



C A G

Citizen consumer and civic Action Group

New #246 (Old #277-B), TTK Road (J.J.Road)
Alwarpet, Chennai 600 018.

Phone : +91-44-2499 4458/2466 0387

Fax : 91-44-2499 4458

Email : helpdesk@cag.org.in

Website : www.cag.org.in

To

1. Chief Secretary
Government of Tamil Nadu
Secretariat, Chennai 600 009.
2. Director
Directorate of Vigilance and Anti-Corruption
293, MKN Road, Collectors Nagar
Alandur, Chennai 600 016.

March 5, 2020

Dear Sirs,

Subject: Irregularities and suspected "match-fixing" in appointment of Member Secretary, Tamil Nadu Pollution Control Board – Illegal criteria notified for application and selection of Member Secretary, TNPCB.

Tamil Nadu Pollution Control Board has invited applications for the post of Member Secretary vide Notification No. 01/MS/TNPCB/2020. We have perused the Notification, which contains irregular and suspicious criteria that are not prescribed in the Water Act. We have learnt of allegations that the criteria have been introduced with high-level collusion including from the top bureaucracy within TNPCB and in the Government of Tamil Nadu in order to favour specific candidates.

The following irregularities in notification of criteria stand out:

- Section 4(2)(f) of the Water Act states that a "full-time member secretary possessing qualifications, knowledge and experience of scientific, engineering or management aspects of pollution control, to be appointed by the State Government."
- Age Limit of 55 years: Such an age limit has not been prescribed in the Water Act.
- 25 Years field experience in Environmental Protection and Enforcement of Environmental Legislation: While experience is mentioned, such experience is restricted to scientific, engineering or management aspects of pollution control. The insertion of "Enforcement of Environmental Legislation" is to restrict the candidacy to people from the TNPCB technocracy.
- Read along with the age-limit, even within the Board, it is meant to eliminate the senior and more experienced engineers at JCEE or ACEE levels in favour of persons below the age of 55 years, and all persons who have not served in a Pollution Control Board.
- A Government Order dated 13 May 2019 concerning the appointment by nomination of chairperson and member secretary to the TNPCB, while contrary to the law, is revealing in that it contains no such age limit. [G.O. Ms No 45, Environment & Forests (EC.2), 13 May, 2019]

We are deeply concerned about the quality and integrity of persons appointed to this important office. We request you to kindly:

- a) strike down this notification, and issue a fresh notification excluding the two problematic criteria concerning age limit and the experience in enforcement of environmental legislation.
- b) verify the alleged complaints about the conspiracy involving high-level officers to "match-fix" the appointment process at TNPCB.

Sincerely,

Om Prakash Singh
Executive Director



Trustees

Dr. Arjun Rajagopalan (Surgeon)
Dr. George Thomas (Orthopaedic Surgeon)
Dr. R. Hema (Associate Professor)

Dr. C. Rammanohar Reddy (Economist and Editor)
Mr. Sriram Panchu (Senior Advocate)
Dr. Suchitra Ramkumar (Doctor and Teacher)
Mr. Keshav Desiraju (IAS, Retd.)

Advisors

Ms. Tara Murali (Architect)
Mr. N.L. Rajah (Senior Advocate)



GOVERNMENT OF TAMILNADU ENVIRONMENT AND FORESTS DEPARTMENT

No. 01/MS/TNPCB/2020

Subject: Selection to the Post of Member Secretary, Tamil Nadu Pollution Control Board – Reg.

Applications are invited from the eligible Indian National candidates for selection and appointment to the post of Member Secretary, Tamil Nadu Pollution Control Board (TNPCB).

1. The Tamil Nadu Pollution Control Board was constituted by the Government of Tamilnadu on 27.02.1982, under Section 4 of the Water (Prevention and Control of Pollution) Act, 1974 (Central Act 6 of 1974) as "Tamilnadu Prevention and Control of Water Pollution Board" and later during 1983 it was renamed as Tamil Nadu Pollution Control Board (TNPCB). TNPCB enforces the provisions of the Water (Prevention and Control of Pollution) Act, 1974, the Air (Prevention and Control of Pollution) Act, 1981 and the Environment (Protection) Act, 1986. The Member Secretary shall be a full time incumbent.
2. The following are the terms and conditions for the post of Member Secretary, Tamil Nadu Pollution Control Board:-

1	Method of Appointment	The Member Secretary shall be appointed by the State Government.
2	Term of office	Three years from the date of appointment: Provided that notwithstanding the expiration of the term, a person appointed as Member Secretary shall continue to hold office until his successor enters upon his office.
3	Qualification and Experience	(i) Must possess a Post Graduate Degree in Engineering or Technology in Environmental Engineering or Allied Sciences. (ii) 25 years field experience in Environmental Protection and Enforcement of Environmental Legislation.
4	Pay	The Member Secretary of the Board shall be paid a salary in the Level 31 Minimum Rs.125200 – Maximum Rs.219800.
5	Age Limit	Must not have completed 55 years (As on the last date of application)

The details of the application format are available on the website of Tamil Nadu Pollution Control Board www.tnpcb.gov.in.

Interested and eligible candidates are requested to send their applications through proper channel in four (4) sets in the format appended, to the following address, so as to reach the undersigned on or before 19.03.2020 at 5.00 P.M. at the following address:

The Additional Secretary to Government,
Environment and Forests Department,
Room No.28, 7th Floor Namakkal Kavignar Malligai,
St. George Fort, Secretariat, Chennai – 600 009.

email id : adsefmspost2020@gmail.com (electronic applications are admissible)

Note 1: Candidates should mention in the envelope "Application for the post of Member Secretary".

Note 2: The candidates may send their applications in four (4) sets through **proper channel** along with attested copies of up-to-date Annual Confidential Report (ACR), Integrity Certificate, details of minor / major penalties imposed, if any and Vigilance clearance. In case of such Officers the parent Ministry / Department / Organization concerned before forwarding the applications should strictly ensure that the applicant officer fulfils the eligibility criteria stipulated for the post as explained above. Advance copy of the application may be sent, but before the interview the official clearance need to be obtained.

Note 3: The applications **not received through proper channel within the due date** liable to be rejected.

Note 4: The Search Committee may conduct interview for the shortlisted candidates and the decision of the Search Committee will be final. All disputes are subjected to the jurisdiction of Court in Chennai City only.

**Principal Secretary to Government,
Environment and Forests Department.**



TAMIL NADU GOVERNMENT GAZETTE

EXTRAORDINARY PUBLISHED BY AUTHORITY

No. 208]

CHENNAI, MONDAY, MAY 13, 2019
Chithirai 30, Vikari, Thiruvalluvar Aandu-2050

Part III—Section 1(a)

General Statutory Rules, Notifications, Orders, Regulations, etc.,
issued by Secretariat Departments.

NOTIFICATIONS BY GOVERNMENT

ENVIRONMENT AND FORESTS DEPARTMENT

APPOINTMENT OF CHAIRMAN AND MEMBER SECRETARY OF THE TAMIL NADU
POLLUTION CONTROL BOARD RULES, 2019.

[G.O. Ms. No. 45, Environment and Forests (EC.2), 13th May 2019, சித்திரை 30, விகாரி,
திருவள்ளூர் ஆண்டு-2050.]

No. SRO A-13(a)/2019.

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 (Central Act 6 of 1974), the Governor of Tamil Nadu, in consultation with the Tamil Nadu Pollution Control Board, hereby makes the following Rules, namely:-

THE RULES

1. **Short title:-** These rules may be called the Appointment of Chairman and Member Secretary of the Tamil Nadu Pollution Control Board Rules, 2019.

2. **Appointment of Chairman and Member Secretary :-**

(1) No person shall be nominated by the State Government as Chairman of the Tamil Nadu Pollution Control Board, unless he possesses,-

- (a) special knowledge or practical experience in respect of matters relating to environmental protection; or
- (b) knowledge and experience in administering institutions dealing with environmental protection.

(2) The Chairman may be nominated either on whole-time or part-time basis.

(3) No person shall be appointed by the State Government as Member Secretary of the Tamil Nadu Pollution Control Board, unless he possesses qualification, knowledge and experience of scientific engineering or management aspects of pollution control.

(4) The terms and conditions for appointment to the posts of Chairman and Member Secretary shall be as follows :-

(a) **Chairman:**

1. Method of Appointment By nomination by the State Government.
2. Term of office Three years from the date of nomination:
Provided that notwithstanding the expiration of the term, a person appointed as Chairman, shall continue to hold office until his successor enters upon his office.
3. Qualification and experience No person shall be nominated as Chairman unless he possesses the following qualifications, namely :-
 - (i) Must have special knowledge or practical experience relating to Environmental Protection;
 - OR
 - (ii) Must be or has been a member of an All India Service, either in the IAS or in the IFS, holding or held post not below the rank of Principal Secretary to the Government of Tamil Nadu or in that cadre having knowledge and experience in administering institutions of the State Government, relating to Environmental Protection.
4. Age limit Must not have completed 65 years.
5. Pay As per prevailing Government norms, or pay as applicable to the post of Principal Secretary to the Government.

(b) **Member Secretary:**

1. Method of Appointment The Member Secretary shall be appointed by the State Government.
2. Term of office Three years from the date of appointment:
Provided that notwithstanding the expiration of the term, a person appointed as Member Secretary shall continue to hold office until his successor enters upon his office.
3. Qualification and experience
 - (i) Must possess a post graduate degree in Engineering or Technology in Environmental Engineering or allied Sciences.
 - (ii) 25 years field experience in Environmental Protection and Enforcement of Environmental legislation.
4. Pay The Member Secretary of the Board shall be paid a salary in the Level 31 Minimum 125200 – Maximum 219800.

SHAMBHU KALLOLIKAR,
Principal Secretary to Government.