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BEFORE THE NATIONAL GREEN TRIBUNAL PRINCIPAL BENCH NEW

DELHI

ORIGINAL APPLICATION NO. 693/2023

IN THE MATTER OF:

NEWS ITEM TITLED "POLLUTION CONTROL
BOARDS ARE THE WEAK LINK" APPEARING
IN DECCAN HERALD

REPORT FILED BY THE 12th RESPONDENT STATE OF KERALA

FOR PAPERBOOK
(SEE INSIDE)

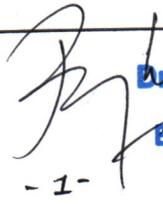
FILED BY: NISHE REJEN SHONKER
STANDING COUNSEL OF THE STATE OF KERALA

REPORT IN OA No. 693/2023 FILED BY THE 12th RESPONDENT, THE SECRETARY (ENVIRONMENT DEPARTMENT), GOVERNMENT OF KERALA BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL, PRINCIPAL BENCH, NEW DELHI TITLED "POLLUTION CONTROL BOARDS ARE THE WEAK LINK"

SANCTIONED STRENGTH AND WORKING STRENGTH OF STAFF AND THEIR RATIO IN KERALA STATE POLLUTION CONTROL BOARD

1. Sanctioned strength and working strength of staff including the ratio of Administrative, Scientific and Technical Staff in Kerala State Pollution Control Board is as follows:

Sl.No.	Designation	Sanctioned strength	Working Strength	Remarks
A	TECHNICAL			
1	Chairman	1	1	
2	Member Secretary	1	1	
3	Chief Environmental Engineer	4	3	1 Vacant
4	Senior Environmental Engineer	4	4	
5	Environmental Engineer	20	20	
	Assistant	25 Assistant		


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6	Environmental Engineer	Environmental Engineer (out of which 10 is down graded to Assistant Engineer)	10+4*(4 staff deputed to Mtech)	1 Vacant
7	Assistant Engineer	83+10(de-cadre posts)	90	3 Vacant 90 Permanent
	Total	138	133	
B	SCIENTIFIC			
8	Chief Environmental Scientist	1	1	
9	Senior Environmental Scientist	1	1	
10	Environmental Scientist	3	2	1 Vacant
11	Assistant Environmental Scientist	11	2 Deputation Staff	9 Vacant
12	Assistant Scientist	23	22	22 Contract 1 vacant
13	Senior Scientific Assistant	15(all the 15nos de-cadred to	Nil	-

		Junior Scientific Assistant)		
14	Junior Scientific Assistant	30+15*(*de-cadre posts)	44	1 Vacant 22 Contract 22 Daily wage
15	Lab Attender	7	7	5 daily wages 2 permanent
	Total	91	79	
C	ADMINISTRATIVE			
16	Administrative Officer	1	1	-
17	Accounts Officer	1	1	-
18	Assistant Administrative Officer	1	1	-
19	Assistant Accounts Officer	1	1	-
20	Senior Superintendent	3	3	-
21	Assistant	65+5* (*Supernumerary)	63+5*	2 Vacant, 4 Daily Wages
22	Faircopy Superintendent	1	1	-
23	Confidential Assistant	4	4	3 Daily Wage 1 Permanent
24	Computer Assistant(LD			3 Permanent
		31	31	

	Typist)			28 Daily Wages
25	Record Keeper	1	1	1 daily Wages
26	Driver Cum Office Attendant	27	26	1 Vacant 26 Permanent
27	Office Attender	7	7	6 Daily Wage 1 Permanent
28	Office Attendant	29+5* (Supernumerary)	25	20 Permanent 5 Daily Wages, 9 Vacant
29	Watcher	4	Nil	4 Vacant
30	Part Time Sweeper	19	19	1 Daily Wage 18 Permanent
	Total	205	189	

Kerala State Pollution Control Board is having one Head Office at Thiruvananthapuram, 3 Regional Offices and District Offices in 13 Districts except in Ernakulam District where there are three offices.

	Sanctioned	Working
Administrative	205	189
Scientific	91	79
Technical	138	133

The ratio of Administrative: Scientific: Technical Staff is

1:0.443:0.67 (2.3:1:1.5)(Sanctioned Strength).

The ratio of Administrative: Scientific: Technical Staff is 1:0.417:0.7030(2.4:1:1.7)(Working Strength).

The Head Office of Kerala State Pollution Control Board is functioning in Thiruvananthapuram city. The Kerala State Pollution Control Board is having three Regional Offices and District Offices in 13 Districts and three offices in Ernakulam District. Except in Ernakulam District, other District Offices are headed by one Environmental Engineer, one Assistant Environmental Engineer and at field level only four Assistant Engineers. For eg. in Malappuram District, population is 41,12,920 (2011 census) and having an area of 3554 sq km. The field level officer has to implement the environmental statutes for a population of around 10 lakhs and for an area of 888.5 sq.km. The Environmental statutes include Water (Prevention and Control of Pollution) Act, 1974; Air (Prevention and Control of Pollution) Act, 1981 and Environment Protection Act, 1986 and its various rules on the management of solid waste, plastic waste, biomedical waste, hazardous waste, battery, noise, public hearing. One Project Assistant has been approved for each District Office of the Kerala State Pollution Control Board.

REGULATING AND MONITORING FACILITIES AND STRENGTH OF STAFF OF LABORATORIES

2. The regulating and monitoring facilities available along with the sanctioned strength and present working strength of staff of labs are given below:

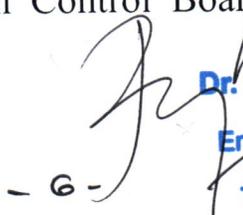
SL No.	Designation	Sanctioned strength	Working Strength	Remarks

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1	Chief			
1	Environmental Scientist	1	1	
2	Senior Environmental Scientist	1	1	
3	Environmental Scientist	3	2	1 Vacant
4	Assistant Environmental Scientist	11	2 Deputation Staff	9 Vacant
5	Assistant Scientist	23	22	22 Contract 1 Vacant
6	Senior Scientific Assistant	15(all the 15nos de-cadred to Junior Scientific Assistant)	Nil	-
7	Junior Scientific Assistant	30+15*(de-cadre posts)	44	1 Vacant 22 Contract 22 Daily Wage
8	Lab Attender	7	7	5 Daily Wages 2 permanent
	Total	91	79	

The Kerala State Pollution Control Board is having 363 Water


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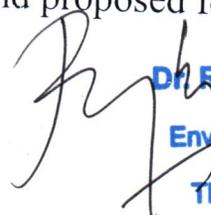
Quality Monitoring Stations in the water bodies of Kerala. The samples are collected once in a month. 32 parameters are tested monthly. Nine heavy metal parameters are tested once in 6 months. Nine pesticide parameters are tested once in a year. Real time water quality monitoring stations are also installed in river Periyar (2 stations) and river Karamana. Each cost around Rs. 50 lakh. The data so obtained is assessed and water and air quality directory is prepared every year & also shared in CPCB website. As a part of data collection regarding AMR, every month, effluent samples from 5 hospitals are taken from each Districts, thus a total of approximate 70 samples are taken.

Presently the number of industries in Red, Orange & Green category to which Consent to Operate is issued is as follows:

Category	Red	Orange	Green	Total
Large	454	1087	368	1909
Medium	166	1107	194	1467
Small	2718	26100	51117	79935
Total	3338	28294	51679	83311

The monitoring of these units is to be done on a regular basis. There are 47 Ambient Air Quality Stations in the entire State. Manual sampling is done for Particulate Matter, SO₂ and NO₂. 9 Continuous Ambient Air Quality Monitoring Stations are available each worth around Rs 1.5 crore. Annual Maintenance cost is close to Rs 20 lakhs. More units are being purchased and proposed for more units in remaining

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cases. Board has one Central Laboratory (A Grade) where all parameters in water and air quality including heavy metals and pesticides can be analysed. There are one Regional Laboratory and fourteen District Laboratories which are having facility to do basic water and air quality parameters excluding Heavy Metals and Pesticides only. The Board is having AMR laboratory for measuring antibiotic residue, antimicrobial resistance and genomic study.

The various instruments deployed in the monitoring of ambient air, water and sound quality in 3 Regional Offices and 16 District Offices are given below

Sl. No.	Name of instrument	Number of instruments
1	Repairable Dust Sampler	115
2	Particulate matter 2.5 sampler	73
3	Volatile Organic Carbon sampler	1
4	Stack monitoring kit	7
5	Water quality monitoring kit	8
6	Sound Level Meter	19
7	Toxic Gas Analyzer (instrument set)	8
8	Portable water analyzer	Item given in Sl No. 5 can also be used for analyzing certain parameters

There are many manual monitoring stations for water and air quality maintained by the Kerala State Pollution Control Board. The details are as follows:

Station	No. of Stations

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National Air Quality Monitoring Programme (NAMP)	39
State Air Quality Monitoring Programme (SAMP)	8
National Water Quality Monitoring Programme (NWMP)	211
State Water Quality Monitoring Programme (SWMP)	152

Following are the continuous monitoring stations established by the Kerala State Pollution Control Board in the State:

Continuous Ambient Air Quality Monitoring Stations (CAAQMS)	1. Plamood, Thiruvananthapuram
	2. Karyavattom, Thiruvananthapuram
	3. Polayathodu, Kollam
	4. Jawahar Lal Nehru Stadium, Kaloor, Ernakulam
	5. Vyttila, Ernakulam
	6. Eloor, Ernakulam
	7. Paravattani, Thrissur
	8. Palayam, Kozhikkode
	9. Collectorate, Kannur
Continuous Ambient Noise Monitoring Station (CANMS)	1. Domestic Airport, Thiruvananthapuram


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	2. GCDA Complex, Ernakulam
Real Time Water Quality Monitoring Station (RTWQMS)	1. Methanam, Ernakulam
	2. Karamana, Thiruvananthapuram
	3. Upstream Pathalam Bund, Ernakulam
24 hr Surveillance is carried out in 2 District Offices for which one surveillance van and surveillance equipments are available. But Surveillance has to be expanded to the other 14 District Offices also for which vehicles and equipments are required.	

INFRASTRUCTURE IN THE LABORATORIES

3. The equipments available in all the 16 District Laboratories are given below.

Chemical Lab			
SL.No.	Instruments	Required Quantity	Purpose
1	Fume Hood	1	To limit exposure to hazardous or toxic fumes, vapours or <u>dusts</u> .
2	Cod Digestion Apparatus With Scrubber	1	To Measure chemical oxygen demand for water sample
3	Double Distillation Unit	1	For analysis purpose
4	BOD	1	To detect the bio-chemical oxygen

			demand for water sample
5	Hot Air Oven	1	To measure TDS , TSS, oil and grease etc
6	Turbidity Meter	1	To measure turbidity of water sample
7	Specific Iron Meter For Flouride And Cyanide	1	To measure fluoride and cyanide of water sample
8	Flame Photometer	1	To detect sodium and potassium of water sample
9	Water Bath	1	To measure TDS, oil and grease etc
10	TKN Distillation Unit	1	To measure TKN and ammoniacal nitrogen
11	Ultra Water Purification Filtration	1	To measure TSS
12	PH Meter	1	To measure pH of water sample
13	Conductivity Meter	1	To measure conductivity of water sample
14	Colorimeter	1	To detect the color of water sample
15	Thermo - Hygrometer	1	To measure humidity and temperature of the laboratory
16	Refrigerator	1	To store reagent , mediums and culture
17	Analytical Balance	1	Weighing of chemicals and filter paper etc
18	Micro Balance	1	PM 2.5 filter paper weighing

19	Spectro Photometer	1	Colorimetric analysis
20	Hot Plate	1	For the heating purpose
21	Freezer	1	To preserve the sample
Micro Biology			
SL No.	Instruments	Required Quantity	Purpose
1	Bunsen Burner	2	To boil the prepared mediums
2	Fumigator	1	For the sterilization of micro biology lab
3	Laminar Air Flow	1	Inoculation of sample in sterile condition
4	Biosafety Cabinet	1	Inoculation of sample in sterile condition
5	Bacteriological Incubator	2	Incubation of filtered sample
6	Hot Air Oven	1	Sterilization of glass wares
7	Autoclave	2	Sterilization of

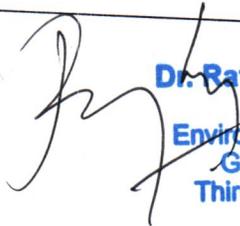
			membrane filter units and mediums
8	Water Bath	1	Incubation of filtered sample at 44.5 Degree Celsius
10	Colony Counter	1	To count the number of colonies in the plate
12	Laboratory Balance	1	To weigh the media
13	Micro pippette	1	Transfer the volume in the micro liter range
14	Filtration Unit With Pump	1	Filtration of the sample
15	Refrigerator	1	To store sample, mediums and culture
16	Thermo-Hygrometer	1	To measure humidity and temperature

			of the laboratory
17	Micro Scope	1	To check the purity of the culture

The equipments available in the Central Laboratory of the Board at Ernakulam is given below.

SL. No.	Name of the equipment	Quantity
1	Atomic Absorption Spectrophotometer with accessories	2
2	Auto titrator	2
3	Autoclave	1
4	Bacteriological Incubator	1
5	Biosafety Cabinet	2
6	COD Digester	2
7	Continuous Flow Analyzer	1

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8	Deep Freezer(-20 degree Celsius)	1
9	Deep Freezer (-80 degree Celsius)	1
10	Elisa Reader	1
11	Flouride Meter	1
12	FTIR	1
13	Gas Chromatograph (FID)	1
14	Gas Chromatograph (ATD)	1
15	GC-MS	1
16	Gel Documentation System	1
17	Gel Electrophoresis Unit	1
18	High Speed Centrifuge	1

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19	HPLC	1
20	ICP-OES	1
21	Shaking Incubator	1
22	LCMSMS	1
23	Micro balance (6 digit)	16
24	Microscope- Diaplan	1
25	Multi Channel Temperature Read out	1
26	Nano Drop Spectrophotometer	1
27	N-Type Thermo Couple	12
28	Real Time PCR	1
29	Rotary Evaporator	1
30	Specific Ion Meter	2
31	Spectro photometer	2
32	TCLP Extractor	1

33	TKN Distillation Unit	15
34	Ultrasonic Bath	1
35	UV-Visible Spectrophotometer	1
36	Vacuum Pump	1
37	Water Bath	1
38	Water Purification System	2
39	Weighing Balance	21
40	UV-Visible Spectrophotometer	12
41	Calibrators for PM10&PM2.5	1
42	Real Time Water Quality Analyzer	2
43	Rds	108
44	PM 2.5	83

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45	Advanced Pm 2.5	11
46	Water Quality Meter	6
47	Toxic Gas Analyzer	9

The list of equipments in the AMR Laboratory is given below.

SI.No	INSTRUMENTS	QUANTITY
1	Elisa Reader	1 No
2	PCR	1 No
3	Micropipette	1 No
4	Weighing Balance	1 No
5	Gel Electrophoresis Unit	1 No
6	Ultrasonic Bath	1 No
7	Vacuum Pump	1 No
8	Bacteriological Incubator	1 No
9	Autoclave	1 No
10	Water Bath	1 No
11	Deep Freezer (-20 ⁰ C)	1 No
12	Bio Safety Cabinet	1 No
13	Incubated Shaker	1 No
14	pH Meter	1 No
15	Vortex Mixer	1 No
16	Real time PCR	1 No
17	Nano-Drop Spectrophotometer	1 No

18	Gel Documentation System	1 No
19	Deep Freezer (80 ⁰ C)	1 No
20	High Speed Centrifuge	1 No
21	Water Purification System	1 No
22	LCMS-MS	1 No
23	Sequencer (NGS)	1 No
24	Nitrogen Evaporator and Concentrator	1 No
25	Refrigerator	1 No

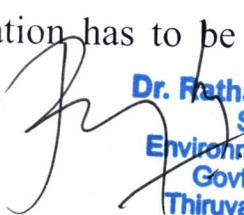
Out of the 21 buildings accommodating the various Board Offices in the state, 17 numbers are in rented buildings. The laboratories are also functioning in 14 rented buildings. As the laboratories in rented building, the shifting of infrastructure from one place to another may also create problems and hence the setting up of laboratories in permanent buildings is essential and hence the process of identifying and buying own buildings which has a heavy financial liability.

SURVEILLANCE AND RELATED INFRASTRUCTURE

4. There are no critically polluted areas which are identified in the State. But for round the clock monitoring of industrial areas, particularly in two surveillance centers are operated presently with the following infrastructure
 - a. Surveillance van- one each
 - b. Toxic gas analyzers- one set each
 - c. Portable water analyzer- one each

Requirement: The Surveillance operation has to be expanded to all

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the offices (14 number more) for which vehicles and surveillance equipments must be provided.

**BUDGET SOURCE AND EXPENDITURE OF THE FINANCIAL YEARS
2020-2021 & 2021-2022**

1. Budget Estimates for the Year 2020-21 (Non -Plan) is shown in Table given below:

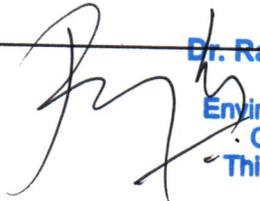
Sl.No.	Head of Account	Budget Estimate (in Rs.)
1	Salaries	41,00,00,000
2	Stipend	20,00,000
3	Wages	3,50,00,000
4	TA	32,00,000.00
5	Medical reimbursement	3,00,000.00
6	Telephone	15,00,000.00
7	Postage	12,00,000.00
8	Electricity & Water	30,00,000.00
9	Uniform	50,000
10	Rent	1,40,00,000.00
11	Stationery & Printing	12,00,000.00
12	Maint. & repair of Vehicle	30,00,000.00
13	Hire charges	65,00,000.00
14	Fuel charges	32,00,000.00
15	Purchase of vehicles	45,00,000
16	Audit Expenses	5,00,000
17	Professional/ Special services/ Legal Services	60,00,000.00
18	Advertisement charges	15,00,000.00
19	Hospitality	5,00,000.00
20	Pension	15,00,00,000.00
21	Pension contribution	4,00,00,000.00
22	Staff welfare expenses	6,00,000.00

23	Honorarium	1,00,000.00
24	Board Meeting expenses	5,00,000.00
25	AMC	30,00,000.00
26	Maintenance of Building	20,00,000.00
27	Purchase of Furniture	5,00,000.00
28	Maintenance / Repair /purchase office Equipments	16,00,000.00
29	Purchase /Repair /maintenance/ Upgradation of Lab Equipments/Consumables/Chemicals	20,00,000.00
30	Internet	4,00,000.00
31	Contingency	65,00,000.00
32	Refund of EMD/ Security Deposit	30,00,000.00
33	Awareness	40,00,000.00
34	House Building Advance to Employees	50,00,000.00
35	Purchase of Land & Construction of Building	15,00,00,000.00
36	R&D Training	4,50,00,000.00
37	Capacity Building	0
38	Miscellaneous	0
	Total	91,18,00,000

The Budget Estimate for the year 2021-22 (non Plan) is shown in Table given below:

Sl.No	Head of Account	Budget Estimate (in Rs.)
1	Salaries	430,000,000
2	Stipend	3,500,000
3	Wages	60,000,000
4	TA	4,000,000
5	Medical reimbursement	500,000
6	Telephone	2,000,000

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7	Postage	1,500,000
8	Electricity & Water	8,000,000
9	Uniform	70,000
10	Rent	20,000,000
11	Stationery & Printing	1,500,000
12	Maint. & repair of Vehicle	5,000,000
13	Hire charges	30,000,000
14	Fuel charges	4,500,000
15	Purchase of vehicles	4,500,000
16	Audit Expenses	900,000
17	Professional/ Special services/ Legal Services	6,500,000
18	Advertisement charges	3,000,000
19	Hospitality	2,000,000
20	Pension	180,000,000
21	Pension contribution	45,000,000
22	Staff welfare expenses	1,500,000
23	Honorarium	400,000
24	Board Meeting expenses	600,000
25	AMC	7,000,000
26	Maintenance of Building	8,000,000
27	Purchase of Furniture	700,000
28	Maintenance / Repair /purchase office Equipments	2,000,000
29	Purchase /Repair /maintenance/ Upgradation of Lab Equipments/Consumables/Chemicals	20,000,000
30	Internet	500,000
31	Contingency	8,500,000
32	Refund of EMD/ Security Deposit	6,000,000
33	Awareness	10,000,000
34	House Building Advance to Employees	6,000,000
35	Purchase of Land & Construction of Building	150,000,000
36	R&D Training	45,000,000
37	Capacity Building	1,200,000

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38	Miscellaneous	1,500,000
	Total	1,08,13,70,000

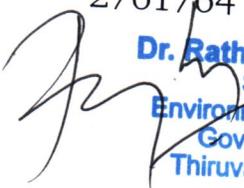
Grant received from CPCB is shown in Table given below:

Financial Year : 2020 - 21			Financial Year : 2021 - 22	
	Receipts (in Rs.)	Expenditure (in Rs.)	Receipts (in Rs.)	Expenditure (in Rs.)
NWMP	1626569	1626569		
	4168962	4168962		
NAMP			6701333	6701333
			5913333	5913333

Source of income of the Board for the year 2020-2021 is as follows:

Sl. No.	Head of Account	Total
1	PGW	787493000
2	Consent to operate	2332433
3	Consent to establish	15000
4	Analysis	3553161
5	Fee for Information	58060
6	Approval of Lab.	1656
7	Misc. Receipts	4556155.5
8	BMW	55000
9	MSW	408000
11	EMD	530247
12	Bank interest	10862364
13	Project fee	0
14	Fee for OCMMS	2761764

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15	DD's from DO's	3218550
16	Consent Renewal	0
17	Public Hearing	9289390
18	Sampling Charges	0
19	Stack Monitoring Charge	79887
20	Hazard Waste (HWM)	241000
21	Penalty	0
22	Registration of Batteries	287818
23	Approval of Consultancy	0
24	Fine- for variation order	950000
25	Authorization	162500
26	Interest from FD	0
27	Cost of Directory	0
28	Interest from Treasury	3145233
29	Fund received from Treasury(KCZMA)	0
30	Registration of Plastic	0
	Grand total	83,00,01,218.5

Source of income of the Board for the year 2021-2022 is as follows:

Sl. No.	Head of Account	Total
1	PGW	745218000
2	Consent to operate	519492
3	Consent to establish	116000

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4	Analysis	2337258
5	Fee for Information	47640
6	Approval of Lab.	50664
7	Misc. Receipts	1133673
8	BMW	29500
9	MSW	126000
11	EMD	148027
11	Bank interest	5494933
12	Project fee	0
13	Fee for OCMMS	2487847
14	DD's from DO's	0
15	Consent Renewal	0
16	Public Hearing	4852007
17	Sampling Charges	1620
18	Stack Monitoring Charge	105940
19	Hazard Waste (HWM)	588500
20	Penalty	0
21	Registration of Batteries	163000

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22	Approval of Consultancy	0
23	Approval of Consultancy	0
24	Fine- for variation order	1022400
25	Authorization	50100
26	Interest from FD	436649311
27	Cost of Directory	0
28	Interest from Treasury	0
29	Fund received from Treasury(KCZMA)	0
30	Registration of Plastic	3000
	Grand total	120,11,44,912

The Expenditure for the years 2020-2021, 2021-2022 and 2022-2023 are given below

Head	2020-2021	2021-2022	2022-2023
Non Plan Expenditure	39,85,53,973	42,37,43,809	50,16,36,229
Plan Expenditure	6,05,39,404	1,37,51,097	3,24,47,601

The Board is getting income through consent fee which is based on pollution potential and scale. The majority of units in Kerala are in small scale sector. The consent is used for five years after collecting fee for that period and hence the distribution of fee collected is not uniform every year. The Board is having 21 offices of which 17 are in

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rented buildings. Action is being taken to have permanent buildings including for Head offices so that laboratories can be permanently setup and the shifting of infrastructure can be avoided. Action is progressing for the procurement of head office building.

The Board is having permanent Assistant Engineers, Assistants, Office Assistants and drivers through Public Service Commission. The posting of Junior Scientific Assistant and Typist will be done soon. Hence expense has been increased in the way of salary. The annual maintenance cost of continuous monitoring stations and sophisticated equipments in the laboratories are also increasing as more and more stations are being setup.

Dated this 1st February 2024




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