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इस भाग में भिन्न पृष्ठ संख्या दी जाती है जिससे कि यह अलग संकलन के रूप में रखा जा सके।
Separate paging is given to this Part in order that it may be filed as a separate compilation.

MINISTRY OF LAW AND JUSTICE

(Legislative Department)

New Delhi, the 1st March, 2014/Phalguna 10, 1935 (Saka)

The following Act of Parliament received the assent of the President on the 1st March, 2014, and is hereby published for general information:—

THE ANDHRA PRADESH REORGANISATION ACT, 2014

No. 6 OF 2014

[1st March, 2014.]

An Act to provide for the reorganisation of the existing State of Andhra Pradesh and for matters connected therewith.

BE it enacted by Parliament in the Sixty-fifth Year of the Republic of India as follows:—

PART I

PRELIMINARY

1. This Act may be called the Andhra Pradesh Reorganisation Act, 2014.

Short title.

2. In this Act, unless the context otherwise requires,—

Definitions.

(a) “appointed day” means the day which the Central Government may, by notification in the Official Gazette, appoint;

(b) “article” means an article of the Constitution;

(c) “assembly constituency”, “council constituency” and “parliamentary constituency” have the same meanings as in the Representation of the People Act, 1950;

(5) The report of the Andhra Pradesh Public Service Commission as to the work done by the Commission in respect of any period prior to the appointed day shall be presented under clause (2) of article 323 to the Governors of the States of Andhra Pradesh and Telangana and the Governor of the State of Andhra Pradesh shall, on receipt of such report, cause a copy thereof together with a memorandum explaining as far as possible, as respects the cases, if any, where the advice of the Commission was not accepted, the reasons for such non-acceptance to be laid before the Legislature of the State of Andhra Pradesh and it shall not be necessary to cause such report or any such memorandum to be laid before the Legislative Assembly of the State of Telangana.

PART IX

MANAGEMENT AND DEVELOPMENT OF WATER RESOURCES

Apex Council for Godavari and Krishna river water resources and their Management Boards.

84. (1) The Central Government shall, on and from the appointed day, constitute an Apex Council for the supervision of the functioning of the Godavari River Management Board and Krishna River Management Board.

(2) The Apex Council shall consist of—

- (a) Minister of Water Resources, Government of India—Chairperson;
- (b) Chief Minister of State of Andhra Pradesh—Member;
- (c) Chief Minister of State of Telangana—Member.

(3) The functions of the Apex Council shall include—

- (i) supervision of the functioning of the Godavari River Management Board and Krishna River Management Board;
- (ii) planning and approval of proposals for construction of new projects, if any, based on Godavari or Krishna river water, after getting the proposal appraised and recommended by the River Management Boards and by the Central Water Commission, wherever required;
- (iii) resolution of any dispute amicably arising out of the sharing of river waters through negotiations and mutual agreement between the successor States;
- (iv) reference of any disputes not covered under Krishna Water Disputes Tribunal, to a Tribunal to be constituted under the Inter-State River Water Disputes Act, 1956.

33 of 1956.

Constitution and functions of River Management Board.

85. (1) The Central Government shall constitute two separate Boards to be called the Godavari River Management Board and Krishna River Management Board (to be known as the Board), within a period of sixty days from the appointed day, for the administration, regulation, maintenance and operation of such projects, as may be notified by the Central Government from time to time.

(2) The headquarters of Godavari River Management Board shall be located in the successor State of Telangana and of the Krishna River Management Board shall be located in the successor State of Andhra Pradesh.

(3) The Godavari River Management Board and Krishna River Management Board shall be autonomous bodies under the administrative control of the Central Government, and shall comply with such directions as may, from time to time, be given to them by the Central Government.

(4) Each Board shall consist of the following Chairperson and Members, namely:—

- (a) a Chairperson not below the rank or level of Secretary or Additional Secretary to the Government of India to be appointed by the Central Government;

(b) two members, to be nominated by each of the successor States, of which one shall be the technical member not below the rank of Chief Engineer and the other administrative member to represent the concerned States;

(c) one expert to be nominated by the Central Government.

(5) Each Board shall have a full-time Member Secretary, not below the rank of Chief Engineer in the Central Water Commission, to be appointed by the Central Government.

(6) The Central Government shall create such number of posts of the rank of Chief Engineer in the Central Water Commission, as it considers necessary.

50 of 1968. (7) Each Board shall be assisted in the day to day management of reservoirs by the Central Industrial Security Force constituted under the Central Industrial Security Force Act, 1968, on such terms and conditions as the Central Government may specify.

(8) The functions of each Board shall include—

(a) the regulation of supply of water from the projects to the successor States having regard to—

33 of 1956. (i) awards granted by the Tribunals constituted under the Inter-State River Water Disputes Act, 1956;

(ii) any agreement entered into or arrangement made covering the Government of existing State of Andhra Pradesh and any other State or Union territory;

(b) the regulation of supply of power generated to the authority in-charge of the distribution of power having regard to any agreement entered into or arrangement made covering the Government of the existing State of Andhra Pradesh and any other State or Union territory;

(c) the construction of such of the remaining on-going or new works connected with the development of the water resources projects relating to the rivers or their tributaries through the successor States as the Central Government may specify by notification in the Official Gazette;

33 of 1956. (d) making an appraisal of any proposal for construction of new projects on Godavari or Krishna rivers and giving technical clearance, after satisfying that such projects do not negatively impact the availability of water as per the awards of the Tribunals constituted under the Inter-State River Water Disputes Act, 1956 for the projects already completed or taken up before the appointed day; and

(e) such other functions as the Central Government may entrust to it on the basis of the principles specified in the Eleventh Schedule.

86. (1) The Board shall employ such staff as it may consider necessary for the efficient discharge of its functions under this Act and such staff shall, at the first instance, be appointed on deputation from the successor States in equal proportion and absorbed permanently in the Board.

Staff of the
Management
Board.

(2) The Government of the successor States shall at all times provide the necessary funds to the Board to meet all expenses (including the salaries and allowances of the staff) required for the discharge of its functions and such amounts shall be apportioned between the States concerned in such proportion as the Central Government may, having regard to the benefits to each of the said States, specify.

(3) The Board may delegate such of its powers, functions and duties as it may deem fit to the Chairman of the said Board or to any officer subordinate to the Board.

(4) The Central Government may, for the purpose of enabling the Board to function efficiently, issue such directions to the State Governments concerned, or any other authority, and the State Governments, or the other authority, shall comply with such directions.

Jurisdiction of Board.

87. (1) The Board shall ordinarily exercise jurisdiction on Godavari and Krishna rivers in regard to any of the projects over headworks (barrages, dams, reservoirs, regulating structures), part of canal network and transmission lines necessary to deliver water or power to the States concerned, as may be notified by the Central Government, having regard to the awards, if any, made by the Tribunals constituted under the Inter-State River Water Disputes Act, 1956.

33 of 1956.

(2) If any question arises as to whether the Board has jurisdiction under sub-section (1) over any project referred thereto, the same shall be referred to the Central Government for decision thereon.

Power of Board to make regulations.

88. The Board may make regulations consistent with the Act and the rules made thereunder, to provide for—

(a) regulating the time and place of meetings of the Board and the procedure to be followed for the transaction of business at such meetings;

(b) delegation of powers and duties of the Chairman or any officer of the Board;

(c) the appointment and regulation of the conditions of service of the officers and other staff of the Board;

(d) any other matter for which regulations are considered necessary by the Board.

Allocation of water resources.

89. The term of the Krishna Water Disputes Tribunal shall be extended with the following terms of reference, namely:—

(a) shall make project-wise specific allocation, if such allocation have not been made by a Tribunal constituted under the Inter-State River Water Disputes Act, 1956;

(b) shall determine an operational protocol for project-wise release of water in the event of deficit flows.

33 of 1956.

Explanation.— For the purposes of this section, it is clarified that the project specific awards already made by the Tribunal on or before the appointed day shall be binding on the successor States.

Polavaram Irrigation Project to be a national project.

90. (1) The Polavaram Irrigation Project is hereby declared to be a national project.

(2) It is hereby declared that it is expedient in the public interest that the Union should take under its control the regulation and development of the Polavaram Irrigation Project for the purposes of irrigation.

(3) The consent for Polavaram Irrigation Project shall be deemed to have been given by the successor State of Telangana.

(4) The Central Government shall execute the project and obtain all requisite clearances including environmental, forests, and rehabilitation and resettlement norms.

Arrangements on Tungabhadra Board.

91. (1) The Governments of the successor States of Andhra Pradesh and Telangana shall replace the existing State of Andhra Pradesh on the Tungabhadra Board.

(2) The Tungabhadra Board shall continue to monitor the release of water to High Level Canal, Low Level Canal and Rajolibanda Diversion Scheme.

PART X

INFRASTRUCTURE AND SPECIAL ECONOMIC MEASURES

Successor States to follow principles, guidelines, etc., issued by Central Government.

92. The principles, guidelines, directions and orders issued by the Central Government, on and from the appointed day, on matters relating to coal, oil and natural gas, and power generation, transmission and distribution as enumerated in the Twelfth Schedule shall be implemented by the successor States.

THE ELEVENTH SCHEDULE

[See section 85(7)(e)]

Principles governing the functioning of the River Management Boards.

1. The operation protocol notified by the Ministry of Water Resources with respect to water resources arrived at based on appropriate dependability criteria after the adjudication by the Krishna Water Disputes Tribunal shall be binding on both the successor States.

2. In the event of conflicting demand of water for irrigation and power, the requirement of water for irrigation shall take precedence.

3. In the event of conflicting demand of water for irrigation and drinking water, the requirement of water for drinking water purpose shall take precedence.

4. The allocations made by the River Water Tribunals with regard to various projects on Godavari and Krishna Rivers or for the regions of the existing State of Andhra Pradesh, in respect of assured water shall remain the same.

5. Allocations, if any, to be made on excess flows by any Tribunal in future shall be binding on both the State of Telangana and the successor State of Andhra Pradesh.

6. While the successor State Governments shall be responsible for managing natural calamities, the Boards shall advise the two State Governments on the management of disaster or drought or flood in the rivers of Krishna and Godavari, particularly in reference to the release of water for the management and mitigation of the natural calamities. The Boards shall have the full authority to get their orders implemented by the two successor State Governments promptly and effectively in respect of operation of the head works of the dams, reservoirs or head works of canals and works appurtenant thereto including the hydel power projects, as notified by the Central Government, on Krishna and Godavari Rivers.

7. No new projects based on water resources arrived at based on appropriate dependability criteria on Godavari or Krishna rivers can be taken up by the State of Telangana or the State of Andhra Pradesh without obtaining sanction from the Apex Council on River water resources. All such proposals shall be first appraised and technically cleared by the respective Board, before sanction by the said Apex Council.

8. Execution of ongoing projects and future new projects on Godavari and Krishna rivers shall be the responsibility of the State Government concerned where the project is located.

9. In case of non-implementation of the decision by either of the States, the defaulting State shall bear the responsibility and shall face financial and other penalties imposed by the Central Government.

10. The following irrigation projects which are under construction shall be completed as per the plan notified by the existing State of Andhra Pradesh and the water sharing arrangement shall continue as such:—

- (i) Handri Niva
- (ii) Telugu Ganga
- (iii) Galeru Nagiri
- (iv) Venegondu
- (v) Kalvakurthi
- (vi) Nettempadu.