

The Particulars of its Organization, Functions and Duties.

An Act to provide for the establishment of a Board for the creation of a reservoir at Rajghat by construction, on behalf of the Government of Madhya Pradesh and Uttar Pradesh, of a dam on the Betwa River at Rajghat and for the regulation of such reservoir.

1. (1) This Act may be called the Betwa River Board, 1976
(2) It shall come into force on such date as the Central Government may, after consultation with the Government of Madhya Pradesh and Uttar Pradesh, by notification in the official Gazette, appoint.
- 2 It is hereby declare that it is expedient in the public interest that the Central Government should take under its control the regulation and development of the inter-state Betwa River and River Valley to the extent hereinafter provided.
- 3 In this Act, unless the context otherwise requires
 - (a) “ Board” means the Betwa River Board established under section4;
 - (b) “ Chairman” means the Chairman of the Board;
 - (c) “ Executive Committee “ means the Executive Committee constituted under Section 5;
 - (d) “ member” means a member of the Board and includes Chairman;
 - (e) “ prescribed” means prescribed by rules made by the Central Government under Section 22;
 - (f) “ Rajghat Dam “ means the Dam described in the schedule;
 - (g) “ Rajghat Reservoir” means regulations created by construction of the Rajghat Dam;
 - (h) “ regulations” means regulations made by the Board under section 23;
 - (i) “ rules” means rules made by the Central Government under section 22.
4. (1) With effect from such date as the Central government may, by notification in the Official Gazette, appoint in the behalf, here shall be established for the purposes of this Act, a Board to be called the Betwa River Board.
 - (2) The Board shall be a body corporate by the name aforesaid having perpetual succession and acommon seal with power, subject to the provisions of this Act, to acquire, hold and dispose of property, both movable and immovable and to contract and shall be the said name sue and be sued.
 - (3) The Union Minister in charge of Irrigation shall be the Chairman of the Board and the other members of the Board shall be the following, namely.
 - (a) where the same Union Minister is not in charge of both Irrigation and Power, the Union Ministry in charge of Power or such Minister or Deputy Minister in the Union Ministry or Department in charge of Power as may be specified in this behalf by the Union Minister in charge of Power;

(b) the Chief Minister of Madhya Pradesh and Uttar Pradesh : and

(c) the Minister of Madhya Pradesh and Uttar Pradesh in charge of Finance, Irrigation and Power;

Provided that when a proclamation made under article 356 of the constitution is in force in relation to the State of Madhya Pradesh or Uttar Pradesh , the Central Government may appoint three persons to represent such State on the Board and the persons so appointed shall vacate their offices upon the revocation or cesser of operation of such proclamation.

(4) The Board may permit any officer of the Central Government or the Government of Madhya Pradesh or Uttar Pradesh to attend any of its meetings and take part in the proceedings but such officer shall not be entitled to vote.

(5) The Board may associate with itself, in such manner and for such purposes as may be determined by regulations, any person whose assistance or advice it may desire in complying with any of the provisions of this Act and a person so associated shall have the right to take part in the proceedings but such officer shall not be entitled to vote.

5. (1) The Central Government may, by notification in the Official Gazette, constitute and Executive Committee consisting of officers of that Government and officers of the Governments of Madhya Pradesh and Uttar Pradesh.

(2) The composition of the Executive Committee shall be such as may be prescribed:

Provided that-

(a) and officer of the Central Government shall be the Chairman of the Committee;

(b) the Governments of Madhya Pradesh and Uttar Pradesh shall have equal representation.

(3) Subject to the general superintendence and control of the Board, the management of the affairs of the Board shall vest in the Executive Committee and the Chairman and other members of the Committee shall assist the Board in such manner as the Board may require.

(4) Subject to the rules, and to the directions of the Board, the Executive Committee may exercise any power and do any act or thing which may be exercised or done by the Board.

(5) The procedure to be followed by the Executive Committee and all other matters relating to the Executive Committee shall be such as may be prescribed.

6. No act or proceeding of the Board or the Executive Committee shall be invalidated by reason of-

(a) any vacancy in the Board or the Executive Committee ;

(b) any defect in the composition of, or in any appointment to, the Board or the Executive Committee;

(c) any irregularity in the procedure of the Board or the Executive Committee not affecting the merit of the case.

7. (1) The Central Government may, after consultation with the Governments of Madhya Pradesh

and Uttar Pradesh, Executive appoint an Engineer (to be the Chief Engineer of the Board and to be known as the Chief Engineer, Rajghat Dam Project), and a Financial Adviser, and a Secretary, to the Board from amongst the officers of the Governments of Madhya Pradesh and Uttar Pradesh: Provided that the Central Government shall, so far as practicable, ensure that officers from the same State do not hold the post of Chief Engineer and Secretary at the same time. Provided further that the Central Government may with the concurrence of the Governments of Madhya Pradesh and Uttar Pradesh, appoint an officer of the Central Government as a Financial Adviser.

(2) Subject to the general superintendence and control of the board and the Executive Committee, the Chief Engineer of the Board appointed under sub-section (1) shall be the Chief Executive Officer of the Board and shall exercise and discharge –

- (a) such powers and duties as may be prescribed or as may be delegated to him by the Board.
- (b) such powers and duties as may be determined by regulations.

(3) The Financial Adviser appointed under Sub-section (1) shall be the Chief Accounts officer of the Board.

(4) The terms and conditions of service of the Chief Engineer of the Board, and of the Financial Adviser, and the Secretary, to the Board shall be such as may be prescribed.

8. (1) Subject to the rules, the Board may appoint such officers and employees as it may Deem necessary for the efficient discharge of its functions;
Provided that the Board shall, as far as practicable, utilized the service of the officers and employees offered by the Government of Madhya Pradesh and Uttar Pradesh in such a manner that equal representation is given to the two States.

(2) The terms and conditions of service of the officers and employees of the Board shall be such as may be determined by regulations.

9. Subject to the rules, the Board may prove time to time, constitute one or more Advisory Committees to assist the Board and the Executive Committee in the efficient discharge of their functions.