REPORT OF THE OVERSIGHT COMMITTEE, NGT, U.P, LUCKNOW

IN THE MATTER OF:-

ORIGINAL APPLICATION NO. 360/2018

SHREE NATH SHARMA

VERSUS

UNION OF INDIA & ORS.

INDEX

REPORT OF THE OVERSIGHT COMMITTEE IN COMPLIANCE OF THE ORDER OF THE HON'BLE NATIONAL GREEN TRIBUNAL PASSED IN O.A. NO. 360/2018 IN RE: SHREE NATH SHARMA VERSUS UNION OF INDIA & ORS.

***

1. Introduction

The Hon'ble NGT dealing with the matter of O.A. No. 360/2018 had directed the authorities concerned to prepare the District Environment Management Plans in all the States/ Union Territories followed by State Environment Plans and finally National Environment Plan which will be an aid for environment protection, public health and establishment of environmental rule of law in the country.

2. Directions issued by the Hon'ble NGT

In order to address large-scale grievances of violation of environmental norms, the Hon'ble Green Tribunal vide its order dated 15.07.2019 in O.A. No. 710/2017, Shailesh Singh vs. Sheela Hospital & Trauma Centre, Shahjahanpur & Ors. had directed for the preparation of District Environment Plans in all Districts based on which the State Environment Plan and finally a National Environment Plan for long-term protection of the environment were to be prepared. In order to facilitate the preparation of these District Environment Plan under the leadership of the District Magistrate, the Hon'ble Tribunal vide its order dated 26.09.2019 had directed the CPCB to prepare a model template covering 7 thematic areas identified by the Hon'ble Tribunal, which was to be used with suitable modifications as per the local requirements of every District and monitored by the Chief Secretaries of the States. The Department of Environment of all States and Union Territories (UTs) were directed to collect the plans of all the districts of their respective States/UTs and finalize the State/UT Environment Plan. The MoEF&CC and CPCB were directed to prepare the National Environment Plan based on the States and UTs Environment Plans, which will help protection of environment as well as public health. Subsequently, these Environment Plans (EPs) were termed as Environment Management Plans (EMPs).

3. Status of compliance

(i) District Environment Management Plans (DEMPs)

The Oversight Committee on 12.11.2021 had conducted a review meeting to monitor the progress in the finalization of the DEMPs in all the 75 districts and the State Environment Plan for UP. In the meeting, it was informed that on 27.09.2021 the ACS, Department of EF&CC, UP Government had sent letters to all the DFOs/DMs in regard to the preparation of District Environment Plans and they were also planning to schedule a meeting of the DFOs/DMs under the chairmanship of the ACS to expedite this issue. In response to regular and close follow-up, the UPPCB had submitted the DEMPs of all the 75 districts to the Oversight Committee. The Committee on review of these DEMPs finds that all the DEMPs suffer from a plethora of material and serious shortcomings. It appears that the persons preparing the DEMPs have not understood the purpose of preparing these plans and also the indicative template made available by the CPCB for this purpose. Instead of giving relevant information, only the indicative template has been copied as such in large number of cells in the table. Without rectifying these shortcomings, these plans would not be of any help in achieving the objectives behind this exercise. With a view to highlight the nature of shortcomings, the Committee has randomly selected 2 districts i.e. Bareilly and Kanpur Nagar. The details of the shortcomings identified in these DEMPs are mentioned hereunder.

S. No.	**District**	**Shortcomings identified**
1.	Bareilly	1. For Solid Waste Management under the title 'identification of gaps and action plan' budget requirements have been indicated under various activities in the relevant column, but the availability of budget is shown as 'Not available (NA)' for most of the activities. In oral discussion, it was explained that the budget may be made available after the approval of the plan. But, in some of the activities, the budget requirements have been mentioned and the action plan has been shown as 'achieved' without availability of any fund which is incomprehensible. **2**. For 'manual sweeping' neither the gap has been identified in terms of either manpower or equipment nor it has been mentioned that there is no

		gap. Against the budgetary requirement of Rs. 6 crores, no fund has been made available so far, yet the 'action plan' has been shown as 'achieved'. Almost half of the year is over and no budget has been made available till now. Non availability of required budget should be a matter of concern for everyone, if this activity is to be carried out on a regular basis. Needless to mention that this is an essential municipal service to be provided on a daily basis. **3**. The timeline for compliance in 'mechanical road sweeping' is mentioned as 'achieved' in the plan, while its tender is still in process. **4**. The timeline for compliance in 'collection of solid waste and arrangement for door-to-door collection' (in both SWM and PWM) is mentioned as 'achieved' where as the gap of 10% in both the activities is mentioned in the previous column. **5**.Regarding identification of gap in 'waste collection' the number of trolleys and trucks with separate compartments and availability of 'waste deposition centres' have been indicated, but it is not mentioned that whether there is a gap in the availability of these facilities or not. **6**. The information furnished under the 'waste treatment and disposal' section, pertains to Nagar Nigam, Bareilly only whereas the waste generated in other municipalities, Nagar Panchayats and rural areas is almost equal in quantity. This plan needs to include various activities for their treatment and disposal as well. **7**. Regarding remediation of 'legacy waste' the gap has not been mentioned. Against the budgetary requirement of Rs. 20 crores, no money has been released so far, yet the target is proposed to be achieved by December, 2022. **8**. Relevant information on EPR of Producers have not been given. It sounds like a wish and not a plan of action. **9**. The information on plastic waste generation in Municipalities and Nagar

		Panchayats is not given in this plan. **10**. For the collection of plastic waste, the entire responsibility has been left to the Local Bodies, but no arrangement has been made for their transportation to the disposal centers. Arrangements in this regard need to be made either at the District or Tehsil or Block level. The meaning of ‘proposed’ in the ‘timeline for compliance’ column suggest that no concrete homework has been done for the handling of plastic waste at the District level. **11**. Regarding access to ‘plastic waste disposal facility’ it has been mentioned that the District has access to such facility which suggests that there is no gap. Yet, the timeline for compliance is shown as June, 2023. **12.** Regarding arrangement for separate collection of ‘C&D waste’ to the deposition points, it has been mentioned that there is no gap but under the ‘action point’ column, it has been mentioned that the process of selection of bidder for the operation of these plants is on. Further, under the ‘target time for compliance’ column, it has been shown as ‘achieved’ Apparently, information given in various columns for this activity are contradictory. **13.** The byelaws for C&D waste has been reported as notified, still the timeline for compliance is shown as December, 2022 **14.** Presently, there are 976 Health Care Facilities in the District but only 700 are registered/authorized. No timeline has been given for ensuring registration/authorization of the remaining Health Care Facilities. Action plan should include a definite timeline for ensuring the registration of the remaining 276 Health Care Facilities. Those, to be established later, may be covered as regular activity in routine course **15.** In ‘BMW’ section, the columns pertaining to ‘identification of gaps’ and ‘action points’ seem to have been copied from the indicator template without giving the relevant statistics, e.g.-

		(i) Under the activity 'inventory and identification of HCFs', the number 276 should have been mentioned in the gap column and in the 'target time' column, a definite timeline should have been mentioned. **(ii)** Under the 'adequacy of facilities to treat Bio Medical Waste' activity, 'no gap' should have been mentioned in the relevant column. **(iii)** Information about implementation of 'barcode system' is not given and also no timeline for implementing this system has been mentioned. **(iv)** While dealing with the 'adequacy of funds' for Government Health Care Facilities for Bio Medical waste management, it has been mentioned under the relevant column that no budget is required. But, under the 'target time for compliance' column it has been mentioned that funds are allocated by the State government. Here, the District should have mentioned its budgetary requirement specifically, so that the State government includes it in the State Environment Plan, and budget is made available accordingly and the District does not suffer inadequacy of funds in future. **16(i)** Status on the identification and authorization (in terms of number) of hazardous waste industries in the District is not given in the plan. **16(ii)** Under action point No. 2 in the column 'target time for compliance' it has been mentioned that 6 MRF centres have been installed by the Municipal Corporation. This, at best, should have been mentioned In the 'gap column' to determine the gap or otherwise situation. Accordingly, the column 'action point' would get modified. **16(iii)** Under the activity 'training of workers' it is mentioned in the 'action point' column that industries train the workers as per the provision under HOWM Rule, 2016, hence no action required. It is not correct. They should indicate the number of trainings to be held and number of persons to be trained every year so that monitoring is done accordingly and safety of industrial workers is ensured.

		16(iv) Under the action 'linkage with common TSDF' it has been mentioned that HW generated in Bareilly city is disposed through TSDF. But it does not mention anything about whether HW is generated in other areas of the District and how it is disposed of. **17.** No time line for completing any of the activities for managing e-waste has been given in this plan. Even the 'action point' for linkage among the stake holders to channelize the e-waste, regulation of illegal e-waste, recycling/dismantling and integration of informal sector has not been identified. **18.** For air quality management 16 air pollution hot spots have been identified, data from 3 air monitoring stations have been collected and attached and the District level action plan for air pollution has been prepared, yet the target time for compliance has been indicated as 180 days for all these activities. Even for creating awareness amongst people about air quality and inviting complaints two Apps, one developed by the UPPCB and the other by the CPCB, have been launched yet the target time for compliance has been indicated as 180 days. The target time for establishment of two CAAQMS, which are under construction, is shown as 180 days but it has not been mentioned when the count of 180 days will start or end. It appears that the target date has been mechanically filled in all the columns. **19.** The water quality management plan has mentioned about the monitoring of Ramganga river only, while the details on water quality of other water bodies such as ponds/lakes/drains is missing in the plan. For any of the activities listed in the second column of the plan, the gap has not been identified. Only the guidance given in the indicative template has been copied and pasted in column-3. Naturally, when the gap has not been identified properly, the plan cannot be a proper plan. In all the activities, the 'target time for compliance' has been mentioned as 12 months, but the beginning or the end date is not mentioned. Further, the

		entire sewage water (175MLD) is released into the drains/rivers without bioremediation, yet the time line for starting bioremediation work is given as 12 months. It is also noticed that the time lag between the completion of STPs and of the sewerage network is about one year. If the two activities are synchronized, then the money spent on one will not remain idle till the completion of the other and public will start getting the benefit of public investment early. **20**. The 'budget required' for the treatment of industrial waste water to make it compliant with the discharge norms is not given in the plan, although its need is mentioned. **21.** As mentioned in other thematic areas, for industrial waste water, mining activities and noise pollution management, instead of identifying the gap and preparing the action points, the guidance given in the indicative template has been reproduced mechanically. Without identifying these two aspects and providing for appropriate budget or quantified targets, the plan will not be useful and monitorable.
2.	Kanpur Nagar	**1**. Regarding all the thematic areas, the columns pertaining to 'identification of gaps' and 'action point' seems to have been copied from the indicator template without giving the relevant statistics and the details on gaps and target achieved for the action points are given in the column 'timeline for compliance'. The information relevant to particular columns is required to be reframed/refilled. **2.** For Solid Waste Management under the title 'segregation of waste at source', neither the 'action plan' nor the 'timeline for compliance' of 55% of the identified gap is given. **3**. For 'manual sweeping' neither the percentage of road covered for regular sweeping is mentioned nor the gap has been identified in terms of either manpower or equipment, but the timeline for compliance is mentioned as December 2022. Against the budgetary requirement of Rs.

		3.0 Cr, the availability of Rs. 5.1 Cr is mentioned in the relevant column, the amount of Rs. 2.1 Cr is in excess for this activity which is required to be reallocated for some other activity. **4.** Under 'mechanical road sweeping and collection', no information regarding roads identified for mechanical sweeping is mentioned neither any gaps nor action plan is given. **5.** Regarding '100% collection of solid waste' and 'arrangement for door-to-door collection' of solid waste, gaps have been identified but 'action plan' and 'timeline for compliance', is not indicated in the plan. **6.** Regarding 'waste collection trolleys with separate compartments', 'mini collection trucks with separate compartments' and 'waste deposition centers', timeline for compliance is indicated as December 2022, but the gaps are not mentioned in these action points. Also, the details of budget required in execution of these action points is not indicated. **7.** Regarding identification of gap in 'waste transport' the details on existing fleet and bulk waste have been indicated, but it is not mentioned that if there is a gap in the availability of these facilities or not. **8.** The identification of gaps, action plan and timeline for compliance under the 'waste treatment and disposal' activity have not been mentioned. Also the details on bulk waste generators in 'wet waste management', biomethanisation/biocomposting units in 'wet waste management facilities' and MRF in 'dry waste management' is not given in the plan. **9.** Regarding 'disposal of inert and non-recyclable waste' and 'remediation of historic and legacy dumpsite', the timeline for compliance is mentioned as December 2022 but no information on identification of gaps and action point is given. Also, regarding 'disposal of inert and non-recyclable waste', no budgetary information is provided without which the construction of sanitary landfills is not possible. The details on historic and legacy waste

		sites and their remediation is not mentioned in the plan. **10.** Information on identification of gaps and action plan on EPR of Producers have not been given, yet the timeline for compliance is mentioned as December 2022. If the brand owners are complying with the EPR directions of the UPPCB, then why timeline for compliance is mentioned as December 2022. **11.** This is a District plan but the entire section on the Solid Waste Management is about the Kanpur Nagar Nigam only. This plan is totally silent on the management of about 725 MT of SW generated by the other Nagar and Village Panchayats. **12.** Under ‘door-to-door collection’ in plastic waste management, a gap of 10% is mentioned but no timeline for compliance and action plan to cater this gap is given. **13.** Regarding ‘plastic waste collection centers’, information on twin-type litter bins’ is given with gap of 10% but no information on timeline for compliance and action plan to cater this gap is given. **14.** Regarding arrangement for separate collection of ‘C&D waste’ to the deposition points, the gap has not been identified, however, it has been mentioned in the ‘timeline’ column that there are 6 such designated points and requirement and availability of budget is also mentioned in the relevant columns. **15.** In regard to ‘fixing of user fee on C&D waste’, the information on construction of 100TPD waste processing unit is given which is irrelevant for this action point. **16.** Regarding ‘C&D recycling facility’, the information on 100 TPD waste processing unit is given which is under construction while no information on target date of completion of the plant is given. **17.** Regarding ‘usage of recycled C&D waste’, in the column for timeline

		for compliance 'yes' is mentioned which makes it unclear whether it is compliant, or any further action is still needed to address the gaps in the action plan. **18.** In biomedical waste management thematic area, the table on current status states the number of bedded and non-bedded HCFs as 853 and 555 (total 1408) respectively, while the number of HCFs authorized by the UPPCB is only 1113. In the identification of gaps and action plan table, under column 'inventory and authorization of HCFs by the UPPCB', neither the gap has been identified nor the action points and the timeline for compliance has been mentioned. In the 'target time' column the number of HCFs is mentioned as 1665. This discrepancy in number needs to be reconciled and the action plan for authorization of remaining HCFs needs to be modified accordingly. **19.** With regard to 'compliance to rules by HCFs and CBWTFs', the timeline for compliance is mentioned as December 2022 while no information on identification of gaps and 'action point' is given in the table. **20.** Regarding 'ETP installation for wastewater treatment in HCFs', the timeline for compliance is mentioned as 'under progress' without mentioning any gaps and action point in the relevant columns. **21.** In 'hazardous waste management' section, the columns pertaining to 'identification of gaps' and 'action point' seems to have been copied from the indicator template without giving the relevant statistics such as: **(i)** Under 'Regulation of industries and facilities generating Hazardous Waste', 'Establishment' and 'Availability / Linkage with common TSDF or disposal facility', the timeline for compliance is mentioned as December 2022 while no information on identification of gaps, and action plan is given. Also, for 'establishment' budget requirement is mentioned as Not Applicable without which the establishment of collection centers is not

		possible. **(ii)** With regard to 'training of workers for handling/ recycle and disposal of HW', the information on number of trainings to be held and number of workers to be trained each year needs to be mentioned so that monitoring is done accordingly, and safety of industrial workers is ensured. Accordingly, other columns would be needed to be modified. **(iii)** For 'contaminated sites', the timeline for compliance is mentioned as 'report is awaited'. The information on the number of times in a year the samples are tested, the contaminants present on the dump site and the remediation measures proposed to be undertaken should find place in the plan. **22.** Although 9790 MT/year of e-waste is generated in this district, but no action plan has been given for their collection. Presently, there is no collection center established either by the State Government or the producers in the district. **23.** The timeline for compliance in 'Linkage among stakeholders to channelize e-waste' is mentioned as December 2022 but no information on the action plan columns is given in the table. Under the 'regulation of Illegal E- Waste recycling/dismantling' and 'Integration of informal sector', the guidance given in the indicative template has been copied but relevant information has not been appropriately mentioned. **24.** For the 'air quality management' under the 'current status' details on prominent air polluting sources is not given. Under the title 'identification of gaps and the action plan' it is mentioned that emission inventory study has been carried out by IIT Kanpur and 'grid level action plan' is mentioned in the 'target time' column. Based on this study, all the relevant columns of this table need to be filled properly. Under the 'hotspots of air pollution in district' the details need to be filled in various columns on the basis of facts mentioned in the 'target time' column. No gap has been identified

		for setting of CAAQMs. **25.** In 'water quality management' section, it is mentioned that rivers Ganga and Pandu are flowing through this district but the information regarding 'polluted river stretches' is mentioned as 'none' which is incorrect as the river Ganga is highly polluted as 110 MLD of untreated or polluted sewerage is being discharged into this river. There is also discrepancy between the total quantity of sewerage indicated in this section and the subsequent section. Under the 'quality of water bodies in the district', 'protection of river/lake waterfront', inventory of sources of water pollution', 'protection of flood plains' and 'rejuvenation', the timeline for compliance is mentioned as December 2022, while no information on identification of gaps and action point is given in the plan. Even the budgetary details on rejuvenation and protection of river/lake front is mentioned as 'Not Applicable' without which these action points cannot be executed. Ina nutshell, this section needs to be redone altogether. **26.** Regarding 'underground sewage network' action point, it has been mentioned that line of 900 kms sewerage network for which Rs. 950 crore is required which has been shown under the appropriate column. So far, no budget is made available, yet the target time for compliance is shown as December 2022. This shows total non-application of mind in preparing the plan. **27**. With regard to 'industrial wastewater discharge', the number of industries not meeting the standards is not mentioned in the 'compliance to discharge norms by industries'. **28.** Regarding 'mining activity management', it has been mentioned in the timeline column that an Enforcement Committee has been formed for monitoring mining activities, but action point has not been identified accordingly. In fact, the guidance given in the indicative template has been copied under the column 'action point' for all the three activities

		mentioned in this section. Under the action point 'environment compliance by mining industry', it is expected that a periodical verification would be done on a regular basis. It is not clear that when there exists a Committee, why it cannot do periodical verification. This entire section requires to be redone incorporating quantifiable targets for every activity. **29.** Under 'availability of sound/noise pollution meters', it is mentioned in the 'timeline for completion of action point' column that the 'concerned agencies don't have. December 2022', which suggests that there is some gap, but neither the gap nor the action point has been identified. Also, if more noise pollution meters are required to be installed then there should be some budget requirement which is not mentioned. **30.** The 'action plan' and 'budget requirement' for installation of fixed ambient noise level monitoring stations to be installed in the district is not mentioned but the timeline for compliance is mentioned as December 2022. **31.** With regard to 'signboards in noise zones', it is mentioned in the column 'timeline for completion of action plan' that the sign boards are installed at sensitive zones. It is not clear that if the sign boards are already installed at sensitive zones, then why timeline for compliance is mentioned as December 2022.

(ii) State Environment Management Plan (SEMP)

The DEMPs submitted by the UPPCB are not in conformity with the directions issued by the Hon'ble NGT. A State Environment Management Plan prepared on the basis of faulty DEMPs can only be ab initio faulty. However, the Oversight Committee reviewed the SEMP submitted by the UPPCB on 14.09.2022. It observes that the budget required for different thematic areas is not included in the main body of the plan. In the SEMP, the budget requirement has to be an aggregation of the budgetary demand of all the 75 districts. The thematic area wise observations of the Committee on the SEMP are as follows:

S. No.	Thematic area	Points to be addressed
A. Waste Management		
a.	Solid waste management	1. On page 13 of the plan, it is mentioned that presently about 14710 TPD of Municipal Solid Waste is generated. However, on page 14, under the title 'current status relating to Solid Waste Management' this figure is shown as 19180 TPD. 2. With regard to MSW processing facility, the total number of MSW facilities operational in the State is not given. The plan contains information in respect of Ghaziabad Nagar Nigam only. 3. For the management of any of the activities, namely, segregation, sweeping, collection, transportation and treatment of wastes, no gap has been identified. Thus, the action point mentioned in the relevant column is naturally vague and without any budgetary requirement or its availability. However, a target date has been mentioned in the last column. **4.** With regard to '100% door-to-door collection' of solid waste, it is mentioned in the plan that 100% D2D collection is being done in all the wards but while referring to DEMPs, it is found that some districts are yet to achieve 100% collection. If 100% door-to-door collection is already achieved, then there was no need to mention the 'timeline for compliance' as March, 2024. **5.** With reference to 'waste collection trolley with separate compartments', it is mentioned that collection of solid waste is being done and adequate number of trolleys have been deployed which means that there is no gap, still the 'timeline for completion' is given as March 2025. **6.** Relevant information on EPR of Producers is not given in

		the plan. Tapping their resources would ease the financial burden of the State and the ULBs but this area has not caught the attention of the planners. **7.** With regard to 'preparation of own bye-laws to comply with SWM rules 2016, in the 'timeline for compliance' column it is stated as 'complying', whereas in the 'identification of gap' column 'Yes/No' and in the 'action point' column 'Yes' is mentioned. The information given in these columns are ambiguous, contradictory and at variance with the information available in the DEMPs.
b.	Plastic waste management	1. In PWM section, the columns pertaining to 'identification of gaps' seems to have been copied from the indicator template without giving relevant information. Naturally, the action point is vague/unquantified. 2. With reference to 'door to door collection of PW', in the 'target time' column, 'compliance' is mentioned which suggests that 100% door-to-door collection is being done, whereas in the 'action point' column it is mentioned that 'additionally, some tricycles are on procurement stage to cover 100% door-to-door collection. 3. With reference to 'Facilitate organized collection of PW at Waste transfer point or Material Recovery Facility', no information on 'identification of gaps' or 'action point' is given in respect to availability of transfer points, material recovery facility, involvement of informal sector / NGO, registering waste pickers and linkage with PW recyclers is given in the plan, even then the timeline for compliance is mentioned as March 2023. 4. No information on current status of 'plastic waste

		collection centres' in the State or 'collection centres yet to be established', about the gaps and action plan is given in the plan. 5. The timeline for completion of 'access to plastic waste disposal facilities' is mentioned as March 2025, but no information on the gaps and action plan is given.
c.	C & D waste	1. In C&D waste section, the columns pertaining to 'identification of gaps' seems to have been copied from the indicator template without giving relevant information. 2. With regard to 'arrangement for separate collection of C&D waste to C&D waste deposition point', the timeline for compliance is mentioned as March 2025 but no information on 'identification of gaps' and 'action point' is given. 3. For the action points 'whether local authority have fixed user fee for C&D waste', 'C&D recycling facility', 'usage of recycled C&D waste' and 'ICE on C&D waste management', the timeline for compliance is mentioned as 'complying' , but this claim does not match with the information given in 75 DEMPs.
d.	Biomedical waste management	1. With reference to 'current status related to biomedical waste', information pertaining to only COVID waste is given. No information on non-COVID biomedical waste is mentioned in the plan. 2. With regard to 'inventory and identification of HCFs', the information regarding the total number of authorized and unauthorized HCFs in the state is not given in the plan. 3. With respect to 'tracking of BMW', it is mentioned in the 'time line' column that it is being complied with,

		however, no information about HCFs and CBWTFs is provided in which barcode system has been implemented/yet to be implemented. The information furnished in the DEMPs do not match with the claim of compliance made in this SEMP in this regard. 4. For the action point 'adequacy of funds', it is mentioned that State Govt provide adequate funds for biomedical waste management but total funds (in amount per year) allocated by the State Government for this activity is not given in the plan. 5. With regard to 'ETP for WWT in HCFs', it is mentioned in the plan 'Yes HCFs where applicable' which seems that ETP are available in HCFs where applicable but on referring to DEMPs it is found that ETPs are not constructed in majority of the HCFs of the districts.
e.	Hazardous waste management	1. With regard to 'Regulation of industries and facilities generating Hazardous Waste', no details on identification and authorization status of industries generating hazardous waste in the State is mentioned in the plan. 2. Under the activity 'training of workers' it is mentioned that industries train workers on safety aspects hence it is compling. It is vague and unmonitorable. They should indicate the number of trainings to be held and number of persons to be trained each year, as it is a regular activity, so that monitoring is done regularly and safety of industrial workers is ensured. 3. In action point 'Availability / Linkage with common TSDF or disposal facility', no information on 'identification of gaps' and 'action plan' is given. It is not clear in respect

		whether all the HW generators have access to the TSDFs in the State?
f.	E-waste Management	1. A list of 51 e-waste collection/dismantling/recycling/ refurbishing units along with their capacity is given, but nowhere the quantity of e-waste, action plan for their treatment, budget requirement and timeline for completing these activities are mentioned. Regarding inventory/generation of e-waste/bulk e-waste generators, it is mentioned that it is a regular activity but no information about the inventory and action plan is given. In fact, in none of the activities, any information has been given in the plan.
B.	Air quality management	1. Information on prominent air polluting sources is missing in the table on 'current status' related to air quality monitoring. 2. With regard to 'prominent air polluting sources' and 'hotspots of air pollution', information regarding NCR and non-attainment cities is given while no details about the other cities is mentioned in the plan. 3. With regard to 'setting up of continuous ambient air quality monitoring stations', it is mentioned in the plan that in some districts CAAQMS is yet to be installed while no gap and action plan for the same has been given.
C.	Water quality management	1. The table on current status on water quality monitoring is missing in the plan. 2. With reference to 'inventory of water bodies', 'quality of water bodies' and 'hotspots of water contamination' no information on identification of gaps, action plan and timeline for compliance is given.

		3. Information given in respect of 'protection of river/lake waterfront', 'inventory of sources of water pollution', protection of flood plains', and 'rejuvenation of groundwater' is not specific. The presentation of facts in this section does not match with the DEMPs.
D.	Domestic sewage treatment	1. From the data presented under this section, it is difficult to ascertain the gap. No plan has been presented to meet the gap within a specified time limit for the construction of STPs or connecting network. This plan does not mention even the total volume of sewage generated in the State.
E.	Industrial waste water	1. Under the 'current status' section no gap has been identified. In fact, the capacity of the operational ETPs have not been mentioned. The plan must include this information as well as the action plan for meeting the gap. 2. Under 'compliance to discharge norms by industries', the industries which are not compliant with the standards is not indicated. No protocol to carry out this regular activity is mentioned.
F.	Mining activity management	1. For monitoring 'mining activity', it has been reported that Task Force/Committee has been constituted in the districts, but no further details have been given. The action plan should include the minimum number of inspections/raids to be conducted during the year and fine/prosecution/action taken etc. The plan must indicate quantified monitorable targets to prevent illegal mining and ensure environmental compliance by the mining industry.
G.	Noise pollution	1. Regarding the current status on 'noise pollution management', the total numbers of noise measuring

	management	devices available in the state is not given in the plan. 2. Regarding the table on 'identification of gaps and action plan' neither the gap has been identified nor any action plan has been proposed. From the chart it appears that out of 75 districts, only 56 have noise measuring devices. The timeline for completion of all the activities is mentioned as 'immediate' which has been copied from the indicative template, but no budgetary requirement has been mentioned which would facilitate these activities, particularly procurement of noise measuring meters for the remaining districts, immediately.

Recommendations.

In view of the above, we recommend as follows:

1. Review of these plans reveals that they have been prepared without understanding the purpose and process of this exercise. The indicative template made available by the CPCB is fairly elaborate and exhaustive. In order to orient and equip the planners to properly use this and prepare realistic implementable and monitorable plan, the Additional Chief Secretary, EF&CC, UP may be directed to get all these DEMPs of the 75 districts prepared in accordance with the spirit of the order of the Hon'ble NGT keeping the observations of this Committee in mind. He may also be directed to conduct workshops for the Member Secretaries of the DEMP Committees of all the districts in small and manageable groups in which respective Head of the Departments should guide them to fill the relevant sections. Thereafter, the Member Secretaries should hold a workshop of all the district level officers in the district and get the DEMPs finalized. The finalized master (office) copy of the DEMP shall be signed by all the district level officers of the departments concerned. This exercise may take six weeks.
2. Once the plans of all the districts are finalized, only then the preparation of SEMP should begin. The Member Secretary, UPPCB may be directed to prepare the SEMP by aggregating the details of every column in respect of each action point in all 7 thematic

areas. The SEMP so prepared should be passed on to the Head of the Departments at the State level for vetting and making appropriate provision in the budget. After the vetting of the State Plan by the respective Head of the Departments, it should be deemed to have been finalized. The Additional Chief Secretary, EF&CC thereafter should share the SEMP with all ACS/PS/Secretaries of the departments concerned for making budgetary provision and monitoring time bound implementation of the SEMP. This exercise may take another 6 weeks.

3. The Chief Secretary may be directed to monitor and coordinate between the departments and ensure that DEMPs and SEMP are prepared within 3 months without any further delay.

The Member Secretary, UPPCB is directed to send this report to the Registrar General, National Green Tribunal, Principal Bench, New Delhi for placing the same before the Hon'ble Tribunal with a copy to the Chief Secretary, Government of Uttar Pradesh for necessary action. The report also be uploaded on the website of the Committee.

23-Sep-22

X Anant Kumar Singh

Anant Kumar Singh
Member, Oversight Committee
Signed by: ANANT KUMAR SINGH

23-Sep-22

X SVS Rathore

Justice SVS Rathore
Chairman, Oversight Committee
Signed by: SURENDRA VIKRAM SINGH RATHORE

Sep 23, 2022

Please visit our website: ***oscngt.upsdc.gov.in*** for more information.