

CHAPTER 2

Financial and Manpower Management

2.1 Financial Management

2.1.1 Environment Department

The Environment Department (ED) is funded through the State budget. The allotment and expenditure of the ED for 2005-11 were as given in *Appendix-II*.

A provision of ₹ 80 crore each in revenue and capital heads was made for Taj Trapezium Zone project during 2005-06 to 2008-09, which was not utilised due to non-clearance of proposed works by National Environmental Engineering Research Institute, Nagpur, being a pre-condition for execution of works.

As evident from the *Appendix-II* that the percentage of expenditure of the ED to the total expenditure of the State came down from 0.025 in 2005-06 to 0.002 in 2010-11 indicating that the State Government did not accord adequate priority to environmental protection and improvement.

2.1.2 Uttar Pradesh Pollution Control Board

The income of UPPCB comprised State's share³ of Water Cess, reimbursed by the Ministry of Environment & Forest (MoEF), GoI and the Consent Fee recovered by it for issuing authorisations under Air and Water Acts.

A summary of receipts and expenditure including unspent balance of UPPCB during 2005-10 was as below:

Table 2.1: Receipt and Expenditure of UP Pollution Control Board

(₹ in crore)

Year	OB	Receipt				Total Exp.	CB	
		Share of Cess reimbursed by GoI	Consent Fee		Misc. ⁴			Total
			Water	Air				
2005-06	20.67	10.44	2.09	1.17	2.81	16.51	13.02	24.16
2006-07	24.16	11.48	2.06	1.28	2.74	17.56	15.87	25.85
2007-08	25.85	20.22	2.11	1.32	4.00	27.66	18.16	35.35
2008-09	35.35	9.13	6.84	6.02	6.06	28.04	31.31	32.08
2009-10	32.08	23.85	8.53	8.90	6.51	47.79	25.51	54.36
Total		75.11	21.63	18.70	22.12	137.56	103.87⁵	

(Source: Financial Statements of UPPCB)

OB: Opening Balance; CB: Closing Balance

The unspent balance steadily increased from ₹ 24.16 crore (31 March 2006) to ₹ 54.36 crore as on 31 March 2010 and was kept in fixed deposits.

³ 80 per cent of the total water cess collected by UPPCB.

⁴ NOC, Monitoring & Analysis Charges, Registration fee, etc.

⁵ Revenue : ₹ 81.58 crore and Capital : ₹ 22.29 crore.

On this being pointed out the UPPCB stated (August 2010) that it was preparing projects to utilise the balance amount. The reply of the UPPCB was not acceptable as no details of such projects were furnished to audit.

2.1.2.1 Negligible expenditure on Pollution Control Measures

As per the order number Q/17011/1/88-CPW dt. 28.12.1998 of MoEF, 25 per cent of the Cess reimbursed by GoI was to be spent on establishment and the balance on pollution reduction measures. Audit observed that while the UPPCB's expenditure on establishment exceeded the permissible limit, very little expenditure was incurred on pollution control measures as detailed in Table 2.2.

Table 2.2: Excess expenditure from cess by UPPCB

(₹ in crore)

		2005-06	2006-07	2007-08	2008-09	2009-10	Total
A.	Receipt						
	Cess	10.44	11.48	20.22	9.13	23.85	75.12
	Others (water, air, misc.)	6.07	6.09	7.44	18.92	23.95	62.47
	Total	16.51	17.57	27.66	28.05	47.8	137.59
B.	Expenditure						
	Other source	6.07	6.09	7.44	18.92	23.95	62.47
	Expenditure from Cess	6.95	9.78	10.72	12.39	1.56	41.40
	Total	13.02	15.87	18.16	31.31	25.51	103.87
	Permissible Expenditure on establishment from Cess at the rate of 25 per cent	2.61	2.87	5.06	2.28	5.96	18.78
	Excess Expenditure from Cess on establishment (Percentage)	4.34 (166)	6.91 (241)	5.66 (112)	10.11 (443)	-4.40 (-74)	22.62 (220)
	Expenditure on environment management	0.09	0.20	0.13	0.17	0.31	
	Percentage to total expenditure	0.69	1.26	0.72	0.54	1.21	

(Source: Financial Statements of UPPCB)

The above table indicates that the expenditure on establishment ranged between 112 and 443 per cent more than the limit fixed by the GoI during 2005-09 while the expenditure on environment related projects was merely 1.26 per cent to 0.54 per cent during 2005-10.

The Government stated (August 2011) that UPPCB had not made any excess expenditure from cess reimbursements from GoI and it had approximately ₹ 25.12 crore available

balance of cess at the end of 2010-11. It was further stated that during 2009-10 UPPCB incurred 19 *per cent* expenditure on pollution control activities.

The reply of the Government was not tenable as UPPCB incurred expenditure well beyond the limit prescribed by GoI for establishment. Regarding 19 *per cent* expenditure on pollution control activities, the Government did not submit details in support of the reply.

2.2 Manpower Management

The position of sanctioned strength and person in position as of March 2010 in the categories of technical and non-technical staff in UPPCB were as below:

Table 2.3: Position of Technical Staff as of March 2010

Sl. No.	Name of post	Sanctioned strength	Person-in-position	Shortage (percentage)
Scientists				
1.	Chief Environment Officers	05	03	02 (40)
2.	Assistant Scientific Officers	31	18	13 (42)
3.	Scientific Assistants	79	59	20 (25)
4.	Lab Assistants	39	01	38 (97)
5.	Monitoring Assistants	49	42	07 (14)
Total		203	123	80 (40)
Engineering Staff				
1.	Chief Environment Officer	05	06	(-) 01 (20)
2.	Environment Engineer	28	26	02 (07)
3.	Assistant Environment Engineer (I)	49	32	17 (35)
4.	Assistant Environment Engineer (II)	10	09	01 (10)
5.	Junior Engineer	69	30	39 (57)
6.	Sr. Draughtsman	08	05	03 (37)
7.	Draughtsman	12	01	11 (92)
Total		181	109	72 (40)

(Source: Statement of UPPCB)

Table 2.4: Position of Non-Technical Staff as of March 2010

Sl. No.	Name of Cadre	Sanctioned strength	Person-in-position	Shortage (percentage)
1.	Accounts	41	30	11 (27)
2.	Legal	17	11	06 (35)
3.	Clerical	367	302	65 (18)
Total		425	343	82 (19)

(Source: Statement of UPPCB)

Thus, UPPCB had acute shortage of both technical (40 per cent) and non-technical staff (19 per cent) in comparison to the sanctioned strength.

On this being pointed out UPPCB replied that the vacant posts of AEE (II) and SA were filled (2008) and action for filling up of other posts was in progress.

On this being pointed out, the Government replied (August 2011) that UPPCB recruited 103 personnel to various scientific and technical posts. No post wise details were provided in support of its reply. However, UPPCB provided (January 2012) the staff position as of March 2011 according to which there was still a shortage of 50 non-technical⁶ and 60 scientific and technical staff⁷, which also contributed to the inadequate implementation of schemes for environmental pollution as discussed in the succeeding chapters.

2.3 Prosecution

Any person who violates the provisions of the Acts is liable to be prosecuted by the UPPCB. Scrutiny revealed that during 2005-11, only 88 cases were filed during 2005-11 against the violators in the State as below:

Table 2.5: Status of cases filed against the violators in the State as on March 2011

Year	No. of Cases Filed Under			Total	No. of Cases Pertains to Lucknow City
	EP Act 1986	Air Act	Water Act		
2005-06	01	--	--	01	
2006-07	--	--	--	--	--
2007-08	--	01	33	34	01
2008-09	--	03	--	03	
2009-10	--	01	46	47	
2010-11	--	03	--	--	03
Total	01	08	79	88	04

(Source: Information provided by UPPCB)

UPPCB did not provide any details pertaining to fines imposed or legal action initiated against the LNN, *Chatrapati Sahuji Maharaj Chikitsa Vishwavidyalay* (formerly KGMC)

⁶ Non-technical staff: sanctioned strength-424; Person in position-374; shortage-50.

⁷ Scientific cadre: sanctioned strength-214; Person in position-199; shortage-15.
Engineering cadre: sanctioned strength-181; Person in position-136; shortage-45.

and SGPGI for non-implementation of MSW, Plastic Rules and BMW as discussed in succeeding chapters.

Audit observed that out of the above 88 cases, only four cases pertain to Lucknow City indicating UPPCB's lackadaisical approach in identifying the violators of Environmental Acts and Rules. UPPCB informed (August 2010) that it was not able to comply the various Rules/Acts due to shortage of manpower.

While accepting the facts, the Government stated (August 2011) that during 2007-11, UPPCB issued closure orders under the provisions of Water Act, Air Act and Environment (Protection) Act. It further stated that out of 637 units in the State, 28 units of Lucknow had been directed to close down.

2.4 Monitoring

UPPCB had neither fixed any norm for periodical inspection of waste generating establishments nor the number of inspections/checks to be conducted by its staff at various levels. It had also not apprised the ED regarding its inability to discharge the function of executive agency. The ED had also not devised any alternate option like strengthening of its own directorate and field offices by appointing suitable manpower for conducting inspection and checking.