

Rep. by Act..... 56 of 1974, S. 2 + Sch. I

THE INTER-STATE WATER DISPUTES (AMENDMENT)
ACT, 1968

No. 35 OF 1968.

[22nd August, 1968]

An Act further to amend the Inter-State Water Disputes
Act, 1956

BE it enacted by Parliament in the Nineteenth Year of the
Republic of India as follows:—

- Short title. 1. This Act may be called the Inter-State Water Disputes (Amendment) Act, 1968.
- Amendment of section 4. 2. In section 4 of the Inter-State Water Disputes Act, 1956 (hereinafter referred to as the principal Act), for sub-section (2), the following sub-section shall be substituted, namely:—
“(2) The Tribunal shall consist of a Chairman and two other members nominated in this behalf by the Chief Justice of India from among persons who at the time of such nomination are Judges of the Supreme Court or of a High Court.”
- Amendment of section 5. 3. In section 5 of the principal Act, after sub-section (3), the following sub-section shall be inserted, namely:—
“(4) If the members of the Tribunal differ in opinion on any point, the point shall be decided according to the opinion of the majority.”
- Insertion of new section. 4. After section 5 of the principal Act, the following section shall be inserted, namely:—
- 5A. “5A. If, for any reason a vacancy (other than a temporary absence) occurs in the office of the Chairman or any other

member of a Tribunal, such vacancy shall be filled by a person to be nominated in this behalf by the Chief Justice of India in accordance with the provisions of sub-section (2) of section 4, and the investigation of the matter referred to the Tribunal may be continued by the Tribunal after the vacancy is filled and from the stage at which the vacancy occurred.”.

5. In section 9 of the principal Act, in sub-section (4), for the words “Subject to any rules that may be made under this Act”, the words “Subject to the provisions of this Act and any rules that may be made thereunder” shall be substituted. Amendment of section 9.

6. In section 10 of the principal Act, for the words “The presiding officer of a Tribunal”, the words “The Chairman and other members of a Tribunal” shall be substituted. Amendment of section 10.

7. In section 13 of the principal Act,—

(1) in clause (d) of sub-section (2), for the words “the presiding officer”, the words “the Chairman and other members” shall be substituted; Amendment of section 13.

(2) for sub-section (3), the following sub-section shall be substituted, namely:—

“(3) Every rule made under this section shall be laid as soon as may be after it is made, before each House of Parliament while it is in session for a total period of thirty days, which may be comprised in one session or in two successive sessions, and if before the expiry of the session in which it is so laid or the session immediately following, both Houses agree in making any modification in the rule or both Houses agree that the rule should not be made, the rule shall thereafter have effect only in such modified form or be of no effect, as the case may be; so, however, that any such modification or annulment shall be without prejudice to the validity of anything previously done under that rule.”.