

**Bill No. 295 of 2019**

THE CONSTITUTION (AMENDMENT) BILL, 2019

By

DR. M.K. VISHNU PRASAD, M.P.

A

BILL

*further to amend the Constitution of India.*

BE it enacted by the Parliament in the Seventieth Year of the Republic of India as follows:—

1. This Act may be called the Constitution (Amendment) Act, 2019.

Short title.

2. After article 47 of the Constitution, the following article shall be inserted, namely:—

Insertion of new article 47A.

5           **"47A. The State shall take steps to ensure access of safe potable water to every household of the country."**

State to provide access to safe potable water to every household.

Amendment of  
the seventh  
Schedule.

**3.** In the Seventh Schedule to the Constitution,—

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

(ii) in List III-Concurrent List, after entry 47, the following entry shall be inserted,  
namely:—

"48. Water, that is to say, water supplies, irrigation and canals, drainage and 5  
embankments, water storage and water power subject to the provisions of entry 56 of  
list 1."

## STATEMENT OF OBJECTS AND REASONS

Water is the essential need and it remains the basic necessity of human life. However, the per capita availability of water is continuing to decline and the nation is heading towards water scarcity. More than 70 per cent. of India's rural households are dependent on ground water for drinking but the country's water body is under tremendous stress and the quality is going from bad to worse.

India has the highest number of people in the world without access to safe potable water. The contamination of water with fluoride, iron, nitrate, arsenic and other heavy metals has not only adversely affected health and environment but it is posing a major public health issue in the country. The World Health Organisation estimates that in India, about 38 million people are affected by waterborne diseases each year, out of which more than three quarters are children.

Water is, at present, as State subject and is considered as the primary responsibility of the State Government. However, the State Governments are facing resource crunch to make proper arrangements for piped and potable water, particularly in rural areas.

The Bill, therefore, seeks to amend the Constitution with a view to—

(a) put an obligation on the State to ensure access to safe potable water to every household; and

(b) transfer entry 17 of List-II in State List pertaining to 'Water' to List-III concurrent List so that the Central Government along with the respective State Governments can play an effective role providing access to safe drinking water to meet the growing needs of the society.

Hence this Bill.

NEW DELHI;  
October 25, 2019

M. K. VISHNU PRASAD

#### FINANCIAL MEMORANDUM

Clause 2 of the Bill seeks to provide for the State to take steps to ensure access to safe potable water to every household of the country. The Bill, therefore, if enacted, would involve expenditure from the Consolidated Fund of India. It is estimated that a recurring expenditure of about rupees five hundred crore will be involved per annum from the Consolidated Fund of India.

No non-recurring expenditure is likely to be involved.

*ANNEXURE*

EXTRACT FROM THE CONSTITUTION OF INDIA

SEVENTH SCHEDULE

\* \* \* \*

LIST II-STATE LIST

\* \* \* \*

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.

\* \* \* \*

LIST III-STATE LIST

\* \* \* \*

47. Fees in respect of any of the matters in this List, but not including fees taken in any court.

\* \* \* \*

LOK SABHA

---

A

BILL

further to amend the Constitution of India

---

*(Dr. M.K. Vishnu Prasad, M.P.)*