

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

ORIGINAL APPLICATION NO 693/2023

In the matter of:

News Item titled "Pollution Control Boards are the weak link" appearing in Deccan Herald dated 24.10.2023.

NDOH:- 09.01.2025

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Filed by:

(Delhi Pollution Control Committee)
Respondent

New Delhi:

Dated: 06.01.2025

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

ORIGINAL APPLICATION NO 693/2023

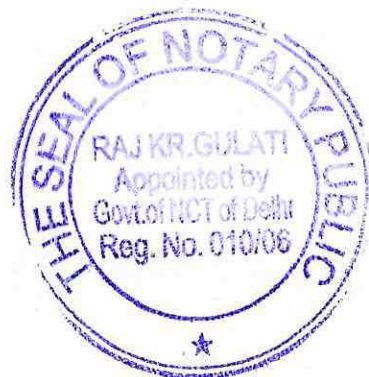
In the matter of:

News Item titled "Pollution Control Boards are the weak link" appearing in Deccan Herald dated 24.10.2023.

AFFIDAVIT ON BEHALF OF DELHI POLLUTION CONTROL
COMMITTEE (DPCC) WITH RESPECT TO ORDER DATED
11.09.2024.

I, Dr. K.S. Jayachandran, Member Secretary, Delhi Pollution Control Committee, 3rd Floor, Block-B, IT Park, Shastri Park, Delhi- 110053, do hereby solemnly affirm and state as under:

1. That, I am working as Member Secretary, Delhi Pollution Control Committee and am conversant with the facts of the present case on the basis of record maintained by Delhi Pollution Control Committee in its ordinary course.
2. That, this Tribunal is considering the issue of filling up of the vacant posts in the State Pollution Control Boards (SPCBs)/Pollution Control Committees (PCCs) and Central Pollution Control Board (CPCB) and also creation of adequate infrastructure therein.



3. That this Hon'ble Tribunal, vide order dated 11.09.2024 pleased to direct the progress report indicating the compliance of this order to be filed by all the States/UTs by way of an affidavit by providing an advance copy to the Counsel for the CPCB.
4. That on the same aspect the Chief Secretary, Delhi has filed an affidavit before the Hon'ble Supreme Court in the matter of MC Mehta vs Union of India and Others. Copy of the affidavit filed in the Hon'ble Supreme Court is enclosed herewith as Annexure-1.
5. That, in continuation to the above following progress was made by DPCC (as on 19.12.2024) which is as under:
- Appointment letters have been issued to 16 candidates for the post of Assistant Environmental Engineer (AEE). Out of these posts, 03 candidates have joined DPCC and remaining 13 candidates are under way to join DPCC.
 - Appointment letters have been issued to 09 officers/ officials for filling up the following posts on deputation basis:

Sl. No.	Name of the Deputation Post	No. of Posts
1	Environmental Engineer	02
2	Scientist-D	01
3	Scientist-C	01
4	Sr. Laboratory Assistant	01
5	System Analyst	01
6	Section Officer	01
7	Assistant Section Officer	02



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	Total	09
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The above officers/officials will join DPCC shortly.

- Apart from above, 01 post of Administrative Officer has also been filled up on deputation basis.
- Requisitions for filling up of 90 posts (Group-B & C) are lying with Delhi Subordinate Services Selection Board (DSSSB), Government of NCT of Delhi (Board makes recruitments to various posts of Group-B (Non-Gazetted) and Group-'C' in Government of NCT of Delhi, MCD, NDMC and autonomous bodies under the Government of NCT of Delhi). In this context, DPCC has also conveyed the directions of the Hon'ble Supreme Court (WPC 13029/1985) to DSSSB to adhere the timeline as given by Hon'ble Supreme Court to fill up the vacant posts.
- DPCC is making every effort to fill up the vacant posts in DPCC before the timeline as given by the Hon'ble Supreme Court.

6. That, above Affidavit of DPCC may please be taken on records.

DEPONENT

VERIFICATION

I, the above-named deponent, declare the contents of the present affidavit are true and correct to the best of my knowledge based upon the documents and records available in the office and nothing material has been concealed therefrom.

Verified at New Delhi on this 16 JAN day of January 2025



DEPONENT

ATTESTED

NOTARY PUBLIC
GOVT. OF NCT OF DELHI
- 6 JAN 2025

IN THE SUPREME COURT OF INDIA
CIVIL ORIGINAL JURISDICTION
WRIT PETITION [CIVIL] No.13029 OF 1985

IN THE MATER OF :

M. C. Mehta

... PETITIONER

VS

UNION OF INDIA & ORS.

... RESPONDENTS

NDOH 20.08.2024

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Filed by:

(JYOTIMENDIRATTA)

Advocate for Government of NCT Delhi

New Delhi:

Dated: 31.07.2024

IN THE SUPREME COURT OF INDIA
CIVIL ORIGINAL JURISDICTION
WRIT PETITION [CIVIL] No.13029 OF 1985

IN THE MATER OF :

M. C. MEHTA

... PETITIONER

VS

UNION OF INDIA & ORS.

... RESPONDENTS

AFFIDAVIT ON BEHALF OF CHIEF SECRETARY,
GOVERNMENT OF NATIONAL CAPITAL TERRITORY
OF DELHI IN COMPLIANCE OF THE ORDER DATED
10.07.2024

I, Naresh Kumar, aged about 60 years, Chief Secretary, Government of NCT of Delhi, having office at 5th Level, Delhi Secretariat, ITO, Delhi - 110002, do hereby solemnly affirm and state as under:

1. That I am working as Chief Secretary, Government of NCT of Delhi and am conversant with the facts of the case.
2. That the present affidavit is being filed in compliance with the direction contained in the order passed by this Hon`ble Court on 10.07.2024 with respect to time bound schedule for filling up all 233 vacant posts in Delhi Pollution Control Committee (DPCC).



A handwritten signature in black ink, consisting of a stylized 'N' followed by a horizontal line.

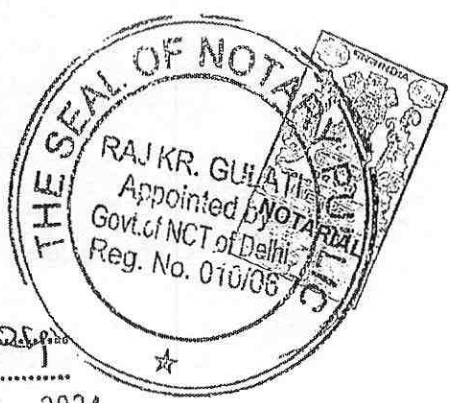
- 3. That the total sanctioned posts in Delhi Pollution Control Committee (DPCC) are 344; out of which 140 posts have now been filled up and number of present vacant posts are 204. The summary of posts in DPCC (as on 29.07.2024) is attached herewith as Annexure-I.
- 4. That status of filling up of vacant posts in DPCC (as on 29.07.2024) *interalia* mentioning the details like name of posts, group of posts, number of posts, vacancies available as on day and time bound schedule for filing up these vacancies is attached herewith as Annexure-II.
- 5. That the document submitted herein is true copy of the original.

[Signature]
 DEPONENT

VERIFICATION :

Verified at New Delhi on this 31st day of July, 2024 that the contents made in the above mentioned affidavit are true and correct to the best of my knowledge and from information received by me which I believe to be true and correct and are also nothing material has been suppressed or concealed therein.

[Signature]
 DEPONENT



ATTESTED
[Signature]
 NOTARY PUBLIC
 GOVT. OF NCT OF DELHI

ENTRY No. 21321/2024
 DATED.....
31 JUL 2024

31 JUL 2024

Summary of Posts in Delhi Pollution Control Committee (DPCC)
(As on 29.07.2024)

Sl. No	Name of Cadre	Method of Recruitment	Group (A/B/C)	Number of Posts	Filled up Posts on regular basis	Vacancies
1.1	1.0 Technical Posts (Engineers/Scientists)	Direct Recruitment Posts	Group-A	28	0	28
			Group-B	70	31	39
			Group-C	13	3	10
			Total	111	34	77
1.2		Promotional Posts	Group-A	58	19	39
			Group-B	3	2	1
			Group-C	4	1	3
			Total	65	22	43
1.3		Deputational Posts	Group-A	7	0	7
			Group-B	0	0	0
	Group-C		0	0	0	
	Total		7	0	7	
		Grand Total (Technical Posts)	183	56	127	
2.1	2.0 Administrative Posts	Direct Recruitment Posts	Group-A	0	0	0
			Group-B	11	4	7
			Group-C	87	51	36
		Total	98	55	43	
2.2		Promotional Posts	Group-A	3	0	3
			Group-B	19	6	13
			Group-C	35	17	18
			Total	57	23	34
2.3		Deputational Posts	Group-A	1	1	0
			Group-B	5	5	0
	Group-C		0	0	0	
		Total	6	6	0	
		Grand Total (Administrative Posts)	161	84	77	
		Grand Total (Technical Posts + Administrative Posts)	344	140	204	

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Status of Filling up of Vacant Posts in Delhi Pollution Control Committee (DPCC)
(As on 29.07.2024)

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1.0- Technical Posts(Engineers/Scientists): 183 (Vacant Posts – 127) [Direct Recruitment - 111 (Vacant Posts - 77), Promotional - 65 (Vacant Posts - 43) & Deputational – 07 (Vacant Posts - 07)]						
1.1 Direct Recruitment Posts: 111 Posts (Vacant Posts – 77)						
Sl. No	Group (A/B/C)	Name of Post	Number of Posts	Filled up Posts on regular basis	Vacancies	Time Bound Schedule
1		Senior Environmental Engineer	5	0	5	Recruitment is under process and shall be completed by February, 2025.
2	A	Scientist-B	2	0	2	
3		Programmer	1	0	1	
4		Assistant Environmental Engineer	20	0	20	
		Total (Group-A)	28	0	28	DPCC had conducted an interview of 77 candidates on 26.06.2024 to 29.06.2024 to recruit 20 AEEs from the pool of wait listed candidates of Engineering Services Examination-2022 conducted by Union Public Service Commission (UPSC). The finalization of result is underway and will be completed by October, 2024.
5	B	Junior Environmental	69	31	38	
6		Scientific Assistant	1	0	1	
		Total (Group-B)	70	31	39	
		Total (Group-A & B)	98	31	77	
7		Senior Lab Assistant	3	0	3	



8		Junior Lab Assistant	7	0	7	the post of Scientific Assistant & Junior Lab Assistant on 27.07.2024, for the post of Senior Lab Assistant on 12.08.2024 and tentative date of exam for the post of Junior Environmental Engineer is October/November, 2024 as informed by DSSSB vide letter dated 26.07.2024. The recruitment shall be completed within 02 months after receipt of e-dossiers from DSSSB.
9	C	Lab Attendant	3	3	0	
		Total (Group-C)	13	3	10	
		Grand Total (Group A+B+C)	111	34	77	

1.2 Promotional Posts: 65 Posts (Vacant Posts - 43)

Sl. No	Group (A/B/C)	Name of Post	Number of Posts	Filled up Posts on regular basis	Vacancies	Time Bound Schedule
1		Additional Director (Engineering)	3	3	0	No action is required.
2		Senior Environmental Engineer	10	6	4	These posts shall be filled up as soon as the officers from feeder posts become eligible as per concerned Recruitment Rules.
3		Scientist-B	2	0	2	There are 43 vacant promotional posts, out of which 07 personnel will be eligible to be promoted by April, 2025 and for remaining 36 posts no incumbent shall be eligible for promotion in near future, therefore, out of these 36 posts, 19 posts are being filled up through deputation where the mode of recruitment is "by Promotion failing which by deputation". Recruitment notice is under process of being floated and recruitment shall be completed within 04 months.
4		Environmental Engineer	18	6	12	Regarding the remaining 17 vacant promotional posts of Assistant
5	A	Additional Director(Scientific)	1	0	1	
6		Senior Scientist L-II (Scientist-D)	2	1	1	
7		Senior Scientist L-I (Scientist-C)	2	0	2	
8		Assistant Environmental	20	3	17	

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			58	19	39	Environmental Engineer, no incumbent shall be eligible for promotion for a long period (approx. 5-6 years), therefore, these 17 posts are being filled up through Direct Recruitment as per RRs i.e. "by Promotion failing which by Direct Recruitment" by adopting similar procedure through pool of wait listed candidates of Engineering Services Examination-2023 conducted by UPSC. The recruitment shall be completed within 06 months.
9	B	Scientific Assistant	3	2	1	
		Total (Group-B)	3	2	1	
10		Senior Lab Assistant	3	0	3	
11	C	Junior Lab Assistant	1	1	0	
		Total (Group-C)	4	1	3	
		Grand Total (Group A+B+C)	65	22	43	

1.3 Deputational Posts: 07 Posts (Vacant Posts - 07)

Sl. No	Group (A/B/C)	Name of Post	Number of Posts	Filled up Posts on regular basis	Vacancies	Time Bound Schedule
1		Environmental Engineer	5	0	5	DPCC had made efforts three times in the last 03 years by floating advertisements to fill up these posts on deputation basis. For the post of Scientist-C, 01 candidate has applied and matter is under process for conducting his interview, and will be completed within a month.
2	A	Senior Scientist L-I (Scientist-C)	1	0	1	Recruitment notice for 06 deputation posts (Environmental Engineer-05 & Scientist C - 01) is also under process of being floated as these posts could not be filled up through deputation in spite of 03 efforts. Therefore, these posts are now to be filled up through Direct Recruitment as per provisions of Recruitment Rules within 06 months.
3		System Analyst	1	0	1	
		Total (Group-A)	7	0	7	

Sl. No	Group (A/B/C)	Name of Post	Number of Posts	Filled up Posts on regular basis	Vacancies	Time Bound Schedule
7		Driver	10	7	3	working on contractual basis for many years.
		Total (Group-C)	87	51	36	
		Grand Total (Group B+C)	98	55	43	
2.2 Promotional Posts: 57 Posts (Vacant Posts - 34)						
1	A	Law Officer	1	0	1	These posts shall be filled up as soon as the officers from feeder posts become eligible as per concerned Recruitment Rules.
2	A	Principal Private Secretary-PB3	2	0	2	
3		Total (Group-A)	3	0	3	
4		Assistant Law Officer	2	1	1	There are 34 vacant promotional posts, out of which 03 vacant posts (Law Officer-01, Assistant Law Officer-01 & Junior Assistant - 01) will be filled up by December, 2025. Remaining 14 posts are being filled up through deputation where the mode of recruitment is "by Promotion failing which by deputation".
5	B	Private Secretary	2	2	0	Recruitment notice is under process of being floated and recruitment shall be completed within 06 months.
6	B	Steno Grade I	3	0	3	
7	B	Admin Officer	2	1	1	
8		Assistant Section Officer/Head Clerk	7	0	7	
		Section Officer/Office Supdt.	3	2	1	
		Total (Group-B)	19	6	13	
9		Junior Assistant (LDC)	7	6	1	
10	C	Senior Assistant (UDC)	28	11	17	Out of 17 vacant promotional posts of Senior Assistant, 02 vacant posts will be filled up by April, 2025. The matter for filling up of remaining 15 posts is under process through "By Deputation (including Short Term Contract)" where the mode of recruitment is "by Promotion". The recruitment shall be completed within 09 months.
		Total (Group-C)	35	17	18	

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		Grand Total (Group A+B+C)	57	23	34	
2.3 Deputational Posts: 06 Posts (Vacant Posts - 00)						
Sl. No	Group (A/B/C)	Name of Post	Number of Posts	Filled up Posts on regular basis	Vacancies	Time Bound Schedule
1	A	Member Secretary	1	1	0	No action is required.
		Total (Group-A)	1	1	0	
2	B	Account Officer	2	2	0	
3		Assistant Account Officer	3	3	0	
		Total (Group-B)	5	5	0	
		Grand Total (Group A+B)	6	6	0	

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