

Bill No. 303 of 2019

THE PERSONS LIVING IN COASTAL ZONE (REHABILITATION
AND WELFARE) BILL, 2019

By

SHRI BENNY BEHANAN, M.P.

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BILL

*to provide for setting up of an Authority for rehabilitation and welfare of persons living
in coastal zone and for matters connected therewith or incidental thereto.*

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

1. (1) This Act may be called the Persons Living in Coastal Zone (Rehabilitation and Welfare) Act, 2019.

Short title,
application and
commencement.

5 (2) It shall apply to the persons living in coastal zone in the States of West Bengal, Odisha, Andhra Pradesh, Tamil Nadu, Kerala, Karnataka, Goa, Maharashtra, Gujarat and Union territories of Puducherry, the Andaman and Nicobar Islands and Lakshadweep.

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

Definitions.	<p>2. In this Act, unless the context otherwise requires,—</p> <p>(i) "Authority" means the National Authority for Welfare of Persons Living in Coastal Zone set up under section 3;</p> <p>(ii) "coastal zone" means the land area from high tide line to five hundred metres on the landward side along the sea front; and</p> <p>(iii) "prescribed" means prescribed by rules made under this Act.</p>	5
Setting up of National Authority for Rehabilitation of Persons Living in Coastal Zone.	<p>3. (1) The Central Government shall set up an Authority to be known as the National Authority for Rehabilitation of Persons Living in Coastal Zone.</p> <p>(2) The Authority shall consist of,—</p> <p>(a) the Union Minister of Environment and Forests, who shall be its Chairperson, <i>ex-officio</i>;</p> <p>(b) twelve members representing each of the coastal States/Union territories to be nominated by the Central Government in consultation with the concerned State Governments;</p> <p>(c) twelve members representing the persons living in each of the coastal zone to be appointed by the Central Government in such manner as may be prescribed;</p> <p>(3) The salary and allowances payable to, and other terms and conditions of service of members of the Authority shall be such as may be prescribed by the Central Government.</p> <p>(4) The Authority shall have its headquarter at Mumbai in the State of Maharashtra.</p> <p>(5) The Authority shall establish its office in every coastal State and Union territory.</p> <p>(6) The Central Government shall provide to the Authority such number of officers and other employees, as it thinks fit for the purposes of this Act.</p>	10 15 20
Functions of the Authority.	<p>4. (1) The Authority shall promote and provide, such measures as it thinks fit, for the rehabilitation and welfare of persons living in coastal zone.</p> <p>(2) The Authority shall provide to the persons living in coastal zone the following facilities, namely:—</p> <p>(i) alternate sources of livelihood;</p> <p>(ii) dwelling units at alternate sites;</p> <p>(iii) free educational facilities to the dependent children; and</p> <p>(iv) healthcare facilities free of cost.</p>	25 30
Central Government to provide funds.	<p>5. The Central Government shall, after due appropriation made by Parliament in this behalf by law, provide requisite funds for carrying out the purposes of this Act.</p>	
Savings.	<p>6. The provisions of this Act shall be in addition to and not in derogation of any other law, for the time being in force, regulating any of the matters dealt with in this Act.</p>	
Power to remove difficulties.	<p>7. If any difficulty arises in giving effect to the provisions of this Act, the Central Government may make such order to give such directions, not inconsistent with the provisions of this Act, as appears to it to be necessary or expedient for the removal of such difficulty:</p> <p>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 within a period of two years.</p>	35
Power to make rules.	<p>8. (1) The Central Government may, by notification in the Official Gazette, make rules for carrying out the provisions of this Act.</p> <p>(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,</p>	40 45

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 Central Government has declared coastal stretches as Coastal Regulation Zone in the coastal States of India in order to conserve and protect coastal stretches and its unique environment. However, the problems of fishing communities and persons living in coastal regions have not been addressed properly to ensure their livelihood security. No approval for new construction or repair of existing dwelling units is given to persons living in coastal stretches. Lakhs of inhabitants are residing in Coastal Regulatory Zone (Types I, II and III) in Cochin alone and several lakh persons may be residing in other coastal areas of the country. Many of the houses are in dilapidated condition and any natural calamity such as tsunami could result in heavy loss of lives and property. Since the regulation is in force, the houses which require urgent repairs cannot be rebuilt. Lakhs of people are suffering. There is a dire need to protect our coastal areas from all aspects, including environment and security, but the need to rehabilitate the affected persons living in coastal zone also cannot be underestimated.

Hence this Bill.

NEW DELHI;
November 5, 2019.

BENNY BEHANAN

FINANCIAL MEMORANDUM

Clause 3 of the Bill provides for setting up of the National Authority for the welfare of persons living in coastal zone. It further provides for salary and allowances payable to the members of the National Authority. Clause 4 provides for certain welfare measures to the people living in coastal zone. Clause 5 provides for payment of funds to the Authority by the Central Government.

The Bill, therefore, if enacted, will involve expenditure from the Consolidated Fund of India. It is estimated that an annual recurring expenditure of about rupees two thousand crore will be involved.

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

MEMORANDUM REGARDING DELEGATED LEGISLATION

Clause 8 of the Bill empowers the Central Government to frame rules for carrying out the purposes of the Bill. The rules will relate to matters of detail only, the delegation of legislative power is of a normal character.

LOK SABHA

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(Shri Benny Behanan, M.P.)