

**Before the Hon'ble National Green Tribunal
Principal Bench, New Delhi**

Original Application No.620 of 2022

Kaushal Kishore Vishwakarma

--Applicant

Versus

State of Punjab

--Respondent

Affidavit of Er. Gurmit Singh, Environmental Engineer, Punjab Pollution Control Board, Regional Office, Bathinda in compliance to order dated 3.3.2023.

I, the above named deponent, do hereby solemnly affirm and declare as under:

Respectfully showeth:

1. That briefly stated Mr. Kaushal Kishore Vishwakarma resident of Village Bhabhuwa, Madhya Pradesh has written a letter to the Hon'ble National Green Tribunal complaining about non-compliance of order dated 17.1.2020 (date 17.1.2022 seems to has been written mistakenly in the order dated 1.11.2022) passed by the Hon'ble Tribunal in O.A No. 72 of 2019 titled as Rakesh Singh v/s State of Punjab.

The Hon'ble National Green Tribunal has taken cognizance of the case and the letter petition has been treated as Original Application No. 620 of 2022. In view of the averments made in the application, the Hon'ble Tribunal vide order dated 1.11.2022 has sought the response of the State of Punjab through Chief Secretary, Government of Punjab, State Pollution Control Board, District Magistrate, Bathinda and the project proponent M/s National Fertilizer Limited, Bathinda.

2. That in compliance to order dated 1.11.2022 of Hon'ble National Green Tribunal, the Environmental Engineer, Punjab Pollution Control Board, Regional Office, Bathinda has filed reply on behalf of the State Pollution Control Board i.e. respondent no.2 mentioning therein the relevant facts. It

was also mentioned in the reply that the respondent no. 1 i.e. Chief Secretary to Government of Punjab is only a proforma party and has no role to perform in the present case. The deponent is also representing the respondent no.1 i.e. Chief Secretary to Punjab.

3. That after considering the replies filed by the respondents, facts and circumstances of the case, the Hon'ble National Green Tribunal was pleased to pass an order dated 3.3.2023 thereby directing respondent no. 2 Punjab State Pollution Control Board to file an affidavit furnishing information regarding utilization of the amount of Rs. 15,21,000/- which was imposed on and realized from M/s Carbon Chemical Industries at Bathinda, Punjab.
4. That in compliance to order dated 3.3.2023, it is respectfully submitted that after the deposit of Rs. 15.21 Lakh by the industry vide D.D dated 7.11.2019, the Regional Office, Punjab Pollution Control Board, Bathinda had issued receipt no. 33/5096 dated 8.11.2019. The amount of Environmental Compensation was transferred to the Head Office, Punjab Pollution Control Board, Patiala vide Bank transaction (IDBI Bank, Bathinda) dated 4.12.2019, where a separate account under the head Environmental Compensation is being maintained by the Board. The amount of Environmental Compensation of Rs. 15.21 Lakh remained deposited with the Head Office of the Punjab Pollution Control Board at Patiala after 4.12.2019.
5. That it is pertinent to mention here that the Principal Bench of the Hon'ble National Green Tribunal vide order dated 21.10.2022 passed in M.A No. 74 of 2022 in Original Application No. 976 of 2019 in the matter of Gurinder Singh and Others v/s Union of India and Others had issued directions that the recovered compensation may be credited to a separate account under the Chief Secretary and used as per said plans only. It was further directed vide the said order dated 21.10.2022 that this will apply to compensation deposited with the State PCBs/PCCs and also other regulators such as SEIAAs, Water Resource Authorities etc. The utilisation plans may be in sync with State/District Environment Plans, in pursuance of order of this Tribunal dated 26.09.2019 in OA No. 360/2018, Shree Nath Sharma vs. Union of India & Ors. The process of planning and execution for utilisation of such funds may be preferably entrusted to a high powered Committee of three Additional Chief Secretaries, identified by the Chief Secretary within one month. A copy of order dated 21.10.2022 passed by the Hon'ble National Green Tribunal in M.A No. 74 of 2022 in O.A No. 976 of 2019 is enclosed herewith as **Annexure R 2/A**.

6. That in compliance of order dated 21.10.2022 passed by the Hon'ble National Green Tribunal in M.A No. 74 of 2022 in O.A No. 976 of 2019, the Government of Punjab has constituted a High Power Committee vide notification no. 10/01/2023-STE(2)/03 dated 3.1.2023.
7. That the first meeting of the High Power Committee constituted in compliance of order dated 21.10.2022 of the Hon'ble National Green Tribunal in O.A No. 976 of 2019 (M.A No. 74 of 2022) was held on 5.1.2023 to discuss the utilization of Environmental Compensation funds. The committee observed that the total Environmental Compensation accrued with the Punjab Pollution Control Board till 31.3.2022 is Rs.13.8 Crores. After perusing the list of proposals received from different stakeholder departments and after detailed deliberations based on priority of works proposed, the committee decided to allocate the Environmental Compensation funds to the following proposals:
- a) Proposal amounting to Rs. 12 crores for setting up of mechanized MRF Centre of M.C Jalandhar by Punjab Municipal Infrastructure Development Company (PMIDC).
 - b) Proposal amounting to Rs. 1.8 Crores for upgradation / strengthening of Environmental Monitoring Laboratory by Punjab Bio Technology Incubator PBTI, Mohali.

A copy of the minutes of the High Power Committee held on 5.1.2023 as issued by the Director, Directorate of Environment and Climate Change, Department of Science, Technology and Environment vide letter no. DECC/2023/71-72 dated 10.1.2023 is enclosed herewith as **Annexure R 2/B**.

8. That the Punjab Pollution Control Board in compliance to the notification no. 10/01/2023-STE(2)/03 dated 3.1.2023 of the Government of Punjab, Department of Science, Technology and Environment has opened a separate saving bank account on behalf of Chief Secretary, Punjab in the Axis Bank Limited under the head Environmental Compensation and information in this regard was furnished to the Government of Punjab, Department of Science, Technology and Environment vide letter no. 2852 dated 27.1.2023. Copy of letter dated 27.1.2023 is enclosed herewith as **Annexure R 2/C**.
9. That in compliance to the decisions of the High Power Committee, Punjab Pollution Control Board vide office order no. 98 dated 9.3.2023 has released the amount of Rs. 12.0 Crore to the Chief Executive Officer, Punjab Municipal Infrastructure Development Company with certain conditions as mentioned therein. A copy of office order no. 98 dated 9.3.2023 is enclosed herewith as **Annexure R 2/D**.

Similarly, vide office order no. 99 dated 9.3.2023 the amount of Rs. 1.8 crore with certain conditions was released to Punjab Bio Technology Incubator, Mohali. A copy of office order no 99 dated 9.3.2023 is enclosed herewith as **Annexure R 2/E**.

10. That the amount of Environmental Compensation levied by the Board on the defaulters of pollution is being utilized for the betterment and amelioration of environment. The amount of Rs. 15.21 lakh deposited by M/s Carbon Chemical Industries, Bathinda towards Environmental Compensation was used by the Board in terms of explanation given in the preceding paragraphs.
11. The present affidavit is being filed in compliance to order dated 3.3.2023 for kind consideration and appropriate orders of the Hon'ble Tribunal.

Date: 29-05-2023

Place: Bathinda


DEPONENT

VERIFICATION:

Verified that the contents of paragraphs 1 to 10 of the above affidavit are true and correct to my knowledge as derived from the official record. The contents of paragraph 11 are prayer. No part of the above affidavit is false and nothing material has been kept concealed or suppressed therein.

Date: 29-05-2023

Place: Bathinda


DEPONENT

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

(By Video Conferencing)

M.A. No. 74/2022

IN

Original Application No. 976/2019

Gurinder Singh & Ors.

Applicant(s)

Versus

Union of India & Ors.

Respondent(s)

Date of hearing: 21.10.2022

**CORAM: HON'BLE MR. JUSTICE ADARSH KUMAR GOEL, CHAIRPERSON
HON'BLE MR. JUSTICE SUDHIR AGARWAL, JUDICIAL MEMBER
HON'BLE PROF. A. SENTHIL VEL, EXPERT MEMBER**

Applicant: Mr. Nalin Kohli, Ms. Nirnisha and Ms. Zeba Khair, Advocates for the Applicant in M.A No. 74/2022

ORDER

1. This application seeks compliance of order of this Tribunal dated 07.04.2021 in OA No. 778/2022, *Gurinder Singh & Ors. vs. Union of India & Ors.* Thereby, this Tribunal directed remedial action against violations of norms in construction project at Gurgaon by Respondent No. 12, M/s GP Realtors Pvt. Ltd. – the Project Proponent (PP). The action expected was by way of recovery of compensation on polluter pays principle, to be utilized for restoration of environment.

2. According to the applicant, though compensation was assessed at Rs. 707.17 lakhs by SEIAA, Haryana and show cause issued to the PP, no further action has been taken.

3. In view of above, we are of the view that SEIAA, Haryana needs to check up the factual position and if compensation assessed has not been recovered, the matter may be now finalized within one month.
4. With above order, the matter could stand disposed of but consider it appropriate to take this opportunity to reiterate and add to directions on important related matter i.e. due utilisation of environmental compensation funds for restoration of environment expeditiously by devising appropriate mechanism by the State authorities.
5. It is a matter of common knowledge that environmental compensation funds for restoration of environment have been collected by statutory regulators, particularly State PCBs and SEIAAs but the same are not being utilised for such purpose though directions have been earlier issued on the subject. In Haryana, such funds may also be available with Haryana Water Resource Authority, under State law on the subject. It thus appears to be necessary to direct due utilisation for restoration of environment expeditiously.
6. This aspect has been dealt with inter alia order dated 22.1.2019 in OA 101/2019, filed by CPCB approving the course of action suggested by the CPCB. In pursuance of further order of the Tribunal dated 28.8.2019 in OA 593/2017, Paryavaran Suraksha case, CPCB issued guidelines for use of compensation which are in public domain. Further orders were passed by the Tribunal on 24.7.2020 in OA102/2019, Ashish Kumar Dixit case in response to which CPCB filed status report in the matter on 8.2.2021 which was dealt with vide order dated 9.2.2021 directing further action for utilisation of the funds. Extracts from order dated 27.4.2020 and 9.2.2021 are reproduced below for ready reference:

Order dated 24.7.2020 in OA102/2019

“4.What is required in terms of orders of this Tribunal is to spend the environmental restoration fund for the purpose it is meant for, viz., for **restoration of the environment such as strengthening vigilance mechanism, setting up of laboratories, for monitoring of environment, coordination with the District Magistrates to prepare District Environment Plans, hiring of experts and consultants, undertaking remediation and study of contaminated sites etc.** We may recall observations of the Hon’ble Supreme Court in dealing with Compensatory Afforestation (Campa) Fund in *T.N.Godavarman v. UOI*, (2014) 6 SCC 150 that such funds be spent as per plan to be approved by the National Campa Advisory Council (NCAC) for purposes such funds are raised and not for governmental functions.

5. Accordingly, we direct the State PCB to revisit its plan. The CPCB may oversee preparation of such action plan in the light of earlier orders¹ of this Tribunal. The Chairman and Member Secretary may have a meeting (physical or online) with Chairman and Member Secretary of the State PCB within one month. Plan may be finalized, with the approval of CPCB, within two months. All other State PCBs and PCCs may also prepare similar action plans for restoration of environment and implementation of District Environment Plans, in coordination with CPCB. CPCB may also prepare such plan for utilization of funds available with it. CPCB may file compliance report to this effect within four months by e-mail at judicial-ngt@gov.in preferably in the form of searchable PDF/ OCR Support PDF and not in the form of Image PDF.”

Order dated 9.2.2021 in OA 102/2019

“We now refer to the report of the CPCB on the subject of utilizing EC funds for restoration of environment:-

“Action taken/status: CPCB’s New Proposals for utilization of EC Fund:

In compliance to the aforesaid directions of Hon’ble NGT, CPCB has prepared Action Plans on various activities for utilization of EC funds. The following Action Plans are under consideration of EC Project Appraisal Committee:

	Action Plan	Estimated Cost (INR in Crore)

¹17(iii), Order dated 28.08.2019, OA 95/2018, Aryavart Foundation v. M/s Vapi Green Enviro Ltd. & Ors.

12, Order dated 06.08.2019, OA 681/2018, News item published in “The Times of India” Authored by Shri Vishwa Mohan Titled “NCAP with multiple timelines to clean air in 102 cities to be released around August 15”

12, Order dated 05.11.2019, OA 639/2018, Shailesh Singh v. State of Haryana & Ors.

33, Order dated 10.07.2019, OA 1038/2018, News Item published in “The Asian Age” Authored by Sanjay Kaw titled “CPCB to rank industrial units on pollution levels”

20(viii), Order dated 26.08.2019, OA 804/2017, Rajiv Narayan v. Union of India & Ors.

8 & 9, Order dated 15.07.2019, OA 710/2017, Shailesh Singh v. Sheela Hospital & Trauma Center

Devs

	<i>Framing of 36 Nos. of District Environmental Plan Covering all states of India</i>	3.60
	<i>Making of Air Pollution Awareness Videos/Animation for Mass Awareness</i>	0.63
	<i>Preliminary Study on Impact of Ecological Flows in Downstream of Reservoir (s) on Riparian Ecosystem (Aquatic Life) in the River Ganga from Origin till Unnao along-with Biomonitoring along the entire stretch of River Ganga till confluence at Bay of Bengal.</i>	2.30
	<i>Development of Water Quality Criteria & National Water Quality Index</i>	0.40
	<i>Development of state of art laboratory infrastructure/furniture including plinth mounted island benches for CPCB Regional Directorate Laboratory, Bhopal</i>	0.46

3. Status on Utilization of Environmental Compensation Fund (NGT-25%) available with CPCB:

It is submitted that the Hon'ble NGT vide order dated 22.01.2019 in O.A. No 101/2019 in the matter of Central Pollution Control Board Vs. Assam State Pollution Control Board & Ors, has granted approval for utilization of 25% Environmental Compensation Fund (hereinafter referred to as EC Fund) for specified activities in line with "Guidelines for Utilization of EC Fund" prepared by CPCB.

*In compliance of said order of Hon'ble NGT dated 22.01.2019, a separate dedicated account is being maintained by CPCB for receiving of EC (25%) fund. In this regard, **CPCB also constituted an EC Project Appraisal Committee for utilization of EC fund. Recently, CPCB has re-constituted the said committee vide office order dated June 16, 2020 comprising of officials from CPCB, MoEF&CC, Department of Science and Technology and NEERI for evaluation and recommendation of projects proposals from CPCB/SPCBs/PCCs for financial assistance under EC fund.***

CPCB so far organized ten (10) EC Project Appraisal Committee meetings for evaluation and recommendations of project proposals submitted by CPCB/SPCBs/PCC in line with "Guidelines for Utilization of EC Fund" prepared by CPCB. Status on proposals evaluated and recommended by the Committee for utilization of EC fund as below:

a) Project Proposals received by the EC Project Appraisal Committee

106

Items	No. of Proposals
(i) Total Proposals Received	80
(ii) Total Proposals Appraised	80
(iii) Proposals not considered / rejected / revised	47
(iv) Proposals Recommended & Approved	33

b) Number & type of project proposals recommended as per Guidelines for utilization of EC Fund

Type of Activities	No. of Proposals
(i) Strengthening of laboratory upgradation	9
(ii) Research & Development Projects	6
(iii) Follow-up for Hon'ble NGT Court cases	9
(iv) Inventorization sources of pollution	2
(v) IEC activities	2
(vi) Capacity building of CPCB/SPCBs/PCCs	2
(vii) Development Air & Water quality Monitoring & surveillance	3

b) EC fund utilization status

Components	Amount status (INR in Crore)
(i) EC Fund received (as NGT-25%) till date December, 2020	123.20
(ii) EC Fund (25%) released for 23 Project proposals	22.38
(iii) Committed expenditure for 11 Project proposals (Details is given at Annexure-IV)	65.32
(iv) Fund available under NGT-25% Account	35.49
(v) Retain emergency fund	16.01
(vi) Fund available for funding of Project proposals	19.48

4. Revised mechanism for Utilization of EC Fund available with CPCB

Based on the experience, it was felt necessary to revise the 100% funding to SPCBs/PCCs under EC fund from Central fund. Part contribution by SPCBs/PCCs may ensure their ownership and identification of meaning full proposals. Following fund sharing

Devi

pattern has been recommended by the EC Project Appraisal Committee is submitted for kind information of Hon'ble NGT as below:

- a) 100% funding for CPCB all project proposals
- b) 100% funding to R & D projects, received from SPCBs/PCCs, with replicability in other areas
- c) Projects (other than R & D) received from SPCBs/PCCs (except NE-States/Weaker States); fund sharing will be on 60:40 ratio (i.e. CPCB 60%, SPCB/PCC 40%)
- d) Projects (other than R & D) from NE-SPCBs and Weaker SPCBs, fund sharing will be on 90:10 (i.e. CPCB- 90%, SPCB/PCC -10%)”

With regard to the issue of utilization of environmental funds, we find that the application for approval was filed by the State PCB on 13.10.2020 and the approval was granted on 14.10.2020. It is not clear whether the proposal received full attention, considering details of different heads such as Environmental Surveillance Cell. It may thus be necessary that the CPCB revisits the subject and grant its approval after due appraisal by the Chairman and the Member Secretary, considering the details and the observations in para 4 in the order of this Tribunal dated 24.07.2020 quoted above in para 6, namely hiring of Experts, undertaking remediation and study of the contaminated sites and allied issues. These observations are based on the judgment of the Hon'ble Supreme Court in *T.N. Godavarman v. UOI*, (2014) 6 SCC 150. The CPCB may also consider the details of expenditure to be incurred for the District Environment Plans and priority to be accorded to different items of expenditure, with funds being limited. Focus of utilization of EC funds should primarily be for remediation/restitution of environment.”

7. Consistent with the above directions, we direct that updated action plans be got prepared and executed by the Chief Secretaries of all States/UTs. The recovered compensation may be credited to a separate account under the Chief Secretary and used as per said plans only. This will apply to compensation deposited with the State PCBs/PCCs and also other regulators such as SEIAs, Water Resource Authorities etc. The utilisation plans may be in sync with State/District Environment Plans, in pursuance of order of this Tribunal dated 26.09.2019 in OA No. 360/2018, *Shree Nath Sharma vs. Union of India & Ors.* The process of planning and execution for utilisation of such funds may be preferably entrusted to a high powered Committee of three Additional Chief Secretaries, identified by the Chief Secretary within one month. Such plans and progress in execution may be placed on websites of the States/UTs after every six months. A part

of funds be provided for environment awareness through eco clubs in all Schools and Colleges upto grassroot levels in the State through the education Departments. States/UTs may also coordinate with Legal Services Authorities, if viable.

8. The Chief Secretary, Haryana may furnish an action taken as on 30.04.2023 before the Registrar General of this Tribunal on or before 15.05.2023 by e-mail at judicial-ngt@gov.in preferably in the form of searchable PDF/OCR Support PDF and not in the form of Image PDF. If the Registrar General of this Tribunal considers it necessary, the matter may be placed before the Bench for further directions.

Subject to above, the application stands disposed of.

A copy of this order be forwarded to MoEF&CC, CPCB, Chief Secretaries, PCBs/PCCs, State Legal Services Authorities and District Magistrates of all the States/UTs by e-mail.

Adarsh Kumar Goel, CP

Sudhir Agarwal, JM

Prof. A. Senthil Vel, EM

October 21, 2022
M.A. No. 74/2022
IN OA No. 976/2019
DV

To

1. The Administrative Secretary,
Deptt. of Local Govt.,
State of Punjab
2. The Administrative Secretary,
Deptt. of Rural Development & Panchayat,
State of Punjab

Letter No. DECC/2023/71-72
Dated: 10/1/2023

Subject:

Minutes of the first meeting of High-Powered Committee held on 05.01.2023 at 12:45 PM in the Committee room, 4th Floor, Punjab Civil Secretariat-2, Sector-9, Chandigarh regarding utilization of Environmental Compensation Funds, compliance of NGT order dated 21.10.2022 in M.A. No. 74/2022 in C.A. No. 976/2019 titled as Gurinder Singh & Ors Vs Union of India & Ors.

Please find enclosed herewith the minutes of the first meeting of High-Powered Committee constituted vide notification no. 10/01/2023-STE2/03 dated 03.01.2023 issued for compliance of NGT order dated 21.10.2022 in OA No. 976/2019 held on 05.01.2023 at 12:45 PM in the Committee room, 4th Floor, Punjab Civil Secretariat-2, Sector-9, Chandigarh for information and further necessary action please.

Encl: As above

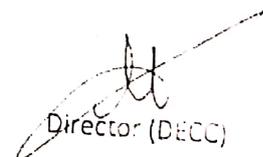
Endst No. DECC/2023/73-74


Director (DECC)

Dated 10/1/2023

A copy of above is forwarded to the following for information please.

1. The Chief Secretary, Punjab
2. The Secretary, Department of Science, Technology & Environment.

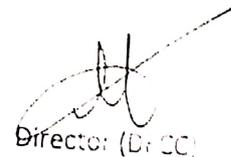

Director (DECC)

Dated 10/1/2023

Endst No. DECC/2023/75-77

A copy of above is forwarded to the following for taking action as per the decisions taken in the said meeting:

1. CEO, PMIDC
2. Chairman, Punjab Pollution Control Board.
3. CEO, PBTI


Director (DECC)



Minutes of the first meeting of High-Powered Committee held on 05.01.2023 at 12:45 PM in the Committee room, 4th Floor, Punjab Civil Secretariat-2, Sector-9, Chandigarh regarding utilization of Environmental Compensation Funds, in compliance of NGT order dated 21.10.2022 in M.A. No. 74/2022 in O.A. No. 976/2019 titled as Gurinder Singh & Ors Vs Union of India & Ors.

Following were present:

1. Sh. Ranul Tiwari, IAS, Secretary, Science Technology & Environment (Convenor)
2. Dr. Manish Kumar, Director, DECC
3. Pardeep Garg, Additional Director, DECC
4. Mukul Sen, Chief Engineer, PMIDC (representative of Principal Secretary, Local Govt.)
5. Ashwani Choudhary, Chief Engineer, PMIDC (representative of Principal Secretary, Local Govt.)
6. T. S. Multani, Superintending Engineer (representative of Financial Commissioner, Rural Development & Panchayats)

The first meeting of the Committee constituted vide Notification No. 10/01/2023-STE2/03 dated 3.01.2023, in compliance of NGT order dated 21.10.2022 in O.A. no. 976 of 2019 titled as Gurinder Singh & Ors Vs Union of India & Ors, was held to discuss the utilization of Environmental Compensation Funds. The Director, DECC apprised the Committee that information was sought from all the Departments and State Environment Impact Assessment Authority (SEIAA), Punjab regarding the availability of funds under head "Environmental Compensation". Punjab Pollution Control Board reported that Rs. 13.80 crores funds under the head "Environmental Compensation" are available with it, however, 22 Departments have reported NIL information. The Committee observed that total Environmental Compensation accrued with Punjab Pollution Control Board till 31.03.2022 is Rs. 13.8 Crore. The Committee further, perused the list of proposals (Annexure-I) received from different stakeholder departments such as Local Govt., PPCB, PBTI & PSCST.

After detailed deliberations, based on the priority of works proposed, the Committee decided to allocate the environmental compensation funds to the following proposals:

- (i) Proposal amounting to Rs. 12 crores for Setting up of Mechanized MRF Centre at MC, Jalandhar by PMIDC
- (ii) Proposal amounting to Rs. 1.8 Crores for Upgradation/ Strengthening of Environment Monitoring Laboratory by PBTI, Mohali.

The Committee decided that PMIDC and PPCB shall execute the above said proposals within 6 months. Further, Punjab Pollution Control Board shall release Rs. 12 crores to PMIDC and Rs. 1.8 crores to PBTI well before 31.01.2023. It was also decided that PPCB shall maintain a separate account to receive the EC funds, on behalf of Chief Secretary, Punjab, in compliance of NGT order dated 21.10.2022 in O.A. No. 976/2019. The next meeting of the Committee to

111

review the progress of work shall be held on 6.04.2023 at 11.45 AM in the Committee Room,
4th Floor, Punjab Civil Secretariat-2, Chandigarh.

JK

Qureshi



112

ਪੰਜਾਬ ਪ੍ਰਦੂਸ਼ਣ ਕੰਟਰੋਲ ਬੋਰਡ
PUNJAB POLLUTION CONTROL BOARD

No. 2852

Dated. 27-1-23

To

The Secretary to Govt. of Punjab,
Department of Science, Technology & Environment,
Chandigarh.

Sub: - Separate account of Environmental Compensation on behalf of Chief Secretary, Punjab.

Ref: - Your Office notification no. 10/01/2023-STE2/03 dated 03.01.2023

As desired by your goodself a separate Saving Bank Account has been opened with Axis Bank for keeping the funds received under the head "Environmental Compensation" and the account shall be operated on behalf of Chief Secretary, Punjab. The detail of saving bank account is as under:

- | | | |
|-----------------------|---|--------------------------------------|
| a) Name of Account | : | Punjab Pollution Control Board-EC-CS |
| b) Bank Account No. | : | 921010041896278 |
| c) Name of the Bank | : | Axis Bank Ltd. |
| d) Name of the Branch | : | The Mall, Patiala. |
| e) IFSC Code | : | UTIB0000195 |

It is for your kind information & necessary action please.

Endst No. 2853

[Signature]
o/c Member Secretary
Dated. 27-1-23

A copy of the above is forwarded to Director, Directorate of Environment and Climate Change, Department of Science, Technology and Environment Government of Punjab for information & necessary action please.

[Signature]
o/c Member Secretary

[Signature]

ਵਾਤਾਵਰਣ ਭਵਨ, ਨਾਭਾ ਰੋਡ, ਪਟਿਆਲਾ-147001
Vatavaran Bhawan, Nabha Road, Patiala -147001
Phone : Chairman. : 0175-2215793, Member Secretary : 0175-2215802 (O)
Website : www.ppcb.gov.in | E-Mail : chairmanppcb@yahoo.in | mspcb@gmail.com |



To

The Director,
Directorate of Environment and Climate Change,
MGSIPA, Sector-26,
Chandigarh.

Sub: Minutes of meeting of High Powered Committee held on 05.01.2023 at 12:45 pm in the Committee room, 4th Floor, Punjab Civil Secretariat -2, Sector -9, Chandigarh regarding utilization of Environmental Compensation Funds, in compliance of NGT Order dated 21.10.2022 in M.A. no. 74/2022 in O.A. no. 976/2019 titled as Gurinder Singh versus Union of India and others.

Ref: Email dated 10.01.2023 alongwith letter Endst. no. DECC/2023/75-77 dated 10.01.2023 of Director, Directorate of Environment and Climate Change.

Please refer to subject cited above.

2. In compliance to the decision of the High Powered Committee, the Punjab Pollution Control Board had opened a separate account on behalf of the worthy Chief Secretary to the Government of Punjab for the deposit of Environmental Compensation Funds and information regarding the same has been conveyed to the Directorate of Environment and Climate Change vide letter no. 2852 dated 27.01.2023 (letter enclosed).

3. The details of the Bank Account are again given below:

1.	Name of the Account	Punjab Pollution Control Board-EC-CS
2.	Bank Account No.	921010041896278
3.	Name of the Bank	Axis Bank Ltd.
4.	Name of the Branch	The Mall, Patiala
5.	IFSC Code	UTIB0000195

4. It is, therefore requested that ^{all} the Departments of the State of Punjab may please be informed about the opening of the above account so that the funds of Environmental Compensation are deposited ~~with the Punjab Pollution Control Board~~ from time to time in accordance with the directions of the High Powered Committee.

in the above mentioned Bank Account -

Member Secretary

[Signature]

Endst. No. _____

114

Date _____

A copy of the above is forwarded to the following for information ~~and~~ please:

- i. The Principal Secretary to Government of Punjab, Department of Science, Technology and Environment, Mini Secretariat, Punjab, Chandigarh.
- ii. The OSD (Litigation) to Chief Secretary, Punjab, Punjab Civil Secretariat, Chandigarh.

Member Secretary

Endst. No. _____

~~CONFIDENTIAL~~

Date _____

A copy of the above is forwarded the ~~to~~ Senior Environmental Engineer (HQ-1), Punjab Pollution Control Board, with a request to monitor the activity and coordinate the issue related to Environmental Compensation Funds.

Member Secretary

Qan¹

115 ਪੰਜਾਬ ਪ੍ਰਦੂਸ਼ਣ ਕੰਟਰੋਲ ਬੋਰਡ

PUNJAB POLLUTION CONTROL BOARD

98

Dated. 9/3/2023....

Subject: Release of Environmental Compensation funds to Punjab Municipal Infrastructure Development Company (PMIDC) in compliance to the decision taken by the High Powered Committee in its meeting held on 5.1.2023.

OFFICE ORDER

The first meeting of the High Powered Committee constituted vide notification no. 10/01/2023-STE(2)/03 dated 3.1.2023 in compliance of Hon'ble National Green Tribunal order dated 21.10.2022 in O.A No. 976 of 2019 titled as Gurinder Singh and Others v/s Union of India and Others was held on 5.1.2023 to discuss the utilization of Environmental Compensation funds. The committee perused the list of proposals received from different stakeholder departments and after detailed deliberations based on priority of works proposed, the committee decided to allocate the Environmental Compensation funds amounting to Rs. 12.0 Crores to Punjab Municipal Infrastructure Development Company (PMIDC) for setting up of mechanized MRF Centre at M.C, Jalandhar. The State Apex Committee in its 20th meeting held on 1.3.2023 has endorsed the decision of the High Powered Committee to release the amount of Rs.12.0 Crores out of the Environmental Compensation funds to PMIDC.

2) The case has been considered in view of the guidelines framed by the Central Pollution Control Board for utilization of the funds of Environmental Compensation, the approval earlier accorded by the Government of Punjab, Department of Science, Technology and Environment for the constitution of a committee of officers of various departments to monitor the progress of the project activities every three months or earlier and the office order no. 442 dated 27.12.2022 issued by the Punjab Pollution Control Board after the approval of the Competent Authority for the release of Environmental Compensation funds to PMIDC for the proposed project at Ludhiana.

3) After due consideration of the case, a Committee (on the similar pattern) of the officers of various departments (as earlier constituted vide office order no.442 dated 27.12.2022) is hereby constituted to monitor the progress of the project activities every three months or earlier as under:

-1-



ਵਾਤਾਵਰਣ ਭਵਨ, ਨਾਭਾ ਰੋਡ, ਪਟਿਆਲਾ-147001

Vatavaran Bhawan, Nabha Road, Patiala -147001

Phone : Chairman. : 0175-2215793 Member Secretary : 0175-2215802 (O)

Website : www.ppcb.gov.in | E-Mail : chairmanppcb@yahoo.in | msppcb@gmail.com |



1. Chief Environmental Engineer, PPCB, Jalandhar
2. Additional Director, Directorate of Environment and Climate Change.
3. Representative of the CEO, Punjab Municipal Infrastructure Development Company (PMIDC).
4. Representative of Commissioner, Municipal Corporation, Jalandhar.
5. Senior Environmental Engineer, Punjab Pollution Control Board, Zonal Office, Jalandhar.
6. Environmental Engineer, Punjab Pollution Control Board, Regional Office-1, Jalandhar (Convener).

4) Out of the total funds of Environmental Compensation amounting to Rs. 12 Crores, 70% of the funds shall be released for the execution of the proposed project at the initial stage and the remaining funds of Environmental Compensation shall be released based on the progress made in the execution of the project and recommendations of the committee of officers as under:

- a) 20% of the total amount shall be released on 80% completion of the project.
- b) Balance 10% of the total amount shall be released on submission of the completion report.
- c) The funds shall be spent as per the State Financial Rules, which are to be audited as per statutory provisions.
- d) The grant will be payable in accordance with funding norms on submission of Utilization Certificate (UC), Expenditure statement and progress reports.
- e) The EC fund shall not be used for any other purpose except for the purpose for which the funds have been allocated.

ਮਿਤ ਸਨ. ਮਿਤ ਪੈਨ
o/c (Prof. (Dr.) Adarsh Pal Vig)
Chairman

Endst. No. 6203-6208

Dated 9/3/2023

A copy of the above is forwarded to the following for information and necessary action please:

- 1) The Chief Executive Officer, Punjab Municipal Infrastructure Development Company, 5 Punjab Municipal Bhawan, 3, Dakshin Marg, 35A, Sector 35A, Chandigarh. He is requested to nominate an officer in the Committee.

Adarsh

- 2) The Commissioner, Municipal Corporation, Jalandhar with a request to nominate an officer in the Committee.
- 3) The Chief Environmental Engineer, Punjab Pollution Control Board, Jalandhar.
- 4) The Additional Director, Directorate of Environment and Climate Change, Institutional Area, Sector 26, Chandigarh, 160019.
- 5) The Senior Environmental Engineer, Punjab Pollution Control Board, Zonal Office, Jalandhar.
- 6) The Environmental Engineer, Punjab Pollution Control Board, Regional Office-1, Jalandhar.


Member Secretary

Endst. No. 6209

Dated 9/3/2023

A copy of the above is forwarded to the Deputy Controller (F and A), Punjab Pollution Control Board, Nabha Road, Patiala for information and necessary action to release 70% of the funds of Environmental Compensation (out of total amount of Rs. 12.0 Crores) at the initial stage, 20% after 80% completion of the project and balance 10% after submission of completion report on the recommendations of the committee of officers and in accordance with funding norms, to the CEO, Punjab Municipal Infrastructure Development Company (PMIDC), Chandigarh.


Member Secretary

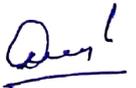
Endst. No. 6210 - 6213

Dated 9/3/2023

A copy of the above is forwarded to the following for information please:

- 1) The Principal Secretary to Government of Punjab, Department of Local Government, Municipal Bhawan, Plot No. 3, Dakshin Marg, Sector 35-A, Chandigarh-160022
- 2) The Principal Secretary to Government of Punjab, Department of Science, Technology and Environment, Mini Secretariat, Punjab, Chandigarh.
- 3) The Director, Directorate of Environment and Climate Change, MGSIPA Complex, Sector 26, Chandigarh.
- 4) The OSD to Chief Secretary, Punjab, Punjab Civil Secretariat, Chandigarh.


Member Secretary



Dated. 9/3/2023

No. 99

Subject: Release of Environmental Compensation funds to Punjab Biotechnology Incubator (PBTI), SAS Nagar in compliance to the decision taken by the High Powered Committee in its meeting held on 5.1.2023.

OFFICE ORDER

The first meeting of the High Powered Committee constituted vide notification no. 10/01/2023-STE(2)/03 dated 3.1.2023 in compliance of Hon'ble National Green Tribunal order dated 21.10.2022 in O.A No. 976 of 2019 titled as Gurinder Singh and Others v/s Union of India and Others was held on 5.1.2023 to discuss the utilization of Environmental Compensation funds. The committee perused the list of proposals received from different stakeholder departments and after detailed deliberations based on priority of works proposed, the committee decided to allocate the Environmental Compensation funds amounting to Rs. 1.8 Crores to Punjab Biotechnology Incubator (PBTI) for up-gradation / strengthening of Environment Monitoring Laboratory at SAS Nagar. The State Apex Committee in its 20th meeting held on 1.3.2023 has endorsed the decision of the High Powered Committee to release the amount of Rs.1.8 Crores out of the Environmental Compensation funds to PBTI.

2) The case has been considered in view of the guidelines framed by the Central Pollution Control Board for utilization of the funds of Environmental Compensation, the approval earlier accorded by the Government of Punjab, Department of Science, Technology and Environment for the constitution of a committee of officers of various departments to monitor the progress of the project activities every three months or earlier and the office order no. 442 dated 27.12.2022 issued by the Punjab Pollution Control Board after the approval of the Competent Authority (Chief Secretary, Punjab) for the release of Environmental Compensation funds to PMIDC for the proposed project at Ludhiana.

3) After due consideration of the case, a Committee (on the similar pattern) of the officers of various departments (as earlier constituted vide office order no.442 dated

-1-



ਵਾਤਾਵਰਣ ਭਵਨ, ਨਾਭਾ ਰੋਡ, ਪਟਿਆਲਾ-147001

Vatavaran Bhawan, Nabha Road, Patiala -147001

Phone : Chairman. : 0175-2215793. Member Secretary : 0175-2215802 (O)

Website : www.ppcb.gov.in | E-Mail : chairmanppcb@yahoo.in | msppcb@gmail.com

27.12.2022) is hereby constituted to monitor the progress of the project activities every three months or earlier as under:

1. Senior Environmental Engineer, Incharge Water Laboratory, Punjab Pollution Control Board, Nabha Road, Patiala.
2. Additional Director, Directorate of Environment and Climate Change.
3. CEO, Punjab Biotechnology Incubator (PBTI), SAS Nagar.
4. Sh. Avtar Singh, Scientific Officer (Water), Punjab Pollution Control Board, Nabha Road, Patiala (Convener)
5. Environmental Engineer, Punjab Pollution Control Board, Regional Office, SAS Nagar.

4) Out of the total allocation of funds of Environmental Compensation amounting to Rs. 1.8 Crores, 70% of the funds shall be released for the execution of the proposed project at the initial stage and the remaining funds of Environmental Compensation shall be released based on the progress made in the execution of the project and recommendations of the committee of officers as under:

- a) 20% of the total amount shall be released on 80% completion of the project.
- b) Balance 10% of the total amount shall be released on submission of the completion report.
- c) The funds shall be spent as per the State Financial Rules, which are to be audited as per statutory provisions.
- d) The grant will be payable in accordance with funding norms on submission of Utilization Certificate (UC), Expenditure statement and progress reports.
- e) The EC fund shall not be used for any other purpose except for the purpose for which the funds have been allocated.

ਮੁੱਖ ਮੁਖੀ
ੳ/ੳ (Prof. (Dr.) Adarsh Pal Vig)
ੳ Chairman

Adarsh

120

Endst. No. 6214-6218Dated 9/3/2023

A copy of the above is forwarded to the following for information and necessary action please:

- 1) The Chief Executive Officer, Punjab Biotechnology Incubator, SAS Nagar.
- 2) The Senior Environmental Engineer, Incharge Water Laboratory, Punjab Pollution Control Board, Nabha Road, Patiala.
- 3) The Additional Director, Directorate of Environment and Climate Change, Institutional Area, Sector 26, Chandigarh, 160019.
- 4) Sh. Avtar Singh, Scientific Officer (Water), Punjab Pollution Control Board, Nabha Road, Patiala.
- 5) The Environmental Engineer, Punjab Pollution Control Board, Regional Office, SAS Nagar.

[Signature]
o/c Member Secretary

Endst. No. 6219Dated 9/3/2023

A copy of the above is forwarded to the Deputy Controller (F and A), Punjab Pollution Control Board, Nabha Road, Patiala for information and necessary action to release 70% of the funds of Environmental Compensation (out of total amount of Rs. 1.8 Crores) at the initial stage, 20% after 80% completion of the project and balance 10% after submission of completion report on the recommendations of the committee of officers and in accordance with funding norms, to the CEO, Punjab Biotechnology Incubator (PBTI), SAS Nagar.

[Signature]
o/c Member Secretary

Endst. No. 6220-6222Dated 9/3/2023

A copy of the above is forwarded to the following for information please:

- 1) The Principal Secretary to Government of Punjab, Department of Science, Technology and Environment, Mini Secretariat, Punjab, Chandigarh.
- 2) The Director, Directorate of Environment and Climate Change, MGSIPA Complex, Sector 26, Chandigarh.
- 3) The OSD to Chief Secretary, Punjab, Punjab Civil Secretariat, Chandigarh.

[Signature]
o/c Member Secretary

[Signature]