

**BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL,  
Principal Bench, New Delhi**

Original Application No.693/2023

Suo Moto matter In re: News item appearing in Deccan Herald dated 24.10.2023 entitled "Pollution control boards are weak links"

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1.	<b>Report</b> in compliance of Hon'ble NGT Notice dated 06.11.2023 in Original Application No.693/2023, Suo Moto matter In re: News item appearing in Deccan Herald dated 24.10.2023 entitled "Pollution control boards are weak links".	
2.	<b>Annexure-1:</b> Copy of SPCBs / PCCs wise break up on number of participants attended the training programme during 2018-19 to 2022-23.	
3.	<b>Annexure-2:</b> Copy of record of discussion of the meetings held on June 21, 2023 with Principal Secretaries (Environment) and SPCBs/PCCs of all the States/ Union Territories to discuss the Environmental policies and programs in the country, Chaired by Smt. Leena Nandan, Secretary, MoEF&CC.	
4.	<b>Annexure-3:</b> Copy of record of discussion of the meetings held on October 05, 2023 to discuss the important issues pertaining to CPCB with officials of HSM and CP Divisions of MoEF&CC and CPCB.	
5.	<b>Annexure-4:</b> Copy of the Hon'ble NGT Notice dated 06.11.2023.	



(G. Thirumurthy)

Scientist E

Central Pollution Control Board

Delhi-110032

Date: 22.11.2023

Place: Delhi

**REPORT OF CENTRAL POLLUTION CONTROL BOARD (CPCB) IN THE SUO MOTU MATTER OF O.A. 693 / 2023, "POLLUTION CONTROL BOARDS ARE THE WEAK LINK) SUBMITTED BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL, PRINCIPAL BENCH, NEW DELHI AS PER NOTICE DATED NOVEMBER 06, 2023.**

**1.0 PREAMBLE**

In the Suo Motu Matter of Original Application O.A No 693 of 2023, the Hon'ble National Green Tribunal (NGT), Principal Bench, at Faridkot House, Copernicus Marg, New Delhi – 110001 has issued Notice on November 06, 2023 to Central Pollution Control Board (CPCB) and Ministry of Environment, Forests and Climate Change (MoEF&CC) to appear before the Hon'ble NGT either in person or by a pleader duly instructed, with your report to provide data with regard to each SPCBs relating to sanctioned staff, actual present staff, laboratories, infrastructure, details of training etc., based on the News Item appeared in Deccan Herald on October 24, 2023 entitled "Pollution Control Boards are the Weak link". The case is listed before the Hon'ble NGT on November 23, 2023.

**2.0 STATE POLLUTION CONTROL BOARDs / POLLUTION CONTROL COMMITTEEs**

The State Pollution Control Boards (SPCBs) of States / Pollution Control Committees (PCCs) of Union Territories (UTs) are the statutory authorities initially constituted for Prevention and Control of Water Pollution in pursuance of the Water (Prevention & Control of Pollution) Act, 1974. Accordingly, there are Twenty-Eight (28) SPCBs and Eight (08) PCCs are functions across the country. The Water Act is an enactment for the prevention and control of water pollution and maintaining or restoring of wholesomeness of water. Subsequently, after the enactment of the Air (Prevention & Control of Pollution) Act, 1981, the enforcing responsibility was entrusted to the SPCBs / PCCs of respective State / UT. The Air (Prevention & Control of Pollution) Act, 1981 is an enactment to provide for prevention, control and abatement of air pollution.

Apart from the above said Acts, the SPCBs/PCCs are enforcing the following Rule and Notifications framed under Environment (Protection) Act, 1986:

- The Hazardous and Other Wastes (Management and Transboundary Movement) Rules
- The Solid Waste Management Rules
- The Bio-Medical Waste Management Rules
- The Plastic Waste Management Rules.
- The Noise Pollution (Regulation & Control) Rules
- The Construction & Demolition Waste Management Rules
- The E-waste (Management) Rules
- The Batteries (Management and Handling) Rules
- The Wetlands (Conservation and Management) Rules
- The Chemical Accidents (Emergency Planning, Preparedness and Response) Rules
- The Public Liability Insurance Act
- The Environmental Impact Assessment Notification
- The Fly Ash Notification
- The Coastal Regulation Zone Notification etc.

The environmental laws and rules largely provide them roles in monitoring of compliance provisions stipulated therein related to industries, municipal authorities, hospitals, infrastructure projects, etc. The SPCBs / PCCs are responsible for collection and dissemination of information relating to pollution, planning comprehensive programmes and advising their respective State / UT for prevention, control or abatement of pollution. To enable SPCBs / PCCs to discharge their mandated functions effectively, they have been vested with powers to obtain information from various establishments; inspect and collect samples of effluents / emissions, grant / reject / withdraw consent for establishment / operation of any industry, operation or process, to approach Hon'ble Courts for restraining persons causing pollution, etc.

### **3.0 MANPOWER IN SPCBs / PCCs**

Performance Audit of the SPCBs /PCCs on various issues conducted during May – June 2019 in compliance of the Hon'ble NGT order in O.A. 95/2018 dated August 28, 2019 by CPCB, it was observed that about 46% (4,342 posts) of the posts were vacant against the total sanction of 9,438 posts and only about 54 % (5,096 posts) were in place.

In continuation to above, the status of sanctioned strength and vacancy status of SPCBs / PCCs were obtained during December 2022 and further updated / obtained information as per this O.A. notice. Accordingly, the present sanctioned strength and vacancy of SPCBs / PCCs are tabulated below:

**Status of manpower of SPCBs / PCCs**

S.No	State Pollution Control Boards	Sanctioned	In place	Vacant
1	Andhra Pradesh	289	87	202
2	Arunachal Pradesh	29	27	2
3	Assam	264	176	88
4	Bihar	249	47	202
5	Chhattisgarh	328	241	87
6	Goa	140	127	13
7	Gujarat	831	497	334
8	Haryana	450	165	285
9	Himachal Pradesh	371	221	150
10	Jharkhand	271	73	198
11	Karnataka	723	290	433
12	Kerala	459	224	235
13	Madhya Pradesh	1228	459	769
14	Maharashtra	839	473	366
15	Manipur	120	47	73
16	Meghalaya	152	83	69
17	Mizoram	14	10	4
18	Nagaland	24	19	5
19	Odisha	442	179	263
20	Punjab	652	324	328
21	Rajasthan	808	332	476
22	Sikkim	18	12	6
23	Tamil Nadu	987	590	397
24	Telangana	230	127	103
25	Tripura	28	24	4
26	Uttarakhand	130	51	79
27	Uttar Pradesh	732	407	325
28	West Bengal	309	178	131
<b>Sub - Total (A)</b>		<b>11117</b>	<b>5490</b>	<b>5627</b>

S. No	Pollution Control Committees	Sanctioned	In place	Vacant
1	Andaman and Nicobar Islands	9	6	3
2	Chandigarh	9	7	2

3	Dadra & Nagar Haveli and Daman & Diu	12	2	10
4	Delhi	344	111	233
5	Jammu & Kashmir	445	248	197
6	Ladakh	16	3	13
7	Lakshadweep	5	1	4
8	Puducherry	12	9	3
	<b>Sub - Total (B)</b>	<b>852</b>	<b>387</b>	<b>465</b>
	<b>Grand Total (A+B)</b>	<b>11,969</b>	<b>5,877</b>	<b>6,092</b>

The above table reveals that out of total sanctioned posts of 11,969, 6,092 posts found vacant which accounts to 50.90% of total posts sanctioned in the SPCBs/PCCs. The comparison of posts i.e. 2019 Vs 2023 are as follow:

#### Comparison of posts 2019 Vs 2023

Year	Sanctioned	In Place	Vacancy
2019	9,438	5,096	4,342
2023	11,969	5,877	6,092
<b>Differences</b>	<b>2,531</b>	<b>781</b>	<b>1,750</b>

The above table reveals that the total sanctioned posts are increased by 2,531 posts, posts in place increased by 781 posts, whereas the overall vacancy has increased to 1,750 posts.

#### 4.0 ENVIRONMENTAL LABORATORIES

The SPCBs / PCCs establish or recognize a laboratory or laboratories to enable the Board / Committees to perform its functions under Section 17(2) of the Water Act and Section 17 (2) of Air Act efficiently, including analysis of samples. Also, CPCB recognize one or more laboratories or institutes as environmental laboratories to carry out the functions entrusted to an environmental laboratory under Section 12 (b) of the Environment (Protection) Act, 1981.

The Environmental Laboratories are established at two level i.e. Central and Regional /Zonal Level in general by SPCBs / PCCs as per workload (number of industries and

frequency of inspection and monitoring) and timely analysis of environmental samples for further action. The Central Environmental Laboratory are generally equipped with sophisticated analytical instruments to carryout analysis of notified parameters of water, wastewater, source emissions, ambient air, solid waste, hazardous waste, pesticides, heavy metals, bacteriological samples and bio-assay tests etc. Whereas, the Regional / Zonal Laboratories have facilities for limited parameters for water, wastewater, ambient air, source emission and bacteriological samples.

The SPCBs of Arunachal Pradesh, Goa, Manipur, Meghalaya, Mizoram, Nagaland and Sikkim do not have Regional Offices. Among the PCCs only Daman & Diu and Dadra & Nagar Haveli PCC and Puducherry PCC have one Regional office each, rest of the PCCs don't have Regional Offices. Tripura SPCB does not have Regional Laboratories in any of their 3 Regional Offices. Andaman & Nicobar Islands PCC, Daman & Diu and Dadra & Nagar Haveli PCC, Ladakh PCC, Lakshadweep PCC don't have their own facilities but have arrangements with other Govt. / Private laboratories for monitoring and analytical activities.

The SPCBs / PCCs have Central Laboratory at their Head office except a few SPCBs / PCCs i.e. Andhra Pradesh, Chhattisgarh, Daman & Diu and Dadra & Nagar Haveli. A few SPCBs have their Central Laboratory in a different place than of their Head office i.e. Himachal Pradesh (Paranoo), Kerala (Kochi) and Maharashtra (Navi Mumbai).

The details of the Environmental Laboratories and their status of EPA recognition / NABL are as follow:

#### **Details of Environmental Laboratories of SPCBs/PCCs**

S. No	SPCBs	Central	Regional	Total	EPA	NABL
1	Andhra Pradesh	0	5	5	0	2
2	Arunachal Pradesh	1	1	2	0	0
3	Assam	1	4	5	0	1
4	Bihar	1	4	5	0	0
5	Chhattisgarh	1	6	7	0	0
6	Goa	1	0	1	0	1
7	Gujarat	1	8	9	1	4

S. No	SPCBs	Central	Regional	Total	EPA	NABL
8	Haryana	1	3	4	0	3
9	Himachal Pradesh	1	5	6	0	2
10	Jharkhand	1	4	5	0	0
11	Karnataka	2	7	9	1	0
12	Kerala	1	15	16	1	0
13	Madhya Pradesh	1	10	11	0	6
14	Maharashtra	1	7	8	5	3
15	Manipur	1	0	1	0	0
16	Meghalaya	1	0	1	0	1
17	Mizoram	1	0	1	0	0
18	Nagaland	1	0	1	0	0
19	Odisha	1	14	15	0	1
20	Punjab	1	2	3	0	0
21	Rajasthan	1	12	13	0	2
22	Sikkim	1	0	1	0	0
23	Tamil Nadu	1	17	18	1	2
24	Telangana	1	2	3	1	0
25	Tripura	1	3	4	0	0
26	Uttarakhand	1	4	5	0	0
27	Uttar Pradesh	1	22	23	1	11
28	West Bengal	1	5	6	1	1
<b>Sub- Total (A)</b>		<b>28</b>	<b>160</b>	<b>188</b>	<b>12</b>	<b>40</b>

S. No	PCCs	Central	Regional	Total	EPA	NABL
1	Andaman & Nicobar Islands	0	0	0	0	0
2	Chandigarh	0	1	1	0	0
3	Dadra & Nagar Haveli and Daman & Diu	0	0	0	0	0
4	Delhi	1	0	1	0	0
5	Jammu & Kashmir	1	1	2	0	0
6	Ladakh	0	0	0	0	0
7	Lakshadweep	0	0	0	0	0
8	Puducherry	1	1	2	0	1
<b>Sub- Total (B)</b>		<b>3</b>	<b>3</b>	<b>6</b>	<b>0</b>	<b>1</b>
<b>Grand Total (A+B)</b>		<b>31</b>	<b>163</b>	<b>194</b>	<b>12</b>	<b>41</b>

The above table reveals that the total 194 Environmental Laboratories are established in the SPCBs /PCCs, where 31 Central Labs and 163 Regional Labs. Out of 194 Labs, 12

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Labs has obtained EPA recognition and 41 Labs has obtained NABL accreditation. All EPA labs also have NABL accreditation.

## 5.0 TRAINING PROGRAMMES

CPCB organizes residential training programmes of 2 / 3 / 4 and 5 days' duration through various reputed training institutes to the scientific / technical staffs /officers of SPCBs / PCCs every year. The details of the training programmes / topics are finalized based on the inputs / requirement of SPCBs / PCCs for about 20 participants from SPCBs / PCCs / CPCB for each of the programme.

The identified thrust areas for training programme during 2023-24 are as follow:

1. Environmental Policy, Law, Education and Economics
2. Environmental Planning and Management
3. Environmental Information
4. Environmental Monitoring and Assessment
5. Environmental Laboratory Analysis
6. Pollution Control including waste minimization, clean technologies, Circular Economy
7. Hazardous Substances / Hazardous Waste / Bio-Medical / Electronic / Battery / Plastic / Rubber / Waste tyre and Construction & Demolition Waste Management
8. Inter-personnel Skills

There are 31 topics identified for organising training programme under above mentioned thrust areas and these programmes are being organised this 2023-24 through 18 reputed institutes like Advanced Material and Process Research Institutes, Centre for Material for Electronic Technology, Central Leather Research Institute, Centre for occupational and Environmental Health, Central Pulp & Paper Research Institute, Central Institute of Mining & Fuel Research, Disaster Management Institute, Environmental Protection Training and Research Institute Indian Institute of Remote Sensing, Indian Institute of Technology, Industrial Toxicology Research Centre, Indian Law School, Indian Statistical Institute, National Environmental Engineering Research Institute etc.

The details of programmes organised by CPCB during last five years are tabulated below:

**Training programmes organised by CPCB**

S. No.	Year	Number of Programme	No. of Participation	
			SPCBs	PCCs
1	2022 - 23	16	134	12
2	2021 - 22	10	114	23
3	2020 - 21	17	181	20
4	2019 - 20	21	208	06
5	2018 -19	21	129	06

The SPCBs / PCCs wise break up on number of participants attended the training programme during 2018-19 to 2022-23 is given as **Annexure 1**. Also, SPCBs / PCCs nominate their officials to the various training programmes organised by other institutes viz., Centre for Science and Environment, National Productivity Council, Engineering Staff College of India, Administrative Staff College of India, Council on Energy, Environment and Water, etc.

In addition to above, CPCB is developing training modules for induction and need based for a capacity building of SPCBs / PCCs / CPCB under Mission Karmayogi through learning modules in i-GOT platform - a learning platform aimed at promoting capacity.

#### **6.0 ACTION TAKEN BY CPCB and MOEF&CC**

CPCB had conducted a performance audit of SPCBs / PCCs and accordingly submitted the Performance Audit report of SPCBs / PCCs to the Hon'ble NGT on 10.07.2019. In continuation to above, Hon'ble NGT vide its order dated 24.2.2023 has disposed of the matter and further directed that "*CPCB may take follow up action in the light of order of*

*this Tribunal dated 5.2.2021 after taking stock of compliance status by having an interaction with SPCBs and PCCs within one month”.*

Accordingly, a meeting with the SPCBs / PCCs was convened on 08<sup>th</sup> May, 2023, under the Chairmanship of the Member Secretary, CPCB to discuss the compliance status on the directions issued by the Hon'ble NGT in the matter of O.A. No. 95 of 2018 titled as Aryavart Foundation Vs. M/s Vapi Green Enviro Ltd. & Ors. dated 5.2.2021. Accordingly, all the SPCBs were requested to comply the directions of Hon'ble NGT and submit the status to CPCB, w.r.t the compliance of directions i.e. *“Prepare and execute their respective action plans which will include filling up all vacant posts by competent persons and procuring the requisite equipment, including commissioning and upgradation of all laboratories and recognition under the EP Act, 1986”* also addressed.

Subsequently, the Secretary, MoEF&CC took a review meeting with the Principle Secretary (Environment) of all the States / UTs, the Chairman, CPCB and the Chairman of all SPCBs/ PCCs on various Environmental Issues on June 21, 2023 including training / capacity building of the SPCBs/PCCs, filling of vacant positions, appointment of key posts and uniform staffing pattern. The decision taken in the meeting for action are as follow:

- State Governments/ SPCBs/PCCs will ensure timely recruitment on the vacant posts in Boards
- The CPCB may formulate a comprehensive strategy/plan for training and capacity building of SPCBs/PCCs in consultation with them. Training Institutions may be identified and accredited for imparting trainings to officials of SPCBs/PCCs.
- Uniform rules for terms and conditions and process of appointment on key posts in SPCBs and PCCs may be prescribed.
- The CPCB may formulate a uniform staffing pattern in consultation with State Governments/SPCBs/PCCs and circulate to concerned State Governments for adoption.

In continuation to the above meeting of the Secretary, the Secretary, MoEF&CC took a review meeting with CPCB to discuss the important issues pertaining to CPCB with officials of MoEF&CC and CPCB on October 05, 2023, where the subject of Uniform

Staffing Pattern in SPCBs / PCCs and Capacity building of SPCBs/PCCs also discussed. As per the record of discussion, it was decided that *“SPCBs/PCCs need to fill the vacant positions for their effective functioning. Uniform staffing may not viable as different Boards have different requirement of staff. However, staffing should be streamlined as per specific needs of different boards and their workload. Induction training / need based training and module based training for a capacity building of SPCBs / PCCs under Mission Karmayogi through learning modules in i-GOT platform - a learning platform aimed at promoting capacity. It was decided to streamline the process.”*

The record of discussion of the said meetings held on June 21, 2023 and October 05, 2023 is attached as **Annexure 2 and Annexure 3** respectively.

**SPCBs/PCCs wise break up of participants attended the training programme  
during 2018-19 to 2022-23**

S. no	Name of SPCB / PCC	No. of Participants (Year-wise)					Total
		2018-19	2019-20	2020-21	2021-22	2022-23	
1.	Andaman & Nicobar Pollution Committee	01	-	-	02	-	03
2.	Andhra Pradesh Pollution Control Board	14	-	10	-	21	44
3.	Assam Pollution Control Board	-	20	05	05	01	31
4.	Bihar State Pollution Control Board	08	05	12	03	01	29
5.	Chandigarh Pollution Control Committee	04	-	08	13	02	27
6.	Chhattisgarh Environment Conservation Board	01	03	03	-	-	07
7.	Daman & Diu and Dadra & Nagar Haveli Pollution Committee	01	-	-	-	01	02
8.	Delhi Pollution Control Committee	01	-	09	08	04	22
9.	Goa State Pollution Control Board	-	04	10	10	-	24
10.	Gujarat State Pollution Control Board	06	09	03	24	16	58
11.	Haryana State Pollution Control Board	03	04	02	-	01	10
12.	Himachal Pradesh State Pollution Control Board	13	16	06	13	03	51
13.	Jammu and Kashmir State Pollution Control Board	-	-	02	-	03	05
14.	Jharkhand State Pollution Control Board	-	-	-	03	-	03
15.	Karnataka State Pollution Control Board	10	20	15	07	12	64
16.	Kerala State Pollution Control Board	06	18	09	05	-	38
17.	Laskhdweep Pollution Control Committee	01	-	02	-	-	03
18.	Madhya Pradesh State Pollution Control Board	08	15	01	10	03	37
19.	Maharashtra Pollution Control Board	14	08	19	01	01	43
20.	Mizoram State Pollution Control Board	02	01	03	-	-	06
21.	Meghalaya Pollution Control Board	05	-	03	03	-	11
22.	Nagaland Pollution Control Board	-	02	-	-	04	06
23.	Odisha State Pollution Control Board	14	21	19	-	10	64
24.	Punjab Pollution Control Board	02	05	01	07	05	20
25.	Puducherry Pollution Control Committee	03	06	01	-	05	15
26.	Rajasthan State Pollution Control Board	-	04	05	03	14	26
27.	Sikkim State Pollution Control Board	01	-	-	03	-	04
28.	Tamil Nadu State Pollution Control Board	02	08	03	06	11	30
29.	Telangana State Pollution Control Board	09	21	17	03	09	59
30.	Tripura State Pollution Control Board	-	03	-	02	-	05
31.	Uttarakhand Environment Protection and Pollution Control Board	-	01	03	-	-	04
32.	Uttar Pradesh Pollution Control Board	03	03	17	03	05	31
33.	West Bengal State Pollution Control Board	08	17	13	03	15	56

## Record of Discussion

### Meeting with Principal Secretaries/Chairmen (SPCBs)

A meeting was convened on 21.06.2023 at 10.00 AM with Principal Secretaries (Environment) and SPCBs/PCCs of all the States/ Union Territories to discuss the Environmental policies and programs in the country, Chaired by Smt. Leena Nandan, Secretary, MoEF&CC. The list of participants is attached separately.

2. At the outset, Shri Naresh Pal Gangwar, AS, MoEFCC welcomed all the participants and briefed about the important issues to be discussed in the meeting related to various aspects of environment in the country. He further informed that there were 10 agenda items and presentation in each agenda items would be followed by open discussion.

During the meeting, following agenda items were discussed:

#### **Agenda Item-1.**

**Review of National Clean Air Programme (NCAP)**-presentation by Shri Ravindra Kumar Tiwari, Deputy Secretary, MoEF&CC.

Shri Ravindra Kumar Tiwari, Deputy Secretary presented an overview of National Clean Air Programme alongwith its objective, allocation and release of funds under NCAP and Fifteenth Finance Commission, convergence and pre-requisite conditions for releasing of Grants, and the way forward.

**Discussion:** It was emphasised that the low utilization of NCAP and Fifteenth Finance Commission funds by State/Cities will lead to non-achievement of objectives of NCAP and also will lead to reduction of allocation of funds to the cities/states. The allocation for Year 2023-24 has already been made. However, the funds will be released to cities only after 100% utilisation of funds released till 31st March, 2022 and 75% utilisation of funds released in Year 2022-23. It was also emphasised that convergence of schemes such as Swachh Bharat Mission (Urban) - II, Smart City Mission, AMRUT, Urban Transport of Ministry of Housing and Urban Affairs, Nagar Van scheme of MoEFCC, FAME-II scheme of Ministry of Heavy Industry, SATAT scheme of MoPNG etc., is necessary for meeting the objectives of NCAP.

#### **Decisions -**

(a) States/Cities must expedite utilisation of funds already released to them under NCAP & Fifteenth Finance Commission and submit claims for release of grants/funds for Year 2023-24 after meeting the pre-requisite conditions before 31st July, 2023.

**Action** – ACS/PS Environment and Urban Development and Local Self Government and Central Pollution Control Board.

(b) States/Cities must ensure convergence of schemes of Central Government and State Government and its agencies.

**Action** – ACS/PS Environment and Urban Development and Local Self Government and Central Pollution Control Board.

(c) Jharkhand, Gujarat & Uttarakhand must submit their state action plans by 31st July, 2023.

**Action** - ACS/PS Environment of these States.

#### **Agenda Item-2.**

**(i) Monitoring and mitigation of pollution in rivers/river stretches – presentation by Dr. Prashant Gargava, MS CPCB.**

MS CPCB presented the status of National Water Quality Monitoring Programme (NWMP) in the country. He informed that there are 64 parameters to check the water quality of rivers and there has been significant reduction in polluted river stretches. Need of laboratories competent to analyse the water samples was stressed and importance of knowledge sharing was also underlined.

**Decision –**

(a) CPCB in consultation with State Pollution Control Board/Pollution Control Committee should do gap analysis in respect of Environmental Monitoring Laboratories of SPCB/PCCs and take up upgradation of these Laboratories accordingly. The EC funds of SPCBs/PCCs may be utilised. Wherever, sufficient EC funds are not available with concerned SPCB/PCC for this purpose, funds may be provided from EC funds of CPCB.

**Action -** by CPCB and SPCBs/PCCs

(b) CPCB may organise a sensitisation workshop with the concerned stake holders and SPCBs/PCCs for implementation of action plan for improving water quality of polluted river stretches. CPCB in consultation with SPCBs may formulate a performance based incentive scheme in this regard.

**Action -** CPCB

(c) CPCB may include monitoring and remediation of wetlands and Ramsar sites in this programme.

**Action -** CPCB

**(ii) Implementation of Comprehensive Environmental Pollution Index (CEPI), constitution of committees and related issues- by Dr. Prashant Gargava, MS CPCB.**

MS CPCB made a comprehensive presentation on implementation of CEPI and other related issues. It was communicated that a portal to track the progress of CEPI action plans is under development and also a committee has been constituted for revisiting CEPI protocol. CPCB is also in the process of re-examining CEPI methodology. CEPI monitoring is to be carried out in identified polluted industrial areas to assess CEPI scores. It was felt during the meeting that an incentive structure should be created in this regard and periodic review of critically polluted areas should be done. It was also stressed that review of critically polluted areas should be done on a regular basis.

**Decision –**

(a) To complete the above revision process at the earliest and revisit the CEPI protocols.

**Action -** CPCB

(b) Review the critically polluted areas regarding any improvement/deterioration in their pollution status.

**Action-** CPCB and SPCBs/PCCs

(c) Create an incentive structure for strict compliance of the CEPI protocol.

**Action -** CPCB

**Agenda Item-3.****Implementation of ban on identified single use plastics & EPR Guidelines for plastic packaging-** Presentation by Dr. Satyendra Kumar, Director, MoEF&CC

Director (HSMD) made a presentation and informed that India would be completing one year of Ban on single Use Plastic on July, 2023. A detailed overview on identified plastic material and its banning date was presented. The main thrust of discussion was about the expectation of MoEF&CC from the State Government authorities, CPCB and Pollution Boards for effective implementation of SUP ban and EPR framework. It was underlined that plastic carry bags are still a big issue and major area of concern. Secretary EFCC stressed on the need to encourage and incentivize recycling units, so that they come forward to implement EPR effectively.

Presentations were also made by Principal Secretary (Environment), Delhi and Municipal Commissioner, Ghaziabad on this issue reporting the actions taken and their future plans. These local bodies have taken a number of steps, in the areas of regulation, enforcement, awareness, public participation and so on. It was also stressed that progress of EPR framework should be reviewed continuously. All States were requested to focus on enforcement and outreach programmes for maximising impact.

**Decisions –**

- a. Local authorities to undertake ward-wise/area-wise survey
- b. Enforce ban on supply of plastic raw material for manufacturing of banned SUP items
- c. Local authorities and SPCB/PCC to appoint Nodal officers
- d. Closure of units manufacturing banned SUP items
- e. Regular enforcement drive to check use and storage of banned SUP items
- f. States/UTs to notify ban on identified single use plastic items and plastic carry bags
- g. Local authorities to revoke licenses of shops/vendors selling banned SUP items
- h. Enforcement teams to trace the source of manufacture / sale of banned SUP items
- i. Local authorities to check transportation of identified banned SUP items

**Action:** All States/SPCBs/PCCs/ULBs.

**Agenda item 4- (i) Strengthening/Capacity building of state pollution control boards/ pollution control committees - Presentation by Sh. Naresh Pal Gangwar, Additional Secretary, MoEFCC**

Additional Secretary, MoEFCC made a detailed presentation on this issue covering all the aspects pertaining to strengthening of SPCBs/PCCs. In the wake of NGT Directions, CPCB had conducted performance audit of the SPCBs / PCCs on issues such as adequacy with regard to environmental monitoring, efficacy of regulatory setup / mechanisms, staffing both technical and scientific manpower, lab infrastructure with adequate scientific equipment/instruments, Appointment on key posts, logistics support, competence, etc. during 2019-20. Hon'ble Supreme Court has also issued directions regarding institutionalizing appointment on key posts in SPCBs/PCCs.

**Discussion was made on following issues on this agenda item:**

- **Filling up of vacant positions**
- **Training/Capacity Building**
- **Appointment on key posts in SPCBs/PCCs**
- **Uniform Staffing Pattern.**

(a) It was discussed that the States should make necessary recruitment rules/procedures, wherever necessary, for filling up the vacant posts as soon as possible. It was emphasized that SPCBs/PCCs are not able to carry out their enforcement/regulatory functions effectively due to lack of adequate manpower. Therefore, all States must take immediate action to fill all vacant positions in SPCBs/PCCs.

**Decision -** State Governments / SPCBs /PCCs will ensure timely recruitment on the vacant posts in Boards.

**Action -** State Governments / SPCBs/PCCs

(b) Importance of the trained manpower was underlined during discussion for effective performance of SPCBs/PCCs, as highlighted in the performance audit report. . It should also explore the possibility of a national level training structure. Some reputed institutes or a group of institutions in this field may be identified or possibility of establishing a dedicated institution may be explored.

**Decision -**The CPCB may formulate a comprehensive strategy/plan for training and capacity building of SPCBs/PCCs in consultation with them. Training Institutions may be identified and accredited for imparting trainings to officials of SPCBs/PCCs.

**Action -** CPCB/SPCBs/PCCs

(c) As far as appointment on key positions of Chairperson and Member Secretary is concerned, it was observed that appointment process across the States are varied, often ad-hoc appointment are made, and it lacks any uniform process throughout the country. Tenures on these crucial posts are also not fixed. CPCB had circulated a model recruitment rules to all SPCBs/PCCs for necessary action, however, its adoption by all States is not yet done. During discussion, it was strongly felt that a uniform & transparent process for appointment on key posts of State Boards is needed across the States.

It was informed to all states by MoEFCC that the proposed amendments to the Water Act include inter-alia, the provision that the Central Government would prescribe rules in respect of terms and conditions and process of appointment of Chairman of SPCBs/PCCs by the concerned State Government. After the amendment, Central Government will notify rules prescribing terms and conditions and process of appointment of Chairman of SPCBs/PCCs, for bringing in uniformity. The appointment of Chairman SPCB/PCC would continue to be done by the concerned State Government in accordance with the rules so prescribed by the Central Government.

**Decision –** Uniform rules for terms and conditions and process of appointment on key posts in SPCBs and PCCs may be prescribed.

**Action -** MoEFCC / State Governments / UTs

(d) During discussion, it was also observed that the State Boards do not have uniform staffing pattern and availability of manpower needs to be revisited according to the current scenario. The strength of the organisations should be rationalised vis-a--vis their workload and span of jurisdiction.

**Decision** - The CPCB may formulate a uniform staffing pattern in consultation with State Governments/SPCBs/PCCs and circulate to concerned State Governments for adoption.

**Action** - CPCB / State Governments / UTs

**Agenda item 4- (ii) Streamlining of the consent procedures across all the State Boards - Presentation by Sh. Naresh Pal Gangwar, Additional Secretary, MoEFCC.**

A presentation was made by AS, MoEFCC underlining issues arising on account of lack of a streamlined uniform consent mechanism across all the States/UTs. The consent procedure adopted across the States and Union Territories varies from one State to other. The fee, time taken and the basis of grant of consent are highly diverse. This issue was also raised by Hon'ble NGT and consequently discussed in performance audit report of CPCB. A "Working Group" was constituted by CPCB on this issue and suggest remedial measures. CPCB has prepared a Draft Guideline for rationalized / uniform consent mechanism and the same was circulated to all SPCBs/ PCCs for their comments. It was observed in the meeting that this variance creates difficulties for industry, particularly those having units in different jurisdictions and is against our motto of ease of doing businesses. It was also stressed that there is urgent need to revisit this system and go for a uniform Consent Procedure through out the country.

It was informed by MoEFCC that amendments in Air and Water Acts are proposed for enabling Central Government for issuing guidelines for establishing uniform consent procedure to be followed by concerned SPCBs/PCCs. Once the amendments are made, Central Government will frame uniform guidelines for streamlining consent process through out the country in consultation with CPCB and State Boards.

**Decision** - To revisit the existing consent mechanism of SPCBs/PCCs and devise uniform and streamlined system in this regard, CPCB may have extensive consultation with all the stakeholders for the same.

**Action** - MoEFCC/CPCB /SPCB/PCC

**Agenda Item 5- Submission of Geospatial (GIS) Data/Map Layer for uploading on PARIVESH Portal-Presented by Shri S. K. Bajpayee, Joint Secretary, MoEF&CC.**

A presentation was made on usage and importance of Geospatial data/layer for critically/ severely Polluted Areas. It has been informed that API based integration for Ambient Air Quality Monitoring (AAQM) & Water Quality location/data is being maintained. Geospatial data/map for Critically/ Severely Polluted Areas are yet to be received from some States, which will help in effective functioning of decision support system of EACs.

**Action** – MoEFCC / CPCB / SPCBs/PCCs

Meeting ended with thanks to Chair.

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## Record of Discussion

### Meeting with officials of CPCB, HSM and CP Division

The Secretary, EF&CC chaired a meeting on 5-10-2023 at 12.00 PM to discuss the important issues pertaining to CPCB with officials of HSM and CP Divisions of MoEF&CC and CPCB. The list of participants is attached at Annexure-I.

2. At the outset, Addl. Secretary, MoEF&CC welcomed all the participants and informed that this meeting was convened to take stock of the progress regarding implementation of various EPR regimes and other relevant issues.

During the meeting, following agenda items were discussed:

#### **Agenda Item-1.**

##### **Status of implementation of EPR on Plastic packaging waste -**

**Discussion :** MS, CPCB made a presentation about implementation of EPR regime including EPR portal, timeline, status of registration of producers, importers, brand owners and waste processors. It was emphasized during the meeting that registration on the EPR portal may be coordinated CTO/CTE issued by SPCBs/PCCs. It was also decided to make the registration process smooth and hassle-free. Registration gap between big manufacturers of raw material and small manufactures who purchases material from source is to be addressed. CPCB to discuss these issues with SPCBs and SPCB have to ensure that those entities register who have been given CTO/CTE.

**(Action : CPCB/SPCBs/PCCs)**

#### **Agenda Item-2**

##### **Status of implementation of EPR Regime-Electronic Waste –**

**Discussion :** MS, CPCB made presentation on implementation of the regime including features of the new portal, registration details of the producers and recyclers and action taken so far. He also informed that recyclers have been mapped with RDs/ SPCBs/PCCs. Standard Operating Procedure for recyclers and producers have been made.

It was also decided to take Follow-up action for on-boarding of producers and recyclers on the portal. Secretary, EF&CC directed CPCB to conduct regular regional meetings with SPCBs/PCCs on their role on registration and mainstreaming of informal sector, making one scientist as nodal officer . CPCB was asked to make efforts to identify skill gaps in this regard. A meeting may be conducted with Ministry of Skill Development and Entrepreneurship to fulfil the skill gap.

**( Action : CPCB/SPCBs/PCCs)**

### **Agenda Item-3**

#### **Status of implementation of EPR Regime -Waste Tyre**

Status of implementation of Tyre EPR regime was presented by MS, CPCB It was observed during the discussion that the registration of recyclers in portal is extraordinary low. CPCB was asked to take action in all those cases where compliance has not been made till date. Secretary, EF&CC directed to furnish the action taken report in this regard in 15 days time.

**Action: CPCB (Shri Anand Kumar, Scientist 'F')**

### **Agenda Item-4**

#### **Status of implementation of EPR - Waste battery**

The status of implementation Battery waste rules was also not very satisfactory and it was decided that all teething issues be sorted out by December and the process should be streamlined.

**(Action: CPCB)**

### **Agenda Item-5**

#### **Status of implementation of EPR-Used oil**

These rules were notified recently and widow of few months was available to make all the necessary preparations in the meantime for its implementation. CPCB informed that inventorization of stakeholders will be completed by December, 2023. The guidelines/SoPs would be completed by March, 2024 and the portal will

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be fully operational before April, 2023. Secretary, EF&CC directed that meeting with SPCBs, identification of compliance conditions and regulatory presence are the key concerns for implementation of these rules.

**(Action : CPCB)**

#### **Agenda Item-6**

##### **Implementation of NCAP:**

In the presentation made by CPCB, actions taken by the Ministry and CPCB under NCAP was highlighted. Status of utilisation of funds, establishment of PMUs at City, State & CPCB level was conveyed. An overview of PRANA portal and populating data on PRANA portal was discussed in detail. It was decided to focus on the activities in dust management and other such activities for mitigation of air pollution. The stress was given on focused and clear cut line of action for meeting targets on all ongoing projects'.

**(Action: MoEFCC/CPCB and ULBs)**

#### **Agenda Item-7**

##### **Status of Fly ash portal -**

CPCB gave presentation about action taken on decisions of Fly Ash Mission. It was informed that action plans have been verified on quarterly basis by the committee constituted by NGT and status and comments will be presented during mission meeting on 19.10.2023.

#### **Agenda Item-8**

##### **Environmental Protection Charge (EPC) Utilisation**

CPCB gave detailed presentation on the efforts being made for utilisation of EPC funds. It was informed that funds are being utilised in pelletisation plants and paddy straw based briquette plants. It was decided that proposal for mitigation of air pollution comprising of Road sweeping machine, greening and paving of dusty roads may be obtained from concerned municipal corporations of Delhi/NCR and after examination such proposal may be expeditiously processed. It was also

suggested that Govt. Hospitals of Delhi/NCR may also use these funds for retrofitment in their DG sets.

**Agenda Item-9 ( Misc )**

(i) Utilization of funds under 'Control of Pollution' was also reviewed and found to be satisfactory.

(ii) Enforcement of Ban on Single Use Plastic (SUP) was reviewed. Scope of vending machines for jute bag in market areas of Delhi/NCR are to be explored. CPCB gave detailed presentation about alternatives to SUP and action taken so far to enforce ban on Single Use Plastic.

(iii) Environmental Emission and discharge standards have been reviewed. It was submitted that the process is ongoing and many old standards have already been revised and others are in process. **(Action : CPCB)**

**Agenda Item-10**

**Critically Polluted Areas and Related issues.**

Detailed presentation was made by CPCB on status of implementation of CEPI action plans . It was conveyed that several meetings with SPCBs/PCCs for effective implementation of CEPI actions plans have been conducted. Portal to track the progress of CEPI action plans is under development. In the portal, SPCBs/PCCs will upload action plans, progress reports, CEPI scores. Secretary, EF&CC directed to go into depth to find out ways to implement the action plans effectively.

**(Action Plan : CPCB/SPCBs)**

**Agenda Item-11**

Framing of draft guidelines/SoPs in accordance with the amendments made in the Air Act, 1981 was discussed. CPCB informed that a committee has been constituted comprising official from CPCB and SPCBs in this regard. The CPCB will frame draft guidelines/SoP in a time bound manner, but not later than December 2023.

**(Action Plan : CPCB)**

**Agenda Item-12****Capacity building of CPCBs/SPCBs/PCCs**

CPCB informed the chair about induction training, need based training and module based training and capacity building of SPCBs/PCCs/ under Mission Karmyogyi through learning modules in i-GOT platform. It was decided to streamline the process.

**(Action Plan : CPCB/SPCBs)**

**Agenda Item-13****Monitoring and mitigation of pollution in rivers/river stretches–**

CPCB updated the meeting about identification of polluted river stretches, revision of the criteria and other efforts made in this regard . The progress on this action point was appreciated and decided to be continued.

**(Action Plan : CPCB)**

**Agenda Item-14****Uniform staffing pattern in SPCBs/PCCs**

During discussion, it was observed that SPCBs/PCCs need to fill the vacant positions for their effective functioning. Uniform staffing may not be viable as different Boards have different requirements of staff however, however staffing should be streamlined as per specific needs of different boards and their workload.

**Action - CPCB / State Governments / UTs**

**Meeting ended with thanks to Chair.**

The following officers have attended the meeting:-

1. Sh. Naresh Pal Gangwar, Addl. Secretary, MoEF&CC
2. Sh. Tanmay Kumar, Addl Secretary, MoEF&CC
3. Sh. Bharat Kumar Sharma, Member Secretary, CPCB
4. Sh. Ved Prakash Mishra, Director, CP Division, MoEF&CC
5. Dr. Satyendra Kumar, Director, HSM, MoEF&CC
6. Sh. Ravindra Kumar Tiwari, Deputy Secretary, CP Division, MoEF&CC
7. Dr. Amit Love, Scientist 'E', MoEF&CC
8. Dr. Sonu Singh, Scientist 'E', CP Division, MoEF&CC
9. Dr. Priti Singh, Scientist 'D', CP Division, MoEF&CC
10. Sh. V K Singh, Scientist 'D', HSM Division, MoEF&CC
11. Sh. V P. Yadav, Scientist 'F', CPCB
12. Sh. V. Vinod Babu, scientist 'F', CPCB
13. Sh. Anand Kumar, Scientist 'F', CPCB
14. Sh. Nazimuddin, Scientist 'F', CPCB,
15. Sh. P. K. Gupta, Scientist 'F', CPCB
16. Sh. Ajay Aggarwal, Scientist 'F', CPCB
17. Sh. Pankaj Agrawal, Scientist 'E', CPCB
18. Sh. G. Thirumurthy, Scientist 'E', CPCB
19. Sh. Vishal Gandhi, Scientist 'E', CPCB
20. Shri Mukesh Balodhi, Scientist 'D', MoEF&CC
21. Ms. Garima Sharma, Scientist 'D', CPCB
22. Sh. Gaurav Gehlot, Scientist 'C', CPCB
23. Dr. Saraswati, Scientist 'B', MoEF&CC,
24. Dr. Shalini Manoj, RA-III, MoEF&CC
25. Sh. Pankaj, Consultant, NCAP, CPCB
26. Sh. Prasoon Tripathi, US, CP, MoEF&CC

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By Email

NATIONAL GREEN TRIBUNAL  
PRINCIPAL BENCH  
FARIDKOT HOUSE, COPERNICUS MARG  
NEW DELHI- 110001

Date: - 06.11.2023

To,

1. Central Pollution Control Board, Through its Member Secretary,  
(011-22303655, [mseb.cpcb@nic.in](mailto:mseb.cpcb@nic.in))
2. Ministry of Environment, Forest and Climate Change,  
Through its Secretary, (011-20819308, [secy-moef@nic.in](mailto:secy-moef@nic.in))

**Subject: -** Notice of hearing in Suo Motu matter In re: News item appearing in Deccan Herald dated 24.10.2023 entitled "Pollution control boards are the weak link".

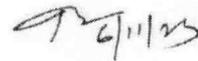
**NOTICE**

Take notice that OA No. 693/2023 (Copy enclosed) Titled "Pollution control boards are the weak link" will be listed before the Hon'ble Tribunal at Faridkot House, Copernicus Marg, New Delhi-110001 on 23<sup>rd</sup> November, 2023 through Physical Hearing (With Hybrid Option), when you may appear before the Hon'ble Tribunal either in person or by a pleader duly instructed, with your report to provide data with regard to each of SPCBs relating to sanctioned staff, actual present staff, laboratories, infrastructure, details of training, etc district wise.

Take further notice that in default of your appearance on the date above mentioned, the said Application will be heard and determined in your absence.

Given under my hand and the seal of this Tribunal, on this 06<sup>th</sup> November, 2023.

*Note: (For Orders, Cause Lists & other information, please visit our website [www.greentribunal.gov.in](http://www.greentribunal.gov.in))*



(Arvind Kumar)  
Deputy Registrar  
National Green Tribunal  
Principal Bench, New Delhi



Encl. As Above

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