

The Central Pollution Control Board (Qualifications and other Terms and Conditions of Service of Chairman), Rules, 2015

UNION OF INDIA

India

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Rule

THE-CENTRAL-POLLUTION-CONTROL-BOARD-QUALIFICATIONS-AN of 2015

- Published on 23 March 2015
- Commenced on 23 March 2015
- [This is the version of this document from 23 March 2015.]
- [Note: The original publication document is not available and this content could not be verified.]

The Central Pollution Control Board (Qualifications and other Terms and Conditions of Service of Chairman), Rules, 2015Published vide Notification No. G.S.R. 221(E), dated 23rd March, 2015Ministry of Environment, Forests and Climate ChangeG.S.R. 221(E). - In exercise of the powers conferred by clause (e) of sub-section (2) of section 63 of the Water (Prevention and Control of Pollution) Act, 1974 (6 of 1974) and in supersession of the Central Pollution Control Board (Qualifications and other Terms and Condition of Service of Chairman), Rules, 2011, except as respects things done or omitted to be done before such supersession, the Central Government hereby makes the following rules regulating the qualifications and other terms and conditions of service of the Chairman of the Central Pollution Control Board, namely :-

1. Short title and commencement.

(1)These rules may be called the Central Pollution Control Board (Qualifications and other Terms and Conditions of Service of Chairman), Rules, 2015.(2)They shall come into force on the date of their publication in the Official Gazette.

2. Definitions.

- In these rules, unless the context otherwise requires,-(a)"Act" means the Water (Prevention and Control of Pollution) Act, 1974 (6 of 1974);(b)"Central Pollution Control Board" means the Central

Pollution Control Board constituted under section 3 of the Act;(c)"Chairman" means the Chairman of the Central Pollution Control Board.

3. Educational and other qualifications for appointment as Chairman.

(1) No person shall be eligible for being selected for nomination as the Chairman under clause (a) of sub-section (2) of section 3 of the Act, unless, - (a) he possesses Master's Degree in science relating to environment or Bachelor's Degree in engineering in a discipline relating to environment from a recognized University or institute and has special knowledge and fifteen years practical experience relating to the environment protection, including industrial pollution mitigation, water treatment or air pollution control devices and has rendered twenty five years of service; or (b) he is an officer under the Central Government or State Government or public sector undertaking or a University or autonomous body or statutory body, and - (i) holds an analogous post on regular basis in the parent cadre or department; or (ii) has three years of regular service in the grade rendered after appointment thereto on regular basis in the Pay Band-4 (Rs. 37,400 - 67,000) with Grade Pay of Rs. 10,000 in the parent cadre or department; and (iii) possesses the qualifications and experience specified in clause (a); or (c) is or has been in All India Service or in any Civil Service of the Union, holding the post in the rank of Additional Secretary to the Government of India on regular basis, or empanelled as Additional Secretary to the Government of India, or having three years of regular service in the grade rendered after empanelment as Joint Secretary to the Government of India, and possesses a Degree in Science or Engineering and has knowledge and experience of at least three years in areas related to environment protection. Explanation - (1) For the purposes of this sub-rule, a doctor's degree in environmental management from a recognized university or institute and excellent record of peer reviewed research publications and experience of organizing environment related training programmes for service personnel shall be desirable qualification. (2) An officer working under the Central Government or a State Government or a public sector undertaking or a University or an autonomous body or statutory body selected for nomination as the Chairman under clause (a) of sub-section (2) of section 3 of the Act, shall be considered for nomination as the Chairman on deputation basis. (3) For the purpose of sub-rule (2), the period of central deputation including period of central deputation in another ex-cadre post held immediately preceding this appointment in the same or some other organisation under the Ministry or Department of the Central Government shall not ordinarily exceed three years. (4) The person to be nominated as Chairman shall be of outstanding merit and impeccable integrity with no possibility of conflict of interest between his earlier employment and in holding the charge of the post of Chairman.

4. Age Limit.

- The maximum age limit for nomination as Chairman shall be not exceeding fifth-six years as on the last date for the receipt of applications.

5. Mode of recruitment.

- (i) The Chairman shall be appointed by a Search-cum-Selection Committee consisting of the following namely:-

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| (i) Cabinet Secretary | ... Chairman |
| (ii) Secretary, Ministry of Environment, Forests and Climate Change | ... Member |
| (iii) Secretary, Department of Personnel and Training | ... Member |
| (iv) Secretary, Ministry of Science and Technology | ... Member |
| (v) An expert member to be nominated by the Cabinet Secretary | ... Member |

6. Pay, allowances and other conditions of service.

(1)The Chairman shall receive pay in the pay scale of Rs. 67,000-79,000 (Higher Administrative Grade plus scale) with an annual increment at the rate of three percent.(2)In addition to the pay specified in sub-rule (1), the Chairman shall be entitled to,-(a)a city compensatory allowance and house rent allowance as are admissible to an Additional Secretary to the Government of India:Provided that where the Chairman is allotted an accommodation by the Central Government, he shall not be entitled to house rent allowance and shall be required to pay a licence fee as applicable to an Additional Secretary to the Government of India;(b)the travelling allowance and daily allowance, in respect of journeys undertaken by him in connection with his duties as the Chairman, at the rates permissible in the case of an Additional Secretary to the Government of India;(c)the medical facilities as are admissible to an Additional secretary to the Government of India.(3)The other conditions of service of the Chairman in the matters of allowances, leave, joining time, joining time pay, provident fund, gratuity, age of superannuation, retirement benefits and other conditions of service shall be regulated in accordance with such rules and regulations as are for the time being applicable to officers belonging to the corresponding pay scale stationed at those places.

7. Disqualification.

- No person,-(a)who has entered into or contracted a marriage with a person having a spouse living, or(b)who having a spouse living has entered into or contracted a marriage with any person, shall be eligible for appointment to the said post :Provided that the Central Government may, if satisfied that such marriage is permissible under personal law applicable to such person or the other party to the marriage and that there are other grounds for doing so, exempt any person from the operation of this rule.

8. Power to relax.

- Where the Central Government is of opinion that it is necessary or expedient so to do, it may, by order, for reasons to be recorded in writing, relax any of the provisions of these rules with respect to any class or category of persons.