

## BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL

Principal Bench, New Delhi

In

Original Application No. 638 of 2023

Re: 'News item appearing in Times of India dated 10.10.2023 titled "Feeling anxious? Toxic air could be to blame"

With

Original Application No. 658 of 2023

Re: News item appearing in Times of India dated 10.10.2023 titled "Delhi, Chennai studies hint at pollution link to diabetes"

**Index**

S. No.	Particulars	Page No.
1.	<b>Reply</b> on behalf of the Respondent No. 2 i.e. CPCB in compliance to Hon'ble NGT orders dated 19.12.2023 & 14.02.2024 in OA No. 638 of 2023 With O A No. 658 of 2023.	
2.	<b>Annexure-I:</b> Detailed steps taken for improvement of air quality and reduction in 12 notified pollutants.	
3.	<b>Annexure-II:</b> Copy of Concept Note for utilisation of Environment Protection Charge (EPC) funds prepared by CPCB.	
4.	<b>Annexure-III:</b> Copy of Expression of interest (EoI) issued by CPCB.	
5.	<b>Annexure-IV:</b> Copy of Minutes of the meetings on 22.04.2022 and 03.10.2022.	
6.	<b>Annexure-V:</b> Source contribution for Delhi-NCR Towns as per TERI-ARAI published in 2018.	
7.	<b>Annexure-VI:</b> Copy of Minutes of Project Appraisal and Approval Committee (PAAC) and MoEF&CC meetings.	
8.	<b>Annexure-VII:</b> Activity-wise expenditure of EPC funds.	

9.	<b>Annexure-VIII:</b> A copy of the Hon'ble NGT, PB order dated 20.04.2017 in OA No. 24/2011.	
10.	<b>Annexure-IX:</b> List of projects, studies and laboratories equipment procurement funded under NGT Environmental Compensation (EC) 25% and NGT EC 75% funds.	
11.	<b>Annexure-X:</b> Status of funds available in 23 specific purpose bank accounts.	
12.	<b>Annexure-XI:</b> A copy of the Hon'ble NGT, PB orders dated 19.12.2023 & 14.02.2024.	



(Pankaj Agarwal)  
Scientist 'F'

Central Pollution Control Board  
Delhi-110032

Place- Delhi

Date- 20.03.2024

**BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL  
PRINCIPAL BENCH, NEW DELHI  
ORIGINAL APPLICATION NO. 638 of 2023**

**IN THE MATTER OF:**

**Re:** *'News item appearing in Times of India dated 10.10.2023 titled "Feeling anxious? Toxic air could be to blame"'*

**With**

**ORIGINAL APPLICATION NO. 658 of 2023**

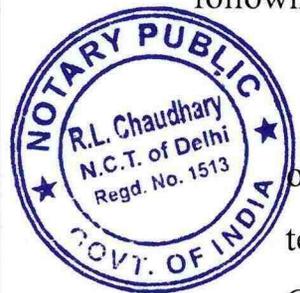
**Re:** *'News item appearing in Times of India dated 10.10.2023 titled "Delhi, Chennai studies hint at pollution link to diabetes"'*

**Reply on behalf of the Respondent No. 2 i.e. CPCB (Central Pollution Control Board).**

That, in compliance of order dated 19.12.2023 in O.A. No. 638/2023 and O.A. No. 658/ 2023 passed by Hon'ble National Green Tribunal, Principal Bench (hereinafter referred as NGT), the Respondent No. 2 humbly submits the following;

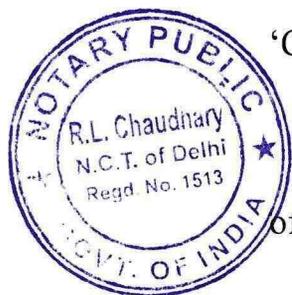
In pursuant to Hon'ble Supreme Court order and Hon'ble NGT order, CPCB receives compensation amount broadly under two heads termed as Environment Protection Charges (EPC) and Environmental Compensation (EC). The former (EPC) is received as per order of Hon'ble Supreme Court and is utilized as per concept note submitted by CPCB before Hon'ble Supreme court for air quality management in Delhi-NCR. Funding of road construction/repair & paving works, procurement of mechanical road sweeping machines and anti-smog guns for on ground mitigation of air pollution in Delhi-NCR is one of the areas identified for utilizing the EPC fund.

Whereas the later (EC) is received as per orders of Hon'ble NGT in various matters and is utilized for execution to rejuvenate and protect the



environment such as strengthening of laboratories/ monitoring network, carrying out various projects/studies/ monitoring in compliance of Hon'ble NGT order in various matters, other research studies/ project, capacity building of Pollution Control Boards, payment of TA/DA/ honorarium etc. to the Chairman/ Members of Committees constituted by Hon'ble NGT/ Joint inspection teams constituted by Hon'ble NGT for carrying out the directions, consultancy fee, legal fee, etc.

Details of both the funds viz. Environment Protection Charges (EPC) fund and Environmental Compensation (EC) fund are given under Para 'B' and 'C' of this report respectively.



Prevalence level of air pollutants and steps taken for improvement of air quality are given under subsequent para 'A'.

#### **A. Prevalence Levels of Air Pollutants and Steps Taken for Improvement of Air Quality:**

1. National Ambient Air Quality Standards (NAAQS-2009) prescribes concentration of commonly found air pollutants, secondary pollutants, and metals. Ambient air quality monitoring in various cities is carried out with help of a monitoring network comprising of manual and online monitoring stations (also referred as Continuous Ambient Air Quality Monitoring Station) #. It is submitted that out of 12 notified parameters, annual standards have been prescribed for following 10 parameters and exceedance status of these parameters during the year 2022 is presented in Table 1 below:

**Table 1:** Exceedance of 10 parameters w.r.t. Annual Standards prescribed under NAAQS

Parameters	SO <sub>2</sub>	NO <sub>2</sub>	PM <sub>10</sub>	PM <sub>2.5</sub>	Benzene	NH <sub>3</sub>	Nickel	Lead	Arsenic	B(a)P
No. of Cities where monitored	406	431	432	340	159	228	12	23	10	10
No. of cities exceeding Annual Standards	2	35	314	135	22	Nil	Nil	Nil	Nil	Nil
Annual Standards*	50	40	60	40	5	100	20	0.5	6	1

\*all parameters' units in  $\mu\text{g}/\text{m}^3$  except for Arsenic & B(a)P ( $\text{ng}/\text{m}^3$ )

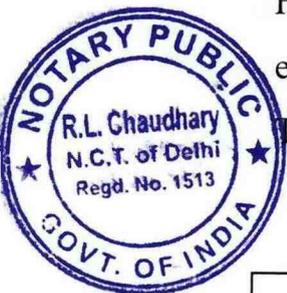
Further, 08 hourly standards have been prescribed for CO and O<sub>3</sub> and exceedance status of these parameters during the year 2022 is presented in

Table 2 below:

**Table 2:** Exceedance of Carbon Monoxide (CO) & Ozone (O<sub>3</sub>) with respect to 8-hourly standards prescribed under NAAQS

	CO	O <sub>3</sub>
Total Number of cities where monitored	209	209
Number of cities with no exceedance	52	106
Number of cities exceeding upto 10% counts of 8-hourly monitoring	134	95
Number of cities exceeding 10% to 20% counts of 8-hourly monitoring	22	7
Number of cities exceeding more than 20% counts of 8-hourly monitoring	1	1
8-hourly Standards	2 mg/m <sup>3</sup>	100 $\mu\text{g}/\text{m}^3$

#The monitoring of 12 parameters in the country is carried out with the help of State Pollution Control Boards, Pollution Control Committees, NEERI and CPCB. CPCB co-ordinates with these agencies to ensure uniformity, consistency of air quality data and provides technical and financial support to them for operating these monitoring stations.

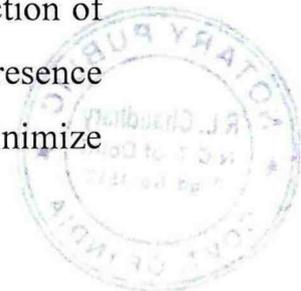


The data of above tables indicate that  $PM_{10}$  and  $PM_{2.5}$  are pollutants of major concern in the country whereas Carbon Mono-oxide (CO), Ozone ( $O_3$ ), Benzene and Nitrogen dioxide ( $NO_2$ ) exceeds in some of the cities. The concentration of Ammonia ( $NH_3$ ), Nickel (Ni), Lead (Pb), Benzo(a)pyrene (B(a)P) and Arsenic (As) is found to be within the prescribed standards in all the cities where it is monitored, while Sulphur dioxide ( $SO_2$ ) also comply with prescribed annual standards in most of the cities.

The major sources of Particulate Matter are Soil and road Dust, Vehicles, Domestic Fuel, MSW burning, Construction and Demolition activities and Industries, whereas major sources of CO,  $NO_x$  and Benzene are Vehicles, Industrial processes and waste burning. Ozone is formed from reaction of Volatile Organic Compounds (VOCs) and Oxides of Nitrogen in presence of Sunlight. Actions taken to reduce  $NO_x$  and VOCs would also minimize Ozone formation in the ambient air.

A combination of approaches for Air Pollution Control that include regulations/ emission standards, environment friendly industrial processes, promotion of cleaner fuel, emphasizing waste management/ recycling and recovery practices, monitoring and compliance mechanism has been adopted. Guidelines have also been issued for implementation of rules notified for various sectors and for effective environmental management.

As a national level strategy targeting reduction in Particulate Matter in a comprehensive manner, National Clean Air Programme (NCAP) has been launched by the Ministry of Environment, Forest and Climate Change (MoEFCC) in January 2019. It aims to improve air quality in identified 131 cities (non-attainment cities and Million Plus Cities) in 24 States by engaging all stakeholders. The Programme envisages to achieve NAAQS or

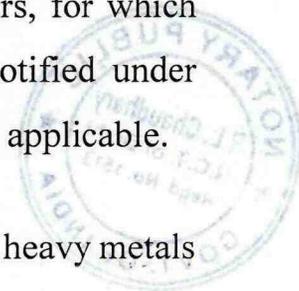
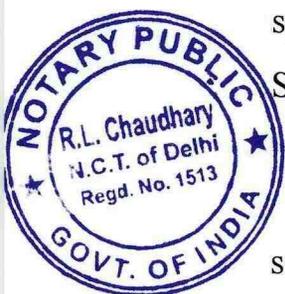


reduction of 40% in PM10 concentrations with 2019-20 as base year by the year 2025-26. City Action Plans (CAPs) for 131 cities got prepared and subsequently approved by CPCB in compliance of Order of the Hon'ble NGT and these are being implemented by Urban Local Bodies. The city action plans target city-specific air polluting sources.

Control of emissions of Particulate Matter, Sulphur dioxide and Oxides of Nitrogen is primarily regulated through industry-specific emission standards and general standards, notified by Ministry of Environment Forest and Climate Change (MoEF&CC), Government of India. These standards are listed under Schedule-I: 'Standards for Emission or Discharge of Environmental Pollutants from various Industries' of Environment Protection Act, 1986. So far, industry-specific environmental standards, for 79 key industrial sectors have been notified. Industrial sectors, for which specific standards are not available, general standards as notified under Schedule VI of The Environment (Protection) Rules, 1986 are applicable.

Similarly, release of gaseous pollutants such as CO, Benzene, heavy metals such as Lead, Arsenic and Nickel besides Particulate Matter from waste burning have been regulated through various Waste Management Rules Notified under The Environment (Protection) Act, 1986. Further, in order to effectively manage the waste in an environmentally sound manner, Extended Producer Responsibility frameworks have been introduced for various waste streams such as plastic waste, e-waste, battery waste, waste tyre and used oil.

It is also submitted that there is a linear relationship between some pollutants like Arsenic (As), Nickel (Ni), Lead (Pb) and Benzo(a)Pyrene (BaP) with Particulate Matter and therefore, actions taken to reduce



Particulate Matter emissions, would also control these pollutants in the ambient air.

3. Detailed steps taken for improvement of air quality and reduction in 12 notified pollutants is attached at **Annexure-I**.

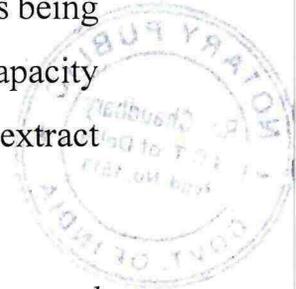
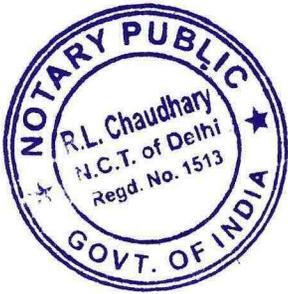
**B. Regarding Environment Protection Charge (EPC) Fund:**

1. In reference to the **Para 8 and Para 9** of the above mentioned NGT Order dated 19.12.2023, it is humbly submitted that:

- a. CPCB is collecting Environment Protection Charge (EPC) in compliance of the Hon'ble Supreme Court order dated August 12, 2016 in W.P. (C) 13029 of 1985: M.C. Mehta Vs UoI. EPC equivalent to 1% of ex-showroom price of diesel vehicle is being deposited with CPCB for cars/ SUVs with engine capacity 2000cc & above sold/registered in Delhi-NCR. Relevant extract of the Hon'ble Supreme Court order is as follows:

*“By our Order dated 16.12.2015, we had while issuing several other directions forbidden registration of private cars and SUVs with an engine capacity of 2000 cc and above running on diesel fuel. That direction was initially effective up to 31.03.2016 but subsequently continued pending further orders. The position as on date is that registration of private cars and SUVs running on diesel fuel with an engine capacity of 2000 cc and above are not being registered in Delhi and NCR region. ....*

*Insofar as the deposit to be made with the CPCB is concerned, we see no reason to decline the prayer. We accordingly direct that the CPCB shall open a separate account in a Scheduled*



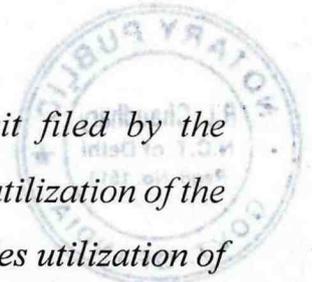
*public sector bank to receive the amount representing 1% of the Ex-show room price of every diesel car that is sold by any manufacturer/dealer in Delhi and NCR region. The deposit of the amount alone shall entitle the manufacturer/dealer or the purchaser of the car to have the car registered within Delhi or NCR region. Our order dated 16.12.2015 shall to that extent stand modified."*

- b. Pursuant to the aforesaid order, CPCB prepared and submitted a Concept Note for utilisation of EPC funds to the Hon'ble Supreme Court focusing on overall objective of air quality management and improvement in Delhi-NCR (Annexed as **Annexure II**) and the same was considered vide Hon'ble Court's order dated 06.02.2017. Relevant extract of Hon'ble Supreme Court order is as follows:

*"We have also been shown today an affidavit filed by the Member Secretary of the CPCB conceptualizing utilization of the EPC by the CPCB. That conceptualization includes utilization of funds which will have an impact on air pollution in Delhi."*

- c. In the aforesaid Concept note submitted to the Hon'ble Supreme Court, the following broad thrust areas were identified for taking up project/ activities related to air quality management and improvement in Delhi-NCR under EPC funds:

- i. Capacity building with regard to infrastructure enhancement (monitoring and laboratory)



- ii. Mass awareness on air pollution
- iii. R&D Activities w.r.t air quality management & vehicular pollution control
- iv. Health impact studies vis-a vis air pollution in Delhi-NCR
- v. Specific Projects to control pollution in Delhi-NCR & Punjab

Also, an Expression of interest has been issued by CPCB for inviting proposals wherein potential areas of work/ studies that can be taken up under the above cited thrust areas was indicated. Copy of the EoI is enclosed at **Annexure – III** which is also available at CPCB website.

- d. As indicated in the Concept Note, a Steering Committee is constituted to guide and review utilisation of EPC funds and advise on new areas for funding under the Chairpersonship of Secretary, MoEF&CC and having members from following Ministries/Institutes: (i) Ministry of Road Transport and Highways (MoRTH) (ii) Ministry of Petroleum and Natural Gas (MoPNG) (iii) Department of Heavy Industries (DHI) (iv) Indian Institute of Technology, Delhi, (v) National Environmental Engineering Research Institute (NEERI) (vi) The Energy and Resources Institute (TERI), (vii) State Pollution Control Boards (SPCBs) of NCR (viii) Delhi Pollution Control Committee (DPCC) (ix) Commission for Air Quality Management in National Capital Region and Adjoining Areas (CAQM) (x) Confederation of Indian Industry (CII) and (xi) CPCB.



- e. Further, a Project Appraisal and Approval Committee (PAAC) is constituted to evaluate and approve the project proposals

received by CPCB under EPC funds under the Chairmanship of Chairman, CPCB and having members from following Ministries/Institutes: (i) MoEF&CC (ii) DHI (iii) MoRTH (iv) MoPNG (v) Ministry of Earth Sciences (MoES) (vi) SPCBs of NCR (vii) DPCC (viii) Department of Science and Technology (DST) (ix) CAQM and (x) Society of Indian Automobile Manufacturers (SIAM). The said committee is assisted by a group i.e. "Technical Group" that examine project proposals received and provide inputs for further consideration and final decision by PAAC. The projects recommended by PAAC are subsequently awarded by CPCB.

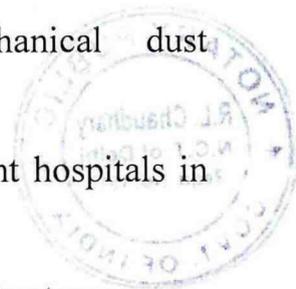
- f. Various scientific studies/ projects have also been conducted so far from EPC funds such as (i) trial of various new technologies for air pollution mitigation: Air purification units developed by NEERI for traffic junction pollution, dust suppressant for construction sites and road dust control developed by Enviro Policy Research Institute Pvt. Ltd (EPRI), Smog Tower developed by IIT Bombay and Tata Projects Ltd and ion generator technology developed by Science & Technology Park, Pune and (ii) technical project/ studies: bi-weekly action plan for effective and efficient management of PM<sub>2.5</sub> concentration in Delhi, Delhi air quality experiment: a paradigm shift in source apportionment, Does poor air quality from crop burning in close proximity to residential areas adversely affects health respiratory health etc. Besides, funds have been utilized for enforcement drives conducted to check air polluting sources in Delhi-NCR as well as for monitoring network and laboratory infrastructure development.



g. PAAC during its meeting held on August 24, 2021 observed that majority of proposals received for consideration are related to research work while a number of scientific studies have been already conducted and thus there is a need of considering projects intended for on-ground mitigation and management of air pollution. Further, Steering Committee in its meetings convened on 22.04.2022 and 03.10.2022 decided for funding a mix of projects from EPC funds including projects that could help in on-ground mitigation of pollution, and, accordingly, the following new thrust areas were considered for funding (Minutes of the meeting annexed as **Annexure-IV**):



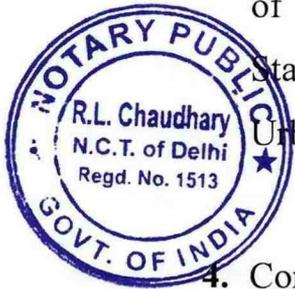
- i. Greening and paving and other pollution mitigation activities (anti-smog guns, greening/paving, mechanical dust sweepers, road works, etc.)
- ii. Retro-fitment of DG sets used in Government hospitals in Delhi-NCR with RECD
- iii. Palletization/torrefaction plants based on paddy straw



2. It is humbly submitted that control of air pollution in Delhi-NCR is critical, and road dust is a major factor deteriorating air quality in this region as indicated from the Source Apportionment studies carried out in Delhi-NCR region. The contribution of dust to PM<sub>10</sub> ranges between 19-52 % in various cities of Delhi-NCR. (**Annexure-V**) The dust control measures include mechanized road sweeping, water sprinkling, construction and maintenance of road and these help in controlling air pollution and improving the air quality.

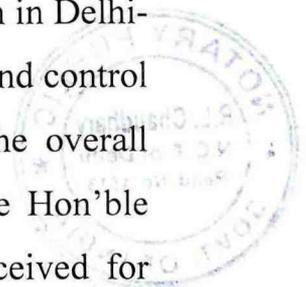
Also, Under National Clean Air Programme (NCAP), “Road dust” is one of the 7 thematic areas of City Action plans (CAPs) wherein “End-to-end paving of roads along with black-topping and maintaining potholes free roads”, “Regular cleaning of street surfaces and spraying of water to suppress dust” and “Remove road dust/silt regularly by using mechanical sweepers” are some actionable points.

3. It is humbly submitted that funds for implementation of activities of CAPs under NCAP is to be mobilized through convergence of resources from various schemes of Central Government such as Swachh Bharat Mission (SBM), Atal Mission for Rejuvenation and Urban Transformation (AMRUT), Smart City Mission, Sustainable Alternative Towards Affordable Transportation (SATAT), Faster Adoption and Manufacturing of (Hybrid &) Electric Vehicles (FAME-II), etc. and resources from State/UT Governments and its agencies such as Municipal Corporation, Urban Development authorities, Industrial development authorities, etc.



4. Considering the concept of convergence of funds under various schemes adopted under NCAP, PAAC during its meeting held on 10.10.2023 decided that the gap funding for implementation of micro-level action plans for non-attainment cities in Delhi-NCR could be considered depending upon the priority / urgency of the need and also taking into account the funds available. Further, in the meeting dated 23.11.2023 convened by MoEF&CC, it was decided that CPCB will provide funding from EPC funds for critical gaps for implementation of micro-level action plans for non-attainment cities, as well as for other cities in Delhi NCR for control of air pollution. Minutes of PAAC and MoEF&CC meeting are enclosed (**Annexure –VI**).

5. It is humbly submitted that CPCB is not providing budgetary support and only supplemental funds have been provided for taking up activities (mechanized road sweeping, water sprinkling, construction and maintenance of road) for control of air pollution. It is also submitted that Urban Local Bodies/ Municipal Corporations (ULBs/ MCs) are required to take air pollution control measures/ activities from their own funds including convergence from various schemes. These activities for control of road dust emission (mechanized road sweeping, water sprinkling, construction and maintenance of road) are also part of micro-action plan under NCAP and accordingly, supplemental funds have been provided for such specific works/procurement which are not considered under any other scheme of Central/State government or no matching funds are available.
6. It is submitted that considering the critical levels of air pollution in Delhi-NCR, CPCB is supporting these initiatives towards abatement and control of air pollution in Delhi-NCR in a limited way, which is the overall objective of utilization of EPC funds as submitted before the Hon'ble Supreme Court. It is to also mention that such proposals received for consideration under EPC funds are referred to CAQM for examination and the same are considered by PAAC upon recommendations of CAQM. Further, the projects are sanctioned with the condition that the work should be awarded following due tendering process, and that expenditure is to be made as per provisions of General Financial Rules (GFR-2017) or State Financial Rules, as applicable.
7. It is submitted that the status of EPC funds is given in Table 1.



**Table 1:** Status of EPC funds (as on January 03, 2024)

(In Rs. Cr)

<b>1. Amount accrued in EPC account</b>	<b>383.89</b>
<b>2. Amount Disbursed</b>	<b>95.4</b>
<b>3. Balance/available funds</b>	<b>288.49</b>

8. Out of Rs. 95.4 crore, Rs. 6.68 crore (50% of the sanctioned amount) has been released on 08.06.2023 and 25.07.2023 to Ghaziabad Municipal Corporation (GMC) for construction/repair works for 08 roads, for which GMC has stated vide letter dated 16.11.2022 that these works are not being funded from any other scheme. The remaining Rs. 6.68 crore would be released after completion of works. The remaining amount disbursed, i.e. Rs. 95.4 Crore – Rs. 6.68 Crore = Rs. 88.7 Crore have been spent on various activities such as scientific/technical studies, inspection drives, Clean Air Campaign, procurement of laboratory equipment, Continuous Ambient Air Quality Monitoring Stations, etc., and list of such activities are annexed at **Annexure VII**.

Further, procurement of Mechanical Road Sweeping Machines/Anti-smog guns and road construction/repair/paving works of Rs. 22.8 Crore and Rs. 10.6 Crore respectively, have been sanctioned to various ULBs/Land/road owning agencies in Delhi-NCR. Based on the sanction, Work Orders have been issued in some cases.

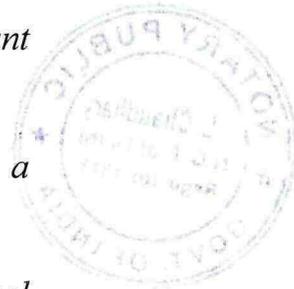
Also, proposals of Rs. 69.4 Crore for road construction/repair & paving works and procurement of MRSMs and ASGs, received from 08 agencies in Delhi-NCR, are under consideration but have been kept in abeyance in view of Hon'ble NGT order dated 19.12.2023 in the matter under reference, i.e. OA no. 638/2023 with OA no. 658/2023.

### C. Regarding Environmental Compensation (EC) Funds

1. Hon'ble NGT vide order dated February 03, 2017 in OA No. 24/2011 titled as "Samir Mehta Vs Union of India & Ors" directed every State Pollution Control Boards (hereafter SPCB) which has received Environmental Compensation (EC) amounts pursuant to Hon'ble NGT orders, to remit 25% of the said amount to CPCB. CPCB was also directed to maintain a separate account for this fund and deposit 25% of the EC amount it receives from various Hon'ble NGT orders into the same account. Relevant extract of the said order is reproduced below;

"1).....

2. *Every State Board which has received amount as above stated shall, within two weeks from today, remit/pay to Central Pollution Control Board, 25% of the amount received by them under the orders of the Tribunal.*
3. *The Central Pollution Control Board shall maintain a separate head of account for this purpose.*
4. *The amount so received by the Central Pollution Control Board shall utilized for prevention and control of pollution and more particularly for meeting demands and requirement of the Chairmen/Members of the Committee constituted by the National Green Tribunal and also in regard to implementation of the orders passed by the Tribunal, by Central Pollution Control Board, Joint Inspection Team and or by Special Team constituted under the orders of the Tribunal for carrying out the directions for collection of data conducting special research/monitoring or for any other purpose.*



5. *Central Pollution Control Board shall spend this amount under the directions of the Tribunal.*
6. *Besides meeting the above expenditure, Central Pollution Control Board shall also be under obligations to frame policy for spending of this amount on environmental problems and resolution thereof. We make it clear that this will also include research on a particular project and monitoring of environmental standards etc.”*



2. In compliance of the said order, the funds received as 25% of the above mentioned amount from SPCBs (hereafter referred as NGT EC 25%) is maintained by CPCB in a dedicated bank account vide Union Bank of India Account Number 532002010008959.

CPCB also receives EC amount directly (i.e. not through SPCBs) as per orders of the Hon'ble NGT in various matters. The 25% from the said directly received amount is also deposited in aforesaid bank account under NGT EC 25%. Whereas, the remaining i.e. the 75% amount is being maintained in another dedicated bank account vide Union Bank of India Account No. 532702010009078.

3. CPCB filed an Original Application vide OA no. 101/2019 dated January 11, 2019 titled "CPCB Vs Assam SPCB & Ors" before Hon'ble NGT. Vide Para 12 of the ibid OA, CPCB placed a scheme proposing various activities for execution for rejuvenation and protection of environment out of the Environment Compensation funds available with CPCB. Vide Para 13 of the ibid OA, various schemes were proposed by CPCB for utilization of 25% NGT EC amount. The said two paragraphs no. 12 and 13 are reproduced below for ready reference;

*"12. That in compliance of the orders/directions passed by this Hon'ble Tribunal, CPCB proposes the following activities for execution to*

*rejuvenate and protect the environment out of the Environmental Compensation Fund.”*

**13. SCHEME PROPOSED BY CENTRAL POLLUTION CONTROL BOARD FOR THE UTILISATION OF 25% ENVIRONMENTAL COMPENSATION FUNDS**

*That the CPCB has identified schemes and projects for utilization of funds under Environmental Compensation collected at CPCB may be classified as follows:*

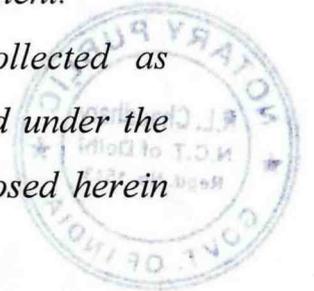
- i. *Development of infrastructure for Air and Water quality surveillance and monitoring for different areas/locations in Delhi NCR and other needed places.*
- ii. *Remediation of contaminated sites and for that to develop infrastructure, procurement of equipment etc. including hiring of Experts/Consultants for specific requirement for remediation of sites, etc.*
- iii. *Specific investigations and studies with regard to environment and ecology.*
- iv. *Carrying capacity assessment for ecologically and environmentally sensitive & critical areas, including hiring of Experts/Consultants for specific purpose and period.*
- v. *R&D activities with regard to new technologies, clean technologies, etc.*
- vi. *Capacity building of scientific and engineering personnel of CPCB and PCBs/PCCs to rejuvenate and protect the environment.*
- vii. *Augmenting and strengthening of laboratory network in-terms of manpower and logistics.*
- viii. *Payment of honorarium in compliance of Judicial Orders of the Courts and Tribunal.*
- ix. *Specialized studies on accidental spill areas, health impact assessment, recalcitrant pollutants, etc.*
- x. *IEC activities*
- xi. *Any other scientific and technical matter which may arise as a contingent matter.”*



4. The aforesaid OA No. 101/2019 was filed before Hon'ble NGT with the following prayer;

*“In view of the facts and circumstances narrated herein above, the applicant herein graciously and humbly prayed that the Hon’ble court may kindly allow the present original application by passing the following order;*

- I. *To approve the Scheme prepared by Central Pollution Control Board/Applicant as stated/mentioned in para 12 herein above by keeping in mind that the same is prepared in larger interest of environment to preservation and protection of environment.*
- II. *To permit the applicant to utilize the money collected as environment compensation or other penalties received under the order the Hon’ble Tribunal as per the scheme proposed herein above in para 12”*



5. Hon’ble NGT vide order dated January 22, 2019 in aforementioned O.A. No 101/2019, titled “CPCB Vs Assam SPCB & Ors” has passed order and relevant extract of the said order is reproduced below;

*“.....We do not see any difficulty or objection to the proposal of the Central Pollution Control Board.*

*Accordingly, Central Pollution Control Board is at liberty to proceed with its proposal in accordance with law.*

*The application is dispose off.”*

6. Hon’ble NGT vide order dated April 20, 2017 in OA No. 24/2011 titled as “Samir Mehta Vs Union of India & Ors” (**Annexure VIII**) has also directed to utilise the above mentioned fund for paying fee to the member(s) of committee formed under the order of Hon’ble NGT. Relevant extract of the order is reproduced below for ready reference;

*“.....In the circumstances afore stated, we direct the following,*

1. *Out of the amount which was recovered and/or paid to the State Board by the defaulters, polluters and other stakeholders, the State Pollution Control Boards were directed to pay 25% to the Central Pollution Control Board. This amount was to be utilized by the Central Pollution Control Board for ensuring that Committees appointed by the Tribunal function effectively and expeditiously. The amount payable to the Chairman and Members of the Committees, appointed by the Tribunal, and all expenses incurred by them shall be paid by the Central Pollution Control Board in terms of this order, henceforth.*
2. *The following fee would be paid to the Chairmen/Expert Members, whether in service or retired or are operating as consultant independently: -....”*



7. It is humbly submitted that CPCB has received a deposit of total amount of ₹ 126.64 Crores in the NGT EC 25% account and ₹ 267.16 Crores in the NGT EC 75% account inclusive of bank interest till November 30, 2023, of which ₹ 45.39 Crores from NGT EC 25% account and ₹ 15.54 Crores from NGT EC 75% account have been released till November 30, 2023. Thereby, the balance as on November 30, 2023 in NGT EC 25% account is ₹ 81.25 Crores and in NGT EC 75% account is ₹ 251.62 Crores respectively.

The above mentioned expenditures have been made under various 11 activities, as outlined at para C (3) above and accepted by the Hon'ble NGT vide order dated January 22, 2019 in OA 101/2019 as at para C (5) above, and also in compliance with the Hon'ble NGT order dated April 20, 2017 in OA No. 24/2011 as at para C (6) above. The activities include strengthening of laboratories, strengthening of monitoring network, carrying out assignments in compliance of Hon'ble NGT orders in various matters, other

research studies/ projects, capacity building of Pollution Control Boards, payment of travel expenses/ honorarium to the Chairman/ Members of Committees constituted by Hon'ble NGT/ Joint inspection teams constituted by Hon'ble NGT for carrying out its directions, etc.



The statement of expenditure from the NGT EC 25% and NGT EC 75% accounts are given at Table no. 1 and Table no. 2 below;

**Table no. 1: Statement of expenditure of the NGT EC 25% Account upto 30.11.2023**

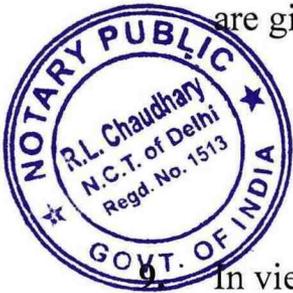
Financial Year	Expenditure (Rs.)		
	Projects/Studies/lab equipment procurement	Travel Expenses, Honorarium & Hiring of Expert/ Consultant	Total
2017-18	15,21,915	18,75,615	33,97,530
2018-19	5,83,200	29,34,844	35,18,044
2019-20	9,73,17,402	1,45,25,079	11,18,42,481
2020-21	4,35,46,006	38,59,012	4,74,05,018
2021-22	12,71,27,085	60,03,084	13,31,30,169
2022-23	11,79,97,637	85,41,730	12,65,39,367
2023-24	2,25,93,826	54,85,679	2,80,79,505
<b>Total</b>	<b>41,06,87,071</b>	<b>4,32,25,043</b>	<b>45,39,12,114</b>

**Table no. 2: Statement of expenditure of the NGT EC 75% Account upto 30.11.2023**

Financial Year	Expenditure (Rs.)		
	Projects/Studies/lab equipment procurement	Travel Expenses, Honorarium & Hiring of Expert/ Consultant	Total
2018-19	63,80,059	14,18,217	77,98,276
2019-20	4,49,38,436	21,91,962	4,71,30,398
2020-21	13,12,002	14,36,691	27,48,693
2021-22	34,22,826	15,11,395	49,34,221
2022-23	8,01,79,287	16,28,464	8,18,07,751
2023-24	98,82,059	11,31,588	1,10,13,647
<b>Total</b>	<b>14,61,14,669</b>	<b>93,18,317</b>	<b>15,54,32,986</b>

A list of Projects/Studies/Lab Equipment Procurement under which expenditure of above mentioned total amount of ₹55.68 Crores (₹41,06,87,071 NGT EC 25% + ₹14,61,14,669 NGT EC 75%) has been done along with their respective amount spent as on 30.11.2023, has been prepared and is placed at **Annexure IX**. It is humbly submitted that some of these projects/ studies/ lab equipment procurement are ongoing and estimated expenditure will be ₹169.49 Crores besides the said incurred expenditure of ₹55.68 Crore.

8. Further, in pursuant to the orders of the Hon'ble NGT in various specific cases, 23 specific purpose accounts have been opened. The deposits have been made by industries, SPCBs, State Government (s), etc. with CPCB, in compliance to various orders passed by Hon'ble NGT. The cumulative amount deposited in these 23 specific purpose accounts including interest as on 30.11.2023 is ₹189.36 Crores. Out of this, an expense of ₹1.33 Crores has been incurred in the matter O.A No. 20/2017, titled 'Babubhai Ramubhai Saini Vs. Gujarat Pollution Control Board & Ors' (Bank Account No. 0268104000155908 titled CPCB OA 20/2017 Morbi Gujarat). The details are given at **Annexure X**.



### PRAYER

In view of the aforesaid submissions, it is humbly prayed that Hon'ble NGT may kindly allow CPCB:

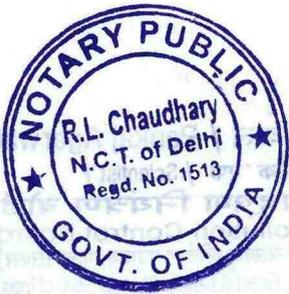
- i. To continue utilizing Environment Protection Charge (EPC) fund in view of concept note submitted to the Hon'ble supreme court of India in WP(C) 13029/1985 titled as "MC Mehta Vs UoI & Others' in the areas where the ibid fund is being utilised, including utilization for on-ground mitigation

of air pollution such as procurement of mechanical road sweeping machines, anti-smog guns, road construction/repair, paving works, etc., which are part of city micro action plan for air pollution control in Delhi-NCR, and where these specific works/procurement are not considered under any other scheme of Central/State government or no matching funds are available,

- ii. To continue utilizing Environmental Compensation (EC) funds in the areas where the ibid funds are currently being utilised in accordance with the orders dated January 22, 2019 of Hon'ble NGT passed in O.A. No 101/2019 titled "CPCB Vs Assam SPCB & Ors" and Order dated 20 Apr 2017 passed in OA No. 24/2011 titled Samir Mehta Vs Union of India & Ors respectively.

10. It is humbly submitted that Respondent No. 2 herein will abide by all the orders and directions issued by this Hon'ble Tribunal in the instant matter.

11. This Answering Respondent further craves leave of this Hon'ble Tribunal to file further status report, if required, in future.



*Pankaj Agarwal*  
 (Pankaj Agarwal)  
 Scientist 'F'  
 CPCB

पंकज अग्रवाल / Pankaj Agarwal  
 वैज्ञानिक 'एफ' / Scientist 'F'  
 केन्द्रीय प्रदूषण नियंत्रण बोर्ड  
 Central Pollution Control Board  
 (पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय, भारत सरकार)  
 (M/o Environment, Forest & Climate Change, Govt. of India)  
 परिवेश भवन, पृथ्वी अर्थशास्त्र विज्ञान संस्थान, दिल्ली-110032  
 Parivesh Bhavan, Panchsheel Park, Delhi-110032

NOTARY PUBLIC  
 GOVT. OF INDIA

70 MAR 2024

**BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL  
PRINCIPAL BENCH, NEW DELHI  
ORIGINAL APPLICATION NO. 638 of 2023**

**IN THE MATTER OF:**

**Re:** 'News item appearing in Times of India dated 10.10.2023 titled "Feeling anxious? Toxic air could be to blame"'

*With*

**ORIGINAL APPLICATION NO. 658 of 2023**

**Re:** News item appearing in Times of India dated 10.10.2023 titled "Delhi, Chennai studies hint at pollution link to diabetes"

**AFFIDAVIT**

I, Pankaj Agarwal, Scientist 'F' in Central Pollution Control Board (CPCB), Delhi office at Parivesh Bhawan, CBD-CUM-office complex, East Arjun Nagar, Delhi- 1100321 do hereby take oath and state as under:-

That the accompanying reply may be read part and parcel of the present affidavit as I, in the capacity of Scientist 'F' of the CPCB, am fully conversant with the facts of the case and hence, competent to swear this reply affidavit on behalf of the respondent No. 2, CPCB.



20 MAR 2024

**VERIFICATION:-**

Verified at Delhi on this \_\_\_\_\_, 2024 that the contents of above affidavit are true and correct on the basis of the records of CPCB. No part of it is false and nothing material has been concealed there from.

**ATTESTED**  
*Ry*  
**NOTARY PUBLIC**  
**GOVT. OF INDIA**

20 MAR 2024

*Pankaj Agarwal*  
**DEPONENT**  
पंकज अग्रवाल / Pankaj Agarwal  
वैज्ञानिक 'एफ' / Scientist 'F'  
केंद्रीय प्रदूषण नियंत्रण बोर्ड  
Central Pollution Control Board  
(पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय, भारत सरकार)  
(M/o Environment, Forest & Climate Change, Govt. of India)  
परिवेश भवन, पूर्वी अर्जुन नगर, दिल्ली-110032  
Parivesh Bhawan, East Arjun Nagar, Delhi-110032

**DEPONENT**

*Pankaj Agarwal*  
**DEPONENT**  
पंकज अग्रवाल / Pankaj Agarwal  
वैज्ञानिक 'एफ' / Scientist 'F'  
केंद्रीय प्रदूषण नियंत्रण बोर्ड  
Central Pollution Control Board  
(पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय, भारत सरकार)  
(M/o Environment, Forest & Climate Change, Govt. of India)  
परिवेश भवन, पूर्वी अर्जुन नगर, दिल्ली-110032  
Parivesh Bhawan, East Arjun Nagar, Delhi-110032

Steps taken for improvement of air quality and reduction in 12 notified pollutants

S. No	Pollutants	Steps taken
1	Sulphur Dioxide (SO <sub>2</sub> ), µg/m <sup>3</sup>	<u>Emission Standards:</u> <ul style="list-style-type: none"> <li>● Setting and enforcing emission standards for industries and power plants, especially those burning fossil fuels.</li> <li>● Encouraging the use of cleaner fuels and technologies to reduce sulphur content in emissions - Regulation on use of pet coke and furnace oil.</li> <li>● Regulation for recovery of Sulphur in Oil refineries.</li> </ul>
2	Nitrogen Dioxide (NO <sub>2</sub> ), µg/m <sup>3</sup>	<ul style="list-style-type: none"> <li>● Setting and enforcing emission standards for industries and Thermal power plants.</li> <li>● Setting and enforcing emission standards for bio medical waste &amp; solid waste incinerators</li> </ul>
3 & 4	Particulate Matter (size less than 10 µm) or PM <sub>10</sub> , µg/m <sup>3</sup> Particulate Matter (size less than 2.5µm) or PM <sub>2.5</sub> , µg/m <sup>3</sup>	<p>National Clean Air Programme (NCAP):</p> <ul style="list-style-type: none"> <li>● Focused actions in 131 Non-Attainment Cities to reduce Particulate Matter concentrations up to 40% by 2025-26 in comparison to levels of FY 2019-20 under National Clean Air Programme (NCAP)</li> </ul> <p><u>Dust Control Measures:</u></p> <ul style="list-style-type: none"> <li>● Guidelines issued on dust mitigation measures in handling Construction material and Construction &amp; Demolition (C&amp;D) waste.</li> <li>● Guidelines issued for Environmental management of C&amp;D waste.</li> <li>● Directions issued to SPCBs/ PCCs for ensuring dust control measures and use of anti-smog guns at construction sites.</li> </ul> <p><u>Industrial Emission Standards:</u></p> <ul style="list-style-type: none"> <li>● Development and Enforcement of emission standards for industries, waste incinerators etc. prescribing particulate emissions standards also.</li> <li>● Encouraging industries to adopt cleaner production technologies and improve efficiency.</li> </ul>

		<p><u>Waste burning:</u></p> <ul style="list-style-type: none"> <li>• Directions under Section 5 of the Environment (Protection) Act, 1986 have been issued to Chairpersons of all State Pollution Control Boards/PCCs on May 26, 2022 for management of fires at dumpsites. The direction lays down the onsite and off sites measures to be implemented for prevention and control of fires in dumpsites. Besides, ULBs are responsible for overall management of solid waste and Solid Waste Management Rules, 2016 have already been notified.</li> <li>• Guidelines issued for disposal of legacy waste.</li> <li>• Notification of Rules on management of various wastes including introduction of Extended Producer Responsibility framework for waste streams such as plastic waste, e-waste, battery waste, waste tyre and used oil in order to effectively manage the waste in an environmentally sound manner.</li> </ul> <p><u>Biomass burning</u></p> <p>Financial support provided to Palletization/torrefaction units based on paddy straw through guidelines issued by CPCB, for addressing the issue of stubble burning in Northern Region, especially, Punjab, Haryana and NCR Districts of U.P. and Rajasthan and Delhi.</p> <p><u>DG Sets Retrofitment and revision of emission standards</u></p> <p>CPCB has come out with a System and Procedure for Emission Compliance Testing of retrofit emission Control Devices (RECD) for Diesel Power Generating Set Engines up to Gross Mechanical Power 800 kW. RECD system shall have minimum PM reduction efficiency of 70%. Also, revised emissions standards have been notified for DG sets having capacity upto 800 KW.</p>
5	Ozone (O <sub>3</sub> ), µg/m <sup>3</sup>	<ul style="list-style-type: none"> <li>• Controlling precursors of O<sub>3</sub> such as volatile organic compounds (VOCs) and nitrogen oxides (NO<sub>x</sub>) through regulating industrial emissions for VOCs and NO<sub>x</sub>.</li> </ul>
6	Lead (Pb), µg/m <sup>3</sup>	<ul style="list-style-type: none"> <li>• Phasing out the use of leaded gasoline.</li> <li>• Regulating and monitoring emissions from industries - Emission standards of heavy metals (Pb) have been notified for various industrial sectors such as electroplating industry, Lead Acid Battery Manufacturing Industries etc.</li> <li>• Emission standards for heavy metals are notified for Common Hazardous waste incinerators.</li> </ul>

		<ul style="list-style-type: none"> <li>• Guidelines issued for minimum required facilities, operating practices and standards for Lead recycling units.</li> <li>• Battery Waste Management Rules, 2022 notified by MoEF&amp;CC mandates Producers, Recyclers, and Refurbisher to carry out activities in accordance with the standards or guidelines prescribed by Central Pollution Control Board.</li> <li>• Introduction of Concept of Extended Producers Responsibility (EPR): EPR places the responsibility on battery producers for recycling or refurbishment of batteries introduced in the market. Producer have the obligation to meet the EPR Targets as prescribed in the Rules. This incentivizes producers to establish and support battery recycling facilities and thereby reducing the likelihood of improper disposal and release of lead into the environment.</li> <li>• Centralised Online EPR Portal – Producer, Recyclers and Refurbishers have to obtain registration through the Online EPR portal developed by CPCB. Producers/Recyclers/Refurbishers shall not deal with entity not having registration mandated under these rules. This will help in proper disposal of Waste Batteries through formal sector. Similar framework is also in place for management of e-waste.</li> </ul>
7	Carbon Monoxide (CO), mg/m <sup>3</sup>	<p><u>Industrial Regulations:</u></p> <ul style="list-style-type: none"> <li>• Setting and enforcing emission standards for industries – Oil refinery and petrochemical industries, waste incinerators.</li> <li>• Encouraging the adoption of cleaner technologies in industries.</li> <li>• Setting and enforcing emission standards for Solid waste incinerators</li> </ul> <p><u>Waste burning</u></p> <ul style="list-style-type: none"> <li>• Directions under Section 5 of the Environment (Protection) Act, 1986 have been issued to Chairpersons of all State Pollution Control Boards on May 26, 2022 for management of fires at dumpsites. The direction lays down the onsite and off sites measures to be implemented for prevention and control of fires in dumpsites. Besides, ULBs are responsible for overall management of solid waste and MSW management rules have already been notified.</li> <li>• Guidelines issued for disposal of legacy waste.</li> </ul> <p><u>Biomass burning</u></p> <p>Financial support provided to Palletization/torrefaction units based on paddy straw through guidelines issued by CPCB, for addressing the issue of stubble burning in Northern Region, especially,</p>

		Punjab, Haryana and NCR Districts of U.P. and Rajasthan and Delhi.
8	Ammonia (NH <sub>3</sub> ), µg/m <sup>3</sup>	<ul style="list-style-type: none"> <li>• The major source of Industrial Ammonia emission is fertilizers (urea) industries. Other sources include Dye and dye intermediate industries, pesticide industries, etc. Standards for ammonia emissions have been notified for these industries.</li> <li>• Untreated Sewage: Assessment of sewage generation and management conducted in the country. Further, standards have been notified and various guidelines/directions have been issued. Matter was also dealt by Hon'ble NGT and currently monitored by Central Monitoring Committee.</li> </ul>
9	Benzene (C <sub>6</sub> H <sub>6</sub> ), µg/m <sup>3</sup>	<ul style="list-style-type: none"> <li>• The major source of Industrial Benzene emissions are petroleum oil refineries and Petrochemicals. For petroleum oil refineries and Petrochemical, storage Standards for volatile liquids, standards for controlling fugitive emissions and standards for equipment leaks have been notified.</li> <li>• Installation of Vapour Recovery System (VRS) in new and existing petrol pumps selling gasoline &gt;100kl per month in million-plus cities and those selling &gt;300kl per month in cities with a population between 1 lakh to 1 million.</li> <li>• Directions issued to Oil Marketing Companies for installation of Vapor Recovery System as per above mentioned criteria</li> </ul>
10	Benzo(a) Pyrene (BaP)- particulate phase only), ng/m <sup>3</sup>	<ul style="list-style-type: none"> <li>• Development and enforcement of stringent emission standards for industrial facilities, Coke ovens in Iron and steel plants, and other sources known to emit benzo[a]pyrene through upgraded Pollution Control Technologies</li> </ul>
11	Arsenic (As), ng/m <sup>3</sup>	<ul style="list-style-type: none"> <li>• Implementation and enforcement of stringent particulate emission standards for industries and facilities (metal smelting, coal combustion, and certain manufacturing processes) that handle arsenic-containing materials.</li> <li>• Emission standards of heavy metals are notified for the Common Hazardous waste incinerators and Waste to Energy plants.</li> </ul>
12	Nickel (Ni), ng/m <sup>3</sup>	<ul style="list-style-type: none"> <li>• Implementation and enforcement of stringent particulate emission standards for various industries activities (Iron and steel, Sulphur smelting, and petroleum refining, etc.)</li> <li>• Emission standards of heavy metals are notified for Common Hazardous waste incinerators and Waste to Energy plants.</li> </ul>

**Other Steps to Reduce Air Pollution**

- Self-regulatory mechanism for strengthening monitoring and effective compliance has been introduced. CPCB has directed all 17 categories of highly polluting industries and common waste treatment/management facilities to install Online Continuous Emission Monitoring Systems (OCEMS) for constant vigil on pollution levels. Real-time data of emissions released from industrial units are transmitted online to respective industrial units, CPCB and concerned SPCB/PCC on 24x7 basis. Central software processes the data and in case of non-compliance of applicable standards/ norms, an automatic SMS alert is generated and sent to industrial unit, SPCB and CPCB, so that corrective measures can be taken by the industry immediately and appropriate action can be taken by concerned SPCB/PCC/CPCB.
- Ambient air quality monitoring network of the country comprises of 1500 stations (Manual and Continuous), covering 543 cities in 28 States and 7 Union Territories (UT). The manual network consists of 962 stations in 419 cities covering 28 States and 7 UTs and the continuous monitoring network consists of 538 stations in 279 cities covering 27 states and 4 UTs.
- Various directions under Section 5 of the Environment (Protection) Act 1986/ Section 18 (1) (b) of the Water (Prevention and Control of Pollution) Act, 1974/Section 18 (1) (b) of the Air (Prevention and Control of Pollution) Act, 1981, and, guidelines have been issued on management of various Wastes (Hazardous Waste, E-Waste, Plastic Waste, Municipal Solid Waste, Construction & Demolition Waste ) and comprehensive management of paddy straw.

\*\*\*

SECTION- PIL

**IN THE SUPREME COURT OF INDIA**

CIVIL ORIGINAL JURISDICTION

I.A NO. 345

WRIT PETITION (CIVIL) NO. 13029 of 1985

**IN THE MATTER**

M.C.MEHTA

....Petitioner

VERSUS

UNION OF INDIA &amp; ORS.

...Respondent

**I N D E X**

SN.	PARTICULARS	COPIES	COURT FEES
1	Affidavit	1-5	
2	Concept Note on Utilization of (EPC) fund by CPCB - (ANNEXURE-A)	6-12	

**[G S Makkar]**Advocate-on-record  
For Petitioner  
Central Agency Section  
Supreme Court Compound  
New Delhi.  
Ph.23381225,New Delhi  
Dated 25.01.2017

IN THE SUPREME COURT OF INDIA  
CIVIL ORIGINAL JURISDICTION

I.A. NO. 345

IN

WRIT PETITION (CIVIL) NO.13029/1985

IN THE MATTER OF :

M.C.MEHTA

PETITIONER

VERSUS

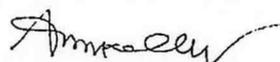
UNION OF INDIA & ORS.

RESPONDENTS

AFFIDAVIT ON BEHALF OF CENTRAL POLLUTION CONTROL BOARD, IN  
FURTHERANCE OF ORDERS DATED 16.12.2015 AND 12.08.2016 OF  
THIS HON'BLE COURT IN THE AFORESAID MATTER

I, Dr Avinash Balachandra Akolkar, Member Secretary in the,  
Central Pollution Control Board (CPCB), Parivesh Bhawan, East Arjun  
Nagar, Delhi-110032, do hereby solemnly affirm and declare as under:

1. That I am Member Secretary in the Central Pollution Control Board (CPCB), fully conversant with the facts and circumstances of the case and competent to swear this affidavit on behalf of Central Pollution Control Board.
2. That in above mentioned I.A. filed by Ld. Amicus-Curie, this Hon'ble Court has been considering the issue relating to diesel vehicles registered in Delhi in order to check the vehicular pollution in NCR. Their Lordships were pleased to pass orders from time to time in this respect. When the matter was listed on 16.12.2015 their Lordships after hearing all the parties passed the following directions:-



*cars of the capacity of 2000 CC and above using diesel as fuel shall stand banned in the NCR upto 31st March, 2016."*

3. Thereafter the matter was heard on several dates and when the matter was listed on 12.08.2016 this Hon'ble Court after hearing all the parties passed the following directions:-

*"Mr. Gopal Subramanian and Mr. Mohan Parasaran today appear to submit that Mercedes Benz shall have no objection and would indeed be willing without demur to deposit environment protection charge mentioned above equivalent to 1 % of the ex-show room price of the diesel vehicles manufactured by that company as a condition precedent for registration of such vehicles by the jurisdictional Registration Officers. They submit that the said amount could be used by the Government or by such other agency as this court may identify for such purpose as the court may direct.*

*A similar offer has been made even by Toyota Kirloskar Private Limited who is also manufacturing diesel cars with the engine capacity of 2000 cc and above. Mr. P.V. Shetty, Learned Senior Counsel appearing on behalf off Galaxy Automobiles Private Company who happens to be a dealer in cars manufactured by Toyota Kirloskar Private Limited also makes a similar offer. Dr. A.M. Singhvi, Learned Senior appearing for the Society of Indian Automobile Manufacturers (SIAM) however argued that while some of the members of the association may also be similarly willing to deposit Environment Protection Charge mentioned above, the benefit of registration of their cars on payment of the charge @1% of the EX-show room price should be available to such manufacturers and dealers also.*

*Mr. Harish N. Salve, learned Amicus Curie argues that while the order passed by this Court could be suitably modified to permit registration of diesel cars/SUVs of 2000 cc capacity and above upon deposit of 1% of the Ex-show*

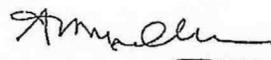
*Amicus*

room price towards Environment Protection Charge, the said requirement should be extended even to diesel cars with less than 2000 cc capacity. He argued that the deposit could be directed to be made in an account to be opened by the Central Pollution Control Board (CPCB) with a direction that the Registration Officers concerned shall register the vehicles offered for registration only upon satisfying himself about the deposit of the amount and not otherwise.

Insofar as the deposit to be made with the CPCB is concerned, we see no reason to decline the prayer. We accordingly direct that the CPCB shall open a separate account in a Scheduled public sector bank to receive the amount representing 1% of the Ex-show room price of every diesel car that is sold by any manufacturer/dealer in Delhi and NCR region. The deposit of the amount alone shall entitle the manufacturer/dealer or the purchaser of the car to have the car registered within Delhi or NCR region. Our order dated 16.12.2015 shall to that extent stand modified. We, however, leave open the question whether cars less than the capacity of 2000 cc using diesel fuel should also be subjected to a similar charge. So also the question whether the rate of the charge ought to be limited 1% or raised is left open to be determined at an appropriate stage. We all the same make it clear that any such enhancement in the charge if so directed by the court would not have any retrospective effect".

4. It is submitted that in compliance of the above mentioned directs of this Hon'ble Court, the Central Pollution Control Board (CPCB) has taken all actions and has accordingly opened the bank account in Scheduled Bank for depositing Environment Protection Charge (EPC). It is further submitted that by as on 18th January, 2017 an amount of

Rs 17,85,77,644.53 has been accrued in this account.



5. It is submitted that for the purpose of utilization of the said amount for improvement of the ambient in NCR the Central Pollution Control Board has prepared a Concept Note for kind consideration of this Hon'ble Court, so that timely action may be taken and the amount so received is spent in justifiable manner. It is humbly submitted that this Hon'ble Court may be pleased to pass appropriate order. The copy of the Concept Note on Utilization of Environment Protection Charges is enclosed herewith and marked as **Annexure-A**.

6. That the facts stated in this affidavit are true and correct to the knowledge of the deponent derived from the record maintained by office of the deponent.

Member Secretary  
 Central Pollution Control Board  
 पर्यावरण एवं वन मंत्रालय, भारत सरकार  
 M/o. Environment & Forests, Govt. of India  
 परिवेश भवन, पूर्वी अर्जुन नगर  
 New Delhi-110032

VERIFICATION

I the above named deponent do hereby very that the contents of this affidavit are true & correct to my knowledge based on record maintained by the office of the deponent and nothing material has been concealed therefrom.

Verified at New Delhi on this the \_\_\_\_\_ day of January 2017

*Arjun Kataria*

DEPONENT  
 ARJUN KATARIA  
 Member Secretary  
 Central Pollution Control Board  
 पर्यावरण एवं वन मंत्रालय, भारत सरकार  
 M/o. Environment & Forests, Govt. of India  
 परिवेश भवन, पूर्वी अर्जुन नगर  
 New Delhi-110032

January, 2017

**Concept Note on Utilization of  
Environment Protection Charge (EPC)  
Funds by CPCB**



**Central Pollution Control Board**

(Ministry of Environment, Forest and Climate Change)

**SUB: 'CONCEPT NOTE ON UTILIZATION OF ENVIRONMENT PROTECTION CHARGE (EPC) FUNDS BY CPCB'**

**1. Hon'ble Supreme Court bans sale / registration of diesel vehicles of engine capacity 2000cc and above in Delhi & NCR**

In the matter of M.C. Mehta Vs UOI, CWP no. 13029 of 1985 vide order dated 16-12-2015 the Hon'ble Supreme Court directs the ban of registration of diesel private cars and SUVs of engine capacity of 2000cc and above in Delhi and NCR region. The ban was further extended till 31<sup>st</sup> March 2016 and continued to remain till 12.08.2016. The ban was effective from 16-12-2015 to 12.08.2016.

**2. Hon'ble Supreme Court lifts ban on diesel vehicles of engine capacity 2000cc and above in Delhi & NCR – introduction of EPC**

Vide order dated 12.08.2016 the Hon'ble Supreme Court lifts the ban of registration of diesel private cars and SUVs of engine capacity of 2000cc and above in Delhi and NCR region. The Hon'ble Supreme Court directs all dealers / manufacturers to deposit 1% levy of ex showroom price of for every diesel vehicles sold in Delhi and NCR to deposit as Environment Protection Charge (EPC).

The deposit of EPC alone shall entitle the dealer / manufacturer or purchaser to have the vehicle registered within Delhi or NCR region.

**3. Compliance of Hon'ble Supreme Court directions by CPCB : *Separate bank account opened for EPC deposits***

**3.1 Hon'ble SC directions : 'CPCB to open a separate bank account with a scheduled Public Sector Bank to receive EPC'**

The compliance of Hon'ble SC directions by CPCB are as follows :

- i. Bank account opened with : **Union Bank of India (UBI)**
- ii. Date on which account opened : **August 17, 2016**
- iii. Account Name : **CPCB-EPC**
- iv. Account No. : **532702010008813**
- v. IFSC code : **UBIN0553271**
- vi. Area jurisdiction for registration in **Delhi – NCR**
- vii. Applicable to : **manufacturers /dealers or purchaser**

### 3.2 Facilitate EPC deposits for manufacturers /dealers or purchaser:

Options to facilitate collection of EPC deposits:

- i. Manual deposition of EPC
- ii. On-line portal for EPC deposit (an additional facility)

#### (A) Manual deposition of EPC (an immediate measure ) :

- i. Manual deposits w.e.f August 20, 2016
- ii. As an immediate measure to receive EPC deposits, a step-by-step a **Procedure** was prepared as a guidance measure to streamline EPC collections by cash or DD.
- iii. FAQs for dealers / manufacturers: Several queries were being raised by the dealers, hence to facilitate EPC deposition responses to the queries was made and displayed as FAQs for dealers / manufacturers in CPCB's website.

#### (B) Portal for on-line deposition of EPC (additional facility)

- i. Several consultations were held in CPCB between and the stakeholders i.e. SIAM representatives , dealers , manufacturers , transport departments and Union Bank of India (their software development team) to facilitate on-line deposit of EPC to further enable compliance of the Hon'ble SC directions.
- ii. *EPC payment gateway* : Union Bank of India (UBI) has developed a dedicated portal to receive EPC deposits. CPCB's *EPC payment gateway* in CPCB's website, it is a portal for on-line deposit of EPC w.e.f.: September 2<sup>nd</sup> 2016,
- iii. Log-in IDs by UBI: UBI has provided log-in facilities to CPCB to access transaction details, this will assist in preparing MIS reports.
- iv. Facilitate Road Transport Offices (RTOs) & dealers: Keeping in view the requirements of the RTOs for the pre-verification prior to registration of diesel vehicle, UBI has developed viewing & receipt downloading facility for the RTOs. A RTO has to enter a VIN number (vehicle identification number) of the vehicle proposed to be registered in Delhi - NCR.

#### (C) The above actions / initiatives measures have been communicated to the stakeholders via CPCB's website :

- i. Society for Automobiles Manufacturers Association of India (SIAM), to forward the same to its concerned members / dealers.

- ii. Besides there are car manufacturers (like Rolls Royce) who have no dealers, they are directly dealing with customer.
- iii. Transport Dept , Delhi NCT and NCR (UP, Haryana, Rajasthan ) : so that all Road Transport Offices (RTOs) are informed on EPC process

4. Domain for execution of EPC funds - Delhi and NCR region.

Vide order dated 12.08.2016 the Hon'ble Supreme Court lifts the ban of registration of diesel private cars and SUVs of engine capacity of 2000cc and above in **Delhi and NCR region**. The 1% levy of ex showroom price of for every diesel vehicles sold in **Delhi and NCR** shall be deposited towards Environment Protection Charge (EPC).

As the domain for execution of EPC funded projects shall be **Delhi and NCR**

**Table : Jurisdiction of utilisation of EPC funds : Delhi and NCR**

NCR & NCT	Region	No. of Districts	Sub-regions in Districts / towns	Area sqkm (%)
Haryana	NCR	9 + 4	Faridabad, Gurgaon, Mewat, Rohtak, Sonapat, Rewari, Jhajjhar, Panipat Palwal + and (Mahendragarh , Bhiwani, Jind , Karnal)	13,428 sq. km ( 39.3%)
Uttar Pradesh		5 + 2	Meerut, Ghaziabad, Gautam Budha Nagar, Bulandshahr, and Baghpat (Muzzafarnagar & Hapur)	10,853 sq. km. (31.8%)
Rajasthan		1 + 1	Alwar (Bharatpur )	8,380 sq. km. (24.5%)
<b>TOTAL</b>		<b>15 + 7</b>	<b>= 22</b>	
Delhi	NCT	-	-	1,483 sq. km (4.4%)
<b>TOTAL</b>				<b>33,500 sqkm (100%)</b>

**5. Utilization of EPC funds shall encourage integrated approach - participating institutions**

Besides Central Pollution Control Board (CPCB) and Delhi Pollution Control Committee (DPCC) representatives of the State Government and State Pollution Control Boards (SPCBs) in NCR i.e. Haryana, Uttar Pradesh and Rajasthan shall be associated. Reputed research organisations like CSIR, CRRRI, NPL Delhi, NEERI, academic organizations like IIT, NITs, ICMR, AIIMS, MCI etc. and NGOs will also be involved.

**6. Management of EPC funds as per GFR Rules**

- a. This fund is created as per the direction of the Hon'ble Supreme Court
- b. All expenditure will be incurred in accordance with General Financial Rules (GFR).
- c. The revenue generated and expenditure incurred under EPC funds is subject to statutory audit of CPCB / CAG audit of CPCB.
- d. On completion of the audit every year CPCB shall present audited Annual Final Statements of Accounts before the '*Steering Committee to review progress of utilization of EPC funds*'

**7. Proposed thrust areas for project proposals for utilisation of EPC funds**

- a) Utilization of EPC funds to sponsor projects addressing reduction air pollution.
- b) The project proposals submitted by various organisations / institutions that shall be identified for financing under EPC funds shall be broadly classified under the following FIVE broad categories:
  - i. Capacity building w.r.t. infrastructure enhancement
  - ii. Monitoring of environmental pollutants ( ambient air & noise) :  
Besides impact from vehicular emissions it was also observed that due to increase in vehicular traffic there has been significant increase in ambient 'noise levels' too. Hence a need to expand the continuous ambient air quality (CAAQM) network and continuous noise monitoring network particularly in 22 NCR towns.
  - iii. Mass awareness on air pollution : Talk shows and various electronic media - LED displays , TV , radio websites

- iv. R & D proposals: Specific Research proposals that shall focus on reduction in vehicular pollution.
- v. Health impact studies: To augment verifiable database on health impacts attributed to vehicular pollution (emission & noise) , various institutions ex. ICMR shall be involved.
- c) Identification and sanction of specific Projects to control pollution in Punjab, Delhi and NCR.

**3. Committees to monitor utilisation of EPC funds**

It is proposed to constitute **TWO** Committees:

**I. 'Steering Committee to guide and review the utilization of EPC funds'**

- a. The 'Steering Committee' shall be responsible for overall guidance for utilization of EPC funds and shall ensure that EPC utilization is in accordance with General Financial Rules (GFR). It is proposed that Member Secretary, CPCB shall be Member Convenor and the Committee shall be chaired by Secretary, MoEF&CC. Other members of the Committee will be drawn from Ministries concerned of the Central Government, Government of NCT of Delhi, professional organizations and experts. A detailed order regarding composition of the Steering Committee will be issued by MoEF&CC

**b. Responsibilities of the Committee**

- i. Shall guide and review the utilization of EPC funds
- ii. Shall ensure that EPC utilization is in accordance with General Financial Rules (GFR)
- iii. Advise on new areas for addressing projects for financing under EPC funds
- iv. To issue any other directions or orders to the Committee for Appraisal and approval of projects and to CPCB
- v. Preparation of annual accounts and audit of the accounts
- vi. To prepare the Annual Report on its activities

**II. 'Committee for appraisal and approval of project proposals for utilization of EPC funds'**

- a. As controlling vehicular pollution involves inter-ministerial action, it is proposed to constitute the 'Committee for appraisal and approval of project proposals for utilization of EPC funds' having members following organizations that are directly / indirectly associated with air pollution.

1. Chairman, CPCB .....Chairperson
2. Representative from MoEF&CC .....Member
3. AS&FA or his nominee, MoEF&CC .....Member
4. Representative, MoRTH
5. Representative, MoPNG
6. Representative. DoHI
7. Representative, DPCC
8. Representative, Haryana SPCB
9. Representative, UP SPCB
10. Representative, Rajasthan SPCB
11. Representative, SIAM
12. Member Secretary, CPCB .....Member Convenor

Special invitees: Representatives from Punjab, Delhi & NCR Governments.

**b. Proposed Terms of Reference (ToR) of the Committee**

- i. The project proposals shall focus on improvement of ambient air quality. The Project area for implementation shall be Punjab, Delhi NCT & NCR.
- ii. CPCB shall forward project proposals to members of the Committee for their assessment. CPCB shall facilitate participating institutions to make presentations to the Committee members on their project proposals. The project proposals shall be evaluated based on technical content, project deliverables, budgetary justification and (power point) presentation.
- iii. Based on the above assessment the Committee shall approve project proposals (technical & budgetary) for financing for EPC funding.
- iv. Project proposals approved by the Committee shall be awarded subject to availability of EPC funds.
- v. Based on the projects recommended by the Committee, funds under EPC shall be released by CPCB for execution of the projects.
- vi. All equipments purchased by project executing institutions / agencies shall be in its ownership as part of capacity building initiative under EPC.
- vii. For public awareness and transparency, CPCB's website shall display project(s) that have been approved for utilizing EPC funds.

9. Detailed Procedure for inviting project proposals under EPC funding will be issued by CPCB separately.

10. Administrative charges for CPCB from EPC funds

Co-ordinating EPC activities shall be an additional responsibility for CPCB, to administer the funding, implementation and execution of the EPC funds. In addition expenses on audit charges to authorised Chartered Accounts of C & AG may have to be made. In view of the above an amount not exceeding of Rs 15 lakhs per annum (appointment of Research Associates and procurement of computer, printers, etc) may be made available from EPC funds.

\*\*\*\*\*

**Expression of Interest & Proposals for Projects/ Studies on Improvisation & Management of Air Quality in Delhi NCR under EPC funds**

**1. Background**

The Hon'ble Supreme Court in the matter of O.A.13029 of 1985, M.C. Mehta Vs UOI, vide its order dated August 12, 2016 has directed all dealers/manufacturers to deposit 1% levy of ex showroom price for every diesel vehicle with engine capacity 2000cc & above sold/registered in Delhi and NCR as Environment Protection Charge (EPC) in the account of CPCB. In compliance to the directions of the Hon'ble Court, CPCB has been maintaining EPC funds, which is to be utilized for the improvement & management of air quality in Delhi-NCR region, as per the concept note on submitted by CPCB to the Hon'ble Supreme Court.

The project and activities identified to be funded under EPC funds in Delhi-NCR are broadly classified under following thrust areas:

- i. Capacity building with regard to infrastructure enhancement
- ii. Mass awareness on air pollution
- iii. R & D Activities w.r.t air quality management & vehicular pollution control
- iv. Health impact studies vis-a vis air pollution in Delhi-NCR
- v. Specific Projects to control pollution in Delhi – NCR & Punjab

**2. Seeking Expression of Interest (EOI) & proposals for projects/studies on improvement & management of the air quality in the Delhi-NCR region**

Central Pollution Control Board hereby invites EOI for the projects/studies for the improvement & management of the air quality in Delhi-NCR. The EOI proposals should focus mainly on the identified thrust areas\*\*:

- i. Capacity building with regard to infrastructure enhancement
  - Strengthening of existing ambient air quality & noise monitoring network including monitoring of special parameters along with upgrading laboratory infrastructure (for State Pollution Control Boards & Pollution Control Committees).
  - Advanced monitoring system such as use of satellite imageries, sensor based instrumentation, etc.
- ii. Mass awareness on air pollution
  - Mass Awareness activities including LED display at various locations in Delhi-NCR, organizing talk shows on air pollution awareness, maintaining mass awareness columns in national newspapers & magazines, etc.
- iii. R & D Activities w.r.t air quality management & vehicular pollution control:
  - Approach for development of Air Quality Management plans.
  - Development & application of Air Quality Models.
  - Minimization of emissions from in-use vehicles including retrofitment with advanced technologies

- Up gradation of I&M system and PUC testing
  - Alternate cleaner fuels.
  - Assessment of real world vehicle emissions.
  - Development of source emission profiles and emission factors.
  - Cleaner technologies for industrial operations & pollution control
- iv. Health impact studies vis-a vis air pollution in Delhi-NCR
- Health impact assessment based on epidemiological studies, exposure assessment studies.
- v. Specific Projects to control pollution in Delhi -NCR & Punjab
- Air Quality management plan w.r.t Delhi-NCR region
  - Studies on stubble burning in NCR & Punjab and impacts analysis
  - Management plan for averting severe episodic events.
  - Development of traffic management plans.
  - Development of city specific driving cycle.
  - Location specific/hotspot air quality management plans.

### 3. **Format for submitting EoI:**

The EOI should include following main points:

- Summary of the proposal (limited to one page)
- Project justification/Need for study
- Objectives
- Methodology
- Project deliverables & expected outcomes.
- Duration & activity chart
- Cost including break-up for all the components
- Experience/Expertise in the related field.
- Resume of the Principal Project investigator.

### 4. **Date of Submission:** The proposals will be accepted throughout the year.

\*\* The topics identified under the thrust areas are indicative, other proposals aiming to achieve goals of airquality improvement are also welcomed.

The proposals may be submitted to "The Member Secretary, Central Pollution Control Board, Parivesh Bhawan, CBD-cum-Office Complex, East Arjun Nagar, Delhi - 110032", e-mail: [aqm.cpcb@gov.in](mailto:aqm.cpcb@gov.in), [miscb.cpcb@nic.in](mailto:miscb.cpcb@nic.in)

Contact Person:

**Sh. P. K. Gupta**

Director & Head, Air Quality Management Division

Ph. no.: 011-43102432, 43102473

e-mail: [aqm.cpcb@nic.in](mailto:aqm.cpcb@nic.in)

**Minutes of the meeting of Steering Committee on Utilization of EPC Fund held on 22.04.2022 at MoEF&CC**

Second meeting of the Steering Committee for Utilization of Environment Protection Charge (EPC) funds was convened on April 22, 2022, under the chairpersonship of Ms. Leena Nandan, Secretary, MoEF&CC. The list of participants is enclosed at Annexure-I.

Member Convener welcomed the Chairperson and members of the committee. The committee was apprised about the thrust areas under which projects can be awarded for air quality management in Delhi-NCR. It was also informed that a total of 111 proposals have been received by CPCB out of which 109 proposals have already been considered and decided by PAAC in 23 meetings held so far and only 2 recently received proposals are to be considered/ decided. Out of 109 proposals, 28 proposals were approved while 75 were rejected and 06 proposals are under consideration. Further, as of April 19, 2022, Rs. 258.80 crore has been accrued in the EPC account, out of which approx. Rs 158.8 crore is available with CPCB for utilization, after considering the cost of sanctioned projects and associated committed expenditure. CPCB informed that it has made efforts for effective utilization of funds and has sought proposals for air quality management from SBCBs/PCC in Delhi-NCR along with ministries such as MoRTH, MoPNG and DHI.

Secretary, MoEF&CC expressed that utilization of EPC funds needs to be increased through amix of measures including on-ground mitigation measures.

Based on the discussions held, following decisions were taken in the meeting:

- Commission for Air Quality Management in National Capital Region and Adjoining Areas (CAQM) to seek proposals from ULBs and other land-owning agencies in Delhi-NCR, for greening/plantation drives and paving on roadsides, to reduce dust emissions, which is a major source of air pollution.
- CAQM to ask the concerned stakeholders, who had provided suggestions for air quality management during the recently conducted 'Dialogue towards Clean Air', to submit concrete proposals for air quality improvement in Delhi-NCR.

- MoPNG to consider execution of outreach cum awareness programme in Delhi-NCR and Punjab to inform farmers about the offtake of crop residue in CBG and 2-G Ethanol plants, and submit proposal in this regard to CPCB. Objective is to convey the message to the farmer that options are available for use of crop residue and its burning should be avoided.
- Delhi-NCR SPCBs/PCC to submit proposals for air quality improvement with specific outcomes to CPCB, on priority.
- CAQM to be included as a member of the Steering Committee & Project Appraisal and Approval Committee.

Meeting ended with vote of thanks to the Chair.

\*\*\*



**List:**

1. Ms. Leena Nandan, Secretary, MoEF&CC
2. Sh. Tanmay Kumar, Chairman, CPCB
3. Sh. Naresh Pal Gangwar, Additional Secretary, MoEF&CC
4. Sh. Arvind Nautiyal, Member Secretary, CAQM
5. Sh. Sanjay Pandey, JS & FA, MoEF&CC
6. Dr. Prashant Gargava, Member Secretary, CPCB
7. Sh. Ved Prakash Mishra, Director, CP division, MoEF&CC
8. Sh. Kapil Verma, Director, MoPNG
9. Sh. RK Jaiswal, Development Officer, Ministry of Heavy Industries
10. Sh. PK Gupta, Scientist 'F', CPCB
11. Dr. SK Goyal, Chief Scientist & Head, CSIR-NEERI, Delhi
12. Dr. Dilip Ganguly, Associate Professor, IIT Delhi
13. Dr. Arindam Dutta, Senior Fellow, TERI
14. Sh. Satinder Pal, SEE, HSPCB
15. Sh. Utsav Sharma, Regional Officer, UPPCB
16. Sh. Ankush Tewani, Scientist 'D', CPCB

Minutes of the steering committee meeting held on 03-10-2022 chaired by Secretary, EF&CC to review the EPC Fund.

Ms. Leena Nandan, Secretary (EF&CC) chaired the Steering Committee meeting on utilization of Environment Protection Charges (EPC) funds on **03.10.2022 at 05:00 PM** in Kaveri Hall, Indira Paryavaran Bhawan, Ministry of Environment and Climate Change: List of participants is at Annexure.

- i. Action taken on the decisions taken in the last meeting of the Steering Committee held on 22.04.2022.
- ii. Progress on the proposals received from various Urban Local Bodies (ULBs) after the meeting held on 02.08.2022 under the Chairmanship of Shri Naresh Pal Gangwar, Addl. Secretary, MoEF&CC.
- iii. Consideration of proposed scheme for the use of Environment Protection Charge (EPC) fund for capital subsidy grant to palletization/ torrefication plants.
- iv. Other proposals for utilisation of the EPC Fund.

2. Dr. Prashant Gargava, Member Secretary, CPCB made a detailed presentation on the actions taken by the CPCB with respect to the decisions taken in the last meeting of the steering committee held on 22.04.2022 and progress on the proposals received from various Urban Local Bodies (ULBs) after the meeting held on 02.08.2022 under the Chairmanship of Shri Naresh Pal Gangwar, Addl. Secretary, MoEF&CC. The following points were highlighted:

- i. About Rs. 113 cr are available in EPC fund after taking into consideration the disbursed and committed amounts .
- ii. EoI and format for submission of proposals was placed in public domain and circulated to Academic Institutions, SPCBs/ULBs of NCR.
- iii. CPCB conducted meeting with SPCBs/PCCs of Delhi NCR for inviting proposals for on-ground mitigation of air pollution to be funded from the EPC fund. CPCB also invited proposals from the concerned Ministries ( MoRTH, MoPNG and DHI) apart from ULBs of NCR.
- iv. CPCB informed that air pollution mitigation proposals submitted by Municipal Corporation, Ghaziabad, Municipal Corporation Delhi and UPPCB would be considered by PAAC on 06-10-2022.
- v. CPCB presented its proposal for the use of EPC funds for one time capital subsidy grant to palletisation/torrefication units. The project is for those units which will use stubble generated in the NCT of Delhi, States of Punjab & Haryana, and NCR districts of Rajasthan & Uttar Pradesh
- vi. A project work flow was also presented by the CPCB :
  - a. Applicant submits application to SPCB/PCC with necessary documentation (CTE, Land possession letter/lease agreement, agreement with farmers, etc.)

- b. SPCB/PCC examines the application and if recommended, forwards the application to CPCB within 15 days.
  - c. Application evaluated by a committee, constituted by CPCB, within 15 days
  - d. If recommended by committee, funds released by CPCB to SPCB/PCC within 15 days
  - e. Applicant submits Bank Guarantee to SPCB/PCC and SPCB/PCC to release the funds to the applicant within 15 days
  - f. Applicant to make the plant operational within three months of transfer of fund.
  - viii. **Grant to Municipal corporations/councils located in NCR districts of Haryana nearby Delhi was also discussed for implementation of air pollution mitigation measures.**
3. **Upon deliberation, the following decisions were taken:**
- a. **Greening and paving and other pollution mitigation activities (anti-smog guns, greening/paving, mechanical dust sweepers, road works etc) not covered under any other scheme may be considered for sanction under EPC fund. The identified hot spots may be accorded priority while sanctioning funds from EPC fund.**
  - b. **Fund be provided for Installation of Retro-fitted Emission Control Devices (RECD) in DG sets used in Government hospitals in Delhi-NCR .**
  - c. **The guidelines for grant of capital subsidy to palletization/torrefication units as proposed by CPCB were approved. Rs. 50 cr would be earmarked for this purpose.**

The meeting ended with a vote of thanks.

**Source contributions for Delhi- NCR Towns as per TERI-ARAI source apportionment study (published in 2018)****Delhi**

Sectors	PM <sub>2.5</sub>		PM <sub>10</sub>	
	Winters	Summers	Winters	Summers
<b>Residential</b>	10%	8%	9%	8%
<b>Agricultural Burning*</b>	4%	7%	4%	7%
<b>Industry</b>	30%	22%	27%	22%
<b>Dust (soil, road, and const.)</b>	17%	38%	25%	42%
<b>Transport</b>	28%	17%	24%	15%
<b>Others</b>	11%	8%	10%	7%

**Note:** Industries include power plants (stacks, flyash ponds and coal handling units), brick manufacturing, stone crushers, and other industries. Others include DG sets, refuse burning, crematoria, airport, restaurants, incinerators, landfills, etc. Dust includes sources of natural and anthropogenic origin (soil, road dust re-suspension, and construction activities). Dust is also contributed through trans-boundary atmospheric transport from international boundaries.

\* It is to be noted that the contribution of agricultural burning is not fully accounted for in this study as the monitoring and modelling periods did not include the month of October, when the burning activities are generally at their maximum. Moreover, the sectoral contributions are averaged for the whole modelling/monitoring period, and hence, do not highlight the contribution of agricultural burning, which happens during a certain number of days and cause episodically high pollutant concentrations.

PM <sub>2.5</sub>												
Sectors	Ghaziabad		Noida		Faridabad		Gurugram		Panipat		Bahadurgarh	
	Winter	Summer	Winter	Summer	Winter	Summer	Winter	Summer	Winter	Summer	Winter	Summer
<b>Biomass</b>	18	14	12	13	18	18	15	14	18	17	12	15
<b>Industry</b>	39	34	28	20	34	17	30	13	35	23	27	19
<b>Dust (soil, road, const.)</b>	19	37	20	46	13	46	20	49	12	33	26	39
<b>Transport</b>	18	10	30	15	24	10	27	16	27	22	28	22
<b>Others</b>	6	5	10	6	11	9	8	8	8	5	7	5
PM <sub>10</sub>												
Sectors	Ghaziabad		Noida		Faridabad		Gurugram		Panipat		Bahadurgarh	
	Winter	Summer	Winter	Summer	Winter	Summer	Winter	Summer	Winter	Summer	Winter	Summer
<b>Biomass</b>	16	12	12	12	18	18	14	13	16	18	11	13
<b>Industry</b>	35	35	25	22	32	18	26	13	31	25	22	16
<b>Dust (soil, road, const.)</b>	31	41	29	47	19	46	30	52	25	31	40	49
<b>Transport</b>	13	8	25	13	21	9	23	14	22	21	21	17
<b>Others</b>	5	4	9	6	10	9	7	8	6	5	6	5

**Minutes of the 26<sup>th</sup> meeting of Project Appraisal & Approval Committee (PAAC-EPC)**

26<sup>th</sup> meeting of the Project Appraisal and Approval Committee (PAAC) for utilisation of EPC funds, chaired by Chairman, CPCB, was held on October 10, 2023 via video conferencing. Members of technical group (TG), which evaluates the proposals received for consideration under EPC funds, also participated in the meeting. List of participants is placed at Annexure - I.

02. AQM division briefed the committee about the status of EPC funds and proposals received for consideration under the said funds.

03. A total of 139 proposals have been received, out of which a decision has been taken on 116 proposals. Out of these 116 proposals, 31 projects have been sanctioned by the committee and 85 proposals have been rejected. From the balance 23 proposals, 10 proposals are under consideration of TG, 7 proposals are to be placed before PAAC for taking a decision, 4 revised proposals are awaited from proponents and, comments are awaited from concerned ministries/CAQM/departments on 2 proposals.

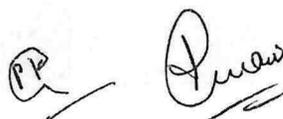
04. Subsequently, AQM division apprised the committee about the agenda of the meeting, involving seeking post-facto approval on extended operation & maintenance of the Smog Tower project and other payments for smog tower project, and taking decisions on closure of smog tower project relating to installation and commissioning, and, deliberations and discussions on 1 revised proposal (out of 31 proposals already sanctioned) & 7 proposals having recommendations of TG. Further, final findings are to be presented before the PAAC for 3 projects, wherein study has been completed. The observation and decisions of the committee are summarized below:

**A. Post facto approval for extension of O&M of Smog Tower Project and other payments:**

The committee was briefed that the O&M of the Smog Tower project was awarded to TPL SBG Services, for an initial period of two years, i.e. until 06 September 2023, during which its performance would be evaluated by IIT Bombay. IIT Bombay requested CPCB for an extension till December 2023 for testing of indigenously developed filters. The request was agreed to by Advisory Committee, which is tasked with overseeing the progress of the project and to review its performance and guide for improvement, and, accordingly, payment for additional 04 months (September - December 2023) O&M was processed. Further, as per the O&M agreement, the approval of PAAC is also required for extension/termination of O&M agreement, hence post facto approval is sought from PAAC. PAAC approved 04 months' extension of O&M agreement and the main smog tower project (related to IITB's part for performance evaluation of the tower), until December 2023, to facilitate the evaluation of the indigenous filters, with additional cost implication of Rs. 50,37,756/-, excluding applicable Project Management Consultancy (PMC) charges of NBCC (15%), taxes, energy costs, internet and other such costs (on an actual basis). Chairman, CPCB expressed that Parliamentary assurances have been made regarding the smog tower project, and it should be ensured that testing of the Smog Tower is completed by IIT Bombay by December 2023.

Furthermore, PAAC was briefed about additional payments made for the Smog Tower project, including Rs. 75 lakhs towards part of the final payment for the Smog Tower project (covering costs for silencer, clock, digital display, transplantation, etc.), Rs. 22,69,214.26/- for camera installation at the Smog Tower, Rs. 20,31,853/- for additional/balance payment for filter purchase, Rs. 6,35,430/- for the installation of Internet, IP camera, and phone at the site, Rs. 1,63,764/- for filter disposal, and Rs. 1,12,100 for charges related to the Smog Tower inauguration. These payments were necessary for seamless O&M of the smog tower. PAAC accorded its concurrence for the said payments.

PAAC was also apprised that as per the tripartite smog tower MoU, the scope of TPL was limited till installation and commissioning of the tower, which has been completed. However, an approval from



Delhi Urban Art Commission (DUAC) is awaited, for which TPL is already pursuing the matter. PAAC recommended that main smog tower project pertaining to TPL may be closed and balance payment may be released on receipt of DUAC approval.

Dr. Rashid Hasan, SIAM, sought to know about the performance of the Smog Tower. Chairman, CPCB expressed that once the findings are reviewed by experts, a meeting may be convened with the presence of PAAC and Technical Group members, to apprise them about the tower performance.

**B. 07 proposals having recommendation of Technical Group:**

Observations made by the Technical Group on 07 proposals examined by it, were discussed during the meeting and deliberations of PAAC are summarised below:

- i. **Mitigation of Crop residue burning and its conversion into paper and lignin by IIT Roorkee:** TG had not recommended the proposal for further consideration as the proposal was for development of a new process and is not directly related to air quality improvement/management in Delhi-NCR. PAAC accepted the recommendations of TG and rejected the proposal.
- ii. **Moulded Fibre Packaging Materials from Rice Straw by M/s Ecobloom Pulpware LLP:** TG had not recommended the proposal for further consideration as it was regarding industrial process development and setting up of pilot plant for commercial purpose. PAAC accepted the recommendations of TG and rejected the proposal.
- iii. **Life Cycle Assessment of Bio-fuels (Ethanol blended gasoline, bio diesel, Compressed Bio Gas) for assessing the GHG benefits and process benchmarking by ARAI:** TG had not recommended the proposal for further consideration as the proposal was not directly aligned with the mandate of air quality improvement and management in Delhi-NCR and funding for such projects having national-level perspective of GHG emissions, global warming, and climate change may be sought from MoEF&CC or MNRE.

Dr. Hasan, SIAM expressed that biofuels are low-carbon alternate fuels which fall within the framework of EPC funds and that this proposal should be considered as it could provide valuable information for policy amendments and course corrections.

MS, CPCB expressed that instead of GHG benefit, focus may also be laid on reduction in terms of parameters notified under NAAQS. Dr. Hasan agreed that both air pollutants and GHGs may be studied.

Prof. V.K. Minocha, Chairman of the TG, pointed out that there is substantial funding available for projects related to biofuels/alternate fuels, and GHG emissions. He highlighted that the emphasis of the TG while evaluating proposals was to specifically improve Delhi's air quality rather than address national level as EPC funds are intended for improving air quality in Delhi-NCR. ARAI responded that they had approached MNRE for funding, but their emphasis has now shifted to hydrogen fuel.

PAAC expressed that a project having national level impact will also impact on Delhi-NCR's air quality and vice versa. Hence, the proposal may be revised by ARAI with emphasis on air pollutants as well as GHGs, and may subsequently be reconsidered by the TG.

- iv. **Hydrogen-diesel dual fuel compression ignition engines to reduce local and global emissions by IIT Bombay:** TG had not recommended the proposal as it appeared to be more academic/research-oriented, and is more relevant for vehicle/ DG set manufacturers, and not directly aligned with the mandate of air quality improvement/management in Delhi-NCR.

Professor Minocha, Chairman of the TG, pointed out that the proposal, as presented, did not address the issue of air pollution in Delhi-NCR, and the proponent may rework the proposal to demonstrate the potential in terms of air quality improvement.



Dr. Shankar Agarwal, member of the TG, apprised the PAAC that the proposal seemed to be in very initial stage and the Principal investigator (PI) was advised to test the prototype and then submit a proposal to CPCB for conducting a pilot study.

PAAC expressed that a project with national level impact may also be considered, provided that it also has the potential to address the issue of air quality in Delhi-NCR and also trials/experiments are conducted in Delhi. PAAC recommended that the proposal may be reconsidered by TG, and the proponent may be advised to present a revised proposal with emphasis on air quality improvement in Delhi-NCR.

- v. **SILENCE (Spreading Information, learning about Environmental Noise Control and Education) by CSIR-NPL:** TG had not recommended the proposal for further consideration as awareness regarding noise pollution does not fit under the mandate of air quality improvement/management in Delhi-NCR. PAAC accepted the recommendation of TG and rejected the proposal.
- vi. **Studies on BTEX Monitoring in Delhi NCR, Ozone Forming Potential and Carcinogenic Health Impacts by Amity University:** TG had not recommended the proposal as the study proposed use of only secondary data, and employs a non-standard methodology, and has limited utility in terms of improvement in air quality in Delhi-NCR. PAAC accepted the recommendation of TG and rejected the proposal.
- vii. **Spatial variation and diversity of airborne biological particles in Delhi city by NITK Surathkal:** The proposal was discussed in 23<sup>rd</sup> PAAC meeting where it was recommended that NITK Surathkal may associate with IIT Delhi which has approached CPCB for cohort study. In this regard, no response was received from PI despite reminders. Further, PI was also invited in previous TG meetings, however, PI neither attended the meeting nor responded to CPCB communication.

Hence, TG had recommended that the proposal may be considered as withdrawn. PAAC accepted the recommendation of TG and rejected the proposal.

- C. **Heavy Duty vehicle fuel consumption calculation and validation through vehicle simulation tool by ARAI:** PAAC was informed that the project was sanctioned to ARAI during the 24<sup>th</sup> PAAC meeting held on 06.10.2022. The proposal aims to develop a simulation-based Fuel consumption (FC) calculation methodology for India, along with drive cycles for buses, LCV, and ICV/MCV. The original cost of project was Rs. 425 lakhs, and ARAI was approved a cost of Rs. 255 lakhs (excluding GST). Balance funding of Rs. 170 lakhs was to be arranged by ARAI. However, at the time of signing of MoU, ARAI informed that its contribution would be in kind (in terms of manpower and lab & testing services). Since contribution in kind cannot be accounted for, F&A division, CPCB had suggested that a revised proposal may be sought from ARAI, limiting to funds requirement from CPCB. ARAI subsequently submitted the revised proposal, limiting the budget requirement to Rs. 255 lakhs (excluding GST), with a commitment to carry out all activities as per the scope. CPCB's liability in terms of fund requirement remains unchanged.

Chairman, CPCB expressed that the tool seems to be of more use to ARAI, and its specific utility for Delhi-NCR is not clear. Thus, it would be more appropriate for this proposal to be taken up by ARAI from its own funds.

Dr. Hasan, SIAM expressed that a lot of pre-commencement activities have already taken place for the project, and the study would help in developing next level of emission norms. ARAI expressed that the TG had asked it to limit the proposal scope to NCR, by selecting the vehicles usually plying in NCR region. Further, ARAI is also contributing in the project, by providing its infrastructure and testing

services, and the project cost is mainly on account of field studies to be carried out in NCR. ARAI further expressed that it will develop drive cycles specifically for the NCR region. Though the tool developed under the study would be useful for all of India, it will also benefit Delhi-NCR as improving fuel efficiency helps reduce emissions. Further, findings of this study may also lead to development of other norms, which may be more stringent. PAAC recommended that the proposal utility for Delhi-NCR may be re-examined by MS, CPCB and TG.

**D. Final findings of 03 project for project closure:**

- i. **Delhi air quality experiment: A paradigm shift in source apportionment**
- ii. **Bi-weekly action plan for effective and efficient management of PM2.5 concentrations in the Delhi city**
- iii. **Pilot project to demonstrate the effectiveness of air pollution mitigation by Pariyayatra filtration**

These projects could not be taken up for discussion due to paucity of time. It was expressed that final findings of these projects would be discussed in next PAAC meeting.

05. Chairman, CPCB expressed that utilization certificates (UCs) for all sanctioned projects should be obtained from the respective institutes/organizations, and efforts should be made to expedite the utilization of remaining funds. It was also decided unanimously that gap funding for implementation of micro-level action plans for non-attainment cities in Delhi-NCR could be considered for funding depending upon the priority / urgency of the need and also taking into account the funds available. Further, other cities which are not being funded under NCAP/XV-FV could also be funded for preparation/implementation of micro-level action plans for undertaking mitigation/pollution control and abatement measures related to the air pollution hotspots.

06. Prof. Minocha suggested that installation of fountains at intersections in Delhi may also be considered as it would not only be aesthetically pleasing but is also expected to yield significant outcomes in terms of local pollution reduction. Dr. Rakesh Kumar, CSIR expressed that funding may be directed towards research & development in those areas where much research has not happened so far, such as low dust generating C&D activities, ventilation design for tandoors, etc. It was expressed that other PAAC members may also provide their suggestions to CPCB regarding possible avenues for utilisation of EPC funds and these would be compiled and deliberated specifically.

Meeting ended with a vote of thanks to the chair.

\*\*\*





**List of PAAC members:**

1. Sh. Tanmay Kumar, Additional Secretary, MoEF&CC and Chairman, CPCB
2. Sh. Bharat Kumar Sharma, Member Secretary, CPCB
3. Dr. K.S. Jayachandran, MS, DPCC
4. Dr. V.K. Soni, Scientist-F & Head, EMRC
5. Dr. J.B.V. Reddy, Scientist F, DST
6. Sh. Kapil Verma, Director (Ref.), MoRTH
7. Sh. Harsh Prabhakar, Executive Engineer, MoRTH
8. Sh. R.K. Jaiswal, Development Officer, MoHI
9. Dr. B.M.S. Reddy, SEE, DPCC
10. Sh. Pradeep Sharma, CEO 1, UPPCB
11. Sh. Prasoon Tripathi, Under Secretary, MoEF&CC
12. D.K. Gupta, RO Greater Noida, UPPCB
13. Sh. Vikash Mishra, RO Ghaziabad, UPPCB
14. Smt. Sapna Srivastav, RO Bulandshahr, UPPCB
15. Sh. Ashutosh Chauhan, RO Moradabad, UPPCB
16. Sh. Manoj Kumar Rastogi, EO, NPP Bulandshahr
17. Sh. Nirmal Kashyap, SEE, HSPCB
18. Dr. Rashid Hasan, Senior Advisor, SIAM
19. Sh. Sandeep Garg, SIAM

**List of Technical Group members and Special Invitees:**

1. Dr. Rakesh Kumar, OSD, CSIR
2. Prof. V.K. Minocha, Head of Civil Dept., DTU
3. Dr. Shankar Aggarwal, Senior Principal Scientist, CSIR-NPL
4. Sh. Ankush Tewani, Scientist D, CPCB

**Invitees:**

1. Dr. S. Juttu, General Manger, ARAI
2. Dr. S.S. Thipse, Senior Deputy Director, ARAI
3. Sh. S.N. Tripathi, Professor, IIT Kanpur
4. Sh. Sri Harsha Kota, Professor, IIT Delhi

**CPCB Officials:**

1. Sh. P.K. Gupta, Scientist F & Head, AQM Division
2. Sh. Ankush Tewani, Scientist D, AQM
3. Sh. Gautam Kumar Sharma, Scientist C, AQM
4. Sh. Toshesh Bhargava, SRF, AQM

## Record of Discussion

(23<sup>rd</sup> November, 2023)

of the meeting chaired by Secretary, Environment, Forest and Climate Change, Govt. of India  
on 23rd November, 2023 at 3.00 PM on the Environment Protection Charge (EPC) fund  
maintained by CPCB

A meeting to review the status of utilization of EPC funds and further explore other avenues for its utilization was convened under the Chairmanship of Smt. Leena Nandan, Secretary, MoEF&CC. The meeting was attended by officials from Ministry of Environment, Forest & Climate Change (MoEF&CC), Central Pollution Control Board (CPCB), Ministry of New and Renewable Energy (MNRE), Ministry of Agriculture & Farmers' Welfare (MoA&FW), Ministry of Power (MoP), Commission for Air Quality Management in Delhi NCR & Adjoining Area (CAQM), National Bank for Agriculture and Rural Development (NABARD), Solar Energy Corporation of India Ltd. (SECI) and Mission SAMARTH. List of participants is annexed.

2. The Secretary, MoEF&CC welcomed the participants and in her opening remarks emphasized that existing schemes must be further strengthened and new avenues explored for utilizing available resources to augment crop residue management and other air pollution mitigation actions.

3. After introductory remarks on agenda by Shri Naresh Pal Gangwar, Additional Secretary, CP Division, MoEF&CC, a brief presentation on the status of EPC funds and its utilization was made by CPCB covering status of available funds, its utilization on the projects/schemes till date, ongoing schemes, and how the available funds can be used in combating air pollution in Delhi/NCR in the present scenario. The status of applications received by CPCB for financial assistance for setting up of paddy straw based pellet plants was also appraised. It was informed that 27 applications were received out of which 10 were approved, 10 rejected and clarification sought in respect of 07 applications.

4. Various issues faced by entrepreneurs in setting up and operating such paddy straw based pellet plants were discussed; such as difficulties in payment of interest charges on working capital especially the funds which are to be used upfront for procurement of raw material unlike other standard industrial operations wherein raw material is to be purchased on monthly basis and interest factor does not become deterrent as same is adjusted from the revenue earned on monthly basis; difficulties in supply of baled straw for use by pellet plants; and similar financial assistance provided for setting up of pelletisation as well as torrefaction plants while the capital cost of later is higher.

5. DGM, NABARD informed that Department of Financial Services, Ministry

of Finance, GOI shall be requested to issue necessary directions to banks to provide adequate Working Capital to the Bio Mass Pelletizing units for purchase of crop residue during the crop harvest period for the whole year on liberal lending terms and conditions. NABARD may provide refinance for loans extended to bio mass pellet units to banks as per prevailing eligibility norms and the issue may be addressed in consultation with banks & financial institutions.

6. Besides above, alternate means to increase utilization of paddy straw such as through promoting setting up of paddy straw based power plants by promoting bundling of biomass based power generation with solar power generation, promoting setting up of pellet plants for brick kilns clusters which is a major sector in terms of biomass utilization especially in NCR, and gap funding for implementation of clean air action plan in NCR towns were discussed.

7. Based on the discussions and deliberations held, following decisions were taken:

- i. MoEFCC will write to Department of Financial Services, Ministry of Finance to resolve the working capital difficulties of paddy straw based pellet plants. NABARD, in consultation with banks and other financial institutions, will work out an interest subvention scheme to address the working capital issues faced by pellet plant owners. The resources for the scheme will be provided from EPC funds.
- ii. MNRE to make a scheme for promoting setting up of paddy straw based power plants by promoting bundling of biomass based power generation with solar power generation which will also have a component of financial assistance/support in terms of capital cost of such plants to address the VGF issue, for which funds will be provided by CPCB from EPC funds. To begin with, funds @0.4Cr per MW will be provided for paddy straw based power plants of total capacity of 100 MW in identified districts with high paddy generation and burning incidences. For some projects, additional funding support will be provided for biomass collection and supply chains by the MoA&FW schemes. SECI may select private sector developers for establishment of paddy straw based power plants through bidding process.
- iii. MoA&FW will extend financial support under its Ex-situ Crop Residue Management Scheme to pellet plants supported by CPCB through EPC funds, for backward linkage for supply chain of paddy straw.
- iv. CPCB to revise the maximum financial assistance for torrefaction plants from Rs 1.4 Cr to Rs 2.8 Cr so that these plants could also be setup as the capital cost of torrefaction plant is twice that of simple palletisation plant. Accordingly, financial assistance for 1 TPH torrefaction plant will increase from Rs 28 lakh to Rs 56 lakh.
- v. CPCB will provide funding from EPC funds for critical gaps for implementation of micro-level action plans for non-attainment cities, as well as for other cities in Delhi-NCR for control of air pollution at hotspots.
- vi. CPCB to sensitize brick kilns associations about new schemes for financial assistance such as MoA&FW support for supply chain, and pursue them for setting up of paddy straw based pelletisation plants so that such plants can be setup to meet the raw material demand of various brick kiln clusters.

Secretary, MoEF&CC expressed that the concerned agencies shall take

immediate actions on the decisions taken.

\*\*\*

Meeting ended with vote of thanks.

Annexure-I

Attendance

**Smt. Leena Nandan, Secretary, EF&CC-In the Chair**

Shri Naresh Pal Gangwar, Addl. Secretary, MoEF&CC

Shri Tanmay Kumar, Chairman, CPCB & Addl. Secretary, MoEF&CC

Shri Arvind Kumar Nautiyal, MS, CAQM

Shri Ved Prakash Mishra, Director, MoEF&CC

Dr. Prashant Gargava, Director (NCAP) & Scientist 'F', MoEF&CC

Shri Bharat Kumar Sharma, MS, CPCB

Dr. Gaurav Mishra, Scientist 'F', MNRE

Shri Sanjay Mishra, Director (Solar), SECI

Shri Sudip Nag, Mission Director, Biomass Mission

Sh. P K Gupta, Scientist 'F', CPCB

Shri Ashok Kumar, DDG, BEE

Sh. T. Venkateswarlu, Chief Engineer, CEA

Sh H P Singh, DA&FW

Sh. Kuldeep Chand, DGM, NABARD

\*\*\*

## ACTIVITY-WISE EXPENDITURE OF EPC FUNDS

S. No.	Head	Amount disbursed (in Rs.)
<b>Scientific/technical studies</b>		
1	Pilot project to demonstrate the effectiveness of air pollution mitigation by Pariyayantra filtration-MRIIRS	11,84,400
2	Deployment and Evaluation of air purification units for traffic junction pollution abatement in Delhi-NEERI	2,50,74,528
3	Control of Dust Emissions using dust Suppressant- EPRI	3,54,026
4	Bi-weekly action plan for effective and efficient management of PM2.5 concentrations in the Delhi city- IIT Delhi	3,02,400
5	Multiple antenna high density ion generator for pollution control in New Delhi - STP Pune	10,80,000
6	Impact of Traffic on Asthma amongst School Children in Delhi- IIHMR	47,39,636
7	Monitoring and Evaluation of Ionization based Air Purifying Technology- IIT Delhi	1,12,14,720
8	Health impact assessment of fire cracker bursting on Diwali & Dusshera- MAMC	7,05,000
9	Ambient air quality monitoring in Meerut and Faridabad by M/s Shriram Institute of Industrial Research - Air Lab	1,06,29,594
10	Evaluation of Modelling techniques for air quality management in - TERI	46,92,726
11	Estimation of Fuel Losses and Assessment of Air Quality at selected traffic- CRRI	16,02,720
12	Proxy relationship of ultrafine particles number concentration, new particle formation and its growth rate in transport microenvironment in Delhi- DTU	78,23,407
13	Does Poor Air Quality from Crop burning in close proximity to residential areas adversely affects respiratory health- TERI	50,19,725
14	Delhi air quality experiment: A paradigm shift in source apportionment- IIT Kanpur	4,74,38,590
15	Delineation of Air Shed for Air Quality Management in Delhi-NCR- NEERI	2,08,00,000
16	Assessment of contribution of stubble burning in Punjab & Haryana states on air quality- NEERI	63,00,000
17	Air quality impact on travel choice (A-Quit)- TERI SAS	26,85,487

18	Pilot study for assessment of reducing air pollution in urban areas by using outdoor cleaning system (sometimes called as Smog Tower)- IITB, TPL	35,00,40,869
19	Health impact of firecrackers bursting during Diwali in National Capital of Delhi - MAMC (5 year)	1,84,41,500
20	Near-real time fire emission estimation and fire forecasting system for Delhi Air Quality- CDAC	14,97,000
<b>Activities related to Field visits</b>		
21	Clean Air for Delhi Campaign	As per actuals, however amount disbursed till 02.01.2024: 2,56,20,535
22	CPCB field visits for feedback on air polluting activities in Delhi	
<b>Laboratory infrastructure projects</b>		
23	Up gradation of existing SODAR at CPCB - NPL	28,96,000
24	Energy Dispersive X-Ray Fluorescence Spectrometer (EDXRF) for Instrumentation Laboratory, CPCB	3,50,00,000
25	Procurement of Instruments/ equipment for Instrumentation Laboratory, CPCB	74,25,000
26	Strengthening of Lab Infrastructure- Air Laboratory, CPCB	1,32,11,520
<b>CAAQMS projects</b>		
27	Commissioning of Central Control Room(CCR), Social Media Platform, Sameer App – IT, CPCB	2,45,79,956
28	Strengthening of Air Quality Monitoring network in Delhi- Air Laboratory, CPCB	1,36,63,166
29	Expansion of CAAQMS in Haryana and Uttar Pradesh- HSPCB and UPPCB	18,26,37,501
<b>Paddy straw management</b>		
30	Grant for Pellet plants	3,90,78,190
<b>Other expenditure</b>		
31	Stipend, infrastructure for office such as desktops, expenditure for meetings/workshops, etc.	1,76,24,889
32	Refund	37,56,032
33	Bank Charges	3,97,810
<b>Total</b>		<b>88,75,16,927</b>

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

Original Application No. 24 of 2011  
(Civil Appeal No. 10312/2016)

And

Execution Application No. 34/2016  
In

Original Application No. 24 of 2011  
And

Original Application No. 84 of 2017  
(Earlier O.A. No. 24 of 2011)

And

Original Application No. 64 of 2017  
(Earlier O.A. No. 279 of 2016)

**IN THE MATTER OF:**

**Samir Mehta Vs. Union of India & Ors.**

And

**Samir Mehta Vs. Union of India & Ors.**

And

**Samir Mehta Vs. Union of India & Ors.**

And

**Kumar Gaurav Vs. Laureate Buildwell Pvt. Ltd. & Ors.**

**CORAM : HON'BLE MR. JUSTICE SWATANTER KUMAR, CHAIRPERSON  
HON'BLE MR. JUSTICE RAGHUVENDRA S. RATHORE, JUDICIAL MEMBER  
HON'BLE MR. BIKRAM SINGH SAJWAN, EXPERT MEMBER  
HON'BLE DR. AJAY A DESHPANDE, EXPERT MEMBER**

**Present: Applicant:**

Mr. Raj Panjwani, Sr. Adv., and Mr. Utkarsh Jain, Adv.  
Mr. Gautam Singh and Mr. Rudreshwar Singh, Advs. for Bihar SPCB  
Mr. Shiv Mangal Sharma, AAG, Mr. Saurabh Rajpal and Ms. Shikha Sandhu, Advs. for RSPCB  
Mr. A.K. Prasad and Mr. Jaydip Pati, Advs. for Coast Guard of India  
Mr. Rajul Shrivastav, Adv. for MPPCB  
Mr. Anil Grover, AAG Haryana with Mr. Rahul Khurana, Advs. for Haryana State Pollution Control Board  
Mr. Anil Srivastava, Mr. Rituraj Biswas and Ms. Sujaya Bardhan, Advs. for State of Arunachal Pradesh  
Mr. Rajkumar, Adv. and Mr. Bhupneder, LA and Ms. Niti Choudhary, CPCB  
Mr. Aruna Mathur, Mr. Avneesh Arputham and Ms. Anuradha Arputham and Mr. Amit Arora, Advs. for State of Sikkim  
Mr. Gopal Singh, and Ms. Varsha Poddar, Advs.  
Mr. B.V. Niren, Adv. for R-2 & 3  
Mr. Jogy Scaria, Adv. for Kerala State PCB  
Mr. Rahul Pratap, Adv. for MoEF  
Mr. Shubham Bhalla, Adv. for Chandigarh Administration  
Mr. Mohit Chugh, Adv. for Mr. Sanjeev Ralli, Adv. with Mr. Dinesh Jindal, LO  
Mr. Sarthak Chaturvedi and Mr. Shubham Jaiswal, Advs. for Andaman & Nicobar Island  
Mr. Avijit Roy, Adv. for Assam Pollution Control Board  
Ms. Yogmaya Agnihotri, Adv. for CECB  
Mr. A.K. Panda, Mr. M. Paikaray Adv. Odisha PCB  
Mr. R. Rakesh Sharma, Adv. for State of TN & TNPCB  
Mr. Amit Agarwal, Adv. for West Bengal Pollution Control Board  
Ms. K. Enatoli Sena, Adv. for Nagaland PCB  
Mr. Ravindra Kumar, Adv.  
Mr. Jayesh Gaurav, Adv. for JSPCB  
Mr. Pradeep Mishra and Mr. Daleep Kr. Dhyani, Adv. for UPPCB  
Mr. Tanyenjam Momo Singh, Adv. for Meghalaya PCB  
Mr. Balendu Shekhar, Adv. and Mr. R.K. Maurya, Adv. with Mr. Dinesh Jindal, LO for DPCC

Mr. Mukesh Verma, Adv., Mr. Bikash Kumar Sinha, Adv.  
 Mrs. D. Bharathi Reddy, Adv. for State of Uttarakhand  
 Mr. G.M. Kawoosa, Adv. for J& K Pollution Control Board  
 Mr. G.S. Chaturvedi, Adv.  
 Mr. Santosh Rebello, Adv.

	Date and Remarks	Orders of the Tribunal
	<p>Item No. 01 to 04</p> <p>April 20, 2017</p> <p>ss</p>	<p>Issue Notice to Respondent No. 10 and 12 to be present before the Tribunal on the next date of hearing. Both these respondents are directed to file an affidavit declaring the correct addresses of the judgment debtor and their Directors respectively.</p> <p>List these matters for directions on 23<sup>rd</sup> May, 2017.</p> <p>The Learned counsel appearing for Central Pollution Control Board informed us that nearly 35 Crores have been received by the Board from various State Pollution Control Boards and Pollution Control Committees, in terms of the order of the Tribunal.</p> <p>This direction was passed by the Tribunal keeping in view the fact that the Experts and Special Invitees of various committees appointed by the National Green Tribunal, were put to lot of inconvenience. They have not been paid even taxi fare for the purpose, in furtherance to the orders of the Tribunal. This was adversely affecting the functions of the committees and consequently causing inordinate delay in completion of the cases before the Tribunal. The present Experts and even the Members from services who are nominated or appointed under the orders of the Tribunal deserve to get respectable remuneration and to be looked after properly as per their stature and contribution. It will be unacceptable that the Chairman, Members of the Committee appointed by the</p>

<p><b>Item No. 01 to 04</b></p> <p><b>April 20, 2017</b></p> <p><b>ss</b></p>	<p>Tribunal are unable to function effectively for lack of availability of infrastructure, transportation and secretarial services. We had asked the Learned counsel appearing for MoEF, Pollution Control Board and stakeholders to inform the Tribunal as to what fee and expenses would they recommend for fixation by the Tribunal. Unfortunately none of them have responded appropriately.</p> <p>In the circumstances afore stated, we direct the following.</p> <ol style="list-style-type: none"> <li>1. Out of the amount which was recovered and/or paid to the State Board by the defaulters, polluters and other stakeholders, the State Pollution Control Boards were directed to pay 25% to the Central Pollution Control Board. This amount was to be utilized by the Central Pollution Control Board for ensuring that Committees appointed by the Tribunal function effectively and expeditiously. The amount payable to the Chairman and Members of the Committees, appointed by the Tribunal, and all expenses incurred by them shall be paid by the Central Pollution Control Board in terms of this order, henceforth.</li> <li>2. The following fee would be paid to the Chairmen/Expert Members, whether in service or retired or are operating as consultant independently:-       <ol style="list-style-type: none"> <li>a. Chairman of the Committees would be paid a sum of Rs. 5,500/- per meeting.</li> <li>b. Non-official Members of the Committees would be paid a sum of Rs. 5,000/- per meeting.</li> </ol> </li> </ol>
---	--

	<p><b>Item No. 01 to 04</b></p> <p><b>April 20, 2017</b></p> <p><b>ss</b></p>	<p>3. Members who are retired and are not presently working in any Government organization or institute, would be termed as non-official members.</p> <p>4. Members of the Committee who are in service either in the Government or institute, bodies, instrumentalities of the State would be paid a sum of Rs. 2,500/- per meeting.</p> <p>5. Members who are in service will not be provided any TA/DA once the payment is made in terms of this order.</p> <p>6. All the members would be provided with car facility for travel. If there are outstation members, they would be paid first class rail fare or economy air fare for coming to Delhi or the place where the meetings are fixed.</p> <p>7. Local transportation shall be provided to them free of cost or they would be permitted to engage vehicle-taxi. The payment of taxi bill shall be reimbursed to them immediately on presentation. Members would be entitled to free accommodation in the State/Central guest house or any other guest house provided by the Government or will be eligible for reimbursement of such Govt. guest house charges.</p> <p>8. All the secretarial services would be provided to them and if they are required to incur expenses for the secretarial services, the same shall be reimbursed to them without any objection or delay.</p> <p>These directions will become operative from 01<sup>st</sup> January, 2017. The Central Pollution Control Board shall ensure the payments demanded by the members are not</p>
--	---	---

	<p><b>Item No. 01 to 04</b></p> <p><b>April 20, 2017</b></p> <p><b>ss</b></p>	<p>delayed in any circumstances. The payment shall be made against due receipt and in accordance with rules.</p> <p>Let these directions be circulated to all the State Pollution Control Boards, Central Pollution Control Board, MoEF, MoWR, Ministry of Urban Development and the Chairmen of the Committees which have been constituted by the National Green Tribunal or by the State/Central Government under the orders of the Tribunal for implementation.</p> <p>In relation to remaining amount with the CPCB and respective State Pollution Control Boards, they shall formulate detailed action plan for prevention and control of pollution under their jurisdiction and submit to the Tribunal, for appropriate orders.</p> <p>We grant last opportunity of three weeks to the respective Boards to submit such action plan. Now, in the event of default, the Chairman and Member Secretary of the concerned Board shall be liable to be proceeded against, in accordance with law.</p> <p>This order be circulated.</p> <p>List these matters on 23<sup>rd</sup> May, 2017.</p> <p>.....,CP (Swatanter Kumar)</p> <p>.....,JM (Raghuvendra S. Rathore)</p> <p>.....,EM (Bikram Singh Sajwan)</p> <p>.....,EM (Dr. Ajay A Deshpande)</p>
--	---	---

**List of Projects, Studies and Laboratory Equipment Procurement funded  
under NGT EC 25% and NGT EC 75% Funds**

	<b>Title</b>	<b>Expected/ Sanctioned Expenditure (Rs. in Lakhs)</b>	<b>Expenditure till 30.11.2023 (Rs. in Lakhs)</b>	<b>Type of Activity</b>
1.	Review of National Ambient Air Quality Standards	24.662	14.79	Research
2.	Preparation of guidelines for setting up of Biodiversity Parks in the floodplains of rivers of India	2.3	2.3	Research
3.	Scientific study to review the deep sea discharge norm at Kantiajal, Gujarat with respect to increase in concentration of COD in discharge effluent	197	78.80	Research
4.	Source Apportionment / Carrying Capacity study for 25 Non-Attainment Cities (NACs)	1417.18	600.5	Research
5.	Machine learning (ML) and Artificial Intelligence (AI) tool development for analysis of air quality data	59.45	23.78	Research
6.	Emission Inventories, Source Apportionment and Carrying Capacity studies in the Indo Gangetic Plain (IGP) region	1.65	1.65	Research
7.	Installation and commissioning of Indigenous items for ring test and static injection system and replacing island tables in wet chemical laboratory	160.12	160.12	Laboratory strengthening
8.	Random verification of annual inventory report on hazardous waste management submitted by SPCBs/PCCs	200	113	Investigation
9.	Assessment of Air, Water, and Soil Quality in Baghjan Oil Blow out site & its Vicinity, Tinsukia, Assam	81.4	52.01	Investigation

	<b>Title</b>	<b>Expected/ Sanctioned Expenditure (Rs. in Lakhs)</b>	<b>Expenditure till 30.11.2023 (Rs. in Lakhs)</b>	<b>Type of Activity</b>
10.	Strengthening of Computer Network in CPCB	127	106	IEC
11.	Setting up Continuous Ambient Air Quality Monitoring Stations (CAAQMS) in Non-Attainment Cities (NAC) in the country	2500	500	Monitoring infrastructure
12.	Development of National Hazardous Waste Tracking (NHWTS) Software	200	0	Investigation, capacity building
13.	Design, Development & Implementation of OCEMS* Data Acquisition and Management System (ODAMS) for direct data transfer for the Control of Pollution from Industries in India <i>*OCEMS (Online Continuous Effluent/Emission Monitoring System)</i>	410	0	Monitoring infrastructure
14.	Development of comprehensive Extended Producer Responsibility (EPR) & Circular Economy Portal	300	0	Infrastructure for surveillance
15.	Upgradation of Laboratories with IT enabled services	368	69	Laboratory strengthening
16.	Development of E-learning module under Mission Karamyogi	40	0	Capacity building
17.	Implementation of centralized barcode system for tracking of biomedical waste	160.9	0	Research
18.	Strengthening and upgradation of laboratories of CPCB	8136.67	429	Laboratory strengthening
19.	Inspection of 389 Grossly Polluting Industries (GPIs) discharging in Hindon Sub basin through third party by seven technical institutes along with concerned SPCBs (Phase I)	27	12.74	Investigation
20.	Satellite based ambient air quality monitoring at national scale (SAANS): Phase II - Maintenance and Improvement	140.07	20.02	Monitoring infrastructure

	<b>Title</b>	<b>Expected/ Sanctioned Expenditure (Rs. in Lakhs)</b>	<b>Expenditure till 30.11.2023 (Rs. in Lakhs)</b>	<b>Type of Activity</b>
21.	Assessment of Environmental Carrying Capacity of Eco-Sensitive Zones - Sanjay Gandhi National Park Mumbai	6.84	6.84	Research
22.	Setting up of Continuous Ambient Air Quality Monitoring Stations (CAAQMS) in Charkhi Dadri and Mohendergarh in Haryana	510	0	Monitoring infrastructure
23.	Noise Mapping, Hot Spot Identification and Mitigation Plan for Noise Pollution Control in Delhi	85	0	Investigation, Research
24.	Inventory management system for laboratories and strengthening of infrastructure in CPCB	373.818	373.82	Laboratory strengthening
25.	Conducting 2-day workshops at Central Institute of Petrochemicals Engineering & Technology (CIPET) centers on plastic waste management in India	66.37	33.75	Capacity building
26.	Sampling & analysis charges, purchase of equipment/consumables, etc. for NGT assignments conducted by Regional Directorates of CPCB	As per requirement	87	NGT assignments, Laboratory strengthening
27.	Demonstration of Effluent Treatment Plant (ETP) for Environmental Laboratory wastewater treatment	9	8.35	Research
28.	NABL accreditation and strengthening of laboratory at CPCB Regional Directorate Bhopal	56.58	5.07	Laboratory strengthening
29.	Inventorization of salt generated from Common Effluent Treatment Plants (CETPs) of Textile & Tannery sector and status of its management in the state of Tamil Nadu	12	9	Investigation

	Title	Expected/ Sanctioned Expenditure (Rs. in Lakhs)	Expenditure till 30.11.2023 (Rs. in Lakhs)	Type of Activity
30.	Status of Secured Land-Fills (SLF) maintained by individual industries and CETPs in Tamil Nadu and assessment of ground water quality around SLF	6	3	Research
31.	Study on flood plain identification & demarcation of River Mahanadi in the identified stretches	6.3	6.3	Research
32.	Development of state of the art laboratory infrastructure at CPCB Regional Directorate Bhopal	46	0	Laboratory strengthening
33.	Strengthening & upgradation of laboratory of CPCB Regional Directorate Vadodara	150.5	0	Laboratory strengthening
34.	Upgradation of the central laboratory of Pollution Control Board, Assam	492	344.4	Laboratory strengthening
35.	Information, Education & Communication Activities in Arunachal Pradesh	27.69	24.92	Capacity building
36.	Inventorization of Seven types of wastes in Arunachal Pradesh	100	90	Investigation
37.	Setting up of laboratory at Namsai, Arunachal Pradesh by APPCB	95	59.85	Laboratory strengthening
38.	Procurement of Video Conferencing Equipment for Nagaland Pollution Control Board	2.85	2.85	Capacity building, IEC
39.	Inventorization of Hazardous waste in Nagaland	15.67	41.18	Investigation
40.	Information, Education & Communication Activities in Nagaland	30		Capacity building
41.	Construction of 1 km road using plastic waste (polymer bitumen road) at Signal point, Dimapur, Nagaland* <i>*The project was undertaken by Nagaland Pollution Control Board to demonstrate utilization of plastic waste in road making.</i>	30.34	27.31	Research
42.	Inventorization and awareness of E-waste in the state of Nagaland	22.5	22.5	Investigation
43.	Installation of Real Time Water Quality Monitoring Stations (RTWQMS) by Punjab SPCB	375	375	Monitoring infrastructure

	<b>Title</b>	<b>Expected/ Sanctioned Expenditure (Rs. in Lakhs)</b>	<b>Expenditure till 30.11.2023 (Rs. in Lakhs)</b>	<b>Type of Activity</b>
44.	Laboratory Upgradation of Punjab SPCB	540	540	Laboratory strengthening
45.	VOC emission spray painting and control technologies	4.55	4.55	Research
46.	Assistance for needs of the laboratory of the Manipur Pollution Control Board (procurement of equipment, etc.)	86.91	86.91	Laboratory strengthening
47.	Waste to wealth hackathon under Mission LiFE	1.8	1.8	IEC
48.	Conference cum training program on environmental pollution and remediation conducted at Delhi Judicial Academy	1.22	1.22	IEC
49.	Implementation of Laboratory Information Management System (LIMS) software in CPCB	197.81	60.36	Laboratory strengthening
50.	Upgradation of monitoring capabilities of Air Laboratory in CPCB through procurement of HPLC system & accessories and PM <sub>2.5</sub> Samplers	106.8	106.8	Laboratory strengthening
51.	Restoration of Phuldera drain	125	62.5	NGT assignment
52.	Study to establish whether existing batch processes and advanced batch automated process are able to meet environmental concerns vis-a vis- continuous process in tyre pyrolysis Industry	3.84	3.84	NGT assignment
53.	Assessment of environmental damage and preparation of restoration plan for air, water and soil environment due to styrene gas leakage at Visakhapatnam	54.51	25.73	NGT assignment
54.	Bioremediation of contaminated soils and surface water bodies and ground water (aquifer) of the De-sludged and refilled Lagoon of Distillery Spent wash of M/s Godavari Bio-refineries Ltd. at Sakarwadi, Maharashtra	16.95	6.78	NGT assignment
55.	Environmental and health studies in Malegaon in pursuant to	59	35.40	NGT assignment

	<b>Title</b>	<b>Expected/ Sanctioned Expenditure (Rs. in Lakhs)</b>	<b>Expenditure till 30.11.2023 (Rs. in Lakhs)</b>	<b>Type of Activity</b>
	Hon'ble NGT matter in OA No. 359 of 2019-PB			
56.	Project for reporting built up area with all floor plan drawings and measurements of A wing & B Wing of Project at CTS No. 628 A & 629 C, Village Kandivali Mumbai in pursuant to the Hon'ble NGT matter in OA no. 77/2019 (PB)	2.26	2.26	NGT assignment
57.	Ambient Air Quality Monitoring at Charkhi Dadri	1.35	1.35	NGT assignment
58.	Monitoring of Tadgam, Tithal and Jampore beaches in Valsad, Gujarat and Daman	10	10	NGT assignment
59.	Sampling of Cigarettes & Bidi Butts through IITR-Lucknow	48	48	NGT assignment
60.	Compensation to the concerned students by Delhi Legal Service Authority	51	51	NGT assignment
61.	General Framework For Imposing Environmental Damage Compensation - Meta-analysis study for Environmental Damage Assessment	6.37	6.29	NGT assignment
62.	Restoration plan for environment, public health and ground water around Panipat refinery	4251	780	NGT assignment
63.	Testing of vegetables, edible products, soil & water on the bank of river Yamuna in Delhi	2.5	2.46	NGT assignment
64.	Damage Cost Assessment for MSW Landfill site at Bandhwari Village Gurugram	8.74	8.74	NGT assignment
65.	Validation of Right Biotic System for carrying out quick hygienic survey of rivers	10.27	10.27	NGT assignment
66.	Report on impact of operation of kiln on air pollution in NCR in pursuant to Hon'ble SC civil appeal 18213/2023	1.65	1.65	Hon'ble court assignment
67.	Report on extent of damage in & around MIDC Tarapur; restoration measures, environmental damage cost & cost of restoration, and individual accountability of CETP	5.19	5.19	NGT assignment

	Title	Expected/ Sanctioned Expenditure (Rs. in Lakhs)	Expenditure till 30.11.2023 (Rs. in Lakhs)	Type of Activity
	and polluting units in pursuant to Hon'ble NGT OA no.64/2016 (WZ)			

## STATUS OF FUNDS AVAILABLE IN 23 SPECIFIC PURPOSE BANK ACCOUNTS

SL.NO.	BANK A/C TITLE	Case No. & Case Title	A/C NO.	AMOUNT DEPOSITED	EXPENSES	INTEREST	TOTAL
1	CPCB SP DPCC 1039/18	OA No. 1039/2018, Aali Vihar Vikas Manch Vs. State of GNCT of Delhi & Ors. <b>28.02.2019</b>	532702050000179	5,00,000	-	37,593	5,37,593
2	CPCB SP SEAL Containers 234/18	Appeal No. 234/2018, Charudatt Pandurang Koli & Ors. Vs. Maharashtra SPCB & Ors. <b>21.12.2018</b>	532702050000180	1,00,00,000	-	9,73,618	1,09,73,618
3	CPCB SP Delhi M Corpn 46/18	OA No. 46/2018, Nuggeshalli Jayasimha Vs. GNCT of Delhi <b>01.04.2019</b>	532702050000181	40,00,000	-	1,31,611	41,31,611
4	CPCB SP FARIDABAD MC 627/18	O.A No. 627/2018, Awasiya Jan Kalyan Samiti Vs. State of Haryana	532702050000185	1,75,53,347	-	7,35,022	1,82,88,369
5	CPCB SP CENTURY PLYWOOD 90/17	OA No. 90/2017, Safal Bharat Guru Parampara & Ors. Vs. State of Punjab & Ors. <b>31.10.2018</b>	1849101100000027	5,00,000	-	35,847	5,35,847
6	CPCB SP SCHOOLS 217/16	O.A No. 217/2016, Mahesh Chandra Saxena Vs. MoUD & Ors. <b>16.11.2017</b>	1849101100000036	80,00,000	-	5,85,329	85,85,329
7	CPCB SP GRASIM INDS 164/18	OA No. 164/2018, Ashwani Kumar Dubey Vs. UOI & Ors. <b>19.07.2019</b>	1849101100000018	1,00,00,000	-	7,35,993	1,07,35,993
8	CPCB SP GAMMON INDIA 295/16	EA No. 32/2016, in O.A No. 295/2016, Amresh Singh Vs. UOI & Ors. <b>12.02.2019</b>	1849101100000054	3,00,00,000	-	21,77,236	3,21,77,236
9	CPCB OA 20/2017 Morbi Gujarat	O.A No. 20/2017, NGT, WZ, Babubhai Ramubhai Saini Vs. Gujarat Pollution Control Board & Ors	0268104000155908	1,30,64,281	1,33,24,940	3,56,818	96,519

SL.NO.	BANK A/C TITLE	Case No. & Case Title	A/C NO.	AMOUNT DEPOSITED	EXPENSES	INTEREST	TOTAL
10	CPCB SP LDA 214/14	O.A No. 214/2017, We the People, Th. Gen. Secretary Vs. UOI & Ors. <b>01.11.2018</b>	0268104000152518	5,00,00,000	-	40,47,926	5,40,47,926
11	CPCB SP DELHI GOVT 159/13	O.A No. 159/2013, All India Lokadhikar - Ashok Vihar Vs. GNCT of Delhi & Ors. <b>16.10.2018</b>	0268104000152525	15,00,00,000	-	1,26,99,348	16,26,99,348
12	CPCB SP VAPI GREEN ENVIRO 95/18	OA No. 95/2018, Aryavart Foundation Vs. M/s Vapi Green Enviro Ltd. & Ors. <b>11.01.2019</b>	0268104000152556	25,20,16,000	-	2,15,49,967	27,35,65,967
13	CPCB SP RAJASTHAN GOVT 202/16	OA No. 202/2016, Balotra Textile Hand Processors Vs. Rajasthan SPCB & Ors. <b>10.12.2018, 06.03.2019</b>	0268104000152563	30,00,00,000	-	2,57,31,097	32,57,31,097
14	CPCB SP KARNATAKA GOVT 125/17	OA No. 125/2017, Court on its own Motion Vs. State of Karnataka , <b>06.12.2018</b>	0268104000152570	50,00,00,000	-	4,29,79,320	54,29,79,320
15	CPCB SP WB GOVT 200/14	O.A No. 200/2014, M C Mehta Vs. UOI & Ors.	110045363940	25,82,257	-	1,94,842	27,77,099
16	CPCB SP WB GOVT 23/17	O.A No. 23/2017, NGT Bar Association Vs. Sunil Deshukh	0268104000152617	-	-	-	-
17	CPCB SP GOA GOVT 77-86/18	O.A No. 77-86/2018/WZ, Goa Paryavaran Vs. Dy. Collector/SMD, Pernem & Ors. <b>15.10.2019 &amp; 26.11.2019</b>	0268104000152624	-	-	-	-
18	CPCB SP DPCC 519/16	OA No. 519/2016, Hardeep Singh & Ors. Vs. SDMC & Ors. <b>12.02.2019</b>	0268104000152631	5,00,000	-	28,027	5,28,027
19	CPCB SP BBMP 711/18	O.A No. 711/2018, Venkatesh & Ors. Vs. UOI & Ors. <b>22.10.2018</b>	0268104000152662	5,00,00,000	-	40,47,926	5,40,47,926

SL.NO.	BANK A/C TITLE	Case No. & Case Title	A/C NO.	AMOUNT DEPOSITED	EXPENSES	INTEREST	TOTAL
20	CPCB SP DPCC 56-57/13	O.A No. 56-57/2013, Satish Kumar Vs. UOI & Ors. <b>03.12.2018</b>	0268104000152679	25,05,00,000	-	2,13,94,025	27,18,94,025
21	CPCB SP SL CONTAINERS 40/14	EA No. 05/2018 in OA No. 40/2014, Charudatt Koli Vs. M/s Sea Lord Containers Ltd. <b>07.03.2019</b>	0268104000152686	5,00,00,000	-	40,47,926	5,40,47,926
22	CPCB SP RINL 117/14	O.A No. 117/2014, Shantanu Sharma Vs. UOI & Ors. <b>20.11.2018</b>	110045884570	1,03,38,643	-	8,39,539	1,11,78,182
23	CPCB SP UPCL 578/18	O.A No. 578/2018, Jan Jagriti Samiti Vs. UOI & Ors.	0268104000152716	5,00,00,000	-	40,57,029	5,40,57,029
	<b>TOTAL</b>			<b>1,75,95,54,528</b>	<b>1,33,24,940</b>	<b>14,73,86,039</b>	<b>1,89,36,15,627</b>

Item Nos. 08 &amp; 09

Court No. 2

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

Original Application No. 638/2023

In re: News item appearing in Times of India dated 10.10.2023 titled  
**"Feeling anxious? Toxic air could be to blame"**

**WITH**

Original Application No. 658/2023

In re: News item appearing in Times of India dated 10.10.2023 titled  
**"Delhi, Chennai studies hint at pollution link to diabetes"**

Date of hearing: 19.12.2023

**CORAM: HON'BLE MR. JUSTICE SUDHIR AGARWAL, JUDICIAL MEMBER  
HON'BLE DR. A. SENTHIL VEL, EXPERT MEMBER**

Respondent(s): Mr. Avinash Sharma, Adv. for MoEF & CC (Through VC)  
Mr. Amit Singh Chauhan, Adv. for CPCB (Through VC)  
Mr. Arun Sanwal, Adv. for Indian Council of Medical Research

**ORDER**

1. This original application was registered *suo motu* on the basis of news item titled **"Feeling anxious? Toxic air could be to blame"** published in 'The Times of India' dated 10.10.2023. As per the said news item, long term exposure to air pollution could lead to higher risk of depression and anxiety besides respiratory disorder. People who breathe in polluted air experience changes within the brain that control emotions and chances of developing anxiety, depression, etc. are increased. The news item further contains details of following studies in this regard:

**"HAVING A BAD -AIR DAY?"**

- A study from researchers at Harvard, published in March 2023, adds to the evidence connecting exposure to air pollution (small particulate matter (PM2.5), nitrogen oxide and nitrogen dioxide) to increased risk of dementia.

- *A study published in journal Neuro Toxicology reveals that people who breathe polluted air are more likely to develop mental health problems than those who breathe clean air.*
- *Some researchers have associated air pollution with higher levels of stress, psychological distress, increased risk of dementia and Alzheimer's and depression.*
- *A study published in Environmental Health Perspectives found an association between short-term exposure to elevated levels of air pollution and increased emergency room psychiatric visits among children."*

2. The matter was examined by Tribunal on 31.10.2023 and it observed that the issue needs to be examined and original application is in respect of various chemical and physical components causing air pollution and adverse effect of each of such physical and chemical component on different organs of human body. Adequate measures are required for control of such air polluting components and their adverse effect on various organs of human body, especially those which are affecting the brain and emotional, psychological aspect.

3. Though in another matter i.e. OA No. 663/2023, by order dated 20.10.2023, larger issue relating to air pollution and dip in the quality of air in Delhi was already taken up, but Tribunal found that specific issue noted in present matter required further examination. Consequently, six respondents were impleaded and notices were issued.

4. Replies dated 09.12.2023 have been filed by Respondent 2, i.e., Central Pollution Control Board (hereinafter referred to as "**CPCB**") and dated 18.12.2023 by Respondent 1, i.e., Ministry of Environment Forest and Climate Change (hereinafter referred to as "**MoEF&CC**").

5. On behalf of Respondent 3, Shri Arun Sanwal, Advocate has put in appearance and he prays for and allowed three days' time to file its response.

6. Other respondents have not submitted/filed any response. As a last opportunity, we allow a month's time to Respondents 4 and 5 to file their response, failing which we may be compelled to summon Principal Officer/Head of Department of Respondents 4 and 5 in person.

7. We also find from reply submitted by CPCB that they admit presence of several metals and other polluted elements in air causing pollution for which National Ambient Air Quality Standards have been notified but, no effective steps have been taken by CPCB for controlling and preventing air pollution from these parameters and their prevalence levels that is for all 12 notified parameters.

8. We also find from Annexure II to reply at para 10.0 that CPCB is funding National Capital Region Urban Local Bodies for construction/repair of roads and mechanical road sweepers under EPC funds. Similar funds are being also made available to Ghaziabad Municipal Corporation and other local bodies without assigning specific reasons for doing so. From the reply, we also find that amount of environmental compensation deposited with CPCB is being diverted for unauthorized purposes. We find it appropriate in the present case to require CPCB to give complete details of entire amount of environmental compensation lying deposited with it and shall also give manner in which any amount out of above fund has been spent or utilized till 30.11.2023.

9. We asked learned Counsel appearing for CPCB as to how CPCB is concerned with construction/repair of roads which is the statutory responsibility of local bodies and funds of environmental compensation cannot be diverted for such activities which are not permissible to be undertaken by CPCB and this is a gross misuse and serious financial irregularity by diverting funds for unauthorized activities. We intend to

issue direction for recovery of the same from concerned officer(s) of CPCB who has/have sanctioned or diverted said funds for unauthorized purposes and having no explanation to do so. At this stage, learned Counsel appearing for CPCB stated that before passing any order, he may be granted some opportunity to seek instructions on this aspect and place specific reply before Tribunal. In view of above statement, we allow him a month's time to file reply and to ensure that amount deposited with CPCB under the head of "Environmental Compensation" is neither diverted nor there should be any financial irregularity as it amounts to misappropriation of funds on the part of CPCB by providing such funds for activities which are not within the domain of CPCB and in the garb of protection of environment, remediation and rejuvenation, the activities which are not directly or indirectly connected with the same but statutory duties of some other statutory bodies should not be undertaken by CPCB.

10. In reply of MoEF&CC also presence of several polluted elements in air are admitted and it is said that some directions have been issued by various authorities from time to time but we do not find that any effective action has been taken in the matter.

11. Learned Counsel appearing for MoEF&CC when asked as to what effective steps have been taken by MoEF&CC, he admitted that reply given by MoEF&CC is not clear on this aspect and despite repeated query, he could not give even a single step taken for effective control of air pollution by MoEF&CC. For filing such vague and irrelevant reply, we impose a cost of Rs. 25,000/- upon Respondent No. 1 and direct it to file a supplementary reply giving details of all steps taken for effective monitoring and control of air pollution within one month.

12. The amount of cost shall be deposited with Registrar General of Tribunal by next date of hearing.

13. List on 14.02.2024.

Sudhir Agarwal, JM

Dr. A. Senthil Vel, EM

December 19, 2023  
Original Application No. 638/2023  
Original Application No. 658/2023  
DV

Item Nos. 11 &amp; 12

Court No. 1

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

Original Application No. 638/2023  
(IA No. 41/2024)

News Item titled "**Feeling anxious? Toxic air could be to blame**"  
appearing in Times of India dated 10.10.2023

**WITH**

Original Application No. 658/2023

News Item titled "**Delhi Chennai studies hint at pollution link to  
diabetes**" appearing in Times of India dated 10.10.2023

Date of hearing: 14.02.2024

**CORAM: HON'BLE MR. JUSTICE PRAKASH SHRIVASTAVA, CHAIRPERSON  
HON'BLE MR. JUSTICE SUDHIR AGARWAL, JUDICIAL MEMBER  
(THROUGH VIDEO CONFERENCE)  
HON'BLE DR. A. SENTHIL VEL, EXPERT MEMBER**

Respondent: Mr. Shlok Chandra & Ms. Saumya Pandey, Advs. with Mr. N.  
Subrahmanyam, Scientist D for MoEF & CC  
Mr. Shashwat Sharma, Adv. for ICMR (R - 3)  
Mr. Rajkumar, Mr. Amit Singh Chauhan & Ms. Tejaswini Chandrasekhar,  
Advs. for CPCB

**ORDER**

1. The matter relates to the various ailments caused on account of exposure to air pollution and the original applications were registered *suo motu* on the basis of the news items in this regard.
2. The Tribunal by order dated 19.12.2023 had considered the response of the Central Pollution Control Board (CPCB) and had required the CPCB to give complete details of entire amount of environmental compensation lying deposited with it and the manner in which the amount has been spent or utilized till 30.11.2023.
3. Learned Counsel appearing for the CPCB seeks four days further time to file the response.

4. The Tribunal by order dated 19.12.2023 had also imposed a cost of Rs. 25,000/- upon the Respondent No. 1 on account of improper assistance rendered by the learned Counsel appearing for that Respondent.
5. IA No. 41/2024 has been filed on behalf of Respondent No. 1 seeking waiver of the cost imposed by order dated 19.12.2023. Learned Counsel for Respondent No. 1 submits that on 19.12.2023 Counsel was appearing virtually on behalf of Respondent No. 1 therefore, he could not explain and properly assist the Tribunal. He has submitted that in future all due precautions will be taken by Respondent No. 1 to ensure that an effective and proper assistance is rendered to the Tribunal.
6. In view of the above assurance, the order dated 19.12.2023 is modified to the limited extent and the cost of Rs. 25,000/- imposed upon Respondent No. 1 is waived. IA No. 41/2024 is allowed.
7. List on 02.04.2024.

Prakash Shrivastava, CP

Sudhir Agarwal, JM

Dr. A. Senthil Vel, EM

February 14, 2024  
Original Application No. 638/2023  
(IA No. 41/2024) with  
Original Application No. 658/2023  
DV.