

AGENDA ITEM NO. 194.05

**REGARDING AMENDMENT IN
QUALIFICATION OF BOARD'S
ANALYST PRESCRIBED IN HARYANA
(PREVENTION AND CONTROL OF
WATER POLLUTION) RULES, 1978
AND HARYANA AIR (PREVENTION
AND CONTROL OF POLLUTION)
RULES, 1983.**

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Agenda Item No. 194.05

Regarding amendment in qualification of Board's Analyst prescribed in Haryana (Prevention and Control of Water Pollution) Rules, 1978 and Haryana Air (Prevention and Control of Pollution) Rules, 1983.

The Government of Haryana in consultation with Haryana State Pollution Control Board (HSPCB) has notified Haryana (Prevention and Control of Water Pollution) Rules, 1978 as amended from time to time wherein the qualification of Board's analyst has been prescribed at clause 35 & 35A of said Rules and the relevant part is reproduced as under:-

35 Qualification of Government Analyst-section 53- A Government Analyst shall be a person who -
 (a) is a graduate of University recognized by the Government for the Purposes of this rule in any branch of science including Chemistry, Bio- Chemistry, Industrial Chemistry Engg or Medicine; and
 (b) has practical experience of not less than five years in a recognized Public Health Laboratory which in the opinion of the Government is a reputed laboratory.

[35A. Qualification of Board Analyst-section 53(3).A Board analyst shall be a person who-
 (a) is a M.Sc in Chemistry or has Bachelor Degree in Chemical Engineering or in Chemical Bio Engineering; and
 (b) has practical experience of not less than five years in the analysis of water sewage or industrial wastes in the analysis of water sewage or industrial wastes in teaching or research or in Government Laboratory.]

The Government of Haryana in consultation with HSPCB has notified Haryana Air (Prevention and Control of Pollution) Rules, 1983 as amended from time to time wherein the qualification of Board's analyst has been prescribed at clause 22 of said Rules and the relevant part is reproduced as under:-

22. Qualifications of Government /State Board Analyst, Section 29(1) and (2)-The qualification of the Government Analyst and State Board Analyst shall be as follows:- At least II Class M.Sc. in Basic Sciences or Life Sciences or Earth Sciences with three years experience in environmental quality management.

Service Regulation of HSPCB

The Government of Haryana in consultation with HSPCB has notified Haryana State Pollution Control Board (GROUP A, B, C & D) Service Regulations, 2004 as amended from time to time wherein the qualification of Scientist, Senior Scientific Assistants and Junior Scientific Assistants has been prescribed at Appendix B of said Rules and the relevant part is reproduced as under:-

| Sr. No. | Designation of posts | Academic qualifications and experience, if any, for direct recruitment | Academic qualifications and experience, if any, for appointment other than by direct recruitment. |
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| 5 | Scientist C | Ph. D. in Chemistry /Environmental Science with (Degree in Science) / Microbiology / Biochemistry / Biotechnology with 6 years' experience in the Central Pollution Control Board or any equivalent post in Government or reputed Institute/ industry (Large and Medium) or Central/State Government undertaking. OR M.Sc. in Chemistry/Environmental Science (Degree in Science)/ Microbiology/Biochemistry/Bio | By Promotion At least 8 years' service of the Board as Scientist B having minimum M.Sc. qualification. By Transfer or Deputation Ph. D. in Chemistry/Environmental Science (with Degree in Science) / Microbiology / Biochemistry / Chemical Engineering with 6 years' experience in the Central Pollution Control Board or any State Pollution Control Board or any equivalent post in Government or reputed Institute/industry or Central/State Government undertaking; OR M.Sc. in Chemistry/Environmental Science (with Degree in Institute/industry (Large and |

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| | | Science /Bio Technology Engineering in first division with at least 8 years' experience in the Central Pollution Control Board or any State Pollution Control or any State Pollution Control Board or in Government or reputed institute/ industry (Large and Medium) or Central/State Government undertaking. | Medium) or Central/State Science)/Microbiology/Biochemistry/Bio Technology/Degree in Chemical Engineering in first division with at least 8 years' service in the Central Pollution Control Board or any State Pollution Control or in Government or reputed institute/industry or Central/State Government undertaking. |
| 5 | Scientist B | M. Sc. in first division in the Chemistry / Biotechnology/ Micro-Biology / Bio Chemistry / Environmental Sciences (with Degree in Science). | By Promotion With at least 5 years' service as Senior Scientific Assistant in the Board. By Transfer or Deputation M. Sc. in first division in Chemistry/Environmental Sciences (with degree in Science)/Botany/MicroBiology/Bio-Chemistry or degree in Chemical Engineering. |
| 15 | Senior Scientific Assistant | M. Sc. in the Chemistry/Environmental Sciences (with degree in Science)/Micro-Biology/Biochemistry/ Biotechnology Or B. Sc. in first division with one year experience in the lab engaged in Environmental Investigation, Testing or Analysis. | By Promotion 5 years' service in the Board as Junior Scientific Assistant By Transfer or Deputation M. Sc. in the Chemistry/Environmental Sciences (with degree in Science) / Micro-Biology / Bio Chemistry / Bio-Technology. Or B. Sc. in first division with one year experience in the lab engaged in Environmental Investigation, Testing or Analysis. |
| 18 | Junior Scientific Assistant | B. Sc. first division with Chemistry as one of the subjects. | By Transfer or Deputation B. Sc. in 1st division with Chemistry as one of the subjects. |

The representation has been received from Dr. Kirti Grow, Scientist-B (HQ), Dr. Monika, Scientist-B, Regional Office, Ballabgarh, Sh Aparnesh Kumar, Scientist-B, Laboratory Incharge, Hisar and Sh. Narender Hooda, Scientist-B, Laboratory Incharge, Faridabad with the requested that section 35A of Haryana (Prevention and Control of Water Pollution) Rules, 1978 and section 22 of Haryana Air (Prevention and Control of Pollution) Rules, 1983 may be amended as per qualification prescribed for Scientist B /Govt. Analyst.

The Haryana (Prevention and Control of Water Pollution) Rules, 1978 were framed in 1978 and qualification of Board analyst has been inserted in Rules 1986 and the Haryana Air (Prevention and Control of Pollution) Rules, 1983 were framed in 1983 and qualification of Board Analyst was prescribed at that time. Thereafter with the advancement in the field of science, numbers of branches of science were added.

The Haryana State Pollution Control Board (GROUP A, B, C & D) Service Regulations, 2004 were notified in 2004 and the posts of Scientist B, SSA and JSA had been filled as per qualifications prescribed under Service Regulations, 2004. It is observed that the qualification of scientific cadre post prescribed in Service Regulations, 2004 is **not in consonance with qualification of Board analyst** prescribed in Haryana Water Rules, 1978 (as amended) and Haryana Air Rules, 1983 (as amended).

It is mentioned here that due to difference of qualification of scientific cadre post as prescribed in Service Regulations, 2004 and Haryana Water Rules, 1978 (as amended) and Haryana Air Rules, 1983 (as amended) there is shortage of Board analyst at present and will also be in future.

Recently a note was received from Incharge Scientific Cell regarding difference of qualification mentioned in rules of Board Analyst as well as Government Analyst and has also mentioned the qualification of Government Analyst is lower in Water Rules then Board Analyst whereas in Air Rules qualification of Government Analyst and Board Analyst is similar. He also submitted that in court report submitted by Government Analyst is preferred over Board Analyst therefore Board Analyst Qualification should also be similar to Government Analyst and in consonance to HSPCB Service Rules.

After detail discussion the proposal for qualification for Government Analyst as well as Board Analyst is submitted for amendment of existing qualification of Government/Board Analyst prescribed under 35 & 35A of Haryana (Prevention and Control of Water Pollution) Rules, 1978 and clause 22 of

Haryana Air (Prevention and Control of Pollution) Rules, 1983 with consonance to HSPCB Service Rules for initial appointment as mentioned below:-

| Sr. no. as per Rules | Existing | Proposed | Justification |
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| Water Rules 35 | <p>Qualification of Government Analyst-section 53- A Government Analyst shall be a person who -</p> <p>(a) is a graduate of University recognized by the Government for the Purposes of this rule in any branch of science including Chemistry, Bio- Chemistry, Industrial Chemistry Engg or Medicine ; and</p> <p>(b) has practical experience of not less than five years in a recognized Public Health Laboratory which in the opinion of the Government is a reputed laboratory.</p> | <p>Qualifications of Government/State Board Analyst- section 53-& 53(3)- A Government/Board Analyst shall be a person who -</p> <p>(a) is a graduate of science (B.Sc.) from a recognized University by the Government including Chemistry as one of the subject, or graduate in medicine or Bachelor of Engineering or Master of Science (M.Sc.) in any branch of science; and</p> <p>(b) has practical experience of not less than five years in analysis of water sewage or industrial wastes in the analysis of water sewage or industrial wastes in teaching or research or in Government Laboratory.</p> | <p>1. M.Sc in Chemistry/ Environmental Science/ Microbiology/ Biochemistry /Biotechnology or B.Sc one of the qualification for direct recruitment in Senior Scientific Assistant as per Service Regulations of HSPCB.</p> <p>2. At present Scientists who have been promoted on higher post of Scientist-B are not having qualification of M.Sc. Chemistry but have qualification of B.Sc. and as per existing Water Rules Board Analyst should be M.Sc. Chemistry therefore they could not be appointed as Board Analyst.</p> |
| Water Rules 35A | <p>Qualification of Board Analyst-section 53(3). A Board analyst shall be a person who-</p> <p>(a) is a M.Sc. in Chemistry or has Bachelor Degree in Chemical Engineering or in Chemical Bio Engineering; and</p> <p>(b) has practical experience of not less than five years in the analysis of water sewage or industrial wastes in the analysis of water sewage or industrial wastes in teaching or research or in Government Laboratory.]</p> | Omitted | <p>3. HSPCB is facing problem to appoint Board Analyst as per qualification who is authorized to sign the legal samples which are to be presented in the Court. Apart from above as per Water Rules and Air Rules have different qualifications and Government Analyst have different qualification.</p> |
| Air Rules 22 | <p>Qualifications of Government/State Board Analyst, Section 29(1) and (2)-The qualification of the Government Analyst and State Board Analyst shall be as follows:- At least second Class M.Sc. in Basic Sciences or Life Sciences or Earth Sciences with three years experience in environmental quality management.</p> | <p>Qualifications of Government/State Board Analyst, Section 29(1) and (2)-The qualification of the Government Analyst/ State Board Analyst shall be a person who-</p> <p>(a) is a graduate of science (B.Sc.) from a recognized University by the Government including Chemistry as one of the</p> | <p>4. Government</p> |

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| | | subject, or graduate in medicine or Bachelor of Engineering or Master of Science (M.Sc.) in any branch of science; and (b) has practical experience of not less than five years in environmental quality management. | Analyst is Graduate in Science whereas Board Analyst have M.Sc. Chemistry. At present there are only two Board Analyst under Water Rules who are looking after legal samples of 04 Board Laboratories. In view of above, to overcome the shortage of Board Analyst qualification of both Board Analyst as well as Government Analyst in Both the Rules should be same and in consonance with the Service Regulations of HSPCB. |
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It is proposed that the Board may consider above proposal and accord the approval for the same, so that after approval case may be sent to the Government for necessary amendments in Haryana (Prevention and Control of Water Pollution) Rules, 1978 and Haryana Air (Prevention and Control of Pollution) Rules, 1983.
