

**GOVERNMENT OF INDIA
ENVIRONMENT, FORESTS AND CLIMATE CHANGE
LOK SABHA**

UNSTARRED QUESTION NO:1947
ANSWERED ON:23.07.2014
APPOINTMENTS IN SPCB
Mohan Shri P. C.

Will the Minister of ENVIRONMENT, FORESTS AND CLIMATE CHANGE be pleased to state:

- (a) whether the Central Government has issued any guidelines for appointing Chairpersons and Members of State Pollution Control Boards (SPCBs);
- (b) if so, the details thereof;
- (c) the minimum number of persons to be appointed to the SPCBs and the tenure of its Chairperson and its members;
- (d) whether all SPCBs are having full strength including technical persons and if so, the details thereof;
- (e) whether the Central Government has received any complaint/representation on appointment of chairpersons of the SPCBs; and
- (f) if so, the details thereof and the reaction of the Government thereto?

Answer

MINISTER OF STATE (INDEPENDENT CHARGE) FOR ENVIRONMENT, FORESTS AND CLIMATE CHANGE (SHRI PRAKASH JAVADEKAR)

(a) No Sir,

(b) Does not arise.

(c), to (f) The Chairman and Members of a State Pollution Control Boards are appointed / nominated by the State Government concerned as per provisions contained in Section 4 of the Water (Prevention & Control of Pollution) Act, 1974. The official members, not exceeding five, are appointed to represent the State Government. Further, persons not exceeding five, are nominated from amongst the members of the local authorities. Non official members not exceeding three are nominated to represent the interest of agriculture, fishery or industry or trade or any other interest which in the opinion of the State Government ought to be represented. Two persons are nominated to represent the companies or corporation owned, controlled or managed by the State Government. A full time Member Secretary is also appointed. Section 5 of the Water (Prevention & Control of Pollution) Act, 1974 provides that a member of the Board other than Member Secretary shall hold office for a term of 3 years from the date of his nomination. The term of office of members coming from Central / State Government come to an end as he ceases to hold the office under the Central / State Government.

An application and a Writ Petition have recently been filed in the National Green Tribunal and High Court of Bhopal respectively, raising the issue of alleged irregularities in constitution / appointments in the State Pollution Control Boards in Jharkhand and Chhattisgarh, wherein the Central Government has also been made a respondent. Since, as per the provisions of the Water (Prevention & Control of Pollution) Act, 1974, the constitution of the State Boards is the prerogative of the State Government concerned, the Union of India has no role in the matter.