

Annexure -

✓ 14/8/06
17/8/06

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14/8/06

GOVERNMENT OF PUNJAB

DEPARTMENT OF SCIENCE, TECHNOLOGY & ENVIRONMENT

17/8/06
S.Y.M.

ORDER

The Punjab State Board for Prevention and Control of Water Pollution Rules, 1977 were notified on dated 27th October, 1977.

A conjoint reading of sub rule 3 of rule 7 under Chapter 3 of the Water(Prevention and Control of Pollution) Rules, 1977 as well as the Punjab State Board for Prevention and Control of Water Pollution Employees Service Regulations 1980 and revised Regulations dated 2002 shows that there is ambiguity in so far as sub rule 3 of rule 7 under Chapter 3 authorizes the Chairman with full powers in all matters of promotion, confirmation, transfer and termination of officers and employees of the Board. Whereas the powers have been bifurcated in 1980 Regulations and such powers are missing in 2002 regulations. The Board continues to issue orders as per the regulations of 1980 despite the fact that they have been repealed with the issuance of Service Regulations of 2002. Thus, it has created a serious anomaly which can have wide ramifications and legal complications in the matter of policy of transfers and disciplinary proceedings of the employees of the Board.

And whereas vide G.S.R. 36 (E). dated 29.1.81, Ministry of Environment and Forests, Government of India has omitted this provision (Rule 7(3)) from the Water (Prevention and Control of Pollution) Rules, 1975 but the Punjab Pollution Control Board has not taken any steps to carry out correction in the Rules on the lines of amendment made by Government of India.

Therefore, under the circumstances explained above, Government, after serious consideration of the matter find it necessary and expedient to issue directions u/s 18 of the Water(Prevention and Control of Pollution) Act, 1974 that Board shall, henceforth, not exercise any powers of transfers and disciplinary proceedings in case of Group 'A', 'B' and 'C' posts. All powers of these posts shall be exercised by the State Government till further orders.

This issues with the approval of Hon'ble Chief Minister, Punjab

Dated, Chandigarh,
the 11th August, 2006

Principal Secretary
Science, Technology & Environment

Endst. No. 10/28/96-STE(5)/3659 Dated, Chandigarh, the 14 August, 2006.

A copy is forwarded to the following for information and necessary action:

1. Chairman, Punjab Pollution Control Board, Patiala
2. Member Secretary, Punjab Pollution Control Board, Patiala.
3. Secretary to Industries, Commerce and Environment Minister, Punjab for the kind information of Hon'ble Minister.

S. Sharma
Secretary