

Examination and Analysis of the Central Pollution Control Board and the State Pollution Control Board - Indian Administrative Arm for Environmental Protection

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Abstract

Despite a plethora of laws and acts concerning environmental protection and conservation, India ranks amongst the most polluted countries in the world. The root causes for the current deplorable environmental state are poor monitoring, implementation and enforcement of environmental laws. This paper examines the administrative framework of the Ministry of Environment, Forest and Climate Change (MoEFCC). The paper consists of three sections. The first section provides an overview of the administrative set up of the MoEFCC in India. The second section highlights the major issues and recommendations associated with the functioning of the Central Pollution Control Board (CPCB) and State Pollution Control Boards. The third and final section examines the problem from the current context – are the issues highlighted in the 2006 study still relevant today? This is done by examining the current literature and publications. This section also examines the National Green Tribunal (NGT) and highlights issues therein.

Keywords: Poor Environmental Regulation in India, Poor Environmental Enforcement in India, Ineffectiveness of Central Pollution Control Board, Ineffectiveness of State Pollution Control Board, National Green Tribunal and Administrative Issues.

Introduction

Without a question, India faces an environmental crisis. The air quality of Indian cities has been making headlines

both in India as well as internationally as being the most polluted cities in the world. According to the 2018 World Health Organization (WHO) global ambient air quality database, 11 of the 12 cities with the highest levels of small particulate – PM 2.5 – are located in India (PTI, 2018a). According to AirVisual's 2018 World air quality report, also measuring PM 2.5, 22 of the top 30 most polluted cities in the world are in India. Gurugram, a suburb of the Indian capital, Delhi, is the world's most polluted city (Ambrogio'D, 2019). Deforestation has increased significantly especially in the northeastern states. India also faces huge water crisis. According to NITI Aayog report, India is suffering from the worst water crisis in its history. More than 600 million Indians face high to extreme water stress. It is estimated that 200,000 people die every year due to inadequate access to safe water. The report also says that nearly 70% of water is contaminated placing India at 120th position of the 122 countries in the water quality index. Likewise, waste management is a major issue in India. 60% of untreated sewage in urban areas end up in ponds, lakes and rivers. Likewise, 75% of municipal garbage is dumped without any processing (Tripathi, 2018).

The aim of this paper is to enlighten the readers on administrative framework adopted by the Indian government and the issues therein. The paper consists of three sections. The first section provides a broad overview of how the administrative framework is set up in India concerning environment protection. The second section addresses and highlights the various issues found with the Central Pollution Control Board and the State Pollution Control Boards – two administrative arms of the Ministry

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of Environment, Forest and Climate Change (MoEFCC) – tasked with monitoring, controlling, reporting and taking action on issues related to environmental pollution. It also includes recommendations made to address these issues. This section is largely based on findings of a comprehensive study carried out by the Organisation for Economic Co-operation and Development (OECD) as well as the Environmental Protection Agency (EPA) of the United States. As these studies were conducted more than a decade ago, the third section of the paper provides a contemporary perspective on the same issues – are these issues still relevant today? What action has the government taken to address these issues and how have these actions fared over the years? This is done based largely on current literature review.

Overview of the Administrative Framework

The administrative arm concerning environmental action and climate change is headed by the MoEFCC. It oversees the Central Pollution Control board (CPCB) and State Pollution Control board (SPCB). Under these boards are district-level authorities (municipal corporations). Municipal corporations are local governments that administer urban areas with a population of more than one million. They oversee the provision of necessary community services like health care, educational institution, housing, transport, etc., by collecting property tax and fixed grant from the State Government (Municipal corporation India, 2020).

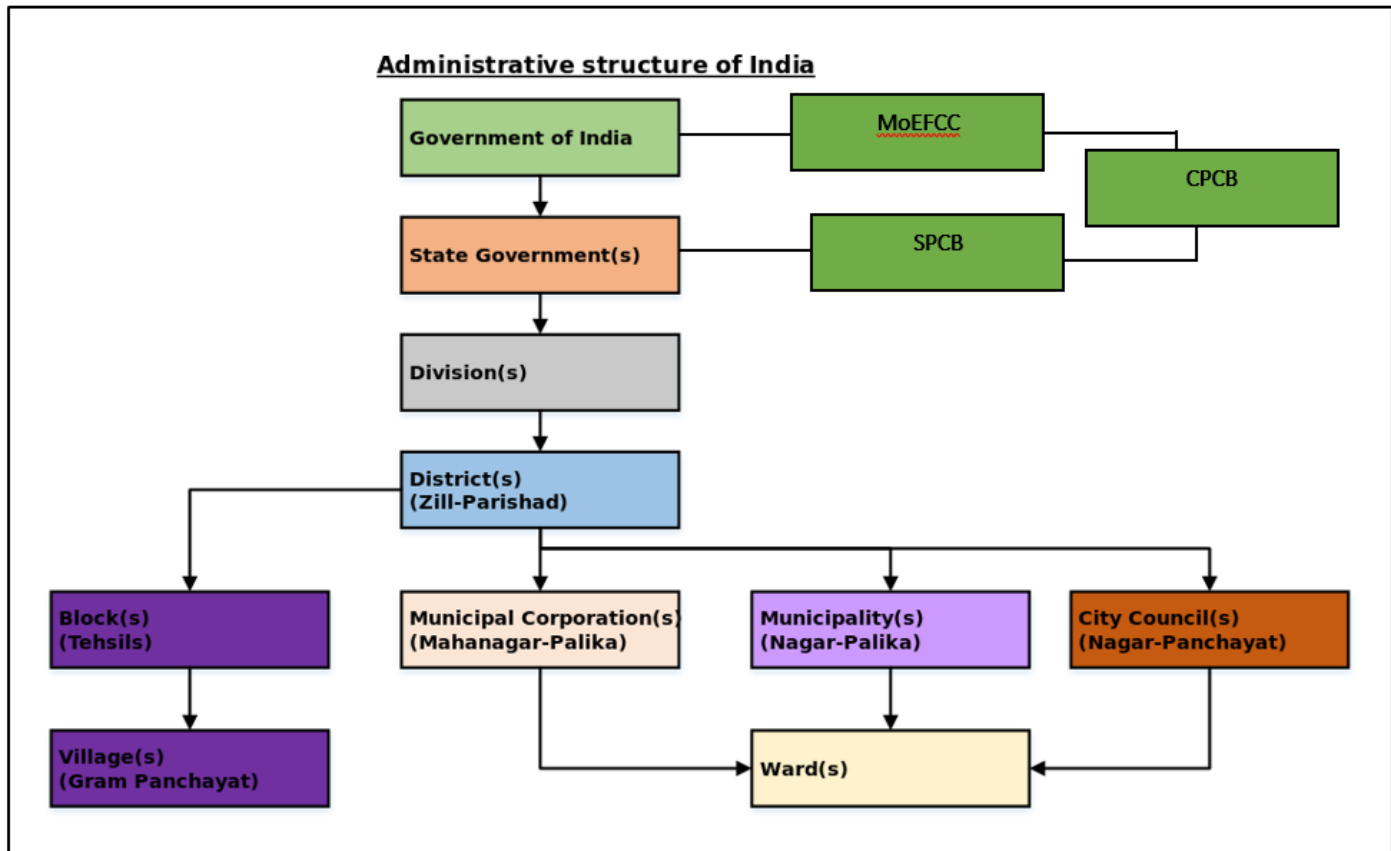


Fig. 1: Administrative Structure of India (Municipal Corporation India, 2020)

The judicial arm is made up of the National Green Tribunal (NGT) formed under the Under the National Green Tribunal Act 2010 for ‘effective and expeditious disposal of cases relating to environmental protection

and conservation of forests and other natural resources including enforcement of any legal right relating to environment and giving relief and compensation for damages to persons and property and for matters connected

therewith or incidental thereto' (National Green Tribunal, 2019).

Issues and Recommendations Related to the Administrative Framework

The following section covers issues related to the administrative framework. It is principally based on the "Environmental Compliance and Enforcement in India: Rapid Assessment report" compiled by OECD Programme of Environmental Co-operation with Asia. Table 1 identifies the major issues and recommendations

made by OECD without elaborating too much on the issues and the recommendations. Readers can find the full details on the report itself, which spans 31 pages long. The issues have been organized under four headings:

- Legal enforcement authority.
- Institutional arrangements and capacity building.
- Enforcement response.
- Compliance monitoring: policies and procedures on inspections, self-monitoring and permitting.

The original report consists of eight headings.

Table 1: Issues and Recommendations of OECD (OECD, 2006; U.S.EPA., 2005)

<i>Issue</i>	<i>Recommendation</i>
Legal Enforcement Authority	
Issue 1: The CPCB and the SPCB do not have fiscal autonomy and are both entirely dependent upon government grants for their day-to-day operations. This seriously hinders their ability to enforce environmental regulations. Few of the SPCBs are self-sufficient relying on revenue sources from water CESS and other sources. A large number of the SPCBs lack proper infrastructure (monitoring equipment, laboratories, etc.) to carry out their responsibilities. Also, the state government imposes spending restrictions on the SPCBs.	Recommendation 1: Allow SPCB and CPCB to administer administrative fines and further streamline criminal fine proceeding. Currently, the SPCB and CPCB do not have legal authority to impose administrative fines. This should be changed. Administrative fines will provide much required revenues to the PCBs and reduce the workload of the court concerning environmental proceedings. To date this capability has not been issued to the CPCBs and SPCBs (Vadhel, 2019).
Institutional Arrangements and Capacity Building	
Issue 2: There exists a lack of coordination between the CPCB and SPCBs. This is primarily due to two reasons. First, the SPCBs have to answer not only to the CPCB but also to the state governments who play a important role in the administrative affairs of the SPCBs. Secondly, the CPCBs have not established and enforced necessary policies and procedures for such interaction to take place and as a result, they lack a formal institutional mechanism for interagency coordination on formulating and implementing environmental regulations.	Recommendation 2: 'Establish a support organization to facilitate communication among SPCBs and between SPCBs and other state departments on important environmental compliance and enforcement issues' (OECD, 2006). In all of this, CPCBs have to play leadership role which is lacking. To ensure closer cooperation and collaboration between the CPCBs and SPCBs, 'there must be representation of CPCB in the governing board of all SPCBs' (IIM Lucknow, 2011).
Issue 3: There is also lack of coordination and cooperation between the SPCBs and other state departments also connected to environment i.e. transportation, urban development, forest, etc. This has wide consequences in terms of developing a unified strategy and formulating policies and procedures concerning environmental conservation and protection (IIM Lucknow, 2011).	

Issue	Recommendation
<p>Issue 4: There is an acute shortage of competent, knowledgeable and skilled people in the CPCB and SPCBs. This is largely the result of low funding and lack of autonomy of the CPCB and SPCB from the government. SPCBs in some states use contractual employees who have low work motivation, as they are not provided the benefits of a regular government employee. In other states, the SPCBs are run by the State Department of Environment and Forests. Vacancy rates in many of the SPCBs are very high. Appointments to these offices are carried out by the central and state governments. As a result, majority of the personnel spend their time in administrative tasks rather than on more value oriented tasks aligned with their main objective behind formation.</p>	<p>Recommendation 3: Develop and establish national policies, procedures and guidelines for compliance and enforcement. This should be done by the CPCB in partnership with the SPCBs and then disseminated to all the SPCBs. In addition, the CPCB should establish across-the-board training programme for SPCB staff and prescribe minimum training requirements under the new procedures and guidelines. These steps will provide many benefits such as:</p> <ul style="list-style-type: none"> Enable SPCBs to increase consistency, transparency, effectiveness and cost efficiency of their activities. Promote exchange of practical experiences and lessons learned among the state boards. Ensure uniformity, consistency and quality of staff qualifications across the SPCBs. <p>Here again, government interference is rampant as is evidenced from the 2013 article run by <i>Business Standard</i> where it states that the CAG reprimanded the CPCB for ‘creating and upgrading posts in violation of Finance Ministry orders.’ The same article goes on to state that ‘CPCB, an autonomous institution under the Ministry of Environment and Forests (MoEFCC), indicates the lack of control and monitoring by MoEFCC and furthermore ‘violated guidelines issued by the Department of Personnel and Training (DoPT) for ad-hoc appointments and promotions in 35 cases.’ Why should the CPCB be answerable to the MoEFCC or the Ministry of Finance if it is truly an autonomous institute? This makes appointments political along party lines rather than based on merit and qualifications and as a result appointment remain vacant at times for years and there is a dearth of qualified personnel. The CPCBs end up being run by bureaucrats with little and sparse scientific understanding and knowledge (Press Trust of India, 2013).</p>
<p>Issue 5: Training and capacity building at the SPCBs are practically non-existent. On an average, less than one percent of the total SPCB expenditure goes to staff training. There is no formal procedural or technical training in any SPCB. Neither are there minimum training requirements specified by the Central Board. [OECD] (S3)</p>	<p>Recommendation 4: The central and state governments should provide a secure line of funding for the SPCBs. This will address multiple issues faced by SPCBs. For example, it will ensure qualified personnel are hired to fill up the existing vacancies, number of technical personnel can likewise be increased and it will aid in building up the technical capacity (laboratory, computer hardware and software, transport) of the boards.</p>
<p>Issue 6: The CPCB and the SPCBs lack people competent in the laws and court procedures concerning environment conservation and preservation. Possibly, this is one of the key reasons for the dismal state of the environment in India – the inability of the CPCB and SPCB to enforce the environmental laws against violators.</p>	<p>Recommendation 5: The MOEFCC and the CPCB should institute a nationwide bank guarantee scheme ‘that would make deposits proportionate to damage from potential violations and establish transparent procedures for their partial or full forfeiture in case of non-compliance’ (OECD, 2006).</p>
Enforcement Response	
<p>Issue 7: Enforcement has suffered because fines for non-compliance have proved to be too low and the procedures concerning punitive action are much too rigid, poorly understood and time consuming. Seldom are the full economic impact and environmental impact of violations taken into consideration due to lack of expert knowledge. The Comptroller and Auditor General in India in its 2011-12 report on Performance Audit of Water Pollution stated that the penalties for contravention of WPCA 1974 are too weak.</p>	<p>See Recommendation 3:</p>
<p>Issue 8: There were serious deficiencies in the manner in which compliance with the conditions attached to environmental clearances are monitored. Very few project proponent had been penalised for violating such conditions (Dhvani, 2017).</p>	<p>See Recommendation 3:</p>

Issue	Recommendation
<p>Issue 9: According to the Water Act 1974, even the state governments are required to seek the consent of the Water Boards before discharging waste and sewage into the waterbodies but few states are complying with these rules. On the part of the State boards, little action is taken to address these non-compliances. Also, the procedures for sampling effluents which are not being followed as directed in the Act due to lack of expert knowledge and as a result much of the test results are not accepted by the courts resulting in very few successful cases against violators (Sinha, 2003).</p>	<p>Recommendation 6: Grant autonomy to CPCB and SPCBs. Provide them with a secure source of funding so they can meet their human resource requirements. Set up standards and operating procedures for sampling effluents and laboratory tests.</p>
<p>Issue 10: Lack of autonomy have rendered the CPCB and the SPCB incapable to exercise their enforcement power i.e. cutting electricity or water connections due to interference from powerful groups and individuals, including government officials.</p>	
<p>Issue 11: The PCBs have not been given civil administrative authority i.e. imposing administrative fines, prison terms, etc. This has limited the effectiveness of PCB's enforcement efforts. The result is over-reliance on the judiciary for enforcement of laws and prosecution of violators.</p>	<p>Recommendation 7: Allow SPCB and CPCB to administer administrative fines and further streamline criminal fine proceeding. Currently, the SPCB and CPCB do not have legal authority to impose administrative fines. This should be changed. Administrative fines will provide much required revenues to the PCBs and reduce the workload of the court concerning environmental proceedings.</p>
<p>Issue 12: Lack of proper implementation of rules and regulations concerning environmental clearances and permits such as consent to establish (CTE) and consent to operate (CTO). Such a permit requires a detailed assessment and evaluation of the potential environmental impact and evaluation and inspection of the pollution control instalments. However, in practice, few permit requests are denied. Majority are sanctioned without proper assessment, evaluation and inspection. Also, requirements for such permits are not imposed uniformly across all businesses. Only large- and medium-scale enterprises are monitored and controlled. Majority of the small-scale industries operate without such consent. To make matters worse, pollution from heavy sources such as municipal sources, transport and agriculture is virtually disregarded. The SPCBs focus primarily on industries and large-scale industries at that, but the small-scale industries are major players in the Indian economy and account for a large percentage of the pollution in the country.</p>	<p>Recommendation 8: SPCBs should engage in better strategic planning and employ resources in a strategic manner with more emphasis placed on compliance monitoring and enforcement rather than administrative tasks such as consent management. SPCBs should develop methodologies and mechanisms to prioritize inspection efforts based on environmental risk. The CPCB and SPCB should include SMEs in their monitoring and compliance efforts. The current practice is to focus on large industries and the major polluting industries at that; however, SMEs in India are increasingly accounting for a larger share of pollution. In terms of volume, SMEs far outnumber the large organizations. The focus should be on including a 'comprehensive inventory (to identify units that currently operate without consents), simplified monitoring procedure, environmental awareness raising, and technical and financial assistance programs' (OECD, 2006).</p>
Compliance Monitoring: Policies and Procedures on Inspections, Self-Monitoring and Permitting	
<p>Issue 13: 'There is a lack of implementation guidelines on permitting and compliance monitoring from the CPCB concerning definition of compliance, consent conditions, reporting format, sampling requirements, as well as interpretation of different regulations. This has two negative outcomes. First, it reduces the quality of the SPCB implementation programmes; second, it hinders exchange of experiences between the SPCBs' (OECD, 2006).</p>	<p>See Recommendation 3</p>

Issue	Recommendation
Issue 14: In India, the courts do not accept self-monitoring data as an evidence. Such limitation puts an additional monitoring burden on SPCBs who are already understaffed and embroiled in administrative tasks. It also does not motivate industry to conduct accurate self-monitoring and reporting.	Recommendation 9: Give legal weightage to self-monitoring information. Currently, self-monitoring information presented by companies are not admissible in the court of law. Enabling self-monitoring information to be allowed to be presented as evidence in the court of law can be beneficial in terms of monitoring and control. It will also act as a motivation for industry to improve and regulate self-monitoring practices and reporting thus improving enforcement and control. Also, it will encourage other stakeholders to demand such self-monitoring data from industry on a regular basis.
Issue 15: 'There is no CPCB guidance on how to establish accountability and measure SPCB performance and no uniformity in data collection and compilation across the states. The lack of standard national indicators to assess and compare effectiveness of enforcement agencies is an important constraint for improved policymaking and priority setting' (OECD, 2006; IIM Lucknow, 2011).	Recommendation 10: Create performance management systems and nationwide performance indicators. Such a system will improve priority setting, planning and performance evaluation of compliance and enforcement programmes while at the same time enhance accountability of PCBs.
Issue 16: 'Existing information management systems are far from satisfactory in most states, and there are no national guidelines aimed at uniform collection, management and sharing of environmental information that would enable improved collaboration on enforcement actions. SPCBs also lack trained staff to store and analyze data at both the national and state levels' (OECD, 2006).	Recommendation 11: The government should 'upgrade and expand capabilities and capacity in information management' such that all PCBs are linked to one another and can share compliance and enforcement information among other things between them. In doing so, the government should ensure that extensive training in information management is provided to the staff. Such a system will 'save administrative costs, improve data quality, and increase transparency of PCB activities by enabling public access to the information' (OECD, 2006).
Issue 17: There is very limited opportunity for public participation in environmental compliance and enforcement. For example, when the Water Act 1974 was passed, it resulted in the formation of State Water boards, which were largely comprised of State Govt. nominees and representatives of companies but there is no representation of affected citizens and environmentalists. The function of the State Water Board includes setting standards concerning acceptable level of effluents that can be discharged into the water bodies and setting penalty and seeking court injunction to prevent water pollution under the Act against offenders (Sinha, 2003; IIM Lucknow, 2011).	Recommendation 12: The government should establish a public information disclosure program. Such a programme will disclose compliance reports of all companies. A rating system should be established based on self-reported and inspection data. 'Such a system would be a compliance incentive and benchmarking tool for industry, information source and accountability vehicle for the public, and priority setting aide for environmental agencies' (OECD, 2006).

Additional recommendations proposed are as follows (IIM Lucknow, 2011):

- 'Prepare and monitor action plans for Critically Polluted Areas (CPAs).
- Develop and implement, on a pilot scale, PPP models for setting up CETPs, CTDFs, CBMTDFs and STPs.
- Prepare and implement an action plan for major cities for treatment, reuse and recycling of sewage and effluents.
- Promote R&D in development of low cost technology for effluent and sewage treatment, including ZLD, wherever feasible.

- Explore outsourcing of functions such as training and awareness.
- Strengthen the monitoring and enforcement of emission and effluent standards both for point and non-point sources.
- Inventorize the seventeen categories of highly polluting industries.'

Contemporary Context

The findings presented earlier are based on a research conducted in 2006. In this section, the researcher has

attempted to put current context on the issues and recommendation i.e. do these issues and recommendations still remain relevant in 2021? Such a context is established using latest data and reports.

It is found that after more than a decade since the release of the report, the ground realities remain unchanged and issues remain the same. Many of the SPCBs and even the CPCBs still suffer from lack of qualified personnel. Indeed at the CPCB level, the post of the chairman has remained vacant for two years consecutively on occasions and likewise posts remain vacant in various Pollution Control Boards across states – so much so that the NGT is directing the states and Union Territories to fill up these vacant positions (Aggarwal, 2015; Tripathi, 2020; PTI, 2019). The positions in the SPCBs are being filled by IAS officers and bureaucrats with little to limited knowledge and background on pollution control and the science behind it. Many qualified scientists do not apply for the posts because CPCB is regarded as a powerless subject to the will of the state and central government as all the members of the CPCB are appointed by the central government. Indeed, autonomous action by the CPCB is held answerable to the central government, as was the case in 2013 when the CAG reprimanded the CPCB for creating and upgrading posts without the exclusive permission of the Finance Ministry. Also, remunerations offered by CPCBs are viewed as low as compared to those offered by the corporate sector (Vadhel, 2019).

Still coordination and collaboration between CPCBs and SPCBs as well as between the various SPCBs remain a challenge. There is no mechanism to enable such communication and collaboration to take place (Planning Commission, 2013). It has been suggested that the CPCB should have representation of CPCB in the governing board of all SPCBs.

Information sharing and access remain challenges. Real-time data uploads and sharing by the SPCBs are still lacking (Verma, 2020; Vadhel, 2019).

The CPCBs should spearhead training and workshop programmes at the SPCBs, which is sorely lacking (Vadhel, 2019; IIM Lucknow, 2011). Such training and workshop should include Civil Society officials as well as State Officials from concerned departments. This will provide a mechanism for understanding, collaboration and cooperation amongst the various key stakeholders.

In the current administrative setup, the CPCB has established six zonal offices. On average, each zonal office has to cover three to eight states which is more than they can handle. Rather every state should have at least one zonal office to ensure effective monitoring, control of pollution within the states. Also at present, the zonal offices lack adequate infrastructure and resources to properly carry out their duties (Sethi, 2015; Vadhel, 2019).

Many of the SPCBs still continue to suffer with inadequate infrastructure and lack of skilled and qualified personnel (PTI, 2020). The root of these problems stem from lack of adequate budget. It is suggested that there should be a quantum leap in budget. However, rather than increasing the budget of the CPCB, the opposite has happened in the past year. The budget of CPCB was reduced from INR 114.4 crore in the fiscal year 2018-19 to INR 100 crore for the year 2019-20 (Planning Commission, 2013; Sharma & Nagpure, 2019; Vadhel, 2019).

One positive outcome from all of this has been the establishment of the National Green Tribunal (NGT) in 2010 through the NGT Act. Prior to the NGT, there was the National Environment Appellate Authority (NEAA) established in 1997 by the NEAA Act. As a whole, NEAA was widely regarded to be ineffective in its aim of environmental protection and was viewed largely as governing under the influence of the MoEF. The NGT was created to alleviate the pending environmental litigation cases in the courts (Singh, 2016).

Currently, there are five zonal benches - Northern Zone, Central Zone, Eastern Zone, Western Zone and Southern Zone. The Principal Bench is situated in the North Zone, headquartered in Delhi. The Central zone bench is situated in Bhopal, East zone in Kolkata, South zone in Chennai and West zone in Pune. The Tribunal is headed by the Chairperson who sits in the Principal Bench and should have at least ten but not more than twenty judicial members and at least ten but not more than twenty expert members' (National Green Tribunal, 2020).

The NGT was 'granted wide ranging powers allowing it to adjudicate cases of protection of the environment, natural resources and the legal rights of people being affected under a number of existing laws such as the Water (Prevention and Control of Pollution) Act, 1974, the Air (Prevention and Control of Pollution) Act, 1981,

the wide-ranging Environment Protection Act, 1986 and the Biological Diversity Act, 2002' (Patra & Krishna, 2014).

The NGT was established as an independent statutory panel. Currently, the NGT consists of three judicial members excluding the chairperson and three expert members (National Green Tribunal, 2020). They have an advisory role to the judges.

The NGT is a big boost to environmental advocates who are interested in filing Public Interest Litigations (PIL)s against unlawful and unfair practices of the industry and the government. Without a doubt, the NGT has been a step towards 'environmental justice' and 'environmental democracy' in India (Patra & Krishna, 2014; Govindarajan, 2017). India can now count itself as one of the few countries to have a green court specifically to address environmental cases. Since its inception, the NGT has adjudicated over several thousand cases and provided judgement within six months on average. Details concerning landmark rulings of the NGT can be obtained from the NGT website itself.

However, there exists many issues plaguing the effective functioning of the NGT.

First, there is the issue of manpower. Since its inception, the NGT has never been able to acquire the min requirements of ten judicial members and ten expert members. Indeed during 2012-2013, due to the lack of basic infrastructure facilities and human resources, three judicial members handed in their resignations which then prompted the Supreme Court to intervene and order the Union Ministry of Environment, Forest and Climate Change (MoEF & CC) to provide basic infrastructure facilities (Sahu, 2019). As of December 2020, the NGT consists of three judicial members and three expert members – way below the min requirements for both judicial as well as expert members. Due to lack of manpower, all the zonal benches are in absentia – they have been un-operational for the entire past year – save the principle bench located in Delhi which is hearing applications from other jurisdictions remotely by video conferencing to meet the needs of the litigants (National Green Tribunal, 2020). There is huge discontentment over how hearings are handled online.

Second issue concerns access to the tribunal. In the current setup, only individuals meeting specified criteria

can have access to the NGT. In other words, empowered individuals not directly affected by environment cannot receive access to the NGT. This is viewed as crippling to the Public Interest Litigation process (Vashisht, 2014).

Third issue concerns qualification of the appointed experts. 'Out of the 13 expert members appointed between 2010-2018, four were from Indian Forest Service and two from Indian Administrative Service' (Sahu, 2019). As such, these experts lack complex specialized knowledge and expertise demanded by their job – knowledge about nuclear waste, biomedical waste and other hazardous wastes.

Fourth, the number of tribunals setup is largely insufficient to handle the dearth of cases in the country. To make matters worse of the five benches originally established, four are non-functional with only the principal bench in operation (Vashisht, 2014).

Fifth concern relates to enforcement of NGT rulings. It has been found that in many cases, the polluters do not abide by the laws, which clearly stipulate that 'compensation amount as ordered by the tribunal should be remitted to the authority of the Environmental Relief Fund within a period of 30 days from the date of order or award or as otherwise ordered by the tribunal.' They have failed to uphold this law (Mohan, 2020; Sahu, 2019). Also, when the NGT levies heavy fines on the polluters, they have appealed to the Supreme Court and the cases continue in the courts with no end.

Sixth concern relates to enforcement of NGT orders by the environmental regulatory authorities. It has been found that many of the regulatory authorities are not complying with the orders of the NGT. 'Most of the landmark orders of the NGT related to Ganga water pollution, Delhi air pollution, illegal mining, and solid waste management remain unenforced' (Sahu, 2019).

Finally, the NGT has been given the sole power to adjudicate over matters relating to the environment. Civil courts have been 'prohibited from granting injunctions or passing any order over disputes viewed exclusively within the jurisdiction of the Tribunal.' This has proved to be a huge burden to the common people living in far-flung areas and is viewed as a major barrier in delivering environmental justice to the poor in remote areas (Vashisht, 2014).

Several recommendations have been made to strengthen the NGT and its effectiveness (Dubey, 2019; Vashisht, 2014) but far from strengthening the NGT the current direction is towards diluting the powers and effectiveness of the NGT. There is real concern that the current BJP government wants to dilute the powers of the NGT (Sethi, 2014; PTI, 2018b). Talks are in progress for the formation of a review committee to review the NGT Act and make amendments to the ACT so that it is less of a bottleneck in the path of so-called development and progress of the country.

Conclusion

India is blessed with one of the richest natural environment in the world. It is one of the seventeen megadiverse countries in the world. By land, it is the seventh largest country in the world. 'It consists of more than seven percent of all the recorded species of plants and animals – several of them endemic to the Indian subcontinent. It has one of the most diverse geography and climate consisting of hot and cold deserts, tropical and temperate forests, grasslands, swamplands, mangroves and plains.' It consists of four hotspots out of thirty-four recognized global biodiversity hotspots. In its quest for development, the government has adopted a philosophy of grow now, pay later. Rather than strengthening and firming the CPCB, SPCBs, and the NGT, the government instead is looking to dilute the powers of these bodies, which are viewed largely as obstacles in the path of development. Yet, the root cause for the social and economic failures lies elsewhere. The following are some of the most pressing problems facing India (i) population growth, (ii) urbanization, (iii) environment pollution, (iv) poverty, (v) unemployment, (vi) water crisis, (vii) corruption, (viii) communalism, (ix) inadequate healthcare, and (x) lack of quality education. Addressing these problems requires addressing and making changes and reforms in multiple fronts – education, healthcare, politics, governance, environment, etc. It requires the government to initiate and implement bold moves and major reforms in key areas. The Indian Government must look beyond vote bank politics and refrain from disastrous decisions resulting in short term gains. Once the natural ecosystems and the biodiversity hotspots are lost, it is gone forever. Seeking economic solutions (GDP growth) to our current social

problems alone will not address the problem at heart. Extreme care should be taken to ensure that the future generations do not inherit wastelands, toxic rivers, lakes, record levels of air pollution, water pollution, and noise pollution because of the failure of the present generation to take decisive actions and steps at this critical hour in history.

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