

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

ORIGINAL APPLICATION NO.693 OF 2023
(in respect of the State of Arunachal Pradesh)

IN THE MATTER OF :

“POLLUTION CONTROL BOARDS ARE THE WEAK LINK”

REPORT OF PRINCIPAL SECRETARY, DEPARTMENT OF ENVIRONMENT AND
FOREST, GOVERNMENT OF ARUNACHAL PRADESH

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Principal Secretary
(Environment, Forest &
Climate Change)
Govt. of Arunachal Pradesh
Itanagar

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

Original Application No.693/2023

REPORT OF ARUNACHAL PRADESH STATE POLLUTION CONTROL BOARD (APSPCB), NAHARLAGUN IN THE SUO MOTO MATTER OF ORIGINAL APPLICATION NO.693/2023 “POLLUTION CONTROL BOARDS ARE THE WEAK LINK” SUBMITTED BEFORE THE NATIONAL GREEN TRIBUNAL, PRINCIPAL BENCH, NEW DELHI AS PER ORDER DATED 23.11.2023.

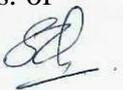
In the suo moto matter of original application no.693 of 2023, the Hon’ble National Green Tribunal, Principal Bench, Faridkot House, Copernicus Marg, New Delhi – 110001 has issued notice to all SPCBs/PCCs (Respondent No.2 :- State of Arunachal Pradesh through Principal Secretary, Department of Environment and Forests) to submit reports relating to (1) sanctioned strength of staff, (2) working strength of staff, (3) strength of administrative staff (4) Strength of Ministerial staff (5) strength of technical staff (6) ratio of administrative ministerial and technical staff (7) regulating and monitoring facilities available with SPCB (8) In respect of laboratories, the report will disclose the sanctioned strength and present working strength of staff (9) the infrastructure which is available in the laboratory and further need for equipment and infrastructure in those labs and the provisions made in laboratories for enforcement and monitoring of hotspots in critically polluted areas (10) The report should also include the availability of budget and its sources and expenditure in last two years (2020-2021 and 2021-2022).

1) Status of manpower of Arunachal Pradesh State Pollution Control Board

The Arunachal Pradesh State Pollution Control (APSPCB) Board has sanctioned strength of 27 posts.

The Government of Arunachal Pradesh has sanctioned 8 (eight) technical/scientific posts in 2007 vide order dated 28.02.2007. Copy of the sanction order is annexed as **ANNEXURE-A**.

17 posts (Technical/Scientific – 7 posts and Ministerial – 10 posts) were sanctioned in 2014 vide order dated 23.01.2014. Copy of the sanction order is annexed as **ANNEXURE-B**. All the 25 posts are filled. But, recently 02 nos. of posts became vacant on expiry of 02 nos. of Field Attendants.


**Principal Secretary
(Environment, Forest &
Climate Change)
Govt. of Arunachal Pradesh
Itanagar**

With the direction of the CPCB the Government of Arunachal Pradesh has two administrative posts namely Chairman and Member Secretary vide notification dated 12.09.2018. Copy of the notification is annexed as **ANNEXURE-C** and **ANNEXURE-D**.

As per the sanctioned posts, the current ratio of administrative, ministerial and technical staff under APSPCB is 2:10:13.

2) Regulating and monitoring facilities available with SPCB

The APSPCB has two functional laboratories namely; air laboratory and water laboratory established at the head office, Naharlagun. In addition, the APSPCB has recently established Regional Laboratory at Namsai town in Namsai district for monitoring of air and water quality.

Air quality monitoring is done through two nos. of Ambient Air Quality Monitoring Stations under National Air Monitoring Programme (NAMP) at Itanagar and Naharlagun for monitoring of air quality parameters such PM_{2.5}, PM₁₀, SO₂, NO₂ which are monitored twice a week. The data are uploaded in Environment Air Quality Data Entry System (EAQDES) through CPCB portal. Besides that, real time air quality monitoring is also done through the Continuous Ambient Air Quality Monitoring Station (CAAQMS) at Naharlagun which is fed online in the CPCB portal. The data are displayed to the public through display board having dimension of 12 feet x 8 feet (installed at APSPCB head office, Naharlagun) and 6 feet x 4 feet (installed at PCCF Office Complex, Itanagar).

The water quality monitoring is done in 17 CPCB sanctioned stations located in different parts of the state. The monitoring of river water quality stations is done on monthly basis and the data are uploaded in Environment Water Quality Data Entry System (EWQDES) through CPCB portal.

3) Sanctioned strength with respect to laboratories of APSPCB.

The Board has sanctioned strength of 15 posts for manning the laboratories. At present, the working strength is 13 nos. only due to demise of 02 (two) Field Attendants recently. 

**Principal Secretary
(Environment, Forest &
Climate Change)
Govt. of Arunachal Pradesh
Itanagar**

- 4) **Laboratory infrastructure and the provisions made in laboratories for enforcement and monitoring of hotspots in critically polluted areas.**

There are no areas identified as critically polluted in the State of Arunachal Pradesh.

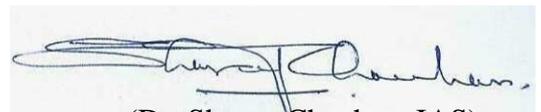
- 5) **Availability of budget and its sources and expenditure in last two years (2020-2021 and 2021-2022).**

2020-21

- 1) Budget (approx.)
a) Self Generated : Rs.1,82,39,954/-
b) CPCB Scheme : Rs.2,50,39,767/-
2) Expenditure (Approx.)
a) Expenditure : Rs.2,82,81,465/-

2021-22

- 1) Budget (approx.)
c) Self Generated :Rs.3,28,07,569/-
d) CPCB Scheme : Rs.2,15,22,860/-
2) Expenditure (Approx.)
a) Expenditure : Rs.4,12,64,998/-



(Dr. Sharat Chauhan, IAS)

Principal Secretary to the Govt. of Arunachal Pradesh,
Department of Environment , Forests & CC
Itanagar.



The Arunachal Pradesh Gazette

PUBLISHED BY AUTHORITY

No. 20, Vol. XVIII, Naharlagun, Wednesday, October, 31, 2007, Kartika 9, 1929 (Saka)

Separate paging is given to each part in order that it may be filed as a separate compilation.

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GOVERNMENT OF ARUNACHAL PRADESH

PART - I

Appointment, promotions, powers and personal notices issued by the Governor. ORDER

ORDER

The 28th February, 2007

No. FOR. 143/E (A)/2002/4826-56.—The Governor, Arunachal Pradesh is pleased to accord sanction for creation of Group - A and Group - C posts under Ecology and Environment Scheme in the Department of Environment and Forests, Arunachal Pradesh in the pay scale shown against each plus other allowances as admissible under rules from time to time with effect from the date of issue of the order.

Sl. No.	Designation	Scale of pay	No. of post
1.	Scientist - B	Rs. 8000-275-13000 p. m.	1 (one)
2.	Assistant Environmental Engineer	Rs. 8000-275-13000 p.m.	1 (one)
3.	Junior Scientific Assistant	Rs. 5000-175-8000 p.m.	1 (one)
4.	Data Entry Operator	Rs. 4500-125-7000 p.m.	1 (one)
5.	Junior Lab Attendant	Rs. 3050-75-3950-80-4590 p.m.	2 (two)
6.	Field Attendant	Rs. 2750-70-3800-75-4400 p.m.	2 (two)

The expenditure is debitable to the head of accounts Demand No. 23 Arunachal Pradesh 3435 - Ecology and Environment 60 - others, Expenditure, Minor Head 800, sub-head 01, detail head 00, object head 01 salary.

This issues with concurrence of Finance Department vide their U. O. No. 782 dated 14th January, 2004 and with the approval of Hon'ble Minister (Environment and Forests).

The expenditure towards pay and allowance for the 10th Plan period will be borne by the Government of India and from 11th plan onwards by the State Government. The provision for the pay allowance for the post created will be made in the State AOP 2007 - 2008.

M. B. Lal,
Principal Secretary (E&F),
Government of Arunachal Pradesh,
Itanagar.

NOTIFICATION

The 28th June, 2007

No. COOP (G) 15/2001.—Under Section 13 of the Arunachal Pradesh Cooperative Societies Act of 1979, the amendments as shown below in the Bye-laws of the "Ziro Poultry Cooperative Society Ltd." Ziro, Lower Subansiri District, Arunachal Pradesh as passed in the meeting of General Body held on the 28th day of June of the year 2007 shall be registered in accordance with the provisions of the said Act and shall be deemed to have been registered in accordance with the provisions of the said Act from the date of registration.

Principal Secretary
Environment, Forest &
Climate Change
Govt. of Arunachal Pradesh
Itanagar

GOVERNMENT OF ARUNACHAL PRADESH
DEPARTMENT OF ENVIRONMENT & FORESTS
ITANAGAR

ORDER

The Government of Arunachal Pradesh is pleased to accord sanction for creation of following Group 'A' & Group 'C' posts on Temporary basis for a period upto 28-02-2014 under Arunachal Pradesh State Pollution Control Board (APSPCB), Department of Environment & Forests with effect from the date of notification.

Sl No	Name of Post	Scale of Pay (Rs)	Grade Pay	Group	No. of Post
1	Scientist-B	15600-39100	5400	A	01
2	Asstt Environment Engineer	15600-39100	5400	A	01
3	Field Attendant	5200-20200	1800	C	05
4	Assistant	9300-34800	4200	C	01
5	Accountant	5200-20200	2800	C	01
6	Personal Assistant	5200-20200	2800	C	01
7	UDC	5200-20200	2800	C	01
8	LDC cum Computer Operator	5200-20200	1900	C	01
9	Peon	4440-7440	1300	C	04
10	Chowkidar	4440-7440	1300	C	01
Total					17 Posts

The expenditure on salary pension, CPF etc will be borne by the Board and is debitible to the Head of Account of Member Secretary, APSPCB, Itanagar.

The issues with the Finance concurrence vide U.O. No.1456 Dated. 06-12-2013.

Sd/-
(A.K. Wahal)
Principal Secretary (E&F)

No. APSPCB-236/2009/CP/

Dated, Itanagar, the 23/2/2014 Jan/2014.

Copy forwarded to:

1. The Secretary to the His Excellency Governor of Arunachal Pradesh, Itanagar.
2. The PPS to Hon'ble Chief Minister, Arunachal Pradesh, Itanagar.
3. The PS to Hon'ble Minister (E&F), Arunachal Pradesh, Itanagar.
4. The P.S. to Hon'ble Parliamentary Secretary (E&F), Arunachal Pradesh, Itanagar.
5. The P. S. to Chief Secretary, Arunachal Pradesh, Itanagar for information.
6. The Under Secretary to PCCF & Principal Secretary (E&F), Arunachal Pradesh, Itanagar.
7. The P.A. to PCCF (WL&BD) & CWLW, Govt. of Arunachal Pradesh.
8. All the Heads of Department, Itanagar, Naharlagun & Nirjuli Arunachal Pradesh.
9. All Addl. PCCFs, O/o the PCCF & Prl. Secretary (E&F) Arunachal Pradesh.
10. The PS to Chairman, APSPCB Naharlagun for information.
11. The Account General Audit & Accounts, Arunachal Pradesh, Itanagar.
12. The Deputy Secretary Finance Arunachal Pradesh, Itanagar.
13. All Chief Conservator of Forests, Arunachal Pradesh for information.
14. All Conservator of Forests, Arunachal Pradesh for information.
15. The Member Secretary State Pollution Control Board for information.
16. The Managing Director, APFC Ltd., Chimpu, Van-Vihar, Itanagar, Arunachal Pradesh.
17. All Dy. Commissioner/ Addl. Deputy Commissioner Arunachal Pradesh.
18. All Divisional Forest Officer, Arunachal Pradesh.
19. Twenty spare copies.


Principal Secretary
(Environment, Forest &
Climate Change)
Govt. of Arunachal Pradesh
Itanagar


(Hindi Date) 22/01/2014
Joint Secretary (E&F)



ANNEXURE - C

AP Spec B
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EXTRAORDINARY
PUBLISHED BY AUTHORITY

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GOVERNMENT OF ARUNACHAL PRADESH
DEPARTMENT OF ENVIRONMENT AND FOREST
ITANAGAR

NOTIFICATION

The 12th September, 2018

No. FOR (Env)-37/ 2017 (Part)/ 22,642. —In exercise of the powers conferred by clause (e) of section 63 of the Water (Prevention and Control of Pollution) Act, 1974 (6 of 1974) the Governor of Arunachal Pradesh is pleased to frame the following rules regulating the qualifications and other terms and conditions of service of the Member Secretary of the Arunachal Pradesh State Pollution Control Board under the Department of Environment and Forests, Government of Arunachal Pradesh, namely:-

- 1 **Short title and commencement :** (1) These regulations may be called the Arunachal Pradesh State Pollution Control Board, (Member Secretary) Recruitment, Regulations, 2018.
(2) They shall come into force on the date of their publication in the Official Gazette.
2. **Name of post, classification and Pay Band and Grade Pay/scale of pay :** The name of said post, their classification and pay band and grade pay/scale of pay attached thereto shall be as specified in column of the Schedule annexed to these rule.
- 3 **Method of recruitment, age limit, qualification etc. :** The method of recruitment, age limit, qualification and other matters relating to the said post shall be as specified in columns of the said Schedule.
- 4 **Disqualification :-** No person, -
(a) who has entered into or contracted a marriage with a person having a spouse living, or
(b) who having a spouse living has entered into or contracted a marriage with any person, shall be eligible for appointment to the said post.

Provided that the State Government may, if satisfied that such marriage is permissible under personal law applicable to such person or the other party to the marriage and that there are other grounds for doing so, exempt any person from the operation of this rule.
- 5 **Power to relax :** Where the State Government is of opinion that it is necessary or expedient so to do, it may, by order, for reasons to be recorded in writing, relax any of the provisions of these rules with respect to any class or category of persons.
6. **Saving :** Nothing in these regulations shall affect reservations, relaxation of age limit and other concessions required to be provided for the Scheduled Tribes, Ex-Servicemen and other special categories of persons in accordance with the orders issued by the Government of Arunachal Pradesh from time to time in this regard

Chief Secretary
Government of Arunachal Pradesh,
Itanagar.


Principal Secretary
(Environment, Forest &
Climate Change)
Govt. of Arunachal Pradesh
Itanagar

SCHEDULE
(See Regulation 2, 3 & 4)

RECRUITMENT RULES FOR THE PCST OF MEMBER SECRETARY

Name of the Post.	Number of Posts.	Classification.	Pay Band and Grade Pay/ pay scale.	Whether Selection Post or Non-Selection Post.	Age limit for direct recruits.	Educational and other qualifications required for direct recruits.	Whether age and educational qualification prescribed for direct recruits will apply in case of promotes.	Period of probation, if any.	Method of recruitment whether by direct recruitment or by promotion or by deputation/ absorption and percentage of the vacancies to be filled by various methods.
1	2	3	4	5	6	7	8	9	10
Member Secretary	*1(2018) *subject to variation dependent on workload	Category 'A'	Level 13A in the Pay Matrix. of 7 th CPC (₹ 1,31,100-2,16,600)	Not applicable.	Not applicable.	Not applicable.	Not applicable.	Not applicable.	By deputation including short-term contract.


Principal Secretary
(Environment, Forest & Climate Change)
Govt. of Arunachal Pradesh
Itanagar



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GOVERNMENT OF ARUNACHAL PRADESH
DEPARTMENT OF ENVIRONMENT AND FOREST
ITANAGAR

NOTIFICATION

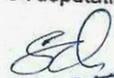
The 12th September, 2018

No.FOR (Env)-37/2017(Part)/22,641.—In exercise of the powers conferred by clause (e) of section 64 of the Water (Prevention and Control of Pollution) Act, 1974 (6 of 1974) the Governor of Arunachal Pradesh is pleased to frame the following rules regulating the qualifications and other terms and conditions of service of the Chairman of the Arunachal Pradesh State Pollution Control Board under the Department of Environment and Forests, Government of Arunachal Pradesh, namely :-

1. **Short title and commencement :** (1) These rules may be called the Arunachal Pradesh State Pollution Control Board (Qualifications and other Terms and Conditions of Service of Chairman), Rules, 2018.
(2) They shall come into force on the date of their publication in the Official Gazette.
2. **Definitions :** In these rules, unless the context otherwise requires,-
 - (a) "Act" means the Water (Prevention and Control of Pollution) Act, 1974 (6 of 1974);
 - (b) "State Pollution Control Board" means the Arunachal Pradesh State Pollution Control Board constituted under section 4 of the Act;
 - (c) "Chairman" means the Chairman of the Arunachal Pradesh State Pollution Control Board.
3. **Educational and other qualifications for appointment as Chairman :** (1) No person shall be eligible for being selected for nomination as the Chairman under clause (a) of sub-section 3 of the Act, unless,-
 - (a) he possesses/Bachelor's Degree in science relating to environment or/Bachelor's Degree in engineering/ medicines from a recognised University or Institute and has special knowledge with practical of experience at least of 5 (five) years relating to the environmental protection services, including pollution mitigation practices and other related services in any of such fields, viz Biomedical Waste Management, Solid Waste Management etc., or
 - (b) he is an officer under the Central Government or State Government or public sector undertaking or a University or autonomous body or statutory body, and -
 - (i) holds an analogous post on regular basis in the parent cadre or department; or
 - (ii) has 4 (four) years of regular service in the grade rendered after appointment thereto on regular basis in Level 14 of pay matrix of 7CPC (₹ 1,44,200-2,18,200) in the parent cadre or department; or person who has retired in the same level of pay matrix or serving Officer in Level - 14 of the pay matrix with regular service in the grade.
 - (iii) possesses the qualifications and experience specified in clause (a); or
 - (iv) is or has been in All India Service or in any Civil Service of the Union, holding the post in the rank of Secretary or equivalent in the Government of Arunachal Pradesh on regular basis and possesses knowledge and experience of at least three years in areas related to environmental protection, pollution mitigation practices in any of such fields viz. Biomedical waste management, Solid waste management, etc.

Explanation :- For the purposes of this sub-rule, a doctor's degree in environmental science management from a recognized university or institute and excellent record of peer reviewed research publications and experience of organizing environment related training programmes for service personnel shall be desirable qualification.

- (1) An officer working under the Central Government or a State Government or a public sector undertaking or a University or an autonomous body or statutory body selected for nomination as the Chairman under clause (a) of sub-section (2) of section 3 of the Act, shall be considered for nomination as the Chairman on deputation basis.


Principal Secretary
Environment, Forest &
Climate Change
Govt. of Arunachal Pradesh
Itanagar

- (2) For the purpose of sub-clause (1), the period of central deputation including period of central deputation in another ex-cadre post held immediately preceding this appointment in the same or some other organization under the Ministry or Department of the Central Government shall not ordinarily exceed three years.
- (3) The person to be nominated as Chairman shall be of outstanding merit and impeccable integrity with no possibility of conflict of interest between his earlier employment and in holding the charge of the post of Chairman.
4. **Age Limit :** The maximum age limit for nomination as Chairman shall be not exceeding 62 (Sixty two) years as on the last date for the receipt of applications.
5. **Mode of recruitment :** (i) The Chairman shall be appointed by a Search-cum-Selection Committee consisting of the following namely:-
- | | | |
|--|---|----------|
| (i) Chief Secretary,
Government of Arunachal Pradesh | — | Chairman |
| (ii) PCCF (HoEF) and Principal Secretary,
(E&F), Government of Arunachal Pradesh | — | Member |
| (iii) Director, NERIST | — | Member |
| (iv) One A.P.S.T. officer not below the rank of
Secretary to the Government.
If none of the above member belongs to APST | — | Member |
6. **Pay, allowances and other conditions of service :** (1) The Chairman shall be paid level 15 of pay matrix of 7CPC (₹1,82,200-2,24,400) with an annual increment in the next cell.
- (2) In addition to the pay specified in sub-rule (1), the Chairman shall be entitled to,-
- (a) house rent and other allowances as per norms applicable to the Government of Arunachal Pradesh;
- Provided that where the Chairman is allotted an accommodation by the State Government, he shall not be entitled to house rent allowance and shall be required to pay a licence fee as applicable.;
- (b) the travelling allowance and daily allowance, in respect of journeys undertaken by him in connection with his duties as the Chairman, at the rates permissible in the State.
- (c) the medical facilities as are admissible in the State.
- (3) The other conditions of service of the Chairman in the matters of allowances, leave, joining time, joining time pay, provident fund, gratuity, age of superannuation, retirement benefits and other conditions of service shall be regulated in accordance with such rules and regulations as may be notified from time to time.
- (4) **Tenure of Service :-** The tenure of Chairman shall not ordinarily exceed three years from the date of his/her appointment. The State Government reserves the right to remove the incumbent prematurely in public interest before the completion of three years.
7. **Disqualification :** No person, -
- (a) who has entered into or contracted a marriage with a person having a spouse living, or
- (b) who having a spouse living has entered into or contracted a marriage with any person, shall be eligible for appointment to the said post:
- Provided that the State Government may, if satisfied that such marriage is permissible under personal law applicable to such person or the other party to the marriage and that there are other grounds for doing so, exempt any person from the operation of this rule.
8. **Power to relax :** Where the Government of Arunachal Pradesh is of opinion that it is necessary or expedient so to do, it may, by order, for reasons to be recorded in writing, relax any of the provisions of these rules with respect to any class or category of persons.
9. **Removal :** The Chairman shall be liable to be removed from holding such posts on the following grounds, namely :-
- (a) if he is debarred insolvent by any Courts, Tribunals;
- (b) if he is debarred insolvent; by any courts, tribunals ;
- (c) if he is convicted by any Courts;
- (d) if he is found to be involved in any corrupt practices before his prior appointment and the same have been considered at the time to his declaration made to the Authority.

Chief Secretary
Government of Arunachal Pradesh,
Itanagar.


Principal Secretary
(Environment, Forest &
Climate Change)
Govt. of Arunachal Pradesh
Itanagar