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BEFORE THE NATIONAL GREEN TRIBUNAL

PRINCIPAL BENCH NEW DELHI

OA No. 693 of 2023

In the matter of:

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

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DATED. 08.01.2025

THROUGH



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BEFORE THE NATIONAL GREEN TRIBUNAL
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AFFIDAVIT OF PARDEEP KUMAR, IAS, MEMBER SECRETARY, HARYANA STATE POLLUTION CONTROL BOARD IN COMPLIANCE OF ORDERS DATED 11.09.2024 PASSED BY THE HON'BLE NATIONAL GREEN TRIBUNAL

Most Respectfully Showeth,

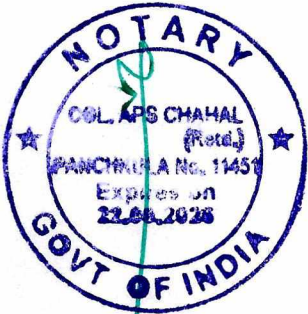
1. That, the Hon'ble National Green Tribunal in O.A. No. 693 of 2023 on 11.09.2024 has observed as under : -

"5. Though from that order it appears that the direction of Hon'ble the Supreme Court is to all the States to fill up the vacancies of PCBs/PCCs by 30.04.2025 but since Counsel for GNCTD has submitted that the said direction applies to the States falling within NCR, therefore, we hereby direct that the State/UT not covered by the order of the Hon'ble Supreme Court dated 27.08.2024 will also fill up the posts lying vacant in the SPCBs/PCCs latest by 30.04.2025. All the possible efforts will also be made within this period to provide adequate infrastructure in the laboratories of the PCBs/PCCs and to make them fully functional.

6. We also take note of the fact that in some of the States/UTs the adequate number of laboratories do not exist, therefore, expeditious steps will be taken to cure it.

7. Let the progress report indicating the compliance of this order be filed by all the States/UTs by way of an affidavit by providing an advance copy to the Counsel for the CPCB at least one week before the next date of hearing."

2. That before proceeding further, it is appropriate to mention here that a status report was filed on 10.07.2024 on behalf of the Haryana State Pollution Control Board (HSPCB) before this Hon'ble Tribunal, wherein the details of the total sanctioned posts including vacancy was submitted. To recapitulate the matter, it is submitted that in the above mentioned affidavit, submission was



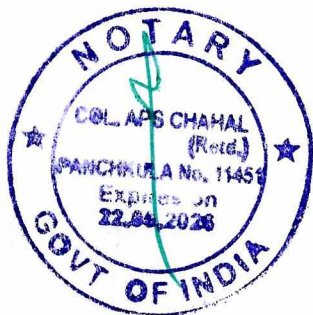
08 JAN 2025

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made in the term that total sanctioned posts are 483 (450 Regular + 33 outsource), out of which 285 filled up (177 Regular +108 outsource) and 198 vacant.

3. That, in compliance of the directions of this Hon'ble Tribunal the latest position of posts sanctioned (regular and outsourcing), filled up and vacant in the Board is submitted as under:

	Number of posts sanctioned	Number of posts filled up	Number of posts vacant
Group - 'A'	66	39	27
Group - 'B'	149	83 (Regular = 80 Outsourcing =03)	66
Group - 'C'	189	125 (Regular = 95 Outsourcing =30)	64
Group - 'D'	79 (Regular = 46 Outsourcing = 33)	79 (Regular = 27 Outsourcing = 52)	0
Grand Total (Group A+B+C+D)	483 (Regular = 450 Outsourcing = 33)	326 (Regular = 241 Outsourcing=85)	157



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It is further submitted that the detail position of cadre-wise number of sanctioned posts, number of vacant posts, duration since when vacant, reasons for not filling the vacant posts and the steps taken by the HSPCB to fill up these posts are mentioned in the tabulated form and the copy is attached as **Annexure-'A'**.

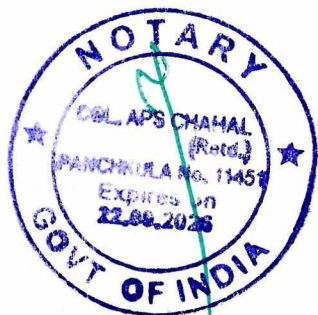
4. That it is worthwhile to mention here that the HSPCB has taken various steps for strengthening the four laboratories of the Board, located one each at Panchkula, Faridabad, Hisar and Gurugram by purchasing scientific instruments and also to strengthen the monitoring network. A document containing the details of the lab positions and the instrument purchased in last two-three year to strengthen the lab has been prepared and the same is attached at **Annexure-'B'**.

5. That keeping in view of the above mentioned submission and the detail mentioned in the **Annexure-A & B**, it is appropriate to mention here that in compliance of the directions of this Hon'ble Tribunal, the HSPCB has tried its level best to strengthen the Board in every aspect. It is further submitted that keeping in view of the spirit of the order, the HSPCB will take effective step to strengthen the Board in future also.

The action taken report detailing the efforts made by the respondent Board, as mentioned above, is submitted before the Hon'ble Tribunal for kind consideration.

Place : Panchkula
Dated : 08.01.2025


(Pardeep Kumar)
Member Secretary,
Haryana State Pollution Control Board



08 JAN 2025


ATTESTED
APS CHAHAL No. 11451
NOTARY PANCHKULA

08 JAN 2025

Position of Staff of HSPCB as on 20.12.2024

Sr. No.	Name of Post	Number of Posts sanctioned	Number of Posts vacant	Duration since when vacant (In month)	Reason for not filling the vacant posts	Timeline for filling the vacancy (in month)	List of activities to be carried out for filling the vacancy and their respective timeline
1	2	3	4	5	6	7	8
Group A							
1.	Chairman	01	0	-	-	-	The post is filled up.
2.	Member Secretary	01	0	-	-	-	The post is filled up.
3.	Chief Environment Engineer	02	0	-	-	-	All the posts are filled up.
4.	Chief Scientific Officer	02 (One Promotion and One on Deputation)	02	Since October, 2019 (57 months)	Persons with requisite qualification and experience prescribed in the Service Regulations are not available. The Board has tried its best to fill up these posts on deputation and the reasons of not filling the posts are mentioned in Col. 7, hence it is difficult to give the timeline.	No timeline can be given.	(i) Posts circulated to other departments and public notice was also issued in leading News Papers to fill up the posts on deputation basis on 12.09.2023. No application received. (ii) The Haryana State Pollution Control Board had again issued a circular on 14.05.2024 to Scientific Organizations/ Universities of Central Government and State Government and also to the Central and State Government Departments and invited applications from the eligible persons, so that the posts could be filled up. However, No application was received.
5.	Senior Environmental Engineer	06	0	-	-	-	All the posts are filled up.
6.	Senior Scientist	09 (Two Promotion and Seven on Deputation)	09	Since October, 2019 (57 months)	Persons with requisite qualification and experience prescribed in the Service Regulations are not available. The Board has tried its best to fill up these posts on deputation and the reasons of not filling the posts are mentioned in Col. 7, hence it is difficult to give the timeline.	No timeline can be given.	(i) Posts circulated to other departments and public notice was also issued in leading News Papers to fill up the posts on deputation basis on 18.04.2022 and 22.03.2023. No application received. (ii) The Haryana State Pollution Control Board had again issued a circular on 14.05.2024 to Scientific Organizations/Universities of Central Government and State Government and also to the Central and State Government Departments and invited applications from the eligible persons, so that the posts could be filled up. No application was received.

7.	Environmental Engineer	33	09	04 posts since November, 2019(55 months) 03 posts since September, 2023 (10 months) 01 post since April, 2024 (02 months)	Posts meant for promotion could not be filled up as in the feeder cadre, no officer is eligible for promotion due to shortage of 09 years service experience as AEE in the Board.	The posts are meant for promotions from amongst the Assistant Environmental Engineers (AEEs) and the promotion will be done amongst AEE whenever AEE attain eligibility.	Posts circulated to other departments and public notice also issued in leading News Papers to fill up the posts on deputation on 18.04.2022 and 22.03.2023. 05 applications were received and only 03 applicants were found suitable and eligible and they have been taken on deputation.
8.	Scientist 'C'	10	06	Since April, 2022 (27 months)	Posts meant for promotion could not be filled up as in the feeder cadre, no officer is available for promotion.	The posts are meant for promotions from amongst the Scientist-'B' and the present Scientist B will attain eligibility in next two years and then the posts will be filled up.	(i) Posts circulated to other departments and public notice also issued in leading News Papers to fill up the posts on deputation basis on 18.04.2022 and 22.03.2023. No application received. (ii) The Haryana State Pollution Control Board had again issued a circular on 14.05.2024 to Scientific Organizations/Universities of Central Government and State Government and also to the Central and State Government Departments and invited applications from the eligible persons so that the posts could be filled up.
9.	District Attorney	01	0	-	-	-	The post is filled up.
10	Development Team Leader	01	01	-	-	-	-
Total		66	27				
Group B							
1	Senior Accounts Officer	1	0	-	-	-	The post is filled up.
2	Accounts Officer	1	0	-	-	-	A retired Senior Accounts Officer engaged.
3	Administrative Officer	1	0	-	-	-	The post is filled up.
4	Law Officer	1	0	-	-	-	The post is filled up.
5	Assistant District Attorney	3	0	-	-	-	All the posts are filled up.

6	Scientist 'B'	40 (20-Promotion & 20 Direct)	18 (13-Promotion & 5 Direct)	Since October, 2019 (57 months)	The 13 number of posts meant for promotion (could not be filled up as no person is eligible for promotion in the feeder cadre and no timeline can be given.	05 posts meant for direct recruitment are expected to be filled up within Six months.	(i) The requisition to fill up the vacant 05 posts of Scientist-'B' has been sent to Haryana Public Service Commission on 01.05.2024. (ii) Posts circulated to other departments and public notice also issued in the leading News Papers to fill up the posts on deputation on 18.04.2022 and 22.03.2023. 09 no. applications were received through proper channel and 03 candidates were eligible, but only 01 Scientist-B has joined.
7	Assistant Environmental Engineer	92 (23-Promotion & 69 Direct)	46 (17-Promotion & 29 Direct)	Since October, 2019 (57 months)	16 number of posts meant for promotion could not be filled up as no person is eligible for promotion in the feeder cadre and no timeline can be given.	29 posts of AEEs will be re-advertised and expected to be filled up within 6-8 months	Requisition of 29 posts of AEE sent to HPSC vide no. 2876 dt. 06.08.2024.
8	Software Developer	1	0	-	-	-	Filled up through National Informatics Center (NIC) on contract basis.
9	Tehsildar	1	0	-	-	-	The post is filled up.
10	Superintendent	4	0	-	-	-	All the posts are filled up.
11	Private Secretary	2	2	Since April, 2023 (14 months)	Posts meant for promotion could not be filled up as in the feeder cadre, no official is eligible for promotion.	Timeline can not be fixed.	-
12	Junior Software Developer	2	0	-	-	-	All the posts are filled up on contract through Hartron
Total		149	66				
Group C							
1	Section Officer (Accounts)	01	0	-	-	-	The HSPCB requested the Government to post Section Officer (Accounts) in the Board on 25.09.2023 and no person had been deputed by the Government, however, a retired Section Officer has been engaged.
2	Deputy Superintendent	04	04	-	-	-	Likely to be promoted in the month of December, 2024
3	Statistical Assistant	01	0	-	-	-	The post is filled up.
4	Senior Scientific Assistant	07 (05-Promotion & 02 Direct)	07 (05-Promotion & 02 Direct)	Since July, 2019 (60 months)	Five posts are meant for promotion but could not be filled up as no person is eligible for promotion in the feeder cadre.	Timeline for filling up the promotions posts can not be given 02 posts of SSA meant for direct-quota are expected to be filled up within 3-4 months	Requisition to fill up 02 post of SSA was sent to the Haryana Staff Selection Commission, the HSSC has conducted the screening test and the post is likely to be filled up in 3-4 months.

5	Junior Environmental Engineer	25	01	-	-	-	01 candidate not fulfill the requisite qualification and HSSC has been requested for replacement.
6	Junior Scientific Assistant	10	02	Since January, 2012 (146 months)	-	Expected to be filled up within 3-4 months	08 Posts are filled up through Outsourcing (HKRNL)
7	Personal Assistant	01	01	Since June, 2022 (23 months)	Posts meant for promotion could not be filled up as in the feeder cadre, no official is eligible for promotion.	Timeline can not be fixed.	-
8	Assistant	46	23		Posts meant for promotion could not be filled up as in the feeder cadre, no official is eligible for promotion.	Timeline can not be fixed.	-
9	Accountant	04 (02-Promotion & 02 Direct)	02	Since January, 2020 (53 months)	-	Expected to be filled up within 3-4 months	Requisition to fill up 2 posts of Accountant was sent to the Haryana Staff Selection Commission. The HSSC has conducted the screening test and the post is likely to be filled up in 3-4 months.
10	Senior Scale Stenographer	04	04	Since June, 2019 (61 months)	Posts meant for promotion could not be filled up as in the feeder cadre, no official is eligible for promotion.	Timeline can not be fixed.	
11	Junior Scale Stenographer	03 (02-Promotion & 01 Direct)	03	Since August, 2014 (130 months)	02 posts are meant for promotion could not be filled up as in the feeder cadre, no official is eligible for promotion.	Timeline can not be fixed.	Requisition to fill up the 1 post of Junior Scale Stenographer was sent to the Haryana Staff Selection Commission. The HSSC has conducted the screening test and the post is likely to be filled up in 3-4 months.
12	Accounts Clerk	02	02	Since March, 2004 (243 months)	Posts meant for promotion could not be filled up as in feeder cadre, no official is eligible for promotion.	Timeline can not be fixed.	-
13	Driver	17	02	Since October, 2023 (09 months)	-	Expected to be filled up within 3-4 months	Requisition to fill up the post of Driver was sent to the Haryana Staff Selection Commission.
14	Steno-typist	08 (02-Promotion & 06 Direct)	08	Since October, 2023 (09 months)	2 posts meant for promotion could not be filled up as in the feeder cadre, no official is eligible for promotion.	Timeline for promotional posts can not be given. The 5 posts meant for direct recruitment are expected to be filled up within 3-4 months	Requisition to fill up the 6 posts was sent to the Haryana Staff Selection Commission. The HSSC has conducted the screening test and the post is likely to be filled up in 3-4.
15	Clerk	46 (09-Promotion & 37 Direct)	-	-	-	-	-
16	Laboratory Attendant	10 (08-Promotion & 02 Direct)	05	Since July, 2021 (36 months)	-	-	(i) Amendment in service rules is under consideration, with the Government. (ii) 3 Outsourcing (HKRNL).

Total		189	64				
Group D							
1	Senior Peon	02	0	-	-	-	All posts are filled up
2	Daftri	01	0	-	-	-	The post is filled up
3	Peon	51 (30 Regular) (21 Outsourced)	0	-	-	-	All the posts are filled up.
4	Field Attendant	22 (10 Regular) (12 Outsourced)	0	-	-	-	All the posts are filled up.
5	Mali-cum-Chowkidar	02 (diminishing)	0	-	-	-	All the posts are filled up.
6	Sweeper	01 (diminishing)	0	-	-	-	-
Total		79	0				
Grand Total (A+B+C+D)		483 (Regular-450 Outsourcing-33)	157				

Annexure-'B'

Steps taken during the last 02 years to strengthen the Labs of HSPCB

- I. There are 4 numbers Laboratories under Water (Prevention and Control of Pollution Act, 1974 & Air (Prevention and Control of Pollution Act, 1981 to facilitate industries for analyzing their samples of effluent/Air emissions for the purpose of obtaining consent to operate from the Board as well as of the Drains and Rivers.
- II. 3 numbers of Labs i.e. Hisar, Faridabad and Panchkula are NABL accredited.
Water Lab:-
- III. 4 numbers of Microwave Digestion systems with work station table were procured from the GEM portal in August 2023 for all Labs.
- IV. 6 numbers of Split Air Conditioners to maintain the temperature as per NABL norms was procured at Rs. 6 Lacs for Hisar and Faridabad Laboratory in July 2023.
- V. 4 numbers Kjeldahl were procured through GEM portal in March 2023 and delivered in all labs of HSPCB.
- VI. 4 numbers BOD Incubators were procured through GEM portal for all labs in April 2023.
- VII. 4 numbers UV visible spectrophotometers were procured through GEM portal for all labs in March 2023.
- VIII. 4 numbers Flame photometers were procured through GEM portal and installed in May 2023.
- IX. 2 numbers AAS (Atomic Absorption Spectrophotometer) for Hisar and Panchkula Laboratories were procured through GEM portal in May 2024.
- X. 1 number Real Time Water Quality Monitoring stations has been procured through GEM portal and installed at Rewari in October 2024.
- XI. 3 numbers Water Purifier System for Faridabad, Hisar and Panchkula Laboratories have been procured through GEM portal in Jan 2024.
- XII. 1 number inductively Coupled Plasma Optical Emission Spectrometer (ICP-OES) was procured through GEM portal in September 2023.
- XIII. 05 numbers workstations for instruments of HSPCB Laboratories in Hisar, Panchkula and Faridabad have been procured through GEM portal in Jan 2024.
- XIV. Up gradation & Modernization of Haryana State Pollution Control Board Laboratory, C-11, Sector-6, Panchkula is being carried out the work is 95% complete and likely to be completed by end of December 2024.
- XV. UHPLC has been procured through GEM portal in December 2024.
Air Lab:-
- XVI. 24 numbers of Stack monitoring Kits have been procured through GEM portal in December 2023 and delivered to 17 Nos. of Regional offices.
- XVII. 17 numbers Noise Meters have been procured through GEM and delivered to Regional Offices of HSPCB in the month of August 2022.
- XVIII. The HSPCB has its 29 numbers of CAAQMS stations in state installed in the district Head quarters during 2010 to 2020. Continuous Monitoring data of all ambient air quality

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23/12/24

is being monitored at these stations which are displayed at the prominent places in these towns and also connected to the main server of the Board website and CPCB. This has facilitated generation of ambient air quality data on continuous basis for the better management of air quality.

- XIX. The Board has procured new 24 Manual Ambient Air Quality Monitoring Station through GEM portal in June 2024 So now Board has strengthened with 46 numbers Manual Stations in the State of Haryana.
- XX. 4 numbers Real time noise Monitoring Stations has been procured through GEM portal in November 2024.
- XXI. 8 digital board for display of CAAQMS data were procured for Jind, Kaithal, Kurukshetra and Ambala in November 2023.
- XXII. GC-FPD-ECD has been procured through GEM portal and likely to be installed by end of January 2025.
- XXIII. GCMS-FID has been procured through GEM portal and likely to be installed by end of January 2025.
- XXIV. HSPCB is in the process of procuring GCMSMS, LCMSMS, Microbalance, Rotary evaporators, 29 Manual Stations, Mobile CAAQMS Van for analysis of National Ambient Air Quality parameters and are expected to be set up by July 2025.

Amie.
23/12/2024