

TO:

Dated: 06-02-2025

1) **The Addl Chief Secretary,**

Government of Karnataka,  
Dept of Forest, Environment and Ecology  
M.S. Building  
Bangalore-560001.

6/2/25  
ಸ್ವೀಕೃತಿ ಮತ್ತು ರವಾನೆ ಸಹಾಯಕರು  
ಅರಣ್ಯ, ಜೀವವಿವಿಧತೆ ಮತ್ತು ಪರಿಸರ ಇಲಾಖೆ  
(ಸ್ವೀಕೃತಿ ಮತ್ತು ರವಾನೆ ಹಾಗೂ ಸಮನ್ವಯ) ಶಾಖೆ  
ಬಹುಮಹಡಿಗಳ ಕಟ್ಟಡ, ಬೆಂಗಳೂರು-1  
1:15 PM.

2) **Sri P.M. Narendra Swamy**

Chairman, Karnataka State Pollution Board,  
Parisara Bhavan,  
No.49, Church Street,  
Bangalore 560021.

RECEIVED  
06 FEB 2025  
KSPCB, Bangalore

3) **The Member Secretary,**

Karnataka State Pollution Board,  
Parisara Bhavan,  
No. 49, Church Street,  
Bangalore 560021.

RECEIVED  
06 FEB 2025  
KSPCB, Bangalore

Dear Sir

**Sub: Illegal and unconstitutional appointment of Sri P.M. Narendra Swamy as Chairperson of Karnataka State Pollution Board(KSPCB) in gross violation of statutory provisions and verdict of constitutional Courts: Representation Regarding.**



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**Ref: Government notification dated 05-02-2025 bearing NO: E-FEE 545 EP 2024**

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- 1) With reference to the above subject, the present representation is submitted in public interest on the captioned subject in respect of gross violation and non-transparent procedure in the appointment of Sri P.M. Narendra Swamy Congress MLA from Malavalli, Mandya District, as Chairperson of the Karnataka State Pollution Board (hereinafter called the Board). It is stated that instant appointment/nomination is made by the State Government in exercise of power under section 4(2) of WATER (PREVENTION AND CONTROL OF POLLUTION) ACT, 1974. However, at the same time, it is noticed that no transparent procedure for the appointment to the above post is made by the Government. Though the invitation from the Public is invited by the Government for filling up this Post on 24-12-2024 and though many eligible Persons have applied for the Post, the final selection process is shrouded in secrecy and appointments are made based on Political influence and suffers from a lack of transparency and objectivity and is, hence, ultra vires. Statutory Board, such as the one in the present case, is conceived in Public Interest and discharges Public functions. Therefore, His appointment cannot be regarded as an instrument of conferring largesse on a chosen Person. Accordingly, the appointment of



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Sri P.M. Narendra Swamy as Chairperson of the Board is illegal and unconstitutional.

2) Further it is observed that no Search Committee was constituted before submitting the eligible Candidates list to the Hon'ble Chief Minister nor any proceedings were conducted to assess the suitability or otherwise of all the Candidates. All that is made known to People only through Notification and media is that appointment is conferred on Sri P.M. Narendra Swamy, MLA, on Political consideration in a hurried manner without any public interest. Therefore, it is clear that the Government Official, though well aware of the provisions of the Act and rules and procedure for appointment, deliberately failed to follow open and transparent procedure. The above arbitrary process of appointment of present Chairperson of the Board is clear violation of Hon'ble Supreme Court judgment and also the direction of the Hon'ble National Green Tribunal. The power of the Government to engage, employ or recruit Servants, Agents, Advisors and Representatives must, like any other power, be exercised in a fair, reasonable, non-discriminatory and objective manner. The perusal of academic records of the present incumbent as per the Affidavit filed at the time of Karnataka Assembly Election would show that he has no required qualification namely Master Degree in Environment or Bachelor of Engineering relating to Environment. On the other hand, the

*Sudha*

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present incumbent has a degree in Civil Engineering. The present Appointment/Nomination is also in direct conflict with the judgment of the Hon'ble Supreme Court in the case of Techitagi Tara vs. Rajendra Singh Bhandari and Ors dated 22.09.2017 and also the order of High Court of Karnataka passed in connection with nomination/appointment of Chairpersons of the Board wherein it was held that "*Considering the important duties and functions discharged by the Board, we hope and trust that the State Government will not drive any public spirited individuals to move this Court for issuance of a writ of quo warranto as observed by the Apex Court.*" However, the government is flouting the judgment of the Hon'ble Constitutional Courts repeatedly by appointing ineligible and politically influenced persons as the chairman of the Board ignoring larger public interest.

- 3) Viewed from any angle, it is clear that the present incumbent though not eligible to hold the Post ,the responsible higher Officials with the collusion of present incumbent and the Chief Minister have Appointed Sri P.M. Narendra Swamy, MLA in an arbitrary fashion, without any transparent method of selection but only for extraneous considerations. The entire appointment of Sri P.M. Narendra Swamy,MLA as Chairperson of the Board is the outcome of Political Favoritism, Nepotism, Corruption, Maladministration and Arbitrariness. Such an important and vital



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Public Post filled through political consideration is completely against Public Interest. Hence, the same appointment will be amenable to judicial review and liable to be quashed. Therefore, you are hereby requested to submit your reply within fourteen days as to why this matter should not be brought before appropriate authority for initiating suitable action and why this matter should not be brought before the Hon'ble High Court of Karnataka by way of Public Interest Litigation for issuance of writ of quo warranto since the appointment is made in breach of statutory rules and others as detailed above. If you fail to reply or if you fail to initiate action for the removal of Sri P.M. Narendra Swamy, MLA as the chairman of the Board within 14 days, I will be constrained to initiate action as mentioned above at your cost, risk and liability.

Thanking you,

**Dated:06-02-2025**

yours faithfully,

  
(sudha katwa)