



**Government of West Bengal
Irrigation & Waterways Department
Jalasampad Bhawan, Salt Lake - 700 091**

NOTIFICATION

No.21-W/2022-2023

Dated, 29th September, 2022

With a view to bring an uniform law and administrative structure in the country for ensuring dam safety, the Dam Safety Act, 2021 has been introduced for surveillance, inspection, operation and maintenance of all specified dams in the country to ensure their safe functioning.

2. The provisions of this Act demands for creation of National Committee on Dam Safety (NCDS), National Dam Safety Authority (NDSA), State Committee on Dam Safety (SCDS) and State Dam Safety Organisation (SDSO) for empowering the dam safety institutional set ups in both the Centre and States.

3. In exercise of the powers conferred by Chapter V of sub-section (1) of section 14 of Dam Safety Act, 2021 (No.41 of 2021), the Government of West Bengal hereby constitutes the State Dam Safety Organization (SDSO) for the State of West Bengal with the composition as stated here under: -

- | | | |
|------|---|---------------|
| (i) | The Chief Engineer (Design & Research)
Irrigation & Waterways Directorate
Government of West Bengal | - Chairperson |
| (ii) | The Director (Generation)
West Bengal State Electricity Distribution
Company Limited (WBSEDCL) | - Member |

- | | | |
|--------|---|----------|
| (iii) | The Chief Engineer (Hydel)
West Bengal State Electricity Distribution
Company Limited (WBSEDCL) | - Member |
| (iv) | The Chief Engineer & PM (PPSP)
West Bengal State Electricity Distribution
Company Limited (WBSEDCL) | - Member |
| (v) | The Director, Dam Safety Organization
Irrigation & Waterways Directorate
Government of West Bengal | - Member |
| (vi) | The Deputy Director, Dam Safety Organization
Irrigation & Waterways Directorate
Government of West Bengal | - Member |
| (vii) | The Deputy Director (Mechanical), DSO
Irrigation & Waterways Directorate
Government of West Bengal | - Member |
| (viii) | The Deputy Director (Civil), DSO
Irrigation & Waterways Directorate
Government of West Bengal | - Member |
| (ix) | The Assistant Director (Electrical), DSO
Irrigation & Waterways Directorate
Government of West Bengal | - Member |
| (x) | The Assistant Director, (Civil), DSO (6 No)
Irrigation & Waterways Directorate
Government of West Bengal | - Member |

4. Apart from above stated members, the following non-technical staffs of the existing Dam Safety Organization of Irrigation & Waterways Department created vide Notification No.1398-IE dated 11.12.2006, shall assist the organization.

- | | | |
|-------|------------------------------------|--------|
| (i) | Stengrapher-cum-Computer Operator | - 1 no |
| | Dam Safety Organization | |
| | Irrigation & Waterways Directorate | |
| | Government of West Bengal | |
| (ii) | Draftsman | - 2 no |
| | Dam Safety Organization | |
| | Irrigation & Waterways Directorate | |
| | Government of West Bengal | |
| (iii) | Peon | - 3 no |
| | Dam Safety Organization | |
| | Irrigation & Waterways Directorate | |
| | Government of West Bengal | |

The Roles and functions of State Dam Safety Organization will be to:-

5. Keep perpetual surveillance of all the specified dams.
6. Carry out inspections of all the specified dams.
7. Monitor the operation and maintenance of all specified dams falling under their jurisdiction to ensure continued safety of such specified dams and take such measures as may be necessary to address safety concerns that are noticed with a view to achieve satisfactory level of dam safety assurance as regulations.
8. For the purpose of enabling it to make decisions compatible with public safety, it shall make or cause to be made such investigations and shall gather or cause to be gathered such data as may be required for proper review and study of the various features of the design, construction, repair and enlargement of dams, reservoirs and appurtenant structures under their jurisdiction.

9. To classify each dam under their jurisdiction as per such vulnerability and hazard classification criteria as may be specified by the regulations.
10. To maintain a log book or database for each specified dam under their jurisdiction recording therein all activities related to the surveillance and inspection and all important events related to dam safety and with such details and in such form as may be specified by the regulations.
11. To report the event of any dam failure under their jurisdiction to the Authority, and furnish any information as and when required by them.
12. To maintain the records of major dam incidents of each specified dams under their jurisdiction, and furnish all such information to the Authority as and when required by them.
13. To render its instructions to the owner of a specified dam on the safety or the remedial measures required to be taken with respect to it.
14. To be responsible to, and report to, the technical head of the Department dealing with Dam Safety.
15. To prepare annual report, within three months of the expiry of the preceding financial year, of its activities and safety status of specified dams in the State and such report shall be forwarded to the Authority and State Government and that Government shall cause the same to be laid before each House of the State Legislature, where it consists of two Houses or where such Legislature consists of one House, before that House.
16. The State Dam Safety Organization and every owner of a specified dam shall provide to the Authority, documentation of the projects, report of enquires into failure and any other data, as and when required in such format and in such manner as may be decided by the Authority.
17. To shall forward their annual report to the concerned State Disaster Management Authority and also make available such report in public domain.
18. To analyze the inspection report forward by the dam safety unit and submit comments on the deficiency and remedial measures, if any, to the owner of the specified dam.

19. Where the safety evaluations undertaken under section 38 or section 39 of the Act, results in recommendations for a remedial action, the State Dam Safety Organization shall pursue with the owner of the specified dam to ensure that remedial measures are carried out in time, for which the owner shall provide adequate funds.

20. Where there is any unresolved matter emerging between an independent panel of experts referred to in sub section (I) of section 38 of the Act and the owner of the specified dam, the matter shall be referred to the State Dam Safety Organization, and, in case no agreement is arrived at, the matter shall be referred to the Authority which shall render its advice and send recommendations to the State Government concerned for implementation.

Officers and employees of State Dam Safety Organization:-

21. No new posts are created. Officers and employees to the existing Dam Safety Organization under Irrigation & Waterways Department created by the Government of West Bengal vide Notification No.1398-IE dated 11.12.2006 of Irrigation & Waterways Department with the approval of the State Cabinet and Finance Department vide their U.O.No.2099 Gr. P (Services) dated 08.06.2006, shall continue to serve the organization apart from newly inducted members in the Organization.

22. The functions and powers of the officers and employees appointed under sub-section (i) shall be such as may be prescribed by the State Government.

Jurisdiction of State Dam Safety Organization:-

23. Without prejudice to the provisions of this Act, all specified dams, shall fall under the jurisdiction of the State Dam Safety Organization of the State in which such dam is situated in matters relating to dam inspections, analysis of information, investigation reports or recommendations regarding safety status, and remedial measures to be under taken to improve dam safety; and in all such matters, full co-operation shall be extended by the owner of the specified dam.

24. Provided that where a specified dam is owned by a Central Public Sector Undertaking or where a specified dam is extended over two or more States, or where the specified dam in one

State is owned by another State, then the Authority shall be construed as the State Dam Safety Organization for the purposes of this Act.

25. Provided further that in all such dams where the Authority takes up the role of State Dam Safety Organization, the Governments of the States within the jurisdiction of which such dams are located shall have access to all information relating to these specified dams as available with the Authority.

26. The authorized representative of the concerned State Dam Safety Organization for the purposes of making any inspection or investigation necessary for the implementation of the provisions of this Act, may enter upon any part of the specified dam or its site as and when required and apply such investigation methods, as may be considered necessary.

27. After making inspection or investigation under sub-section (ii), the representative referred to in that sub-section is of the opinion that certain remedial measures are required to be taken, he shall report such remedial measures to the officer-in-charge of such specified dam and to the concerned State Dam Safety Organization.

28. The concerned State Dam Safety Organization, in cases of specified dams being found to be distressed on account of their age, degeneration, degradation, structural or other impediments, shall suggest such remedial measures on such operational parameters (including maximum reservoir level, maximum spillway discharge and maximum discharges through other outlets) as it may consider necessary.

29. Nothing contained in sub-sections (i), (ii), (iii) and (iv) shall absolve the owner of specified dam or any other authority or person from any of the responsibilities or obligations entrusted upon it under the provisions of this Act and the provisions of sub-sections (i), (ii), (iii) and (iv) shall be in addition to, and not in derogation of, any other provision of this Act.

30. Initial filling of reservoirs:- Before initial filling of the reservoir is taken up, the State Dam Safety Organization shall inspect or cause to be inspected the specified dam either through its own engineers or by an independent panel of experts, who shall also examine the initial filling programme and prepare a detailed report thereof duly certifying the fitness of dam for filling.

31. Any other duties as specified in the Act.

Cost of Investigation, Administrative and other expenses:-

32. The administrative and other expenses of the State Dam Safety Organization and State Committee on Dam safety shall be borne by the State Government.

33. All the costs to be incurred by the State Dam Safety Organization on any form of investigation done including payment given to any consultant or expert, shall be borne by the owner of the specified dam.

By Order of the Governor


Encl: List of Specified Dams



(Prabhat Kumar Mishra)
Principal Secretary to the
Government of West Bengal

Copy forwarded with Annexure for kind information to the:

1. P.S. to Hon'ble Minister-in-Charge
Irrigation & Waterways Department
Government of West Bengal
2. O.S.D. to Hon'ble Minister-of-State
Irrigation & Waterways Department
Government of West Bengal
3. O.S.D. to Chief Secretary
Government of West Bengal
4. Sr. P.A. to Principal Secretary
Irrigation & Waterways Department
Government of West Bengal
5. Sr. P.A. to Secretary
Irrigation & Waterways Department
Government of West Bengal


(B. Mukhopadhyay)
Joint Secretary to the
Government of West Bengal

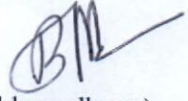
Memo No.21/2(10) - W

Dated, 29th September, 2022

Copy forwarded with Annexure for kind information to the:

1. Secretary
Ministry of Jal Shakti
Government of India
2. Secretary
Ministry of Power
Government of India
3. Chairman, Central Water Commission
Ministry of Jal Shakti
Government of India

4. Additional Chief Secretary
Department of Home & Hill Affairs
Government of West Bengal
5. Additional Chief Secretary
Department of Power
Government of West Bengal
6. Principal Secretary
Department of Disaster Management & Civil Defence
Government of West Bengal
7. Principal Secretary
Department of Agriculture
Government of West Bengal
8. Principal Secretary
Public Health Engineering Department
Government of West Bengal
9. Principal Secretary
Water Resources Investigation & Development Department
Government of West Bengal
10. Chairman & Managing Director
West Bengal State Electricity Distribution Company Limited


(B. Mukhopadhyay)
Joint Secretary to the
Government of West Bengal

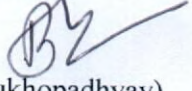
Memo No.21/3(10) - W

Dated, 29th September, 2022

Copy forwarded with Annexure for kind information to the:

- 1 – 10. Chief Engineer,
Irrigation & Waterways Directorate
Government of West Bengal

- with request to circulate the Notification under his jurisdiction.


(B. Mukhopadhyay)
Joint Secretary to the
Government of West Bengal