical matters, the same authority as per the notification in Delhi is the Financial Commissioner (see notification dated 18-02-1992) resulting in there being in NCT, neither a regular judicial member nor a technical one.

..... of paramount importance in the establishment of environmental courts, authorities and tribunals is the need for providing adequate judicial and scientific inputs rather than leave complicated disputes regarding environmental pollution to officers drawn only from the executive.

There is also an immediate need that in all the States and Union Territories, the appellate authorities under Section 28 of the Water (Prevention & Control of Pollution) Act, 1974 and Section 31 of the Air (Prevention & Control of Pollution) Act, 1981 or other rules, there is always a Judge of the High Court, sitting or retired, an a scientist of high ranking and experience, to help in the adjudication of

disputes relating to the environment and pollution. An amendment to existing notifications under these Acts can be made for the present.

We request the Central and State Government to take notice of these recommendation and take appropriate action urgently.

The State of Haryana may take remedial action accordingly so that Appellate Authority is manned as per directions of the Hon'ble Supreme Court. We also find that once pollution was being caused, there is no occasion for the Appellate Authority manned by Secretary to the Govt. to stay remedial action at the cost of violation of law and public health. The state PCB should have pointed out facts or challenge the order by way of further appeal. Absence thereof may give rise to collusion at some level.

Let the Chief Secretary Haryana took into the matter and take remedial action to uphold the rules of law and file a compliance report before the next date by e-mail..... ”

3. In this regard, it is submitted that for the first time Appellate Authority under aforementioned Sections was constituted in April 2001 for a period of 3 years. The detailed facts enumerating chronological progression of appellate authority are given below:-

Sr. No.	Name	Period	Emoluments / Honorarium
1.	(a) Sh. N.K. Kapoor, Judge, (Retired) President. (b) Mrs. Anubha Kaushik, Chairperson, department of environmental Sciences, Guru Jambheahwar University, Hisar. Member. (c) Dr. S.K. Sharma,	12.04.2001 to 11.04.2004	As per Govt. letter No. 16/5/1999-3 Env. dated 09.05.2001 (Flag A) the President and each Member of the Appellate Authority were paid an honorarium to the tune of Rs. 4000/- and Rs. 2500/- respectively per case for Large and Medium industry. Rs. 3000/- were paid to the President and Rs. 1500/- each to other Members per case for SSI and other Govt. /Semi Govt. organization.

	Professor, Chemical Engineering Department, Panjab University, Chandigarh. Member.		
2.	(a) Sh. A.S. Garg, Judge, (Retired) President. (b) Sh. R.S. Rana, chief Engineer (Retd.) No. 949, sector-17, Faridabad. (c) Dr. Satish Chug, Uttam Clinic, Kalanaur, District Rohtak.	26.11.2008 to 25.11.2011 and 08.12.2011 to 07.12.2014	As per Govt. letter No. 02/23/2010-1 Env. dated 28.06.2011 (Flag B), the following terms and conditions of Appellate Authority were fixed:- (i) The term of appointment of Sh.A.S.Garg, Judge (Retd.) President and members of Appellate Authority will be for a period of three years from the date they take over. (ii) The President of Appellate Authority will be paid fixed honorarium @ Rs. 50,000/- (Rupees Fifty Thousand only) per month and each member of the Appellate Authority will be paid fixed honorarium @ Rs. 20,000/- (Rupees Twenty Thousand only) per month. (iii) The President of the Appellate Authority shall be entitled to telephone/mobile facility as applicable to the Financial Commissioner & Principal Secretary to Govt. Haryana. (iv) A car shall be allocated to the President of the Appellate Authority by the Haryana State Pollution Control Board keeping in view of his status and the President can use it for official purposes or else he may use his personal vehicle/taxi and can charge mileage as admissible to the

			Grade-I Officer of the State Government.
3.	(1) Sh.S.D.Anand, S/o Sh. I.P.Anand, R/o A-9, Orbit Apartments, 1 VIP Road, Zirakpur, Distt. Mohali (2) Major General Harish Jit Singh S/o Late Shri Satjit Singh, R/o H.No. 2251-B, Sector- 47, Chandigarh. (3) Dr.Sukhdev Kundu, R/o House No. 17, New General Independent Duplex Houses Society, Dhakoli, Zirakpur, Distt. Mohali.	17.04.2017 to 31.10.2019 (Justice S.D.Anand (Retd.) submitted his resignation on 18.09.2019 (Flag A 1) and the same was accepted by Govt. letter No. 2/23/2010- 1Env. dated 31.10.2019 (Flag B 2).)	As per Govt. letter No. 02/23/2010-1 Env. dated 25.01.2019 (Flag C), the following terms and conditions of Appellate Authority were fixed:- <u>President:-</u> (a) He will be entitled to draw salary equivalent to Chief Secretary to Government Haryana minus pension. He however will draw dearness as per instruction of the Government issued from time to time. (b) He will be entitled to vehicle as per his entitlement. (c) He will be entitled to 30 days of earned leave for every completed year of service. <u>Members:-</u> (a) Official member will be entitled to draw salary equivalent to Principal Secretary to Government Haryana minus pension. He however will draw dearness as per instruction of the Government issued from time to time. (b) Non official member will be paid a consolidated monthly salary of Rs. 2.00 lacs.

It is specifically mentioned that during his tenure, Justice S.D.Anand (Retd.) filed a CWP No. 2388 of 2019 claiming salary and all the pay and allowances admissible to a sitting Hon'ble Judge of High Court, such as Basic Pay,

Dearness Allowance, Sumptuary Allowance, HRA Accommodation, T.A., D.A., LTC, Library, Computer Set with Multiple Printer in Chamber, One Desktop alongwith Laser Printer at the Camp Office, DO letter's head alongwith envelopes, Visiting Cards, New Year Greeting Cards and Stationery Items as per requirement, Newspaper and magazines, legal software, online/offline digital magazines, Amount for purchasing furnishing articles at official residence, free electricity, furnishing items/furniture in the Camp Office, Car (Toyota, Innova Crystal) Petrol, Telephone/Mobile facility, Laptop, I-pad, Cordless phone, 4G connection, Telephone with Mini ETAB Exchange, Staff including Special Secretary, Secretary, Private Secretaray, Judgement Writer, Court Secretary, Driver, Peon, Chowkidar, Mali, Sfai Sewak, Usher, Medical facility including full reimbursement, the facility of Naturopathy, treatment from Jindal Nature Care Institute and Kaya Kalp institute etc. including all the facilities provided to Hon'ble judge by the protocol branch and all the benefit admissible to their family member and lastly, leave as admissible to the sitting Hon'ble Judges. The above CWP is still pending in the Hon'ble High Court. The next dated is 06.05.2021.

4. That keeping in view the decision dated 22.09.2017 (Annexure R-1) of Hon'ble Supreme Court in of India in Civil Appeal No. 1359 of 2017 titled as Techhi Tagi Tara Vs Rajendra Singh Bhandari and Ors., wherein it was specifically directed by Hon'ble Court that suitable professionals and experts to be appointed to the SPCB's considering the institutional requirement of SPCB's and law laid down by the institute, the process to amend the Water & Air Rules in respect of Chairman, Member Secretary and Appellate Authority of HSPCB started in 2018 and the rules were notified after the approval of Chief Secretary, Finance Department and L.R. vide notification No. S.O. 81/C.A. 14/1981/S. 54/2019 dated 20.11.2019 (Annexure R-2). The relevant portion of the said notification is reproduced as under:-

" The Appellate Authority shall consist of either a single person or three persons appointed by the State Government:-

(i) in case of single person authority, the Appellate Authority shall consist of either, retired district and Session Judge or Administrative Secretary of Environment and Climate Change Department or a member of All India Services who is or has been in the service of Central or any State Government of the rank and equivalence Principal Secretary and has experience in administering institutions dealing with matters related to the environment; or

(ii) in case of three persons the Appellate Authority shall consist of, one of the persons, indicated at (i) above, who shall be designated, as President of Appellate Authority; and any two persons from the following category shall be appointed by the Government as Members;

(a) Scientist having experience of fifteen years in the field of Environment Management equivalent to the status of group A services;

(b) Professional/Expert at least in the rank of Professor, from the Department of Environment of a reputed university;

(c) Secretary/Director level of All India Services officer;

(d) Serving/Retired Engineer of not below the level of Superintending Engineer;

(e) Serving/retired Additional Director from Prosecution Department, Haryana;

(f) Retired District/Additional District and Session Judge;

(g) Administrative Secretary/Secretary of Forest or Irrigation Department.

In case, the President is a non-judicial person, in that case one member shall be from judicial side and other from the technical side.

(2) The President of the authority shall be paid with an honorarium of one lakh rupees per month and members shall be paid fifty thousand rupees per month by the Government and the Government shall pay the travelling allowances to the Appellate Authority, at such rates as are admissible to Grade I officer of the

Government.

(3) The term of President or Members of the Appellate Authority shall be for a period of two years.

(4) The President and/or Members of the Appellate Authority may hold office till the age of sixty-seven years.

(5) The Head Quarter of the Appellate Authority shall be either Panchkula or Chandigarh, as decided by the Government. The Government shall also make the arrangements of the sitting/conducting/functioning of the Appellate Authority and other secretarial services."

5. That at present the Appellate Authority is headed by the Administrative Secretary, Environment & Climate Change Department, Haryana. Since the charge of President, Appellate Authority has been given to ACS (Environment & Climate Change Department, Haryana) vide orders dated 31.12.2019 (Annexure R-3). At present only 5 cases are pending. The workload of appellate authority is therefore severely disproportionate to the rank and status of High Court Judge.

6. That after the directions of Hon'ble NGT on 15.06.2020, communication was made from the Government of Haryana to the Chief Secretaries of all the other States vide memo no. 2/29/2019-1 Env. Dated 28.07.2020(Annexure R-4/1), to provide information regarding the appointment of president and members of appellate authority of State Pollution Control Board. Again SPCB's of all the others states were directed to provide information as desired above vide Memo no. 2/20/22016-1 Env. dated 18.08.2020 (Annexure R-4/2), in response the following information was received:-

Sr. No.	Name of the State	President	Members	Honorarium
1.	Uttrakhand	Principal Secretary/Secretary	Principal Secretary	Not applicable
2.	Tripura	Sh. Atul Gupta, Principal Chief Conservator of Forest and Wild life Warden, Tripura, Forest Department.	Principal, Agartala Medical College and Principal, Tripura, Institute of Technology, Agartala.	Not applicable
3.	Punjab	Principal Secretary/Secretary	-----	Not applicable
4.	Andhra Pradesh	Sri Justice C.V.N. Sastry, Judge (Retd.)	(i) Prof. P.V.V.Prasada Rao, Deptt. of Environment Sciences, Andhra University, Visakhapatnam, (ii) Prof.R.C.Hanmanthu, Deptt. of Geology (Retd.) Sri Venkateswara University, Tirupati	Chairman will be paid an honorarium Of Rs. 4000/- and Members will be paid an honorarium of Rs. 3500/- per month.
5.	Uttar pradesh	Secretary, Environment	-----	Not applicable

6.	Himachal Pradesh	Principal Secretary	-----	Not applicable
7.	Bhopal	Dr.N.P.Shukla, (designation not mentioned).	Sh.Harbhajan Shivhare & Sh. Prabhat Sahu	Not applicable
8.	Maharashtra	Sh.J.S.Sahni, Chairman of the Maharashtra Pollution Control Board.	Chief Executive Officer, Maharashtra Industrial Development Corporation and Member Secretary (Technical)	Not applicable
9.	West Bengal	Justice Siddhartha (Retd.) Calcutta High Court	(i) Prof. Shekhar Bhattacharjee, Guest faculty, Chemical Engineering Deptt., Jadhavpur University and Ex-Prof., University of Calcutta. (ii) Prof. Pradip Bandhopadhyay, ex-Associate Professor, Civil Engineering	Information not available.

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			deptt., I.I.E.S.T., Shibpur, 266, Prafulla Chaki Road, P.O. Hindmotor, Dist. Hooghly, Pin-712233.	
10.	Odisha	Justice C.R. Dash, Sitting Judge of Orissa High Court	1. Dr. Pratap K J Mohapatra Retired Prof., Department of Industrial Engineering & Management, IIT, Kharagpur. 2. Dr. Debendra Kurnar RouI Ex- Senior Environmental Scientist, SPCB, Odisha	Not applicable
11.	Jaipur	Chairman, Revenue Department, Ajmer	1- Principal Secretary (Legal), Law and Legislative Department, Jaipur 2- Sh. B.S. Sharma Retd. Chief Engineer, Public Health Department, Jaipur	Not applicable
12.	Tamilnadu	Justice K.B.K Vasuki (Retd.)	1- Thiru. Jayakumar T.C. Ethraju, B.Tech., Additional Chief Environmental Engineer. 2- Dr. Jayaraman,	Information not available.

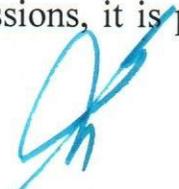
			M.Sc., Former Secretary (Retd.)	Ph.D., Under
13.	Jharkhand	Chairman, Revenue Council	-----	-----
14.	Chandigarh	Advisor to the Administrator	-----	Not applicable
15.	Chhatisgarh	Special Secretary, Housing and Environment Department.	-----	Not applicable

In view of the above facts that the current work load, which is 5 cases pending at present, is quite low and is not commensurating with the status of a sitting/retired High Court Judge. There may be a time when there are nil pendency in the appellate authority. This little quantum of work can be handled as an additional charge or with the fixed honorarium as has been done in the past to have a balance in the number of cases and the cost incurred per case in the Appellate Authority.

On the basis of above mentioned submissions, it is prayed to kindly accept the report.

Place:-Chandigarh

Dated:-18.02.2021


(Shekhar Vidyarthi)

Secretary to Govt. Haryana,
Environment and Climate Change, Haryana

Verification:

Verified that the contents of para No. 1 to 6 of the action taken report are correct and true to my knowledge and belief. No part of it is false and nothing material has been concealed therein.

Place:-Chandigarh

Dated:-18.02.2021


(Shekhar Vidyarthi)

Secretary to Govt. Haryana,
Environment and Climate Change, Haryana

REPORTABLE

IN THE SUPREME COURT OF INDIA

CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO. 1359 OF 2017

Techi Tagi Tara

...Appellant

versus

Rajendra Singh Bhandari & Ors.

...Respondents

WITH

C.A. No. 1360/2017, C.A. No. 2481/2017, C.A. No. 526/2017,
C.A. No. 1561/2017, C.A. No. 4917/2017, C.A. No. 4936/2017,
C.A. No. 5735/2017, C.A. Nos. 8377-8378/2017, C.A. No.
10471/2017, C.A. No. 9498/2017 and C.A. Nos. 10472-
10473/2017

JUDGMENT

Madan B. Lokur, J.

1. This batch of appeals is directed against the judgment and order dated 24th August, 2016 passed by the National Green Tribunal, Principal Bench, New Delhi (for short 'the NGT') in Original Application No. 318 of 2013.¹ On a reading of the judgment and order passed by the NGT, it

Signature Not Verified
Digitally signed by
SANJAY KUMAR
Date: 2017.08.22
12:31:35 IST
Reason:

¹ Rajendra Singh Bhandari v. State of Uttarakhand and others
C.A. Nos. 1359/2017 etc. etc.

32. The concern really is not one of a lack of professional expertise – there is plenty of it available in the country – but the lack of dedication and willingness to take advantage of the resources available and instead benefit someone close to the powers that be. With this couldn't-care-less attitude, the environment and public trust are the immediate casualties. It is unlikely that with such an attitude, any substantive effort can be made to tackle the issues of environment degradation and issues of pollution. Since the NGT was faced with this situation, we can appreciate its frustration at the scant regard for the law by some State Governments, but it is still necessary in such situations to exercise restraint as cautioned in *State of U.P. v. Jeet S. Bisht*.¹⁵

33. Keeping the above in mind, we are of the view that it would be appropriate, while setting aside the judgment and order of the NGT, to direct the Executive in all the States to frame appropriate guidelines or recruitment rules within six months, considering the institutional requirements of the SPCBs and the law laid down by statute, by this Court and as per the reports of various committees and authorities and ensure that suitable professionals and experts are appointed to the SPCBs. Any damage to the environment could be permanent and irreversible or at least long-lasting. Unless

¹⁵ (2007) 6 SCC 586
C.A. Nos. 1359/2017 etc. etc.

corrective measures are taken at the earliest, the State Governments should not be surprised if petitions are filed against the State for the issuance of a writ of *quo warranto* in respect of the appointment of the Chairperson and members of the SPCBs. We make it clear that it is left open to public spirited individuals to move the appropriate High Court for the issuance of a writ of *quo warranto* if any person who does not meet the statutory or constitutional requirements is appointed as a Chairperson or a member of any SPCB or is presently continuing as such.

34. The appeals are disposed of in light of the above discussion.

.....J
(Madan B. Lokur)

.....J
(Deepak Gupta)

New Delhi;
September 22, 2017

HARYANA GOVERNMENT**ENVIRONMENT AND CLIMATE CHANGE DEPARTMENT****Notification**

The 20th November, 2019

No. S.O. 81/C.A. 14/1981/S. 54/2019.— In exercise of the powers conferred by section 54 of the Air (Prevention and Control of Pollution) Act, 1981 (Central Act 14 of 1981), the Governor of Haryana after consulting the Haryana State Pollution Control Board, hereby makes the following rules further to amend the Haryana Air (Prevention and Control of Pollution) Rules, 1983, namely:-

1. (1) These rules may be called the Haryana Air (Prevention and Control of Pollution) Rules, 2019.
- (2) These rules shall come into force from the date of their publication in the Official Gazette.
2. In the Haryana Air (Prevention and Control of Pollution) Rules, 1983 (hereinafter called the said rules), for rule 23, the following rule shall be substituted, namely:-

"23. (1) The Appellate Authority shall consist of either a single person or three persons appointed by the State Government,-

- (i) in case of single person authority, the Appellate Authority shall consist of either, retired District and Session Judge or Administrative Secretary of Environment and Climate Change Department or a member of All India Services who is or has been in the service of Central or any State Government of the rank and equivalence Principal Secretary and has experience in administering institutions dealing with matters related to the environment; or
- (ii) in case of three persons the Appellate Authority shall consist of, one of the persons, indicated at (i) above, who shall be designated as President of Appellate Authority; and any two persons from the following category shall be appointed by the Government as Members,-
 - (a) Scientist having experience of fifteen years in the field of Environmental Management equivalent to the status of group A services;
 - (b) Professional/Expert at least in the rank of Professor, from the Department of Environment of a reputed university;
 - (c) Secretary/Director level of All India Services officer;
 - (d) Serving/Retired Engineer of not below the level of Superintending Engineer;
 - (e) Serving/retired Additional Director from Prosecution Department, Haryana;
 - (f) Retired District/Additional District and Session Judge;
 - (g) Administrative Secretary/Secretary of Forest or Irrigation Department.

In case, the President is a non-judicial person, in that case one member shall be from judicial side and other from the technical side.

(2) The President of the authority shall be paid with an honorarium of one lakh rupees per month and members shall be paid fifty thousand rupees per month by the Government and the Government shall pay the travelling allowances to the Appellate Authority, at such rates as are admissible to Grade I officer of the Government.

(3) The term of President or Members of the Appellate Authority shall be for a period of two years.

(4) The President and/or Members of the Appellate Authority may hold office till the age of sixty-seven years.

(5) The Head Quarter of the Appellate Authority shall be either Panchkula or Chandigarh, as decided by the Government. The Government shall also make the arrangements of the sitting/conducting/functioning of the Appellate Authority and other secretarial services."

DHEERA KHANDELWAL,
Additional Chief Secretary to Government Haryana,
Environment and Climate Change Department.

**HARYANA GOVERNMENT
ENVIRONMENT AND CLIMATE CHANGE DEPARTMENT**

ORDER

In exercise of the powers conferred by Section 28(2) of the Water (Prevention and Control of Pollution) Act, 1974 and amended Haryana (Prevention and Control of Water Pollution) Rules, 2019, the Governor of Haryana is pleased to appoint Additional Chief Secretary to Govt. Haryana Environment and Climate Change Department as Appellate Authority, Haryana State Pollution Control Board, Panchkula, in addition to him/her present duties with immediate effect.

Dated: 31.12.2019

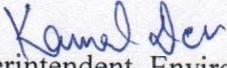
Shekhar Vidyarthi
Special Secretary to Govt. Haryana,
Environment and Climate Change Department.

Endst.No. 2/23/2010-1Env.

Dated:31.12.2019

A copy is forwarded to the following for information and further necessary action.

1. PS to Chief Secretary to Government of Haryana.
2. PS to PSCM
3. PS to ACS, Environment and Climate Change Department, Haryana.
4. PS to Director Environment and Climate Change Department, Haryana.
5. Chairman, Haryana State Pollution Control Board, Panchkula.


Superintendent, Environment,
for Additional Chief Secretary to Govt. Haryana,
Environment and Climate Change Department.

MOST IMMEDIATE
DATE BOUND

From:

The Additional Chief Secretary to Govt. of Haryana,
Environment and Climate Change Department.

To

1. The Chief Secretary to Govt. of Punjab, Chandigarh.
2. The Chief Secretary to Govt. of Delhi.
3. The Chief Secretary to Govt. of Andhra Pradesh, Amaravati.
4. The Chief Secretary to Govt. of Arunachal Pradesh, Itanagar.
5. The Chief Secretary to Govt. of Assam, Dispur.
6. The Chief Secretary to Govt. of Bihar, Patna.
7. The Chief Secretary to Govt. of Goa, Panji.
8. The Chief Secretary to Govt. of Gujarat, Gandhinagar.
9. The Chief Secretary to Govt. of Himachal Pradesh, Shimla.
10. The Chief Secretary to Govt. of Jharkhand, Ranchi.
11. The Chief Secretary to Govt. of Karnataka, Bengaluru.
12. The Chief Secretary to Govt. of Kerala, Thiruvananthapuram.
13. The Chief Secretary to Govt. of Madhya Pradesh, Bhopal.
14. The Chief Secretary to Govt. of Maharashtra, Mumbai.
15. The Chief Secretary to Govt. of Manipur, Imphal.
16. The Chief Secretary to Govt. of Meghalaya, Shillong.
17. The Chief Secretary to Govt. of Mizoram, Aizawl.
18. The Chief Secretary to Govt. of Nagaland, Kohima.
19. The Chief Secretary to Govt. of Odisha, Bhubneshwar.
20. The Chief Secretary to Govt. of Rajasthan, Jaipur.
21. The Chief Secretary to Govt. of Sikkim, Gangtok.
22. The Chief Secretary to Govt. of TamilNadu, Chennai.
23. The Chief Secretary to Govt. of Telangana, Hyderabad.
24. The Chief Secretary to Govt. of Tripura, Agartala.
25. The Chief Secretary to Govt. of Uttarpradesh, Lucknow.
26. The Chief Secretary to Govt. of Uttarakhand, Dehradun.
27. The Chief Secretary to Govt. of west Bengal, Kolkata.

Memo No. 2/29 /2019-1Env.

Dated : 28.07.2020

Subject:- Information regarding appointment of President and Members of Appellate Authority of State Pollution Control Board.

Respected Sir/ Madam,

Kindly refer to the subject noted above.

3. Vide Sr. No. 3 of their order dated 15.06.2020, National Green Tribunal has ordered as under:-

There is also an immediate need that in all the States and Union Territories, the appellate authorities under Section 28 of the Water (Prevention and Control of Pollution) Act, 1974 and Section 31 of the Air (Prevention and Control of Pollution) Act, 1981 or other rules, there is always a Judge of the High Court, sitting or retired, and a scientist or group of scientists of high ranking and experience, to help in the adjudication of disputes relating to the environment and pollution. An amendment to existing notifications under these Acts can be made for the present.

19-

We request the Central and State Government to take notice of these recommendations and take appropriate action urgently.

4. In view of above orders, the information regarding constitution of Appellate Authority of your State is required. You are therefore, requested to kindly intimate as to constitution of the Appellate Authority of Pollution Control Board at present alongside with relevant rules applicable.

5. You are requested to send above information at this office Email ID i.e. environ.12345@gmail.com.

ka

Superintendent, Environment,
For Additional Chief Secretary to Govt. Haryana,
Environment and Climate Change Department

MS
29/7/20



**POST IMMEDIATE
URGENT**

From

The Additional Chief Secretary to Govt. of Haryana,
Environment and Climate Change Department

To

1. The Chairman, Delhi Pollution Control Board,
Mahatma Gandhi Marg, P and T Colony, P&T Colony, Civil Lines, Delhi, 110054.
2. The Chairman, Pollution Control Board of Aurnachal Pradesh, Paryavaran Bhawan, Yupia Road,
Papu Nalah, Naharlagun, Arunachal Pradesh 791110
3. The Chairman, Pollution Control Board of Assam, Milanpur, West Jyotinagar, Bamunimaidan,
Guwahati, Assam 781004.
4. The Chairman, Bihar State Pollution Control Board,
Mall Rd, Patliputra Industrial Area, Digha, Patna, Bihar 800010.
5. The Chairman, Pollution Control Board of Guzrat,
Paryavaran Bhavan, CHH Road, Sector 10A, opp. Gujarat Rajya Beej Nigam Limited,
Gandhinagar, Gujarat 382010.
6. Andhra Pradesh Pollution Control Board,
D. No. 33-26-14 D/2, Near Sunrise Hospital,
Pushpa Hotel Centre, Chalamavari Street,
Kasturibaipet, Vijayawada-520010.
7. The Chairman, Tamil Nadu Pollution Control Board,
76, Anna Salai, Guindy Industrial Estate,
Race View Colony, Guindy, Chennai, Tamil Nadu 600032
8. The Chairman, Telangana State Pollution Control Board,
A-3, Paryavaran Bhavan, Sanath Nagar Rd,
Sanath Nagar Industrial Estate, Sanath Nagar,
Hyderabad, Telangana 500018.
9. The Chairman, Jharkhand State Pollution Control Board,
CD-256, HEC Colony, CTI Colony, Sector 3, Dhurwa, Ranchi, Jharkhand 834004
10. The Chairman, Kerala State Pollution Control Board,
3rd Floor Zamorian's Square Building, Link Rd, Palayam, Kozhikode, Kerala 673002
11. The Chairman, Manipur State Pollution Control Board,
Lamphelpat, Imphal, Manipur 795004
12. The Chairman, Mizoram State Pollution Control Board,
Khatla, Aizawl, Mizoram 796009
13. The Chairman, Odisha State Pollution Control Board,
Dipak Rd, Nilakantha Nagar, Unit - VIII, Bhubaneswar, Odisha 751012
14. The Chairman, State Pollution Control Board of Rajasthan,
4, Jhalana Institutional Area, Jhalana Doongri, Jaipur, Rajasthan 302004
15. The Chairman, Sikkim, State Pollution Control Board of
Ground Floor, Forest Secretariat Annex I, Deorali Rd, Gangtok, Sikkim 737102

Memo No. 2/20/2016-1Env.

Dated: 18.08.2020

Subject:- Information regarding appointment of President and Members of Appellate Authority of State Pollution control Board.

Respected Sir/ Madam,

Kindly refer to the subject noted above.

3. Vide Sr. No. 3 of their order dated 15.06.2020, National Green Tribunal has ordered as under:-

There is also an immediate need that in all the States and Union Territories, the appellate authorities under Section 28 of the Water (Prevention and Control of Pollution) Act, 1974 and Section 31 of the

Under (Prevention and Control of Pollution) Act, 1981 or other rules, there is always a Judge of the High Court, sitting or retired, and a scientist or group of scientists of high ranking and experience, to help in the adjudication of disputes relating to the environment and pollution. An amendment to existing notifications under these Acts can be made for the present.

We request the Central and State Government to take notice of these recommendations and take appropriate action urgently.

1. In view of above orders, the information regarding constitution of Appellate Authority of your State is required. You are therefore, requested to kindly intimate as to constitution of the Appellate Authority of Pollution Control Board at present alongside with relevant rules applicable.

2. You are requested to send above information at this office Email ID i.e. environ.12345@gmial.com.

dc
Kamal Dew
Superintendent, Environment,
For Additional Chief Secretary to Govt. Haryana,
Environment and Climate Change Department

