

TO BE INTRODUCED IN LOK SABHA

Bill No. 294 of 2022

THE CONSTITUTION (AMENDMENT)
BILL, 2022

By

SHRI P.P. CHAUDHARY, M.P.

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BILL

further to amend the Constitution of India.

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

1. This Act may be called the Constitution (Amendment) Act, 2022. Short title.

Amendment of
the Seventh
Schedule.

2. In the Seventh Schedule to Constitution,—

(i) in List II - State list, entry 17 shall be omitted; and

(ii) in List III - Concurrent List, after entry 32, the following entry shall be inserted, namely:—

“32A. Water, that is to say, water supplies, irrigation and canals, drainage and embankments, water storage and water power subject to the provisions of entry 56 of list I.” 5

STATEMENT OF OBJECTS AND REASONS

Life is impossible without water. All living beings including human, animals and plants need water for their survival. Therefore, it is desirable that requisite amount of water is available without any hindrance for drinking and irrigation.

Around ninety-seven per cent of the water on the Earth is salty water and only three per cent is fresh water; slightly over two-thirds of this fresh water is frozen in the form of glaciers and polar ice caps. The remaining unfrozen fresh water is found mainly as ground water.

Ground water is a renewable resource, yet the world's supply of ground water is steadily decreasing with the depletion of water table, most prominently in Asia and North America. It is still not clear that how much natural renewal balance of fresh water is available or whether ecosystem will be threatened for want of fresh water in near future. The framework for allocating water resources to water users where such a framework exists is known as water rights.

At present, water is a State subject and is considered as primary responsibility of the State Governments.

The Bill seeks to amend that Seventh Schedule to the Constitution with a view to transfer entry 17 of List II - State List pertaining to 'Water', to List III-Concurrent List so that the Parliament and the Central Government can also play their due role for conservation and sustainable use of water to meet the growing needs of the society.

Hence this Bill.

NEW DELHI;
November 23, 2022.

P.P. CHAUDHARY

ANNEXURE

EXTRACT FROM THE CONSTITUTION OF INDIA

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List II – State List

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17. Water, that is to say, water supplies, irrigation and canals, drainage and embankments, water storage and water power subject to the provisions of entry 56 of List I.

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(Shri P.P. Chaudhary, M.P.)