



KERALA GAZETTE

കേരള ഗസറ്റ്

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GOVERNMENT OF KERALA LAW (LEGISLATION-C DEPARTMENT)

NOTIFICATION

No. 1 536/Leg.C293/Law.

Dated, Thiruvananthapuram,

2nd March, 1993
11th Phalguna, 1914

The following Act of the Kerala State Legislature is hereby published for general information. The Bill as passed by the Legislative Assembly received the assent of the Governor on the 2nd day of March, 1993.

By order of the Governor,
T.P. SAROJAM
Special Secretary (Law).

ACT 6 OF 1993

THE KERALA WATER SUPPLY AND SEWERAGE (AMENDMENT) ACT, 1993

An Act to amend the Kerala Water Supply and Sewerage Act, 1986.

Preamble.-Whereas it is expedient to amend the Kerala Water Supply and Sewerage Act, 1986, for the purposes hereinafter appearing;

BE it enacted in the Forty-Fourth Year of the Republic of India as follows:

1. Short title and commencement .-(1) This Act may be called the Kerala Water Supply and Sewerage (Amendment) Act, 1993.

(2) It shall be deemed to have come into force on the 30th day of December, 1992.

2. *Amendment of section 4.*- In the Kerala Water Supply and Sewerage Act, 1986 (14 of 1986) (hereinafter referred to as 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 inscribed, namely:

"(j) An Accounts Member, who shall be a qualified Chartered Accountant having a minimum of 15 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".

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

4. *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.

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

"18A. power of Government to transfer 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 (I) 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 re-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 re-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 revested in such local body under sub-section (I) 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 member of employees as may be necessary, to do the work in connection with the Water Supply or Sewerage Services or Sewerage Works revested in the local body under sub-section (I) and the salary, allowance, contributions, if any, due to such employees shall be paid by the local body".

6. *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 Scheduled Bank as defined in the Reserve Bank of India Act,-1934 (Central Act 2 of 1934) or in any Co-operative Bank" shall be inserted

7. *Repeal and saving.*-(1) The Kerala Water Supply and Sewerage (Amendment) Ordinance. 1992 (II of I 992) is hereby repealed.

(2) Notwithstanding such repeal, anything done or any action taken under the principal Act, as amended by the said Ordinance, shall be deemed to have been done or taken under the Principal Act, as amended by this Act.
