

Bill No. 339 of 2019

THE CONSTITUTION (AMENDMENT) BILL, 2019

By

SHRI RAJIV PRATAP RUDY, M.P.

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further to amend the Constitution of India.

BE it enacted by 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. In the Seventh Schedule to the Constitution,—

Amendment
of the
Seventh
Schedule.

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

5 (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 embankments, water storage and water power subject to the provisions of entry 56 of list 1.”

3. In the Twelfth Schedule to the Constitution, for entry 1, the following entry shall be substituted, namely:—

“1. Urban planning including town planning and management of water bodies in the municipal areas.”.

STATEMENT OF OBJECTS AND REASONS

Water is the most crucial need and it remains the fundamental necessity of Mankind. This necessity has turned itself into one of the basis human rights in India. With the per capita availability of water continuing to decline, the nation hurtles towards water scarcity. More than three quarters of India's rural population are dependent on ground water for drinking, but the country's aquifers are not only under remendous stress, the quality of water they provide is also deteriorating.

That India is on the verge of a water emergency is well evidenced in the recent past. Surveys also show that many cities will soon run out of water.

At this juncture it is important that the State's constitutional obligation towards water management and conservation be reevaluated. The scale of water crisis has increased enough for no one State's action and no one policy move to be enough in managing the issue. We require a multipronged action that looks at increasing forest cover to increase groundwater retention, allowing different levels of the federal structure to participate in water management.

With this background, the Bill seeks to amend the Seventh Schedule to the Constitution to transfer 'water' from the State List to the Concurrent List so that both Central and State Governments can legislate for the welfare of the citizens of the country.

Hence this Bill.

NEW DELHI;
November 6, 2019.

RAJIV PRATAPRUDY

ANNEXURE

EXTRACT FROM THE CONSTITUTION OF INDIA

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Seventh Schedule

(Article 246)

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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List III-Concurrent List

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

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(Shri Rajiv Pratap Rudy, M.P.)