

Government of Madhya Pradesh
Department of Environment
NOTIFICATION 2019 (dated 18/09/2019)
as Amended 2022 (01/08/2022)

No. F 7-1-2019-32-3 – In exercise of the powers conferred by clause (e) of sub-section (2) of section 64 of the Water (Prevention and Control of Pollution) Act, 1974 (No.6 of 1974), the State Government, hereby makes the following rules regulating the qualifications and other terms and conditions of service of the chairman of Madhya Pradesh Pollution Control Board, namely :-

1. Short title and commencement:

- (1) These rules may be called the Madhya Pradesh Pollution Control Board (Qualification and other terms and conditions of services of Chairman) Rules, 2019**
- (2) They shall come into force from 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) "State Pollution Control Board" means the State Pollution Control Board constituted under section 4 of the Act.**
- (c) "Chairman" means the Chairman of the State Pollution Control Board.**

3. Educational and other qualifications for nomination as Chairman:

No person shall be eligible for being selected for nomination as Chairman under clause (a) of sub-section 2 of section 4 of the Act, unless, -

- * **“(a) He possesses Master’s Degree in environmental science/ environmental engineering/ environmental planning and management from a recognized university or institute and fifteen years practical experience relating to the environment protection specially in industrial pollution mitigation, waste water treatment, air pollution control and treatment and disposal of hazardous waste, bio-medical waste, solid waste, e-waste and plastic waste.”**
- * **(b) He is an officer under Government of India/State Governments/public sector undertakings/ statutory bodies under the control of the Government of India or State Governments and –**
 - (i) holds an analogous post on regular basis in the parent cadre or department; or has three years of regular service in the grade rendered after appointment, thereto, on regular basis in the pay scale (Rs 141,800 – 214,700) in the parent cadre or department; and**
 - (ii) Possesses the qualifications and experience specified in clause (a).**

4. Pay, allowances and other conditions of service:

- (1) The Chairman shall receive pay in the pay scale of (Rs. 1,82,200-2,24,400) 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 a Principal Secretary to the Govt. of Madhya Pradesh :**

Provided that where the Chairman is allotted an accommodation by the State Government, he shall not

be entitled to house rent allowance and shall be required to pay a license fee as applicable.

(b) the travelling allowance and daily allowance, in respect of journeys undertaken by him in connection with his duties as Chairman, at the rates as permissible in the case of a Principal Secretary to the Government of Madhya Pradesh.

(c) the medical facilities as are admissible to a Principal Secretary to the Government of Madhya Pradesh.

(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 regulation as are for the time being applicable to officers belonging to the corresponding pay scale stationed at those places.

5. **Age Limit :** The maximum age limit for nomination as Chairman shall be not exceeding sixty two years as on the last date for the receipt of applications.

* **6.Tenure of the post :** The Chairman will hold the post for a period of three years and can be re-nominated for one more additional term with maximum tenure of six years in total subject to the maximum age of 65 years.

* **7.Mode of recruitment:** The Chairman shall be appointed by the Government of Madhya Pradesh on the recommendations of a search-cum-Selection Committee consisting of the following members to be appointed by the Environment Department, namely:-

(i) Chief Secretary / Additional Chief Secretary - Chairman
(to be nominated by Chief Secretary)

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| (ii) | Principal Secretary, Department of Industrial-
Policy and Investment Promotion) / (Department
of Mines and Minerals) / Urban Administration &
Development Department | Member |
| (iii) | Two expert members having experience in the-
field of Environment and pollution control, to be
nominated by the Environment Department | Member |
| (iv) | Principal Secretary, Environment Department.- | Convener |

8. Disqualification :

(1) No Person, Who-

- (a) Is, or at any time has been adjudged insolvent or has suspended payment of his debts or has compounded with his creditors, or
- (b) Is of unsound mind and stands so declared by a competent court, or
- (c) Is, or has been, convicted of an offence which, in the opinion of the Central Government or, the State Government as the case may be, involves moral turpitude, or
- (d) Is, or at any time has been, convicted of an offence under this Act, or
- (e) Has directly or indirectly by himself or by any partner, any share or interest in any firm or company carrying on the business of manufacture, sale or hire of machinery, plant, equipment, apparatus of fittings for the treatment of sewage or trade effluents, or
- (f) Is a director or a secretary, manager or other salaried officer or employee of any company or firm having any contract with the Board, or with the Government constituting the Board, or with a local authority in the State, or with a company or corporation owned, controlled or managed by the Government, for carrying

out of sewerage schemes or for the installation of plants for the treatment of sewage or trade effluents, or

- (g) Has so abused, in the opinion of the Central Government or the State Government as the case may be, his position as the Chairman, as to render his continuance detrimental to the interest of the general public, or
- (h) Has entered into or contracted a marriage with a person having a spouse living;

Provided that the State 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 ground for doing so, exempt any person from the operation of cause(h).

- (2) No order or removal shall be made by the Central Government or the State Government, as the case may be, under this rule unless the person concerned has been given a reasonable opportunity of showing cause against the same.
- (3) A person who has been removed under this rule shall not be eligible for re-nomination as the chairman.

***9. Selection process:**

- (1) The Environment Department, Government of Madhya Pradesh, Shall advertise the post in the leading newspapers (Hindi and English) and post the same in the State Government/Pollution Control Board website with application period of 30 days.
- (2) The Principal Secretary, Environment Department, Government of Madhya Pradesh, Shall constitute a Sub-Committee for scrutinizing the applications received for the post of Chairman and thereafter the Sub-Committee shall prepare a list of qualified candidates, The list will be placed before the Search-Cum-Selection Committee, which will shortlist eligible candidates for interview. The Search-Cum-

Selection Committee will fix the criteria for short listing in advance.

(3) After Interview the Search-Cum-Selection Committee shall recommend a panel of maximum of three candidates to the Government. The Government shall nominate the chairmen on the recommendations of the search- cum- Selection Committee.”,

10. **Power to relax:** Where the State Government is of opinion that it is necessary or expedient to do so, it may, by order, for reasons to be recorded in writing. relax any provision of the these rules with respect to any class or category of persons.

By order and in the name of the Governor of Madhya Pradesh

* Substituted by notification F-7-1/2019/32-3 dated 29/07/2022
