

Bill No. 174 of 2022

THE ANTI-DROUGHT MEASURE AND MITIGATION BILL, 2022

By

SHRI ANURAG SHARMA, M.P.

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BILL

*to provide for the constitution of a Drought Suggestion Committee to suggest measures
and take appropriate action in mitigation against drought and for matters
connected therewith or incidental thereto.*

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

1. (1) This Act may be called the Anti-Drought Measure and Mitigation Act, 2022.

Short title and
commencement.

(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) ‘appropriate Government’ means in the case of a State or a Union territory having legislature, the concerned State Government or the Union territory Administration, as the case may be, and in all other cases, the Central Government;

(b) “Committee” means the Drought Suggestion Committee constituted under section 4; 5

(c) “drought” means a deficiency of precipitation over an extended period of time (usually a season or more), resulting in a water shortage in a particular area;

(d) “Palmer Drought Severity Index (PDSI)” refers to the regional drought index used for monitoring drought events and study aerial extent and severity of drought in an area; and 10

(e) “prescribed” means prescribed by rules made under this Act.

Mapping of
Drought.

3. The appropriate Government shall map the area of land under their jurisdiction based on Palmer Drought Severity Index (PDSI) into three categories, namely; 15

(a) Green Area having -2 and less to -1.99 index;

(b) Yellow Area 0 to 0.99 index; and

(c) Red Area 1 to 2.0 + index.

Constitution of
Drought
Suggestion
Committee.

4. (1) The appropriate Government shall by notification in the Official Gazette, constitute a Committee to be known as the Drought Suggestion Committee for the yellow and red areas in such a manner as may be prescribed; 20

(2) The Committee shall consist of—

(a) a Chairperson who has been the judge of the High Court of the State concerned;

(b) the first class Magistrate of the area concerned; and

(c) the Superintendent of Police of the area concerned. 25

(3) The Committee shall encourage the following measures in Yellow Areas and Red Areas including:—

(a) water harvesting, protecting water sources against contamination, developing water sources such as micro dams, ponds and wells, use of reserve sources of groundwater and water rationing and allocation; 30

(b) restoring pastures and balancing land and water resources;

(c) recovering the water holding capacity of soils through tree planting (including fruit trees) and the protection of riverbanks and wetlands;

(d) implementing Integrated Water Resources Management, including mitigating upstream-downstream user conflicts and coordinating between water users, communities and sectors;

(e) shifting to drought-tolerant crops;

5 (f) managing livestock production within the landscape, including the relocation of herds, nomadic migrations and use of special reserved areas; and

(g) such other measures as it deems fit for carrying out the purpose of this Act.

10 **5. The Central Government, shall from time to time provide, after due appropriation made by Parliament by law in this behalf, requisite funds for carrying out the purposes of this Act.**

Central Government to provide funds.

6. (1) If any difficulty arises in giving effect to the provisions of this Act, the Central Government, may by order published in the Official Gazette, make such provisions, not inconsistent with the provisions of this Act as appear to it to be necessary or expedient for removing the difficulty:

Power to remove difficulties.

15 Provided that no such order shall be made after the expiry of the period of two years from the date of commencement of this Act.

(2) Every order made under this section shall, as soon as may be after it is made, be laid before each House of Parliament.

20 **7. (1) The Central Government, in consultation with the State Governments, may by notification in the Official Gazette, make rules for carrying out the purposes of this Act.**

Power to make rules.

25 (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 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

The economy of India is an agrarian economy and a larger population is dependent on agriculture. In spite of having rivers as sources of water, many regions in the country are still having a serious water deficit. The common problem of agriculture in the nation is that it has been suffering from inadequate and untimely rainfall which has adversely affected agricultural production, the only source of livelihood for many.

The need is also to protect water sources from damage caused by wildfire; improve ecosystem health, resilience, and other watershed and habitat conditions; improve, maintain, or restore water yield or quality; adapt the forest landscape to an increased threat of drought.

This Bill seeks to provide for the Constitution of a Drought Suggestion Committee which shall suggest measures to take appropriate action in mitigation against drought.

Hence this Bill.

NEW DELHI;
1 July, 2022.

ANURAG SHARMA

FINANCIAL MEMORANDUM

Clause 3 of the Bill provide for mapping of land under its jurisdiction into Green Area, Yellow Area and Red Area on the basis of Palmer Drought Severity Index (PDSI). Clause 4 provides for the Constitution of Drought Suggestion Committee. Clause 5 provides that the Central Government shall provide requisite funds for carrying out the purposes of this Act.

The Bill, therefore, if enacted, will involve as such no expenditure from the Consolidated Fund of India. However, it is estimated that recurring expenditure of about rupees fifty crore would involve from the Consolidated Fund of India.

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

MEMORANDUM REGARDING DELEGATED LEGISLATION

Clause 7 of the Bill empowers the Central Government to make rules for carrying out the provisions of the Bill. As the rules will relate to matter of detail only, the delegation of legislative power is of a normal character.

LOK SABHA

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(Shri Anurag Sharma, M.P.)