सरकारी गजट, उत्तर प्रदेश
उत्तर प्रदेशीय सरकार द्वारा प्रकाशित
असाधारण

विधायी परिषिक्ष
भाग—1, खण्ड (क)
(उत्तर प्रदेश अधिनियम)

लखनऊ, तेजस्वी 2 सितम्बर, 2002
भागपत 11, 1924 शक सम्बत

उत्तर प्रदेश सरकार
विधायी अनुपालन—1

संख्या 1610/सह-वि—1—1(क)-17-2002
लखनऊ, 2 सितम्बर, 2002

अधिसूचना

विवेच

“भारत का संविधान” के अनुसार 200 के अंतर्गत राज्यपाल महोध ने उत्तर प्रदेश विधान मण्डल द्वारा परित
उत्तर प्रदेश जल संभरण तथा सीवर व्यवस्था (संशोधन) विशेषज्ञ विकास, 2002 पर दिनांक 31 अगस्त, 2002 को अनुमोदन
को और वह उत्तर प्रदेश अधिनियम संख्या 2 सन् 2002 के तहत सर्वसाधारण की सुविधाओं इस अधिसूचना द्वारा प्रकाशित
की गई है:—

उत्तर प्रदेश जल संभरण तथा सीवर व्यवस्था (संशोधन) अधिनियम, 2002
(उत्तर प्रदेश अधिनियम संख्या 2 सन् 2002)
[जैसा उत्तर प्रदेश विधान मण्डल द्वारा परित हुआ]
उत्तर प्रदेश जल संभरण तथा सीवर व्यवस्था अधिनियम, 1975 का अंतर संशोधन करने के लिए

अधिनियम

भारत गणराज्य के तिरंगा वर्ष में नियमित अधिनियम बनाया जाता है:—

(1) यह अधिनियम उत्तर प्रदेश जल संभरण तथा सीवर व्यवस्था (संशोधन) संकेत नम्बर और
अधिनियम, 2002 का चाला जायगा।
(2) यह 27 जुलाई, 2002 को प्रस्तुत हुआ सम्पन्न जायगा।
उत्तर प्रदेश अधिनियम
शंकर 43 सन् 1975 (उत्तर प्रदेश अधिनियम संख्या 9 सन् 2002)

उत्तर प्रदेश अधिनियम
शंकर 43 सन् 1975 (उत्तर प्रदेश अधिनियम संख्या 9 सन् 1975) की धारा 4 में उत्तर प्रदेश अधिनियम तथा सीमित व्यक्तियों को अधिक मदद देने के लिए नियुक्त करते हैं।

उत्तर प्रदेश अधिनियम
शंकर 43 सन् 1975 (उत्तर प्रदेश अधिनियम संख्या 9 सन् 1975) की

उत्तर प्रदेश अधिनियम
शंकर 43 सन् 1975 (उत्तर प्रदेश अधिनियम संख्या 9 सन् 1975) की
In pursuance of the provisions of clause (3) of article 348 of the Constitution of India, the Governor is pleased to order the publication of the following English translation of the Uttar Pradesh Jal Sambharaan Tatha Sewer Vyavastha (Sanshodhan) Adhiniyam, 2002 (Uttar Pradesh Adhiniyam Sankhya 2 of 2002) as passed by the Uttar Pradesh Legislature and assented to by the Governor on August 31, 2002:

THE UTTAR PRADESH WATER SUPPLY AND SEWERAGE
(AMENDMENT) Act, 2002
(U.P. Act no. 2 of 2002)
[As passed by the Uttar Pradesh Legislature]

AN ACT
further to amend the Uttar Pradesh Water Supply and Sewerage Act, 1975.

IT IS HEREBY enacted in the Fifty-third Year of the Republic of India as follows:

1. (1) This Act may be called the Uttar Pradesh Water Supply and Sewerage (Amendment) Act, 2002.

(2) It shall be deemed to have come into force on June 27, 2002.

2. In section 4 of the Uttar Pradesh Water Supply and Sewerage Act, 1975, hereinafter referred to as the principal Act,—

(i) in sub-section (2), for clause (a) the following clause shall be substituted, namely:

"(a) a Managing Director to be appointed by the State Government";

(ii) after sub-section (2) the following sub-section shall be inserted, namely:

"(2-A) Notwithstanding anything contained in the Uttar Pradesh State Control Over Public Corporations Act, 1975 or in any direction issued thereunder, the member referred to in clause (a) of sub-section (2) shall be appointed from amongst the persons possessing such qualifications and experience and in accordance with such manner as may be prescribed."

3. Notwithstanding anything contained in any judgement, decree or order of any court, the provisions of the principal Act as amended by this Act, shall apply also in respect of a vacancy in the post of Managing Director, existing from before the commencement of this Act.

Explanation:—The expression “Managing Director” shall have the meaning assigned to it in the principal Act.
Repeal and saving

4. (1) The Uttar Pradesh Water Supply and Sewerage (Amendment) Ordinance, 2002 is hereby repealed.

(2) Notwithstanding such repeal anything done or any action taken under the provisions of the principal Act as amended by the Ordinance referred to in sub-section (1), shall be deemed to have been done or taken under the corresponding provisions of the principal Act as amended by this Act, as if the provisions of this Act were in force at all material times.

By order,
A.B. SHUKLA,
Pramukh Sachiv.

STATEMENT OF OBJECTS AND REASONS

Section 4 of the Uttar Pradesh Water Supply and Sewerage Act, 1975 (U. P. Act no. 43 of 1975) provides for the constitution of the Uttar Pradesh Jal Nigam and the appointment of the Chairman and the members thereof. Clause (a) of sub-section (2) of the said section empowered the State Government to appoint a qualified engineer having experience in administration and water supply and sewerage works as the Managing Director but neither the qualifications and the manner of appointment to the post of the Managing Director was provided in the said Act nor the State Government was specifically empowered to make rules with respect thereto. It was, therefore, decided to amend the said Act to empower the State Government to prescribe qualifications, experience and the manner of appointment of the Managing Director notwithstanding anything contained in the Uttar Pradesh State Control Over Public Corporations Act, 1975 or in any direction issued thereunder.

Since the State Legislature was not in session and immediate legislative action was necessary to implement the aforesaid decision, the Uttar Pradesh Water Supply and Sewerage (Amendment) Ordinance, 2002 (U. P. Ordinance no. 9 of 2002) was promulgated by the Governor on June 27, 2002.

This Bill is introduced to replace the aforesaid Ordinance.