

Agenda Item No. 161.20 (S)**Delegation of administrative powers to Member Secretary under the powers of the Water/Air Acts.**

Section 11A of Water (Prevention and Control of Pollution) Act, 1974 interalia provides that the Chairman of the Board shall exercise such powers and perform such duties as may be prescribed or as may, from time to time, be delegated to him by the Board. Further sub rule 3 of rule 5 of Haryana (Prevention and Control of Water Pollution) Rules, 1978 made under the Water Act ibid lays down that;

"Subject to rules, if any, made under sub-section (3) of Section 12, the Chairman shall have full powers in the matters of appointment, promotion, confirmation, transfer and termination of services of the officers and employees of the Board, except in the case of the officers and employees the maximum stage of whose pay scale exceeds Rs. 2600/-. For officers whose maximum stage of pay scale exceed Rs. 2600/- all such powers shall vest in the Board."

In order to ensure better administrative control over the functioning of the Board, these powers of the Board were delegated to the Chairman of the Board vide Resolution No. 83.60 of 83rd meeting of the Board held on 30.08.1990 (at Annexure 'A').

The Service Regulations, 2004 of the Employees of the Board were notified vide No. S.O. 154/CA 6/1974/S.12/2004 dated 05.10.2004 under sub-section (3) and (3A) of section 12 of the Water Act and after the notification of above Service Regulations of the Employees of the Board, the powers delegated to the Chairman of the Board under sub rule 3 of rule 5 of Haryana (Prevention and Control of Water Pollution) Rules, 1978 became in operative.

Vide Resolution No. 144.7, the powers regarding appointment, promotion, confirmation, punishment under Rule 7 of the Haryana Civil Services (Punishment & Appeal) Rules, 1987 in respect of all Class-I Officers, Assistant Environmental Engineer and Scientist 'B' have been delegated to the Chairman of the Board in order to exercise better administrative control over the functioning of the Board except

In case of Group 'A' Services where decision taken in this regard have to be put up in the ensuing meeting of the Board for information of the Members.

The Haryana State Pollution Control Board has issued a policy notification dated 01.04.2010 vide which powers have been delegated to District Level Clearance Committees/District Level Committee for grant of consent to establish/consent to operate under Water (Prevention and Control of Pollution) Act, 1974, Air (Prevention and Control of Pollution) Act, 1981 and authorization under Hazardous Waste (Management, Handling and Transboundary Movement) Rules, 2008 for the industries having investment upto Rs. 10 Crores for Case-II and Case-III Categories of Industries. The power to grant consent to establish/consent to operate and authorization for Case-I Category of Industries and Industries having investment cost more than Rs. 10 Crores for Case-II and Case-III Categories of Industries is exercised by the Chairman of the Board as delegated vide Resolution No. 10.12 as per Section 11A of Water Act, 1974.

Chairman has to attend various meetings at State/Central Government level and has very busy schedule and it is difficult for him to find time for routine matters. Moreover, presently Financial Commissioner & Principal Secretary to Government of Haryana, Environment Department is holding additional charge of the post of Chairman and it is difficult for him to devote full time in the Board, since he has to perform important functions as Financial Commissioner & Principal Secretary to Government of Haryana, Environment Department and to attend other important meetings/official business of emergent nature. Thus necessity has been felt to delegate some of administrative powers to the Member Secretary of the Board for efficient and smooth functioning of the day-to-day working of the Board. The powers proposed to be delegated to the Member Secretary of the Board is given at Annexure 'A' attached with this agenda.

The Board may consider and approve the above proposal.

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Annexure 'A'

Sr. No.	Powers to be delegated	Authority to which the power is delegated	Officer to whom proposed to be delegated
1.	Sanction of Casual, Earned Leave & Commuted Leave for Group 'C' and Group 'D' employees	Chairman	Member Secretary
2.	Sanction of loan from G.P.F/C.P.F., Loans and Advances, HBL, Marriage Loan etc. of Group 'A', 'B', 'C' and 'D' employees	Chairman	Member Secretary -

Agenda Item No. 161.20 (S)

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The proposal contained in the agenda note was approved.

Agenda Item No. 161.21 (S)

Revision of delegation of Financial Powers to Board's officers.

The proposal contained in the agenda note was approved.

Agenda Item No. 161.22 (S)

Representation of National Real Estate Development Council for regarding simplification of consent procedure for construction projects.

After due deliberations, the Board decided that existing provisions regarding bank guarantee in the notification may be followed.