

BEFORE THE NATIONAL GREEN TRIBUNAL, PRINCIPAL BENCH, NEW DELHI
OA NO. 80 OF 2023

Varun Gulati

.....Appellant

Versus

Union of India &Anr.

.....Respondent(s)

Most Respectfully Showeth,

1. That, this Hon'ble Court vide its orders dated 10.04.2024, directed the Board to file the progress report in respect of recruitment and filling of posts at least one week before the next date of hearing.
It is for the information of this Hon'ble Tribunal that the matter of filling up the vacant posts in the State Pollution Control Board is also pending before the Hon'ble Apex Court in **Writ Petition(s)(Civil) No.(S). 13029 of 1985** titled "**M.C. MEHTA versus Union of India.**"
2. That, after filing the status report on 22.02.2024, the Respondent Board on the recommendations of Haryana Public Service Commission, has appointed 25 Assistant Environmental Engineer against the requisition of 54 posts of Assistant Environmental Engineers sent to HPSC on 17.04.2023/30.05.2023 and the process to send the requisition of remaining 29 posts to HPSC is under active consideration.
3. That, presently 450 posts of different cadres are sanctioned on regular basis in the Haryana State Pollution Control Board. In addition, 33 posts of Group D are sanctioned to be filled through outsourcing. The position of posts sanctioned (regular and outsourcing), filled up and vacant in the Board, is as under :-

	Number of Posts Sanctioned	Number of Posts filled up	Number of Posts vacant
Group 'A'	66	40	26
	Number of Posts Sanctioned	Number of Posts filled up	Number of Posts vacant
Group 'B'	149	84	65
	Number of Posts Sanctioned	Number of Posts filled up	Number of Posts vacant
Group 'C'	189	107 (Regular=48 Outsourcing=59)	82
	Number of Posts Sanctioned	Number of Posts filled up	Number of Posts vacant
Group 'D'	79 (Regular=46 Outsourcing=33)	79 (Regular=30 Outsourcing=49)	0
Grand Total (Group A+B+C+D)	483 (Regular=450 Outsourcing=33)	310 (Regular=202 Outsourcing=108)	173

The detailed position of cadre-wise, vacant posts, Steps taken by the Haryana State Pollution Control Board to fill up the vacant posts and also the approximate time for filling the vacant posts is at **Annexure-'A'**.

4. That in the last six months, the Respondent Board has appointed 37 persons including 25 Assistant Environmental Engineers and 12 other cadre posts which indicates that the Haryana State Pollution Control Board has made sincere efforts to fill-up the vacant posts. It is also intimated that the Board has already sent requisition to the HPSC and HSSC of all direct recruitment posts for making selections and also pursuing with the recruitment agencies to expedite the matter.

Date: 30.07.2024

Place: Panchkula


Respondent

Verification

It is verified that the contention made in para No. 1 to 4 are true and correct and the figures mentioned in **Annexure-'A'** have been derived from the official record and believed to be correct.

Date: 30.07.2024

Place: Panchkula


Respondent

Position of Staff of HSPCB as on 30.07.2024

Annexure - 'A'

Sr. No.	Name of Post	Number of Posts sanctioned	Number of Posts vacant	Duration since when vacant (In month)	Reason for not filling the vacant posts	Timeline for filling the vacancy (in month)	List of activities to be carried out for filling the vacancy and their respective timeline
1	2	3	4	5	6	7	
Group A							
1.	Chairman	01	0				The post is filled up.
2.	Member Secretary	01	0				The post is filled up.
3.	Chief Environment Engineer	02	0				All the posts are filled up.
4.	Chief Scientific Officer	02 (One Promotion and One on Deputation)	02	Since October, 2019 (57 months)	Persons with requisite qualification and experience prescribed in the Service Regulations are not available. The Board has tried its best to fill up these posts on deputation and the reasons of not filling the posts are mentioned in Col. 7, hence it is difficult to give the timeline.	No timeline can be given.	(i) Posts circulated to other departments and public notice also issued in leading News Papers to fill up the posts on deputation basis on 12.09.2023. No application received. (ii) The Haryana State Pollution Control Board has again issued a circular on 14.05.2024 to Scientific Organizations/Universities of Central Government and State Government and also to the Central and State Government Departments and invited applications from the eligible persons so that the posts could be filled up. No application is received.
5.	Senior Environmental Engineer	06	0				All the posts are filled up.
6.	Senior Scientist	09 (Two Promotion and Seven on Deputation)	09	Since October, 2019 (57 months)	Persons with requisite qualification and experience prescribed in the Service Regulations are not available. The Board has tried its best to fill up these posts on deputation and the reasons of not filling the posts are mentioned in Col. 7, hence it is difficult to give the timeline.	No timeline can be given.	(i) Posts circulated to other departments and public notice also issued in leading News Papers to fill up the posts on deputation basis on 18.04.2022 and 22.03.2023. No application received. (ii) The Haryana State Pollution Control Board has again issued a circular on 14.05.2024 to Scientific Organizations/Universities of Central Government and State Government and also to the Central and State Government Departments and invited applications from the eligible persons so that the posts could be filled up. No application is received.

Sr. No.	Name of Post	Number of Posts sanctioned	Number of Posts vacant	Duration since when vacant (in month)	Reason for not filling the vacant posts	Timeline for filling the vacancy (in month)	List of activities to be carried out for filling the vacancy and their respective timeline
1	2	3	4	5	6	7	7
7.	Environmental Engineer	33	08	04 posts since November, 2019(55 months) 03 posts since September, 2023 (10 months) 01 post since April, 2024 (02 months)	Posts meant for promotion could not be filled up as in the feeder cadre, no officer is eligible for promotion.	The posts are meant for promotions from amongst the Assistant Engineers (AEES) and the present AEES will attain eligibility in next four years and then the posts will be filled up.	Posts circulated to other departments and public notice also issued in leading News Papers to fill up the posts on deputation on 18.04.2022 and 22.03.2023. 05 applications were received and only 03 applicants were found suitable and eligible and they have been taken on deputation.
8.	Scientist 'C'	10	06	Since April, 2022 (27 months)	Posts meant for promotion could not be filled up as in the feeder cadre, no officer is available for promotion.	The posts are meant for promotions from amongst the Scientist-'B' and the present Scientist B will attain eligibility in next two years and then the posts will be filled up.	(i) Posts circulated to other departments and public notice also issued in leading News Papers to fill up the posts on deputation basis on 18.04.2022 and 22.03.2023. No application received. (ii) The Haryana State Pollution Control Board has again issued a circular on 14.05.2024 to Scientific Organizations/Universities of Central Government and State Government and also to the Central and State Government Departments and invited applications from the eligible persons so that the posts could be filled up.
9.	District Attorney	01	0				The post is filled up.
10.	Development Team Leader	01	01				
Total		66	26				
Group B							
1	Senior Accounts Officer	1	0				The post is filled up.
2	Accounts Officer	1	0				A retired Senior Accounts Officer engaged.
3	Administrative Officer	1	0				The post is filled up.
4	Law Officer	1	0				The post is filled up.
5	Assistant District Attorney	3	0				All the posts are filled up.

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1	2	3	4	5	6	7	
6	Scientist 'B'	40 (20-promotion & 20 Direct)	18 (13-promotion & 05 Direct)	Since October, 2019 (57 months)	The 13 number of posts meant for promotion (could not be filled up as no person is eligible for promotion in the feeder cadre and no timeline can be given.	05 posts meant for direct recruitment are expected to be filled up within six months.	(i) The requisition to fill up the vacant 05 posts of Scientist-'B' has been sent to Haryana Public Service Commission on 01.05.2024. (ii) Posts circulated to other departments and public notice also issued in the leading News Papers to fill up the posts on deputation on 18.04.2022 and 22.03.2023. 09 no. applications were received through proper channel and 03 candidates were eligible, but only 01 Scientist-B has joined.
7	Assistant Environmental Engineer	92 (23-promotion & 69 Direct)	45 (16-promotion & 29 Direct)	Since October, 2019 (57 months)	16 number of posts meant for promotion could not be filled up as no person is eligible for promotion in the feeder cadre and no timeline can be given.	25 posts of Assistant Environmental Engineers are filled up. 29 posts of AEEs will be re-advertised and expected to be filled up within 6-8 months	HSPCB had sent requisition of 54 AEE's to HPSC on 17.04.2023 / 30.05.2023, against which HPSC recommended 25 AEE's and HSPCB have been given the appointment. Remaining 29 posts will be re-advertised by the HPSC and requisition has already been sent to HPSC on 29.07.2024
8	Software Developer	1	0	-			Filled up through National Informatics Center (NIC) on contract basis.
9	Tehsildar	1	0	-			The post is filled up.
10	Superintendent	4	0				All the posts are filled up.
11	Private Secretary	2	2	Since April, 2023 (14 months)	Posts meant for promotion could not be filled up as in the feeder cadre, no official is eligible for promotion.	Timeline can not be fixed.	
12	Junior Software Developer	2	0				All the posts are filled up.
Total		149	65				
Group C							
1	Section Officer (Accounts)	01	0				(i)
2	Deputy Superintendent	04	04	Since April, 2023 (12 months)	Post meant for promotion could not be filled up as in the feeder cadre, no official is eligible for promotion.	Expected to be filled up within 2 months	The HSPCB requested the Government to post Section Officer (Accounts) in the Board on 25.09.2023 and no person has been deputed by the Government, however, a retired Section Officer has been engaged.
3	Statistical Assistant	01	01	Since January 2012 (150 months)		Expected to be filled up within 3-4 months	Requisition to fill up the post has been sent to the Haryana Staff Selection Commission. The HSSC has conducted the screening test and the post is likely to be filled up in 3-4 months.

Sr. No.	Name of Post	Number of Posts sanctioned	Number of Posts vacant	Duration since when vacant (in month)	Reason for not filling the vacant posts	Timeline for filling the vacancy (in month)	List of activities to be carried out for filling the vacancy and their respective timeline
1	2	3	4	5	6	7	
4	Senior Scientific Assistant	07 (05-promotion & 02 Direct)	07 (05-promotion & 02 Direct)	Since July, 2019 (60 months)	Five posts are meant for promotion but could not be filled up as no person is eligible for promotion in the feeder cadre.	Timeline for filling up the promotions posts can not be given 02 posts of SSA meant for direct quota are expected to be filled up within 3-4 months	Requisition to fill up 02 post of SSA the post has been sent to the Haryana Staff Selection Commission. The HSSC has conducted the screening test and the post is likely to be filled up in 3-4 months.
5	Junior Environmental Engineer	25	17	Since May, 2019 (54 months)		Expected to be filled up within 3-4 months	Requisition to fill up the 24 post of JEE has been sent to the Haryana Staff Selection Commission. The HSSC has conducted the screening test and the post is likely to be filled up in 3-4 months.
6	Junior Scientific Assistant	10	02	Since January, 2012 (146 months)		Expected to be filled up within 3-4 months	(i) Requisition to fill up 10 posts of JSA has been sent to the Haryana Staff Selection Commission. The HSSC has conducted the screening test and the posts are likely to be filled-up in 3-4 months. (ii) 08 Posts are filled up through Outsourcing (HKRNL)
7	Personal Assistant	01	01	Since June, 2022 (23 months)	Posts meant for promotion could not be filled up as in the feeder cadre, no official is eligible for promotion.	Timeline can not be fixed.	
8	Assistant	46	24		Posts meant for promotion could not be filled up as in the feeder cadre, no official is eligible for promotion.	Timeline can not be fixed.	
9	Accountant	04 (02-promotion & 02 Direct	02	Since January, 2020 (53 months)		Expected to be filled up within 3-4 months	Requisition to fill up 2 posts of Accountant has been sent to the Haryana Staff Selection Commission. The HSSC has conducted the screening test and the post is likely to be filled up in 3-4 months.
10	Senior Scale Stenographer	04	04	Since June, 2019 (61 months)	Posts meant for promotion could not be filled up as in the feeder cadre, no official is eligible for promotion.	Timeline can not be fixed.	
11	Junior Scale Stenographer	03 (02-promotion & 01 Direct	03	Since August, 2014 (130 months)	02 posts are meant for promotion could not be filled up as in the feeder cadre, no official is eligible for promotion.	Timeline can not be fixed.	Requisition to fill up the 1 post of Junior Scale Stenographer has been sent to the Haryana Staff Selection Commission. The HSSC has conducted the screening test and the post is likely to be filled up in 3-4 months.
12	Accounts Clerk	02	02	Since March, 2004 (243 months)	Posts meant for promotion could not be filled up as in feeder cadre, no official is eligible for promotion.	Timeline can not be fixed.	
13	Driver	17	02	Since October, 2023 (09 months)		Expected to be filled up within 3-4 months	Requisition sent to the HSSC.

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1	2	3	4	5	6	7	
14	Steno-typist	08 (02-promotion & 06 Direct	08	Since October, 2023 (09 months)	2 posts meant for promotion could not be filled up as in the feeder cadre, no official is eligible for promotion.	Timeline for promotional posts can not be given. The 5 posts meant for direct recruitment are expected to be filled up within 3-4 months	Requisition to fill up the 5 post has been sent to the Haryana Staff Selection Commission. The HSSC has conducted the screening test and the post is likely to be filled up in 3-4.
15	Clerk	46 (09-promotion & 37 Direct	-				
16	Laboratory Attendant	10 (08-promotion & 02 Direct	05	Since July, 2021 (36 months)			(i) Amendment in service rules is under consideration, with the Government. (ii) 3 Outsourcing (HKRNL).
Total		189	82				
Group D							
1	Senior Peon	02	0				All posts are filled up
2	Dafti	01	0				The post is filled up
3	Peon	51 (30 Regular) (21 Outsourced)	0				All the posts are filled up.
4	Field Attendant	22 (10 Regular) (12 Outsourced)	0				All the posts are filled up.
5	Mali-cum-Chowkidar	02 (diminishing)	0				All the posts are filled up.
6	Sweeper	01 (diminishing)	0				
Total		79	0				
Grand Total (A+B+C+D)		483 (Regular-450 Outsourcing-33)	173				