



THE INDUS RIVER SYSTEM AUTHORITY ACT, 1992



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INDUS RIVER SYSTEM AUTHORITY ACT, 1992

ACT No. XXII OF 1992

An Act to provide for the establishment of the Indus River System Authority

WHEREAS it is expedient to establish the Indus River System Authority for regulating and monitoring the distribution of water sources of Indus River in accordance with the water accord amongst the Provinces and to provide for matters connected therewith and ancillary thereto ;

It is hereby enacted as follows :—

CHAPTER I

PARLIAMINARY

1. Short title, extent and commencement.— (1) This Act may be called the Indus River System Authority Act, 1992.

(2) It shall come into force at once.

2. Definitions. In this Act, unless there is anything repugnant in the subject or context,—

(a) “Authority” means the Indus River System Authority established under section 3;

(b) “Chairman” means the Chairman of the Authority;

(c) “member” means a member of the Authority ;

(d) “prescribed” means prescribed by rules made under this Act;

(e) “rules” means rules made under this Act; and

(f) “Water Accord” means the agreement entitled "Apportionment of the Water of the Indus River System Between the Provinces" signed by the Provinces on the sixteenth day of March 1991, and approved by the Council of common Interest on the twenty-first day of March, 1991.

CHAPTER II

AUTHORITY AND ITS FUNCTIONS

3. Constitution of the Authority.—(1) As soon as may be after the commencement of this Act, the Federal Government shall, by a notification in

the official Gazette, establish an authority to be known as the Indus River System Authority for carrying out the purposes of this Act.

(2) The Authority shall be a body corporate having perpetual succession and a common seal with power subject to provisions of this Act to acquire and hold property, both moveable and immovable, and shall sue and be sued by the name assigned to it under sub-section (I).

4. Appointment and terms of office of Chairman and members.—(1) The Authority shall consist of five members, one each to be nominated by each Province and the Federal Government from amongst high-ranking engineers in irrigation or related engineering fields.

(2) The first Chairman shall be the member nominated by the Government of Balochistan to be followed by the nominees of the Government of North-West Frontier Province, Punjab, Sindh and the Federal Government and thereafter in that order.

(3) The term of office of the Chairman shall be one year and that of a member three years.

(4) Any member shall be eligible for re-appointment for one or more term or for such shorter term as the Provincial Government or, as the case may be, the Federal Government may decide.

(5) The Chairman and any member may, by writing under his hand, addressed to the Secretary to the Government of Pakistan, Water and Power Division, resign from his office :

Provided that the resignation shall not take effect until it is accepted by the Federal Government.

(6) In the absence of the Chairman, the member next due for appointment as Chairman shall act as the Chairman.

(7) In the absence of a member representing a Province, the Secretary, Irrigation Department of the Province shall represent that Province.

(8) In the absence of member nominated by the Federal Government the Chief Engineering Adviser or his nominee shall represent the Federal Government.

(9) The Chairman of the Water and Power Development Authority and Chief Engineering Adviser or their nominees shall be *ex-officio* members of the Authority, but they shall have no right to vote.

5. Remuneration and conditions of service. The Chairman and every member shall receive such salary and allowances and be subject to such

conditions of service as may be prescribed and shall perform such duties and functions as are assigned to them under this Act or by rules.

6. Removal of Chairman or Members. The Federal Government may, by notification in the official Gazette, after providing an opportunity of being heard and in consultation with the Provincial Government concerned, remove the Chairman or any member, where—

- (a) he refuses or fails to discharge or, in the opinion of the Federal Government, becomes incapable of discharging his responsibilities;
- (b) he is declared insolvent by a competent court; or
- (c) he is declared to be disqualified for employment in, or has been dismissed from, the service of Pakistan or of Province, or has been convicted by a competent court of an offence involving moral turpitude.

7. Meetings of the Authority.—(1) The Authority shall meet at least once in every month at such time and in such manner as may be specified by regulations:

Provided that until regulations are made in this behalf, such meetings shall be convened by the Chairman as he deems necessary.

(2) The Chairman and two other members entitled to vote shall constitute a quorum for a meeting of the Authority.

8. Powers and Duties of the Authority.—(1) The duties of the Authority shall be to—

- (a) lay down the basis for the regulation and distribution of surface waters amongst the Provinces according to the allocations and policies spelt out in the Water Accord;
- (b) review and specify river and reservoir operation patterns and periodically review the system of such operation ;
- (c) coordinate and regulate the activities of the Water and Power Development Authority in exchange of data between the Provinces in connection with the gauging and recording of surface water-flows ;

Explanation.—Actual observation and compilation of the data shall be the responsibility of the respective Provinces, Water and Power Development Authority and other allied organisations, while the process shall be monitored by the Authority ;
