

OFFICE OF THE MONITORING COMMITTEE

Constituted by the Hon'ble National Green Tribunal in OA No.916/2018 (earlier OA No.101 of 2014) OA No.606 of 2018

(Official Address: Tower No.5, 4th Floor, Forest Complex,
Sector 68, SAS Nagar) Tel. No. 0172-2298091

Email: ceccswm606@gmail.com

To

The Registrar General,
Hon'ble National Green Tribunal,
Faridkot House, Copernicus Marg,
New Delhi, Delhi 110001

No.CMC/SWM/2021/01

Dated: 5.4.2021

Subject: First report of the Monitoring Committee, constituted by the Hon'ble National Green Tribunal on various environment issues in the State of Punjab, w.r.t compliance of order dated 29.1.2021 in OA No. 360 of 2018 in the matter of Shree Nath Sharma Vs. Union of India & others regarding preparation of District Environment Plans of all the Districts of State of Punjab and execution thereof.

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It is submitted that the Hon'ble National Green Tribunal in its various orders w.r.t preparation of District Environment Plans for protection of environment has passed the detailed orders, which are briefly mentioned as under:

- 1) The Hon'ble National Green Tribunal in its order dated 15.7.2019 in OA No. 710 of 2017 in the matter of Shailesh Singh v/s Sheela Hospital & Trauma Centre, Shahjahanpur & Ors, has directed in Para No. 8, the part of which is reproduced as under:

"We find it necessary to add that in view of Constitutional provisions under Articles 243 G, 243 W, 243 ZD read with Schedules 11 and 12 and Rule 15 of the Solid Waste Management Rules, 2016, it is necessary to have a District Environment Plan to be operated by a District Committee (as a part of District Planning Committee under Article 243 ZD) with representatives from Panchayats, Local Bodies, Regional Officers, State PCB and a suitable officer representing the administration, which may in turn be chaired and monitored by the District Magistrate. Such District Environment Plans and Constitution of District Committee may be placed on the website of Districts concerned".

- 2) The Hon'ble National Green Tribunal in its order dated 19.3.2020 in OA No. 360 of 2018 in the matter of Shree Nath Sharma Vs. Union of India & Ors has directed in Para No. 5 as under:

"While we note the steps taken, completion of environmental plans in terms of order of this Tribunal cannot be unduly delayed having regard to implications of such steps for protection of environment and public health. Some of the handicaps pointed out can be overcome by pro-active role of CPCB in ensuring preparation of at least one model District Environment Plan in every State in the first instance which can thereafter be replicated for all the Districts in the States/UTs and so on. For this purpose, State PCB and concerned District

Magistrate may assist the CPCB. This step may be completed by simultaneous initiative in all the States within three months. In the last nine months, some work may have already been done in the States/UTs. Thus, it should be possible to finalize a model action plan at least for one District each in all States/UTs in the next three months. Thereafter, the exercise may be replicated with regard to all the Districts followed by State Environmental Plan and then a National Environmental Plan in further three months. CPCB is at liberty to utilize compensation funds and involve any individuals/organizations in the process. This exercise will be without prejudice to monitoring mechanism in terms of earlier directions. Wherever exercise has been completed and found to be satisfactory, further steps for execution may be taken accordingly. Status report of progress in this regard may be furnished before the next date by email at judicial-ngt@gov.in".

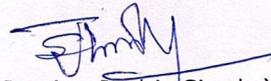
3) Further, the Hon'ble National Green Tribunal in its order dated 29.1.2021 in OA No. 360 of 2018 in the matter of Shree Nath Sharma Vs. Union of India & Ors has directed in Para No. 7, 8, 9 and 10, which are reproduced as under:

- 7. From the above, it is seen that out of 739 Districts, DEPs have been prepared in 220 Districts, out of which CPCB has data for 115 Districts. CPCB has selected five representative models having regard to social and geographical considerations.*
- 8. In view of above, having regard to the significance of the issue and inadequate progress, we direct the Chief Secretaries of all the States/UTs to oversee and monitor compliance by the concerned District Magistrates for preparing the requisite plans and execute the plans already prepared. Further steps for preparation and execution of State and National plans may also be taken in the interest of scientific and effective protection of environment and public health.*
- 9. Vide orders dated 22.01.2021 in OA 916/2018, Sobha Singh & Ors. vs. State of Punjab & Ors. and OA 496/2016, Tribunal on its own motion vs. Govt. of NCT of Delhi & Ors., we have requested the Monitoring Committees, constituted by this Tribunal for certain environmental issues in Punjab and Delhi, to oversee compliance of preparation and execution of DEPs in Punjab and Delhi and furnish compliance status as on 31.3.2021.*
- 10. We make similar request to the Monitoring Committee in UP, headed by Justice SVS Rathore, a former Judge of Allahabad High Court, the Oversight Committee for compliance of directions of this Tribunal for rejuvenation of river Ghaggar, headed by Justice Pritam Pal, former Judge of the Punjab and Haryana High Court to oversee compliance on this aspect for Haryana, the Committee headed by Justice Prakash Tatia, former Chief Justice of Jharkhand High Court, for compliance in Rajasthan, Justice B.C. Patel, former Chief Justice, Delhi High Court for compliance in Gujarat, Justice V.M. Kanade, former Judge, Bombay High 17 Court, who has earlier monitored compliance of certain directions of this Tribunal relating to environmental issues, for compliance in Maharashtra. They may send status report as on 31.3.2021 by 15.4.2021. For all other States/UTs, the Chief Secretaries concerned may conduct such oversight and furnish the status of compliance*

as on 31.03.2021 to CPCB. CPCB may file a consolidated report before this Tribunal on or before 30.04.2021 by e-mail at judicialngt@gov.in preferably in the form of searchable PDF/OCR Support PDF (and not in the form of Image PDF). State PCBs may also provide necessary assistance in coordination".

Therefore, in compliance of order dated 29.1.2021 in OA No. 360 of 2018 in the matter of Shree Nath Sharma Vs. Union of India & others, the Monitoring Committee held its first meeting with the Chief Secretary, Punjab on 5.2.2021 and 2nd meeting with the State Level Officers with regard to preparation of District Environmental Plans of all the 22 districts of the State of Punjab and execution thereof was held on 30.3.2021. Based on the observations of the Monitoring Committee on the District Environmental Plans of all the 22 districts and shared with the State Level Officers, the Monitoring Committee has prepared its report, which is submitted for kind consideration of the Hon'ble National Green Tribunal.

It is submitted that the above said report is sent herewith through email at judicial-ngt@gov.in.



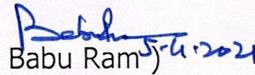
(Justice Jasbir Singh)

Former Judge Punjab and Haryana High Court
and now as Chairman of the Monitoring Committee

Endst. No. CMC/SWM/2021/ **02**

Dated:5.4.2021

A copy of the above is forwarded to the Chief Secretary, Punjab for information and necessary action please.



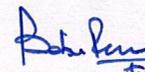
(Dr. Babu Ram)

Technical Expert
Monitoring Committee

Endst. No. CMC/SWM/2021/ **03**

Dated:5.4.2021

A copy of the above is forwarded to the Additional Chief Secretary, Department of Local Govt., Municipal Bhawan, Sector 35, Chandigarh for information and necessary action please.



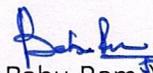
(Dr. Babu Ram)

Technical Expert
Monitoring Committee

Endst. No. CMC/SWM/2021/ **04**

Dated:5.4.2021

A copy of the above is forwarded to the Secretary to Government of Punjab, department of Science, technology & Environment for information and necessary action please.



(Dr. Babu Ram)

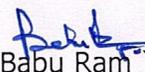
Technical Expert
Monitoring Committee

Endst. No. CMC/SWM/2021/ **05**

Dated:5.4.2021

A copy of the above is forwarded to the Member Secretary, Punjab for information and necessary action please.

(PPLB)



(Dr. Babu Ram)

Technical Expert
Monitoring Committee

First report of the Monitoring Committee, constituted by the Hon'ble National Green Tribunal on various environment issues in the State of Punjab, w.r.t compliance of order dated 29.1.2021 in OA No. 360 of 2018 in the matter of Shree Nath Sharma Vs. Union of India & others regarding preparation of District Environment Plans of all the Districts of State of Punjab and execution thereof.

1.0 Background

- 1) The Hon'ble National Green Tribunal in its order dated 15.7.2019 in OA No. 710 of 2017 in the matter of Shailesh Singh v/s Sheela Hospital & Trauma Centre, Shahjahanpur & Ors, has directed in Para No. 8, the part of which is reproduced as under:

"We find it necessary to add that in view of Constitutional provisions under Articles 243 G, 243 W, 243 ZD read with Schedules 11 and 12 and Rule 15 of the Solid Waste Management Rules, 2016, it is necessary to have a District Environment Plan to be operated by a District Committee (as a part of District Planning Committee under Article 243 ZD) with representatives from Panchayats, Local Bodies, Regional Officers, State PCB and a suitable officer representing the administration, which may in turn be chaired and monitored by the District Magistrate. Such District Environment Plans and Constitution of District Committee may be placed on the website of Districts concerned".

- 2) The Hon'ble National Green Tribunal in its order dated 19.3.2020 in OA No. 360 of 2018 in the matter of Shree Nath Sharma Vs. Union of India & Ors has directed in Para No. 5 as under:

"While we note the steps taken, completion of environmental plans in terms of order of this Tribunal cannot be unduly delayed having regard to implications of such steps for protection of environment and public health. Some of the handicaps pointed out can be overcome by pro-active role of CPCB in ensuring preparation of at least one model District Environment Plan in every State in the first instance which can thereafter be replicated for all the Districts in the States/UTs and so on. For this purpose, State PCB and concerned District Magistrate may assist the CPCB. This step may be completed by simultaneous initiative in all the States within three months. In the last nine months, some work may have already been done in the States/UTs. Thus, it should be possible to finalize a model action plan at least for one District each in all States/UTs in the next three months. Thereafter, the exercise may be replicated with regard to all the Districts followed by State Environmental Plan and then a National Environmental Plan in further three months. CPCB is at liberty to utilize compensation funds and involve any individuals/organizations in the process. This exercise will be without prejudice to monitoring mechanism in terms of earlier directions. Wherever exercise has been completed and found to be satisfactory, further steps for execution may be taken accordingly. Status report of progress in this regard may be furnished before the next date by email at judicial-ngt@gov.in".

3) Further, the Hon'ble National Green Tribunal in its order dated 29.1.2021 in OA No. 360 of 2018 in the matter of Shree Nath Sharma Vs. Union of India & Ors has directed in Para No. 7, 8, 9 and 10, which are reproduced as under:

7. *From the above, it is seen that out of 739 Districts, DEPs have been prepared in 220 Districts, out of which CPCB has data for 115 Districts. CPCB has selected five representative models having regard to social and geographical considerations.*
8. *In view of above, having regard to the significance of the issue and inadequate progress, we direct the Chief Secretaries of all the States/UTs to oversee and monitor compliance by the concerned District Magistrates for preparing the requisite plans and execute the plans already prepared. Further steps for preparation and execution of State and National plans may also be taken in the interest of scientific and effective protection of environment and public health.*
9. *Vide orders dated 22.01.2021 in OA 916/2018, Sobha Singh & Ors. vs. State of Punjab & Ors. and OA 496/2016, Tribunal on its own motion vs. Govt. of NCT of Delhi & Ors., we have requested the Monitoring Committees, constituted by this Tribunal for certain environmental issues in Punjab and Delhi, to oversee compliance of preparation and execution of DEPs in Punjab and Delhi and furnish compliance status as on 31.3.2021.*
10. *We make similar request to the Monitoring Committee in UP, headed by Justice SVS Rathore, a former Judge of Allahabad High Court, the Oversight Committee for compliance of directions of this Tribunal for rejuvenation of river Ghaggar, headed by Justice Pritam Pal, former Judge of the Punjab and Haryana High Court to oversee compliance on this aspect for Haryana, the Committee headed by Justice Prakash Tatia, former Chief Justice of Jharkhand High Court, for compliance in Rajasthan, Justice B.C. Patel, former Chief Justice, Delhi High Court for compliance in Gujarat, Justice V.M. Kanade, former Judge, Bombay High 17 Court, who has earlier monitored compliance of certain directions of this Tribunal relating to environmental issues, for compliance in Maharashtra. They may send status report as on 31.3.2021 by 15.4.2021. For all other States/UTs, the Chief Secretaries concerned may conduct such oversight and furnish the status of compliance as on 31.03.2021 to CPCB. CPCB may file a consolidated report before this Tribunal on or before 30.04.2021 by e-mail at judicialngt@gov.in preferably in the form of searchable PDF/OCR Support PDF (and not in the form of Image PDF). State PCBs may also provide necessary assistance in coordination".*

The detailed order dated 29.1.2021 in OA No. 360 of 2018 in the matter of Shree Nath Sharma Vs. Union of India & others is annexed as per **Annexure-1**.

2.0 Meetings with the State level officers of State of Punjab

In compliance of order dated 29.1.2021 in OA No. 360 of 2018 in the matter of Shree Nath Sharma Vs. Union of India & Ors, the Monitoring Committee held its 1st meeting with the Chief Secretary, Punjab on 5.2.2021, wherein, the progress w.r.t sewage and

Solid Waste Management viz-a-viz control of pollution in river Sutlej and Beas was discussed. With regard to compliance of order dated 22.1.2021 in OA no. 916 of 2018 in the matter of Sobha Singh & Ors V/s State of Punjab & Ors and order dated 29.1.2021 in OA No. 360 of 2018 in the matter of Shree Nath Sharma Vs. Union of India & Ors, the Monitoring Committee was informed that District Environmental Plans (DEPs) for 13 Districts, out of total 22 Districts of the State have been prepared and work of preparation of District Environmental Plans for the remaining 9 Districts is at advance stage. Accordingly, the Monitoring Committee requested Department of Environment, State of Punjab to send the copies of 13 District Environmental Plans prepared for the State of Punjab so that Monitoring Committee may start its monitoring/review/update, if any, so that Department may finalize the District Environmental Plans in a time bound manner. It will also facilitate the Monitoring Committee to ensure execution of District Environmental Plans as per the timeline fixed therein and target to be achieved.

Further, with regard to compliance of order dated 29.1.2021 of the Hon'ble National Green Tribunal in the matter of Shree Nath Sharma Vs. Union of India & Ors as mentioned in para no.2 of the said order regarding formulation of District Committee, which may be a part of District Planning Committees as per the Constitutional provisions under Article 243 G, 243 W, 243 ZD read with schedule 11 and 12 of rule 15 of the Solid Waste Management Rules, 2016, it was desired by the Monitoring Committee that the process of formulation of such Committees may be started by the Govt. of Punjab at the earliest.

The Department of Environment, State of Punjab has submitted District Environmental Plans of all the 22 districts of the State vide its email dated 12.3.2021. These District Environmental Plans have been perused by the Monitoring Committee and has raised observations on the various activities as mentioned in the District Environmental Plans.

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In order to share the observations of the Monitoring Committee with the State Level Officers, the Monitoring Committee held its 2nd meeting with the State level officers of State of Punjab w.r.t compliance of order dated 29.1.2021 in OA No. 360 of 2018 in the matter of Shree Nath Sharma Vs. Union of India & others on 30.3.2021 (The minutes of the meeting are enclosed as per **Annexure-2**), wherein, it was apprised by the Chairman of the Monitoring Committee that the District Environmental Plans of various Districts of the State have been perused by the Monitoring Committee and observations have been raised on some activities as mentioned in the District Environmental Plans. **The detailed deliberations on various observations were made in the meeting, which are enumerated as under.**

2.1 Deliberation on the observations of the Monitoring Committee on the District Environmental Plans and conclusions thereof.

The detailed deliberations on various observations of the Monitoring Committee on the District Environmental Plans of all the 22 Districts prepared by the State of Punjab were made and concluded as under.

- i) In most of the towns of the State, unauthorized colonies / residential complex / commercial complex have been developed by the private developers and nobody is taking the responsibility for the management of liquid and solid waste of these unauthorized colonies. In the District Environmental Plans, data is missing about the management of waste from all the 7 thematic areas in the residential colonies / commercial projects developed by development authorities of the State or the residential colonies which have been developed illegally by the private colonizers. Therefore, there is need to cover these areas either independently or under the District in which these colonies fall.
- It was suggested in the meeting that these residential complex / commercial areas developed by the development authorities or illegally by the private developers may be covered under the concerned District and accordingly District Environmental Plans of each District may be modified.
- ii) In the District Environmental Plans, nothing has been mentioned about management of solid waste in the villages, where lot of solid waste is generated and is disposed of in non scientific manner. It was informed by the department of Local Govt. that for management of solid waste in the villages, the project is covered under Swachh Bharat Mission and activities have been started in this regard. The Department of Rural Development & Panchayats assured to prepare proposal / scheme for management of solid waste in the villages either in cluster form or independently in individual villages.
- iii) Information, Education and Communication activities, which are essential part for the management of solid / liquid waste, have been mentioned in the District Environmental Plans but these have not been framed adequately.
- iv) For the effective and efficient operation of STPs of the State, operational manual has not been finalized so far inspite the lapse of more than one year. Punjab Pollution Control Board reported that operational manual of STPs is under active consideration and it will be finalized within 15 days.
- v) The Hon'ble National Green Tribunal in its order dated 1.6.2020 in OA 325 of 2015 in the matter of Lt. Col. Sarvadaman Singh Oberoi vs Union of India &Ors, has directed that harvesting surplus water during excessive rains from any areas of catchment needs to be optimized by enhancing the capacity of the existing ponds/water bodies, creation of water harvesting structures in the sub-watersheds to the extent possible, apart from setting up of additional water bodies/water harvesting structures wherever viable, utilizing available funds including under MGNREGA and involving the community at large at every level. Therefore, chapter mentioning rain water harvesting structures to be created for harvesting water during excessive rains and remodeling / redevelopment of existing ponds / water bodies alongwith creation of additional water bodies / water harvesting structures may also be incorporation in the District Environmental Plans.
- vi) Dept. of Environment reported that District Environment Committees have been constituted, whereas, these District environmental Committees may be

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constituted in view of the Constitutional Provisions under Article 243 ZD read with Schedules 11 & 12 and Rule 15 of the Solid Waste Management Rules, 2016, wherein, the representative from the Panchayats, local bodies, NGOs and social workers may also be involved. The department of Environment may review the notification issued by the department in view of the Constitutional Provisions under Article 243 ZD.

- vii) Sweeping of road is one of the important component of management of solid waste and sweeping of roads is one of the sources of dust pollution, therefore, it has been directed by the Hon'ble National Green Tribunal vide its order dated 3.12.2020 in OA No. 283 of 2020 that sprinkling of water should be done before sweeping of roads. Efforts may be made to use treated sewage for sprinkling purposes, if available. These facts may be mentioned in the District Environmental Plans.
- viii) For development of plantation along the highways, the concerned departments of State of Punjab may coordinate with the highways authorities.
- ix) In the meeting with District Level Officers of Districts Ludhiana and Jalandhar, Commissioners Municipal Corporation, Ludhiana and Jalandhar have been directed to develop bio-diversity parks along Budha Nallah in Ludhiana and Kala Singhian Drain in Jalandhar area. These aspects may also be added in the plan.
- x) There is need to map the rivers and flood plain zones in the catchment area of rivers of the State. Punjab Pollution Control Board has reported that the matter is under consideration and shall be finalized shortly.
- xi) Lot of sludge is generated during the operation of the sewage treatment plants of the towns and the sludge is not utilized properly. The farmers of nearby fields need to be educated and officers of department of forests may be asked to utilize the secondary sludge of STPs as manure in the fields for agriculture.
- xii) In most of the activities, as mentioned in the District Environmental Plans, timelines for completion of the same have not been mentioned.
- Be xiii) As per the directions of the Hon'ble National Green Tribunal, in its order dated 19.3.2020 in OA 360 of 2018 in the matter of Shree Nath Sharma Vs. Union of India & others, templates for District Environmental Plans mentioning basic information on 64 action areas using nearly 220 data points, which are essential for framing District Environmental Plans have been given CPCB. All the District Environmental Plans may be modified based on these 220 data points. Therefore, all the District Environmental Plans may have two parts i.e District Environmental Plans and Excel Sheet mentioning the details of the 220 data points.
- xiv) Presently, no system has been developed for management of highly contaminated Faecal sludge generated from the rural area / un-sewered areas and it is disposed off indiscriminately and cause environmental damage, therefore, the Sate Govt. should frame policy / guidelines for the management of the feacal sludge.

- xv) The projects being developed for supply of canal water to the inhabitants of the cities / villages may be completed in a time bound manner.
- xvi) The Dept. of Soil & Water conservation should complete irrigation network to utilize the treated sewage of the towns for irrigation in a time bound manner. The treated sewage may also be utilized for green areas / forests for which department of forest may give proper assistance.

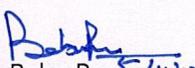
After detailed deliberation on various observations on the different activities as mentioned in the District Environmental Plans, the Monitoring Committee directed the State level Officers as under:

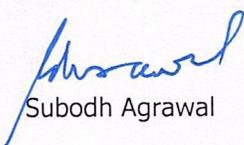
- a) District Environmental Plans for District Ludhiana and Jalandhar may be modified / upgraded incorporating observations as mentioned above and 220 data points as mentioned in orders of Hon'ble National Green Tribunal by 30.4.2021.
- b) District Environmental Plans for all the other Districts may also be started modifying / upgrading incorporating the above observations and the same may be completed by 31.5.2021.
- c) The residential complex / commercial areas developed by the development authorities or illegally developed by the private developers may be covered under the concerned District and accordingly District Environmental Plans of each District may be modified.

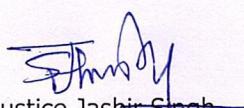
3.0 Recommendations of the Monitoring Committee

The Monitoring Committee has made the following recommendations.

1. Based on the observations of the Monitoring Committee, Department of Environment, State of Punjab shall revise / modify its District Environmental Plans for the Districts Jalandhar and Ludhiana in the first phase and the same shall be modified by 30.4.2021, whereas, the District Environmental Plans for the remaining 20 Districts shall be revised / modified by 31.5.2021.
2. These revised / modified District Environmental Plans shall be deliberated in the meeting of the Monitoring Committee with State level officers of State of Punjab and monitoring on the execution of various activities as mentioned in these plans may be started by the Monitoring Committee in the first week of May, 2021.
3. The Monitoring Committee shall continue to send its reports from time to time and preferable on quarterly bases after monitoring the execution of various activities as mentioned in the District Environmental Plans by the various departments of State of Punjab.


Dr. Babu Ranj 5.4.2021 Sant Balbir Singh Seechewal


Subodh Agrawal


Justice Jasbir Singh
Former Judge,
Punjab & Haryana High Court
and now as Chairman of the
Monitoring Committee.

Annexure -1

Item No. 01

Court No. 1

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

Original Application No. 360/2018

(With report dated 28.01.2021)

Shree Nath Sharma

Applicant(s)

Versus

Union of India & Ors.

Respondent(s)

Date of hearing: 29.01.2021

**CORAM: HON'BLE MR. JUSTICE ADARSH KUMAR GOEL, CHAIRPERSON
HON'BLE MR. JUSTICE SHEO KUMAR SINGH, JUDICIAL MEMBER
HON'BLE DR. NAGIN NANDA, EXPERT MEMBER**

Respondent: Mr. Mukesh Kumar, Advocate for CPCB

ORDER

1. The issue for consideration is compliance of directions of this Tribunal for preparation of District Environmental Plans in all the Districts, followed by State Environmental Plans in States and finally the National Environment Plan in terms of earlier orders of this Tribunal on the subject.
2. Vide order dated 15.07.2019 in O.A. No. 710/2017, *Shailesh Singh vs. Sheela Hospital & Trauma Centre, Shahjahanpur & Ors.*, this Tribunal directed as follows:-

"We find it necessary to add that in view of Constitutional provisions under Articles 243 G, 243 W, 243 ZD read with Schedules 11 and 12 and Rule 15 of the Solid Waste Management Rules, 2016, it is necessary to have a District Environment Plan to be operated by a District Committee (as a part of District Planning Committee under Article 243 ZD) with representatives from Panchayats, Local Bodies, Regional Officers, State PCB and a suitable officer representing the administration, which may in turn be chaired and monitored by the District Magistrate. Such District Environment Plans and Constitution of District Committee may be placed on the website of Districts concerned. The monthly report of monitoring by the

District Magistrate may be furnished to the Chief Secretary and may be placed on the website of the District and kept on such websites for a period of one year. This may be made operative from 1.08.2019. Compliance of this direction may also be seen by the Chief Secretaries of the States/UTs. This may not only comply with mandate of law but provide an institutional mechanism for effective monitoring of environment norms.”

3. Thereafter, vide order dated 26.09.2019 in the present matter, it was observed:-

“6. This Tribunal in O.A. No. 606/2018, while dealing with the compliance of Municipal Solid Waste Management Rules, 2016 also flagged other issues and required monitoring at the level of the Chief Secretaries and the District Magistrates. The Chief Secretaries of all the States/UTs have appeared before this Tribunal, including the Chief Secretary of State of Rajasthan and directions have been issued for continuous monitoring and filing of further reports.

7. Vide order dated 12.09.2019, while fixing a schedule for further appearance of the Chief Secretaries of all the States/UTs, direction has been issued to compile information with reference to the following specific thematic areas viz.:

- **Compliance to Solid Waste Rules including Legacy Waste.**
- **Compliance to Bio-medical Waste Rules.**
- **Compliance to Construction & Demolition Waste.**
- **Compliance to Hazardous Waste Rules.**
- **Compliance to E-waste Rules.**
- **351 Polluter Stretches in the country.**
- **122 Non-attainment cities.**
- **100 industrial clusters.**
- **Status of STPs and re-use of treated water.**
- **Status of CETPs/ETPs including performance.**
- **Ground water extraction/contamination and re-charge.**
- **Air pollution including noise pollution.**
- **Illegal sand mining.**
- **Rejuvenation of water bodies.**
-

8. Such information is to be furnished to the CPCB by the Chief Secretaries of all the States/UTs indicating:

- *Current status*
- *Desirable level of compliance in terms of statutes.*
- *Gap between current status and desired levels.*
- *Proposal of attending the gap with time lines.*

- Name and designation of designated officer for ensuring Compliance to provisions under statute.

9. Since CPCB is to file updated report by 15.11.2019, the Chief Secretaries of all the States/UTs may furnish such information by 31.10.2019.

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11. **To facilitate preparation of such District Environment Plan, it will be appropriate that CPCB prepares a Model/Models and places the same on its website which may be adopted with suitable changes as per local requirements for all Districts in the country and monitored by the Chief Secretaries with reports to the Tribunal in O.A. No. 606/2018.**

12. **The Department of Environment of all States and Union Territories may collect such District Environment Plans of their respective States and finalize the 'State Environment Plan' covering the specific thematic areas referred in Para-7 including information as contained in Para-8 and template of Model/Models District Environment Plan provided by the CPCB. The action for preparation of State's Environment Plan shall be monitored by the respective Chief Secretaries of States and Administration of UTs. Let this action be completed by 15.12.2019 and compliance be reported to the Tribunal by 31.12.2019.**

13. **Based on States and UTs Environment Plans, MoEF&CC and CPCB shall prepare country's Environment Plan accordingly. Let the Secretary, MoEF&CC and Chairman, CPCB steer the preparation of country's Environment Plan. Let their action be completed by 31.01.2020 and compliance be reported to the Tribunal by 15.02.2020."**

4. The matter was last considered on 19.03.2020 in the light of report of the CPCB dated 14.02.2020 to the effect that information received by the CPCB was not adequate till then. The Tribunal observed:

"4. In pursuance of the above, a status report has been filed by the CPCB on 14.02.2020 as follows:-

"2. Status of Compliance

2.1 Action Taken by CPCB

- (i) *In compliance to the directions from Hon'ble NGT, CPCB has prepared a template for model District Environment Plan, which provides data sheets to capture all relevant information pertaining to thematic areas. The objectives of data sheets is to identify quantifiable gaps in implementations of environmental norms for each thematic area at the level of Districts. Such data will help in planning and execution of time bound action plans in quantifiable manner.*

Template for model District Environment Plan, covers the following 7 areas capturing all thematic areas identified by Hon'ble Tribunal;

1. Waste Management
 - a) Solid Waste
 - b) Biomedical waste
 - c) Construction and Demolition Waste
 - d) Hazardous Wastes
 - e) Electronic Waste (E-Waste)
 - f) Plastic Waste
2. Water Quality Management
3. Ambient Air Quality
4. Domestic Sewage
5. Industrial Waste Water
6. Mining Activity
7. Noise Pollution

Templates for District Environment Plan captures basic information on 64 action areas using nearly 220 data points, which are essential for framing District Environment Plan. The office of District Magistrate is expected to use the template of action points and indicative data requirements given for preparing District level Environment Plan. It is suggested Information pertaining to data points may be collected from respective agencies in the District. Copy of Model Template for District Environment Plan shared by CPCB is given at Annexure IB.

- (ii) ***CPCB uploaded template for District Environment Plan on its website and also circulated the same to office of District Magistrates by E-mail. Further, CPCB vide letter dated 01.11.2019 requested Chief Secretaries of all States / UTs to ensure that District Environment Plans (hereinafter will be referred as DEP) and State Environment Plans (hereinafter will be referred as SEPs) are prepared and submitted as per the time lines given in Hon'ble NGT order dated 26.09.2019. Copy of said CPCB letter dated 01.11.2019 is enclosed at Annexure II.***
- (iii) ***CPCB vide letters dated 20.11.2019 requested all State Pollution Control Boards (hereinafter will be referred as SPCBs) / Pollution Control Committees***

(hereinafter will be called as PCCs) and Principal Secretary, Environment Department of every State/UT to kindly coordinate the above matter with District Magistrates and for submission of SEP within stipulated time so that CPCB can compile the same to prepare National Environment Plan (herein will be referred as NEP). Copy of said CPCB letter dated 20.11.2019 is enclosed at Annexure III.

- (iv) CPCB issued a reminder letter dated 10/01/2020 to Principal Secretaries of States / UTs requesting submission of SEPs. Copy of said CPCB letter is enclosed at Annexure IV.
- (v) CPCB coordinate with MoEF&CC for holding joint review meeting by Secretary MoEF&CC and Chairman, CPCB as per directions of Hon'ble NGT.

2.2. Compliance by States

- (i) 07 States namely Maharashtra, Lakshadweep, Chandigarh, Puducherry, Tamil Nadu, Tripura and Andhra Pradesh submitted State Environment Plan to CPCB. In case of MP State, MP Pollution Control Board has shared District Environmental Plans of 9 Districts and reported that DEPs of 39 out of 52 districts completed.
- (ii) The following observations made upon scrutiny of 07 State Environment Plans submitted by States;
 - a. The State Environment Plans are not uniform among the States, which will make it difficult prepare National Environment Pan.
 - b. Some SEPs does not capture action areas comprehensively
 - c. Time bound action plans to close identified gaps and for meeting environmental norms not outlined.
 - d. Some SEPs does not capture information of DEPs.
- (iii) Observations on SEPS received from 7 State is given in Table 1 below;

Table 1: Details of SEP/DEP submitted by States / Union Territories

Sl. No.	Name of State	DEP/SEPs Received From	Details of Information received	Comments/Remarks
1.	Maharashtra	Maharashtra SPCB	DEPs for 36 Districts have been submitted. DEPs outlines action plan for each thematic area. Specific timelines not	SEP provides environmental status report pertaining to each thematic area. However, SEP does not capture action

			specified, however actions are classified as priorities High & immediate/short-term/Mid-term/	points specified in DEPs with timelines. SEP may need upgradation with additional information.
2.	Lakshadweep	Department of Environment	SEP captures information relevant to thematic areas as per CPCB template. 5-Year time-targeted action plan along with budgetary requirement is provided for all thematic areas.	SEP is satisfactory. May need revision of few action points.
3.	Chandigarh UT	Department of Environment	SEP comprises of only the filled in template data for model DEP. UT specific implementation gaps and proposed strategy to implement UT-Environment Plan not given.	Need to prepare UT Environment Plan based on template information.
4.	Tripura	Department of Science, Technology and Environment, Tripura	SEP has been prepared as per template of DEP, therefore it may be difficult to monitor. Present Status, gaps and Timelines for implementation are given.	SEP may be simplified.
5.	Tamilnadu	Department of Environment	Draft SEP is mere compilation of data received from all the Districts. There is no specific plan except status report. DEP not provided, however data sheets provided for all districts as per template given by CPCB.	Draft SEP identifies the gaps, but action plans not envisaged. Draft SEP may need revision.

6.	Puducherry	Puducherry PCC	SEP is submitted with proposed strategy however timelines for compliance is not given DEP prepared for 02 out 04 districts in UT. DEPs provides status report and strategic action plan, however deliverables not quantified along with timelines for compliance.	SEPs may be revised to include quantifiable deliverables along with timelines for compliance.
7.	Andhra Pradesh	Department of Environment, Forests, Science and Technology	SEP covers all thematic areas. Provides present status, and gaps including financial status of ULBs	SEP is satisfactory

iv. 06 States namely West Bengal, Chhattisgarh, Madhya Pradesh, Assam, Rajasthan and Jammu & Kashmir sought time ranging between two weeks to six months for preparation of District Environment Plan and State Environment Plan. In response to which, CPCB vide letter dated between 15.01.2020 to 22.01.2020 informed all States that CPCB cannot provide time extension and the same may be sought only from Hon'ble NGT. Copies of said CPCB letters given at **Annexure V**.

3. Review meeting on preparation of National Environment Plan

In compliance to directions of Hon'ble Tribunal, to steer preparation of National Environment Plan, a joint review meeting was held by Secretary, MoEF&CC and Chairman, CPCB on 30.01.2020 at MoEF&CC. The following observations were made in steering meeting;

(i) National Environment Plan cannot be prepared unless CPCB or MoEF&CC receives all State Environment Plans and such plans are prepared uniformly according to a model template for State Environment Plan. Therefore, it was suggested CPCB may prepare model template of State Environment Plan and circulate the same to States so as to maintain uniformity in SEPs.

(ii) State Environment Plans of 7 States needs revision and the shortcomings may be communicated to States specifying the points that require revision.

(iii) In some districts information required for preparation of DEPs as per model template is not readily available with local agencies and thereafter preparation of SEPs at State/UTs may take some time at State level. Therefore, MoEF/CPCB may pray before Hon'ble Tribunal for extension of up to 6 months to complete National Environment Plans in coordination with States.

4. Strategy for Preparation of National Environment Plan

The objective of National Environment Plan on thematic areas would be to improve quality of recipient environment, ensure environmentally sound management of waste, identify responsible stakeholders, ensure compliance to norms and to set objectives and goals to achieve in a targeted timeframe. National Environment Plan may focus on strategies to be followed on thematic areas for compliance to environmental norms and Rules across the States. National Environment Plan may present, information pertaining to existing scenario, gaps in infrastructure, short-comings in waste management, sewage treatment, environmental quality etc., which will be captured from State Environment Plans. NEP may also identify thrust areas, States requiring special attention, institutions responsible for monitoring and agencies responsible to ensure compliance on thematic areas across the States. National Environment Plan on thematic areas cannot be prepared without capturing State Environmental Plans.

State Environment Plans needs to provide present status, gaps in implementation and roadmap for compliance to thematic areas across the State. State Plans may identify regional issues, constraints in implementation, priority action areas and districts requiring more attention. State Environment Plan should also provide timelines for implementation and compliance on thematic areas. It is required to ensure that information pertaining to all District Environment Plans is captured into State Environment Plans.

Each District Environment Plans needs to capture information on about 220 data points and 64 action areas pertaining to thematic areas as specified in CPCB model template and each district plan should outline the present status and gaps in implementation. District environment

plan should also identify agencies responsible, requirement of infrastructure facilities for sewage treatment, waste management, monitoring environmental quality, etc.”

5. While we note the steps taken, completion of environmental plans in terms of order of this Tribunal cannot be unduly delayed having regard to implications of such steps for protection of environment and public health. Some of the handicaps pointed out can be overcome by pro-active role of CPCB in ensuring preparation of at least one model District Environment Plan in every State in the first instance which can thereafter be replicated for all the Districts in the States/UTs and so on. For this purpose, State PCB and concerned District Magistrate may assist the CPCB. This step may be completed by simultaneous initiative in all the States within three months. In the last nine months, some work may have already been done in the States/UTs. Thus, it should be possible to finalize a model action plan at least for one District each in all States/UTs in the next three months. Thereafter, the exercise may be replicated with regard to all the Districts followed by State Environmental Plan and then a National Environmental Plan in further three months. CPCB is at liberty to utilize compensation funds and involve any individuals/organizations in the process. This exercise will be without prejudice to monitoring mechanism in terms of earlier directions. Wherever exercise has been completed and found to be satisfactory, further steps for execution may be taken accordingly. Status report of progress in this regard may be furnished before the next date by email at judicial-ngt@gov.in.”

5. Accordingly, CPCB has filed its further report dated 28.01.2021 as follows:

“3. Action taken by CPCB

(i) In compliance to the directions from Hon’ble NGT, CPCB has prepared a template for model District Environment Plan, which provides data sheets to capture all relevant information pertaining to seven following thematic areas:

1. Waste Management
 - a) Solid Waste
 - b) Biomedical waste
 - c) Construction and Demolition Waste
 - d) Hazardous Wastes
 - e) Electronic Waste (E-Waste)
 - f) Plastic Waste
2. Water Quality Management
3. Ambient Air Quality
4. Domestic Sewage
5. Industrial Wastewater

6. Mining Activity

7. Noise Pollution

Data templates have been circulated to all Districts to capture information related to key parameters essential for preparing environment management plan. These data templates cover 7 thematic areas by capturing basic information on 64 action areas with about 200 data points, which covers essential information required for preparing District Environment Management Plan. A copy of data template for DEP prepared by CPCB is given at Annexure II.

(ii) Above template has been uploaded on CPCB website and was forwarded to every District Magistrates and Chief Secretaries to ensure preparation of District Environment Plan.

(iii) CPCB vide letters dated 20.11.2019 requested all State Pollution Control Boards (herein after will be referred as SPCBs) / Pollution Control Committees (hereinafter will be called as PCCs) and Principal Secretary, Environment Department of every State/UT to coordinate the above matter with District Magistrates and for submission of SEP within stipulated time so that CPCB can compile the same to prepare National Environment Plan (herein will be referred as NEP). Copy of said CPCB letter dated 20.11.2019 is enclosed at **Annexure III**.

(iv) CPCB issued a reminder letter dated 10/01/2020 to Principal Secretaries of States / UTs requesting submission of SEPs. Copy of said CPCB letter is enclosed at **Annexure IV**.

(v) Further, CPCB has short-listed one District in each State and Union Territory to prepare model DEP which can be further replicated for other Districts. CPCB vide letter dated 05.08.2020 informed detail of District with State Environment Department and requested to give the data as per the data template prepared by CPCB. Copy of letter dated 05.08.2020 and list of Districts shortlisted by CPCB is given at Annexure V and Annexure VI respectively.

(vi) Further, CPCB vide letters dated 14.10.2020 and 20.11.2020 requested concerned District Magistrates to share the desired data required for preparation of DEP. Copies of said letter dated 14.10.2020 given at **Annexure VII and Annexure VIII**. CPCB has also requested technical cum financial proposals from institutions such as NITs, IIT and NPC for preparation of DEPs for selected Districts.

(vii) There has been delay in receipt of DEPs from the States, as most of the DEPs received after October, 2020. Further some of the DEPs received from States have incomplete data while other DEPs are not in the form of actionable or implementable plans.

(viii) **CPCB is also reviewing District Environment Plan for 05 Districts having different land-use activity such as districts with forest cover, industrial activities, largely urban, tourist places, and semi urban.** These DEPs are being verified to ensure that the plans cover the thematic areas adequately and with relevant action points and may be treated as model DEP for reference of other States and UTs. The following 05 Districts were selected to review the DEPs:

- Baharaich, Uttar Pradesh (Semi-urban)
- Bokaro, Jharkhand (industrial city)
- Pune, Maharashtra (Urban)
- Chamrajnagar, Karnataka (hilly - forest area)
- Panchkula, Haryana (Tourism)

4. Status of Compliance by States and Union Territories

(i.) In compliance to Orders of Hon'ble NGT dated 26/09/2019 and 20/07/2020, **29 States/UTs have informed that they have prepared of 220 District Environmental Plans out of 739 Districts.** A consolidated table for State-wise details on preparation of District Environment Plan is given below.

S. No.	Name of State	No. of District	No. of DEPs prepared	Name of District for which DEP is prepared	No. of Monitoring Committees constituted
1	Andaman & Nicobar	3	Not Prepared	Reported as under preparation	Information not available
2	Assam	34	3	Dhemaji, Dhubri, Lakhimpur	2
3	Andhra Pradesh	13	1	Srikakulam. Individual DEPs not prepared for other Districts, however SEP prepared	1
4	Arunachal Pradesh	25	Not Prepared	-	Information not available
5	Bihar	38	1	Sheikhpura	Information not available
6	Chandigarh	1	1	Chandigarh	Information not available
7	Chhattisgarh	28	1	Surguja SEP Prepared	Information not available
8	DD & DNH	3	1	Daman	Information not available
9	Delhi	11	1	South West Delhi	Information not available
10	Goa	2	1	South Goa. However copy of DEP not received by CPCB	1
11	Gujarat	33	2	Narmada (Rajpipla), Banaskantha (Palanpur)	2

12	Haryana	22	17	Ambala, Charkhi, Dadri, Faridabad, Fatehabad, Hisar, Jhajjar, Jind, Kaithal, Karnal, Nuh, Palwal, Panchkula, Panipat, Rewari, Rohtak, Sirsa, Sonapat However, DEP not received by CPCB	17
13	Himachal Pradesh	12	12	Bilaspur, Chamba, Hamirpur, Kangra, Kinnaur, Kullu, Lahaul & Spiti, Mandi, Shimla,, Sirmaur (Sirmour), Solan, Una	12
14	Jammu & Kashmir	20	6	Jammu, Bandipore, Doda, Ganderbal, Srinagar, Udhampur	1
15	Jharkhand	24	2	Bokaro, Godda However, DEP not received by CPCB	2
16	Karnataka	31	31	Bagalkot, Ballari (Bellary), Belagavi (Belgaum), Bengaluru (Bangalore), Rural Bengaluru (Bangalore), Urban Bidar, Bijapur, Chamarajanagar, Chikballapur, Chikkamagaluru (Chikmagalur), Chitradurga, Dakshina Kannada, , Davangere, Dharwad, Gadag, Hassan, Haveri, Kalaburagi (Gulbarga), Kodagu, Kolar, Koppal, Mandya, Mysuru (Mysore), Raichur, Ramanagara, Shivamogga (Shimoga), Tumakuru (Tumkur), Udupi, Uttara Kannada (Karwar), Vijayapura (Bijapur), Yadgir Copy of only Kodugu DEP received.	31
17	Kerala	14	1	Wayanad	Information not available
18	Lakshadweep	1	1	Lakshadweep	1

19	Madhya Pradesh	55	52	Agar Malwa, Alirajpur, Anuppur, Ashoknagar, Balaghat, Barwani, Betul, Bhind, Bhopal, Burhanpur, Chhatarpur, Chhindwara, Damoh, Datia, Dewas, Dhar, Dindori, Guna, Gwalior, Harda, Hoshangabad, Indore, Jabalpur, Jhabua, Katni, Khandwa, Khargone, Mandla, Mandsaur, Morena, Narsinghpur, Neemuch, Niwari, Panna, Raisen, Rajgarh, Ratlam, Rewa, Sagar, Satna, Sehore, Seoni, Shahdol, Shajapur, Sheopur, Shivpuri, Sidhi, Singrauli, Tikamgarh, Ujjain, Umaria, Vidisha Copies of only 6 DEPs received.	7
20	Maharashtra	36	36	Ahmednagar, Akola, Amravati, Aurangabad, Beed, Bhandara, Buldhana, Chandrapur, Dhule, Gadchiroli, Gondia, Hingoli, Jalgaon, Jalna, Kolhapur, Latur, Mumbai City, Mumbai, Suburban, Nagpur, Nanded, Nandurbar, Nashik, Osmanabad, Palghar, Parbhani, Pune, Raigad, Ratnagiri, Sangli, Satara, Sindhudurg, Solapur, Thane, Wardha, Washim, Yavatmal	36
21	Manipur	16	1	Imphal East	1
22	Meghalaya	11	2	South Garo Hills, West Garo Hills	2
23	Mizoram	11			
24	Nagaland	12	1	Kohima However, copy of DEP not received by CPCB	Information not available
25	Odisha	30	2	Khordha, Ganjam Copy of only Khordha DEP received	1
26	Puducherry	4	4	Karaikal, Mahe, Puducherry, Yanam	4
27	Punjab	22	1	Sangrur	Information not available
28	Rajasthan	33	1	Bharatpur	Information not available
29	Sikkim	4			

30	Tamil Nadu	38	37	Ariyalur, Chengalpattu, Chennai, Coimbatore, Cuddalore, Dharmapuri, Dindigul, Erode, Kallakurichi, Kanchipuram, Kanyakumari, Karur, Krishnagiri, Madurai, Nagapattinam, Namakkal, Nilgiris, Perambalur, Pudukkottai, Ramanathapuram, Ranipet, Salem, Sivaganga, Tenkasi, Thanjavur, Theni, Thoothukudi (Tuticorin), Tiruchirappalli, Tirunelveli, Tirupathur, Tiruppur, Tiruvallur, Tiruvannamalai, Tiruvarur, Vellore, Viluppuram, Virudhunagar	Information not available
31	Telangana	33	Not Prepared		Information not available
32	Tripura	8	0	Individual DEPs not prepared, but SEP integrated with DEPs	8
33	Uttarakhand	13	Not prepared	Not prepared	Information not available
34	Uttar Pradesh	75	1	Bahraich	1
35	West Bengal	23	0	Individual DEPs not prepared. However, SEP integrated with 23 DEPs prepared	23
	Total	739	220		153

(ii.) CPCB has received copies of 115 District Environment Plans from 25 no. of States and Union Territories namely Assam (02 DEPs), Andhra Pradesh (01 DEPs), Bihar (01 DEP), Chandigarh (01 DEP), Chhattisgarh (01 DEP), Daman & Diu (01 DEP), Delhi (01 DEP), Gujarat (01 DEP), Himachal Pradesh (12 DEPs), J & K (01 DEP), Karnataka (01 DEP), Kerala (01 DEP), Lakshadweep (01 DEP), Madhya Pradesh (06 DEPs), Maharashtra (36 DEPs), Manipur (01 DEP), Meghalaya (02 DEPs), Odisha (01 DEP), Puducherry (04 DEPs), Punjab (01 DEP), Rajasthan (01 DEP), Tamil Nadu (37 DEPs), Tripura (No DEPs, SEP integrated with 08 DEPs), Uttar Pradesh (01 DEP) and West Bengal (No DEPs, SEP integrated with 23 DEPs).

(iii.) Copies of remaining 105 DEPs from 10 States namely Assam (1), Haryana (17), Nagaland (10), Goa (1),

Jharkhand (2), J&K (5), Gujarat (1), Karnataka (30), MP (46) and Odisha (1) have not yet received by CPCB.

- (iv.) Telangana, Uttarakhand, Arunachal, Mizoram and Sikkim States have not yet submitted any information about DEPs. Andaman and Nicobar Islands informed that preparation of DEP is under progress.*
- (v.) States namely Andhra Pradesh, Tripura, Chhattisgarh and West Bengal have also submitted State Environment Plans.*
- (vi.) As per the assessment made by CPCB, it is observed that District / UT Environment Plan prepared by Chandigarh, UT Environment Department is satisfactory, as it covers all thematic areas including action plan along with timelines for respective implementing agencies. Further, the State Environmental Plan (SEP) prepared by West Bengal State is also satisfactory, wherein the district level plans and action points are comprehensively addressed.*

5. Proposed Follow-up Action

- (i) Since State have already prepared 220 DEPs, it is submitted that, these plans may be implemented by respective States after verification to ensure all the thematic points are adequately covered as per data templates and time-bound action plans are identified with respective agencies at District and State level. These Plans also need to be integrated with State Environment Plans. State may also take help of any expert agency or institution to streamline all DEPs. Adequate budgetary provision may be made by States for preparation of DEPs and SEPs.*
- (ii) 5 selected DEPs for 5 Districts namely Baharaich, UP; Bokaro, Jharkhand; Pune, Maharashtra; Chamrajnagar, Karnataka; and Panchkula, Haryana to be verified and improved by CPCB in 03 months and the same may be shared with every State and UT as model DEPs for information and reference of other Districts.*
- (iii) States namely Andaman and Nicobar Islands, Telangana, Uttarakhand, Arunachal, Mizoram and Sikkim, including the other States who have not yet completed DEPs all Districts may complete the same in time bound manner.”*

6. We have perused the report filed by the Oversight Committee for the State of UP, giving the compliance status in UP, which is on same lines as the report of the CPCB.

7. From the above, it is seen that out of 739 Districts, DEPs have been prepared in 220 Districts, out of which CPCB has data for 115 Districts. CPCB has selected five representative models having regard to social and geographical considerations.

8. In view of above, having regard to the significance of the issue and inadequate progress, we direct the Chief Secretaries of all the States/UTs to oversee and monitor compliance by the concerned District Magistrates for preparing the requisite plans and execute the plans already prepared. Further steps for preparation and execution of State and National plans may also be taken in the interest of scientific and effective protection of environment and public health.

9. Vide orders dated 22.01.2021 in OA 916/2018, *Sobha Singh & Ors. vs. State of Punjab & Ors.* and OA 496/2016, *Tribunal on its own motion vs. Govt. of NCT of Delhi & Ors.*, we have requested the Monitoring Committees, constituted by this Tribunal for certain environmental issues in Punjab and Delhi, to oversee compliance of preparation and execution of DEPs in Punjab and Delhi and furnish compliance status as on 31.3.2021.

10. We make similar request to the Monitoring Committee in UP, headed by Justice SVS Rathore, a former Judge of Allahabad High Court, the Oversight Committee for compliance of directions of this Tribunal for rejuvenation of river Ghaggar, headed by Justice Pritam Pal, former Judge of the Punjab and Haryana High Court to oversee compliance on this aspect for Haryana, the Committee headed by Justice Prakash Tatia, former Chief Justice of Jharkhand High Court, for compliance in Rajasthan, Justice B.C. Patel, former Chief Justice, Delhi High Court for compliance in Gujarat, Justice V.M. Kanade, former Judge, Bombay High

Court, who has earlier monitored compliance of certain directions of this Tribunal relating to environmental issues, for compliance in Maharashtra. They may send status report as on 31.3.2021 by 15.4.2021. For all other States/UTs, the Chief Secretaries concerned may conduct such oversight and furnish the status of compliance as on 31.03.2021 to CPCB. CPCB may file a consolidated report before this Tribunal on or before 30.04.2021 by e-mail at judicial-ngt@gov.in preferably in the form of searchable PDF/OCR Support PDF (and not in the form of Image PDF). State PCBs may also provide necessary assistance in coordination.

List for further consideration on 11.05.2021.

A copy of this order be forwarded to CPCB, Chief Secretaries of all the States/UTs, all PCBs/PCCs, all District Magistrates, Justice SVS Rathore, a former Judge of Allahabad High Court now at Lucknow, Justice Pritam Pal, former Judge of the Punjab and Haryana High Court now at Chandigarh, Justice Prakash Tatia, former Chief Justice, Jharkhand High Court of Jharkhand now at Jodhpur, Justice B.C. Patel, former Chief Justice, Delhi High Court, now at Ahmedabad, and Justice V.M. Kanade, former Judge, Bombay High Court, now at Mumbai, by e-mail.

Adarsh Kumar Goel, CP

S.K. Singh, JM

Dr. Nagin Nanda, EM

January 29, 2021
Original Application No. 360/2018
DV

Annexure - 2

OFFICE OF THE MONITORING COMMITTEE

Constituted by the Hon'ble National Green Tribunal in Original Application
no.916/2018 (earlier OA No.101 of 2014) OA No.606 of 2018
(Official Address: Tower No.5, 4th Floor, Forest Complex,
Sector 68, SAS Nagar) Tel. No. 0172-2298091
Email: cecswm606@gmail.com

To

The Secretary to Govt. of Punjab,
Department of Science, Technology & Environment,
Chandigarh.

No. CMC/SWM/PB/2021/1709
Dated: 31.3.2021

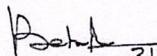
Subject: Minutes of the meeting held with State Level Officers w.r.t compliance of order dated 29.1.2021 in OA No. 360 of 2018 in the matter of Shree Nath Sharma Vs. Union of India & others regarding preparation of District Environment Plans of all the Districts of State of Punjab and execution thereof under the Chairmanship of Justice Jasbir Singh, former Judge, Punjab & Haryana High Court and now as Chairman of the Monitoring Committee, constituted by Hon'ble National Green Tribunal, on 30.3.2021 at 11.00 AM in the Committee Room, 2nd floor, MGSIPA, Sector 26, Chandigarh.

.....

Please find enclosed herewith minutes of the meeting held with State Level Officers w.r.t compliance of order dated 29.1.2021 in OA No. 360 of 2018 in the matter of Shree Nath Sharma Vs. Union of India & others regarding preparation of District Environment Plans of all the Districts of State of Punjab and execution thereof under the Chairmanship of Justice Jasbir Singh, former Judge, Punjab & Haryana High Court and now as Chairman of the Monitoring Committee, constituted by Hon'ble National Green Tribunal, on 30.3.2021 at 11.00 AM in the Committee Room, 2nd floor, MGSIPA, Sector 26, Chandigarh for your information and necessary action please.

It is requested that the concerned officer of the department may be directed to convey the minutes of meeting to all the concerned departments with the request to take necessary action on the directions given by the Monitoring Committee on the points relating to their departments and modify / revise the District Environmental Plans of all the districts Accordingly.

DA/-As above

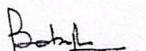

(Dr. Babu Ram) 31.3.2021
Technical Expert,
Monitoring Committee

Endst. No. CMC/2021/1710

Dated: 31.3.2021

A copy of the above is forwarded to the Member Secretary, Punjab Pollution Control Board, for information and necessary action please.

DA/-As above


(Dr. Babu Ram) 31.3.2021
Technical Expert,
Monitoring Committee

Endst. No. CMC/2021/1711

Dated: 31.3.2021

A copy of the above is forwarded to Sh. Pardeep Garg, Additional Director, Department of Environment, MGSIPA, Sector 26 Chandigarh for information and necessary action please.

DA/-As above


(Dr. Babu Ram) 31.3.2021
Technical Expert,
Monitoring Committee

Minutes of the meeting held with State Level Officers w.r.t compliance of order dated 29.1.2021 in OA No. 360 of 2018 in the matter of Shree Nath Sharma Vs. Union of India & others regarding preparation of District Environment Plans of all the Districts of State of Punjab and execution thereof under the Chairmanship of Justice Jasbir Singh, former Judge, Punjab & Haryana High Court and now as Chairman of the Monitoring Committee, constituted by Hon'ble National Green Tribunal, on 30.3.2021 at 11.00 AM in the Committee Room, 2nd floor, MGSIPA, Sector 26, Chandigarh.

The following were present during the meeting:

A) Members of the Monitoring Committee

Sr. No.	Name and Designation in the Deptt.	Name & Designation in the Committee
1.	Justice Jasbir Singh, Former Judge, Punjab & Haryana High Court	Chairman
2.	Sh. S.C. Agrawal, IAS, Former Chief Secretary, Punjab	Senior Member
3.	Sant Balbir Singh Seechewal	Member
4.	Dr. Babu Ram, Former Member Secretary, PPCB	Technical Expert

The list of the officers, present in the meeting, is as per Annexure-1.

The Chairman of Monitoring Committee apprised the officers, present in the meeting, about the various orders of Hon'ble National Green Tribunal w.r.t preparation of District Environmental Plan for the protection of Environment, which are briefly mentioned as under:

- 1) The Hon'ble National Green Tribunal in its order dated 15.7.2019 in OA No. 710 of 2017 in the matter of Shailesh Singh v/s Sheela Hospital & Trauma Centre, Shahjahanpur & Ors, has directed in Para No. 8, the part of which is reproduced as under:

"We find it necessary to add that in view of Constitutional provisions under Articles 243 G, 243 W, 243 ZD read with Schedules 11 and 12 and Rule 15 of the Solid Waste Management Rules, 2016, it is necessary to have a District Environment Plan to be operated by a District Committee (as a part of District Planning Committee under Article 243 ZD) with representatives from Panchayats, Local Bodies, Regional Officers, State PCB and a suitable officer representing the administration, which may in turn be chaired and monitored by the District Magistrate. Such District Environment Plans and Constitution of District Committee may be placed on the website of Districts concerned".

- 2) The Hon'ble National Green Tribunal in its order dated 19.3.2020 in OA No. 360 of 2018 in the matter of Shree Nath Sharma Vs. Union of India & Ors has directed in Para No. 5 as under:

"While we note the steps taken, completion of environmental plans in terms of order of this Tribunal cannot be unduly delayed having regard to implications of such steps for protection of environment and public health. Some of the handicaps pointed out can be overcome by pro-active role of CPCB in ensuring preparation of at least one model District Environment Plan in every State in the first instance which can thereafter be replicated for all the Districts in the States/UTs and so on. For this purpose, State PCB and concerned District

Magistrate may assist the CPCB. This step may be completed by simultaneous initiative in all the States within three months. In the last nine months, some work may have already been done in the States/UTs. Thus, it should be possible to finalize a model action plan at least for one District each in all States/UTs in the next three months. Thereafter, the exercise may be replicated with regard to all the Districts followed by State Environmental Plan and then a National Environmental Plan in further three months. CPCB is at liberty to utilize compensation funds and involve any individuals/organizations in the process. 10 This exercise will be without prejudice to monitoring mechanism in terms of earlier directions. Wherever exercise has been completed and found to be satisfactory, further steps for execution may be taken accordingly. Status report of progress in this regard may be furnished before the next date by email at judicial-ngt@gov.in".

3) Further, the Hon'ble National Green Tribunal in its order dated 29.1.2021 in OA No. 360 of 2018 in the matter of Shree Nath-Sharma Vs. Union of India & Ors has directed in Para No. 7, 8, 9 and 10, which are reproduced as under:

7. *From the above, it is seen that out of 739 Districts, DEPs have been prepared in 220 Districts, out of which CPCB has data for 115 Districts. CPCB has selected five representative models having regard to social and geographical considerations.*
8. *In view of above, having regard to the significance of the issue and inadequate progress, we direct the Chief Secretaries of all the States/UTs to oversee and monitor compliance by the concerned District Magistrates for preparing the requisite plans and execute the plans already prepared. Further steps for preparation and execution of State and National plans may also be taken in the interest of scientific and effective protection of environment and public health.*
9. *Vide orders dated 22.01.2021 in OA 916/2018, Sobha Singh & Ors. vs. State of Punjab & Ors. and OA 496/2016, Tribunal on its own motion vs. Govt. of NCT of Delhi & Ors., we have requested the Monitoring Committees, constituted by this Tribunal for certain environmental issues in Punjab and Delhi, to oversee compliance of preparation and execution of DEPs in Punjab and Delhi and furnish compliance status as on 31.3.2021.*
10. *We make similar request to the Monitoring Committee in UP, headed by Justice SVS Rathore, a former Judge of Allahabad High Court, the Oversight Committee for compliance of directions of this Tribunal for rejuvenation of river Ghaggar, headed by Justice Pritam Pal, former Judge of the Punjab and Haryana High Court to oversee compliance on this aspect for Haryana, the Committee headed by Justice Prakash Tatia, former Chief Justice of Jharkhand High Court, for compliance in Rajasthan, Justice B.C. Patel, former Chief Justice, Delhi High Court for compliance in Gujarat, Justice V.M. Kanade, former Judge, Bombay High 17 Court, who has earlier monitored compliance of certain directions of this Tribunal relating to environmental issues, for compliance in Maharashtra. They may send status report as on 31.3.2021 by 15.4.2021. For all other States/UTs, the Chief Secretaries concerned may conduct such oversight and furnish the status of compliance as on 31.03.2021 to CPCB. CPCB may file a consolidated report before this Tribunal on or before*

30.04.2021 by e-mail at judicialngt@gov.in preferably in the form of searchable PDF/OCR Support PDF (and not in the form of Image PDF). State PCBs may also provide necessary assistance in coordination".

The Monitoring Committee has to submit its status report w.r.t preparation of District Environmental Plan and execution thereof to the Hon'ble National Green Tribunal by 15.4.2021 and next of hearing before the Hon'ble National Green Tribunal is on 11.5.2021.

At the outset of the meeting, the Chairman of the Monitoring Committee appreciated the efforts made by the various departments of State of Punjab for preparing District Environmental Plans for all the 22 Districts of the State.

It was informed that the Monitoring Committee has perused District Environmental Plans and has made the following observations.

- i) In most of the towns of the State, unauthorized colonies / residential complex / commercial complex have been developed by the private developers and nobody is taking the responsibility for the management of liquid and solid waste of these unauthorized colonies. In the District Environmental Plans, data is missing about the management of waste from all the 7 thematic areas in the residential colonies / commercial projects developed by development authorities of the State or the residential colonies which have been developed illegally by the private colonizers. Therefore, there is need to cover these areas either independently or under the District in which these colonies fall.

It was suggested in the meeting that these residential complex / commercial areas developed by the development authorities or illegally by the private developers may be covered under the concerned District and accordingly District Environmental Plans of each District may be modified.

- ii) In the District Environmental Plans, nothing has been mentioned about management of solid waste in the villages, where lot of solid waste is generated and is disposed of in non scientific manners. It was informed by the department of Local Govt. that for management of solid waste in the villages, the project is covered under Swachh Bharat Mission and activities have been started in this regard. The Department of Rural Development & Panchayats assured to prepare proposal / scheme for management of solid waste in the villages either in cluster form or independently in individual villages.
- iii) Information, Education and Communication activities, which are essential part for the management of solid / liquid waste, have been mentioned in the District Environmental Plans but these have not been framed adequately.
- iv) For the effective and efficient operation of STPs of the State, operational manual has not been finalized so far inspite the lapse of more than one year. Punjab Pollution Control Board reported that operational manual of STPs is under active consideration and it will be finalized within 15 days.
- v) The Hon'ble National Green Tribunal in its order dated 1.6.2020 in OA 325 of 2015 in the matter of Lt. Col. Sarvadaman Singh Oberoi vs Union of India &Ors, has directed that harvesting surplus water during excessive rains from any areas of catchment

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needs to be optimized by enhancing the capacity of the existing ponds/water bodies, creation of water harvesting structures in the sub-watersheds to the extent possible, apart from setting up of additional water bodies/water harvesting structures wherever viable, utilizing available funds including under MGNREGA and involving the community at large at every level. Therefore, chapter mentioning rain water harvesting structures to be created for harvesting water during excessive rains and remodeling / redevelopment of existing ponds / water bodies alongwith creation of additional water bodies / water harvesting structures may also be incorporation in the District Environmental Plans.

- vi) Dept. of Environment reported that District Environment Committees have been constituted, whereas, these District environmental Committees may be constituted in view of the Constitutional Provisions under Article 243 ZD read with Schedules 11 & 12 and Rule 15 of the Solid Waste Management Rules, 2016, wherein, the representative from the Panchayats, local bodies, NGOs and social workers may also be involved. The department of Environment may review the notification issued by the department in view of the Constitutional Provisions under Article 243 ZD.
- vii) Sweeping of road is one of the important component of management of solid waste and sweeping of roads is one of the sources of dust pollution, therefore, it has been directed by the Hon'ble National Green Tribunal vide its order dated 3.12.2020 in OA No. 283 of 2020 that sprinkling of water should be done before sweeping of roads. Efforts may be made to use treated sewage for sprinkling purposes, if available. These facts may be mentioned in the District Environmental Plans.
- viii) For development of plantation along the highways, the concerned departments of State of Punjab may coordinate with the highways authorities.
- ix) In the meeting with District Level Officers of Districts Ludhiana and Jalandhar, Commissioners Municipal Corporation, Ludhiana and Jalandhar have been directed to develop bio-diversity parks along Budha Nallah in Ludhiana and Kala Singhian Drain in Jalandhar area. These aspects may also be added in the plan.
- x) There is need to map the rivers and flood plain zones in the catchment area of rivers of the State. Punjab Pollution Control Board has reported that the matter is under consideration and shall be finalized shortly.
- xi) Lot of sludge is generated during the operation of the sewage treatment plants of the towns and the sludge is not utilized properly. The farmers of nearby fields need to be educated and officers of department of forests may be asked to utilize the secondary sludge of STPs as manure in the fields for agriculture.
- xii) In most of the activities, as mentioned in the District Environmental Plans, timelines for completion of the same have not been mentioned.
- xiii) As per the directions of the Hon'ble National Green Tribunal, in its order dated 19.3.2020 in OA 360 of 2018 in the matter of Shree Nath Sharma Vs. Union of India & others, templates for District Environmental Plans mentioning basic information on 64 action areas using nearly 220 data points, which are essential for framing District Environmental Plans have been given CPCB. All the District Environmental Plans may be modified based on these 220 data points. Therefore, all the District Environmental Plans

may have two parts i.e District Environmental Plans and Excel Sheet mentioning the details of the 220 data points.

- xiv) Presently, no system has been developed for management of highly contaminated Feecal sludge generated from the rural area / un-sewered areas and it is disposed off indiscriminately and cause environmental damage, therefore, the Sate Govt. should frame policy / guidelines for the management of the feecal sludge.
- xv) The projects being developed for supply of canal water to the inhabitants of the cities / villages may be completed in a time bound manner.
- xvi) The Dept. of Soil & Water conservation should complete irrigation network to utilize the treated sewage of the towns for irrigation in a time bound manner. The treated sewage may also be utilized for green areas / forests for which department of forest may give proper assistance.

After detailed discussion on all the above points and action plans prepared for various Districts, it was directed by the Chairman of the Monitoring Committee as under:

- a) District Environmental Plans for District Ludhiana and Jalandhar may be modified / upgraded incorporating information as mentioned above and 220 data points as mentioned in orders of Hon'ble National Green Tribunal by 30.4.2021.
- b) District Environmental Plans for all the other Districts may also be started modifying / upgrading incorporating the above information and the same may be completed by 31.5.2021.
- c) The residential complex / commercial areas developed by the development authorities or illegally by the private developers may be covered under the concerned District and accordingly District Environmental Plans of each District may be modified.
- d) In the next meeting, the Dept. of Soil & Water Conservation and Dept. of Forests may be invited in meeting.

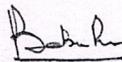
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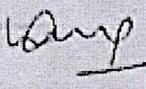
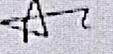
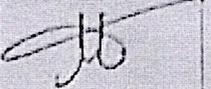
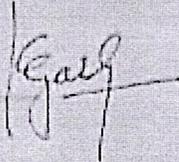
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Justice Jasbir Singh
Former judge, Punjab and Haryana
High Court and as Chairman of the
Monitoring Committee

Note: The Chairman and Members of the Monitoring Committee have given their concurrence on the minutes of the meeting.


31.2.2021

ANNEXURE - 1

Attendance for the meeting held on 30.03.2021 to review the progress of District Environment Plans.

Sl. No.	Name of the Department	Name of the officer	Mobile Number & Email id	Signature
1	Directorate of Env. & Climate Change	Pardeep Garg	98551-66022 garg.pardeep@ ve.dftmail.com	
2	Drainage & Mucking	Arvinder Singh Sahal	98146-01195	
3	Directorate of Forest & Climate Change	MANISH KUMAR	9781632224	
4	Pb. Pollution Control Board, Patiala	Kumaran Garg MS	9878950503	
5	Rural Development PB	Manpreet Sijji	98884 -46362	
6	Pb. Pollution Control Board, Patiala	Pardeep Garg CEE	9878950503	
7	Directorate of Env. & Climate Change	Saurabh Gupta	8699001516	
8	A.K. Sarda Sd/H of Local Govt.	A.K. Sarda Sd/H	9412785555	