

BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL

Principal Bench, New Delhi

Original Application No. 681/2018

In The Matter of:-

News Item Published In 'The Times Of India' Authored by Shri. Vishwa Mohan titled "NCAP with Multiple Timelines to Clear Air in 102 Cities to be Released Around August 15".

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(P. K. Gupta)
Scientist -E

Central Pollution Control Board
Parivesh Bhawan, East Arjun Nagar,
Delhi-110032

Place: Delhi
Dated: 15-02-2021



COMPLIANCE REPORT BEFORE THE
NATIONAL GREEN TRIBUNAL
PRINCIPAL BENCH, NEW DELHI

O.A. NO 681 OF 2018

**Compliance Report before The National Green Tribunal
Principal Bench, New Delhi**

Original Application No 681 of 2018

IN THE MATTER OF

**News Item Published In 'The Times of India' Authored by Shri. Vishwa Mohan
Titled**

**"NCAP with Multiple Timelines to Clear Air in 102 Cities to be released around
August 15"**

The Hon'ble NGT, New Delhi in OA No. 681 of 2018 issued various orders dated 08.10.2018, 15.03.2019, 06.08.2019 & 20.11.2019, and Central Pollution Control Board filed compliance report on dated 15.02.2019, 15.07.2019, 14.11.2019 and 18.08.2020 respectively.

In compliance of Hon'ble NGT order dated 21.08.2020, the Directions of the Hon'ble NGT and its **Compliance Status** as on February 01, 2021 is given below:

- i. The work of completing remaining 175 monitoring stations needs to be expeditiously completed within next six months. Work in this regard may commence within one month, which may be monitored by the CPCB, by holding periodical online meetings with the Chairman/Member Secretaries of State PCBs/PCCs or other authorities. The funds available under the 'consent mechanism'/'environmental compensation' may be utilized for the purpose by the State PCBs/PCCs. It will be preferable that out of the above, 25 stations are set up by CPCB/State PCBs/PCCs jointly (with CPCB financing out of its EC funds), following an appropriate procedure to ensure best price and quality;*

As per the Direction of Hon'ble NGT, 20 new Continuous Ambient Air Quality Monitoring Stations (CAAQMS) have been installed in non-attainment cities during the period and as on date 193 CAAQMS installed in non-attainment cities. Other states are in process of installation of the monitoring station as per the criteria and information is being collected by CPCB.

The proposal for setting up of 25 CAAQM Stations in Non-Attainment Cities has been approved under EC funded project for Rs. 25 crores by CPCB. Capital cost Rs. 1 crores per station has been sanctioned to 20 States/UTs for installation of CAAQM Stations in the identified 25 Non-Attainment cities. The Operation & Maintenance cost shall be borne by respective SPCB/PCC.

- ii. Carrying Capacity and Source Apportionment studies may be simultaneously undertaken by the State PCBs/PCCs, utilizing the 'consent mechanism'/'environmental compensation' fund. Work in this regard may commence within one month and completed in six months. State PCBs/PCCs will be at liberty to either*

undertake the study in-house or by hiring any other agencies. However, as far as possible a uniform policy may be adopted in this regard which may be finalized by the CPCB in consultation with all State PCBs/PCCs in same manner as in direction i. It will be preferable that 25 such studies are conducted jointly by CPCB/State PCBs/PCCs (with CPCB financing out of its EC Funds) to set a pattern;

As per information provided by states, Source Apportionment (SA) study is Completed in 09 States (14 cities); under progress in 15 States (68 cities); and in proposal stage in 14 States (40 cities). The detail status is enclosed at ANNEXURE – I.

Carrying capacity (CC) study is under progress in 9 States (42 cities); and in proposal stage in 18 States (51 cities). The detail status is enclosed at ANNEXURE –II.

CPCB requested SPCBs/PCCs to propose the name of the 2-3 cities from their respective states for joint SA and CC studies. 25 non-attainment cities are identified, based on the criteria developed by CPCB and in concurrence with SPCBs/PCCs. These studies shall be done based on framework/ methodology prepared by CPCB by using CPCB EC Funds. The list of identified cities is enclosed at ANNEXURE-III.

- iii. Let further steps of prohibiting/shifting polluting activities which are found unsustainable/non-conforming and beyond carrying capacity of NACs, as a consequence of SA/CC Studies or otherwise, to other locations, in the interest of public health and protection of environment to give effect to ‘Sustainable Development’ principle be taken by the States/UTs;*

Status for steps of prohibiting/shifting polluting activities which are found unsustainable/non-conforming and beyond carrying capacity of NACs is provided by 22 states/UTs (Jammu & Kashmir, Uttarakhand, Telangana, Delhi, West Bengal, Punjab, Uttar Pradesh, Himachal Pradesh, Andhra Pradesh, Karnataka, Maharashtra, Chhattisgarh, Meghalaya, Nagaland, Bihar, Assam, Rajasthan, Tamilnadu, Chandigarh, Telangana, Odisha and Gujarat). Jharkhand has provided action point regarding shifting of polluting industries in city action plan. The detail status is enclosed at ANNEXURE –IV

Karnataka, Tamilnadu, Andhra Pradesh, Himachal Pradesh, Maharashtra, Chhattisgarh, West Bengal, Assam, Punjab, Chandigarh, SPCBs/PCCs have informed that the “steps of prohibiting/shifting polluting activities which are found unsustainable/non-conforming and beyond carrying capacity of NACs, as a consequence of SA/CC Studies or otherwise, to other locations, in the interest of public health and protection of environment to give effect to ‘Sustainable Development’ principle” will be done after completion of SA and CC studies.

Uttar Pradesh SPCB informed that a letter regarding shifting / prohibiting the industries in the non-conforming areas had been issued from the office of Principal Secretary, Environment, Forest & climate Change, to the Additional Chief Secretaries/ Principal Secretaries of the all the concerned departments and a meeting of Oversight

Committee was held on 21.12.2020, wherein various steps has been proposed like constituted District level Committee and other nodal departments from mapping and closure of non-conforming areas and Ensuring scrutinization and geo-tagging of the electricity connections to prevent reissuing of electric connections to the illegal units.

Rajasthan SPCB informed that the work is not related to the state board.

- iv. ***The States may take further steps to set up and operate PGRPs expeditiously, within three months. The CPCB as well as State PCBs/PCCs may evaluate functioning of such portals on real time basis in the direction of protection of environment. In particular analysis may be undertaken about the number of complaints received, effective steps for redressal taken and improvement achieved and planned. Such exercise may be ongoing but in the first instance may be compiled as on 31.12.2020 and report filed by the State PCBs/PCCs with the CPCB within one month thereafter;***

The Public Grievance Redressal Portal (PGRPA) on the pattern of Sameer app for Non-attainment cities is developed by 14 States (Uttarakhand, Jammu & Kashmir, Gujarat, Rajasthan, Meghalaya, Maharashtra, Madhya Pradesh, Himachal Pradesh, Andhra Pradesh, Telangana, Uttar Pradesh, West Bengal, Odisha and Delhi) & the same is under development in 4 States (Tamilnadu, Nagaland, Punjab & Chandigarh). Dedicated helpline numbers/web portal to address grievances are provided by 8 States (Assam, Chhattisgarh, Jharkhand, Karnataka, Nagaland, Punjab, Tamilnadu, & Bihar). The details along with the redressal status are enclosed at ANNEXURE – V.

With regard to complain redressal status detail provided by Delhi, Himachal Pradesh, Madhya Pradesh and Uttar Pradesh is given below:

S. No.	State	Status of Complaints		
		No. of Complaints received	Effective steps	Remarks
1.	Delhi	4624	2764 complaints resolved (60 %)	Between 07.10.2020 to 31.12.2020 (2 PM) in Delhi-NCR region
2.	Himachal Pradesh	28	26 complaints resolved (93 %)	From 01.04.2020 to 31.12.2020
3.	Madhya Pradesh	20	No information provided	Till 14.12.2020
4.	Uttar Pradesh	59	57 complaints resolved (97 %)	Between June 2020 08.01.2021

West Bengal SPCB informed that the details of complaints received on portal will be submitted shortly.

No information is provided by 18 states (Andhra Pradesh, Assam, Chandigarh, Chhattisgarh, Gujarat, Jammu & Kashmir, Jharkhand, Karnataka, Maharashtra, Meghalaya, Nagaland, Odisha, Punjab, Rajasthan, Tamilnadu, Telangana, Uttarakhand, Bihar, regarding Status of Complaints on Public Grievance Redressal Portal.

- v. ***Action plans for newly added 20 NACs be completed expeditiously on the pattern of such plans for 102 cities, already prepared;***

As per Hon'ble NGT order of O.A. No. 681/2018 and criteria finalized by CPCB for categorizing non-attainment cities. List of non-attainment cities has been updated by CPCB based on data for the period of 2015-2019 on 21.10.2020 and 02 more cities namely Gorakhpur in Uttar Pradesh and Madurai in Tamilnadu added to the list. The total 124 non-attainment cities identified based on air quality data for the period of 2015-2019.

CPCB communicated vide letter dated 11.11.2020 to concerned states that necessary action may be taken to ensure that plan for the newly added city of their state, duly approved by Air Quality Monitoring Committee (AQMC) to be submitted to CPCB within two months.

Out of total 22 newly added cities Nine city action plans of West Bengal (Asansol, Barrackpore, Durgapur, Haldia, Howrah & Raniganj), Odisha (Kalinganagar), Gujarat (Vadodara) and Telangana (Sangareddy) are approved for implementation; 11 cities Andhra Pradesh (Anantapur, Chittoor, Eluru, Kadapa, Ongole, Rajahmundry, Srikakulam & Vizianagaram), Maharashtra (Thane), Uttarakhand (Dehradun), and Tamilnadu (Trichy) were requested to submit revised plans as per the recommendation of the three member committee; One recently added city of Tamilnadu (Madurai) city plan is awaited; and 01 city action plan of Gorakhpur is under review. Andhra Pradesh and Tamilnadu have not submitted revised city action plans till date.

- vi. ***All the concerned States/UTs may execute action plans, including control of stubble burning, where ever necessary and bursting polluting and noise generating fire crackers and give information about the status of compliance of action plans as on 31.12.2020 to CPCB before 15.1.2021. They may also give information in a tabulated form about the extent of improvement achieved, if any, in terms of reduction in pollution load. Steps in terms of action plans completed, actions ongoing and actions incomplete;***

Action taken/information received from Delhi, Andhra Pradesh, Tamilnadu, Uttarakhand, Punjab, Himachal Pradesh, Madhya Pradesh, Maharashtra, West Bengal, Bihar, Nagaland, Uttar Pradesh, Chhattisgarh, Odisha, Karnataka, Jammu & Kashmir and Tripura.

Rajasthan SPCB communicated that this Direction is not related to the State board and Assam PCB informed that there are no issues related to stubble burning.

No information received from other states (Chandigarh, Gujarat, Jharkhand, Meghalaya and Telangana). Details are enclosed at ANNEXURE-VI.

- vii. ***Detailed micro level planning be undertaken in respect of each NAC by the concerned State/UT expeditiously and status as on 31.12.2020 be furnished to the CPCB within one month thereafter;***

CPCB prepared a uniform robust format for tracking the implementation of city action plans, and shared with all SPCBs/PCCS. The information to be filled in the format, shall address micro-level actions of each and every action specified in city specific action plans. Detailed and updated submission in the format shall facilitate streamlined monitoring of implementation of city plans in the city. Such a format shall also aid in transitioning to a dynamic digitized reporting system in future.

Detailed Micro level planning has been shared by Uttar Pradesh, Uttarakhand, Maharashtra, Andhra Pradesh, West Bengal and Telangana as per the robust format framed by CPCB.

The planning submitted by Himachal Pradesh, Tamilnadu, Chhattisgarh, Odisha, Rajasthan, Meghalaya & Nagaland lacks detailed micro level planning. Madhya Pradesh SPCB informed that the worked to be done by the concerned departments related to action points.

Assam, Karnataka, Maharashtra, Punjab and Gujarat SPCB inform that the Micro Planning of Actions of non-attainment city/towns will be done after completion of Source Apportionment and Carrying Capacity Study. Andhra Pradesh SPCB informed that the micro planning is under preparation.

- viii. ***The States/UTs may address the gaps communicated by the CPCB with respect to the action plans for control of noise pollution and the States/UTs which have not yet furnished their action plans may do so positively by 31.12.2020. Compensation regime for violations of noise pollution be applied by all the States/UTs;***

A Separate report will be filed to Hon'ble NGT against the Direction by CPCB.

- ix. ***We find that NCAP for reduction of air pollution does not fully meet the mandate of sustainable development. Violation of laid down air pollution levels resulting in large number of deaths and diseases needs to be addressed expeditiously. Targeted time of reduction of pollution loads needs to be reduced and planned steps need to be sternly implemented on the ground. MoEF&CC may take further action as per law in the light of observations in para 19 above. The States may utilize CAMPA***

funds, undertaking special afforestation drives in forest lands or other permissible locations in 122 NACs as per CAF Act, 2016 to abate pollution in the said cities. The CEO of CAMPA may hold a video conferencing with all the States PCBs/PCCs to coordinate and facilitate the utilization of CAMPA Funds;

- x. *Let all the States/UTs take further action for procurement of equipments and taking other steps for control of noise pollution in 122 NACs as discussed in para 20 above and direction (viii) above, including applying compensation regime prepared by the CPCB and file their respective reports of status of compliance as on 31.12.2020 by 15.1.2021;*

A Separate report will be filed to Hon'ble NGT against the Direction by CPCB.

- xi. *Let further steps be taken by all the States/UTs to finalise ERSs in terms of suggestion of the CPCB as quoted above in para 24, constituting a suitable mechanism similar to Task Force under GRAP for Delhi-NCR and information furnished to the CPCB by 31.12.2020;*

The Emergency Response System (ERS) - GRAP for Non-attainment cities is developed/part of action plan by 14 states (Jammu & Kashmir, Himachal Pradesh, Uttar Pradesh, Andhra Pradesh, Punjab, Chandigarh, Delhi, West Bengal, Bihar, Tamilnadu, Odisha, Nagaland, Meghalaya and Telangana) and development is under process in 06 states (Uttarakhand, Assam, Gujarat, Maharashtra, Rajasthan (for Alwar city ERS prepared) and Madhya Pradesh). As per the information received from Chhattisgarh ECB, Emergency Response system including GRAP is not concerned with CECB and as informed by Karnataka SPCB, Proposal is being sent to Revenue Dept., Govt. of Karnataka to include MS, KSPCB as a member of Disaster Management Authority. No information is available for development of ERS from Jharkhand. The details are enclosed at ANNEXURE –VII.

- xii. *let further steps be taken to plan utilisation of consent/EC funds by all the State PCBs/PCCs in the light of order of this Tribunal on the subject dated 24.07.2020 in O.A. No. 102/2019, Ashish Kumar Dixit v. State of Uttar Pradesh & Ors by 31.12.2020. It will be preferable that MoEF&CC with assistance of CPCB lays down an institutional mechanism on the pattern of CAMPA or otherwise for proper utilization of consent and EC funds available with CPCB/State PCBs/PCCs.*

As per the direction of Hon'ble NGT order of O.A. No. 681/2018 dated 06.08.2019, CPCB may scrutinize and approve action plans for utilization of Consent Funds within two months in accordance of O.A. No. 101/2019 dated 22.01.2019.

In this regard, a Committee was constituted in CPCB to review and approve the Action Plans for utilization of consent funds. 01st meeting of the Committee was convened

on 13-02-2020 and action plans received from 14 SPCBs/PCCs (West Bengal, Assam, Meghalaya, Himachal Pradesh, Punjab, Madhya Pradesh, Chandigarh, Rajasthan, Nagaland, Jammu & Kashmir, Bihar, Chhattisgarh, Gujarat and Manipur) were discussed in detail. The Committee proposed that revised action plans as per the templates proposed by CPCB may be submitted.

The 2nd Meeting of the Committee was convened on 07.08.2020 to review the action plans received from 07 State Pollution Control Boards/Pollution Control Committees (SPCBs/PCCs) namely Assam, Chandigarh, Chhattisgarh, Himachal Pradesh, Jammu & Kashmir, Meghalaya and Punjab. All the seven plans were placed before the Committee for consideration and approval. The Committee examined these action plans and action plans of Chandigarh PCC, Chhattisgarh Environment Conservation Board, Himachal Pradesh SPCB, Jammu & Kashmir PCB and Punjab SPCB were approved.

Action plans received from Sikkim, Tamil Nadu and West Bengal SPCB are under consideration.

A meeting was convened on 15-01-2021 through Video Conferencing under the Chairmanship of Member Secretary, CPCB with the State Pollution Control Boards (SPCBs)/ Pollution Control Committee (PCCs) to discuss the action plans and proposed the following:

1. SPCBs/PCCs shall prepare and submit Action Plans in line with orders of Hon'ble NGT, state specific requirements & priorities and effective utilization of funds before 31st January 2021 to CPCB;
2. SPCBs/PCCs shall provide the Annual collection of Consent and Environmental Compensation (EC) Funds to CPCB;
3. SPCBs/PCCs shall clearly specify the availability of Consent and Environmental Compensation Funds for execution of Action plans;
4. Action Plans for utilization of Consent and EC Funds shall be as per the Template provided by the Hon'ble NGT addressing the priority issues of SPCBs;
5. State level Committee shall be constituted for approval of action plans before submitting to CPCB and ;
6. Monitoring mechanism may be developed for execution of action plans by SPCBs/PCCs.

The Action Plans will be placed before the Committee constituted in CPCB for approval during first week of February 2021.

- xiii. Let CPCB issue a fresh direction with regard to the remediation of legacy waste sites in the light of deficiencies noticed by the CPCB and coordinate further action with the concerned Urban Development /Local Bodies/PCBs/PCCs/Municipal Corporations. At least one site may be remediated and made a model of compliance in each of the 122 NACs. Where ever legacy waste sites remediation has not commenced, it may commence earliest having regard to the fact that timeline under statutory rules to complete such action is 7.4.2021 and continued delay is detrimental to public health and environment. Information of compliance status as on 31.12.2020 be furnished to CPCB in terms of observations in para 24 above;*

As per the order of Hon'ble NGT, CPCB has issued direction on dated 27.01.2021 to all SPCBs/PCCs on following:

1. SPCBs/PCCs to provide complete list of Legacy Waste dumpsites in their States/UTs as per format enclosed.
2. SPCB/PCCs to ensure that necessary action for bio-mining and bio-remediation of these dumpsites is done by the concerned Local Authorities in compliance with Provisions of SWM Rules, 2016.
3. SPCBs/PCCs shall ensure that concerned Local Authorities engaged in the bio-mining process of legacy waste follow procedures as per CPCB Guidelines for Disposal of Legacy Waste with specific compliance to the following points.
 - (i) Analysis of various screened fraction materials i.e. RDF, fine earth/bio earth etc., prior to its disposal/utilization.
 - (ii) Preparation of plan for utilization/disposal of screened fractions
 - (iii) Adequate provisions for leachate treatment.
 - (iv) Maintenance of records / documents for disposal/utilization of the RDFs or fine earth and other materials.
4. SPCBs/PCCs shall ensure that the local bodies prepare time targeted Action Plan for bio-mining/ bio-remediation of these dumpsites in compliance with points listed above. The timelines as specified in SWM Rules, 2016 and Hon'ble NGT Directions on the matter are to be adhered to for remediation of these sites.
5. SPCBs/PCCs to ensure that no fresh waste is disposed at these dumpsites and local authorities make proper arrangement for management of fresh solid waste.
6. SPCB to ensure that at least one legacy waste dumpsite is remediated in their jurisdiction which can be considered as model for compliance for other legacy waste dumpsites in Non-Attainment Cities (NAC).

Copy of the direction is enclosed at ANNEXURE-VIII.

- xiv. All the States/UTs and PCB/PCCs may take steps to coordinate with the State Disaster Management Authorities and Meteorological Departments. The observations of this Tribunal while dealing with the problem of frequent environmental disasters in order dated 23.07.2020 in OA 134/2020, News Item published on 13.07.2020 in daily "India Today" titled "Massive fire engulf Vizag chemical plant, explosions heard, injuries reported" may also be taken into account.*

Action taken reports be filed with the CPCB for submission of consolidated report to this Tribunal;

The Emergency Response System (ERS) - GRAP is developed/part of action plan by 14 states (Jammu & Kashmir, Himachal Pradesh, Uttar Pradesh, Andhra Pradesh, Punjab, Chandigarh, Delhi, West Bengal, Bihar, Tamilnadu, Odisha, Nagaland, Meghalaya and Telangana) and development is under process in 06 states (Uttarakhand, Assam, Gujarat, Maharashtra, Rajasthan (for Alwar city ERS prepared) and Madhya Pradesh). As per the information received from Chhattisgarh ECB, Emergency Response system including GRAP is not concerned with CECEB and as informed by Karnataka SPCB, Proposal is being sent to Revenue Dept., Govt. of Karnataka to include MS, KSPCB as a member of Disaster Management Authority. No information is available for development of ERS from Jharkhand. The details are enclosed at ANNEXURE –VII.

A communication is received from Govt. of Uttar Pradesh for issuance of the required guidelines in the matter through National Disaster Management Authority (NDMA). CPCB also communicated to NDMA for necessary actions in this regard.

The compliance status received from the various SPCBs/PCCs on steps to coordinate with the State Disaster Management Authorities and Meteorological Departments is enclosed at ANNEXURE-IX.

- xv. ***MoRTH may take further prompt action of undertaking carrying capacity studies with regard to road infrastructure, specially in 122 NACs, through Central Road Research Institute or any other agency which may be financed by CPCB out of compensation funds or otherwise. On that basis, proper policies be prepared to deal with the number of vehicles beyond parking capacity or carrying capacity and permitting entry or registration of number of vehicles, parking areas etc. This is necessary to reduce congestion, unregulated parking and air pollution loads in 122 NACs. CPCB may coordinate with the concerned Ministries and acquaint this Tribunal with the outcome in its next report;***

Communication was sent by CPCB vide letter dated 07.10.2020 and 24.11.2020 to MoRTH to take the matter on priority and provide the cost of the aforesaid study, for consideration of CPCB. Letter enclosed at ANNEXURE-X.

Ministry of Road Transport & Highways in its Office Memorandum No. RT-16025/2/2019-T dated 21.12.2020 (ANNEXURE-XI), stated that, “as per Government of India (Allocation of Business) Rules 1961, subject matter of the 'Planning and Coordination of Urban Transport systems is allocated to the Ministry of Housing and Urban Affairs (MoHUA). Further, MoHUA has already entrusted the task of formulating methodology for assessment of Carrying Capacity to M/s Urban Mass Transit Company Ltd (UMTC).

The scope of the study being undertaken by MoHUA already covers the carrying capacity studies with regard to road infrastructure, and may be extended to 122 NACs, in compliance of the Hon'ble NGT order dated 21.08.2020.”

Further, CPCB vide letter dated 13.01.2021, requested to MoHUA to take the matter on priority and provide the requirement of the funds, if any on aforesaid study, for consideration of CPCB and compliance status on the Hon’ble NGT direction.

In reference to the MoRTH Office Memorandum No. RT-16025/2/2019-T dated 21.12.2020 (ANNEXURE-XI), MoHUA, issued an Office Memorandum vide O.M. No. K-14011/23/2018-UT-I dated 20.01.2021 (ANNEXURE-XII), wherein MoHUA stated that “the stand/contention of MoRTH is not correct and is also not in line with the facts/developments of the case” and various views are provided. It is also stated that the directions of the Hon'ble NGT in the Order dated 21.08.2020 are categorical, case specific and with reference to MoRTH's functions and mandate for framing of policies regarding road infrastructure, framing of proper policies. Accordingly, the directions of the Hon'ble NGT in their order dated 21.08-2020 are for compliance and necessary action by MoRTH and they may consider filing compliance report/ appropriate submissions before the Hon'ble NGT.

- xvi. ***The recommendations of the Oversight Committee for the State of UP, in its report dated 15.07.2020, need serious consideration and action by the concerned authorities in the State of UP. The Chief Secretary, UP may ensure further action in the State at different levels which may be coordinated and overseen by the Monitoring Committee. The oversight Committee may give its further independent report to this Tribunal before the next date by e-mail;***

Information to be submitted by Uttar Pradesh separately.

- xvii. ***In view of continued violation of law on significant environmental issues, to give effect to rule of law and Constitutional mandate of clean environment and for protection of public health and environment, monitoring must be done at the level of Chief Secretaries at least once in a month and the Chief Secretaries must have environment cells attached to their offices, as earlier directed by the Hon’ble Supreme Court and this Tribunal in OA 606/2018;***

The environment cell is prepared by 11 states (Jammu & Kashmir, Chhattisgarh, Himachal Pradesh, Madhya Pradesh, Maharashtra, Punjab, Odisha, Tamilnadu, Nagaland, Tripura and Uttar Pradesh) and status not available for 14 states (Andhra Pradesh, Chandigarh, Delhi, Gujarat, Jammu & Kashmir, Jharkhand, Karnataka, Meghalaya, Rajasthan, Telangana, Uttarakhand, West Bengal, Bihar and Assam). Details of development of environment cell are enclosed at ANNEXURE-XIII.

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SUBJECT: STATUS REPORT ON ACTION PLAN ON NOISE MANAGEMENT IN INDIA

REFERENCE: OA NO. 681 OF 2018 BEFORE NGT IN THE MATTER OF 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"

1.0 BACKGROUND

Hon'ble National Green Tribunal vide its order dated 21.08.2020 in above said matter directed CPCB as follows:

VIII. Directions:

viii. The States/UTs may address the gaps communicated by the CPCB with respect to the action plans for control of noise pollution and the States/UTs which have not yet furnished their action plans may do so positively by 31.12.2020. Compensation regime for violations of noise pollution be applied by all the States/UTs;

2.0 COMPLIANCE MADE BY CPCB

CPCB vide letter dated 23/10/2020 requested Member Secretaries of all states/UTs to consider observations and shortcomings observed by CPCB for compliance of directions issued by Hon'ble NGT vide order dated 21/08/2020. Copy of letter enclosed as Annexure-I

In compliance to directions of Hon'ble NGT and follow-up made by CPCB, status of submission of action plans by States/UTs is as given below:

- i. Till date action plans/ revised action plans are received from 30 States/UTs (Delhi, Tripura, Bihar, West Bengal, Karnataka, Kerala, Gujrat, Jammu and Kashmir, Andhra Pradesh, Andaman & Nicobar, Arunachal Pradesh, Assam, Chhattisgarh, Chandigarh, Goa, Daman and Diu & Dadra and Nagar Haveli, Himachal Pradesh, Lakshadweep, Madhya Pradesh, Maharashtra, Meghalaya, Manipur, Mizoram, Odisha, Pondicherry, Tamilnadu, Telangana, Sikkim, Uttrakhand, Uttar Pradesh)
- ii. Remaining five States / UTs namely Haryana, Jharkhand, Nagaland, Punjab, Rajasthan have not submitted any action plan to CPCB.

3.0 GAP ANALYSIS

As per Hon'ble NGT Directions dated 15.03.2019 and 15.11.2019, action Plan submitted by States/UTs are analysed on the basis of following points:

- i. Noise level monitoring in conjunction with the Police Department and take remedial action.
- ii. Police Departments of all the States/UTs may obtain the Noise monitoring devices within a period of three months.
- iii. Police Department of all the State/UTs may also train their staff regarding the use of such devices.
- iv. Police Department of all the State/UTs may develop a robust protocol for taking appropriate action against the defaulters.
- v. Use of Sound Limiter(s) in all sound system / public address system for effective control of Noise Pollution.

Accordingly, action plans submitted by 30 States / UTs were assessed based on its adequacy in addressing above-mentioned points. Detailed assessment of action plan is attached as Annexure-II.

Following are the major observations based on the assessment:

- i. 10 States/ UTs (Delhi, Tripura, Bihar, West Bengal, Karnataka, Kerala, Gujrat, Jammu and Kashmir, Sikkim, Uttar Pradesh) have addressed all the five action points as listed above in their action plans.
- ii. 20 States/UTs (Andhra Pradesh, Andaman & Nicobar, Arunachal Pradesh, Assam, Chhattisgarh, Chandigarh, Goa, Daman and Diu & Dadra and Nagar Haveli, Himachal Pradesh, Lakshadweep, Madhya Pradesh, Maharashtra, Meghalaya, Manipur, Mizoram, Odisha, Pondicherry, Tamilnadu, Telangana, Uttrakhand) have partially addressed the above- listed action points in their action plans.
- iii. 05 States / UTs namely Haryana, Jharkhand, Nagaland, Punjab, Rajasthan have not submitted any action plan to CPCB.

4.0 PRAYER:

Adequate interaction has been made with SPCBs/PCCs in the matter including development of standard action points. In view of the above, it is requested that the matter may be disposed off with direction that SPCBs/PCCs shall ensure enforcement of action plans in conjunction with other agencies and submit Annual Report in the matter before to Hon'ble NGT and CPCB.

Status of Source Apportionment (SA) Studies in Non-Attainment cities of India

SA/EI completed	SA/EI work under process	SA/EI is in MOU/proposal stage	Status not available
<i>Delhi*</i> -1	<i>Andhra Pradesh</i> (Vijayawada)-1	<i>Andhra Pradesh</i> (Anantapur, Chittoor, Eluru, Guntur, Kadapa, Kurnool, Nellore, Ongole, Rajahmundry#, Srikakulam, Vishakhapatnam#, Vizianagaram)-12	
	<i>Maharashtra</i> (Mumbai, Pune, Solapur, Nashik, Badlapur, Navi Mumbai, Akola, Amravati, Aurangabad, Chandarpur, Jalgaon, Jalna, Kolhapur, Latur, Ulhasnagar, Sangli, Thane & Nagpur)-18	<i>Assam</i> (Guwahati#, Nagaon, Nalbari, Sibsagar, Silchar)-5	
	<i>Bihar</i> (Gaya, Patna, Muzaffarpur)-3	<i>Chandigarh</i> (Chandigarh#)-1	
	<i>Chhattisgarh</i> (Bhilai)-1	<i>Chhattisgarh</i> (Korba, Raipur)-2	
<i>Gujarat</i> (Ahmedabad)-1	<i>Gujarat</i> (Surat)-1	<i>Gujarat</i> (Vadodara#)-1	
<i>Karnataka</i> (Bangalore)-1	<i>Himachal Pradesh</i> (Baddi, Damtal, Kala-Amb, Nalagarh, Paonta Sahib, Parwanoo, Sunder Nagar)-7	<i>Karnataka</i> (Gulburga, Hubli Dharwad and Devanagere#)-3	
	<i>Jammu & Kashmir</i> (Jammu & Srinagar)-2	<i>Meghalaya</i> (Byrnihat#)-1	
		<i>Nagaland</i> (Kohima#)-1	<i>Nagaland</i> (Dimapur)-1
	<i>Madhya Pradesh</i> (Bhopal, Gwalior)-2	<i>Madhya Pradesh</i> (Indore#, Ujjain, Dewas & Sagar)-4	
<i>Odisha**</i> (Angul & Talcher)-2	<i>Odisha</i> (Angul, Talcher, Cuttack**, Bhubaneswar###, Kalinganagar & Rourkela)-6	<i>Odisha</i> (Balasore#) -1	
<i>Punjab</i> (Ludhiana)-1	<i>Punjab</i> (Amritsar, Jalandhar, Mandi-Gobindgarh, Khanna,		

	Patiala, Dera Bassi, Naya Nangal, Dera Baba Nanak)-8		
<i>Rajasthan</i> (Jaipur)-1	<i>Jharkhand</i> (Dhanbad#)-1	<i>Rajasthan</i> (Alwar, Jodhpur, Kota# and Udaipur)-4	
<i>Tamilnadu</i> ** (Trichy, Thoothukudi#)-2			<i>Tamilnadu</i> (Madurai##)-1
	<i>Telangana</i> (Hyderabad & Patancheruvu)-2	<i>Telangana</i> (Nalgonda#)-1	<i>Telangana</i> (Sangareddy)-1
<i>Uttar Pradesh</i> (Kanpur, Agra & Ghaziabad)-3	<i>Uttar Pradesh</i> (Allahabad, Anpara, Bareilly#, Firozabad, Gajraula, Jhansi, Khurja, Lucknow, Moradabad#, Noida#, Raebareli & Varanasi)-12		<i>Uttar Pradesh</i> (Gorakhpur##)-1
<i>West Bengal</i> (Kolkata & Howrah)-2	<i>West Bengal</i> (Asansol, Durgapur & Raniganj)-3	<i>West Bengal</i> (Barrackpore & Haldia)-2	
	<i>Uttarakhand</i> (Kashipur)-1	<i>Uttarakhand</i> (Rishikesh, Dehradun#)-2	
14 cities in 9 states	68 cities in 15 states	40 cities in 14 states	4 cities in 4 states

*In Delhi SA/EI Study is also ongoing

**Rapid study

#city proposed for joint study with CPCB

Newly added city in 2021

Note: As informed by the Tamilnadu SPCB, a long term study on SA and CC for Trichy and Madurai will be carried out at the earliest

Status of Carrying Capacity (CC) Studies in Non-Attainment cities of India

CC work under process	CC is in MOU/proposal stage
Uttar Pradesh (Allahabad, Anpara, Bareilly#, Firozabad, Gajraula, Ghaziabad, Jhansi, Khurja, Lucknow, Moradabad#, Noida#, Raebareli, Varanasi, Kanpur & Agra)-15	Gujarat (Surat, Ahmedabad and Vadodara#)-3
Jammu & Kashmir (Jammu & Srinagar)-2	Meghalaya (Byrnihat#)-1
Maharashtra (Navi Mumbai and Nagpur)-2	Maharashtra (Mumbai#, Pune#, Solapur, Nashik, Badlapur, Akola, Amravati, Aurangabad, Chandrapur, Jalgaon, Jalna, Kolhapur, Latur, Ulhasnagar, Sangli, and Thane)-16
Himachal Pradesh (Baddi#, Damtal, Kala-Amb, Nalagarh, Paonta Sahib, Parwanoo, Sunder Nagar)-7	Bihar (Patna#)-1
Andhra Pradesh (Vijayawada)-1	Rajasthan (Jaipur, Alwar, Jodhpur, Kota# and Udaipur)-5
Delhi -1	Chhattisgarh (Bhilai, Korba, Raipur)-3
Telangana (Hyderabad & Patancheruvu)-2	Telangana (Nalgonda#)-1
Punjab (Amritsar, Ludhiana, Jalandhar, Mandi-Gobindgarh, Khanna, Patiala, Dera Bassi, Naya Nangal, Dera Baba Nanak)-9	Assam (Guwahati#)-1
	Chandigarh (Chandigarh#)-1
	Madhya Pradesh (Indore#)-1
	Andhra Pradesh (Visakhapatnam#, Rajahmundry#)-2
	Jharkhand (Dhanbad#)-1
	Karnataka (Davanagere#)-1
	Nagaland (Kohima#)-1
	Tamilnadu (Thoothukudi#)-1
	Uttarakhand (Dehradun#)-1
West Bengal (Asansol, Durgapur, & Raniganj)-3	West Bengal (Kolkata#, Howrah#, Barrackpore & Haldia)-4
	Odisha (Angul, Talcher, Cuttack, Bhubaneswar#, Kalinganagar, Rourkela & Balasore#)-7
42 cities in 9 states	51 cities in 18 states

#city proposed for joint study with CPCB

25 cities identified for Joint SA and CC study

Sl. No	State	Sl. No	Cities
1	Andhra Pradesh	1	Visakhapatnam
		2	Rajahmundry
2	Assam	3	Guwahati
3	Bihar	4	Patna*
4	Chandigarh	5	Chandigarh
5	Gujarat	6	Vadodara
6	Himachal Pradesh	7	Baddi*
7	Jharkhand	8	Dhanbad
8	Karnataka	9	Hubli-Dharwad
9	Madhya Pradesh	10	Indore
10	Maharashtra	11	Mumbai*
		12	Pune*
11	Meghalaya	13	Byrnihat
12	Nagaland	14	Kohima
13	Odisha	15	Bhubaneswar
		16	Balasore
14	Rajasthan	17	Kota
15	Tamilnadu	18	Thoothukudi
16	Telangana	19	Nalgonda
17	Uttar Pradesh	20	Noida
		21	Moradabad
		22	Bareilly
18	Uttarakhand	23	Dehradun
19	West Bengal	24	Kolkata*
		25	Howrah*

*SA study ongoing or completed, consider only for CC

Mechanism for shifting industrial units from residential areas

S. No.	State	Status
1.	Andhra Pradesh	Will be done after completion of Source Apportionment (SA) and Carrying Capacity (CC) studies
2.	Chandigarh	Will be done after completion of SA and CC studies. Also, Chandigarh has a notified industrial area wherein all industries permitted.
3.	Chhattisgarh	Will be done after completion of Source Apportionment (SA) and Carrying Capacity (CC) studies
4.	Delhi	<ul style="list-style-type: none"> • DPCC has already notified approved fuel vide notification No. DPCC/RDPC/141/2017/3692 dated 29th June, 2018. Regular enforcement drives by DPCC and by other agencies are being taken. • Action against the impermissible Industries units operating from non-conforming/residential area by Municipal Corporations. • Out of 1644 units, 1555 industrial units have converted to cleaner fuel i.e. PNG. 69 units registered with IGL. 20 units yet to be registered.
5.	Gujarat	State board Communicated with Chief Town Planner, Dept. of Urban Housing & Urban Development, Gujarat to take necessary action
6.	Himachal Pradesh	Will be done after completion of SA and CC studies
7.	Jammu & Kashmir	The matter has been taken up with the Government Department of Industries and Commerce to devise the mechanism for shifting of all air polluting industries from the jurisdiction of NACs.
8.	Jharkhand	<p>The identification of polluting industries is under process. After the identification they will be shifted with the help of industries department. Further, all the brick kilns nearby and around the city shall be converted to zig-zag technology within stipulated period of time (Provided in city action plan)</p> <p>Industries shifted: 3 Nos. Industries proposed to shift with conditions: 3 Nos.</p>
9.	Karnataka	Will be done after completion of SA and CC studies
10.	Madhya Pradesh	Action plan committees have been constituted and activities of the plan are being monitored by committees.
11.	Maharashtra	Will be done after completion of SA and CC studies
12.	Meghalaya	City has a notified industrial area wherein all industries permitted
13.	Odisha	Study has been initiated. SPCB has initiated steps for identification of polluting industries operating within the city limits. As a matter of policy SPCB is not allowing any polluting units in the residential limits of Non-attainment cities (NACs).
14.	Punjab	Will be done after completion of SA and CC studies.
15.	Rajasthan	As informed by Rajasthan SPCB, they initiated framing the mechanism for shifting of industries from residential area in non-attainment cities.
16.	Telangana	The modalities for shifting of industries are in the process. Three new Industrial Estates are developed outside the ORR for Oil, textile & Iron and steel plants.
17.	Tamilnadu	As informed by Tamilnadu SPCB, District Administration and Industries Department have to be incorporated in the compliance report. The concerned Department has to be addressed after the long term study on SA and CC in NACs of Tamilnadu.
18.	Uttar Pradesh	AQMC chairman send communication to the concerned department regarding shifting / prohibiting the industries in the non-conforming areas
19.	Uttarakhand	There is no such shifting require in the non-attainment cities in Uttarakhand. However, Uttarakhand Pollution Control Board has notified the Approved Fuel

		which restricts use of petcoke and Furnace oil by 31.03.2024. However, in non-attainment city Kashipur, 08 industries are presently using petcoke and direction to such 08 units has been issued to switch to cleaner fuel by 31.03.2021
20.	West Bengal	Will be done after completion of SA and CC studies
21.	Bihar	<p>22 categories of polluting industries shall not be allowed to establish in the municipal area of non-attainment cities</p> <p>The new 22 category of polluting industries shall not be established in the "Master Plan Demarcation Area of Patna and Planning Area Muzaffarpur and Gaya" for prevention of air pollution in the aforesaid non-attainment cities of Bihar.</p> <p>The above policy has been notified by BSPCB notification vide notification no10 dated- 25.11.2020 in compliance with decision taken in the meeting dated-03.03.2020 under chairmanship of the Principal Secretary, DoEF&CC, Govt of Bihar</p>
22.	Assam	<p>Will be done after completion of SA and CC studies</p> <p>As informed by Assam SPCB, Assam has not given 'consent to establish' to any industrial unit in the residential area</p>
23.	Nagaland	The Board had closed down and relocated 3 polluting unit (stone crusher) which were located in the residential area within the conglomerates of the Dimapur city.

Status of Public Grievance Redressal Portal (PGRP) in Non-attainment Cities and their Redressal status

S. No.	State	PGRP Development status	Status of Complaints		
			No. of Complaints received	Effective steps	Remarks
1.	Andhra Pradesh	Developed Sameer like app (“Spandana” and “Paryavaran”).	No information provided		
2.	Assam	Currently PCBAs web portal is working for public complaints on website. http://pcbassam.org/public%20grievence/	No information provided		
3.	Chandigarh	CPCC has developed a Grievance Redressal System which is under trial run	No information provided		
4.	Chhattisgarh	Web portal developed and uploaded on CECB website	No information provided		
5.	Delhi	Developed (Sameer app)	4624	2764 complaints resolved (60 %)	Between 07.10.2020 to 31.12.2020 (2 PM) in Delhi-NCR region
6.	Gujarat	Developed Sameer like app (VATAVARAN),	No information provided		
7.	Himachal Pradesh	Developed Sameer like app (HPSPCB) Also, “CM Sewa Sankalp”, “e-Samadhan”, and “e-suggestions” app available for grievance redressal	28	26 complaints resolved (93 %)	From 01.04.2020 to 31.12.2020
8.	Jammu & Kashmir	Developed Sameer like app (JKAir),	No information provided		
9.	Jharkhand	As informed in plan helpline already working	No information provided		
10.	Karnataka	Developed ICCC (Integrated control and command centre) at Head office KSPCB	No information provided		
11.	Madhya Pradesh	Developed Sameer like app (EnvAlert)	20	No information provided	Till 14.12.2020
12.	Maharashtra	Developed Sameer like app (MPCB’s E-catalyst)	No information provided		
13.	Meghalaya	Developed Sameer like app	No information provided		

		(MegSPCB Environment) which is available on board's website			
14.	Nagaland	Development of PGRP is under process. As informed in plan helpline already working	No information provided		
15.	Odisha	Developed Sameer like app "PAVAN (Paryavaran Abang Vayu Asudhata Niyatran)"	No information provided		
16.	Punjab	Developed (call centre established, toll free no: 1800-1203-667, and Whatsapp no.: 9914498899) Development of SAMEER like app under process.	No information provided		
17.	Rajasthan	Developed Sameer like app ("CM Sampark").	No information provided		
18.	Tamilnadu	Development of SAMEER like app under process. TNPCCB has online complaint redressal system in TNPCCB website for public complaints apart from CM cell and Amma call centre. The complaint received through the above are immediately attended and replies were furnished to the complainant.	No information provided		
19.	Telangana	Developed Sameer like app (TSAIR)	No information provided		
20.	Uttar Pradesh	Developed Sameer like app (Swaccha Vayu)	59	57 complaints resolved (97%)	Between June 2020 08.01.2021
21.	Uttarakhand	Developed Sameer like app (NCAP Uttarakhand)	No information provided		
22.	West Bengal	Developed Sameer like app (Paribesh app)	Compliance of the report is in Progress and submitted shortly		
23.	Bihar	Web portal developed & available on website	No information provided		

Steps taken by the SPCBs/PCCs to control of stubble burning, where ever necessary and bursting polluting and noise generating fire crackers

S. No.	State	Steps taken
1.	Andhra Pradesh	<ul style="list-style-type: none"> No practice of stubble burning in 10 cities out of identified 13 NA cities. The practice of crop burning is observed in surrounding villages of Nellore, Vijayawada & Guntur city. Organized various public awareness campaigns & training programmes for farmers. In compliance to Hon'ble NGT Order, dated 09.11.2020 in O. A. No. 249/2020, the Department of Health, Medical & Family Welfare, Govt. of Andhra Pradesh has issued Government Order restricting to sell only green crackers and to burst for two hours between 08.00 PM and 10.00 PM on Deepavali day. APPCB has monitored ambient air quality and noise during Deepavali festival in the cities and towns including all the District Headquarters of Andhra Pradesh. In compliance to the subsequent Hon'ble NGT Order, dated 01.12.2020 in O.A. No. 249/2020, APPCB has circulated the same to all the Collectors & District Magistrates for implementation of the directions.
2.	Chandigarh	No Information available
3.	Chhattisgarh	State Govt. has banned stubble burning vide notification dated 06.05.2017 and prohibited the burning of fire-crackers from 1 st December to 31 st January in Municipal areas of Raipur, Bilaspur, Bhilai, Durg, Raigarh and Korba vide notification dated 29.11.2017
4.	Delhi	<ul style="list-style-type: none"> The several advisories have already been issued by the Agriculture Office, Development Department, Govt. of NCT of Delhi, to the concerned District Magistrates to ensure strict enforcement of ban on burning of agriculture waste and crop residue in NCT of Delhi. 3 incidences of crop residue / stubble burning have been reported in NCT of Delhi during the year 2020-21, to cope-up with the situation the strict action have been taken against the defaulter farmers by the concerned SDM by imposing a penalty of Rs.10000/-, Rs.30000 & Rs. 50000/- respectively. The Agriculture Unit, Development Department, Govt. of NCT of Delhi has adopted and implemented the Centrally Sponsored Scheme of Govt. of India "Promotion of Agricultural Mechanization for In-situ Management of crop residue in NCT of Delhi". Under which various implements and machineries have been provided to 111 no's & 51 no's of farmers of NCT of Delhi, on 50% subsidy for proper management of crop residue /stubble in NCT of Delhi during 2019-20 & 2020-21 respectively. Anti-firecracker awareness campaign is being run every year with EcoClub schools/ colleges. Direction U/S 31(A) of Air (Prevention & Control of Pollution) Act, 1981 read along with Rule 20A of Air (Prevention & Control of Pollution) (Union Territories) rules, 1983 to ban bursting of firecrackers/ fireworks at all times except on religious occasions has been issued on 08.12.2016. Necessary action is being taken by Designated Authorities under Noise Rules. Stakeholder meeting held on 06.10.2020.
5.	Gujarat	No Information available
6.	Himachal Pradesh	The Restriction on open burning of municipal solid waste, Biomass, plastic, Agriculture Horticulture waste etc is already an actionable point approved action plan for the control of air pollution in Non-Attainment towns in compliance of O.A. No. 681 of 2018.

		<p>State has a provision for not providing incentives/ subsidy to farmers in case found burning the crop residue, agriculture, horticulture waste. Further, State Board requested Agriculture Department HP to take necessary preventive measures to ensure that activities like open burning of crop residue, agriculture, horticulture waste burning etc. may not be practices in entire State.</p> <p>In compliance of Hon'ble NGT order in 249 of 2020 titled "Tribunal on its own motion Vs. MoEF&CC and ors." highlighting the remedial action against pollution by the use of firecrackers, the Govt. of Himachal Pradesh issued directions to all the concerned authorities to ensure effective implementation of the Hon'ble Court order.</p>
7.	Jammu & Kashmir	<ul style="list-style-type: none"> • There is no case reported for stubble burning in J&K. • Regarding use, sale and bursting of crackers, the detailed report submitted in pursuance to OA No. 249/2020 • The Govt. of Jammu and Kashmir has also issued an order for regulation of sale and use of fire crackers. The Govt. has imposed the following restrictions/regulations: <ul style="list-style-type: none"> (i) Only 'Green crackers' was permitted for sale and use in the Jammu and Srinagar cities. (ii) The use/burning of these Green crackers was restricted to only two hours during the festivals. (iii) All the Deputy Commissioners were directed to execute extensive public awareness campaigns regarding the above. • Special awareness campaign was also launched during Diwali festival for enforcement of Govt. Order and Hon'ble NGT directions. • In addition, Noise monitoring was carried out for 2 days i.e., on 9th and 14th of November during Diwali festival 2020, as per the CPCB guidelines and the same stands uploaded on the official website also.
8.	Jharkhand	No Information available
9.	Karnataka	<p>The KSPCB has issued directions under Air (Prevention and Pollution) Act 1981, on 16-12-2020 to Agriculture Department to execute the Action plan submitted by them on Stubble burning in the state.</p> <p>Based on the direction issued by CPCB on Green crackers action taken to educate the vendors at cracker stalls and Control of conducted raids to check the sale of crackers and also conducted mass awareness to general public by KSPCB officials during 2020 Deepavali.</p>
10.	Madhya Pradesh	<p>MP Govt. has notified notification regarding stubble burning violators and decided environmental compensation.</p> <p>MP Govt. department of home has issued direction to all district collectors and district superintendent of Police to ensure prohibition of storage, transport and sale of foreign fire crackers.</p> <p>Appeal for use of fire crackers has also been released as per notification dated 5/10/1999 of ministry of environment forest and climate change, Govt. of India</p>
11.	Maharashtra	<p>NCAP three level committees are constituted, and the committees are conducting regular review meetings with respective stakeholders for implementation of action plan.</p> <p>MPC Board communicated the Hon'ble NGT order in OA No. 249/2020 dtd. 09.11.2020, regarding remedial actions against pollution by use of firecrackers aggravating the menace of Covid-19 pandemic, posing higher danger to the lives and health of the vulnerable groups to all Divisional Commissioners.</p>

		Municipal Commissioners, Commissioners of Police, District Magistrates and Superintendent of Police of Maharashtra state for implementation of the directions. It has been observed from the Air Quality Index (AQI), that bursting of crackers in the festive season was in control and "Moderate" to "Satisfactory" AQI was reported in major cities of Maharashtra.
12.	Meghalaya	No Information available
13.	Odisha	The Chief Secretary of the state has ordered prohibition of sale and use of firecrackers in all parts of the states from 10 th – 30 th Nov 2020.
14.	Punjab	The Action Plan for Control of Stubble Burning in the State of Punjab was prepared in October 2019 and was sent to CPCB. The PPCB has already updated the Deputy Commissioners of the States for limiting the time period for bursting of fire crackers and creating awareness among the masses.
15.	Rajasthan	RSPCB communicated that the work is not related to the State board
16.	Telangana	No Information available
17.	Tamilnadu	<ul style="list-style-type: none"> • Stubble burning is not participated in the Thoothukudi town. Agricultural waste is collected and transported to compost yard and bio-methanation plant located in city. • TNPCB has issued notification no. TNPCB/Labs/DD (L)/02151/2019 dated 01.06.2020 on retrofitting of emission control devices/ Equipment in DG sets with capacity of 125KVA and above in TN as per NGT directions . Various other steps have been taken by the state for air pollution control.
18.	Uttar Pradesh	<ul style="list-style-type: none"> • State has prepared an Action Plan for prevention and control of stubble burning for the year 2021. • Various steps have been taken by the state in the context of this direction for control of stubble burning and bursting of polluting and noise generating firecrackers. • 350 mobile squads are functional across the state to prevent stubble burning and one field worker has made in-charge for a group of villages and the Gram Pradhan and Lekhpal have been entrusted with the responsibility to ensure compliance. • 150 defaulters have been identified, out of which FIRs have been lodged against 77 and a penalty of Rs. 3,32,500 has been imposed on the offenders. In addition to this, an EC of Rs. 2,32,500 has also been recovered. • Ban on burning of agriculture waste and crop residue has been imposed by the Environment Department under provisions of Air act on 28.10.2015. • Govt. order dated 10.02.2017 has been issued by the Department of Agriculture to ensure the use of combined harvesting machine and straw ripper with binder to restrict burning of agricultural residual waste. • Scheme of "Promotion of Agriculture Mechanization for In-Situ management of crop residue is being run since financial year 2018-19 with the support of Government of India. • There has been 36% reduction in burning incidents in year 2019 compared to year 2018, 52% less as compared to year 2017 and 56% less as compared to year 2016. • Additionally, an order dated 05.01.18 has been issued by UPPCB for using a minimum 20% of bio briquette as fuel in the boiler depending upon its availability. • Ban on sale or use of Firecrackers have been imposed as per the directions given in Hon'ble NGT order no.249/2020 by Chief Secretary, U.P. vide G.O. no. writ-940/chah-pu-5-2020-800(01)/2016TC, dated 09.11.2020. • Special monitoring of air & noise pollution during Diwali Festival Season has been carried out by UPPCB in all the NACs. • In compliance of orders of Hon'ble NGT in O.A. No. 118/2016, the Chief

		Secretary, Government of Uttar Pradesh has issued an order dated 01.12.2020 to Additional Chief Secretary, Department of Home, Government of Uttar Pradesh for imposition of fine for violations of the Rules and preparation of Action Plan for Control of Noise pollution.										
19.	Uttarakhand	<p>Stubble Burning issue is with Kashipur Area. This issue is addressed in the action plan of Kashipur Area. Agriculture department is proposing to give funds for setting up Straw baling machines. In Kashipur area this will cost about Rs. 40.00 lakhs funds to be given to farmers for the same. For Financial aid proposal is to be received through Directorate.</p> <p>Pollution Control Board, on Deepawali, monitors the noise level at different cities. This year also, Board will do such monitoring and the year wise data for such monitoring will be provided to CPCB in due time.</p>										
20.	West Bengal	<ul style="list-style-type: none"> • The Department of Environment West Bengal has issued notification on banning Crop Residue Burning in West Bengal in 2019. • The State Board has set up a GIS Lab to monitor the incidence of crop residue burning through Satellite image. The concerned District and Police authorities are being regularly informed to take appropriate action against the violator to stop such incident. • The Department of Agriculture, Govt of West Bengal has already taken initiatives for crop residue management in all the district across the state. • The State has also observed "Anti- crop Residue Burning Day" in though out the state. • In compliance of the direction there was no mass firecracker bursting in various festival since Diwali 2020. <p>As per the information received from West Bengal Action taken report is:</p> <table border="1"> <thead> <tr> <th>Stubble Burning & Open Burning</th> <th>Generating Noise pollution due to bursting of Firecrackers</th> <th>Case lodged u/s 188 IPC r/w 9B (1b) I.E. Act</th> <th>Persons Prosecuted +Arrested</th> <th>Firecrackers Seized/ confiscated (KG)</th> </tr> </thead> <tbody> <tr> <td>--</td> <td>231</td> <td>84</td> <td>272+420</td> <td>8943.4</td> </tr> </tbody> </table>	Stubble Burning & Open Burning	Generating Noise pollution due to bursting of Firecrackers	Case lodged u/s 188 IPC r/w 9B (1b) I.E. Act	Persons Prosecuted +Arrested	Firecrackers Seized/ confiscated (KG)	--	231	84	272+420	8943.4
Stubble Burning & Open Burning	Generating Noise pollution due to bursting of Firecrackers	Case lodged u/s 188 IPC r/w 9B (1b) I.E. Act	Persons Prosecuted +Arrested	Firecrackers Seized/ confiscated (KG)								
--	231	84	272+420	8943.4								
21.	Bihar	Action plan for prevention and control of air pollution in non-attainment city is prepared by the state and implemented in the NA cities. Implementation status also provided by the state.										
22.	Assam	PCBA informed that it is not related to the board as there is no stubble burning issue.										
23.	Nagaland	<p>The Government of Nagaland had prohibit the sale and use of crackers in all part of the state through a notification no. GAB-1/COM/GEN-4/2020 dated Kohima the 10th November, 2020.</p> <p>The Deputy Commissioner Kohima had order ban on burning of jungle which will be enforced in Kohima district vide notification order no. DCK/SDR/CFW/60/2013/K290 Dated Kohima the 07th Jan, 2021</p>										
24.	Tripura	The Government of Tripura vide Notification No.F.11(49)/DSTE/CC/Pt-I/3382-3414 dated 04.05.2017 notified that no person or body including local body, any agency, organization, concessionaire etc. shall be allowed open burning of waste on lands, including at landfill sites in the whole State of Tripura. And for each such default, the violators shall be liable to pay Environmental compensation.										

Information for Emergency response system (ERS)

S. No.	State	Status	Remarks
1.	Andhra Pradesh	GRAP Prepared	GRAP is the part of action plan. Also, board has communicated to AP Disaster Management Authority (APSDMA) to prepare ERS in coordination with SPCB & State Meteorological Department. The APSDMA requested APPCB to provide the pollution levels of 5 Non-attainment cities to State Emergency Operations Centre (SEOC - APSDMA) on regular basis. Once the pollution level crosses the limits the stake holders will be informed accordingly. In this connection, it is to inform that the continuous ambient air quality data is available for Rajamahendravaram and Visakhapatnam. The data pertaining to Rajamahendravaram and Visakhapatnam will be provided to SEOC — APSDMA in the first phase and data pertaining to remaining cities will be furnished after establishment of CAAQM stations.
2.	Chandigarh	GRAP Prepared	
3.	Chhattisgarh	ERS/GRAP not prepared	As informed by State Board, Emergency Response system including GRAP is not concerned with CECB
4.	Delhi	GRAP Prepared	GRAP and HLTF already existing
5.	Gujarat	GRAP development is under process	Draft GRAP submitted to State Disaster Management Authority and preparation is in process
6.	Himachal Pradesh	GRAP Prepared	The H.P State Disaster Management Authority has prepared/ Disaster Management Plan where emergency response system included. https://hpsdma.nic.in/ Emergency toll free numbers (112 & 108) are already in place.
7.	Jammu & Kashmir	ERS Prepared	Emergency Response System (ERS) in Jammu and Kashmir is part of the Jhelum and Tawi Flood Recovery Project (JTFRP)-2021, which is a multi-hazard risk assessment project comprising of industrial, air and water pollution with establishment of State Emergency Operation Centers (SEOC) and District Emergency Operation Centers (DEOCs) in J&K.
8.	Jharkhand	No information available	
9.	Karnataka	ERS/GRAP not prepared	Proposal is being sent to Revenue Dept., Govt. of Karnataka to include MS, KSPCB as a member of Disaster Management Authority.
10.	Madhya Pradesh	GRAP development is under process	
11.	Maharashtra	GRAP development is under process	MPC Board communicated to State Disaster Management, Meteorological Department, CAMPA, DG-Police, MIDC, NAC's Municipal Corporation/Council(s) and Principal Secretary (Urban Development) respectively for necessary actions. MPC Board vide letter MPCB/RO (HQ)/HW/B-201001-FTS-0057 dtd. 01.10.2020 communicated the Hon'ble NGT order in OA No. 134/2020- News Item published on 13.07.2020 in daily "India Today" titled "Massive fire engulf Vizag chemical plant, explosions heard, injuries reported" dtd. 23.07.2020 to respective

			<p>authorities.</p> <p>For compliance of MSIHC Rules of 1989 verification for 30 isolated storages is been carried out by the MPC Board officials. Verification of remaining isolated storages is in progress.</p> <p>MPC Board has prepared the draft Graded Response Action Plan (GRAP) and is under approval process</p>
12.	Meghalaya	GRAP Prepared	
13.	Odisha	ERS prepared	
14.	Punjab	GRAP Prepared	GRAP is part of Action plan. Coordinating with State Disaster Management Authorities and Meteorological Departments which may include emergency as a part of disaster management and develop ERS accordingly
15.	Rajasthan	ERS prepared for Alwar city. For rest of the NA cities GRAP development is under process	Development under process. ERS of Alwar city has been developed. Rest of cities nodal department is DOE. Correspondence carried out by DOE in this regards.
16.	Telangana	GRAP prepared	
17.	Tamilnadu	GRAP prepared	Also, State Disaster Management authority of Tamil Nadu has policy and plan for the Emergency Response system for the natural disasters such as cyclones, floods, drought, landslides, earth quake, tsunami, heat wave and for manmade disasters such as chemical, biological and nuclear.
18.	Uttar Pradesh	GRAP prepared	
19.	Uttarakhand	GRAP development is under process	State Board will issue direction to respective industry or authority under section 31 A of the Air Act in case on any sudden air pollution to control the same.
20.	West Bengal	GRAP prepared	
21.	Bihar	GRAP prepared	GRAP is the part of city action plan
22.	Assam	GRAP development is under process	The Emergency Response System (ERS) prepared by PCBA as per CPCB is submitted to Assam Sate Disaster Management Authority, Govt. of Assam. Meteorological Department, Guwahati has issued Local Weather report and weather forecast for 7 days for the stations Nagaon, Sivasagar and Nalbari since June 2020. The forecast contains the Maximum and Minimum temperature and local forecast for 7 days. http://city.imd.gov.in/citywx/city_weather.php?id=88827 for the Nalbari City. All the forecast are available at the http://www.imdguwahati.gov.in/
23.	Nagaland	GRAP prepared	GRAP is the part of city action plan

CPCB Remarks: Status of GRAP notification and framework for implementation need to be submitted by all SPCBs/PCCs

**SPEED POST**

केन्द्रीय प्रदूषण नियंत्रण बोर्ड

CENTRAL POLLUTION CONTROL BOARD

पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय भारत सरकार
MINISTRY OF ENVIRONMENT, FOREST & CLIMATE CHANGE GOVT. OF INDIA

F. No. B-11011/UPC-II/MSW(Direction)/2020-21

27.01.2021

To,

The Chairman,
All SPCBs/PCCs

Direction under Section 5 of the Environment (Protection) Act, 1986 for enforcement of Provisions of Solid Waste Management (SWM) Rules, 2016 regarding bio mining of legacy waste.

WHEREAS, the Central Government has notified the standards for discharge of environmental pollutants from various categories of industries under the Environment (Protection) Act, 1986 and the rules framed there under;

WHEREAS, the Ministry of Environment, Forest & Climate Change has notified Solid Waste Management Rules, 2016, which inter-alia state procedures for Solid Waste Management;

WHEREAS, under Rule 15(z) of SWM Rules, 2016 local authorities and village Panchayats shall investigate and analyse all old open dumpsites and existing operational dumpsites for their potential of bio-mining and bio-remediation and whosoever feasible, take necessary actions to bio-mine or bio-remediate the sites;

WHEREAS, under Rule 16(a) of Solid Waste Management Rules, 2016, the State Pollution Control Board or Pollution Control Committee shall enforce these rules in their State through local bodies in their respective jurisdiction and review implementation of these rules at least twice a year in close coordination with concerned Directorate of Municipal Administration or Secretary-in-charge of State Urban Development Department;

WHEREAS, remediation of all Dumpsites has to be completed by April 7, 2021 as per Rule 22 of SWM Rules, 2016.

WHEREAS, in compliance of Hon'ble NGT Order dated 16.01.2019 in the matter of OA no. 606/2018, CPCB published Guidelines for Disposal of Legacy waste;

WHEREAS, Hon'ble NGT has issued several Directives on the matter including the following:

Contd.

‘परिवेश भवन’ पूर्वी अर्जुन नगर, दिल्ली-110032

Parivesh Bhawan, East Arjun Nagar, Delhi-110032

दूरभाष/Tel : 43102030, 22305792, वेबसाइट/Website : www.cpcb.nic.in

- (i) In OA no. 519/2019, all Chief Secretaries, States/UTs to ensure completion of remediation of dumpsites by October, 2020.
- (ii) In OA no. 53/2020, CPCB to complete inventorization of dumpsites in the Country.
- (iii) In OA no. 593/2017, CPCB to compile information related to Legacy Waste Management and identify gaps thereof.

WHEREAS in compliance with above orders of Hon'ble NGT, several communications dated 14.05.2020, 28.07.20 & 31.07.2020 have been issued by CPCB to States/UTs to provide requisite information on the matter.

WHEREAS complete information on the matter is yet to be received from all States/UTs.

WHEREAS, CPCB officials inspected dumpsites in various States where bioremediation of legacy waste is being carried out and made the following observation:

- i. Most of the ULBs engaged in the bio mining process of the legacy waste not following CPCB Guidelines on disposal of legacy waste.
- ii. Analysis of different screened fractions is not being carried out prior to disposal/utilization.
- iii. Poor quality of screen fractions and screened fractions not being lifted by the users.
- iv. Adequate plan for disposal of screened fractions at the dumpsites not prepared and screened fractions accumulated on site.
- v. No leachate treatment being carried out and stagnation of leachate noticed at the dumpsites.
- vi. Records/documents for the sale of the RDFs, inerts and other materials not maintained.
- vii. Fresh Solid Waste continued to be dumped at these dumpsites.

WHEREAS, vide Order dated 21-8-2020 in the matter of OA no. 681/2018, Hon'ble NGT directed CPCB to issue fresh Direction in this regard to all the State PCBs/ PCCs to coordinate with concerned Local Authorities for further Action in the matter. Further, as per the Hon'ble NGT's Direction, at least one site is to be remediated and made a model of compliance in each of the 122 Non-Attainment Cities;

Contd.

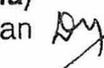
NOW THEREFORE, in view of the above and in exercise of powers delegated to the Chairman, Central Pollution Control Board (CPCB), under Section 5 of the Environment (Protection) Act, 1986, the following directions are issued for compliance:

1. SPCBs/PCCs to provide complete list of Legacy Waste dumpsites in their States/UTs as per format enclosed.
2. SPCB/PCCs to ensure that necessary action for biomining and bio-remediation of these dumpsites is done by the concerned Local Authorities in compliance with Provisions of SWM Rules,2016.
3. SPCBs/PCCs shall ensure that concerned Local Authorities engaged in the bio mining process of legacy waste follow procedures as per CPCB Guidelines for Disposal of Legacy Waste with specific compliance to the following points.
 - (i) Analysis of various screened fraction materials i.e. RDF, fine earth/bio earth etc., prior to its disposal/utilization.
 - (ii) Preparation of plan for utilization/disposal of screened fractions
 - (iii) Adequate provisions for leachate treatment.
 - (iv) Maintenance of records / documents for disposal/utilization of the RDFs or fine earth and other materials.
4. SPCBs/PCCs shall ensure that the local bodies prepare time targeted Action Plan for biomining /bio-remediation of these dumpsites in compliance with points listed above. The timelines as specified in SWM Rules,2016 and Hon'ble NGT Directions on the matter are to be adhered to for remediation of these sites.
5. SPCBs/PCCs to ensure that no fresh waste is disposed at these dumpsites and local authorities make proper arrangement for management of fresh solid waste.
6. SPCBs to ensure that at least one legacy waste dumpsite is remediated in their jurisdiction which can be considered as model for compliance for other legacy waste dumpsites in Non-Attainment Cities (NAC).

SPCBs/PCCs are hereby directed to submit action taken report within **30 days** from receipt of these Directions.



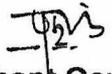
(Shiv Das Meena)
Chairman



Copy to:

1. **Joint Secretary (CP),** : For necessary information pls
Ministry of Environment, Forest and Climate Change,
Indira Paryavaran Bhavan, Jorbagh Road,
New Delhi-110003

2. **DH- IT Division, CPCB** : For uploading on website pls


- (Prashant Gargava)
Member Secretary 

o/c

ANNEXURE-IX

Consolidated Report on various steps taken by the SPCBs/PCCs to coordinate with the State Disaster Management Authorities and Meteorological Departments

S. No.	State	Steps taken
1.	Andhra Pradesh	Letter being addressed to State Disaster Management Authorities & Meteorological Departments in the light of frequent environmental disasters.
2.	Chandigarh	Emergency Response system prepared and implemented in UT
3.	Chhattisgarh	CECB informed that "the Department of the Industrial Health & Safety submitted that there are 16 major accidental hazard units in Chhattisgarh. Necessary instruction to the concerned ROs is being issued for ensuring compliance of Hazardous Chemical Rules, 1989 in these units".
4.	Delhi	No Information available
5.	Gujarat	Draft GRAP submitted to State Disaster Management Authority and preparation is in process
6.	Himachal Pradesh	State board coordinated with state Govt. and report has been filed by industry department. The H.P State Disaster Management Authority has prepared/ Disaster Management Plan where emergency response system included. https://hpsdma.nic.in/ . Emergency toll free numbers (112 & 108) are already in place.
7.	Jammu & Kashmir	<ul style="list-style-type: none"> The Chief Secretary J&K has conducted two meetings with all the concerned officers and stake holders and passed on directions as required for safety and preventive action. The mock drills, on-site emergency plans, safety reports, safety audit reports, approvals and notification of sites etc. as per statutory provisions are taken into account, by all the concerned departments / authorities as specified in the Manufacture, Storage and Import of Hazardous Chemical Rules, 1989 and the Chemical Accidents (Emergency Planning, Preparedness and Response) Rules 1996, respectively. The circular directions have also been issued by Administrative Department Industries and Commerce to all line departments, Corporations and stake holders to ensure strict compliance of the Hon'ble NGT directions and enforcement of relevant rules in this regard.
8.	Jharkhand	No Information available
9.	Karnataka	Proposal is being sent to Revenue Dept., Govt. of Karnataka to include MS, KSPCB as a member of Disaster Management Authority.
10.	Madhya Pradesh	Direction is communicated to State Disaster Management Authority and Meteorological Department to take action accordingly. Action taken report from the departments is awaited.
11.	Maharashtra	<p>MPC Board communicated to State Disaster Management, Meteorological Department, CAMPA, DG-Police, MIDC, NAC's Municipal Corporation/Council(s) and Principal Secretary (Urban Development) respectively for necessary actions.</p> <p>MPC Board vide letter MPCB/RO (HQ)/HW/B-201001-FTS-0057 dtd. 01.10.2020 communicated the Hon'ble NGT order in OA No. 134/2020- News Item published on 13.07.2020 in daily "India Today" titled "Massive fire engulf Vizag chemical plant, explosions heard, injuries reported" dtd. 23.07.2020 to respective authorities.</p> <p>For compliance of MSIHC Rules of 1989 verification for 30 isolated storages is been carried out by the MPC Board officials. Verification of remaining</p>

		isolated storages is in progress.
12.	Meghalaya	All the industries should adopt comprehensive plan of action as a group to tackle the events that occur due to an accident in the industrial area irrespective of any particular industry. To coordinate the activity with the District Administration, Police Deptt. Industrial managers to take appropriate decisions in tackling the different problems that arise during an accident.
13.	Odisha	Odisha Board has issued a public notice in this regard I Times of India Express dated 14.05.2020
14.	Punjab	Board ha communicated to the Special Chief Secretary to Govt. of Punjab, Deptt. of Revenue, Re-habilitation and Disaster Management, Chandigarh and vide letter No. 965 dated 25.06.2020 to the Director, Meteorological Centre, Chandigarh to include ERS as part of Disaster Management.
15.	Rajasthan	Rajasthan SPCB informed that "the responsibility lies on state Govt., State Board and State Disaster Management. Further the issue may be discussed in AQMC meeting".
16.	Telangana	A draft ERS is prepared. In Telangana the air pollution is in satisfactory to moderate level as per the last one decade data.
17.	Tamilnadu	Also, State Disaster Management authority of Tamil Nadu has policy and plan for the Emergency Response system for the natural disasters such as cyclones, floods, drought, landslides, earth quake, tsunami, heat wave and for manmade disasters such as chemical, biological and nuclear. (State Disaster Management authority has a mobile app "TN Smart")
18.	Uttar Pradesh	UPPCB had issued a direction under section 31A of the Air (Prevention and Control of Pollution) Act, 1981 to Uttar Pradesh Disaster Management Authority (UPSDMA) for development of Emergency Response System. Besides this, a reminder letter has been issued to State Disaster Management Authority for the submission of Emergency Response system dated 02.07.2020. The matter was also reviewed by Chief Secretary, Government of Uttar Pradesh in which UPSDMA submitted that the guidelines for treating the emergency arising out of severe air pollution levels as disaster and development of ERS have not been issued by the apex body namely National Disaster Management Authority (NDMA). A letter dated 22.12.2020 has been issued by GoUP for issuance of the required guidelines may be sent to NDMA, Central Pollution Control Board and Ministry of Environment Forest & Climate Change, Government of India.
19.	Uttarakhand	State Board will issue direction to respective industry or authority under section 31 A of the Air Act in case on any sudden air pollution to control the same
20.	West Bengal	As informed by the WBSPCB, actions are being taken
21.	Bihar	Air Quality Index developed by CPCB is under implementation and data is being disseminated through Electronic Display Boards at all CAAQMS stations and at BSPCB Head Quarters (Parivesh Bhawan, Patliputra Industrial, Patna), also available on Board's website) GRAP has been prepared and regular interaction/review meeting with the concerned stakeholders is organized. Arrange Public awareness Campaign. The State Steering Committee meeting chaired by Chief Secretary, Bihar held on 13.01.2020 it was decided to rope in the services of Bihar State Disaster Management Authority and State unit of meteorological department for advance planning and response.
22.	Assam	The Emergency Response System (ERS) prepared by PCBA as per CPCB is

		submitted to Assam State Disaster Management Authority, Govt. of Assam. Meteorological Department, Guwahati has issued Local Weather report and weather forecast for 7 days for the stations Nagaon, Sivasagar and Nalbari since June 2020. The forecast contains the Maximum and Minimum temperature and local forecast for 7 days. http://city.imd.gov.in/citywx/city_weather.php?id=88827 for the Nalbari City. All the forecast are available at the http://www.imdguwahati.gov.in/
23.	Nagaland	No Information available
24.	Mizoram	Action is also initiated for the development of a separate Emergency Response System in coordination with concerned departments, State Disaster Management Authorities and Meteorological Department.



केन्द्रीय प्रदूषण नियंत्रण बोर्ड
CENTRAL POLLUTION CONTROL BOARD
पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय भारत सरकार
MINISTRY OF ENVIRONMENT, FOREST & CLIMATE CHANGE GOVT. OF INDIA

SPEED POST

AQM/AP/2019-20

November 24, 2020

Joint Secretary
Ministry of Road Transport & Highways
Transport Bhawan, 1, Parliament Street
New Delhi-110001

Sub.: Hon'ble NGT order O.A. No. 681/2018 dated 21.08.2020.

Respected Sir,

With reference to CPCB letter of even no. dated 07.10.2020 (copy enclosed), on Hon'ble NGT order dated 21.08.2020 (O. A. No 681/2018), wherein Hon'ble NGT has directed that:

“MoRTH may take further prompt action of undertaking carrying capacity studies with regard to road infrastructure, specially in 122 NACs, through Central Road Research Institute or any other agency which may be financed by CPCB out of compensation funds or otherwise. On that basis, proper policies be prepared to deal with the number of vehicles beyond parking capacity or carrying capacity and permitting entry or registration of number of vehicles, parking areas etc. This is necessary to reduce congestion, unregulated parking and air pollution loads in 122 NACs.”

The desired information is still awaited. It is once again requested to take the matter on priority and provide the cost of the aforesaid study, for consideration of CPCB.

Yours faithfully,

(P. K. Gupta)
Additional Director &
Head, AQM Division



SPEED POST

AQM/AP/2019-20

October 07, 2020

Joint Secretary
Ministry of Road Transport & Highways
Transport Bhawan, 1, Parliament Street
New Delhi-110001

Sub.: Hon'ble NGT order O.A. No. 681/2018 dated 21.08.2020.

Respected Sir,

I am directed to forward the Hon'ble NGT order dated 21.08.2020 of O. A. No 681/2018 (copy enclosed), wherein Hon'ble NGT has directed that:

“MoRTH may take further prompt action of undertaking carrying capacity studies with regard to road infrastructure, specially in 122 NACs, through Central Road Research Institute or any other agency which may be financed by CPCB out of compensation funds or otherwise. On that basis, proper policies be prepared to deal with the number of vehicles beyond parking capacity or carrying capacity and permitting entry or registration of number of vehicles, parking areas etc. This is necessary to reduce congestion, unregulated parking and air pollution loads in 122 NACs.”

It is requested to take the matter on priority and provide the cost of the aforesaid study, for consideration of CPCB.

Yours faithfully,

(P. K. Gupta)
Additional Director &
Head, AQM Division

No. RT-16025/2/2019-T
 Government of India
 Ministry of Road Transport & Highways
 Transport Section
 Transport Bhawan, 1, Parliament Street, New Delhi-110001

21 December, 2020

OFFICE MEMORANDUM

Subject: Order of the National Green Tribunal (NGT) regarding assessment of carrying capacity for NCT Delhi and other major cities w.r.to OA No. 773/2018 and OA no. 681/2018-reg.

The undersigned is directed to refer to the Hon'ble National Green Tribunal (NGT)'s order dt 21.08.2020 regarding assessment of carrying capacity for NCT Delhi and other major cities w.r.to OA No. 773/2018 and OA no. 681/2018.

2. Hon'ble NGT in its order dt 21.08.2020 has issued following directions to Ministry of Road Transport & Highways:-

"MoRTH may take further prompt action of undertaking carrying capacity studies with regard to road infrastructure, specially in 122 NACs, through Central Road Research Institute or any other agency which may be financed by CPCB out of compensation funds or otherwise. On that basis, proper policies be prepared to deal with the number of vehicles beyond parking capacity or carrying capacity and permitting entry or registration of number of vehicles, parking areas etc. This is necessary to reduce congestion, unregulated parking and air pollution loads in 122 NACs. CPCB may coordinate with the concerned Ministries and acquaint this Tribunal with the outcome in its next report".

3. It is stated that, as per Government of India (Allocation of Business) Rules 1961, subject matter of the 'Planning and Coordination of Urban Transport Systems' is allocated to the Ministry of Housing and Urban Affairs (MoHUA). Further, MoHUA has already entrusted the task of formulating methodology for assessment of Carrying Capacity to M/s Urban Mass Transit Company Ltd. (UMTC). The UMTC has given its interim report which was discussed with the domain experts who suggested that the report needs to be revamped with additional aspects and indicators which involve collection of primary and secondary data.

4. The scope of the study being undertaken by MoHUA already covers the carrying capacity studies with regard to road infrastructure, and may be extended to 122 NACs, in compliance of the Hon'ble NGT order dt 21.08.2020. Requirement of the funds, if any, may be financed by CPCB out of compensation funds or otherwise. Accordingly, MoHUA may submit a compliance report to the Hon'ble NGT.

5. This issues with the approval of Secretary (RT&H), MoRTH.

Yours faithfully,



(Sudip Dutta)

Under Secretary to the Govt. of India
 Tel.No. 011-23357125

To,

Ministry of Housing and Urban Affairs,
 [Kind attn.:- Sh J. Sankar, Under Secretary, UT-II Desk]
 Nirman Bhawan, New Delhi
 Ph- 011-23062964

Copy to:

1. Sh Ardhendumauli Kumar Prasad, Government Counsel, H-11, Lower Ground Floor, Lajpat Nagar-III, New Delhi-110024
2. Scientist 'D', CP Division, Ministry of Environment, Forest & Climate Change w.r.t. letter no. Q-18011/65/2019-CPA dt 19.11.2020
3. Additional Director and Head, AQM Division, CPCB w.r.t. letter no. AQM/AP/2019-20/3447 dt 24.11.2020.

Most Immediate
NGT Matter

No.K-14011/23/2018-UT-I
Government of India
Ministry of Housing & Urban Affairs
(Urban Transport-II Desk)

Nirman Bhawan, New Delhi
Dated the 20th January, 2021

OFFICE MEMORANDUM

Sub: Order dated 21.08.2020 [O.A. No.681/2018] of Hon'ble National Green Tribunal (NGT) on the issue of "Remedial Action for air pollution in 122 Non-Attainment Cities (NACs)"- compliance of directions- reg.

The undersigned is directed to refer to O.M dated 21-12-2020 of Ministry of Road Transport & Highways regarding compliance of directions in the Order dated 21.08.2020 [O.A No.681/2018] of Hon'ble National Green Tribunal (NGT) on the issue of "Remedial Action for air pollution in 122 Non-Attainment Cities (NACs)" in which interalia MoRTH has been directed as follows:

“(xv) MoRTH may take further prompt action of undertaking carrying capacity studies with regard to road infrastructure, specially in 122 NACs, through Central Road Research Institute or any other agency which may be financed by CPCB out of compensation funds or otherwise. On that basis, proper policies be prepared to deal with the number of vehicles beyond parking capacity or carrying capacity and permitting entry or registration of number of vehicles, parking areas etc. This is necessary to reduce congestion, unregulated parking and air pollution loads in 122 NACs. CPCB may coordinate with the concerned Ministries and acquaint this Tribunal with the outcome in its next report;”

2. It is noted that in regard to the above directions it has been contended by MoRTH in their O.M dated 21.12.2020 that as per Government of India (Allocation of Business) Rules 1961, subject matter of 'Planning and Coordination of Urban Transport Systems is allocated to the Ministry of Housing and Urban Affairs (MoHUA). It has been added in the said O.M. that MOHUA has entrusted the task of formulating methodology for assessment of Carrying Capacity to M/s Urban Mass Transit Company Ltd. (UMTC). The UMTC has given its interim report which was discussed with the domain experts who suggested that the report needs to be revamped with additional aspects and indicators which involve collection of primary and secondary data. The scope of the study being undertaken by MoHUA already covers the carrying capacity studies with regard to road infrastructure, and may be extended to 122 NACs, in compliance of the Hon'ble NGT Order dated 21.08.2020. Requirement of funds, if any, may be financed by CPCB out of compensation funds or otherwise. Stating the above, it has been concluded by MoRTH that MoHUA may submit a compliance report to the Hon'ble NGT.

3. The above stand/contention of MoRTH is not correct and is also not in line with the facts/developments of the case in view of the following:

(I) MoRTH are aware, that pursuant to the directions in O.A. No.773/2018 dated 26.02.2020, (before the matter came up in the next hearing on 21.08.2020) it was presented by MoHUA in the form of a status note before the Hon'ble NGT which included that:

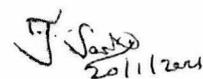
- a. Urban Planning/ Development including Urban Transport is a State subject under the Constitution of India and accordingly all the actions relating to Urban Development and Planning are to be done by the respective State Governments/ULBs and the assessment of Urban Carrying Capacity plan/study for cities are to be done by the respective State Governments/ ULBs.
- b. The pilot report/Study of UMTC on carrying capacity of Transport infrastructure undertaken in the context of order in another case (O.A. No. 568 of 2016 (Ajay Khera vs. Container Corporation of India & Ors.) is in respect of Faridabad only and for providing a methodology/approach for a way forward. In order to be comprehensive and full-fledged taking into account the comments of the domain experts, it would take 10-12 months' time for the study as it would involve further collection of Primary and secondary data, conduction of field surveys, development of parameters/ thresholds and their validation by continuous observation/analysis etc.
- c. The above position was also shared by MoHUA with MoRTH, CPCB & MoEF&CC in a meeting by VC on 18-8-2020 i.e., before the matter came up for hearing before the Hon'ble NGT on 21.08.2020. As directed by the Hon'ble NGT, the Officers from MoHUA, MoRTH and CPCB were also present before the Hon'ble NGT on 21.08.2020 through VC.
- d. As may be noted from their Order dated 21.08.2020 (ref.para- VI(26) of the orde.), the Hon'ble NGT, before issue of directions/order dated 21.08.2020 [passed in O.A No.681/2018], considered the submissions in the status note of MoHUA and the stage of UMTC's interim Report and that UMTC has sought 10-12 Months' time to revamp and complete the study taking in view the comments of the domain Experts.
- e. As requested by MoRTH, MoHUA also forwarded recently UMTC Presentation stating the present status clearly that, the UMTC's Study for carrying capacity for Urban Transport Infrastructure in respect of Faridabad and methodology for way forward is not complete in its present form, requires to be extensively revamped/ revised taking into account consideration the views/ comments of the domain experts, and that considering the movement restrictions and related issues due to the pandemic, this exercise would take a minimum of 10-12 months further.

(II) Further, attention of MoRTH is invited to the following

- i. The directions contained in the Order dated 21.08.2020 of Hon'ble NGT to MoRTH in O.A No.681/2018 is clear, case specific and with reference to their functions and mandate for framing of policies regarding road infrastructure, framing of proper policies to deal with the number of vehicles beyond parking capacity or carrying capacity and permitting entry or registration of number of vehicles, parking areas etc. in order to reduce congestion, unregulated parking and air pollution loads in 122 NACs. In the said order (page no.27 of the order), it has also been observed for MoRTH that "..... On that basis, appropriate policies be prepared and executed to regulate order on roads, to avoid chaos and to check pollution. Policy may include number of vehicles to be registered in 122 NACs, specifying parking areas etc. so that roads do not become parkings, leading to traffic congestion and air pollution and policy to deal with vehicles already registered beyond carrying capacity of roads of the cities and parking areas available."

- ii. The Allocation of Business Rules in respect of MoRTH besides "Coordination and Research pertaining to Road Works" extensively covers items pertaining to policies regarding road infrastructure, regulations/policies pertaining to administration of Motor Vehicles Act, registration of vehicles etc. Appropriately, the website of MoRTH hosting the Vision and Mission statement states clearly that "Vision -To have a sustainable, efficient, safe and internationally comparable quality of road infrastructure in general and National Highways in particular to achieve enhanced connectivity, quick mobility to a level which accelerate socio-economic development". The Mission statement includes functions/responsibilities such as: 'Evolving policies for efficient and safe transportation through the Road Network and facilitating their implementation', 'Establish arrangements for review of Road Transport requirements keeping in view the long-term perspective', 'Strengthening of public transport system', 'Improving road safety scenario in the country especially on National Highways' etc.

4. In view of the foregoing, it is stated that the directions of the Hon'ble NGT in the Order dated 21.08.2020 are categorical, case specific and with reference to MoRTH's functions and mandate for framing of policies regarding road infrastructure, framing of proper policies. Accordingly, the directions of the Hon'ble NGT in their order dated 21.08.2020 are for compliance and necessary action by MoRTH and they may consider filing compliance report/ appropriate submissions before the Hon'ble NGT. This issues with the approval of the Competent Authority.


20/11/2020

(J. Sankar)

Under Secretary (MRTS-IV & UT-II)

Tel: 23062964

To

Shri Sudip Dutta,
Under Secretary, Transport Section,
Ministry of Road Transport & Highways,
Transport Bhawan, 1, Parliament Street,
New Delhi – 110 001.

Copy to:

1. Shri Ardhendumauli Kumar Prasad, Government Counsel, H-11, Lower Ground Floor, Lajpat Nagar-III, New Delhi-110024
2. Scientist 'D', CP Division, Ministry of Environment, Forests & Climate Change w.r.t O.M No. RT-16025/2/2019-T dated 21.12.2020 of Ministry of Road Transport & Highways (Transport Section)
3. Additional Director and Head, AQM Division, CPCB w.r.t O.M No. RT-16025/2/2019-T dated 21.12.2020 of Ministry of Road Transport & Highways (Transport Section).

Information for Environment Monitoring Cell

S. No.	State	Status
1.	Andhra Pradesh	No Information available
2.	Chandigarh	No Information available
3.	Chhattisgarh	Environment cell constituted
4.	Delhi	No Information available
5.	Gujarat	No Information available
6.	Himachal Pradesh	Environment cell constituted
7.	Jammu & Kashmir	No Information available
8.	Jharkhand	No Information available
9.	Karnataka	No Information available
10.	Madhya Pradesh	Environment cell constituted
11.	Maharashtra	Environment cell constituted
12.	Meghalaya	No Information available
13.	Odisha	Environment cell constituted
14.	Punjab	Environment cell constituted
15.	Rajasthan	No Information available
16.	Telangana	No Information available
17.	Tamilnadu	Environment cell constituted
18.	Uttar Pradesh	Environment cell constituted
19.	Uttarakhand	No Information available
20.	West Bengal	No Information available
21.	Bihar	No Information available
22.	Assam	No Information available
23.	Nagaland	Environment cell constituted
24.	Tripura	Environment cell constituted

Item No. 04

Court No. 1

**BEFORE THE NATIONAL GREEN TRIBUNAL
PRINCIPAL BENCH, NEW DELHI**

(By Video Conferencing)

Original Application No. 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**"

Date of hearing: 21.08.2020

**CORAM: HON'BLE MR. JUSTICE ADARSH KUMAR GOEL, CHAIRPERSON
HON'BLE MR. JUSTICE S. P. WANGDI, JUDICIAL MEMBER
HON'BLE DR. SATYAWAN SINGH GARBYAL, EXPERT MEMBER
HON'BLE DR. NAGIN NANDA, EXPERT MEMBER**

Respondent(s): Mr. Raj Kumar, Advocate for CPCB
Mr. Pradeep Misra and Mr. Daleep Dhyani, Advocates for UPPCB
Mr. Ardhendu Prashad for MoRTH (in OA 773/2018)

ORDER

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I. The Issue: Remedial Action for air pollution in 122 Non-Attainment Cities (NACs)

1. This order is being passed in continuation of order dated 20.11.2019 on the subject of remedial measures to be adopted to enforce

the Ambient Air Quality Standards with reference to the provisions of the Air (Prevention and Control of Pollution) Act, 1981 (the Air Act) and the Environment (Protection) Act, 1986 (the EPA Act) in cities classified as 'Non-Attainment Cities' (NACs)¹ based on monitoring of the ambient air quality. Further question is compliance of Noise Pollution (Regulation and Control) Rules, 2000 (Noise Rules) framed under the provisions of the EPA Act.

II. Order dated 08.10.2018:

2. Vide order dated 08.10.2018, this Tribunal noticed the newspaper report² to the effect that 102 cities were identified as NACs for not meeting the prescribed standards of air quality. The Air Act stipulates stopping of any activity violating norms of air quality and taking steps for prosecution or other regulatory measures³ which have been read to include recovery of compensation on 'Polluter Pays' principle⁴. National Ambient Air Quality Standards are laid down under Section 16(2)(h) of the Air Act.⁵ The Central Pollution Control Board (CPCB) compiled its report with reference to the said standards and published a list of 102 NACs⁶. The GoI prepared National Clean Air Programme (NCAP) proposing to reduce the pollution in next 10 years - 35% in next 3 years, 50% in next 5 years and 70-80% in next 10 years. It may be noted that as a result of such exercise, earlier in the year 2017 number of NACs was

¹ NAC has been defined as those "Cities which are exceeding annual average concentrations of any of the notified parameters with respect to National Ambient Air Quality Standards for consecutively five years".

² Dated 03.08.2019 in the Times of India under the heading "NCAP with multiple timelines to clean air in 102 cities to be released around August 15".

³ Section 22 read with Section 31A of the Air Act and

⁴ Aryavart Foundation Vs. M/s Vapi Green Enviro Limited & Ors.O.A No. 95/2018, Indian Council for Enviro Legal Action & Ors. v. Union of India & Ors. (1996) 3 SCC 212 Para 16, Vellore Citizens Welfare Forum v. Union of India & Ors. (1996)5SCC647 Para 12 to 18 - holding that 'Polluter Pay' principle is accepted principle and part of environmental law of the country, even without specific statute.

⁵ Notification dated 12.11.2009 issued by the CPCB

⁶ https://cpcb.nic.in/uploads/Non-Attainment_Cities.pdf

95⁷ which number increased to 102 in the year 2018 and has now reached 122. This shows that action taken so far is inadequate and does not match the increasing pollution. Apart from this, the real number might increase further if complete and accurate data is not collected.

3. The Tribunal noted the concern arising from such large scale air pollution which grapples the country in spite of statutory mechanism under the Air Act, directions of the CPCB under section 18(1)(b), dated 29.12.2015 and directions of the Hon'ble Supreme Court for control of **vehicular pollution⁸, industrial and construction sector pollution⁹, power sector pollution¹⁰ and agricultural sector pollution¹¹** and orders of this Tribunal dealing with the said issues¹². The Tribunal also referred to a Comprehensive Action Plan (CAP) for air pollution control for NCR prepared in pursuance of order of the Hon'ble Supreme Court dated 06.2.2017 by the Environment Pollution (Prevention and Control) Authority (EPCA) in consultation with the CPCB and Delhi Pollution Control Committee (DPCC) on 05.04.2017¹³ and Graded Response Action Plan (GRAP) notified by the MoEF&CC on 12.01.2017 stipulating specific

⁷ <http://cpcbenvi.nic.in/airpollution/finding.htm>. Based on ambient air quality data obtained (2008-2010) under National Air Quality Monitoring Programme (NAMP)

⁸ Rural Litigation and Entitlement Kendra, Dehradun and Others Vs State of U.P. Others (1985) 2 SCC 431, M.C. Mehta v. Union of India (2001) 3 SCC 756, M.C. Mehta v. Union of India (1998) 6 SCC 63, M.C. Mehta v. Union of India (2002) 4 SCC 356, M.C. Mehta v. Union of India (1998) 6 SCC 60

⁹ M.C. Mehta v. Union of India (1997) 2 SCC 353, M.C. Mehta v. Union of India and Shriram Foods and Fertilizer Industries and Anr. (1986) 2 SCC 176, Rural Litigation and Entitlement Kendra, Dehradun v. State of U.P. (1985) 2 SCC 431, Mohd. Haroon Ansari v. District Collector (2004) 1 SCC 491, Union of India v. Union Carbide Co. (1989) 1 SCC 674, M.C. Mehta v. Union of India (1992) 3 SCC 256, Sterlite Industries (India) Ltd. etc. v. Union of India & Ors. (2013) 4 SCC 575, M.C. Mehta v. Union of India (2004) 6 SCC 588, M.C. Mehta v. Kamal Nath (2000) 6 SCC 213

¹⁰ Consumer Education and Research Centre v. Union of India (1995) 3 SCC 42, Dahanu Taluka Environment Protection group and Ors. v. Bombay Suburban Electricity Supply Company Ltd. and Ors (1991) 2 SCC 539

¹¹ Arjun Gopal and Ors v. Union of India and Ors (2017) 16 SCC 280, Dr. B.L Wadhwa v. Union of India and Ors (1996) 2 SCC 594

¹² Vardhman Kaushik v. Union of India and Ors. O.A no. 21 of 2014, Vikrant Kumar Tongad v. Environment Pollution (Prevention and Control) Authority and Ors, O.A No. 118 of 2013, Satish Kumar v. Union of India and Ors, O.A. No. 56 (T_{HC}) OF 2013, Smt. Ganga Lalwani V. Union of India and Ors. O.A No. 451 of 2018

¹³ Report No.71, EPCA-R/2-17/L-21, Comprehensive Action Plan for air pollution control with the objective to meet ambient air quality standards in the National Capital Territory of Delhi and National Capital Region, including states of Haryana, Rajasthan and Uttar Pradesh.

steps for different levels of air quality such **as improvement in emission and fuel quality and other measures for vehicles, strategies to reduce vehicle numbers, non-motorised transport network, parking policy, traffic management, closure of polluting power plants and industries including brick kilns, control of generator sets, open burning, open eateries, road dust, construction dust, etc.**¹⁴

4. Implementation of prescribed norms in the light of legal provisions and court directions remains a challenge. The consequence is that India is being ranked high in terms of level of pollution compared to many other countries with enormous adverse impact on public health. Most victims are children, senior citizens and the poor.¹⁵

5. The GRAP categorises levels of pollution as severe plus, severe, very poor, moderate to poor. The action to be taken in such situations includes stopping entry of trucks, stopping construction activities, odd and even scheme of private vehicles, shutting of schools, closing of brick kilns, stone crushers, hot mix plants, power plants, intensifying public transport services, mechanized cleaning of road, and sprinkling of water, stopping the use of diesel generator sets, enhancing parking fees, etc.

6. The MoEF&CC has by various notifications put restrictions on activities in Coastal areas, Flood plains, Taj corridor Eco-sensitive zones, etc. in view of ecological sensitivity and impact of such activities on environment if such activities are carried out in unregulated areas. This needs to be extended to the NACs in view of impact on public health and

¹⁴ S.O.118(E), Notification, Ministry of Environment, Forest and Climate Change

¹⁵ <https://www.thehindu.com/sci-tech/energy-and-environment/india-ranks-177-out-of-180-in-environmental-performance-index/article22513016.ece>, <https://www.ndtv.com/delhi-news/delhis-air-pollution-has-caused-of-death-of-15-000-people-study-1883022>.

environment to give effect to the 'Precautionary' and 'Sustainable Development' principles.

7. The Tribunal, after consideration of the issue on 08.10.2018, directed as follows:

- i. *All the States and Union Territories with non-attainment cities must prepare appropriate action plans within two months aimed at bringing the standards of air quality within the prescribed norms within six months from date of finalization of the action plans.*
- ii. *The Action Plans may be prepared by six-member committee comprising of Directors of Environment, Transport, Industries, Urban Development, Agriculture and Member Secretary, State Pollution Control Board or Committee of the concerned State. The Committee may be called Air Quality Monitoring Committee (AQMC). The AQMC will function under the overall supervision and coordination of Principal Secretary, Environment of the concerned State/Union Territory. This may be further supervised by the Chief Secretaries concerned or their counterparts in Union Territories by ensuring intra-sectoral co-ordination.*
- iii. *The Action Plans may take into account the GRAP, the CAP and the action plan prepared by CPCB as well as all other relevant factors. The Action Plans may be forwarded to the CPCB by 31.12.2018. The same may be placed before the Committee as directed in direction no. vi. The Action Plan will include components like identification of source and its apportionment considering sectors like vehicular pollution, industrial pollution, dust pollution, construction activities, garbage burning, agricultural pollution including pollution caused by burning of crop residue, residential and indoor pollution etc. The action plan shall also consider measures for strengthening of Ambient Air Quality (AAQ) monitoring and steps for public awareness including issuing of advisory to public for prevention and control of air pollution and involvement of schools, colleges and other academic institutions and awareness programmes.*
- iv. *The Action Plan will indicate steps to be taken to check different sources of pollution having speedy, definite and specific timelines for execution.*
- v. *The Action Plan should be consistent with the carrying capacity assessment of the non-attainment cities in terms of vehicular pollution, industrial emissions and population density, extent of construction and construction activities etc. The carrying capacity assessment shall also lay emphasis on agricultural and indoor pollution in rural areas. Depending upon assessed carrying capacity and source apportionment, the authorities may consider the need for regulating number of vehicles and their parking and plying, population density, extent of construction and construction activities etc. Guidelines may accordingly be framed to regulate vehicles and industries in non-attainment cities in terms of carrying capacity assessment and source apportionment.*
- vi. *The Committee comprising of (a) Shri. Prashant Gargava, Member Secretary, CPCB, (b) Dr. Mukesh Khare, Professor, IIT Delhi, and (c) Dr. Mukesh Sharma, Professor, IIT Kanpur shall examine the*

Action Plans and on the recommendations of the said Committee, the Chairman, CPCB shall approve the same by 31.01.2019.

vii. The Chief Secretaries of the State and Administrators/ Advisors to Administrators of the Union Territories will be personally accountable for failure to formulate Action Plans, as directed.

viii. The CPCB, SPCBs and State Pollution Control Committees shall develop a public grievance redressal portal for redressal of public complaints on air pollution along with a supervisory mechanism for its disposal in a time bound manner. Any visible air pollution can be reported at such portal by email/SMS.

ix. The CPCB and all the State Pollution Control Boards and Pollution Control Committees shall collectively workout and design a robust nationwide ambient air quality monitoring programme in a revised format by strengthening the existing monitoring network with respect to coverage of more cities/towns. The scope of monitoring should be expanded to include all twelve (12) notified parameters as per Notification No B-29016/20/90/PCI-L dated 18th November, 2009 of CPCB. The continuous Ambient Air Quality Monitoring Stations (AAQMS) should be preferred in comparison to manual monitoring stations. The CPCB and States shall file a composite action plan with timelines for its execution which shall not be more than three months. It is expected that all such AAQMS shall be connected to central server of CPCB for reporting analysis of results in a form of Air Quality Bulletin for general public at regular intervals atleast on weekly basis and ambient air quality on continuous basis on e-portal. MoEF&CC will provide requisite funds for the purpose. MoEF&CC in consultation with Ministry of Housing and Urban Affairs, MoRTH, Ministry of Petroleum and Natural Gas, Ministry of Agriculture, Cooperation and Farmers Welfare or any other Ministry to lay down such guidelines as may be considered necessary for improvement of air quality in the country.”

III. Significant Orders dated 16.01.2019, 15.03.2019, 06.08.2019 and 20.11.2019:

8. Compliance of the above directions was taken up for consideration periodically. Significant orders passed by the Tribunal are orders dated 16.01.2019, 15.03.2019, 06.08.2019 and 20.11.2019. Vide order dated 16.01.2019, the Tribunal directed¹⁶ Chief Secretaries of all States/UTs to appear in person after acquainting themselves with the significant environmental issues including the issue of NACs in their respective States.

Accordingly, the Chief Secretaries of all the States/UTs appeared.

After interaction with them, the Tribunal inter alia directed further

¹⁶ Vide order dated 16.01.2019 in OA 606/2018

monitoring at their level atleast once every month and sending quarterly status reports.

Vide order dated 15.03.2019, the Tribunal considered the status of compliance by various States/UTs in the matter of preparing and executing action plans for control of air pollution. Since there was large scale of non-compliance, further directions were issued.

Vide order dated 06.08.2019, following questions were framed for consideration:

- “ a. Whether a robust nationwide real time online continuous ambient air quality monitoring programme has been designed as admittedly there are shortcomings in the current air quality monitoring regime in view of area coverage and quality of data?
b. Whether more cities have been identified as NACs and strategy to deal with the same has been prepared?
c. Whether the States with NACs have prepared time bound and budgeted Action Plans for bringing the air quality of NACs in their States within the prescribed norms?
d. Whether the components of such Action Plans are in conformity with the directions in order dated 08.10.2018¹⁷?
e. Whether environmental compensation regime has been designed on ‘Polluter Pays’ principle?
f. Whether CPCB, SPCBs and PCCs have developed a public grievance redressal portal?
g. Further directions to deal with the situation.”

Status with reference to each of the above questions was examined and following directions were issued:

- “ I. CPCB, SPCBs and PCCs need to ensure assessment and installation of the requisite number of real time Online Continuous AAQMS within six months from today and indicate progress in this regard before the next date.
II. The Expert Team of CPCB to design a model/SOP for source apportionment and carrying capacity assessment within two months which may be replicated for all the NACs. In the light

¹⁷ (I) Identification of source of pollution; (II) Determining source apportionment including sectors like vehicular pollution, industrial pollution, dust pollution, construction activities, garbage burning, agricultural pollution including pollution caused by burning of crop residue, residential and indoor pollution etc; (III) measures for strengthening of Ambient Air Quality (AAQ) monitoring and (IV) Steps for public awareness including issuing of advisory to public for prevention and control of air pollution and involvement of schools, colleges and other academic institutions and awareness programmes.

of such study, further action may need to be considered by MoEF&CC within three months thereafter in terms of regulating the number of vehicles, action in terms of shift to e-vehicles and CNG vehicles, intensifying public transport system, mechanical cleaning of roads, enhancement of public parking facilities etc., improvement in fuel quality and traffic management, regulation of construction activities, strict adherence to siting guidelines with regard to stone crushers, mining, brick kilns, thermal power plants, coal handling, air polluting industries, hot mix plants, etc. Besides, activities like crop burning and burning of trash wood/leaves/debris for heating in winters to be strictly regulated and violations penalized as has been done by notifications for ESZ, CRZ, Ganga Flood plains etc.

- III. Concerned Town & Country Planning departments (with whatever be the name in the State) of all the States/UTs may ensure review of master plans specially for the NACs to be consistent with carrying capacity and source apportionment study reports within six months of such reports being available and furnish compliance reports to this Tribunal and CPCB.
- IV. Concerned States may evolve enforcement mechanism for closing/shifting of industrial units other than household industries from residential/non conforming areas in the light of law laid down in *M.C. Mehta vs Union of India*, (2004) 6SCC 588.
- V. SPCBs/PCCs need to develop interactive public grievance redressal portals on the pattern of CPCB portal "Sameer" within two months if not already done.
- VI. Actions Plans need to be prepared by States for the additional 20 NACs on the pattern of 102 NACs within three months and after its approval by CPCB within two months, States must initiate time bound action on remediation within next three months.
- VII. CPCB may finalize the pending action plans within two months. Environmental compensation may be deposited by the defaulting States in terms of our order dated 15.03.2019 with the CPCB.
- VIII. Timeline prescribed for reviewing action plans with regard to its report dated 15.07.2019 by the CPCB for further micro planning may be reduced from six months, preferably to four months. CPCB may give appropriate directions to the SPCBs/PCCs accordingly.
- IX. CPCB must forthwith come out with a compensation regime within two months for air as well as noise pollution to the extent such norms have not yet been laid down.

- X. *Having regard to adverse impact on public health and constitutional mandate that right to clean air is a fundamental right, the MoEF&CC may modify the NCAP by reducing the timelines and increasing the target for reduction of air pollution.*
- XI. *Noise Limiters need to be installed on potential noise polluting devices, including retrofitting the existing devices. Appropriate directions be issued by the States/UTs within three months in the same manner as directed by this Tribunal for Delhi vide order dated 01.08.2019 in O.A. No. 519/2016, Hardeep Singh & Ors. vs SDMC & Ors.*
- XII. *The CPCB may also evaluate existing air quality monitoring mechanism of all States and UTs and furnish a report to this Tribunal before the next date in terms of capacity of its scientific and technical personnel both in terms of number of personnel and skill/competence and outreach programmes on public awareness and suggestions for improvement.*
- XIII. *The CPCB and States may have robust Emergency Response System and preparedness by way of mock drills and measures to be taken in the scenario when air pollution levels become severe plus and severe.*
- XIV. *The SPCBs and PCCs to submit details of 'consent' funds to CPCB and this Tribunal within two months alongwith Action Plans on the basis of template provided by CPCB. CPCB may scrutinize and approve such action plans within two months in accordance to our order dated 22.01.2019 in O.A. No. 101/2019. Finally, the State PCBs and PCCs may execute their Action Plans within next one year thereafter.*
- XV. *The Environmental Compensation levied by State Transport Departments may be divided in the ratio of 50:25:25 amongst the States, the SPCBs/PCCs and the CPCB."*

Order dated 20.11.2019:

9. Finally, order dated 20.11.2019 was passed in the light of the report dated 14.11.2019 filed by the CPCB with regard to status of compliance of the directions issued on 06.08.2019. Since progress achieved was not adequate, further directions were issued on the issues earlier considered as well as the issue of tackling the problem of remediation of legacy waste dump sites which were also a source of air

pollution, adversely affecting public health. Directions issued in the said order are:

“29. In view of above, we direct as follows:

i) Let assessed number of stations be installed within one year and quarterly progress reports furnished to CPCB by all the SPCBs/PCCs. First such report may be furnished by 01.04.2020. All such stations should be connected to the server of the CPCB and data displayed at the national portal on online real-time basis with AQI in public domain. CPCB may have its own stations at such critical locations as considered necessary. All the 12 notified parameters should be duly monitored by the CAAQMS. In default of compliance, SPCB/PCCs will be liable to pay compensation @ Rs. 5 Lakh per month starting from 01.01.2021. Failure may also be reflected in the ACRs of the Member Secretaries of SPCBs/PCCs.

Procurement of such equipments may preferably be through Government E-marketing (GeM) Portal of Govt. of India. CPCB may take steps to have standards/specifications and accredited/reputed vendors notified on the said portal. CEO, GeM, may also take necessary steps in the matter.

ii) Let SA and CC be completed within three months by the SPCBs/PCCs utilizing available data, based on which MoEF&CC may take further follow up action in terms of direction para II of order dated 06.08.2019 quoted above. SPCBs/PCCs may furnish action taken report to CPCB so that CPCB can file an appropriate report before this Tribunal. For any default, compensation will be liable to be paid @ of Rs. 5 lakh per month after 01.04.2020. Failure may also be reflected in the ACRs of the Member Secretaries of SPCBs/PCCs. MoEF&CC may file compliance report before the next date.

iii) The review of master plans may now be carried out in the light of the studies within six months from the date of such studies in above terms. Mechanism for shifting industrial units from residential areas may be evolved immediately. Let both these aspects be complied by the all the States/UTs and reports furnished to the CPCB. The Chief Secretaries concerned may monitor compliance. In default, the concerned States/UTs will be liable to pay compensation @ Rs. 5 lakhs per month after the stipulated timeline already mentioned. The compensation may be recovered by the States/UTs from the erring officers and appropriate entries may also be made in the ACRs of the concerned Heads of the Departments. The CPCB may prepare a comprehensive report and furnish the same before the next date.

- iv) *PGRPs may be developed for the remaining NACs and report furnished by the SPCBs/PCCs to CPCB within two months. In default, SPCBs/PCCs concerned will be liable to pay compensation @ Rs. 2 lakhs per month from 01.02.2020. CPCB may file a compliance report. Failure may also be reflected in the ACRs of the Member Secretaries of SPCBs/PCCs.*
- v) *Compliance may also be ensured for the remaining cities and report furnished to CPCB by the States/UTs by 31.01.2020. In default, compensation will be liable to be paid @ Rs. 10 lakhs per month from 01.02.2020. The compensation may be recovered by the States/UTs from the erring officers and appropriate entries may also be made in the ACRs of the Heads of the Departments concerned.*
- vi) *Let the approved action plans be executed accordingly in terms of the timeline provided therein and compliance report furnished by Chief Secretaries of the concerned States/UTs to CPCB on quarterly basis starting from 01.04.2020. CPCB may file compliance report before this Tribunal. Failure on this regard may be visited with adverse consequences.*
- vii) *Let the States/UTs ensure compliance of directions with regard to the remaining cities in terms of observations in Para 18 within by 30.06.2020. In default, the States/UTs will be liable to pay @ Rs. 5 lakhs per month till compliance. The compensation may be recovered by the States/UTs from the erring officers and appropriate entries may also be made in the ACRs of the concerned Heads of the Departments.*
- viii) *Let the NCAP be revisited in terms of observations in Para 20 before the next date, failing which the Tribunal have no option except to take coercive measures against concerned officers.*
- ix) *Let the directions for control of noise pollution be complied with in terms of observations in Para 21 and report furnished to CPCB by 31.03.2020. CPCB may furnish a comprehensive report to this Tribunal. If the said direction is not complied with, the defaulting States/UTs will be liable to pay compensation @ Rs. 2 lakhs per month which may be collected by the CPCB and recovered from the salary of the concerned Heads of the Departments.*

Procurement of requisite equipments may preferably be through Government E-marketing (GeM) Portal of Govt. of India. CPCB may take steps to have standards/specifications and accredited/reputed vendors notified on the said portal. CEO, GeM, may also take necessary steps in the matter.

- x) *Let the evaluation of monitoring stations be done positively by 31.12.2019 in terms of observations in Para 22 and a compliance report filed before the next date. As already directed, the evaluation should not only be sound in terms of scientific and technical capacity but also effectiveness of the outreach programme.*
- xi) *Let the steps for ERS be taken as per observations in Para 23 and compliance report filed before the next date. The States have not given their response which may now positively be done within one month, failing which the Tribunal have no option except to take coercive measures against concerned officers.*
- xii) *The Chhattisgarh State PCB is directed to take remedial steps and modify its action plan on the subject of EC and Consent funds in terms of instructions of CPCB and direction of this Tribunal. Fresh action plan may be furnished to CPCB by 31.01.2020. We also disapprove the inaction by other SPCBs/PCCs in not complying with the directions. All other SPCBs/PCCs may give their action plans latest by 31.01.2020. In default, the erring SPCBs/PCCs will be liable to pay environmental compensation @ Rs. 5 lakhs per month till compliance of the directions which may be liable to be recovered from the concerned Chairmen and Member Secretaries. Failure may also be reflected in the ACRs of the Member Secretaries of SPCBs/PCCs. CPCB may file a consolidated report on the subject before the next date.*
- xiii) *It needs to be explored by the MoEF&CC and concerned States/UTs whether a part of CAMPA funds can be utilized for special afforestation drive in 122 NACs. If so, further necessary action be taken and a report furnished to this Tribunal by the MoEF&CC before the next date.*
- xiv) *Apart from other steps, focused attention may be required to ensure bio-remediation of legacy waste dump sites for which this Tribunal has already issued exhaustive directions in O.A. No. 519/2019 as already noted in para 9 above.*
- xv) *With regard to finalization of Emergency Response System (ERS), we are of view that the State Disaster Management Authorities in coordination with the SPCBs/PCCs and State Units of Meteorological Departments may include emergency as a part of disaster management and develop ERS accordingly which may be placed in public domain.*
- xvi) *The States/UTs which are able to successfully control air pollution in measurable terms in respect of 122 NACs may place their successful models and best practices on their respective websites for the benefit of others.”*

IV. Order dated 26.02.2020 in OA 773/2018 regarding remedial action for unregulated parking and traffic congestion:

10. The Tribunal considered another overlapping issue of unregulated illegal parking on the roads, adding to air pollution and impacting public health.¹⁸ In order dated 26.02.2020, reference was made to the stand of the Ministry of Road Transport & Highways (MoRTH) that the Ministry was engaged in undertaking carrying capacity study for transport infrastructure. The Tribunal directed the concerned joint Secretaries of MoRTH as well as Ministry of Housing and Urban Development, Govt. of India and Member Secretary, CPCB to remain present in person, after acquainting themselves fully on the subject. Accordingly, a report dated 16.06.2020 has been filed by the MoRTH and by the Ministry of Urban Affairs jointly on the subject of undertaking carrying capacity of the roads.

V. Reports of CPCB dated 06.03.2020, 21.07.2020 and 18.08.2020: Status of compliance of directions and response of MoEFF&CC declining to reduce time for abating air pollution under NCAP:

11. In the light of above proceedings and in compliance of the earlier directions, reports of CPCB dated 06.03.2020, 21.07.2020 and 18.08.2020 have been filed. Apart from the said reports, two reports dated 06.03.2020 and 15.07.2020 have been filed by the Oversight Committee for compliance of environment issues for the State of UP, headed by Justice SVS Rathore, former Judge of the Allahabad High Court at Lucknow.¹⁹ It is not necessary to separately refer to the reports filed by some other States as the said reports are already covered in the comprehensive report filed by the CPCB. A response has also been filed

¹⁸ OA 773/2018, Metro Transit Private Limited v. South Delhi Municipal Corporation & Ors.

¹⁹ Constituted Vide order dated 16.03.2020, OA 670/2018, Atul Singh Chauhan v. Ministry of Environment, Forests and Climate Change & Ors.

by the MoEF&CC with reference to reducing time for abatement of air pollution under NCAP and utilisation of Compensatory Afforestation Fund Management & Planning Authority (CAMPA) funds (covered by directions viii and xiii in the last order). We may now refer to the reports in seriatim and also deal with the response of the MoEF&CC.

12. Since report dated 06.03.2020 filed by the CPCB has been updated by a subsequent report dated 21.07.2020 (with regard to noise pollution issue) and dated 18.08.2020 (with regard to other issues), it will suffice to refer it to the later reports. Report dated 18.08.2020 deals with the major issues. We may refer to the same directions-wise with reference to the directions in the last order referred to above.

a) **Direction – i)**

Monitoring Stations – Continuous Ambient Air Quality Monitoring Stations (CAAQMS) and Manual Stations:

13. The report gives status as on 01.04.2020 of number of monitoring stations already functioning and gap in requirement. Steps taken for notification of the standards and vendors are mentioned. It is further mentioned that out of twelve (12) modified parameters, eight (08) can be monitored on real time basis by the online stations and the remaining four (04) will have to be measured on manual basis.

We are of view that since out of additional 398 online stations required in the NACs, 173 have already been set up, the work of completing remaining 175 stations needs to be expeditiously completed within next six months. Work in this regard may commence within one month which may be monitored by the CPCB by having periodical online meetings with the Chairman/Member Secretaries of State PCBs/PCCs or other authorities. The Funds available under the ‘consent mechanism’/

'environmental compensation' may be utilized for the purpose by the State PCBs/PCCs. It will be preferable that out of the above, 25 stations are set up by CPCB/State PCBs/PCCs jointly, following an appropriate procedure to ensure best price and quality.

b) Direction – ii)

Undertaking Source Apportionment (SA) and Carrying Capacity (CC) Studies:

14. According to the CPCB, draft framework has been prepared and SA study completed in four States (for 05 cities). Study was under progress in 14 States (for 54 cities), and at proposal stage in 10 States (for 37 cities). Methodology for carrying capacity has been shared with State PCBs/PCCs. Twelve (12) States/UTs have given the details of the carrying capacity and the remaining have yet to take necessary steps. CC/SA studies are pre requisite for meaningful planning to enforce environmental law. This pre-requisite should have been undertaken long ago. Air quality norms have been statutorily laid down under the Air (Prevention and Control of Pollution) Act, 1981 as well as the Environment (Protection) Act, 1986 and such norms are being flagrantly violated, which has been made by the Parliament a criminal offence. If the rule of law has to have meaning and guilty are to be punished, the policies of the State have to be based on scientific studies to contain polluting activities within the scope of Carrying Capacity.

In this regard, it will be appropriate that such studies may be simultaneously undertaken by the State PCBs/PCCs utilizing the 'consent mechanism'/'environmental compensation' fund for the purpose. Work in this regard may commence within one month which may be overseen by the CPCB by holding periodical online meetings in

same manner as for setting up of monitoring stations. State PCBs/PCCs will be at liberty to either undertake the study in-house or by hiring any other agencies. It will be preferable that 25 such studies are conducted jointly by CPCB/State PCBs/PCCs to set a pattern. However, as far as possible a uniform policy may be adopted in this regard which may be finalized by the CPCB in consultation with all State PCBs/PCCs.

c) **Direction – iii)**

Review of Master Plans in the light of CC/SA Studies to identify areas where carrying capacity cannot sustain industrial or non-conforming activities which may have to be shifted on the pattern of directions of the Hon'ble Supreme Court in M.C. Mehta v. Union of India, (2004) 6 SCC 588:

15. Steps in this regard will have to be taken as a consequence of SA/CC Studies. Let the same be done in the interest of public health and protection of environment, to give effect to the 'Sustainable Development' principle. CPCB may follow up and monitor this aspect with the concerned authorities in States/UTs.

d) **Directions – iv) & v)**

Development of Public Grievance Redressal Portal (PGRP):

16. Eleven (11) States have developed PGRPs on the pattern of Sameer app and three (03) are in the process of developing such portals. Remaining States may also take steps accordingly preferably within three months. The CPCB as well as State PCBs/PCCs may evaluate functioning of such portals on real time basis in the interest of protection of environment and public health and to enforce rule of law. In particular, analysis may be undertaken about the number of complaints received, nature of issues raised and remedies provided. Such exercise

has to be ongoing. In the first instance, a report be compiled of status as on 31.12.2020 and report filed by the State PCBs/PCCs with the CPCB within one month thereafter.

e) **Directions – vi) and vii)**
Execution of Action Plans for NACs and EC regime:

17. Execution of action plans is said to have commenced but progress report has been filed only by the State of UP. CPCB has developed a format but the reports have not been received. Let all the States/UTs ensure compliance in this regard. The States may also give information about the extent of improvement achieved, if any, in terms of reduction in pollution load.

f) **Directions – viii) and xiii)**
Revisiting of NCAP and use of Campa Funds : Consideration of response of MoEF&CC

18. On this subject also, report has been filed by the MoEF&CC. The MoEF&CC has stated as follows:

“The Committee upon further detailed deliberations concluded that 20-30% pollutant reduction under NCAP seems realistic. However, in order to assess impact of technological and policy interventions on air quality levels, a mid-term nationwide review with the help of identified technical experts may be conducted and targets can be updated, if required.”

19. In our view, the stand of the MoEF&CC is against the constitutional mandate under Article 21. Right to clean air stands recognized as part of right to life and failure to address air pollution is denial of right to life. We may only refer to the law laid down by the Hon'ble Supreme Court on the subject. In M.C. Mehta v. Union of India & Ors.²⁰, it was observed that deteriorating environment was a matter of serious concern. Such deterioration has to be addressed by stern

²⁰ (1998) 9 SCC 589 Para 1 to 7

measures. In *Arjun Gopal & Ors. v. Union of India & Ors.*,²¹ it was observed that there were reports of 1.5 million deaths per year in the country on account of air pollution. **Enforcement of 'Sustainable Development' principle and 'Public Trust Doctrine' require stern measures to be adopted to give effect to the mandate of international obligations for which the Environment (Protection) Act, 1986 and other laws have been enacted.** The Hon'ble Supreme Court has passed repeated orders with regard to controlling different sources of air pollution including air pollution by brick kilns, stone crushers, crop burning, blasting activities, mining, vehicular pollution, traffic management, industrial pollution, etc. These orders were taken into account while passing order dated 08.10.2018, quoted in paras 2, 3 and 4 above. Section 20 of the National Green Tribunal Act, 2010 requires enforcement of 'Sustainable Development', 'Precautionary' and 'Polluter Pays' principles. The stand that pollution cannot be controlled except to the extent of certain percent is directly hit by the Constitutional and statutory mandate. **Under the NCAP, target is to achieve norms in 10 years and reduce load to the extent of 35% in first three years with further reduction of pollution later. It means for 10 years pollution will remain unaddressed which is too long period of tolerating violations when clean air is right to life. Further, it is not clear what type of pollutants or all pollutants will be reduced. Thirdly, NACs cover cities where standards are not consecutively met for five years. What about other Cities. Fourthly, it is not clear as to what is monitoring mechanism for enforcement. There is no data how much pollution has been reduced in the last two years. Infact, in 2019, number of NACs has gone up from 102 to 122. A**

²¹ (2017) 1 SCC 41 Para 5 to 10 & 18

credible national monitoring mechanism needs to be notified with publication of achievements periodically. Such mechanism may include monthly interaction by the Secretary MoEF&CC or other senior level Central Govt. authorities with Chief Secretaries of States for handholding and coordination with reference to specific targets. MoEF&CC may review its decision and take further action as per law.

The MoEF&CC has also referred to Compensatory Afforestation Funds (CAF) Rules, 2018 under which the said funds can be utilized for planting and rejuvenation of forest covers in non-forest lands, falling in wildlife corridors, through certified nurseries, apart from such activities in forest areas. The States can utilize a part of CAMPA funds for special afforestation drives in areas under the administrative control in the NACs as per CAF Act, 2016. The concerned States may take appropriate action for utilizing the CAMPA Funds which may help abating pollution in 122 NACs. The CEO of CAMPA may hold a video conference with all the States/PCBs/PCCs to coordinate and facilitate the utilization of CAMPA Funds.

- g) **Directions – ix) and x)**
Remedial action for control of noise pollution, including procurement of monitoring devices and installation of Noise Limiters:
Evaluation of existing Air Quality Monitoring Mechanism:

20. On this subject, CPCB has given a separate report dated 21.07.2020 covering compensation regime and also procurement of equipments, covered by a separate direction. As regards setting up of monitoring stations to map noise levels, it is stated that 23 States/UTs have given action plans while the remaining 12 are yet to submit. GeM has informed that specifications of sound level meters and reputed vendors list have been placed on the GeM portal. CPCB has also communicated its observations with regard to gaps in the action plans

submitted by the States. The States/UTs may address the gaps communicated by the CPCB with respect to the action plans and the States/UTs which have not yet furnished their action plans may do so positively by 31.12.2020.

We may note that in the context of Delhi, the issue of noise pollution has been dealt with by this Tribunal separately vide order dated 11.08.2020 in *Hardeep Singh & Ors. v. SDMC & Ors.*, OA 519/2016. The Tribunal approved the report of the CPCB dated 12.06.2020 laying down regime of compensation for violation of noise pollution norms as follows:

“Table 1: Enlishment of Violation of Noise Rules and their respective Scale of Compensation.

Sr. No.	Violation of Noise Rules	Compensation (in Rupees) to be paid by defaulter		Action to be taken by designated authority
1.	USE OF LOUD SPEAKERS/PUBLIC ADDRESS SYSTEM¹ (Clause 5(1)-5(2), 6(i,ii,iii and v)¹⁻⁵	₹ 10,000		Seizure
2.	VIOLATION WRT GENERATOR SETS NORMS (standards attached as Annexure – IV to VI)			
a)	DG sets more than 1000 KVA	₹ 1,00,000/-		Sealing of DG sets
b)	DG sets 62.5 to 1000 KVA	₹25,000/-		
c)	DG sets upto 62.5 KVA	₹ 10,000/-		
3.	VIOLATION OF USE OF SOUND EMITTING CONSTRUCTION EQUIPMENT	₹50,000/-		Seizure/Sealing of equipment
4.	Bursting of Firecrackers beyond the prescribed time limit prescribed (Hon’ble Supreme Court and Clause 5A (2) and 6 (iv)⁷⁻⁸			
4(1)	Violation by Individual/Household	Residential / Commercial/ Mixed Zone Silence Zone	Silence Zone	
		1,000	3,000	
4(2)	Violation during	10,000	20,000	Fine to be paid by

	Possession a. Public Rallies b. Barat during marriage Religious event			Organizer
4(3)	First Violation within a fixed Premises: a. Function organized by RWA, b. Marriage Function c. Public Function d. Institution function e. Banquet Hall f. Open ground functions	20,000		Fine to be paid by Organizer and Owner of the place.
4(4)	Second Violation within a fixed Premises: a. Function organized by RWA, b. Marriage Function c. Public Function d. Institution function e. Banquet Hall Open ground function	40,000		
4(5)	More than Two Violation within a fixed Premises: a. Function organized by RWA, b. Marriage Function c. Public Function d. Institution function e. Banquet Hall Open ground function	1,00,000 and action under EP Act.		Sealing of Premises

Note:

1. *Clause 5(1): A loud speaker or a public address system shall not be used except after obtaining written permission from the authority.*
2. *Clause 5(2): A loud speaker or a public address system or any sound producing instrument or a musical instrument or a sound amplifier shall not be used at night time except in closed premises for communication within, like auditoria, conference rooms, community halls, banquet halls or during a public emergency.*
3. *Clause 6 (1) Playing any music or uses any sound amplifiers in any place covered under the silence zone/area are prohibited.*
4. *Clause 6(ii): Beating a drum or tom-tom or blows a horn either musical or pressure, or trumpet or beats or sounds any instrumenting any place covered under the silence zone/area are prohibited.*
5. *Clause 6(iii): Exhibits any mimetic, musical or other performances of a nature to attract crowds in any place covered under the silence zone/area are prohibited.*
6. *Clause 5(A) (3): Sound emitting construction equipment shall not be used or operated during-night time in residential areas and silence zones*
7. *Sound emitting fire crackers shall not be burst in silence zone or during' night time in each zone;*
8. *As per directions of Hon'ble Supreme court, following time limits are prescribed for bursting fire crackers:
Diwali: 8 pm to 10 pm
Gurpurb: - 4am to 5 am and 9 pm to 10 pm
New year and Christmas: 11.55 P.M to 12.30 A.*
9. *It may be noted that imposition of fine for notification of Rule 5A(1) falls within the purview of Motor Vehicle Rules, 2019"*

The Tribunal also directed strict monitoring at ground level for protection of public health and environment to be overseen at higher levels in the administration.

21. With regard to evaluation of existing AQMS, CPCB sought information from the States and after analyzing the same, suggested as follows:

- “ • Adequate infrastructure in terms of instruments and staffs may be ensured by each Pollution Control Boards & Pollution Control Committees. Manpower requirement for further expansion of network also to be worked out.
- Mechanism should be developed by every State Pollution Control Boards / Pollution Control Committees for induction & service period trainings for staffs involved in sampling and analysis.
- At least central laboratory in each state/UT should be accredited on priority, for those which are yet to be accredited.
- CPCB guidelines for sampling and analysis should be followed with proper quality control.
- Data dissemination to public including website, mobile app, and display board at various places for mass awareness may be strengthened.”

Let further steps be taken in terms of above suggestions by all the State PCBs/PCCs and information furnished by the State PCBs/PCCs to the CPCB by 31.12.2020. Existing Air quality control mechanism needs to be revamped for which CPCB may give its further suggestions in the next report. We reiterate the need to regulate noise caused by loudspeakers, DJs, Public Address systems and otherwise, particularly in residential areas as per Noise Control Rules, 2000, the judgement of the Hon'ble Supreme Court in (2005) 5 SCC 733²² and relevant observations in the order of this Tribunal dated 11.08.2020 in *Hardeep Singh & Ors. v. SDMC & Ors.*, OA 519/2016, passed in the context of Delhi. Report in this regard may be filed with the CPCB.

h) Directions – xi) & xv)

Finalization of Emergency Response System (ERS) and coordination with Disaster Management Committees:

22. The report mentions that eleven (11) States have developed GRAPs. CPCB has suggested that:

“a suitable mechanism similar to Task Force under GRAP for Delhi-NCR may also be put in place to advice action needed under emergency air quality situations.”

²² *In Re: Noise Pollution - Implementation of the Laws for restricting use of loud speakers and high volume producing sound systems*

Let all the States/UTs take further action to finalize the respective Emergency Response Systems ('ERSs') in the light of the above suggestion.

Coordination with the State Disaster Management Authorities, State PCBs/PCCs and Meteorological Departments:

This aspect may be taken up by all States/UTs so as to ensure that no environmental disasters happen. In this regard, the Tribunal has recently dealt with vide the problem of frequent environmental disasters vide order dated 23.07.2020 in OA 134/2020, News Item published on 13.07.2020 in daily "India Today" titled "Massive fire engulf Vizag chemical plant, explosions heard, injuries reported" and issued directions which may be looked into by all States/UTs and coordinated by the CPCB.

i) Direction - xii)

Status of Consent and EC Funds:

23. The CPCB constituted a Committee which has approved action plans of five (05) States and the remaining are yet to be finalized. Let further action be taken by 31.12.2020 in the light of order of this Tribunal on the subject dated 24.07.2020 in O.A. No. 102/2019, *Ashish Kumar Dixit v. State of Uttar Pradesh & Ors.* It will be preferable that MoEF&CC with assistance of CPCB lays down an institutional mechanism on the pattern of CAMPA or otherwise for proper utilization of consent and EC funds available with CPCB/State PCBs/PCCs.

j) Direction xiv)

Bio-remediation of legacy waste dump sites:

24. In terms of directions already issued in O.A. No. 519/2019, the CPCB has given the latest data on the subject and mentioned the

shortcomings in the procedure adopted by various Municipal Corporations where inspections were carried out by CPCB. CPCB conducted a meeting with respect to Municipal Corporations in Delhi and highlighted the issues and asked them to follow the CPCB guidelines on the subject. Let CPCB issue a fresh direction in this regard to all the State PCBs/ PCCs and coordinate further action with the concerned Urban Development/Local Bodies/PCBs/PCCs/Municipal Corporations. At least one site may be remediated and made a model of compliance in each of the 122 NACs. The Tribunal has already issued directions on this subject vide order dated 17.7.2019 in OA 519/2019 requiring commencement of remediation of legacy waste sites by 1.11.2019. Rule 22 of the Solid Waste Management Rules has fixed outer limit of 7.4.2021 for completing such remediation. However, for continued damage to environment by delay in remediation, environment compensation is liable to be paid. This being mandate of the Constitution, even extension of timeline in rule may at best provide defence against prosecution but inherent liability continues. By subsequent order dated 28.2.2020 (in OA 606/2018 para 41), it was directed that specified compensation will be payable if work does not commence by 1.4.2020. Let such remediation commence wherever it has not so commenced and data in this regard furnished to CPCB by 31.12.2020.

k) Direction xvi)

Placing successful models by States on Websites

25. No information has been furnished with reference to the said direction. CPCB may include information on the subject in its next report.

VI. Consideration of report of Ministries of Road Transport & Highways and Urban Development dated 16.06.2020 with reference to order in OA 773/2018 on overlapping issue:

26. We may now refer to the report dated 16.06.2020 received from the Ministries of Road, Transport and Highways (MoRTH) and Urban Development in response to the order of the Tribunal in O.A. No. 773/2018 dealing with the issue of unregulated parking, adding to the air pollution, making it necessary to undertake carrying capacity of the roads and making planning to limit the number of vehicles, policies for parking etc and implementing its decisions to uphold the principle of sustainable development, preventing air pollution and chaos . The stand in the report is that the task of formulating methodology has been entrusted to M/s Urban Mass Transit Company Ltd. (UMTC). The UMTC is to carry out a pilot study in Faridabad which can be used for other NACs. UMTC has given its interim report which was discussed with the domain experts who suggested that the report needs to be revamped with additional aspects and indicators which involve collection of primary and secondary data. Such data collection is not possible on account of Covid-19 and will require 10-12 months.

27. We are of the view that the approach adopted by the MoRTH can hardly be held to be consistent with the mandate of the Constitution, particularly the principles of 'Sustainable Development', 'Precautionary' principle and 'Polluter Pays' principles which have been held to be part of right to life under Article 21 of the Constitution in various judgments of the Hon'ble Supreme Court to which reference has already been made. There are international treaties requiring enforcement of these principles and directive principles under the Constitution also mandate obligation of the State to provide clean environment. It is well known that various activities in excess of carrying capacity of 122 cities have led to the said

cities being declared NACs and unless stern expeditious measures are taken, meaningful enforcement of 'Sustainable Development' principle, right to life and 'Public Trust Doctrine' is not possible. This Tribunal, under Section 20 of the National Green Tribunal Act, 2010, has the mandate to enforce these principles. In this view of the matter, dilatory tactics in the report can hardly be appreciated as this will prejudice the public health and environment, in breach of Constitution of the country. All concerned, including MoRTH must take meaningful and prompt action instead of shirking responsibility, as the report indicates. Unless proper planning is done to bring down the pollution load, mandate of protection of public health will remain only on paper. MoRTH may consider entrusting the task to Central Road Research Institute and the project may be funded by CPCB out of compensation funds or otherwise. On that basis, appropriate policies be prepared and executed to regulate order on roads, to avoid chaos and to check pollution. Policy may include number of vehicles to be registered in 122 NACs, specifying parking areas etc. so that roads do not become parkings, leading to traffic congestion and air pollution and policy to deal with vehicles already registered beyond carrying capacity of roads of the cities and parking areas available.

VII. Consideration of report of Oversight Committee for the State of UP giving status of compliance in UP dated 16.06.2020:

28. We now take up the latest report in the context of State of U.P. filed by the Oversight Committee (OC) constituted by the Tribunal for the environmental issues in the said State. The report of the OC dated 15.07.2020 has dealt with the issue of air pollution generally, compliance status in the State of UP with regard to NACs falling in the State, with

reference to different action points. The report concludes with the following recommendations:

“Recommendations:

In view of above, we recommend as follows:

1. *It is fashionable for all the states to profess that they are promoting electric vehicles to reduce vehicular pollution. However Electric vehicles (EVs) can only be promoted if there is a charging station network in these cities. Though UP has come out with a charging station policy for Electric vehicles, there is not much progress on the ground. With the growth of charging stations for EVs in the cities, number of EVs will increase and vehicular pollution will go down.*
2. *Another professed step is to switch over to cleaner fuels like PNG. Though the Ministry of Petroleum, GoI is expanding the PNG network in U.P, the progress is slow. It is true that the piped natural gas network would lead to shifting of industries/vehicles/domestic users to cleaner fuel leading to less air pollution. However for this shift over, both logistics and economics need to be worked out. **Some incentives should be given to industry to switch over from polluting fuel to gas-based systems.** Such an arrangement exists in the TTZ area in Agra. It could be extended to NCR Area. State Government need to take care of logistics like earmarking appropriate land for Gas Distribution Stations to enable easy accessibility.*
3. *Brick Kilns contribute a large percentage to air pollution. Therefore Uttar Pradesh Brick Kiln (Siting Criteria for Establishment) Rules 2012 have been formulated to regulate the establishment of new Brick Kilns. Even for renewal of Consent to Operate, these Rules can be invoked. **Also, the carrying capacity of the area and other ambient air parameters need to be kept in mind while giving permission for new kilns or renewing consent for existing ones.** The situation is quite bad in NCR area, where keeping all these factors in view, NGT has ordered closure of Brick Kilns on 15.11.2019. The orders regarding brick kilns need to be enforced to guard against unsustainable air pollution. There are also complaints of burning of rubber tyres as fuel in brick kilns which produce noxious fumes. **A number of NAC cities including some in NCR region like Noida and Ghaziabad do not have Solid Waste Disposal/processing sites. The probability of Solid Waste burning in these NACs is quite high, leading to air pollution. Immediate steps be taken to establish solid waste processing facilities in these NACs.***
4. *As far as construction activities are concerned, MoEF guidelines should be incorporated compulsorily in the contracts which are signed with contractors. Any violation of those guidelines should be penalized heavily. Ministry of Housing and Urban Development can include it in the urban bylaws, prepare model contracts and enforce them through Urban Development Authorities.*

5. **The SA and CC studies should be done in all the districts of UP.** An Air Quality Assessment, Emissions Inventory and Source Apportionment Studies for Kanpur City (Final Report) was done by IIT, Kanpur in 2010 and submitted to Central Pollution Control Board, New Delhi (Link: <http://164.100.107.13/Kanpur.pdf>). The details of the benefits received from this study and how this study has helped in improvising the air quality of Kanpur city should be made available to Hon'ble NGT.
6. **The open burning of poly-ethylene bags, plastic material and other waste brings both quantitative and qualitative deterioration in the environment.** The government should incentivize the use of cheap alternatives to poly-ethylene bags. The One District One Product (ODOP) Policy of MSME Department of Govt. of UP can be used to focus on forward and backward linkages for these environment-friendly packaging materials. Alternatively, Plants for conversion of Plastic to Fuel as in Mathura could be encouraged. Plastics could also be channelized for use in road construction along with bitumen.
7. As per the orders of the Supreme Court, a complete ban has been imposed on single-use plastic bags. Then, there is no point in manufacturing this type of plastic bag. **A complete shutdown should be imposed on the manufacturing of these single-use plastic bags.** In case of the default both the manufacturer and the retailer are liable to pay the environmental compensation and strict action should be taken against them.
8. **There is a need to have innovative solutions to use the leftover stubbles for the production of some useful items or to use this waste to prepare some useful decorative products with the help of self-help groups.** The leftover stubble can be used in treating the water and waste water as its derivatives have a high adsorption rate to adsorb heavy metals from water and wastewater. The commercial use of the rice husk to produce the silica gels, silicon chip, synthesis of activated carbon and silica, production of lightweight construction materials and insulation, catalysts, zeolites, ingredients for lithium-ion batteries, graphene, energy storage/capacitor, carbon capture, and in drug delivery vehicles.
9. The UPPCB should conduct public awareness programs to make the people aware of the benefits of the clean air which people have already experienced during the lockdown. Cumulative drives involving the people to improve the indoor air quality should be taken into action. The awareness about cost-effective methods such as indoor plantation should be promoted. The responsibility of the citizens should also be fixed and more and more public participation should be encouraged in improving the overall air quality.
10. **As per the directions given in NCAP for a reduction of 35% of the pollution in 3 years starting from the levels of**

2017. The target has not been achieved. There needs to be an accountability matrix for each stakeholder and a system of continuous monitoring to achieve these targets in the prescribed time schedule. The work of flood plain zoning is in process in the State of Uttar Pradesh. UP has plans for massive afforestation to the tune of 25 crore plants this year. This could be utilized scientifically to develop Green Belts on riversides. The plantation will also benefit in controlling the floods and stabilization of the river banks.”

29. The above recommendations certainly need serious consideration and action by the concerned authorities in the State of UP. A copy of the report be furnished to the Chief Secretary, UP for further action in the State at different levels. Such action may be coordinated and overseen by the Monitoring Committee.

VIII. Directions:

30. In view of the above, the directions are summed up as follows:
- i. The work of completing remaining 175 monitoring stations needs to be expeditiously completed within next six months. Work in this regard may commence within one month, which may be monitored by the CPCB, by holding periodical online meetings with the Chairman/Member Secretaries of State PCBs/PCCs or other authorities. The funds available under the 'consent mechanism'/'environmental compensation' may be utilized for the purpose by the State PCBs/PCCs. It will be preferable that out of the above, 25 stations are set up by CPCB/State PCBs/PCCs jointly (with CPCB financing out of its EC funds), following an appropriate procedure to ensure best price and quality;
 - ii. Carrying Capacity and Source Apportionment studies may be simultaneously undertaken by the State PCBs/PCCs, utilizing the 'consent mechanism'/'environmental compensation' fund.

Work in this regard may commence within one month and completed in six months. State PCBs/PCCs will be at liberty to either undertake the study in-house or by hiring any other agencies. However, as far as possible a uniform policy may be adopted in this regard which may be finalized by the CPCB in consultation with all State PCBs/PCCs in same manner as in direction i. It will be preferable that 25 such studies are conducted jointly by CPCB/State PCBs/PCCs (with CPCB financing out of its EC Funds) to set a pattern;

- iii. Let further steps of prohibiting/shifting polluting activities which are found unsustainable/non conforming and beyond carrying capacity of NACs, as a consequence of SA/CC Studies or otherwise, to other locations, in the interest of public health and protection of environment to give effect to 'Sustainable Development' principle be taken by the States/UTs;
- iv. The States may take further steps to set up and operate PGRPs expeditiously, within three months. The CPCB as well as State PCBs/PCCs may evaluate functioning of such portals on real time basis in the direction of protection of environment. In particular analysis may be undertaken about the number of complaints received, effective steps for redressal taken and improvement achieved and planned. Such exercise may be ongoing but in the first instance may be compiled as on 31.12.2020 and report filed by the State PCBs/PCCs with the CPCB within one month thereafter;
- v. Action plans for newly added 20 NACs be completed expeditiously on the pattern of such plans for 102 cities, already prepared;

- vi. All the concerned States/UTs may execute action plans, including control of stubble burning, where ever necessary and bursting polluting and noise generating fire crackers and give information about the status of compliance of action plans as on 31.12.2020 to CPCB before 15.1.2021. They may also give information in a tabulated form about the extent of improvement achieved, if any, in terms of reduction in pollution load. Steps in terms of action plans completed, actions ongoing and actions incomplete;
- vii. Detailed micro level planning be undertaken in respect of each NAC by the concerned State/UT expeditiously and status as on 31.12.2020 be furnished to the CPCB within one month thereafter;
- viii. The States/UTs may address the gaps communicated by the CPCB with respect to the action plans for control of noise pollution and the States/UTs which have not yet furnished their action plans may do so positively by 31.12.2020. Compensation regime for violations of noise pollution be applied by all the States/UTs;
- ix. We find that NCAP for reduction of air pollution does not fully meet the mandate of sustainable development. Violation of laid down air pollution levels resulting in large number of deaths and diseases needs to be addressed expeditiously. Targeted time of reduction of pollution loads needs to be reduced and planned steps need to be sternly implemented on the ground. MoEF&CC may take further action as per law in the light of observations in para 19 above.

The States may utilize CAMPA funds, undertaking special afforestation drives in forest lands or other permissible locations in 122 NACs as per CAF Act, 2016 to abate pollution in the said cities. The CEO of CAMPA may hold a video conferencing with all the States PCBs/PCCs to coordinate and facilitate the utilization of CAMPA Funds;

- x. Let all the States/UTs take further action for procurement of equipments and taking other steps for control of noise pollution in 122 NACs as discussed in para 20 above and direction (viii) above, including applying compensation regime prepared by the CPCB and file their respective reports of status of compliance as on 31.12.2020 by 15.1.2021;
- xi. Let further steps be taken by all the States/UTs to finalise ERSs in terms of suggestion of the CPCB as quoted above in para 24, constituting a suitable mechanism similar to Task Force under GRAP for Delhi-NCR and information furnished to the CPCB by 31.12.2020;
- xii. let further steps be taken to plan utilisation of consent/EC funds by all the State PCBs/PCCs in the light of order of this Tribunal on the subject dated 24.07.2020 in *O.A. No. 102/2019, Ashish Kumar Dixit v. State of Uttar Pradesh & Ors* by 31.12.2020. It will be preferable that MoEF&CC with assistance of CPCB lays down an institutional mechanism on the pattern of CAMPA or otherwise for proper utilization of consent and EC funds available with CPCB/State PCBs/PCCs.
- xiii. Let CPCB issue a fresh direction with regard to the remediation of legacy waste sites in the light of deficiencies noticed by the CPCB and coordinate further action with the

concerned Urban Development /Local Bodies/PCBs/PCCs/Municipal Corporations. At least one site may be remediated and made a model of compliance in each of the 122 NACs. Where ever legacy waste sites remediation has not commenced, it may commence earliest having regard to the fact that timeline under statutory rules to complete such action is 7.4.2021 and continued delay is detrimental to public health and environment. Information of compliance status as on 31.12.2020 be furnished to CPCB in terms of observations in para 24 above;

- xiv. All the States/UTs and PCB/PCCs may take steps to coordinate with the State Disaster Management Authorities and Meteorological Departments. The observations of this Tribunal while dealing with the problem of frequent environmental disasters in order dated 23.07.2020 in OA 134/2020, News Item published on 13.07.2020 in daily "India Today" titled "Massive fire engulf Vizag chemical plant, explosions heard, injuries reported" may also be taken into account. Action taken reports be filed with the CPCB for submission of consolidated report to this Tribunal;
- xv. MoRTH may take further prompt action of undertaking carrying capacity studies with regard to road infrastructure, specially in 122 NACs, through Central Road Research Institute or any other agency which may be financed by CPCB out of compensation funds or otherwise. On that basis, proper policies be prepared to deal with the number of vehicles beyond parking capacity or carrying capacity and permitting entry or registration of number of vehicles, parking areas etc.

- This is necessary to reduce congestion, unregulated parking and air pollution loads in 122 NACs. CPCB may coordinate with the concerned Ministries and acquaint this Tribunal with the outcome in its next report;
- xvi. The recommendations of the Oversight Committee for the State of UP, in its report dated 15.07.2020, need serious consideration and action by the concerned authorities in the State of UP. The Chief Secretary, UP may ensure further action in the State at different levels which may be coordinated and overseen by the Monitoring Committee. The oversight Committee may give its further independent report to this Tribunal before the next date by e-mail;
- xvii. In view of continued violation of law on significant environmental issues, to give effect to rule of law and Constitutional mandate of clean environment and for protection of public health and environment, monitoring must be done at the level of Chief Secretaries at least once in a month and the Chief Secretaries must have environment cells attached to their offices, as earlier directed by the Hon'ble Supreme Court and this Tribunal in OA 606/2018;
- xviii. CPCB may file its consolidated report by email by January 31, 2021.

Copies of the order be sent to the Chief Secretaries of all States/UTs, Justice SVS Rathore, Chairman, Oversight Committee for the State of UP, Justice Jasbir Singh, Chairman Monitoring Committee appointed by this Tribunal for several environmental issues in the State of Punjab, Justice Pritam Pal, Chairman Monitoring Committee appointed by this Tribunal for several

environment issues in Haryana and Chandigarh, MoEF&CC, MoRTH, MoH&UD, CPCB, all States/UTs, State PCBs/PCCs and CEO, CAMPA by e-mail for compliance.

List for further consideration on 18.02.2021.

Adarsh Kumar Goel, CP

S. P. Wangdi, JM

Dr. Satyawan Singh Garbyal, EM

Dr. Nagin Nanda, EM

August 21, 2020
Original Application No. 681/2018
DV

Office Copy

October 23, 2020

No. A-19014/50/2020-UPC-I 9598-9620

To:

The Member Secretary,
SPCB/PCC
(States/UTs List Enclosed)

Subject: Hon'ble NGT's directions dated 15.11.2019 in O.A no. 681 / 2018 titled as News Item published in "The Time of India" Authored by Shri Vishwa Mohan "NCAP with multiple timelines to clean air in 102 cities to be released around August 15"

Reference: This Office letter no. A-19014/50/2020-UPC-I dated 03/01/2020

Sir,

Hon'ble National Green Tribunal vide order dated 21.08.2020 in above said matter issued following directions:

"Let all the States/UTs take further action for procurement of equipment's and taking other steps for control of noise pollution in 122 NACs as discussed in para 20 above and direction (viii) above, including applying compensation regime prepared by the CPCB and file their respective reports of status of compliance as on 31.12.2020 by 15.1.2021."

In this regard, I am directed to inform that CPCB has analysed the action plan submitted by and observations / shortcoming are submitted to NGT (copy of report is enclosed). It is requested that observations/ shortcoming observed by CPCB may be considered and rectification/implementation of action plan may ensured accordingly.

Encl.: As Above

Yours faithfully



[N.K. Gupta]
Divisional Head UPC-I

Copy to:

The Principal Secretary
Department of Environment
(States/UTs List Enclosed)

: For information please.



[N.K. Gupta]

3209/UPC-I
04/11/2020

केन्द्रीय प्रदूषण नियंत्रण बोर्ड
निर्गत.....
दिनांक.....

List of SPCBs/PCCs

Sl. No.	SPCBs/ PCCs
1.	Andhra Pradesh
2.	Assam
3.	Chandigarh
4.	Chhattisgarh
5.	Daman, Diu & Dadra Nagar Haveli
6.	Gujarat
7.	Haryana
8.	Himachal Pradesh
9.	Jammu & Kashmir
10.	Karnataka
11.	Kerala
12.	Madhya Pradesh
13.	Maharashtra
14.	Manipur
15.	Meghalaya
16.	NCT Delhi
17.	Odisha
18.	Puducherry
19.	Punjab
20.	Telangana
21.	Tamil Nadu
22.	Tripura
23.	West Bengal

List of Principal Secretary/Director of State Environment Department

Sl. No.	SPCBs/ PCCs
1.	Assam
2.	Chandigarh
3.	Daman, Diu & Dadra Nagar Haveli
4.	Gujarat
5.	Haryana
6.	Himachal Pradesh
7.	Jammu & Kashmir
8.	Karnataka
9.	Kerala
10.	Madhya Pradesh
11.	Maharashtra
12.	Manipur
13.	Meghalaya
14.	NCT Delhi
15.	Odisha
16.	Puducherry
17.	Punjab
18.	Telangana
19.	Tamil Nadu
20.	Tripura
21.	West Bengal

ANNEXURE-III

ASSESSMENT OF ACTION PLAN: STATUS OF ACTION TAKEN BY VARIOUS STATES/UTS.

1. Andhra Pradesh

Sl. No.	NGT's Direction dated	Direction content	Compliance	Status
1.	NGT's Directions dated 15.03.2019	State PCBs may undertake Noise level monitoring in conjunction with the Police Department and take remedial action.	Whether Noise Monitoring conducted by SPCBs (YES/No)	Yes
			Whether Police Department Engaged in Monitoring (YES/No)	No
			Total No of districts in which monitoring undertaken	03
			Observations	Andhra Pradesh PCB is operating real-time Noise monitoring stations at Visakhapatnam (2Nos), Vijayawada and Tirumala with one each since 2013. CPCB has sanctioned four real-time Noise monitoring stations each to Visakhapatnam and Vijayawada.
		Police Departments of all the States/UTs may obtain the Noise monitoring devices within a period of three months. (2)	Number of Sound Level Meter procured	Proposal for Procurement of portable hand held devices in six months (short term) and real-time continuous online stationary devices in one year (medium term)
		Observations	Quantification of instrument to be procured for Police department not planned	

Sl. No.	NGT's Direction dated	Direction content	Compliance	Status
		The Police Department of all the State/UTs may also train their staff regarding the use of such devices. (3)	Training Conducted	No Information provided
			Details of Training conducted	
		The Police Department of all the State/UTs may develop a robust protocol for taking appropriate action against the defaulters. (4)	Protocol developed	Yes
			Details	1. Zoning of areas 2. Prescribed authority for implementation. 3. Levy of Penalty 4. Awareness Programme on Noise Pollution
		Observations	Protocol was not specific and no provision to address issues of Public Address system.	
2.	NGT direction dated 15.11.2019	Use of Sound Limiter(s) in all sound system / public address system for effective control of Noise Pollution	Have States/UT issued Direction (YES / No)	No information
			Observations	

2. Andaman & Nicobar

Sl. No.	NGT's Direction dated	Direction content	Compliance	Status
1.	NGT's Directions dated 15.03.2019	(State PCBs may undertake Noise level monitoring in conjunction with the Police Department and take remedial action.	Whether Noise Monitoring conducted by SPCBs (YES/No)	Yes
			Whether Police Department Engaged in Monitoring (YES/No)	No information provided
			Total No of districts in which monitoring undertaken	01 (Port Blair Town)
			Observations	State of A&N mentioned that they are not listed under the preliminary 102 non-attainment cities.
		Police Departments of all the States/UTs may obtain the Noise monitoring devices within a period of three months. (2)	Number of Sound Level Meter procured	1
			Observations	A&N Police has initiated the process for procurement of one Class 1 Sound level/Decibel Meter for continuous monitoring of noise level.
		The Police Department of all the State/UTs may also train their staff regarding the use of such devices. (3)	Training Conducted	-
			Details of Training conducted	-
			Protocol developed	-
		The Police Department of all the State/UTs may develop a robust protocol for taking appropriate action against the defaulters. (4)	Details	-
Observations				
2.	NGT direction dated 15.11.2019	Use of Sound Limiter(s) in all sound system / public address system for effective control of Noise Pollution	Have States/UT issued Direction (YES/No)	-
			Observations	

3. Arunachal Pradesh

Sl. No.	NGT's Direction dated	Direction content	Compliance	Status
1.	NGT's Directions dated 15.03.2019	(State PCBs may undertake Noise level monitoring in conjunction with the Police Department and take remedial action.	Whether Noise Monitoring conducted by SPCBs (YES/No)	No information
			Whether Police Department Engaged in Monitoring (YES/No)	-
			Total No of districts in which monitoring undertaken	-
			Observations	State of Arunachal Pradesh is not listed under the preliminary 102 non-attainment cities and the additional 20 non-attainment cities. Letter has been issued to the DGP, Itanagar for implementation of Noise Pollution Rules, 2000 in the matter of NGT O.A No. 158/2016 (EZ).
		Police Departments of all the States/UTs may obtain the Noise monitoring devices within a period of three months. (2)	Number of Sound Level Meter procured	-
			Observations	-
		The Police Department of all the State/UTs may also train their staff regarding the use of such devices. (3)	Training Conducted	-
			Details of Training conducted	-
		The Police Department of all the State/UTs may develop a robust protocol for taking appropriate action against the defaulters. (4)	Protocol developed	-
			Details	-
Observations				
2.	NGT direction	Use of Sound Limiter(s) in all sound system/ public address system	Have States/UT issued Direction (YES/No)	-

Sl. No.	NGT's Direction dated	Direction content	Compliance	Status
	dated 15.11.2019	for effective control of Noise Pollution	Observations	

4. Assam

Sl. No.	NGT's Direction dated	Direction content	Compliance	Status
1.	NGT's Directions dated 15.03.2019	(State PCBs may undertake Noise level monitoring in conjunction with the Police Department and take remedial action.	Whether Noise Monitoring conducted by SPCBs (YES/ No)	Yes
			Whether Police Department Engaged in Monitoring (YES/ No)	No
			Total No of districts in which monitoring undertaken	01
			Observations	<ul style="list-style-type: none"> Monitoring being carrying out by Assam Pollution Control Board on monthly basis since November 2017 at 14 locations in Guwahati. Establishment of Noise level monitoring stations being proposed
		Police Departments of all the States/UTs may obtain the Noise monitoring devices within a period of three months. (2)	Number of Sound Level Meter procured	Procurement of Sound Level Meters 12 Nos. for PCBs and 66 Nos for state police department are planned. Time line specified as: <ul style="list-style-type: none"> Procurement of sound level meter for Police Department: 06 months; and Pollution Control Board: 03 months
			Observations	Procurement may be completed as per timelines
	The Police Department of all the State/UTs may	Training Conducted	Yes	

Sl. No.	NGT's Direction dated	Direction content	Compliance	Status
		also train their staff regarding the use of such devices. (3)	Details of Training conducted	Timeline of 3 months has been proposed for training to be provided to state Police personals and officers from District Administration
		The Police Department of all the State/UTs may develop a robust protocol for taking appropriate action against the defaulters. (4)	Protocol developed	Yes
			Details	Framework for prosecution and penal provisions by District Magistrate and preparation of guidelines for environmental compensation under polluter pay provision by Assam PCB is under process.
			Observations	
2.	NGT direction dated 15.11.2019	Use of Sound Limiter(s) in all sound system / public address system for effective control of Noise Pollution	Have States/UT issued Direction (YES/No)	No information
		Observations		

5. Bihar

Sl. No.	NGT's Direction dated	Direction content	Compliance	Status
1.	NGT's Directions dated 15.03.2019	State PCBs may undertake Noise level monitoring in conjunction with the Police Department and take remedial action.	Whether Noise Monitoring conducted by SPCBs (YES/No)	Information not provided
			Whether Police Department Engaged in Monitoring (YES/No)	Yes
			Total No of districts in which monitoring undertaken	-
			Observations	Public awareness has been sought to be created through newspaper. District Magistrate and Superintendent of Police has been assigned as authority.
		Police Departments of all the States/UTs may obtain the Noise monitoring devices within a period of three months. (2)	Number of Sound Level Meter procured	Nil
			Observations	BSPCB floated e-tender for procurement of Noise Monitoring instruments (Sound level Meter) but due to some technical reasons, tender was cancelled. Board is in process of re-tendering for procurement of Noise Monitoring instruments (Sound level Meter).
		The Police Department of all the State/UTs may also train their staff regarding the use of such devices. (3)	Training Conducted	-
			Details of Training conducted	Training shall be planned after procurement
		The Police Department of all the State/UTs may develop a robust	Protocol developed	-
			Details	-

Sl. No.	NGT's Direction dated	Direction content	Compliance	Status
		protocol for taking appropriate action against the defaulters. (4)	Observations	DMs and SPs have been requested for maintenance of ambient air quality standards with respect to Noise by implementing the Bihar Control of the Use and Play of Loudspeakers Act, 1955, restricting bursting of fire emitting crackers and other sound producing musical instruments producing high sound level.
2.	NGT direction dated 15.11.2019	Use of Sound Limiter(s) in all sound system / public address system for effective control of Noise Pollution	Have States/UT issued Direction (YES / No)	State Govt. is in process of amendment of Bihar Control of the Use and Play of Loudspeakers Act, 1955. The necessary Bill has been drafted and sent to Home Department, Govt. of Bihar for vetting.
			Observations	State Govt. has prepared a proposal for amendment of the Noise Pollution (Regulation and Control) Rules, 2000 and submitted to MoEF&CC, GoI for needful action vide its letter no. 58, dated 1.02.2020.

6. Chhattisgarh

Sl. No.	NGT's Direction dated	Direction content	Compliance	Status
1.	NGT's Directions dated 15.03.2019	(State PCBs may undertake Noise level monitoring in conjunction with the Police Department and take remedial action.	Whether Noise Monitoring conducted by SPCBs (YES/No)	No
			Whether Police Department Engaged in Monitoring (YES/No)	No
			Total No of districts in which monitoring undertaken	Not mentioned
			Observations	No Information on Noise monitoring
		Police Departments of all the States/UTs may obtain the Noise monitoring devices within a period of three months. (2)	Number of Sound Level Meter procured	469 number of sound level meter procured by Chattisgarh Environment Conservation Board for Police Department
			Observations	
		The Police Department of all the State/UTs may also train their staff regarding the use of such devices. (3)	Training Conducted	Yes
			Details of Training conducted	Training provided to 340 officials of Police Department in 27 districts.
		The Police Department of all the State/UTs may develop a robust protocol for taking appropriate action against the defaulters. (4)	Protocol developed	No such protocol developed, however action being taken against violation of Kolahal Act, 1985
			Details	Action were taken in 164 cases in 2018 and 26 cases in 2019 (January to May) under Kolahal Adhinium 1985, 4454 vehicles were prosecuted under motor vehicles act in 2018 and 631 in 2019 (January to May) for
	Observations			

Sl. No.	NGT's Direction dated	Direction content	Compliance	Status
				using pressure/ musical horns
2.	NGT direction dated 15.11.2019	Use of Sound Limiter(s) in all sound system / public address system for effective control of Noise Pollution	Have States/UT issued Direction (YES / No)	No
			Observations	Directions issued to users of all public address system to use within prescribed limits

7. Chandigarh

Sl. No.	NGT's Direction dated	Direction content	Compliance	Status
1.	NGT's Directions dated 15.03.2019	(State PCBs may undertake Noise level monitoring in conjunction with the Police Department and take remedial action.	Whether Noise Monitoring conducted by SPCBs (YES/No)	No
			Whether Police Department Engaged in Monitoring (YES/No)	No
			Total No of districts in which monitoring undertaken	Not mentioned
			Observations	No Information on Noise monitoring
		Police Departments of all the States/UTs may obtain the Noise monitoring devices within a period of three months. (2)	Number of Sound Level Meter procured	17 Sound Level Meter procured for Police Department
			Observations	Complied
		The Police Department of all the State/UTs may also train their staff regarding the use of such devices. (3)	Training Conducted	Yes
			Details of Training conducted	Training provided at the time of handover of sound level meter
		The Police Department of all the State/UTs may develop a robust protocol for taking appropriate action against the defaulters. (4)	Protocol developed	Direction issued to Police Department to develop protocol
			Details Observations	No details provided
2.	NGT direction dated 15.11.2019	Use of Sound Limiter(s) in all sound system / public address system for effective control of Noise Pollution	Have States/UT issued Direction (YES/No)	No Information
			Observations	No Information

8. Daman and Diu & Dadra and Nagar Haveli

Sl. No.	NGT's Direction dated	Direction content	Compliance	Status	
1.	NGT's Directions dated 15.03.2019	(State PCBs may undertake Noise level monitoring in conjunction with the Police Department and take remedial action.	Whether Noise Monitoring conducted by SPCBs (YES/ No)	Yes	
				Daman Diu and Dadar Nagar Haveli Pollution Control Committee has submitted ambient Noise monitoring data vide letter dated 03.07.2019.	
			Whether Police Department Engaged in Monitoring (YES/ No)	No	
			Total No of districts in which monitoring undertaken	02	
			Observations	Monitoring conducted at 08 locations(4 in Daman area and 4 in Dadra and Nagar Haveli area)	
			Police Departments of all the States/UTs may obtain the Noise monitoring devices within a period of three months. (2)	Number of Sound Level Meter procured	01 instrument procured
				Observations	Complied
			The Police Department of all the State/UTs may also train their staff regarding the use of such devices. (3)	Training Conducted	Yes
				Details of Training conducted	No information Provided
			The Police Department of all the State/UTs may develop a robust protocol for taking appropriate action against the defaulters. (4)	Protocol developed	<ul style="list-style-type: none"> • Use to conduct sound level monitoring during public and social functions. • Permission granted by DM as per guidelines of
	Details				
	Observations				

Sl. No.	NGT's Direction dated	Direction content	Compliance	Status
				Hon'ble Supreme Court
2.	NGT direction dated 15.11.2019	Use of Sound Limiter(s) in all sound system / public address system for effective control of Noise Pollution	Have States/UT issued Direction (YES/No)	No Information
			Observations	No Information

9. Delhi

Sl. No.	NGT's Direction dated	Direction content	Compliance	Status
1.	NGT's Directions dated 15.03.2019	(State PCBs may undertake Noise level monitoring in conjunction with the Police Department and take remedial action.	Whether Noise Monitoring conducted by SPCBs (YES/No)	Yes
			Whether Police Department Engaged in Monitoring (YES/No)	No
			Total No of districts in which monitoring undertaken	05 no's of Real Time Ambient Noise Monitoring Stations are installed
			Observations	Procurement of 26 Real Time Ambient Noise Monitoring Stations by DPCC
		Police Departments of all the States/UTs may obtain the Noise monitoring devices within a period of three months. (2)	Number of Sound Level Meter procured	Procurement of 244 Sound level Instrument by Delhi Police are made
			Observations	Number of instruments to be procured not provided
		The Police Department of all the State/UTs may also train their staff regarding the use of such devices. (3)	Training Conducted	Yes
			Details of Training conducted	Workshop and training of officials of Delhi Police was conducted by Department of Environment
		The Police Department of all the State/UTs may develop a robust protocol for taking appropriate action against the defaulters. (4)	Protocol developed	Yes
			Details	1. Helpline no 155271 developed for addressing complaints related to noise pollution. 2. Awareness and sensitization programme conducted among RWAs and NGOs. 3. Advertisement on

Sl. No.	NGT's Direction dated	Direction content	Compliance	Status
				noise pollution played for 35 seconds in 08 FM channels for 10 days.
			Observations	Green Delhi App developed and launched for noise related complaints and its redressal.
2.	NGT direction dated 15.11.2019	Use of Sound Limiter(s) in all sound system / public address system for effective control of Noise Pollution	Have States/UT issued Direction (YES/No)	Yes
			Observations	Notification dated 21.11.2019 issued for mandatory use of sound limiters

10. GOA

Sl. No.	NGT's Direction dated	Direction content	Compliance	Status
1.	NGT's Directions dated 15.03.2019	State PCBs may undertake Noise level monitoring in conjunction with the Police Department and take remedial action.	Whether Noise Monitoring conducted by SPCBs (YES/ No)	No information
			Whether Police Department Engaged in Monitoring (YES/ No)	No information -
			Total No of districts in which monitoring undertaken	- No information
			Observations	The State is in the process of purchasing 07 Noise Monitoring devices/measurement meters to be delivered to each Taluka Sub-Divisional Magistrate to monitor the enforcement of Noise Pollution (Regulation and Control) Rules, 2020.
		Police Departments of all the States/UTs may obtain the Noise monitoring devices within a period of three months. (2)	Number of Sound Level Meter procured	State is in the process of purchasing 07 Sound Level Meter
			Observations	
		The Police Department of all the State/UTs may also train their staff regarding the use of such devices. (3)	Training Conducted	No information
			Details of Training conducted	
		The Police Department of all the State/UTs may develop a robust protocol for taking appropriate action against the defaulters. (4)	Protocol developed	SDM to monitor the enforcement of Noise Pollution (Regulation and Control) Rules, 2000
			Details	
			Observations	

Sl. No.	NGT's Direction dated	Direction content	Compliance	Status
2.	NGT direction dated 15.11.2019	Use of Sound Limiter(s) in all sound system / public address system for effective control of Noise Pollution	Have States/UT issued Direction (YES/No) Observations	No information

11. Gujarat

Sl. No.	NGT's Direction dated	Direction content	Compliance	Status
1.	NGT's Directions dated 15.03.2019	State PCBs may undertake Noise level monitoring in conjunction with the Police Department and take remedial action.	Whether Noise Monitoring conducted by SPCBs (YES/No)	Yes
			Whether Police Department Engaged in Monitoring (YES/No)	Yes
			Total No of districts in which monitoring undertaken	-
			Observations	In consultation with Police department, Board has constituted a joint enforcement team of 56 deputy Superintendent of Police and GPCB officials in Gujarat state for carrying out Noise Monitoring and enforcement with reference to the Hon'ble NGT order in O.A. No-681/2018.
		Police Departments of all the States/UTs may obtain the Noise monitoring devices within a period of three months. (2)	Number of Sound Level Meter procured	33 Nos. of Noise Meters have been already purchased by Home department. GPCB has also purchased 31 Nos. of Noise meters for regular use.
			Observations	All Regional Offices of GPCB have been given training regarding use of noise level monitoring device to 241 Nos.
			The Police Department of all the State/UTs may also train their staff regarding the use of such devices. (3)	Training Conducted
		The Police Department of all the State/UTs may	Details of Training conducted	Police department has given training to 15 DYSP on dated 23/03/2020.
			Protocol developed	Yes

Sl. No.	NGT's Direction dated	Direction content	Compliance	Status
		develop a robust protocol for taking appropriate action against the defaulters. (4)	Details	Office of the DG&IGP, Gandhinagar has submitted Protocol on Noise level monitoring and enforcement to curb Noise Pollution vide E-mail dated 04/06/2020.
			Observations	-
2.	NGT direction dated 15.11.2019	Use of Sound Limiter(s) in all sound system / public address system for effective control of Noise Pollution	Have States/UT issued Direction (YES / No)	Under process by Forest and Environment Department, Government of Gujarat.
			Observations	Notification for Gujarat State for installation of Noise limiter in all sound system/public address system for control of Noise Pollution is published on December 3, 2019.

12. Haryana

Sl. No.	NGT's Direction dated	Direction content	Compliance	Status
1.	NGT's Directions dated 15.03.2019	(State PCBs may undertake Noise level monitoring in conjunction with the Police Department and take remedial action.	Whether Noise Monitoring conducted by SPCBs (YES/No)	No information Received
			Whether Police Department Engaged in Monitoring (YES/No)	
			Total No of districts in which monitoring undertaken	-
			Observations	-
		Police Departments of all the States/UTs may obtain the Noise monitoring devices within a period of three months. (2)	Number of Sound Level Meter procured	-
			Observations	-
		The Police Department of all the State/UTs may also train their staff regarding the use of such devices. (3)	Training Conducted	-
			Details of Training conducted	-
		The Police Department of all the State/UTs may develop a robust protocol for taking appropriate action against the defaulters. (4)	Protocol developed	-
			Details	-
Observations	No information Provided			
2.	NGT direction dated 15.11.2019	Use of Sound Limiter(s) in all sound system / public address system for effective control of Noise Pollution	Have States/UT issued Direction (YES/No)	-
			Observations	No information Provided

13. Himachal Pradesh

Sl. No.	NGT's Direction dated	Direction content	Compliance	Status
1.	NGT's Directions dated 15.03.2019	(State PCBs may undertake Noise level monitoring in conjunction with the Police Department and take remedial action.	Whether Noise Monitoring conducted by SPCBs (YES/No)	Yes
			Whether Police Department Engaged in Monitoring (YES/No)	Yes
			Total No of districts in which monitoring undertaken	87 locations in 9 district
			Observations	Monitoring carried out at 14 cities town at Parwanoo, Baddi, Nalagarh, Bilaspur, Chamba, Kullu, Manali, Una, Rampur, Shimla, Sunder Nagar, Ponta Sahib, Damtal, Dharmshala
		Police Departments of all the States/UTs may obtain the Noise monitoring devices within a period of three months. (2)	Number of Sound Level Meter procured	13
			Observations	Already procured through GEM on 05.12.2020 and distributed to District SSP OF HP state
		The Police Department of all the State/UTs may also train their staff regarding the use of such devices. (3)	Training Conducted	Yes
			Details of Training conducted	During distribution firm gave operational knowledge.
		The Police Department of all the State/UTs may develop a robust protocol for taking appropriate action against the defaulters. (4)	Protocol developed	In this regard, it is submitted that strict action against the violators is being taken under existing provisions of Himachal Pradesh Instruments (Control of Noise) Act, 1969.
			Details	
	Observations			

Sl. No.	NGT's Direction dated	Direction content	Compliance	Status
2.	NGT direction dated 15.11.2019	Use of Sound Limiter(s) in all sound system / public address system for effective control of Noise Pollution	Have States/UT issued Direction (YES / No)	-
			Observations	No information Provided

14. Jammu and Kashmir

Sl. No.	NGT's Direction dated	Direction content	Compliance	Status																
1.	NGT's Directions dated 15.03.2019	(State PCBs may undertake Noise level monitoring in conjunction with the Police Department and take remedial action.	Whether Noise Monitoring conducted by SPCBs (YES/No)	Yes																
			Whether Police Department Engaged in Monitoring (YES/No)	Yes																
			Total No of districts in which monitoring undertaken	02 districts																
			Observations	Monitoring being carried out by SPCB on random basis at 03 locations in Jammu and 10 locations in Srinagar.																
		Police Departments of all the States/UTs may obtain the Noise monitoring devices within a period of three months. (2)	Number of Sound Level Meter procured	30 (No.) Sound level Meters (CASELLA Model, CEL-620A-IP) have been procured by Police Dept. and have been distributed to the field functionaries with details as following:- <table border="1" data-bbox="1082 1301 1469 1845"> <thead> <tr> <th>S. No</th> <th>Name of Office</th> <th>Quantity allotted</th> </tr> </thead> <tbody> <tr> <td>1</td> <td>SSP Traffic City Srinagar</td> <td>07</td> </tr> <tr> <td>2</td> <td>SSP Traffic City Jammu</td> <td>07</td> </tr> <tr> <td>3</td> <td>SSP Traffic NHW Ramban</td> <td>05</td> </tr> <tr> <td>4</td> <td>SSP Traffic Rural Kashmir</td> <td>06</td> </tr> <tr> <td>5</td> <td>SSP Traffic Rural Kashmir</td> <td>05</td> </tr> </tbody> </table>	S. No	Name of Office	Quantity allotted	1	SSP Traffic City Srinagar	07	2	SSP Traffic City Jammu	07	3	SSP Traffic NHW Ramban	05	4	SSP Traffic Rural Kashmir	06	5
S. No	Name of Office	Quantity allotted																		
1	SSP Traffic City Srinagar	07																		
2	SSP Traffic City Jammu	07																		
3	SSP Traffic NHW Ramban	05																		
4	SSP Traffic Rural Kashmir	06																		
5	SSP Traffic Rural Kashmir	05																		
Observations	Specification is finalized and Procurement is under process. Sound level Meters have been procured and distributed for further use in the field.																			

Sl. No.	NGT's Direction dated	Direction content	Compliance	Status
		The Police Department of all the State/UTs may also train their staff regarding the use of such devices. (3)	Training Conducted	Yes Training proposed in the month of July and August, 2019
			Details of Training conducted	Training has been conducted in both the regions of J&K. A total of 78 Traffic Police personals have been trained. i) In Kashmir region, 40 Traffic Police personals were trained in two-day training/workshop programme on 14 th & 15 th Oct.2019. ii) In Jammu region, 38 Traffic Police personals were trained in two-day training/workshop programme on 28 th & 29 th Jan.2020.
		The Police Department of all the State/UTs may develop a robust protocol for taking appropriate action against the defaulters. (4)	Protocol developed	Yes
			Details	<ul style="list-style-type: none"> • Vehicle Emission Monitoring team comprising PCB and traffic police officials conducts monitoring using mobile laboratory for the purpose. The monitoring process is a regular feature of Board. • Status of pressure horn included in PUC certificate. • Awareness and sensitization programme on noise pollution through stakeholders, print and electronic media being conducted. • Authorities are defined and silence zone identified in Srinagar and Jammu.
			Observations	IG Traffic Police J&K, vide No. THQ/P&S/11/2020/12487 dt. 21-12-2020 has imposed fine to the tune of Rs. 1,20,800 from defaulters on account of causing noise pollution in Jammu and Srinagar Cities.

Sl. No.	NGT's Direction dated	Direction content	Compliance	Status
2.	NGT direction dated 15.11.2019	Use of Sound Limiter(s) in all sound system/ public address system for effective control of Noise Pollution	Have States/UT issued Direction (YES / No)	The matter has been taken up with Govt. for issuance of order vide no. JKPCB/NGT/57/981-982 dt. 17-08-2020 for installation of Noise Limiters on potential noise polluting devices.

15. Jharkhand

Sl. No.	NGT's Direction dated	Direction content	Compliance	Status
1.	NGT's Directions dated 15.03.2019	(State PCBs may undertake Noise level monitoring in conjunction with the Police Department and take remedial action.	Whether Noise Monitoring conducted by SPCBs (YES/No)	No Information in respect of action plan for control of Noise Pollution.
			Whether Police Department Engaged in Monitoring (YES/No)	
			Total No of districts in which monitoring undertaken	
			Observations	
		Police Departments of all the States/UTs may obtain the Noise monitoring devices within a period of three months. (2)	Number of Sound Level Meter procured	
			Observations	
		The Police Department of all the State/UTs may also train their staff regarding the use of such devices. (3)	Training Conducted	
			Details of Training conducted	
		The Police Department of all the State/UTs may develop a robust protocol for taking appropriate action against the defaulters. (4)	Protocol developed	
			Details	
Observations				
2.	NGT direction dated 15.11.2019	Use of Sound Limiter(s) in all sound system / public address system for effective control of Noise Pollution	Have States/UT issued Direction (YES/No)	

16. Karnataka

Sl. No.	NGT's Direction dated	Direction content	Compliance	Status
1.	NGT's Directions dated 15.03.2019	State PCBs may undertake Noise level monitoring in conjunction with the Police Department and take remedial action.	Whether Noise Monitoring conducted by SPCBs (YES/No)	Yes
			Whether Police Department Engaged in Monitoring (YES/No)	Yes
			Total No of districts in which monitoring undertaken	01
			Observations	10 Nos of real time ambient Noise monitoring stations are being operated in bengaluru city
		Police Departments of all the States/UTs may obtain the Noise monitoring devices within a period of three months. (2)	Number of Sound Level Meter procured	114 Sound level meters have been procured, 108 distributed to Bengaluru City Police. 6 Sound Level Meters to KSPCB regional officers of Bengaluru region
			Observations	
		The Police Department of all the State/UTs may also train their staff regarding the use of such devices. (3)	Training Conducted	Yes
			Details of Training conducted	Training conducted on 06.11.19, 13.10.20 & 14.10.20
		The Police Department of all the State/UTs may develop a robust protocol for taking appropriate action against the defaulters. (4)	Protocol developed	Protocol to be framed by police department
			Observations	Letters of KSPCB to DG&IG Police department for taking appropriate action.
2.	NGT direction dated 15.11.2019	Use of Sound Limiter(s) in all sound system / public address system for effective control of Noise Pollution	Have States/UT issued Direction (YES/No)	Yes
			Observations	Details not provided

17. Kerala

Sl. No.	NGT's Direction dated	Direction content	Compliance	Status
1.	NGT's Directions dated 15.03.2019	(State PCBs may undertake Noise level monitoring in conjunction with the Police Department and take remedial action.	Whether Noise Monitoring conducted by SPCBs (YES/ No)	Monitoring only on request basis.
			Whether Police Department Engaged in Monitoring (YES/ No)	Support is given by Kerala State PCB
			Total No of districts in which monitoring undertaken	Support from Board is given in all 14 districts
			Observations	<ul style="list-style-type: none"> • 04 Ambient Noise Monitoring Stations proposed to be installed. • KSPCB conducted study of noise mapping of Thiruvanthpuram city
		Police Departments of all the States/UTs may obtain the Noise monitoring devices within a period of three months. (2)	Number of Sound Level Meter procured	Social Policing and traffic department has suggested to procure 19 devices one for each district.
			Observations	Specification of sound level meter and the list of leading suppliers were given to the state police department as per order dated 25-06-2019
		The Police Department of all the State/UTs may also train their staff regarding the use of such devices. (3)	Training Conducted	Yes
			Details of Training conducted	Yes, Training and demonstration programme on noise monitoring for police and KSPCB officials at Ernakulum on 28 th - 30 th December 2020
The Police Department of all the State/UTs may	Protocol developed	No		

Sl. No.	NGT's Direction dated	Direction content	Compliance	Status
		develop a robust protocol for taking appropriate action against the defaulters. (4)	Details	Police department was instructed to take action regarding development of robust protocol for taking action against defaulters
			Observations	Details of the protocol not provided
2.	NGT direction dated 15.11.2019	Use of Sound Limiter(s) in all sound system / public address system for effective control of Noise Pollution	Have States/UT issued Direction (YES / No)	Vide letter dated 13.02.2020 Police Department was instructed to take action regarding the installation of noise limiters in potential noise polluting devices (loud speakers/public address system/ vehicles).
			Observations	Vide letter dated 24.11.2020 the Board has requested Home Department to submit the status of the same.

18. Madhya Pradesh

Sl. No.	NGT's Direction dated	Direction content	Compliance	Status
1.	NGT's Directions dated 15.03.2019	(State PCBs may undertake Noise level monitoring in conjunction with the Police Department and take remedial action.	Whether Noise Monitoring conducted by SPCBs (YES/No)	Yes
			Whether Police Department Engaged in Monitoring (YES/No)	No
			Total No of districts in which monitoring undertaken	16
			Observations	MP Pollution Control Board has conducted monitoring at 16 districts on annual basis
		Police Departments of all the States/UTs may obtain the Noise monitoring devices within a period of three months. (2)	Number of Sound Level Meter procured	Proposal for 87 Sound level meter is proposed by Police Department
			Observations	Timeline provided for procurement of devices (3 months)
		The Police Department of all the State/UTs may also train their staff regarding the use of such devices. (3)	Training Conducted	Yes
			Details of Training conducted	Planned for training on regular basis
		The Police Department of all the State/UTs may develop a robust protocol for taking appropriate action against the defaulters. (4)	Protocol developed	Yes
			Details	Identification of authority, marking of sensitive area, constitution of inter departmental advisory committee for effective implementation of the rules, identification of sources of noise pollution and awareness programme included in protocol
Observations	Complied			
2.	NGT direction	Use of Sound Limiter(s) in all sound system / public address system	Have States/UT issued Direction (YES/No)	No Information provided

Sl. No.	NGT's Direction dated	Direction content	Compliance	Status
	dated 15.11.2019	for effective control of Noise Pollution	Observations	Information on protocol development for taking appropriate action against the defaulters and orders for use of sound limiters not provided

19. Maharashtra

Sl. No.	NGT's Direction dated	Direction content	Compliance	Status	
1.	NGT's Directions dated 15.03.2019	State PCBs may undertake Noise level monitoring in conjunction with the Police Department and take remedial action.	Whether Noise Monitoring conducted by SPCBs (YES/No)	Letter from MPCB was received on 09/09/2019 but No attachment has been received stating action taken report on Noise mapping done and subsequent action taken with regards to this.	
			Whether Police Department Engaged in Monitoring (YES/No)		
			Total No of districts in which monitoring undertaken		27 Municipal corporation
			Observations		Noise mapping is done in 27 municipal corporation and data of 10 municipal corporation is received .
		Police Departments of all the States/UTs may obtain the Noise monitoring devices within a period of three months. (2)	Number of Sound Level Meter procured		
			Observations		
		The Police Department of all the State/UTs may also train their staff regarding the use of such devices. (3)	Training Conducted		
			Details of Training conducted		
		The Police Department of all the State/UTs may develop a robust protocol for taking appropriate action against the defaulters. (4)	Protocol developed		
			Details		
	Observations				
2.	NGT direction dated 15.11.2019	Use of Sound Limiter(s) in all sound system/ public address system for effective control of Noise Pollution	Have States/UT issued Direction (YES/No)		
			Observations		

20. Meghalaya

Sl. No.	NGT's Direction dated	Direction content	Compliance	Status
1.	NGT's Directions dated 15.03.2019	(State PCBs may undertake Noise level monitoring in conjunction with the Police Department and take remedial action.	Whether Noise Monitoring conducted by SPCBs (YES/No)	Yes
			Whether Police Department Engaged in Monitoring (YES/No)	Yes
			Total No of districts in which monitoring undertaken	1 District
			Observations	Monitoring carried out at Byrnihat city, Ribhoi District in which 15 industrial units are included
		Police Departments of all the States/UTs may obtain the Noise monitoring devices within a period of three months. (2)	Number of Sound Level Meter procured	Proposal for procurement of sound level meter forwarded to CPCB
			Observations	Procurement to be carried out
		The Police Department of all the State/UTs may also train their staff regarding the use of such devices. (3)	Training Conducted	No Information provided
			Details of Training conducted	
		The Police Department of all the State/UTs may develop a robust protocol for taking appropriate action against the defaulters. (4)	Protocol developed	No Information provided
			Details	
Observations				
2.	NGT direction dated 15.11.2019	Use of Sound Limiter(s) in all sound system / public address system for effective control of Noise Pollution	Have States/UT issued Direction (YES/No)	No Information provided
			Observations	

21. Manipur

Sl. No.	NGT's Direction dated	Direction content	Compliance	Status
1.	NGT's Directions dated 15.03.2019	(State PCBs may undertake Noise level monitoring in conjunction with the Police Department and take remedial action.	Whether Noise Monitoring conducted by SPCBs (YES/No)	No
			Whether Police Department Engaged in Monitoring (YES/No)	No
			Total No of districts in which monitoring undertaken	
			Observations	No monitoring conducted
		Police Departments of all the States/UTs may obtain the Noise monitoring devices within a period of three months. (2)	Number of Sound Level Meter procured	2 Sound Level Meter available with SPCBs
			Observations	Proposal for procurement of 02 Sound level meter for Transport department proposed.
		The Police Department of all the State/UTs may also train their staff regarding the use of such devices. (3)	Training Conducted	No
			Details of Training conducted	
		The Police Department of all the State/UTs may develop a robust protocol for taking appropriate action against the defaulters. (4)	Protocol developed	Yes
			Details	No vehicle zone within city limits to decongest traffic.
Observations	Protocol should identify designated authority and violation for taking action against defaulters			
2.	NGT direction dated 15.11.2019	Use of Sound Limiter(s) in all sound system / public address system for effective control of Noise Pollution	Have States/UT issued Direction (YES/No)	No information provided
			Observations	No information provided

22. Mizoram

Sl. No.	NGT's Direction dated	Direction content	Compliance	Status
1.	NGT's Directions dated 15.03.2019	State PCBs may undertake Noise level monitoring in conjunction with the Police Department and take remedial action.	Whether Noise Monitoring conducted by SPCBs (YES / No)	Yes
			Whether Police Department Engaged in Monitoring (YES/No)	-
			Total No of districts in which monitoring undertaken	04 locations in Aizawl City, viz, Dawrpui, Bawngkawn, Laipuitlang and Sikulpuikawn.
			Observations	Regular Monitoring of Ambient Noise is being carried out once a week from July, 2019 onwards.
		Police Departments of all the States/UTs may obtain the Noise monitoring devices within a period of three months. (2)	Number of Sound Level Meter procured	06
			Observations	All the existing Sound level Meters (6 Nos.) available with the Board conform to the CPCB's specifications.
		The Police Department of all the State/UTs may also train their staff regarding the use of such devices. (3)	Training Conducted	No information provided
			Details of Training conducted	
		The Police Department of all the State/UTs may develop a robust protocol for taking appropriate action against the defaulters. (4)	Protocol developed	Board have also been taken actions in compliance of Hon'ble NGT order in O.A.No.158/2015/EZ dt.03.10.2017 & O.A. 516/2016 dt. 01.08.2019
			Observations	
2.	NGT direction dated 15.11.2019	Use of Sound Limiter(s) in all sound system / public address system for effective control of Noise Pollution	Have States/UT issued Direction (YES / No)	Yes
			Observations	All sellers/dealers of Public Address/Audio system were directed to comply with the

Sl. No.	NGT's Direction dated	Direction content	Compliance	Status
				<p>above orders and not to sell audio system without sound limiter.</p> <p>The DGP, GOM were also requested to verify such dealers whether they comply with the orders vide no. H.88088/Poltn/50(XV)/2017-PCB/12 dated 03.09.2019</p>

23. Nagaland

Sl. No.	NGT's Direction dated	Direction content	Compliance	Status
1.	NGT's Directions dated 15.03.2019	State PCBs may undertake Noise level monitoring in conjunction with the Police Department and take remedial action.	Whether Noise Monitoring conducted by SPCBs (YES/No)	Action plan not received
			Whether Police Department Engaged in Monitoring (YES/No)	
			Total No of districts in which monitoring undertaken	
			Observations	
		Police Departments of all the States/UTs may obtain the Noise monitoring devices within a period of three months. (2)	Number of Sound Level Meter procured	-
			Observations	
		The Police Department of all the State/UTs may also train their staff regarding the use of such devices. (3)	Training Conducted	
			Details of Training conducted	
		The Police Department of all the State/UTs may develop a robust protocol for taking appropriate action against the defaulters. (4)	Protocol developed	
			Details	
	Observations			
2.	NGT direction dated 15.11.2019	Use of Sound Limiter(s) in all sound system / public address system for effective control of Noise Pollution	Have States/UT issued Direction (YES/No)	
			Observations	

24. Odisha

Sl. No.	NGT's Direction dated	Direction content	Compliance	Status
1.	NGT's Directions dated 15.03.2019	(State PCBs may undertake Noise level monitoring in conjunction with the Police Department and take remedial action.	Whether Noise Monitoring conducted by SPCBs (YES/No)	Yes
			Whether Police Department Engaged in Monitoring (YES/No)	Yes
			Total No of districts in which monitoring undertaken	
			Observations	
		Police Departments of all the States/UTs may obtain the Noise monitoring devices within a period of three months. (2)	Number of Sound Level Meter procured	259 Sound level meter issued to different district. Proposal to provide sound level meter to 551 Police Station (One each)
			Observations	Procurement to be carried out
		The Police Department of all the State/UTs may also train their staff regarding the use of such devices. (3)	Training Conducted	Directed DSP to conduct training of officer in their jurisdiction. SPCB will provide training as per requirement
			Details of Training conducted	
		The Police Department of all the State/UTs may develop a robust protocol for taking appropriate action against the defaulters. (4)	Protocol developed	No such protocol developed yet
			Details	Police department directed to develop a robust protocol for taking appropriate action against the defaulters.
	Observations			
2.	NGT direction dated 15.11.2019	Use of Sound Limiter(s) in all sound system/ public address system for effective control of Noise Pollution	Have States/UT issued Direction (YES/No)	Yes
			Observations	Installation of Noise limiters to restrict the Noise generation from

Sl. No.	NGT's Direction dated	Direction content	Compliance	Status
				Loud Speakers, Music Systems, are regulated by the Police Department

25. Pondicherry

Sl. No.	NGT's Direction dated	Direction content	Compliance	Status
1.	NGT's Directions dated 15.03.2019	(State PCBs may undertake Noise level monitoring in conjunction with the Police Department and take remedial action.	Whether Noise Monitoring conducted by SPCBs (YES/No)	No
			Whether Police Department Engaged in Monitoring (YES/No)	No
			Total No of districts in which monitoring undertaken	-
			Observations	No Information on Noise monitoring
		Police Departments of all the States/UTs may obtain the Noise monitoring devices within a period of three months. (2)	Number of Sound Level Meter procured	Nil
			Observations	02 Noise level monitoring meters will be purchased for the two districts of Pondicherry viz Pondicherry and Karaikal in consultation with Pondicherry pollution control committee
		The Police Department of all the State/UTs may also train their staff regarding the use of such devices. (3)	Training Conducted	No
			Details of Training conducted	
		The Police Department of all the State/UTs may develop a robust protocol for taking appropriate action against the defaulters. (4)	Protocol developed	Proposed actions such as identification of noise hot spots, awareness programme on noise pollution, promoting E-vehicle, IEC programme, constitution of task force to address noise pollution issue
			Details	
			Observations	

Sl. No.	NGT's Direction dated	Direction content	Compliance	Status
2.	NGT direction dated 15.11.2019	Use of Sound Limiter(s) in all sound system / public address system for effective control of Noise Pollution	Have States/UT issued Direction (YES / No)	No Information provided
			Observations	No Information provided

26. Punjab

Sl. No.	NGT's Direction dated	Direction content	Compliance	Status
1.	NGT's Directions dated 15.03.2019	(State PCBs may undertake Noise level monitoring in conjunction with the Police Department and take remedial action.	Whether Noise Monitoring conducted by SPCBs (YES/No)	No
			Whether Police Department Engaged in Monitoring (YES/No)	No
			Total No of districts in which monitoring undertaken	-
			Observations	No Information on Noise monitoring
		Police Departments of all the States/UTs may obtain the Noise monitoring devices within a period of three months. (2)	Number of Sound Level Meter procured	Nil
			Observations	Specification provided to police department
		The Police Department of all the State/UTs may also train their staff regarding the use of such devices. (3)	Training Conducted	No
			Details of Training conducted	
		The Police Department of all the State/UTs may develop a robust protocol for taking appropriate action against the defaulters. (4)	Protocol developed	No
			Details	
Observations				
2.	NGT direction dated 15.11.2019	Use of Sound Limiter(s) in all sound system / public address system for effective control of Noise Pollution	Have States/UT issued Direction (YES/No)	No Information provided
			Observations	

27. Tamilnadu

Sl. No.	NGT's Direction dated	Direction content	Compliance	Status
1.	NGT's Directions dated 15.03.2019	(State PCBs may undertake Noise level monitoring in conjunction with the Police Department and take remedial action.	Whether Noise Monitoring conducted by SPCBs (YES/No)	Yes
			Whether Police Department Engaged in Monitoring (YES/No)	No
			Total No of districts in which monitoring undertaken	
			Observations	10 number of Real Time Ambient Noise monitoring stations are being operated in Chennai city
		Police Departments of all the States/UTs may obtain the Noise monitoring devices within a period of three months. (2)	Number of Sound Level Meter procured	
			Observations	The Director General of Police, Tamil Nadu was addressed to take necessary actions for the procurement of instruments and equipments for the procurement of noise level devices.
		The Police Department of all the State/UTs may also train their staff regarding the use of such devices. (3)	Training Conducted	No, Training will be provided after procurement
			Details of Training conducted	
		The Police Department of all the State/UTs may develop a robust protocol for taking appropriate action against the defaulters. (4)	Protocol developed	No
			Details	Robust protocol will be developed for further appropriate action
Observations				
2.	NGT direction dated 15.11.2019	Use of Sound Limiter(s) in all sound system / public address system for effective control of Noise Pollution	Have States/UT issued Direction (YES/No)	No information provided
			Observations	

28. Telangana

Sl. No.	NGT's Direction dated	Direction content	Compliance	Status
1.	NGT's Directions dated 15.03.2019	(State PCBs may undertake Noise level monitoring in conjunction with the Police Department and take remedial action.	Whether Noise Monitoring conducted by SPCBs (YES/ No)	Yes
			Whether Police Department Engaged in Monitoring (YES/ No)	Yes
			Total No of districts in which monitoring undertaken	1
			Observations	11 Nos. of Real Time Ambient Noise Monitoring Stations is being operated. TSPCB is carrying out the monitoring at some of the districts with manual Noise measuring instruments
		Police Departments of all the States/UTs may obtain the Noise monitoring devices within a period of three months. (2)	Number of Sound Level Meter procured	Nil
			Observations	No information provided
		The Police Department of all the State/UTs may also train their staff regarding the use of such devices. (3)	Training Conducted	No
			Details of Training conducted	No information
		The Police Department of all the State/UTs may develop a robust protocol for taking appropriate action against the defaulters. (4)	Protocol developed	Yes
			Details	Implementation of the MV act section 119 and 120 with regards to horns and silencers respectively. Set-up and publicize helpline in Hyderabad City for complaints against

Sl. No.	NGT's Direction dated	Direction content	Compliance	Status
				reported Non-compliance.
			Observations	Verifying the compliance of the vehicles Noise as per the standards given by CPCB under Environment (Protection) Act at the manufacturing stage
2.	NGT direction dated 15.11.2019	Use of Sound Limiter(s) in all sound system / public address system for effective control of Noise Pollution	Have States/UT issued Direction (YES / No)	No Information provided
			Observations	

29. Tripura

Sl. No.	NGT's Direction dated	Direction content	Compliance	Status
1.	NGT's Directions dated 15.03.2019	(State PCBs may undertake Noise level monitoring in conjunction with the Police Department and take remedial action.	Whether Noise Monitoring conducted by SPCBs (YES/ No)	Yes
			Whether Police Department Engaged in Monitoring (YES/ No)	Yes
			Total No of districts in which monitoring undertaken	34 locations at 05 districts (Agartala, Udaipur, Ambassa, Kumarghat and Dharmanagar)
			Observations	Monitoring being carried out occasionally on random basis
		Police Departments of all the States/UTs may obtain the Noise monitoring devices within a period of three months. (2)	Number of Sound Level Meter procured	Nil
			Observations	Timeline provided for procurement of devices (3months)
		The Police Department of all the State/UTs may also train their staff regarding the use of such devices. (3)	Training Conducted	No
			Details of Training conducted	Training will be provided after procurement of Sound Level Meter
		The Police Department of all the State/UTs may develop a robust protocol for taking appropriate action against the defaulters. (4)	Protocol developed	Yes
			Details	1. Designated authority notified by Government. 2. Grievance cell related to noise pollution formulated. 3. Random check of pressure horns. 4. Mass Awareness on Noise Pollution. 5. Responsibilities fixed for Noise regulation

Sl. No.	NGT's Direction dated	Direction content	Compliance	Status
			Observations	
2.	NGT direction dated 15.11.2019	Use of Sound Limiter(s) in all sound system / public address system for effective control of Noise Pollution	<p>Have States/UT issued Direction (YES / No)</p> <p>Observations</p>	<p>Yes</p> <p>Tripura Government has Notified policy for mandatory use of Sound Limiter(s) in all sound system / public address system for effective control of Noise Pollution in whole state of Tripura "Use of loudspeakers are permitted only when amplifier(s) are attached to sound limiter(s).</p>

30. West Bengal

Sl. No.	NGT's Direction dated	Direction content	Compliance	Status
1.	NGT's Directions dated 15.03.2019	(State PCBs may undertake Noise level monitoring in conjunction with the Police Department and take remedial action.	Whether Noise Monitoring conducted by SPCBs (YES/No)	Yes
			Whether Police Department Engaged in Monitoring (YES/No)	Yes
			Total No of districts in which monitoring undertaken	The regional offices of the State Board monitors noise levels in the district in association with police authorities.
			Observations	10 number of Real Time Ambient Noise monitoring stations are being operated in Kolkata city. Manual Monitoring being carried out occasionally on random basis
		Police Departments of all the States/UTs may obtain the Noise monitoring devices within a period of three months. (2)	Number of Sound Level Meter procured	527 Sound Level Meter and 527 Sound Limiters
			Observations	527 Sound Level Meter and 527 Sound Limiters are provided to Police Departments. Additional 750 SLM with calibrator have been provided to the police.
		The Police Department of all the State/UTs may also train their staff regarding the use of such devices. (3)	Training Conducted	Yes
			Details of Training conducted	Training provided to police department on yearly basis

Sl. No.	NGT's Direction dated	Direction content	Compliance	Status
		The Police Department of all the State/UTs may develop a robust protocol for taking appropriate action against the defaulters. (4)	Protocol developed	Yes
			Details	1. Designated authority notified by Government. 2 Mass Awareness on Noise Pollution. 3. Responsibilities fixed for Noise regulation
			Observations	
2.	NGT direction dated 15.11.2019	Use of Sound Limiter(s) in all sound system / public address system for effective control of Noise Pollution	Have States/UT issued Direction (YES / No)	Yes
			Observations	West Bengal State Government has Notified policy for mandatory use of Sound Limiter(s) in all sound system / public address system for effective control of Noise Pollution in whole state of W.B "Use of loudspeakers are permitted only when amplifier(s) are attached to sound limiter(s)

31. Lakshadweep

Sl. No.	NGT's Direction dated	Direction content	Compliance	Status
1.	NGT's Directions dated 15.03.2019	State PCBs may undertake Noise level monitoring in conjunction with the Police Department and take remedial action.	Whether Noise Monitoring conducted by SPCBs (YES/No)	
			Whether Police Department Engaged in Monitoring (YES/No)	
			Total No of districts in which monitoring undertaken	
			Observations	No information
		Police Departments of all the States/UTs may obtain the Noise monitoring devices within a period of three months. (2)	Number of Sound Level Meter procured	
			Observations	
		The Police Department of all the State/UTs may also train their staff regarding the use of such devices. (3)	Training Conducted	
			Details of Training conducted	
		The Police Department of all the State/UTs may develop a robust protocol for taking appropriate action against the defaulters. (4)	Protocol developed	
			Details	
Observations	-			
2.	NGT direction dated 15.11.2019	Use of Sound Limiter(s) in all sound system / public address system for effective control of Noise Pollution	Have States/UT issued Direction (YES/No)	
			Observations	

32. Rajasthan

Sl. No.	NGT's Direction dated	Direction content	Compliance	Status
1.	NGT's Directions dated 15.03.2019	State PCBs may undertake Noise level monitoring in conjunction with the Police Department and take remedial action.	Whether Noise Monitoring conducted by SPCBs (YES/No)	No
			Whether Police Department Engaged in Monitoring (YES/No)	No
			Total No of districts in which monitoring undertaken	No
			Observations	No information and information provided regarding Noise Mapping.
		Police Departments of all the States/UTs may obtain the Noise monitoring devices within a period of three months. (2)	Number of Sound Level Meter procured	
			Observations	
		The Police Department of all the State/UTs may also train their staff regarding the use of such devices. (3)	Training Conducted	
			Details of Training conducted	
		The Police Department of all the State/UTs may develop a robust protocol for taking appropriate action against the defaulters. (4)	Protocol developed	
			Observations	-
2.	NGT direction dated 15.11.2019	Use of Sound Limiter(s) in all sound system / public address system for effective control of Noise Pollution	Have States/UT issued Direction (YES/No)	
			Observations	

33. Sikkim

Sl. No.	NGT's Direction dated	Direction content	Compliance	Status
1.	NGT's Directions dated 15.03.2019	State PCBs may undertake Noise level monitoring in conjunction with the Police Department and take remedial action.	Whether Noise Monitoring conducted by SPCBs (YES/ No)	Yes SPCB-Sikkim carries out noise level monitoring during pre-Diwali and post-Diwali at State Capital every year and Noise level are well within the prescribed limit of 65 dB (A) Leq.
			Whether Police Department Engaged in Monitoring (YES/ No)	Yes SPCB-Sikkim in co-ordination with CPCB, Regional Office, Shillong provided training to Police Officials on noise pollution monitoring and sensitized them about the provision of the Noise Pollution (Regulation and Control) Rules, 2000 and amendment thereof on 15.11.2019.
			Total No of districts in which monitoring undertaken	No information provided
			Observations	All Municipal areas in the State Capital stretching from Ranipool to Tashi View point & other important areas has been notified as No Horn Zone by the Motor Vehicles Division, Transport Department, Govt. of Sikkim vide notification no. GOS/MVD/T/2018-19/197 dated 07.05.2019 .
		Police Departments of all the States/UTs may obtain the Noise monitoring devices within a period of three months. (2)	Number of Sound Level Meter procured	-
			Observations	Will be procured within 3 months,
		The Police Department of all the State/UTs may also train their staff regarding the use of such devices. (3)	Training Conducted	Yes
			Details of Training conducted	SPCB-Sikkim in co-ordination with CPCB, Regional Office, Shillong provided training to Police Officials on noise pollution monitoring and

Sl. No.	NGT's Direction dated	Direction content	Compliance	Status
				sensitized them about the provision of the Noise Pollution
		The Police Department of all the State/UTs may develop a robust protocol for taking appropriate action against the defaulters. (4)	Protocol developed	Yes, State has framed action plan for control of Noise Pollution
			Details	<ul style="list-style-type: none"> Noise monitoring at identified locations Awareness to general people through TV, audio, video, electronic medias, social medias , FM print media etc. Loudspeaker use only between 6AM to 10 PM. Afforestation for noise pollution control Restrict use of DG set in residential areas. Directions to construction agencies to use silent explosives Setting up of GRIEVANCE cell in the office of District Magistrate, SP, SDM and SDPOs to address noise pollution complaints. Constitution of committee to oversee the status of action plan.
			Observations	Complied
2.	NGT direction dated 15.11.2019	Use of Sound Limiter(s) in all sound system / public address system for effective control of Noise Pollution	Have States/UT issued Direction (YES / No)	Yes Letters have been sent to the DGP and Secretary UDD to ensure fixing of noise limiters on sound producing devices by shops/agencies dealing in such devices. This is in pursuance of order of the Hon'ble NGT in O.A 681 of 2019.
			Observations	The State Environmental Information System (ENVIS Hub) of Forest and Environment Department has been conducting awareness and sensitization drives on control and abatement of pollution with

Sl. No.	NGT's Direction dated	Direction content	Compliance	Status
				<p>target groups as general public, Taxi Driver's Associations, schools and so on. State ENVIS Hub mobilizes the network of 856 Eco-Clubs set up at schools and colleges for awareness at wider level. Pre and post Deepawali activities such as broadcast of jingles through FM/ Radio, video message/ appeal of the Hon'ble Minister Forest, display of hoardings, publicity through websites (www.sikervis.nic.in / www.sikkimforest.gov.in), social media (YouTube, Face book etc), street plays, banner campaigns, clean up and sensitization drives are conducted across the state at major towns.</p>

34. Uttrakhand

Sl. No.	NGT's Direction dated	Direction content	Compliance	Status	
1.	NGT's Directions dated 15.03.2019	State PCBs may undertake Noise level monitoring in conjunction with the Police Department and take remedial action.	Whether Noise Monitoring conducted by SPCBs (YES/No)	State Pollution Control Board on dated 09.07.2020 has submitted the proposal for categorization of the different areas as well as proposal for notification of authority for taking action for maintenance of Ambient Air Quality Standards in different areas of State.	
			Whether Police Department Engaged in Monitoring (YES/No)	-	
			Total No of districts in which monitoring undertaken	-	
			Observations	State Pollution Control Board has decided to conduct noise monitoring on all Ambient Air Quality Monitoring Stations established under NAMP on scheduled dated of air monitoring.	
			Police Departments of all the States/UTs may obtain the Noise monitoring devices within a period of three months. (2)	Number of Sound Level Meter procured	-
				Observations	-
			The Police Department of all the State/UTs may also train their staff regarding the use of such devices. (3)	Training Conducted	
				Details of Training conducted	
			The Police Department of all the State/UTs may develop a robust protocol for taking appropriate action	Protocol developed	No Information Provided
				Details	
	Observations	Government of Uttarakhand vide order dated 14.10.2015 has			

Sl. No.	NGT's Direction dated	Direction content	Compliance	Status
		against the defaulters. (4)		imposed ban on Hooter/Multi-tone horns on automobiles.
2.	NGT direction dated 15.11.2019	Use of Sound Limiter(s) in all sound system / public address system for effective control of Noise Pollution	Have States/UT issued Direction (YES / No) Observations	No Information Provided

35. Uttar Pradesh

Sl. No.	NGT's Direction dated	Direction content	Compliance	Status
1.	NGT's Directions dated 15.03.2019	(State PCBs may undertake Noise level monitoring in conjunction with the Police Department and take remedial action.	Whether Noise Monitoring conducted by SPCBs (YES/No)	Yes
			Whether Police Department Engaged in Monitoring (YES/No)	Yes
			Total No of districts in which monitoring undertaken	UPPCB is currently monitoring noise levels at 131 manual monitoring locations across 33 cities, i.e., 52 Monitoring Locations in 13 NCAP Cities (Annexure-V) and 79 Monitoring Locations in 20 Non- NCAP Cities (Annexure -VI).
		Observations	In addition Noise Monitoring of noise generating sources is also carried out by UPPCB on case to case basis as integral part of the disposal process of complaint related to Noise Pollution.	
		Police Departments of all the States/UTs may obtain the Noise monitoring devices within a period of three months. (2)	Number of Sound Level Meter procured	UPPCB has procured 60 Class 1 Noise Monitoring Devices
			Observations	UPPCB has procured 60 Class 1 Noise Monitoring Devices which shall be distributed to the Regional Offices for enforcement of Noise Rules in the State. Further the Noise Monitoring data across the State shall be analyzed and utilized for identification of additional Hotspots.
The Police Department of all the State/UTs may	Training Conducted	Will be conducted Every year		

Sl. No.	NGT's Direction dated	Direction content	Compliance	Status
		also train their staff regarding the use of such devices. (3)	Details of Training conducted	02 training per year for capacity building of the authorities. Rs 10 Lakh per year funds to be borne by home department.
		The Police Department of all the State/UTs may develop a robust protocol for taking appropriate action against the defaulters. (4)	Protocol developed Details Observations	yes State of Uttar Pradesh has functional Online Complaint Redressal Portal "Integrated Grievance Redressal System (IGRS)". The complaints are received online and action taken report for disposal of the compliant is uploaded on the Portal for ensuring transparency and speedy disposal of the complaint.
2.	NGT direction dated 15.11.2019	Use of Sound Limiter(s) in all sound system / public address system for effective control of Noise Pollution	Have States/UT issued Direction (YES/No) Observations	Regular Enforcement through District Administration