

Item No. 01

Court No. 1

**BEFORE THE NATIONAL GREEN TRIBUNAL  
PRINCIPAL BENCH, NEW DELHI**

Original Application No. 360/2018

(With report dated 28.01.2021)

Shree Nath Sharma

Applicant(s)

Versus

Union of India & Ors.

Respondent(s)

Date of hearing: 29.01.2021

**CORAM: HON'BLE MR. JUSTICE ADARSH KUMAR GOEL, CHAIRPERSON  
HON'BLE MR. JUSTICE SHEO KUMAR SINGH, JUDICIAL MEMBER  
HON'BLE DR. NAGIN NANDA, EXPERT MEMBER**

Respondent: Mr. Mukesh Kumar, Advocate for CPCB

**ORDER**

1. The issue for consideration is compliance of directions of this Tribunal for preparation of District Environmental Plans in all the Districts, followed by State Environmental Plans in States and finally the National Environment Plan in terms of earlier orders of this Tribunal on the subject.

2. Vide order dated 15.07.2019 in O.A. No. 710/2017, *Shailesh Singh vs. Sheela Hospital & Trauma Centre, Shahjahanpur & Ors.*, this Tribunal directed as follows:-

*"We find it necessary to add that in view of Constitutional provisions under Articles 243 G, 243 W, 243 ZD read with Schedules 11 and 12 and Rule 15 of the Solid Waste Management Rules, 2016, it is necessary to have a District Environment Plan to be operated by a District Committee (as a part of District Planning Committee under Article 243 ZD) with representatives from Panchayats, Local Bodies, Regional Officers, State PCB and a suitable officer representing the administration, which may in turn be chaired and monitored by the District Magistrate. Such District Environment Plans and Constitution of District Committee may be placed on the website of Districts concerned. The monthly report of monitoring by the*

***District Magistrate may be furnished to the Chief Secretary and may be placed on the website of the District and kept on such websites for a period of one year. This may be made operative from 1.08.2019. Compliance of this direction may also be seen by the Chief Secretaries of the States/UTs. This may not only comply with mandate of law but provide an institutional mechanism for effective monitoring of environment norms.”***

3. Thereafter, vide order dated 26.09.2019 in the present matter, it was observed:-

“6. This Tribunal in O.A. No. 606/2018, while dealing with the compliance of Municipal Solid Waste Management Rules, 2016 also flagged other issues and required monitoring at the level of the Chief Secretaries and the District Magistrates. The Chief Secretaries of all the States/UTs have appeared before this Tribunal, including the Chief Secretary of State of Rajasthan and directions have been issued for continuous monitoring and filing of further reports.

7. Vide order dated 12.09.2019, while fixing a schedule for further appearance of the Chief Secretaries of all the States/UTs, direction has been issued to compile information with reference to the following specific thematic areas viz.:

- **Compliance to Solid Waste Rules including Legacy Waste.**
- **Compliance to Bio-medical Waste Rules.**
- **Compliance to Construction & Demolition Waste.**
- **Compliance to Hazardous Waste Rules.**
- **Compliance to E-waste Rules.**
- **351 Polluter Stretches in the country.**
- **122 Non-attainment cities.**
- **100 industrial clusters.**
- **Status of STPs and re-use of treated water.**
- **Status of CETPs/ETPs including performance.**
- **Ground water extraction/contamination and re-charge.**
- **Air pollution including noise pollution.**
- **Illegal sand mining.**
- **Rejuvenation of water bodies.**
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8. Such information is to be furnished to the CPCB by the Chief Secretaries of all the States/UTs indicating:

- Current status
- Desirable level of compliance in terms of statutes.
- Gap between current status and desired levels.
- Proposal of attending the gap with time lines.

- Name and designation of designated officer for ensuring Compliance to provisions under statute.

9. Since CPCB is to file updated report by 15.11.2019, the Chief Secretaries of all the States/UTs may furnish such information by 31.10.2019.

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11. **To facilitate preparation of such District Environment Plan, it will be appropriate that CPCB prepares a Model/Models and places the same on its website which may be adopted with suitable changes as per local requirements for all Districts in the country and monitored by the Chief Secretaries with reports to the Tribunal in O.A. No. 606/2018.**

12. **The Department of Environment of all States and Union Territories may collect such District Environment Plans of their respective States and finalize the 'State Environment Plan' covering the specific thematic areas referred in Para-7 including information as contained in Para-8 and template of Model/Models District Environment Plan provided by the CPCB. The action for preparation of State's Environment Plan shall be monitored by the respective Chief Secretaries of States and Administration of UTs. Let this action be completed by 15.12.2019 and compliance be reported to the Tribunal by 31.12.2019.**

13. **Based on States and UTs Environment Plans, MoEF&CC and CPCB shall prepare country's Environment Plan accordingly. Let the Secretary, MoEF&CC and Chairman, CPCB steer the preparation of country's Environment Plan. Let their action be completed by 31.01.2020 and compliance be reported to the Tribunal by 15.02.2020."**

4. The matter was last considered on 19.03.2020 in the light of report of the CPCB dated 14.02.2020 to the effect that information received by the CPCB was not adequate till then. The Tribunal observed:

"4. In pursuance of the above, a status report has been filed by the CPCB on 14.02.2020 as follows:-

"2. Status of Compliance

2.1 Action Taken by CPCB

- (i) In compliance to the directions from Hon'ble NGT, CPCB has prepared a template for model District Environment Plan, which provides data sheets to capture all relevant information pertaining to thematic areas. The objectives of data sheets is to identify quantifiable gaps in implementations of environmental norms for each thematic area at the level of Districts. Such data will help in planning and execution of time bound action plans in quantifiable manner.

Template for model District Environment Plan, covers the following 7 areas capturing all thematic areas identified by Hon'ble Tribunal;

1. Waste Management
  - a) Solid Waste
  - b) Biomedical waste
  - c) Construction and Demolition Waste
  - d) Hazardous Wastes
  - e) Electronic Waste (E-Waste)
  - f) Plastic Waste
2. Water Quality Management
3. Ambient Air Quality
4. Domestic Sewage
5. Industrial Waste Water
6. Mining Activity
7. Noise Pollution

**Templates for District Environment Plan captures basic information on 64 action areas using nearly 220 data points, which are essential for framing District Environment Plan. The office of District Magistrate is expected to use the template of action points and indicative data requirements given for preparing District level Environment Plan. It is suggested Information pertaining to data points may be collected from respective agencies in the District. Copy of Model Template for District Environment Plan shared by CPCB is given at Annexure IB.**

- (ii) **CPCB uploaded template for District Environment Plan on its website and also circulated the same to office of District Magistrates by E-mail. Further, CPCB vide letter dated 01.11.2019 requested Chief Secretaries of all States / UTs to ensure that District Environment Plans (hereinafter will be referred as DEP) and State Environment Plans (hereinafter will be referred as SEPs) are prepared and submitted as per the time lines given in Hon'ble NGT order dated 26.09.2019. Copy of said CPCB letter dated 01.11.2019 is enclosed at Annexure II.**
- (iii) **CPCB vide letters dated 20.11.2019 requested all State Pollution Control Boards (hereinafter will be referred as SPCBs) / Pollution Control Committees**

**(hereinafter will be called as PCCs) and Principal Secretary, Environment Department of every State/UT to kindly coordinate the above matter with District Magistrates and for submission of SEP within stipulated time so that CPCB can compile the same to prepare National Environment Plan (herein will be referred as NEP). Copy of said CPCB letter dated 20.11.2019 is enclosed at Annexure III.**

- (iv) CPCB issued a reminder letter dated 10/01/2020 to Principal Secretaries of States / UTs requesting submission of SEPs. Copy of said CPCB letter is enclosed at Annexure IV.
- (v) CPCB coordinate with MoEF&CC for holding joint review meeting by Secretary MoEF&CC and Chairman, CPCB as per directions of Hon'ble NGT.

## 2.2. Compliance by States

- (i) 07 States namely Maharashtra, Lakshadweep, Chandigarh, Puducherry, Tamil Nadu, Tripura and Andhra Pradesh submitted State Environment Plan to CPCB. In case of MP State, MP Pollution Control Board has shared District Environmental Plans of 9 Districts and reported that DEPs of 39 out of 52 districts completed.
- (ii) The following observations made upon scrutiny of 07 State Environment Plans submitted by States;
  - a. The State Environment Plans are not uniform among the States, which will make it difficult prepare National Environment Pan.
  - b. Some SEPs does not capture action areas comprehensively
  - c. Time bound action plans to close identified gaps and for meeting environmental norms not outlined.
  - d. Some SEPs does not capture information of DEPs.
- (iii) Observations on SEPS received from 7 State is given in Table 1 below;

Table 1: Details of SEP/DEP submitted by States / Union Territories

Sl. No.	Name of State	DEP/SEPs Received From	Details of Information received	Comments/Remarks
1.	Maharashtra	Maharashtra SPCB	DEPs for 36 Districts have been submitted. DEPs outlines action plan for each thematic area. Specific timelines not	SEP provides environmental status report pertaining to each thematic area. However, SEP does not capture action

			<i>specified, however actions are classified as priorities High &amp; immediate/short-term/Mid-term/</i>	<i>points specified in DEPs with timelines. SEP may need upgradation with additional information.</i>
2.	<i>Lakshadweep</i>	<i>Department of Environment</i>	<i>SEP captures information relevant to thematic areas as per CPCB template. 5-Year time-targeted action plan along with budgetary requirement is provided for all thematic areas.</i>	<i>SEP is satisfactory. May need revision of few action points.</i>
3.	<i>Chandigarh UT</i>	<i>Department of Environment</i>	<i>SEP comprises of only the filled in template data for model DEP. UT specific implementation gaps and proposed strategy to implement UT-Environment Plan not given.</i>	<i>Need to prepare UT Environment Plan based on template information.</i>
4.	<i>Tripura</i>	<i>Department of Science, Technology and Environment, Tripura</i>	<i>SEP has been prepared as per template of DEP, therefore it may be difficult to monitor. Present Status, gaps and Timelines for implementation are given.</i>	<i>SEP may be simplified.</i>
5.	<i>Tamilnadu</i>	<i>Department of Environment</i>	<i>Draft SEP is mere compilation of data received from all the Districts. There is no specific plan except status report. DEP not provided, however data sheets provided for all districts as per template given by CPCB.</i>	<i>Draft SEP identifies the gaps, but action plans not envisaged. Draft SEP may need revision.</i>

6.	Puducherry	Puducherry PCC	SEP is submitted with proposed strategy however timelines for compliance is not given DEP prepared for 02 out 04 districts in UT. DEPs provides status report and strategic action plan, however deliverables not quantified along with timelines for compliance.	SEPs may be revised to include quantifiable deliverables along with timelines for compliance.
7.	Andhra Pradesh	Department of Environment, Forests, Science and Technology	SEP covers all thematic areas. Provides present status, and gaps including financial status of ULBs	SEP is satisfactory

iv. 06 States namely West Bengal, Chhattisgarh, Madhya Pradesh, Assam, Rajasthan and Jammu & Kashmir sought time ranging between two weeks to six months for preparation of District Environment Plan and State Environment Plan. In response to which, CPCB vide letter dated between 15.01.2020 to 22.01.2020 informed all States that CPCB cannot provide time extension and the same may be sought only from Hon'ble NGT. Copies of said CPCB letters given at **Annexure V**.

### 3. Review meeting on preparation of National Environment Plan

In compliance to directions of Hon'ble Tribunal, to steer preparation of National Environment Plan, a joint review meeting was held by Secretary, MoEF&CC and Chairman, CPCB on 30.01.2020 at MoEF&CC. The following observations were made in steering meeting;

- (i) National Environment Plan cannot be prepared unless CPCB or MoEF&CC receives all State Environment Plans and such plans are prepared uniformly according to a model template for State Environment Plan. Therefore, it was suggested CPCB may prepare model template of State Environment Plan and circulate the same to States so as to maintain uniformity in SEPs.
- (ii) State Environment Plans of 7 States needs revision and the shortcomings may be communicated to States specifying the points that require revision.

(iii) *In some districts information required for preparation of DEPs as per model template is not readily available with local agencies and thereafter preparation of SEPs at State/UTs may take some time at State level. Therefore, MoEF/CPCB may pray before Hon'ble Tribunal for extension of up to 6 months to complete National Environment Plans in coordination with States.*

#### *4. Strategy for Preparation of National Environment Plan*

*The objective of National Environment Plan on thematic areas would be to improve quality of recipient environment, ensure environmentally sound management of waste, identify responsible stakeholders, ensure compliance to norms and to set objectives and goals to achieve in a targeted timeframe. National Environment Plan may focus on strategies to be followed on thematic areas for compliance to environmental norms and Rules across the States. National Environment Plan may present, information pertaining to existing scenario, gaps in infrastructure, short-comings in waste management, sewage treatment, environmental quality etc., which will be captured from State Environment Plans. NEP may also identify thrust areas, States requiring special attention, institutions responsible for monitoring and agencies responsible to ensure compliance on thematic areas across the States. National Environment Plan on thematic areas cannot be prepared without capturing State Environmental Plans.*

*State Environment Plans needs to provide present status, gaps in implementation and roadmap for compliance to thematic areas across the State. State Plans may identify regional issues, constraints in implementation, priority action areas and districts requiring more attention. State Environment Plan should also provide timelines for implementation and compliance on thematic areas. It is required to ensure that information pertaining to all District Environment Plans is captured into State Environment Plans.*

*Each District Environment Plans needs to capture information on about 220 data points and 64 action areas pertaining to thematic areas as specified in CPCB model template and each district plan should outline the present status and gaps in implementation. District environment*



*plan should also identify agencies responsible, requirement of infrastructure facilities for sewage treatment, waste management, monitoring environmental quality, etc.”*

**5. While we note the steps taken, completion of environmental plans in terms of order of this Tribunal cannot be unduly delayed having regard to implications of such steps for protection of environment and public health. Some of the handicaps pointed out can be overcome by pro-active role of CPCB in ensuring preparation of at least one model District Environment Plan in every State in the first instance which can thereafter be replicated for all the Districts in the States/UTs and so on. For this purpose, State PCB and concerned District Magistrate may assist the CPCB. This step may be completed by simultaneous initiative in all the States within three months. In the last nine months, some work may have already been done in the States/UTs. Thus, it should be possible to finalize a model action plan at least for one District each in all States/UTs in the next three months. Thereafter, the exercise may be replicated with regard to all the Districts followed by State Environmental Plan and then a National Environmental Plan in further three months. CPCB is at liberty to utilize compensation funds and involve any individuals/organizations in the process. This exercise will be without prejudice to monitoring mechanism in terms of earlier directions. Wherever exercise has been completed and found to be satisfactory, further steps for execution may be taken accordingly. Status report of progress in this regard may be furnished before the next date by email at [judicial-ngt@gov.in](mailto:judicial-ngt@gov.in).”**

5. Accordingly, CPCB has filed its further report dated 28.01.2021 as follows:

### **“3. Action taken by CPCB**

*(i) In compliance to the directions from Hon’ble NGT, CPCB has prepared a template for model District Environment Plan, which provides data sheets to capture all relevant information pertaining to seven following thematic areas:*

1. Waste Management
  - a) Solid Waste
  - b) Biomedical waste
  - c) Construction and Demolition Waste
  - d) Hazardous Wastes
  - e) Electronic Waste (E-Waste)
  - f) Plastic Waste
2. Water Quality Management
3. Ambient Air Quality
4. Domestic Sewage
5. Industrial Wastewater

- 6. Mining Activity
- 7. Noise Pollution

*Data templates have been circulated to all Districts to capture information related to key parameters essential for preparing environment management plan. These data templates cover 7 thematic areas by capturing basic information on 64 action areas with about 200 data points, which covers essential information required for preparing District Environment Management Plan. A copy of data template for DEP prepared by CPCB is given at Annexure II.*

**(ii) Above template has been uploaded on CPCB website and was forwarded to every District Magistrates and Chief Secretaries to ensure preparation of District Environment Plan.**

*(iii) CPCB vide letters dated 20.11.2019 requested all State Pollution Control Boards (herein after will be referred as SPCBs) / Pollution Control Committees (hereinafter will be called as PCCs) and Principal Secretary, Environment Department of every State/UT to coordinate the above matter with District Magistrates and for submission of SEP within stipulated time so that CPCB can compile the same to prepare National Environment Plan (herein will be referred as NEP). Copy of said CPCB letter dated 20.11.2019 is enclosed at **Annexure III**.*

*(iv) CPCB issued a reminder letter dated 10/01/2020 to Principal Secretaries of States / UTs requesting submission of SEPs. Copy of said CPCB letter is enclosed at **Annexure IV**.*

**(v) Further, CPCB has short-listed one District in each State and Union Territory to prepare model DEP which can be further replicated for other Districts. CPCB vide letter dated 05.08.2020 informed detail of District with State Environment Department and requested to give the data as per the data template prepared by CPCB. Copy of letter dated 05.08.2020 and list of Districts shortlisted by CPCB is given at **Annexure V and Annexure VI** respectively.**

*(vi) Further, CPCB vide letters dated 14.10.2020 and 20.11.2020 requested concerned District Magistrates to share the desired data required for preparation of DEP. Copies of said letter dated 14.10.2020 given at **Annexure VII and Annexure VIII**. CPCB has also requested technical cum financial proposals from institutions such as NITs, IIT and NPC for preparation of DEPs for selected Districts.*

*(vii) There has been delay in receipt of DEPs from the States, as most of the DEPs received after October, 2020. Further some of the DEPs received from States have incomplete data while other DEPs are not in the form of actionable or implementable plans.*

(viii) **CPCB is also reviewing District Environment Plan for 05 Districts having different land-use activity such as districts with forest cover, industrial activities, largely urban, tourist places, and semi urban.** These DEPs are being verified to ensure that the plans cover the thematic areas adequately and with relevant action points and may be treated as model DEP for reference of other States and UTs. The following 05 Districts were selected to review the DEPs:

- Baharaich, Uttar Pradesh (Semi-urban)
- Bokaro, Jharkhand (industrial city)
- Pune, Maharashtra (Urban)
- Chamrajnagar, Karnataka (hilly - forest area)
- Panchkula, Haryana (Tourism)

**4. Status of Compliance by States and Union Territories**

(i.) *In compliance to Orders of Hon’ble NGT dated 26/09/2019 and 20/07/2020, **29 States/UTs have informed that they have prepared of 220 District Environmental Plans out of 739 Districts.** A consolidated table for State-wise details on preparation of District Environment Plan is given below.*

S. No.	Name of State	No. of District	No. of DEPs prepared	Name of District for which DEP is prepared	No. of Monitoring Committees constituted
1	Andaman & Nicobar	3	Not Prepared	Reported as under preparation	Information not available
2	Assam	34	3	Dhemaji, Dhubri, Lakhimpur	2
3	Andhra Pradesh	13	1	Srikakulam. Individual DEPs not prepared for other Districts, however SEP prepared	1
4	Arunachal Pradesh	25	Not Prepared	-	Information not available
5	Bihar	38	1	Sheikhpura	Information not available
6	Chandigarh	1	1	Chandigarh	Information not available
7	Chhattisgarh	28	1	Surguja SEP Prepared	Information not available
8	DD & DNH	3	1	Daman	Information not available
9	Delhi	11	1	South West Delhi	Information not available
10	Goa	2	1	South Goa. However copy of DEP not received by CPCB	1
11	Gujarat	33	2	Narmada (Rajpipla), Banaskantha (Palanpur)	2

12	Haryana	22	17	Ambala, Charkhi, Dadri, Faridabad, Fatehabad, Hisar, Jhajjar, Jind, Kaithal, Karnal, Nuh, Palwal, Panchkula, Panipat, Rewari, Rohtak, Sirsa, Sonipat However, DEP not received by CPCB	17
13	Himachal Pradesh	12	12	Bilaspur, Chamba, Hamirpur, Kangra, Kinnaur, Kullu, Lahaul & Spiti, Mandi, Shimla,, Sirmaur (Sirmour), Solan, Una	12
14	Jammu & Kashmir	20	6	Jammu, Bandipore, Doda, Ganderbal, Srinagar, Udhampur	1
15	Jharkhand	24	2	Bokaro, Godda However, DEP not received by CPCB	2
16	Karnataka	31	31	Bagalkot, Ballari (Bellary), Belagavi (Belgaum), Bengaluru (Bangalore), Rural Bengaluru (Bangalore), Urban Bidar, Bijapur, Chamarajanagar, Chikballapur, Chikkamagaluru (Chikmagalur), Chitradurga, Dakshina Kannada, , Davangere, Dharwad, Gadag, Hassan, Haveri, Kalaburagi (Gulbarga), Kodagu, Kolar, Koppal, Mandya, Mysuru (Mysore), Raichur, Ramanagara, Shivamogga (Shimoga), Tumakuru (Tumkur), Udupi, Uttara Kannada (Karwar), Vijayapura (Bijapur), Yadgir Copy of only Kodugu DEP received.	31
17	Kerala	14	1	Wayanad	Information not available
18	Lakshadweep	1	1	Lakshadweep	1

19	Madhya Pradesh	55	52	Agar Malwa, Alirajpur, Anuppur, Ashoknagar, Balaghat, Barwani, Betul, Bhind, Bhopal, Burhanpur, Chhatarpur, Chhindwara, Damoh, Datia, Dewas, Dhar, Dindori, Guna, Gwalior, Harda, Hoshangabad, Indore, Jabalpur, Jhabua, Katni, Khandwa, Khargone, Mandla, Mandsaur, Morena, Narsinghpur, Neemuch, Niwari, Panna, Raisen, Rajgarh, Ratlam, Rewa, Sagar, Satna, Sehore, Seoni, Shahdol, Shajapur, Sheopur, Shivpuri, Sidhi, Singrauli, Tikamgarh, Ujjain, Umari, Vidisha Copies of only 6 DEPs received.	7
20	Maharashtra	36	36	Ahmednagar, Akola, Amravati, Aurangabad, Beed, Bhandara, Buldhana, Chandrapur, Dhule, Gadchiroli, Gondia, Hingoli, Jalgaon, Jalna, Kolhapur, Latur, Mumbai City, Mumbai, Suburban, Nagpur, Nanded, Nandurbar, Nashik, Osmanabad, Palghar, Parbhani, Pune, Raigad, Ratnagiri, Sangli, Satara, Sindhudurg, Solapur, Thane, Wardha, Washim, Yavatmal	36
21	Manipur	16	1	Imphal East	1
22	Meghalaya	11	2	South Garo Hills, West Garo Hills	2
23	Mizoram	11			
24	Nagaland	12	1	Kohima However, copy of DEP not received by CPCB	Information not available
25	Odisha	30	2	Khordha, Ganjam Copy of only Khordha DEP received	1
26	Puducherry	4	4	Karaikal, Mahe, Puducherry, Yanam	4
27	Punjab	22	1	Sangrur	Information not available
28	Rajasthan	33	1	Bharatpur	Information not available
29	Sikkim	4			

30	Tamil Nadu	38	37	Ariyalur, Chengalpattu, Chennai, Coimbatore, Cuddalore, Dharmapuri, Dindigul, Erode, Kallakurichi, Kanchipuram, Kanyakumari, Karur, Krishnagiri, Madurai, Nagapattinam, Namakkal, Nilgiris, Perambalur, Pudukkottai, Ramanathapuram, Ranipet, Salem, Sivaganga, Tenkasi, Thanjavur, Theni, Thoothukudi (Tuticorin), Tiruchirappalli, Tirunelveli, Tirupathur, Tiruppur, Tiruvallur, Tiruvannamalai, Tiruvarur, Vellore, Viluppuram, Virudhunagar	Information not available
31	Telangana	33	Not Prepared		Information not available
32	Tripura	8	0	Individual DEPs not prepared, but SEP integrated with DEPs	8
33	Uttarakhand	13	Not prepared	Not prepared	Information not available
34	Uttar Pradesh	75	1	Bahraich	1
35	West Bengal	23	0	Individual DEPs not prepared. However, SEP integrated with 23 DEPs prepared	23
	<b>Total</b>	<b>739</b>	<b>220</b>		<b>153</b>

(ii.) CPCB has received copies of 115 District Environment Plans from 25 no. of States and Union Territories namely Assam (02 DEPs), Andhra Pradesh (01 DEPs), Bihar (01 DEP), Chandigarh (01 DEP), Chhattisgarh (01 DEP), Daman & Diu (01 DEP), Delhi (01 DEP), Gujarat (01 DEP), Himachal Pradesh (12 DEPs), J & K (01 DEP), Karnataka (01 DEP), Kerala (01 DEP), Lakshadweep (01 DEP), Madhya Pradesh (06 DEPs), Maharashtra (36 DEPs), Manipur (01 DEP), Meghalaya (02 DEPs), Odisha (01 DEP), Puducherry (04 DEPs), Punjab (01 DEP), Rajasthan (01 DEP), Tamil Nadu (37 DEPs), Tripura (No DEPs, SEP integrated with 08 DEPs), Uttar Pradesh (01 DEP) and West Bengal (No DEPs, SEP integrated with 23 DEPs).

(iii.) Copies of remaining 105 DEPs from 10 States namely Assam (1), Haryana (17), Nagaland (10), Goa (1),

*Jharkhand (2), J&K (5), Gujarat (1), Karnataka (30), MP (46) and Odisha (1) have not yet received by CPCB.*

*(iv.) Telangana, Uttarakhand, Arunachal, Mizoram and Sikkim States have not yet submitted any information about DEPs. Andaman and Nicobar Islands informed that preparation of DEP is under progress.*

*(v.) States namely Andhra Pradesh, Tripura, Chhattisgarh and West Bengal have also submitted State Environment Plans.*

***(vi.) As per the assessment made by CPCB, it is observed that District / UT Environment Plan prepared by Chandigarh, UT Environment Department is satisfactory, as it covers all thematic areas including action plan along with timelines for respective implementing agencies. Further, the State Environmental Plan (SEP) prepared by West Bengal State is also satisfactory, wherein the district level plans and action points are comprehensively addressed.***

#### **5. Proposed Follow-up Action**

***(i) Since State have already prepared 220 DEPs, it is submitted that, these plans may be implemented by respective States after verification to ensure all the thematic points are adequately covered as per data templates and time-bound action plans are identified with respective agencies at District and State level. These Plans also need to be integrated with State Environment Plans. State may also take help of any expert agency or institution to streamline all DEPs. Adequate budgetary provision may be made by States for preparation of DEPs and SEPs.***

***(ii) 5 selected DEPs for 5 Districts namely Baharaich, UP; Bokaro, Jharkhand; Pune, Maharashtra; Chamrajnagar, Karnataka; and Panchkula, Haryana to be verified and improved by CPCB in 03 months and the same may be shared with every State and UT as model DEPs for information and reference of other Districts.***

***(iii) States namely Andaman and Nicobar Islands, Telangana, Uttarakhand, Arunachal, Mizoram and Sikkim, including the other States who have not yet completed DEPs all Districts may complete the same in time bound manner.”***

6. We have perused the report filed by the Oversight Committee for the State of UP, giving the compliance status in UP, which is on same lines as the report of the CPCB.

7. From the above, it is seen that out of 739 Districts, DEPs have been prepared in 220 Districts, out of which CPCB has data for 115 Districts. CPCB has selected five representative models having regard to social and geographical considerations.

8. In view of above, having regard to the significance of the issue and inadequate progress, we direct the Chief Secretaries of all the States/UTs to oversee and monitor compliance by the concerned District Magistrates for preparing the requisite plans and execute the plans already prepared. Further steps for preparation and execution of State and National plans may also be taken in the interest of scientific and effective protection of environment and public health.

9. Vide orders dated 22.01.2021 in OA 916/2018, *Sobha Singh & Ors. vs. State of Punjab & Ors.* and OA 496/2016, *Tribunal on its own motion vs. Govt. of NCT of Delhi & Ors.*, we have requested the Monitoring Committees, constituted by this Tribunal for certain environmental issues in Punjab and Delhi, to oversee compliance of preparation and execution of DEPs in Punjab and Delhi and furnish compliance status as on 31.3.2021.

10. We make similar request to the Monitoring Committee in UP, headed by Justice SVS Rathore, a former Judge of Allahabad High Court, the Oversight Committee for compliance of directions of this Tribunal for rejuvenation of river Ghaggar, headed by Justice Pritam Pal, former Judge of the Punjab and Haryana High Court to oversee compliance on this aspect for Haryana, the Committee headed by Justice Prakash Tatia, former Chief Justice of Jharkhand High Court, for compliance in Rajasthan, Justice B.C. Patel, former Chief Justice, Delhi High Court for compliance in Gujarat, Justice V.M. Kanade, former Judge, Bombay High



Court, who has earlier monitored compliance of certain directions of this Tribunal relating to environmental issues, for compliance in Maharashtra. They may send status report as on 31.3.2021 by 15.4.2021. For all other States/UTs, the Chief Secretaries concerned may conduct such oversight and furnish the status of compliance as on 31.03.2021 to CPCB. CPCB may file a consolidated report before this Tribunal on or before 30.04.2021 by e-mail at [judicial-ngt@gov.in](mailto:judicial-ngt@gov.in) preferably in the form of searchable PDF/OCR Support PDF (and not in the form of Image PDF). State PCBs may also provide necessary assistance in coordination.

List for further consideration on 11.05.2021.

A copy of this order be forwarded to CPCB, Chief Secretaries of all the States/UTs, all PCBs/PCCs, all District Magistrates, Justice SVS Rathore, a former Judge of Allahabad High Court now at Lucknow, Justice Pritam Pal, former Judge of the Punjab and Haryana High Court now at Chandigarh, Justice Prakash Tatia, former Chief Justice, Jharkhand High Court of Jharkhand now at Jodhpur, Justice B.C. Patel, former Chief Justice, Delhi High Court, now at Ahmedabad, and Justice V.M. Kanade, former Judge, Bombay High Court, now at Mumbai, by e-mail.

Adarsh Kumar Goel, CP

S.K. Singh, JM

Dr. Nagin Nanda, EM

January 29, 2021  
Original Application No. 360/2018  
DV