

AS INTRODUCED IN LOK SABHA

Bill No. 15 of 2020

THE SPECIAL FINANCIAL ASSISTANCE FOR PROTECTION OF
WATER BODIES IN THE STATE OF MADHYA PRADESH BILL, 2020

By

SHRI SUDHEER GUPTA, M.P.

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BILL

to provide special financial assistance to the State Government of Madhya Pradesh to meet the costs of repair, renovations, rejuvenation, preservation and protection of water bodies in the State of Madhya Pradesh.

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

1. (1) This Act may be called the Special Financial Assistance for Protection of Water Bodies in the State of Madhya Pradesh Act, 2020.

Short title and
commencement.

5 (2) It shall come into force on such date as the Central Government may, by notification in the Official Gazette, appoint.

Definitions.

2. In this Act, unless the context otherwise requires,—

(a) "aquatic ecosystem" means all organic and inorganic matter and all living organisms living in or located in or on water or the beds or shores of a water body;

(b) "drain" includes gutters, wastewater canals, sewers and all outlets or flow of waste water including overflow of rainwater;

(c) "groundwater" means all water under the surface of the ground, whether in solid or liquid form;

(d) "water" means all surface water and ground water, whether solid or liquid form; and

(e) "water body" means a body of flowing or standing water, whether natural or artificial and whether the flow or presence of water is continuous, intermittent or occurs only during a flood, including but not limited to a lake, river, creek, stream, tank, well, pond and wetland.

State Governments to inform the Central Government.

3. The State Government of Madhya Pradesh shall inform the Central Government—

(a) about the existence of water bodies in the State; and

(b) requirement of financial assistance to protect the water bodies in the State.

Power of State Governments to make regulations.

4. The State Government of Madhya Pradesh shall, before informing the Central Government under section 3, make the regulation for the purpose of—

(a) designating any area as a water quality control zone for the purpose of protecting water, aquatic eco-system or drinking water source;

(b) governing, regulating or prohibiting any use or activity in a water quality control zone or any part of a zone;

(c) improving the drainage and sewerage system;

(d) ensuring clear separation between sewerage/waste water and sources of clean water to avoid contamination; and

(e) ensuring quick absorption or clear flow of rain water for conservation.

State Government of Madhya Pradesh to consider the scientific, intrinsic and other information relating to water bodies.

5. The State Government of Madhya Pradesh shall, before informing the Central Government under section 3, take into consideration the scientific, intrinsic and other information relating to—

(a) The physical characteristics of land in the area, including its topography and soil types;

(b) the ability of the soil or water in the area to assimilate nutrients and other pollutants;

(c) Water bodies or groundwater in the area, including information relating to—

(i) the quality characteristics of the water;

(ii) The susceptibility of the water to contamination or adverse changes in level; and

(iii) the extent to which the water is undisturbed by human activity.

(d) the area's aquatic ecosystems;

(e) whether the area contains a source or a potential source, of drinking water;

(f) whether the area supports species that are sensitive to alterations in water quality or quantity resulting from human activity;

(g) whether the area provides habitat for endangered species; and

(h) the perception of farmers and native inhabitants of the area regarding quality, quantity and prospects of water in a particular zone including—

(i) the possibilities of flood and/or water logging; and

(ii) any other matter which the Government considers relevant.

5 **6. The Central Government shall render scientific and technical advice and assistance to the State Government of Madhya Pradesh if so required to achieve the purposes of this Act.**

Central Government to render scientific and technical advice.

10 **7. (1) The Central Government shall, after due appropriation made by Parliament by law in this behalf, provide financial assistance to the State Government of Madhya Pradesh for protection of water bodies and for promotion of rain harvesting and watershed management programmes.**

Central Government to provide financial assistance to State Government of Madhya Pradesh.

(2) The Central Government shall, before releasing the money, ensure that the State Government has complied with the provisions of this Act.

STATEMENT OF OBJECTS AND REASONS

Agriculture is the main stay of the people of Madhya Pradesh State. Water is essential for irrigation purposes, but its indiscriminate use can lead not only to shortages, but also to the deterioration of crop yields and soils. Ground water resource of a region is one of the building blocks for balanced economic development of the area, especially in an agriculture based society. Dependence on ground water for irrigation and increasing water requirements in urban areas in Madhya Pradesh has necessitated judicious and planned uses of ground water resource in order to reach sustainability. For proper planning and management of ground water development in a judicious and socio-economically equitable manner, assessment of ground water scenario is one of the most important prerequisites.

Many parts of Madhya Pradesh are reeling under water crisis. In the year 2018, 132 tehsils in 18 districts are declared drought-hit. District in Chambal, Gwalior and Bundelkhand region are the worst-affected areas. Many rivers has gone dry, many shrunk to a dangerous level and there is a drastic fall in water table, due to which people in more than half of the State are not getting daily water supply. The situation is such in some parts that there is no water supply and the precious commodity is being transported by tankers.

Water supply sources in 10 out of 16 municipal corporations have almost dried up. The situation is so grim that in 117 municipal bodies of the State, water is supplied once in two days and in 11 municipal bodies water is barely supplied twice a week. Moreover, groundwater availability in Madhya Pradesh is highly variable, depending on hydrological conditions. The limited ground water resources in Madhya Pradesh are increasingly being exploited for irrigation, industrial and domestic uses.

Water is the most valuable natural resources of a country. However, the scarcity and supply of clean water is a major concern for the sustenance of human, animal, plant and ecology. The protection of water resources/water bodies available in the State of Madhya Pradesh is an endless-task to be completed by the Government. The major constraint in this regard is the lack of financial resources available with the States.

The Bill, therefore, seeks to provide financial assistance to the State of Madhya Pradesh for the protection of water bodies and promotion of rain harvesting and watershed management programmes.

Hence this Bill.

NEW DELHI;
November 28, 2019.

SUDHEER GUPTA

FINANCIAL MEMORANDUM

Clause 6 of the Bill provides for rendering of scientific and technical advice and assistance to the State Government of Madhya Pradesh. Clause 7 provides for financial assistance to the State Government of Madhya Pradesh for protection of water bodies, etc.

The Bill, therefore, if enacted, will involve expenditure from the Consolidated Fund of India. As the sums of moneys which will be given to the State of Madhya Pradesh as special financial assistance by appropriation by law made by Parliament will be known only after the plans to be implemented by the State Government of Madhya Pradesh with the approval of Government of India as identified, it is not possible at present to give the estimates of recurring expenditure, which would be involved out of the Consolidated Fund of India at this stage.

No non-recurring expenditure is likely to be involved.

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(Shri Sudheer Gupta, M.P.)