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Thirteenth Kerala Legislative Assembly

Bill No. 384

**THE KERALA IRRIGATION AND WATER CONSERVATION
(AMENDMENT) BILL, 2015**

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further to amend the Kerala Irrigation and Water Conservation Act, 2003.

Preamble.—WHEREAS, it is expedient further to amend the Kerala Irrigation and Water Conservation Act, 2003 for the purposes hereinafter appearing;

BE it enacted in the Sixty-sixth Year of the Republic of India as follows:—

1. *Short title and commencement.*—(1) This Act may be called the Kerala Irrigation and Water Conservation (Amendment) Act, 2015.

(2) It shall come into force at once.

2. *Amendment of section 59.*—In the Kerala Irrigation and Water Conservation Act, 2003 (31 of 2003), for sub-section (2) of section 59, the following sub-section shall be substituted, namely:—

“(2) The quorum for a meeting of the Authority shall be four members including the Chairman.”.

STATEMENT OF OBJECTS AND REASONS

As per sub-section (2) of section 59 of the Kerala Irrigation and Water Conservation Act, 2003 (31 of 2003), the quorum at the meeting of the Dam Safety Authority shall not be less than fifty per cent of the total number of members of the Authority. But, the Dam Safety Authority often faces inconvenience to maintain the requisite quorum in its meetings as most of the members are *ex-officio* and as such they are engaged with pre-assignments or

they become absent due to various reasons. This create administrative difficulties for taking decisions on urgent matters. Therefore, for the effective functioning of the Dam Safety Authority, the Government have decided to amend sub-section (2) of section 59 of the Act so as to reduce the quorum for a meeting of the Authority to four members including the Chairman.

2. The Bill seeks to achieve the above object.

FINANCIAL MEMORANDUM

The Bill, if enacted and brought into operation, would not involve any expenditure from the Consolidated Fund of the State.

P. J. JOSEPH

EXTRACT FROM THE KERALA IRRIGATION AND
WATER CONSERVATION ACT, 2003
(ACT 31 OF 2003)

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58. *Composition of the Authority.*—(1) The authority shall consist of the following members, namely:—

(a) a retired Judge of the High Court who shall be the Chairman of the authority;

(b) the Secretary to Government, Water Resources Department; *ex-officio*;

(c) the Chief Engineer, Investigation and Design and two other Chief Engineers of the Water Resources Department to be nominated by the Government; *ex-officio*;

(d) the Chief Engineer, Central Water Commission, nominated by the Government;

(e) the Chief Engineer (Civil), The Kerala State Electricity Board;

(f) the Chairman, Kerala State Pollution Control Board; *ex-officio*;

(g) two experts in the field of conservation of water resources and dams to be nominated by the Government;

(h) an eminent geologist, nominated by the Government;

(i) the Director of Centre for Earth Science Studies (CESS); *ex-officio*;

(j) the Principal Chief Conservator of Forests; *ex-officio*.

(2) The Chief Engineer, Investigation and Design shall be the Member Secretary of the Authority.

(3) The term of office and other conditions of service of the members shall be such as may be prescribed.

59. *Meetings.*—(1) The Authority shall meet at such times and places and shall observe such rules of procedure in regard to the transaction of business at its meetings, as may be provided by regulations.

(2) The quorum at the meeting of the Authority shall not be less than fifty per cent of the total number of members of the Authority.

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