



NGT Orders Pollution Control Boards to Increase Capacity

Why in News

Recently, the [National Green Tribunal \(NGT\)](#) directed the Haryana State Pollution Control Board (HSPCB) to strengthen its capacity and the [Central Pollution Control Board \(CPCB\)](#) to form a uniform recruitment criteria.

- The order was to **ensure better monitoring for improved compliance of environmental norms.**
- Earlier in January 2021, the [Supreme Court \(SC\)](#) had taken suo motu cognizance of pollution of water bodies by [untreated sewage in Haryana.](#)

Key Points

▪ Background:

◦ The Plea:

- In 2018, a case was filed with NGT's principal bench for revising existing monitoring mechanism by State Pollution Control Boards (SPCBs).
 - This included an interval of mandatory inspections of **highly polluting** industries and policy for auto renewal of **Consent to Operate (CTO)** certificate under [Water \(Prevention and Control of Pollution\) Act, 1974](#) as well as the [Air \(Prevention and Control of Pollution\) Act, 1981.](#)
 - The plea pointed out that an earlier report of the [Central Ground Water Board \(CGWB\)](#) had established **deterioration of the ground water quality in Haryana.**
 - The [Comptroller and Auditor General \(CAG\)](#) of India's 2016 report also recorded operation of several projects without valid consent to establish or CTO certificates, showing ineffectiveness of monitoring mechanism.

◦ NGTs Action:

- The NGT passed an order for the Haryana government to revisit its inspection policy and make it adequate to ensure effective enforcement of law.

◦ Haryana's Proposal:

- The Haryana government, in compliance to the NGT order, proposed a revised policy with increased frequency of inspection, installation of online monitoring devices to capture real-time data and pre-verification of documents before issuing renewal.

▪ Current Order:

- Inspection at **higher frequencies.**
- **Capacity enhancement** of SPCBs/**Pollution Control Committees (PCCs)** with **consent funds.**
- Capacity enhancement of CPCB utilising **environment compensation funds.**

- **Annual performance audit** of state PCBs/PCCs.
- **CPCB to prepare a format** containing qualifications, minimum eligibility criteria and required experience for key positions.
- **Significance:**
 - In the name of 'ease of doing business', powers and authorities of SPCB have been compromised. The latest judgement of NGT is a **fresh start to the long-delayed initiative of strengthening CPCB/SPCBs/PCCs.**
 - The judgment of NGT could be termed as landmark. The **NGT has tried to erase the bottlenecks, which were being used to halt the strengthening of environmental regulation.**
 - The important part of the judgement is asking **CPCB to come out with standard recruitment rules** which can be followed by all states. The existing SPCBs recruitment rules have not been updated for decades.

Note

- **CPCB:**
 - CPCB is a **statutory organisation** which was constituted in September, 1974 under the [Water \(Prevention and Control of Pollution\) Act, 1974.](#)
 - It was entrusted with the powers and functions under the [Air \(Prevention and Control of Pollution\) Act, 1981.](#)
 - It serves as a field formation and also provides technical services to the Ministry of Environment and Forests and Climate Change of the provisions of the [Environment \(Protection\) Act, 1986.](#)
- **SPCB:**
 - They supplement the CPCB as they are a statutory organization entrusted to implement Environmental Laws and rules within the jurisdiction of a state.
- **Environment Compensation:**
 - Environmental compensation is a policy instrument for the protection of the environment which works on the **'Polluter Pays Principle'.**
- **Environment Compensation Fund:**
 - It is a **specialised type of fund** collected by **charging the environmental violations.**
 - **Example:** Illegal discharge in water bodies.

[Source:DTE](#)

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