

The Constitution of Delhi Water Board

DELHI

India

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- Published on 1 January 1800
- Commenced on 1 January 1800
- [This is the version of this document from 1 January 1800.]
- [Note: The original publication document is not available and this content could not be verified.]

The Constitution of Delhi Water Board Published vide Notification No. F.16(1)/UD (DWB)/98-99/4199 No. F.16(1)/UD (DWB)/98-99/4199. - In exercise of the powers conferred by Section 3 of the Delhi Water Board Act, 1998 (Delhi Act No. 4 of 1998), the Government of the National Capital Territory of Delhi hereby constitutes a Water Board for the National Capital Territory of Delhi under the name. "The Delhi Water Board" (hereinafter referred to as "the Board") with effect from the sixth day of April, 1998 (06-04-1998). The Board shall have jurisdiction over all areas of the National Capital Territory of Delhi excluding the areas within the jurisdictions of the New Delhi Municipal Council and the Delhi Cantonment Board. The constitution and other particulars of the Board shall be as follows:-

1. Definition.

- Unless the context otherwise requires, -(i) "Act" means the Delhi Water Board Act, 1998 (Delhi Act No. 4 of 1998); (ii) "Corporation" means the Municipal Corporation of Delhi established under Section 3 of the Delhi Municipal Corporation Act, 1957 (Central Act 66 of 1957) and includes any successor body or bodies thereto; (iii) "Government" means the Lt. Governor of the National Capital Territory of Delhi referred to in Article 239 AA of the Constitution; (iv) "Lt. Governor" means the Lt. Governor of the National Capital Territory of Delhi appointed by the President under Article 239 of the Constitution; (v) "Delhi Water Supply and Sewage Disposal Undertaking" means the Delhi Water Supply and Sewage Disposal Undertaking defined under Clause (14) of Section 2 of the Delhi Municipal Corporation Act, 1957, (Central Act 66 of 1957).

2. Constitution.

- The Board shall consist of the following: -(i) Chairperson - who shall be the Minister to charge of the subject matter of the Government; (ii) Vice Chairperson - to be nominated by the Speaker from out of the three members of the Legislative Assembly of Delhi nominated as per (iv) below; (iii) Chief Executive Officer - to be nominated by the Government, who shall be an officer drawing pay in the scale not less than that of a Joint Secretary to the Government of India; (iv) Three Members of the Legislative Assembly of Delhi - to be nominated by the Speaker of the Legislative Assembly of Delhi; (v) Two Members of the Municipal Corporation of Delhi - to be nominated by the Mayor of the

Corporation ;(vi)Commissioner, Municipal Corporation of Delhi-Ex-Officio ;(vii)Chairperson, New Delhi Municipal Council-Ex-Officio ;(viii)Member (Water Supply)-to be nominated by the Government, who shall be an engineer, drawing pay not less than that of a Joint-Secretary to the Government of India, having specialised knowledge and experience in the matters relating to water supply;(ix)Member (Drainage)-to be nominated by the Government, who shall be an engineer, drawing pay in the scale less not than that of a Joint Secretary to the Government of India, having specialised knowledge and experience in matters relating to drainage;(x)Member (Finance)-to be nominated by the Government, and drawing pay in the scale not less than that of a Joint Secretary to the Government of India, having specialised knowledge and practical experience of accounting and financial matters ;(xi)Member (Administration)-to be nominated by the Government, and drawing pay in the scale not less than that of a Joint Secretary to the Government of India, having specialised knowledge and practical experience of personnel and administrative matters ;(xii)Secretary to the Government, incharge of the Department of the Government dealing with the Board-Ex-Officio ;(xiii)One representative of the Ministry of Urban Affairs and Employment, Government of India-who shall not be below the rank of Joint Secretary to he Government of India, to be nominated by the Central Government;(xiv)One Representative of the Delhi Cantonment Board-preferably an elected representative of the Delhi Cantonment Board, to be nominated by its President;(xv)One Representative of the Central Ground Water Authority-who shall not be below the rank of a Chief Engineer, to be nominated by the Central Government.

3. Powers, functions and work of the Board.

- The Board shall perform the duties as provided in the Act and shall follow all provisions of the Act and the rules and regulations made thereunder from time to time ; and shall exercise all powers and discharge all obligations as provided in the Act and the rules and regulations made thereunder. The Board shall also discharge any other duties assigned by the Government which are consistent with the provisions of the Act.

4. Transfer Scheme.

(1)With effect from the date of the notification issued by the Central Government under Section 511-A of the Delhi Municipal Corporation Act, 1957 relating to water supply, drainage and sewage disposal, the Board shall be the "new authority" referred to in sub-section (1) of Section 511-B of the said Act and shall perform the "transferred functions", being those relating to water supply, drainage and sewage disposal referred to therein, and the provisions of Section 511-B of the said Act shall apply to the Board as such "new authority" in respect of water supply, drainage and sewage disposal.(2)The designations of the employees of the Corporation working under the Delhi Water Supply and Sewage Disposal Undertaking shall remain the same until modified by the Board.(3)All financial, administrative and disciplinary powers which were being exercised by the Corporation or by the Delhi Water Supply and Sewage Disposal Committee or by any other body set up by the Corporation for water supply, drainage and sewage disposal, shall, subject to and without prejudice to the powers of the Board under the Act, be exercised by the Board.(4)For the time being and subject to any rules which may be framed in this behalf, all financial, administrative and disciplinary powers which were being exercised by the Commissioner of the Corporation or by any of the officer

of the Delhi Water Supply and Sewage Disposal Undertaking under the Corporation in respect of water supply, drainage and sewage disposal shall be exercised by the Chief Executive Officer of the Board.(5)All financial, administrative and disciplinary powers which were being exercised by any of the officers or employee of the Delhi Water Supply and Sewage Disposal Undertaking who continue in the service of the Board shall, subject to such regulations as may be framed by the Board, continue to be exercised by them.