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ASSAM ACT NO. XXVIII OF 2005

(Received the assent of the Governor on 13th May, 2005)

**THE ASSAM URBAN WATER SUPPLY AND SEWERAGE BOARD
(AMENDMENT) ACT, 2005**

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ACT

further to amend the Assam Urban Water Supply and Sewerage
Board Act, 1985.

Preamble.

Whereas it is expedient further to amend the Assam Urban Water Supply and Sewerage Board Act, 1985, hereinafter referred to as the principal Act, in the manner hereinafter appearing;

It is hereby enacted in the Fifty-sixth Year of the Republic of India as follows :-

Short title, extent and commencement.

1. (1) This Act may be called the Assam Urban Water Supply and Sewerage Board (Amendment) Act, 2005.

(2) It shall have the like extent as the principal Act.

(3) It shall come into force at once.

Amendment of section 4.

2. In the principal Act, in section 4, -

(i) in sub-section (1), for the existing clause (a), the following shall be substituted, namely :-

“(a) The post of Chairman shall be filled up by nomination by the State Government by such person as the State Government may think fit.”

(ii) after sub-section (6), the following new sub-sections shall be inserted, namely :-

“(7) The Chairman shall hold office for a period of three years from the date on which he enters upon his office as Chairman :

Provided that after the expiry of the term of his office as Chairman a person shall be eligible for reappointment as Chairman :

Provided further that no person shall be reappointed as Chairman for more than two consecutive terms.

(8) A person shall be disqualified for being appointed or continued as the Chairman if he --

(a) holds any office of profit under the Board ;

(b) is of unsound mind ;

(c) is an uncertified bankrupt or an undischarged insolvent ;

(d) has directly or indirectly by himself or by any partner, any share or interest in any contract with, by or on behalf of the Board ; or

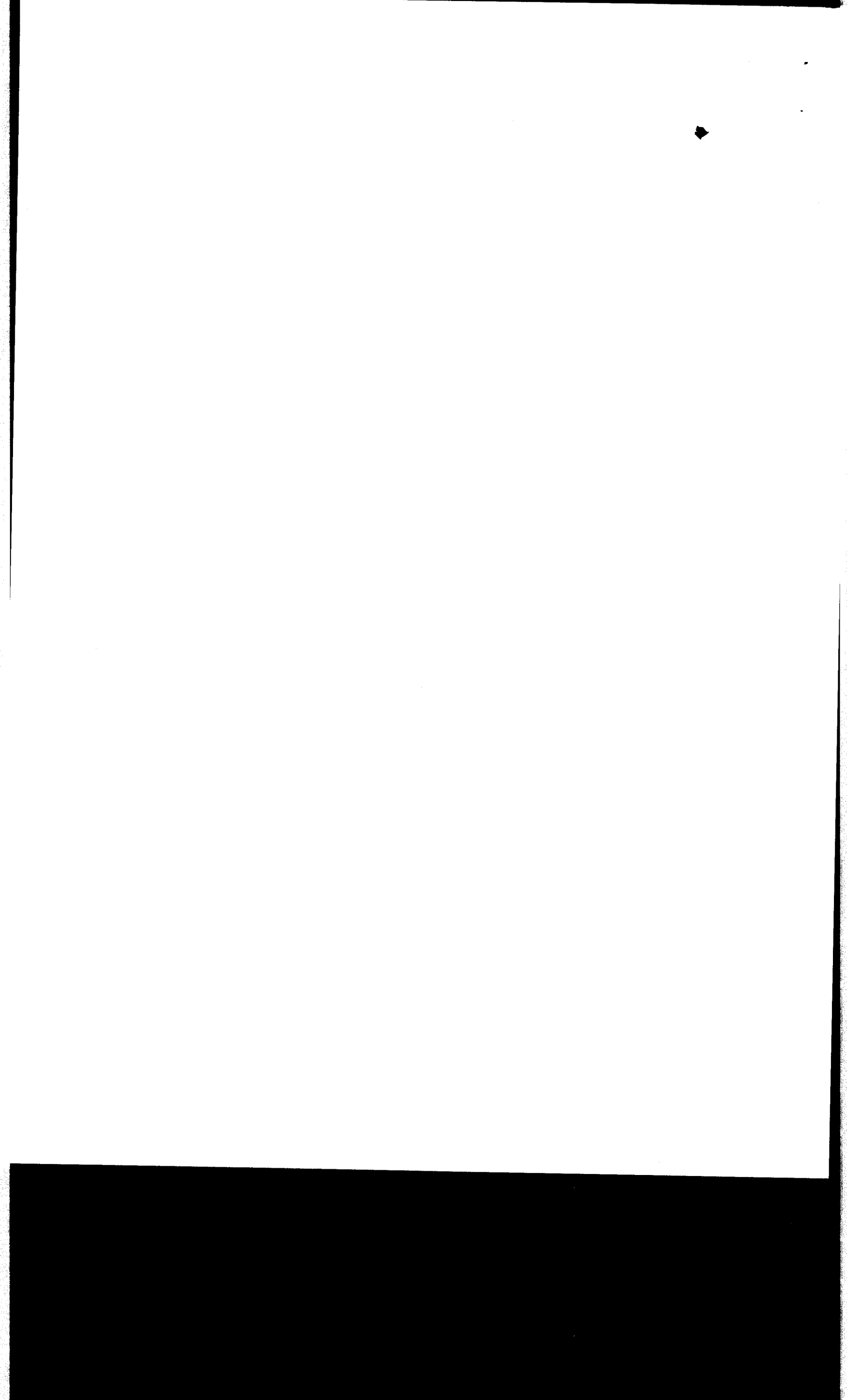
(e) has been or is convicted of any offence involving moral turpitude.

Repeal and saving.

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- (9) The Chairman may be paid such remuneration/salary and allowances as may be prescribed. The remuneration shall be paid to the Chairman from the fund of the Board.
- (10) The State Government may, by notification in the official Gazette, remove the Chairman from office who, in the opinion of the State Government, has been guilty of any misconduct or negligence or has so abused his position as Chairman as to render his continuance in office detrimental to the interest of the Board or the general public, after giving him a reasonable opportunity of being heard.
- (11) The Chairman may resign his office by giving a notice in writing to the State Government and on the resignation being accepted by the State Government, he shall cease to be the Chairman.
- (12) Any vacancy to the office of the Chairman created by resignation, removal or otherwise shall be filled up by fresh nomination by the State Government."
- 3.(1) The Assam Urban Water Supply and Sewerage Board (Amendment) Ordinance, 2004 is hereby repealed. Assam Ordinance No. 1 of 2005.
- Repeal and saving. (2) Notwithstanding such repeal, anything done or any action taken under the Ordinance so repealed shall be deemed to have been done or taken under the corresponding provisions of this Act.

M. K. DEKA,
Commissioner & Secy. to the Govt. of Assam,
Legislative Department.