



सत्यमेव जयते

©

The Gujarat Government Gazette

EXTRAORDINARY

PUBLISHED BY AUTHORITY

Vol. LIII]

THURSDAY, FEBRUARY 16, 2012/MAGHA 27, 1933

Separate paging is given to this Part in order that it may be filed as a Separate Compilation.

PART IV-B

Rules and Orders (Other than those published in Part I, I-A and I-L) made by the Government of Gujarat under the Gujarat Acts.

NARMADA, WATER RESOURCE, WATER SUPPLY AND KALPSAR DEPARTMENT

Notification

Sachivalaya, Gandhinagar, 14th February, 2012.

No. GS/2012/24/GEN/2002/(22)/PART-2/K-1 (M.I.Cell.) :- Water is going to play major role in all human and development related activities in coming years. In order to regulate the water management sector, the Government has decided to establish by notification an Authority to be known as the Gujarat Water Regulatory Authority to perform the functions and duties assigned to it.

1.0 Constitution of Authority:

- 1.1 The Authority shall consist of a Chairperson and two other members.
- 1.2 The Head office of the Authority shall be at Gandhinagar
- 1.3 The Chairperson and the other Members of the Authority shall be appointed by the Governor of Gujarat on the recommendation of the Selection Committee headed by the Chief Secretary and having ACS (Finance), Principle Secretaries of Industries, Water Supply and Urban Development Departments and Special Secretary (Water Resources) as members.
- 1.4 The Chairperson shall be a person who is or who was of the rank of Chief Secretary of the State or equivalent thereto. One Member shall be expert from the field of water resources engineering. One Member shall be expert from the field of water resources economy.
- 1.5 The Authority may as and when needed and decided by them invite special invitees from,-
 - (a) experts who are having adequate knowledge, experience or proven capacity in dealing with the problems relating to engineering, agriculture, drinking water, industry, law, economics, commerce, finance or management for assisting the Authority in taking policy decisions.
 - (b) Members from Farmers' Organizations within the State.
- 1.6 Before recommending any person for appointment as the chairperson or Member of the Authority, the Selection Committee shall satisfy itself that such person does not have any financial or other interest, which is likely to affect prejudicially his functions as a Member.

2.0 Conditions of service

- 2.1 The Chairperson and Members of the Authority shall hold office for a period of five years or till attaining the age of 65 years, whichever is earlier. The Chairperson and the Members of the Authority shall not be eligible for second term appointment.
- 2.2 The Chairperson and Members of the Authority shall be paid such fees or salaries and such allowances as may be prescribed by the Government. The salary and allowances and other conditions of service of the Chairperson and Members of the Authority shall not be varied to their disadvantage after appointment.
- 2.3 Notwithstanding anything mentioned above, the Chairperson and Members of the Authority may relinquish the office by giving in writing to the Government, notice of not less than three months.
- 2.4 A person shall be disqualified for being appointed as, or for being, a Chairperson and Members of the Authority:
 - (a) If the person is of unsound mind or has become physically incapable of performing his duties,
 - (b) If the person is an undischarged insolvent,
 - (c) If the person has been convicted of an offence involving moral turpitude,
 - (d) If the person has such financial or other interest as is likely to affect prejudicially his functions as a Member of the Authority,
 - (e) If it is proved beyond reasonable doubt that the person has so abused his position as to render his continuance in office prejudicial to the public interest.
 - (f) If he acts prejudicial to the public interest and Government directions.
- 2.5 Subject to the above provisions, the Chairperson and Members of the Authority shall be removed from office by order of the Government on the ground of proved misbehavior in an enquiry held in accordance with the procedure as may be prescribed.

3.0 Rules of business of the Authority

- 3.1 The Authority shall meet at the head office or at any place and at such time as the Chairperson may direct.
- 3.2 Two out of three members including the Chairperson shall constitute the Quorum for the meetings of the Authority.
- 3.3 If the Chairperson is unable to attend a meeting of the Authority, any other Member nominated by the Chairperson in this behalf and, in the absence of such nomination or where there is no Chairperson, any Member chosen by the Members present among themselves shall preside at the meeting.
- 3.4 All decisions of the Authority shall be on the basis of majority of the Members present and voting.
- 3.5 In case of differences in opinion of any two members on any issue or resolution, the full Authority shall decide the matter on a majority basis:

Provided that for a meeting of the Authority to review any previous decision taken by the Authority, the quorum shall be that all members shall be present.
- 3.6 The Authority, for any specific purpose may invite special invitee depending up on the need to give expert opinions to the Authority. However, the special invitees shall not have any voting right.
- 3.7 All orders and decisions of the Authority shall be authenticated by the Secretary or any other officer of the Authority duly authorized by the Chairperson in this behalf.
- 3.8 No act or proceedings of the Authority shall be questioned or shall be invalidated merely on the ground of existence of any vacancy in the Authority.
- 3.9 In case of difference of opinion between the Chairperson and the member, the view of the Chairperson shall prevail.

Powers, functions and duties of the Authority

The powers, functions and duties of the Authority shall be as under:

- (i) To fix and regulate the water tariff system and charges for surface and sub-surface water used for domestic, agriculture, industrial and other purposes.
- (ii) To determine and regulate the distribution of entitlement for various categories of uses as well as within each category of use.
- (iii) To periodically review and monitor the water sector costs and revenues.
- (iv) To perform any other powers, functions and duties as assigned to the Authority by the State Government by notification.

The Authority shall work according to the framework of the State Water Policy and other existing laws of the state.

The Government shall have the power to issue policy directions to the Authority on matters concerning water in the state including the overall planning and coordination.

This issues with concurrence of Finance Department, Urban Development Department, Water Supply Department and Industries Department received on file bearing even No. of this department.

By order and in the name of the Governor of Gujarat,

D. K. PATEL,
Officer On Special Duty (Irrigation Projects).