

BEFORE THE NATIONAL GREEN TRIBUNAL  
PRINCIPAL BENCH, NEW DELHI

ORIGINAL APPLICATION No. 693 OF 2023

In re: News item appearing in Deccan Herald dated 24.10.2023 titled  
"Pollution control boards are the weak link"

REPORT OF THE PRINCIPAL SECRETARY, ENVIRONMENT, FOREST, SCIENCE  
& TECHNOLOGY DEPARTMENT, GOVERNMENT OF TELANGANA (R24)

RUNNING INDEX

<b>Sl. No.</b>	<b>Particulars</b>	<b>Page Nos.</b>
1.	Report dated 31.01.2024 of the Principal Secretary, Environment, Forest, Science & Technology Department, Government of Telangana.	1 – 8
2.	<b>Annexure-I</b> – Hon'ble NGT, New Delhi Order dated 23.11.2023 in OA No. 693 of 2023.	9 – 17

Place: Hyderabad

Date: 31-01-2024.

**REPORT OF THE PRINCIPAL SECRETARY, ENVIRONMENT, FOREST, SCIENCE & TECHNOLOGY DEPARTMENT, GOVERNMENT OF TELANGANA (R24) IN OA No.693 of 2023.**

It is to submit that Hon'ble NGT, Principal Bench, New Delhi has registered a Suo Moto Application vide OA No.693 of 2023 "Pollution Control Boards are the weak link". The Hon'ble NGT, New Delhi vide order dated 23.11.2023 has impleaded Principal Secretaries, Department of Environment & Forest of all State Governments in the case. The Principal Secretary, Department of Environment & Forest, Government of Telangana is impleaded as R24.

The Hon'ble NGT directed the Respondents to file a report on the following:-

- a) Showing the sanctioned strength and working strength of staff, the ratio of Administrative, Ministerial and Technical Staff in the State PCBs.
- b) Regulating and monitoring facilities available in the SPCBs.
- c) Laboratories\_- Sanctioned strength & present working strength of staff, infrastructure available, further need for equipments & infrastructure in the Labs and provisions made for enforcement and monitoring of hotspots in critically polluted areas.
- d) Availability of budget and its sources & expenditure in the last two years (2020-21 & 2021-22).

**In this regard, the following is submitted: -**

**I. Sanctioned strength and working strength of staff, the ratio of Administrative, Ministerial and Technical Staff in the State PCBs.**

The ratio of strength of Administrative, Ministerial and Technical Staff in the State TSPCB are detailed below: -

<b>Name of the Sections</b>	<b>Sanctioned</b>	<b>Working</b>	<b>Ratio</b>
Technical Staff	140	101	0.61
Administrative	10	7	0.043
Ministerial	80	19	0.347
<b>Total</b>	<b>230</b>	<b>127</b>	

The ratio of sanctioned strength of Technical Staff: Administrative Staff: Ministerial Staff is 0.61: 0.043: 0.0347.

## II. Regulating and monitoring facilities available in the SPCBs

**Constitution:** TSPCB constituted under Section 4 of Water Act, 1974 and Section 5 of Air Act, 1981 on 07.07.2014.

**Functioning & Staff:** Functioning with 3 tier system with Board Office, Zonal Offices (2No.) and Regional Offices (10Nos) with total sanctioned regular strength – 230 (Vacant- 103).

**Industries in Telangana:** Industries categorized under Red, Orange, Green and White categories based on the pollution potential as notified by CPCB.

Total industries under Consent purview - 10,655 Industries		
Category of Industry	Pollution potential	No. of industries
Red	High	3198
Orange	Medium	3870
Green	Low	895
White	Non Polluting	2692

### **Regulation of Industries:**

The Board has constituted various Committees with experts from various reputed institutions like IITs, IICTs to review applications of Consent to Establish (CTE), Consent to Operate (CTO) & Authorizations under various Rules.

The Task Force Committee is also constituted to review the complaints and regulate the industries. Based on the recommendations of the Task Force Committee, action is initiated against violating industries.

**Initiatives:** Applications of industries / projects are processed On-line under TS-iPASS and OCMMS. Toll free Number to receive public complaints round the clock. Regulation of industries through online vehicle tracking for industrial effluents /hazardous and bio-medical waste, Night patrolling of the Industrial Estates.

**Industrial waste water management:** Water Polluting Industries – 2193 Nos, Waste water generation – 603 MLD, Treatment Capacity – 609.35 MLD (In house – 602.35 & CETP – 7 MLD)

**Industrial hazardous waste:** HW Generating Industries – 3024 Nos, HW generation – 3,17,090 TPA, Pre processing facilities (5Nos) - 2,25,000TPA, Co-Processing in cement plants (10 Nos) – 9,08,928TPA, Recyclers (60 Nos) - 2,96,987 TPA, Common Incinerator (1 No.) – 1.5 TPH & TSDF.

**Other Wastes:**

<b>S. No.</b>	<b>Waste Category</b>	<b>Generated</b>	<b>Processing capacity (Nos)</b>	<b>Remarks / Treatment Facility</b>
1.	<b>BMW</b>	24,235 Kg/day (9,297 Nos)	77,500 Kg/day (11 Nos)	Incineration - 44000kg/day, auto claving-33500kg/day
2.	<b>MSW (GHMC)</b>	7,206 TPD	8,000 TPD	Tender completed by CDMA/ULB & 7 agencies have been shortlisted.
3.	<b>MSW (ULBs)</b>	4,316 TPD (142 Nos)	1,960 TPD	Gap - 2,356 TPD.
4.	<b>MSW (GPs)</b>	2,049 TPD (12,770 Nos)	2,048 TPD	All GPs provided Composting cum Segregation sheds. 1005 GPs achieved Door to door collection.
5.	<b>Sewage</b>	2750 MLD	1217.3 (48 Nos)	Under construction - 1191 MLD (36 Nos), Proposed - 655.52 MLD (82 Nos)
6.	<b>Plastic units</b>	587 TPD (Mfg 251 Nos)	136 TPD (Recyclers 30 Nos)	Brand owners/Importers - 316 Nos, Online EPR process initiated by CPCB.
7.	<b>Plastic Waste</b>	1,300 TPD	900 TPD	Gap - 400 TPD
8.	<b>E Waste</b>	74,338.96 Tons (1457 Nos)	1,75,208 TPA (28 Nos)	
9.	<b>C&amp;D (GHMC)</b>	1763 TPD	500 TPD (3 Nos)	One more C&D waste processing facility is in pipeline
10.	<b>C&amp;D (ULBs)</b>	492 TPD (142 Nos)	Nil	65 grouped into 6 clusters, 77 ULBs with smaller quantities will handle independently.

**Environment Education Programmes:** Providing curriculum and curriculum transaction inputs to the School and University Education on aspects relating to environment conservation for mainstreaming of environmental concerns in education. Participating in the teacher and faculty training programmes for promoting environmental education

**Environment Awareness Programmes:** Conducting public awareness programmes and providing inputs for public awareness on the issues of concern as required under the Water Act, Air Act and Environmental Protection Act and rules thereof using various mass media.

## 4

**Re-organization of the Board:** The Board proposed Two (2) Zonal Offices (Warangal & Medchal) and 4 Regional Offices (Nirmal, Mahabubnagar, Siddipet & Medchal – II) based on number of Industries, Pollution potential of the industries and Number of Districts covered by each Regional Office.

Proposals submitted to Government for strengthening of the Board. Proposal of suppression and creation of (42) posts was cleared by the finance department and is under active consideration with Government.

**III. Laboratories - Sanctioned strength & present working strength of staff, infrastructure available, further need for equipments & infrastructure in the Labs and provisions made for enforcement and monitoring of hotspots in critically polluted areas.**

TSPCB is having one Central Laboratory (CL) at Head Office, Hyderabad, with state of art instrumentation facility for analysis of environmental samples and two Zonal Laboratories, RC Puram (RCP) & Warangal (WGL) for catering the needs of the respective zones.

**(a). Sanctioned and present working strength of Scientific Staff:**

Sl. No	Name	Sanctioned	Working
1.	JCES	1	1
2.	SES	3	3
3.	ES	12	12
4.	AES	20	20
5.	AS	26	6
	<b>Total</b>	<b>62</b>	<b>42</b>

**(b). Monitoring facilities**

• **Air Monitoring Facilities:**

○ **Real time monitoring:**

- CAAQMS (Continuous Ambient Air Quality Monitoring Stations): 14 stations at different locations in Hyderabad and one in Sangareddy. These CAAQMS stations have been equipped with analyzers to monitor NO<sub>2</sub>, SO<sub>2</sub>, PM<sub>10</sub>, PM<sub>2.5</sub>, O<sub>3</sub>, Benzene, Toluene, Xylene (BTX), CO and meteorological / weather parameters. Instant data is generated with these CAAQMS stations and the same is disseminated through CPCB and TSPCB websites.
- Real Time Noise Monitoring Stations 10 nos. are installed at different Locations in Hyderabad to measure noise levels.

- VOC monitors-11 nos. and noise level meters-7 nos. (hand held) for monitoring of real time data on field.
- **Manual Monitoring:**
  - 38 manual ambient air quality monitoring stations operated by TSPCB throughout the State for assessment of ambient air quality.
  - TSPCB has 57 nos. of RDS, 20 nos. of PM2.5 and 17 nos. of SMK for carrying out ambient air quality monitoring and source emission monitoring.
  - Mini samplers -5 nos. and micro samplers - 2 nos. (Tedlar bags, tenax tubes, etc) for sampling of organic parameters like VOCs, BTX, etc.
  - Flue Gas Analysers-4 Nos. for flue gas characterization
  - Dioxin and Furan Monitoring kits in the stack and Ambient air -2 nos available
- **Water Quality Monitoring:**
  - TSPCB is monitoring rivers and its tributaries, lakes, ground water, drains and STPs under National Water Quality Monitoring Programme (NWMP) sponsored by CPCB. At present, there are 379 stations across the State that are being monitored regularly under NWMP and Action plan.
  - Real Time Water Quality Monitoring Stations: 2 stations installed at Fathehnagar nala I&D to measure the effluent parameters and Hussain Sagar Lake at BPPA office (Outlet of Hussain Sagar Lake) to measure the surface water parameters.

**(c). Infrastructure available in the labs:**

S. No	Name of the instrument	CL	RCP	WGL	Total	Purpose
1.	GC-MS/MS	1	0	0	1	Analysis of organics in water, waste water, solid waste samples and VOCs in air samples
2.	GC	1	1	1	3	Analysis of Pesticides in water, BTX in air samples.
3.	CHNS Analyzer	1	0	0	1	C/N ratio in municipal compost samples

## 6

S. No	Name of the instrument	CL	RCP	WGL	Total	Purpose
4.	Ion Chromatography	1	0	0	1	Analysis of cations and anions
5.	AAS	1	1	1	3	Heavy metal analysis
6.	ED-XRF	1	0	0	1	Metals in air filter samples, Solid samples.
7.	Mercury Analyser	1	1	1	3	Mercury analysis
8.	Vis. Spectro photometer	3	1	1	5	Analysis of sulphates, phosphates, boron, hexavalent chromium, phenols, cyanide, Flouride etc.
9.	UV-Vis. Spectro photometer	0	1	1	2	Analysis of nitrates, sulphates, phosphates, boron, hexavalent chromium, phenols, Flouride, etc.
10.	BOD incubator	1	1	1	3	For BOD analysis
11.	Bacteriological incubator	1	1	1	3	For bacteriological parameter analysis
12.	Bomb calorimeter	1	1	0	2	Calorific value
13.	Respirable Dust Samplers	41	8	8	57	PM10, SO2, NOx, NH3
14.	PM2.5 samplers	10	5	5	20	PM2.5
15.	Stack monitoring kits	6	6	5	17	SPM, SO2, NOx, acid mist
16.	Hot air ovens	3	3	1	7	For TSS, TDS
17.	DG set 250KVA	1	0	0	1	For uninterrupted power supply
18.	Flame Photometer	1	1	1	3	Sodium, potassium analysis
19.	CN- Sulphide Distillation Assembly	1	0	1	2	Cyanide and sulphide analysis
20.	Microwave Digestion System	1	0	0	1	Digestion of samples for heavy metal analysis
21.	Flash Point Apparatus	2	1	0	3	Flash point detection
22.	Water Purification System	1	1	1	3	Generation of ultra pure water which is used during analysis in laboratory
23.	COD digestion units	2	2	2	6	For COD analysis
24.	Semi micro Balances	3	3	4	10	Gravimetry / Weighing purpose

S. No	Name of the instrument	CL	RCP	WGL	Total	Purpose
25.	Weather monitoring stations	6	2	2	10	Wind direction, wind speed, relative humidity, etc.
26.	Sound Level Meters	6	2	2	10	To measure noise levels
27.	Portable / hand held VOC meters (ppb)	5	3	3	11	To measure VOCs
28.	TKN Analyser	1	1	1	3	Analysis of Total Kjeldahl Nitrogen
29.	Deep Freezer	0	1	1	2	samples storage
30.	Walk in chamber	1	0	0	1	samples storage

The need assessment is carried out on regular basis. As per the sample load and End of life / requirement of the instruments, the additional instruments are procured.

(d). Provisions made in laboratories for enforcement and monitoring of hotspots in critically polluted areas and the existing sampling and analytical equipment are being used for monitoring the hotspots in Critically Polluted areas.

**IV. Availability of budget and its sources & expenditure in the last two years (2020-21 & 2021-22).**

**Receipts and Payments for the Financial Years of 2020-21 and 2021-22**

(Rupees in Cr.)

**RECEIPTS**

Sources of funding		F.Y.2020-21	F.Y.2021-22
<b>a)</b>	<b>Own Resources</b>		
	Consent fees	87.41	133.26
	Interest from employees	0.04	0.02
	Interest from FDs	21.65	16.45
	Analysis Fees	0.54	0.58
	Bio Medical Fees	0.92	1.25
	National Air Monitoring Programme (NAMP)	0.69	1.07
	National Water Monitoring Programme (NWMP)	1.37	0.00
	Other Receipts	1.60	2.09
	<b>Total (a)</b>	<b>114.22</b>	<b>154.72</b>
<b>b)</b>	State Government Assistance / Grants / CBIPMP		
	State contribution by TSPCB	0.00	0.00

<b>c) GOI assistance / grants</b>		
Water Cess / Schemes	0.00	0.00
National Clean Air Programme (NCAP) Funds	2.77	0.00
Assistance for Abatement of Pollution (Control of Pollution)	1.48	3.43
Environmental Compensation Fund	1.80	4.10
EC Penalty	0.00	0.00
<b>Total ( c )</b>	<b>6.05</b>	<b>7.53</b>
<b>Grand Total (a+b+c)</b>	<b>120.27</b>	<b>162.25</b>

**PAYMENTS**

(Rupees in Cr.)

Particulars	F.Y.2020-21	F.Y.2021-22
<b>a) Capital Expenditure</b>	<b>1.10</b>	<b>0.21</b>
<b>b) <u>Revenue Expenditure</u></b>		
i) Salaries	<b>14.05</b>	<b>16.63</b>
iii) Other revenue Expenditure		
Employees Pension Fund	3.75	4.99
Group Gratuity	0.58	1.11
Contract & Consultancy	9.12	10.90
Vehicle Hire Charges	1.91	1.20
Reimbursement of Medical Expenses	1.58	1.61
Others	11.45	10.58
<b>Total (b)</b>	<b>28.39</b>	<b>30.39</b>
<b>c) TSPCB Schemes</b>	<b>54.68</b>	<b>2.33</b>
<b>d) State Schemes</b>	<b>0.00</b>	<b>0.00</b>
<b>e) Central Schemes</b>		
i) Assistance for Abatement of Pollution (Control of Pollution)	0.56	1.38
ii) National Clean Air Programme (NCAP)	2.34	8.42
<b>Total (e)</b>	<b>2.90</b>	<b>9.80</b>
<b>Grand Total (a+b+c+d+e)</b>	<b>101.12</b>	<b>59.36</b>

Date: 31.01.2024

Place: Hyderabad.



**Principal Secretary to Government  
Environment , Forest, Science & Technology Dept.,  
Government of Telangana.**

Item No. 03

Court No. 1

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

Original Application No. 693/2023

In re: News item appearing in Deccan Herald dated 24.10.2023 titled  
**"Pollution control boards are the weak link"**

Date of hearing: 23.11.2023

**CORAM: HON'BLE MR. JUSTICE PRAKASH SHRIVASTAVA, CHAIRPERSON  
HON'BLE DR. A. SENTHIL VEL, EXPERT MEMBER**

Respondent: Mr. Amit Singh Chauhan, Adv. for CPCB (Through VC)

**ORDER**

1. This OA is registered in *suo motu* exercise of power on the basis of the News Item titled **"Pollution control boards are the weak link"** appearing in Deccan Herald dated 24.10.2023.

2. The news item states that the State Pollution Control Board (SPCB) as also Central Pollution Control Board (CPCB) have miserably failed to effectively contribute in curbing the pollution. It is stated that the PCBs across India are in a state of a shambles, though in course of time, their mandate has been expanded much beyond the water related issues. Referring to a working paper from the Centre for Policy Research, the report states that the SPCBs do not have the resources and capacity to perform the functions assigned to them under various laws due to inadequate sanctioned strength of personnel, high number of vacancies especially in technical positions, absence of proper training, lack of pollution monitoring and abatement equipment, absence of technically competent leadership, protracted enforcement mechanisms, insufficient funds and ineffectual spending.

3. The news item raises a substantial issue affecting the compliance of environmental laws.

4. Hence, we find it to be a fit case for consideration by registering OA in *suo-motu* exercise of power which is permissible in terms of the judgment of the Hon'ble Supreme Court in the matter of "*Municipal Corporation of Greater Mumbai vs. Ankita Sinha & Ors.*" reported in 2021 SCC Online SC 897.

5. On the basis of advance notice, a report on behalf of CPCB dated 22.11.2023 has been filed. A perusal of the said report reveals that the news report about insufficient staffing of the PCBs across the country is correct, as in the report of the CPCB following chart has been reproduced disclosing the status of manpower of SPCBs and PCCs:

**"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>

6. The above chart clearly reveals that out of 11,969 sanctioned posts, only 5877 are filled and in many States such as, Gujarat, Himachal Pradesh, Maharashtra, Meghalaya, Mizoram, Nagaland, Sikkim, Tamil Nadu, Telangana, Tripura, Uttar Pradesh, West Bengal, etc., the working strength in the SPCBs/PCCs is even less than half of the sanctioned strength.

7. Same is the position in respect of the laboratories of SPCBs and PCCs which is reflected in the report filed by CPCB in the chart form as under:

**“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
8	Haryana	1	3	4	0	3
9	Himachal Pradesh	1	5	6	0	2
10	Jharkhand	1	4	5	0	0

-12-

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>

8. The above chart reflects that in some of the States, the properly accredited laboratories are not there under the Environment Protection Act as Environmental Laboratories and in respect of some PCCs such labs even do not exist.

9. Tribunal in O.A. No. 95/2018 in the matter of *Aryavart Foundation Vs. M/s Vapi Green Enviro Ltd.* dated 05.02.2021 had issued following direction:-

“22. The directions on the subject are summed up as follows:

- i. *The Chief Secretaries of all States/UTs, in coordination with their respective Secretary Environment and Chairman State PCB/PCCs, need to forthwith study and address the issues emerging from the CPCB report, 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. The CPCB may assist and monitor all the States for compliance of these directions. The steps in this regard be initiated and completed as far as possible within six months. In view of Section 33 of the NGT Act, 2010, whereunder the NGT Act has overriding powers over other statutes, any restriction placed by any administrative order will not stand in the way of carrying out this direction.*
- ii. *We direct the CPCB to prepare a format which may contain qualifications, minimum eligibility criteria, required experience for the key positions and the specifications of equipment. All States/UTs may act accordingly.*
- iii. *MoEF&CC and CPCB may design a mechanism for annual performance audit of all the State PCBs/PCCs.*
- iv. *It is suggested that if some of the State PCBs find it difficult to select/recruit suitable candidates, a designated Committee of the MoEF&CC and CPCB, in consultation with such State PCBs, may explore possibility of the central selection mechanism so that the talent pool so selected can be made available for posting at appropriate locations, where requirement is found to be otherwise difficult. A plan be prepared for continuous training of the incumbents at regional levels periodically.*
- v. *In view of the findings in the report that at some places administrative manpower is more than technical manpower, such situation may be reviewed and remedied by the concerned States.*
- vi. *The observations that the work of regulators should be fulltime for the incumbents appointed applies to all key positions, including Chairman/Member Secretary and Regional Officers, Engineers, Scientists of PCBs/PCCs. Such incumbents may not be given any other additional charge. Only exception can be in States where there are no significant environmental issues so as to provide the incumbents fulltime work. Such States may seek exemption in respect of this direction from CPCB, giving relevant information justifying such exemption.*
- vii. *CPCB and State PCBs/PCCs, as directed earlier, may utilise EC funds on laboratory set up/upgradation, and on the mentioned areas in the report as well as on approved District Environment Plans. No approval of*

*Central/State Government will be necessary in this regard in view of section 33 of the NGT Act, supra.*

- viii. *Consistent with Digital India initiatives, MoEF&CC/MoJS/CPCB may consider setting up and periodically updating National Environment Data Grid (NEDG) linked to the State Environment Data Grids (SEDGs) DEDGs and further linked to available portals like online air/water quality, Sameer and other monitoring stations to facilitate analysis, research and planning on the subject. It may be further interlinked to initiatives like NMCG/Swachh Bharat/Jal Jeevan Mission.*
- ix. *To assess the extent of monetary loss caused to the environment on account of violation of environmental norms by failure to scientifically manage waste, violating Water/Air/EP/Forest (Conservation) Acts and other specified Acts for fixing accountability, for improving efficiency and better enforcement of 'Polluter Pays' principle.*
- x. *To monitor the extent of carrying capacity for particular activities at different locations for planning suitability of siting of particular activities for giving effect to 'Precautionary' and 'Sustainable Development' principles."*

10. In view of the above, we deem it proper to implead the following as respondents in this OA:

- 1) State of Andhra Pradesh through Principal Secretary, Department of Environment and Forest.
- 2) State of Arunachal Pradesh through Principal Secretary, Department of Environment and Forest.
- 3) State of Assam through Principal Secretary, Department of Environment and Forest.
- 4) State of Bihar through Principal Secretary, Department of Environment and Forest.
- 5) State of Chhattisgarh through Principal Secretary, Department of Environment and Forest.
- 6) State of Goa through Principal Secretary, Department of Environment and Forest.

- 7) State of Gujarat through Principal Secretary, Department of Environment and Forest.
- 8) State of Haryana through Principal Secretary, Department of Environment and Forest.
- 9) State of Himachal Pradesh through Principal Secretary, Department of Environment and Forest.
- 10) State of Jharkhand through Principal Secretary, Department of Environment and Forest.
- 11) State of Karnataka through Principal Secretary, Department of Environment and Forest.
- 12) State of Kerala through Principal Secretary, Department of Environment and Forest.
- 13) State of Madhya Pradesh through Principal Secretary, Department of Environment and Forest.
- 14) State of Maharashtra through Principal Secretary, Department of Environment and Forest.
- 15) State of Manipur through Principal Secretary, Department of Environment and Forest.
- 16) State of Meghalaya through Principal Secretary, Department of Environment and Forest.
- 17) State of Mizoram through Principal Secretary, Department of Environment and Forest.
- 18) State of Nagaland through Principal Secretary, Department of Environment and Forest.
- 19) State of Odisha through Principal Secretary, Department of Environment and Forest.
- 20) State of Punjab through Principal Secretary, Department of Environment and Forest.

- 21) State of Rajasthan through Principal Secretary, Department of Environment and Forest.
- 22) State of Sikkim through Principal Secretary, Department of Environment and Forest.
- 23) State of Tamil Nadu through Principal Secretary, Department of Environment and Forest.
- 24) State of Telangana through Principal Secretary, Department of Environment and Forest.
- 25) State of Tripura through Principal Secretary, Department of Environment and Forest.
- 26) State of Uttarakhand through Principal Secretary, Department of Environment and Forest.
- 27) State of Uttar Pradesh through Principal Secretary, Department of Environment and Forest.
- 28) State of West Bengal through Principal Secretary, Department of Environment and Forest.
- 29) Union Territory of Andaman & Nicobar through Principal Secretary, Department of Environment and Forest.
- 30) Union Territory of Chandigarh through Principal Secretary, Department of Environment and Forest.
- 31) Union Territory of Dadra & Nagar Haveli and Daman & Diu through Principal Secretary, Department of Environment and Forest.
- 32) Union Territory of Delhi through Principal Secretary, Department of Environment and Forest.
- 33) Union Territory of Jammu & Kashmir through Principal Secretary, Department of Environment and Forest.
- 34) Union Territory of Ladakh through Principal Secretary, Department of Environment and Forest.

- 35) Union Territory of Lakshadweep through Principal Secretary, Department of Environment and Forest.
- 36) Union Territory of Puducherry through Principal Secretary, Department of Environment and Forest.
- 37) Central Pollution Control Board's Central and Regional Laboratories through Secretary, MoEF&CC.

11. Let notice be issued to the above respondents.

12. The above respondents are directed to file their reports showing the sanctioned strength and working strength of staff in the concerned SPCBs/PCCs, CPCB the ratio of administrative, Ministerial and Technical staff in the SPCBs/PCCs, CPCB and the regulating and monitoring facilities which are available with the SPCBs/PCCs/CPCB. In respect of laboratories, the report will disclose the sanctioned strength and present working strength of staff, the infrastructure which is available in the labs 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. The report should also include the availability of budget and its sources and expenditure in last two years (2020-2021 and 2021-2022). Let these reports be submitted within a period of 8 weeks by e-mail at [judicial-ngt@gov.in](mailto:judicial-ngt@gov.in) preferably in the form of searchable PDF/OCR Support PDF and not in the form of Image PDF.

13. List on 02.02.2024.

Prakash Shrivastava, CP

Dr. A. Senthil Vel, EM

November 23, 2023  
Original Application No. 693/2023  
DV