



**KERALA GAZETTE**  
**EXTRAORDINARY**  
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9<sup>th</sup> Pousha 1914

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[No. 1407

**GOVERNMENT OF KERALA**  
**Law (Leg. C) Department**  
**NOTIFICATION**

No. 19645/Leg.C/92/Law.

Dated, Thiruvananthapuram, 30th December, 1992  
9th Pousha, 1914

The following Ordinance promulgated by the Governor of Kerala on the 30th December, 1992 is hereby published for general information.

By order of the Governor,  
**A. M. SIVADAS,**  
Law Secretary.

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33/5171/MC

**ORDINANCE No. 11 OF 1992**  
**THE KERALA WATER SUPPLY AND SEWERAGE (AMENDMENT)**  
**ORDINANCE, 1992**

*An*  
*Ordinance*

*Further to amend Kerala Water Supply and sewerage act, 1986.*

Preamble:- WHEREAS the Legislative Assembly of the State of Kerala is not in session and the Governor of Kerala is satisfied that circumstances exist which render it necessary for him to take immediate action:

NOW, THEREFORE, in exercise of the powers conferred by clause(1) of article 213 of the Constitution of India, the Governor of Kerala is pleased to promulgate the following Ordinance:

1. *Short title and commencement* - (1) This Ordinance may be called the Kerala Water Supply and Sewerage (Amendment) Ordinance, 1992.

(2) It shall come into force at once.

2. *Act 14 of 1986 to be temporarily amended*- During the period of operation of this Ordinance, the Kerala Water Supply and Sewerage Act, 1986 (14 of 1986) (hereinafter referred to as the principal Act) shall have effect subject to the amendments specified in sections 3 to 7.

3. *Amendment of Section 4*.- In the principal Act, in section 4, =

(i) for clause (h), the following clause shall be substituted, namely:=-

"(h) two members appointed by the Government, one of whom shall be a member belonging to a Scheduled Caste or Scheduled Tribe;"

(ii) after clause (i), the following clause shall be inserted namely:=-

"(j) an Accounts Member, who shall be a qualified Chartered Accountant having a minimum of 25 years of experience in responsible position in a reputed commercial organization or public sector undertaking or who shall be a member of the Accounts Service of the Central Government, appointed by the Government."

4. *Amendment of section 6*. - In section 6 of the principal Act, in sub-section (1), for the words, letters and brackets" or clause (i) " the words, letters and brackets "clause (i) or clause (j) " shall be substituted.

5. *Amendment of Section 7*.- In section 7 of the principal Act, for the words "and the Technical Member" the words "the Technical Member and the Accounts Member" shall be substituted.

6. *Insertion of new section 18A*.-After section 18 of the principal Act, the following section shall be inserted, namely:=-

"18A. Power of Government to retransfer certain Water Supply and Sewerage Services. -( 1)

Notwithstanding, anything contained in this Act, on a request by a resolution passed in this behalf, by the local body which has its own electricity distribution system, the Government may, if they consider it necessary so to do, by notification in the Gazette Declare that the Water Supply and Sewerage Services and other items mentioned in clauses (a) and (b) of sub-section (1) of section 18, which had been vested in the Authority under the said section shall, on and from the date specified in the notification, revert in and stand retransferred to such local body, subject to such terms and conditions as may be mentioned therein and thereupon the local body shall exercise all powers and perform all functions relating thereto.

(2) All rights, liabilities and obligations relating to the Water Supply and Sewerage Services vested under sub-section (1), including the right to recover arrears of water charges, meter hire and of any cost or fees which were due to the Authority immediately before such vesting, shall vest in and stand transferred to the local body.

(3) Where any doubt or dispute, arises as to whether any property or asset has vested in such local body under sub-section (1) or any right, liability or obligation has become the right, liability or obligations of the local body under this section, such doubt or dispute shall be referred to the Government whose decision thereon shall be final and binding on the Authority and the local body concerned.

(4) The Authority shall lend the services of such number of employees, as may be necessary, to do the work in connection with the Water Supply or Sewerage Services or Sewerage Works vested in the local body under the sub-section (1) and the salary and other allowances of such employees shall be paid the local body".

7. *Amendment of section 22.*-In the principal Act, in section 22, in clause (d) of sub-section (4), before the words " in any Nationalized Bank "the words "in any Schedules Bank" or shall be inserted

**B. RACHAIAH**  
*GOVERNOR*

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