

Bill No. 121 of 2021

THE FLOOD CONTROL AND MANAGEMENT BILL, 2021

By

DR. ALOK KUMAR SUMAN, M.P.

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BILL

*to provide for the setting up of a National Flood Control Board to suggest
measures to manage and control floods and for
matters connected therewith.*

WHEREAS entry 56 of List I—Union List of the Seventh Schedule to the Constitution provides for regulation and development of Inter-State rivers and river valleys to the extent to which such regulation and development under the control of the Union is declared by Parliament by law to be expedient in the public interest;

And WHEREAS a lot of havoc is caused by floods every year in almost all parts of the country;

And WHEREAS it is expedient in the public interest to take effective measures for flood control and mangement.

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

Short title.	1. This Act may be called the Flood Control and Management Act, 2021.	
Setting up of a National Flood Control Board.	2. (1) The Central Government shall set up a Board to be known as the National Flood Control Board (hereinafter referred to as the Board). (2) The head office of the Board shall be at New Delhi.	5
Composition of the Board.	3. (1) The Board shall consist of— (a) A Chairperson, who shall be an expert dealing with flood control, to be appointed by the Central Government; (b) one representative each from every State Government and Union territory, who shall be expert on flood control measures, to be nominated by the Central Government in such manner as may be prescribed. (2) The salary and allowance payable to and other terms and conditions of service of the Chairperson and other members of the Board shall be such as may be prescribed.	10 15
Provision of officers and staff for the Board.	4. The Central Government shall make available to the Board such number of officers and staff as may be required for efficient functioning of the Board.	
Functions of the Board.	5. The Board shall— (a) identify the areas which are prone to floods; (b) suggest measures for flood control; (c) prepare a time bound plan for inter-linking of rivers which are prone to floods with the ones which are not so; (d) suggest measures for the development of land in areas which are prone to floods; (e) deploy flood forecasting system in such areas which are prone to floods and warn the inhabitants in those areas to move out to safer places in case floods are forecast in an area; (f) advise the State Governments as to preventive and rehabilitation measures during floods; and (g) advise the State Governments for proper storage of rain water and construction of dams.	20 25 30
Cost to be borne by Central and State Governments.	6. The cost of taking up of the flood control measures as suggested by the Board shall be borne by the Central Government and the State Governments in such ratio, as may be determined by the Board.	
Recommendations to the Government.	7. (1) The Board shall make recommendations to the Central Government as to flood control measures. (2) It shall be the duty of the Central Government to implement the recommendations of the Board: Provided that where it is felt necessary that any recommendation cannot be implemented due to any reason, the Central Government may, to be recorded in writing, inform the Board accordingly.	35 40
Annual Report.	8. The Board shall prepare every year, in such form as may be prescribed, an annual report giving a true and full account of its activities during the previous year and copies thereof shall be forwarded to the Central Government and the Central Government shall cause the same to be laid before each House of Parliament.	45

9. (1) The Central Government may, by notification in the Official Gazette, make rules for carrying out the purposes of the Act.

Power to make rules.

5 (2) Every rule made under this Act 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 or more successive sessions, and if, before the expiry of the session immediately following the session or the successive sessions aforesaid, both Houses agree in making any modification in the rule or both
10 the 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.

STATEMENT OF OBJECTS AND REASONS

India is the land of many great rivers. Floods occur in almost all river basins of the country. The water resources of the country are not being fully utilized in the country. Every year there are floods which cause immense loss of life, animals and property. Whereas in some parts of the country there are floods, there is drought in other parts. The national resources are damaged by floods. This problem needs to be addressed urgently to mitigate the effects of floods in all parts of the country.

Therefore, it is expedient in the public interest to evolve an integrated and scientific approach to the flood control problems and to draw out a national plan fixing priorities for implementation in the future.

The Bill seeks to provide for the setting up of a National Flood Control Board to suggest measures to prevent and control and management of floods in the country.

Hence this Bill.

NEW DELHI;

July 6, 2021.

ALOK KUMAR SUMAN

FINANCIAL MEMORANDUM

Clause 2 of the Bill provides for setting up of a National Flood Control Board. Clause 3 provides for the composition of the Board. It further provides for salary and allowances of Chairperson and Members. Clause 4 provides that the Central Government shall provide officers and staff to the Board. Clause 6 provides that the expenditure on flood control measures suggested by the Board shall be borne by the Central Government and State Governments. The Bill, therefore, if enacted, would involve expenditure from the Consolidated Fund of India. It is likely to involve a recurring expenditure of about rupees two hundred crore per annum.

A non-recurring expenditure of about rupees two hundred crore is also likely to be involved.

MEMORANDUM REGARDING DELEGATED LEGISLATION

Clause 9 of the Bill gives power to the Central Government to frame rules for carrying out the purposes of the Bill.

The rules will relate to matters of detail only and as such the delegation of legislative power is of a normal character.

LOK SABHA

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(Dr. Alok Kumar Suman, M.P.)