



CPCB Defends Use of Green Funds for Road Works

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Why in News?

The [Central Pollution Control Board \(CPCB\)](#) has been using funds meant for tackling [air pollution](#) to finance road repairs and paving works.

- The [National Green Tribunal \(NGT\)](#) has expressed concern over this diversion of funds, calling it potentially a "gross misuse and serious financial irregularity."

What is the Issue of CPCB's Use of Green Funds for Road Works?

▪ Funds in Question:

- Environment Protection Charge (EPC): Collected as a 1% charge on diesel vehicles with an engine capacity of 2000 CC or above in Delhi-NCR, based on a 2016 [Supreme Court](#) order.
- Environment Compensation (EC): Collected from compensation imposed by the NGT and managed by CPCB.
- These funds were created with the **specific purpose of tackling air pollution** and other environmental issues. However, their recent use for road works has led to legal scrutiny.

▪ **CPCB's Justification: The CPCB argues that road repairs and paving works directly contribute to reducing dust pollution, a significant contributor to [poor air quality](#) in urban areas.**

- They claim this funding approach aligns with the [National Clean Air Programme \(NCAP\) 2019](#), which adopts a convergence model for implementing clean air city action plans.
 - The CPCB states that it uses these funds as gap funding for air quality improvement projects when they are **not supported by other schemes**.
 - The CPCB has highlighted the case of funding allocated Rs 15.9 crore out of Rs 98.9 crore EPC funds to Ghaziabad Municipal Corporation for eight road projects, ensuring no other scheme funded these works.
 - This allocation, approved by relevant committees, demonstrates CPCB's use of funds for road works to improve air quality.

▪ **NGT's Concerns and Scrutiny: NGT is concerned about potential misuse and financial irregularities in diverting air quality improvement funds to road repairs.**

- If CPCB continues this practice, it may lead to other municipal bodies seeking similar allocations, raising fairness and fund utilization issues.
- The **NGT is yet to decide on the permissibility of using these funds**, this decision will also impact the future use of funds by the CPCB and could influence policy decisions on environmental protection and infrastructure development projects.

- Additionally, the issue will be considered in the context of poor air quality in 53 cities, potentially linking it to wider air quality management strategies.

What are the Key Facts About the Central Pollution Control Board?

- **Establishment and Legal Framework:** The CPCB is a statutory organization constituted in 1974 under the Water (Prevention and Control of Pollution) Act, 1974. It was further entrusted with functions under the Air (Prevention and Control of Pollution) Act, 1981.
 - It also provides technical services to the **Ministry of Environment and Forests under the Environment (Protection) Act, 1986.**
- **Principal Functions:**
 - **Water Pollution:** Promote cleanliness of streams and wells by preventing, controlling, and abating water pollution.
 - **Air Pollution:** Improve air quality by preventing, controlling, or abating air pollution in the country.
- **Air Quality Monitoring:**
 - **National Air Monitoring Programme (NAMP):** Established to determine air quality status and trends, control pollution from various sources, and provide data for industrial siting and town planning.
 - **Monitoring Station:** Automatic monitoring station at ITO Intersection in New Delhi regularly monitors: Respirable Suspended Particulate Matter (RSPM), Carbon Monoxide (CO), Ozone (O₃), Sulphur Dioxide (SO₂), Nitrogen Dioxide (NO₂), and Suspended Particulate Matter (SPM).
- **Water Quality Monitoring:** The Water (Prevention and Control of Pollution) Act, 1974 aims to maintain and restore the wholesomeness of water bodies. CPCB collects, collates, and disseminates technical and statistical data related to water pollution.

National Green Tribunal (NGT)

- The NGT was established in 2010 under the **National Green Tribunal Act, 2010** for quick resolution of environmental cases, enforcement of legal rights, and providing relief for damages.
 - It has expertise in handling environmental disputes and is not bound by the **Code of Civil Procedure, 1908**, but shall be guided by **principles of natural justice.**
- The Tribunal aims to provide speedy environmental justice and reduce the burden on higher courts, with a **mandate to dispose of cases within 6 months.**
- The **Tribunal has powers to review its own decisions.** If this fails, the decision can be challenged before the **Supreme Court within ninety days.**
- The **Tribunal's Principal Place of Sitting is New Delhi, with Bhopal, Pune, Kolkata, and Chennai as the other four sitting places.**

UPSC Civil Services Examination Previous Year Question (PYQ)

Prelims

Q. How is the National Green Tribunal (NGT) different from the Central Pollution Control Board (CPCB)? (2018)

1. The NGT has been established by an Act whereas the CPCB has been created by an executive order of the Government.
2. The NGT provides environmental justice and helps reduce the burden of litigation in the higher courts whereas the CPCB promotes cleanliness of streams and wells, and aims to improve the quality of air in the country.

Which of the statements given above is/are correct?

- (a) 1 only
- (b) 2 only
- (c) Both 1 and 2
- (d) Neither 1 nor 2

Ans: (b)

Q. The National Green Tribunal Act, 2010 was enacted in consonance with which of the following provisions of the Constitution of India? (2012)

1. Right to healthy environment, construed as a part of Right to life under Article 21
2. Provision of grants for raising the level of administration in the Scheduled Areas for the welfare of Scheduled Tribes under Article 275(1)
3. Powers and functions of Gram Sabha as mentioned under Article 243(A)

Select the correct answer using the codes given below:

- (a) 1 only
- (b) 2 and 3 only
- (c) 1 and 3 only
- (d) 1, 2 and 3

Ans: (a)

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