

148. THE CENTRAL POLLUTION CONTROL BOARD (QUALIFICATIONS AND OTHER TERMS AND CONDI- TIONS OF SERVICE OF CHAIRMAN) RULES, 2011

Ministry of Environment and Forests, Noti. No. G.S.R. 831(E), dated November 24, 2011, published in the Gazette of India, Extra., Part II, Section 3(i), dated 24th November, 2011, pp. 3-4, No. 633.—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), the Central Government hereby makes the following rules regulating the qualifications and other terms and conditions of service of the Chairman in the Central Pollution Control Board, name :—

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, 2011.

(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. Pay, allowances and other conditions of service.—(i) 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 per cent.

(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.

4. Age limit.—The maximum age limit of appointment shall be not exceeding fifty-six years as on the last date for the receipt of applications. This limit will apply for contract appointment also.

5. Educational and other qualifications.—(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 recognised University or institute and has special knowledge and fifteen years practical experience relating to the environment protection (including subsequent developments in theory and practice as in industrial pollution mitigation, water treatment or air pollution control devices); or
- (b) he is an officer under the Central Government or a State Government or a public sector undertaking or a University or an autonomous body or a statutory body, and—
- (i) holds an analogous post on regular basis in the parent cadre or department;
- (ii) has three years of regular service in the grade rendered after appointment thereto on regular basis in pay band 4 in the pay scale of Rs. 37,400-67,000 plus grade pay of Rs. 10,000 or equivalent in the parent cadre or department; and
- (iii) possesses the qualifications and experience specified in clause (a).

Explanation.—For the purposes of this sub-rule, a doctoral degree in environmental management from a recognised University or Institute and excellent record of peer reviewed research publications and experience of organising environment related training programmes for service personnel, shall be a 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.

Explanation.—For the purpose of this sub-rule, period of deputation including period of deputation in another ex-cadre post held immediately

preceding this appointment in the same or some other organization or department or the Central Government shall ordinarily not exceed three years.

6. 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 so doing, exempt any person from the operation of this rule.

7. Power to relax.—Where the Central Government is of the opinion that it is necessary or expedient to do so, 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.

8. Saving.—Nothing in these rules shall affect reservation, relaxation of age limit and other concessions required to be provided for the Scheduled Castes, Scheduled Tribes, Other Backward Classes, Ex-servicemen and other special categories of persons in accordance with the orders issued by the Central Government from time to time in this regard.
