

Bill No. 227 of 2024

THE SPECIAL FINANCIAL ASSISTANCE FOR DEVELOPMENT
AND REJUVENATION OF WATER BODIES IN THE STATE OF
MAHARASHTRA BILL, 2024

By

SHRI RAVINDRA DATTARAM WAIKAR, M.P.

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BILL

*to provide special financial assistance to the State Government of Maharashtra to meet
the expense of development and rejuvenation of water bodies and for matters
connected therewith in the State of Maharashtra.*

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

1. (1) This Act may be called the Special Financial Assistance for Development and Rejuvenation of Water Bodies in the State of Maharashtra Act, 2024.

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 any 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 forward the details to the Central Government.

3. (1) The State Government of Maharashtra shall forward the details of the required infrastructure and the estimated cost of the water bodies project falling in the State.

(2) The Central Government, shall on receipt of details, provide funds to the State Government for the development of water bodies in such manner as may be prescribed.

(3) The funds provided under sub-section (2) shall be utilized for,

(a) expeditious completion of ongoing water bodies projects in the State of Maharashtra;

(b) construction of small ponds for the use of animals;

(c) digging wells and bore wells;

(d) installing electric pumps for pumping water;

(e) meeting costs incurred on implementing the “Water Bodies Rejuvenation Scheme” based on the water resources;

(f) renovation of old ponds and water reservoirs; and

(g) construction of canals.

(4) The State Government of Maharashtra shall furnish the details of expenditure likely to be incurred on the water bodies development works to the Central Government in such manner and in such times as may be prescribed:

Power of State Governments to make regulations.

4. The State Government of Maharashtra shall, before forwarding the details to 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 or waste water and sources of clean water to avoid contamination; and

(e) ensuring quick absorption or clear flow of rain water and sources of clean water to avoid contamination.

Central Government to render scientific and technical advice.

5. The Central Government shall render scientific and technical advice and assistance to the State Government of Maharashtra, if so required, to achieve the purposes of this Act.

Central Government to provide financial assistance to State Government of Maharashtra.

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

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

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

Power to make rules.

5 (2) Every rule made under this section 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
10 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

Water bodies are the key to recharging groundwater level and developing flood resilience. Building storage capacity in tanks, rainwater harvesting, and wastewater reuse will improve water resilience in the State. The widening gap between rising water demand and seasonal supply can be bridged by building storage in waterbodies and treating sewage for reuse.

India today is desperately in need of answers to resolve its water crisis. The country faces a critical challenge of improving the productivity of drinking fresh water. No socio-economic development will ever be possible without ensuring uninterrupted supply of quality potable water. It is therefore clear that river rejuvenation will need to be distributed across the country. In other words, we will need to capture rain water, where it falls, over vast parts of the country so that we can provide local water security and recharge every well. The Bill strives to mandate special financial assistance for river rejuvenation work to be implemented in Maharashtra.

According to the National Wetland Inventory and Assessment report, India has 5,55,557 small water bodies (including village ponds) with area less than 2.25 ha. As such, rejuvenation of these water bodies has large potential of achieving water security and climate resilience. There have been many success stories of pond and lake rejuvenation throughout the country. Unfortunately, there exists no scientific atlas/repository of village ponds with coordinates, present status in terms of spread area, storage capacity, quality of water, availability of animal and plant life, etc. This is required at the government of India level.

The Bill, therefore, seeks to provide financial assistance to meet the expense of development and rejuvenation of water bodies in the forest areas and for matters connected therewith in State of Maharashtra.

Hence this Bill.

NEW DELHI;
November 13, 2024

RAVINDRA DATTARAM WAIKAR

FINANCIAL MEMORANDUM

Clause 3 provides for the arrangement of funds from Central Government to State Government for the development of water bodies. Clause 5 of the Bill provides for rendering of scientific and technical advice and assistance to the State Government of Maharashtra. Clause 6 provides for financial assistance to the State Government of Maharashtra for development, rejuvenation and 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 Maharashtra 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 Maharashtra 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.

MEMORANDUM REGARDING DELEGATED LEGISLATION

Clause 7 empowers the Central Government to make rules for carrying out the purpose of this Act. As the regulations and rules will relate to matters of detail only, the delegation, therefore, is of a normal character.

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the expense of development and rejuvenation of water bodies and for matters
connected therewith in the State of Maharashtra.

(Shri Ravindra Dattaram Waikar, M.P.)