

## **Brief Note on Strengthening of State Pollution Control Boards (SPCBs) / Pollution Control Committees (PCCs)**

State Pollution Control Boards (SPCBs) are constituted under Section 4 of the Water (Prevention and Control of Pollution) Act, 1974 and the Air (Prevention and Control of Pollution) Act, 1981 by the respective State Government. As per the Section 4 (4) of the Water (Prevention and Control of Pollution) Act, 1974 and Section 6 of Air (Prevention and Control of Pollution) Act, 1981, the Central Pollution Control Board (CPCB) delegates all or any of its powers and functions under this section to Pollution Control Committees (PCCs) of UTs. The consent fee is the major source of income for meeting all expenditures including staff salary, pension, infrastructure developments (office building, establishment of labs etc.) and other administrative expenditures of SPCBs / PCCs.

The SPCB / PCCs are the statutory authorities initially constituted to implement the provisions of Water Act, Air Act and made responsible for implementation of provisions of other Environmental Acts/Rules enacted subsequently. The environmental laws and rules largely provide them a predominant role in monitoring of compliance with the provisions of these laws and rules by industries, municipal authorities, hospitals, etc.

CPCB has conducted Performance Audit of the SPCBs / PCCs on issues such as adequacy with regard to environmental monitoring, efficacy of regulatory setup / mechanisms, staffing both technical and scientific manpower, lab infrastructure with adequate scientific equipment/instruments, logistics support, competence, etc. during 2019-20.

### **The observations on financial, infrastructure, manpower and laboratory facilities of SPCBs/PCCs are:**

#### **a. Financial position of the SPCBs / PCCs:**

- Most of the SPCBs / PCCs (except NE States and PCCs in UTs such as Lakshadweep etc.) do not have any kind of financial constraints.
- SPCBs/PCCs appeared insecure for the availability of funds in future.

#### **b. Infrastructure and Manpower at SPCBs / PCCs:**

- The SPCBs/PCCs are not adequately equipped with infrastructure, trained staff and law enforcers particularly SPCBs of the North Eastern States.
- The shortage of manpower is the chief cause for under performance of SPCBs / PCCs. It was observed that total sanctioned post to SPCBs / PCCs are 9438 covering (1749) Group-A, (2629) Group B and (5060) Group-C and the status are as follow:
  - About 46 % posts were vacant, need to be filled up by SPCBs/PCCs.
  - No recruitment on regular interval, huge gap resulting in experience / knowledge sharing
  - North Eastern States and UTs have skeleton staff attending urgent matters only.

- Six Boards namely Andaman & Nicobar (05), Arunachal Pradesh (56, including 49 Group C), Daman, Diu & Dadra and Nagar Haveli (10), Mizoram (11), Nagaland (14) and Sikkim (19) have filled all sanctioned posts.
- Arunachal Pradesh, Delhi, Himachal Pradesh, Jammu & Kashmir, Madhya Pradesh, Meghalaya, Punjab, Sikkim Board had administrative staff more than Scientific & Technical manpower.
- There is no time bound promotion, stagnation in same post for many years. Member Secretary post are appointed with IFS officer / outsider, no or less chance given to Board officials.

**c. Laboratories Status of the SPCBs / PCCs:**

The strengthening of laboratories at SPCBs /PCCs is one of the major concerns and expected regular upgradation and establishment of analytical facilities to meet the regulatory and research requirements. There are no reasons for the SPCBs/PCCs for not obtaining the recognition of their laboratories under E (P) Act.

- NABL Accreditation is recommended for all laboratories.
- The shortage of scientific manpower, procurement delays in instruments, equipment, & consumables and need for quality control are important aspects.
- Majority of the Boards have not taken up on priority to get laboratories strengthened.
- Six Central Laboratories at SPCBs had valid recognition under EPA,1986 and three Regional Labs of SPCBs.
- Five Laboratories have obtained accreditation for four major group of parameters.
- Five SPCBs notified adequate number of Board Analysts, all SPCBs/PCCs have to notify Board analysts.
- Twelve Boards have notified more than one Analyst at Laboratories.
- Thirteen SPCBs / PCCs have not notified any Analysts.

**Overall findings and Recommendations:**

Based on the performance study and observations, the following recommendations are made:

- i. The State Governments should allow the recruitment of the staff required by the respective SPCB/PCC and if needed. Large number of sanctioned posts are still vacant, all vacant posts shall be filled immediately and recruitment process shall be on regular interval based on vacancy created and requirement. Recruitment process may be outsourced availing professional services, wherever internal shortcomings were observed.
- ii. A comprehensive assessment study may be carried out for building suitable infrastructure for effective and improved performance. Accordingly, SPCBs/PCCs shall be strengthened with necessary financial support from Central.

- iii. The SPCBs /PCCs should develop & upgrade their laboratories and obtain the NABL Accreditation and EPA recognition on top priority. Also to expand their Labs at regional levels too for regular environmental parameters.
- iv. Respective SPCB/PCC official shall be considered and appointed as Member Secretary, appointment of IFS/IAS officer as Member Secretary shall be discouraged which stops the avenue of Board official.
- v. As like IAS/IFS, Under the All India Services Act, 1951, Indian Environmental Service (IES) may be introduced in order to ensure the Prevention and Control of Pollution, also for sustainable management of environment. The members of the service can manage the SPCBs, PCCs.
- vi. SPCBs/PCCs to be funded for creation of R&D Cell for addressing respective state environmental issues.
- vii. The State should prepare / revisit their Environmental Policies incorporating all the current aspects concerning the sustainability of the development, conservation of the resources and the objectives of the Environment Legislation of the country.
- viii. The State Environmental Status Reports should be prepared / updated by the SPCBs incorporating the aspects of environmental quality parameters.
- ix. The States should prepare / update their industrial siting policies / criteria and regulated strictly as per the criteria.
- x. The SPCBs /PCCs should ensure preparation and submission of their annual reports with complete inventory details as per the timelines specified under the rules.
- xi. All the SPCBs / PCCs should ensure issuing the consolidated consents & authorization by processing all applications online in transparent manner.
- xii. The SPCBs / PCCs should prepare / update the protocols for regular inspection of the polluting industries for timely identification of & action against the defaulters.
- xiii. The Online CEMS data generated from the system should be used for surveillance and monitoring for identifying habitual and frequent violators.
- xiv. The States and UTs should adopt 'Online Tracking' for all wastes from generation point to final disposal point. A national tracking system initiated by CPCB may be shared with SPCBs.
- xv. The SPCBs / PCCs should ensure 100 % compliance of the Waste Management and submission of the report to CPCB.

- xvi. The SPCBs /PCCs should identify air & water quality monitoring locations covering the district headquarters, minor rivers, ponds, lakes and other important water bodies of the State / UT.
- xvii. The SPCBs / PCCs, situated along the main coastline, should establish a representative number of stations / locations for the monitoring of coastal waters in the range of 80 to 150 stations.
- xviii. The SPCBs/PCCs shall prepare comprehensive plans for strengthening the organizations and also incorporate short-term & long term actions for abatement and control of pollution with budgetary estimates and obtain required approvals from the respective departments under State Government and UT Administration.