

**HARYANA GOVERNMENT
ENVIRONMENT DEPARTMENT**

Notification

The 10th April, 2018

No. S.O. 20/C.A. 14/1981/S. 54/2018.— In exercise of the powers conferred by Section 54 of Air (Prevention and Control of Pollution) Act, 1981 (Central Act 14 of 1981), the Governor of Haryana after consulting the Haryana State Pollution Control Board, hereby makes the following rules further to amend the Haryana Air (Prevention and Control of Pollution) Rules, 1983, namely :-

1. These Rules may be called the Haryana Air (Prevention and Control of Pollution) Amendment Rules, 2018.
2. In the Haryana Air (Prevention and Control of Pollution) Rules, 1983 (herein after called the said rules), in rule 2, in clause (d), for the words "Haryana State Board for the Prevention and Control of Water Pollution", the words "Haryana State Pollution Control Board" shall be substituted.
3. In the said rules, for rule 3, the following rule shall be substituted, namely:-
 - "3. Terms and conditions of the members of the Board, section 7(7).-
 - (i) Non-official Members of the Board residing in Chandigarh/ Panchkula shall be paid an allowance at the rate of three hundred rupees per day for each day of the actual meeting of the Board or actual meetings of any committee constituted under sub-section (1) of section 11;
 - (ii) Non-official Members of the Board not residing in Chandigarh/Panchkula shall be paid an allowance of rupees three hundred per day (including daily allowance) for each day of the actual meetings of the Board or for each day of actual meetings of any committee constituted under sub-section (1) of section 11 and also travelling allowance at such rates as is admissible to a Grade 1 Officer of the Government;
 - (iii) When the Legislative Assembly is not in session, a Member of the Legislative Assembly who is also a member of the Board shall be entitled to such allowances as are admissible to him for attending an Assembly Session on production of a certificate by the Member that he has not drawn any such allowance for the same journey and halts from any other Government source".
4. In the said rules, in rule 4,-
 - (i) in sub rule (2), in first proviso, the words "he shall obtain prior permission of the Government for visiting any place outside Haryana, Union Territories of Chandigarh and Delhi" shall be omitted;
 - (ii) in sub-rule (2), in the second proviso, for the word "meetings" the word "meeting" shall be substituted;
 - (iii) for sub-rule (4), the following sub-rule shall be substituted, namely:-

"The Chairman, shall exercise all such powers in the matters of appointment, promotion, confirmation, termination of services of employees as conferred on him, under Haryana State Pollution Control Board (Group A, B, C and D) Service Regulations, 2004";
 - (iv) in sub rule(7), the word "full" shall be omitted.
5. In the said rules, in rule 5, in sub-rule (6), for the words "fifteen minutes" the words "half an hour" shall be substituted.
6. In the said rules, in rule 6,
 - (i) in sub-rule (1), for the word "time", the words and sign "date, time" shall be substituted;
 - (ii) in sub-rule (3), for the words "as far as possible" the words "as far as practicable" shall be substituted.
7. In the said rules, in rule 7, in sub-rule (1), after the word "Board", the words "or the Chairman" shall be omitted.
8. In the said rules, in rule 8, in sub- rule (2), for the words "two hundred" the words, "two thousand" shall be substituted.
9. In the said rules, for rule 9, the following rule shall be substituted, namely:-

"9. Terms and conditions of service of Member-Secretary, section 14 (I).- (i) The Government may appoint any person a full time Member Secretary of the Board, who possesses the qualifications as provided in clause (f) of sub-section (2) of section 5 of the Act.

- (ii) (a) The Member-Secretary who is a serving officer shall be entitled to draw pay and allowances as fixed by the Government.
- (b) The Member-Secretary who is a retired Government Officer shall draw the pay which he was drawing immediately before his retirement minus pension and pension equal to gratuity plus other allowances admissible to a Class 1 Officer of corresponding status in the Haryana Government.
- (c) Notwithstanding anything contained in sub-rules (ii) (a) and (b) when a person other than a serving officer or a retired Government officer is appointed as Member-Secretary, he shall draw a fixed monthly salary as fixed by the Government at the time of his appointment.
- (iii) The other terms and conditions of service of Member-Secretary of the Board shall be fixed by Government.
10. In the said rules, in rule 10,-
- (i) for clause (v), the following clause shall be substituted, namely:-
- “(v) (a) The Member-Secretary shall be the reporting and reviewing authority for annual confidential reports of all Group-A employees of the Board;
- (b) The Member-Secretary shall be the reporting, reviewing and accepting Authority for annual confidential reports of personal staff of Member-Secretary;
- (c) The Chairman shall be reporting, reviewing and accepting Authority for annual confidential reports of personal staff of Chairman;
- (d) The annual confidential reports of all Group-B employees of the Board shall be recorded by the respective supervising officers;
- (e) The Member-Secretary shall be the reviewing Authority and Chairman shall be accepting Authority for annual confidential reports of Group-B employees of the Board;
- (f) The annual confidential reports of all Group-C and D employees, except personal staff of Member Secretary and Chairman, shall be recorded by the respective supervising officers for which the Member-Secretary will be the reviewing and accepting Authority;
- (g) The Chairman shall be the First Appellate Authority and the Haryana State Pollution Control Board shall be the second Appellate Authority to decide the representation of the Group-C and D employees of Board, against the adverse remarks given in the annual confidential report;
- (h) The Haryana State Pollution Control Board shall be the First Appellate Authority and the Administrative Secretary of the Environment Department will be second Appellate Authority to decide the representation of the Group-A and B employees and personal staff of the Chairman, against the adverse remarks given in the annual confidential reports.
- (ii) in clause (ix), in the proviso, after the word “approval” existing at the end, the following words shall be added, namely :-
- “and withholding the payment shall be conveyed to the affected person in writing”.
- (iii) In clause (xi), the following words, “shall be added at the end”, namely:- “and submit the report thereof to the Government”.
11. In the said rules, in rule 11, in sub- rule (1), in the proviso, for the words signs and figures “Rs. 2,300” the signs and figures “₹15,600- ₹ 39,100 + ₹ 8000/-” shall be substituted.
12. In the said rules, in rule 12, in sub- rule (3), in the proviso, for the words “rupees two thousand”, the words “twenty thousand rupees” shall be substituted.
13. In the said rules, in rule 13, in sub-rule (2), for the word “office”, the word “official” shall be substituted.
14. In the said rules, in rule 15, in sub-rule (5), after the words “paid by”, the words and sign “cash, electronic fund transfer system or” shall be inserted.
15. In the said rules, in rule 16, in the sub-rule (3), for the word “application”, the word “applicant” shall be substituted.
16. In the said rules, in rule 20, after the words and letter “form IV”, the words “within a period of three working days,” shall be inserted.

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17. In the said rules, in rule 22, for the words "at least II class", the words "at least second class" shall be substituted.
18. In the said rules, in rule 23, in sub-rule (1), in clause (ii), for the sign, ";" the sign "." shall be substituted.
19. In the said rules, in rule 24.-
 - (i). in the sub- rule (2), after the words "Appellate Authority", the following words shall be added at the end, namely:-

"If the Appellate Authority is satisfied that the cause of action etc. is the same, it can allow joint appeal also";
 - (ii) in sub- rule (5), for the words, sign, bracket and figure "sub-rule (7)" the words, sign, bracket and figure "sub-rule (2)" shall be substituted.
20. In the said rules, in rule 25, in sub-rule (1), after the word "date", the words "and place" shall be inserted.
21. In the said rules, in rule 26, -
 - (i) in sub-rule (5), for the words "past experience", the words "the service rendered by the officers/officials on deputation" shall be substituted;
 - (ii) in sub-rule (7), for the word "complied", the word "compiled" shall be substituted;
 - (iii) sub-rule (13) shall be omitted.

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