

Bill No. 47 of 2024

THE FLOOD AND DROUGHT CONTROL BILL, 2024

By

DR. ALOK KUMAR SUMAN, M.P.

A

BILL

to provide for the constitution of a National Flood and Drought Control Board to control flood and drought and for matters connected therewith and incidental thereto.

WHEREAS entry 56 of List I-Union list of the Seventh Schedule to the constitution provides for regulation and development of Inter-State rivers and river valleys to the extent to which such regulation and development under the control of the union is declared by Parliament by law to be expedient in the public interest;

AND WHEREAS a lot of havoc is caused by floods and drought every year in almost all parts of the country;

AND WHEREAS it is expedient in the public interest to take effective measures to control flood and drought.

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 Flood and Drought Control Act, 2024.

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

Short title and commencement.

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| Definitions. | 2. In this Act, unless the context otherwise requires,— | |
| | (a) “Board” means the National Flood and Drought Control Board constituted under section 3; and | |
| | (b) “prescribed” means prescribed by rules made under this Act. | |
| Constitution of the National Flood and Drought Control Board. | 3. (1) The Central Government shall, by notification in the Official Gazette, constitute a Board to be known as the National Flood and Drought Control Board to perform functions assigned to it under this Act. | 5 |
| | (2) The headquarter of the Board shall be at New Delhi and regional office at Gopalganj in the State of Bihar. | |
| | (3) The Board shall consist of,— | 10 |
| | (a) a Chairperson; and | |
| | (b) a member representing each of the State Government and Union territory, to be appointed, from amongst persons of eminence having special knowledge and experience in the field of flood and drought control, by the Central Government. | |
| | (4) The salary and allowances payable to, and other terms and conditions of service of the Chairperson and other members of the Board shall be such as may be prescribed. | 15 |
| | (5) The Central Government shall make available such officers and staff to the Board as it may require for its efficient functioning. | |
| Functions of the Board. | 4. The Board shall,— | 20 |
| | (a) identify areas which are prone to floods and droughts; | |
| | (b) suggest measures for flood and drought control; | |
| | (c) make a time bound plan for inter-linking of rivers which are prone to floods with the ones which are not so; | |
| | (d) suggest measures for the development of land in areas which are prone to floods and drought; | 25 |
| | (e) install flood forecasting system in areas which are prone to floods; | |
| | (f) suggest steps that shall be taken to evacuate the inhabitants from flood affected areas to safer places; | |
| | (g) suggest measures to the State Governments for rehabilitation of inhabitants of flood and drought affected areas; and | 30 |
| | (h) suggest measures to the State Governments for rain water harvesting and construction of dams. | |
| Expenditure incurred on implementation of the Act to be borne by the Central and State Governments. | 5. The expenditure incurred on implementation of flood and drought control measures as suggested by the Board shall be borne by the Central Governments and the State Governments in such ratio, as may be prescribed. | 35 |
| Recommendations of the Board to be implemented by the Central Government. | 6. It shall be the duty of the Central Government to implement the recommendations of the Board: | |
| | Provided that where it is felt that any recommendation cannot be implemented due to any reason, the Central Government may, for reasons to be recorded in writing, inform the Board accordingly. | 40 |
| Annual Report. | 7. (1) The Board shall prepare, in such form and at such time in each financial year, as may be prescribed, its annual report, giving a true and full accounts of its activities during the previous financial year and submit a copy thereof to the Central Government. | |

(2) The Central Government shall cause the annual report to be laid, as soon as may be after receipt of the report under sub-section (1), before each House of Parliament.

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

Power to make rules.

5 (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, both House 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

India is the land of many great rivers. Disaster such as floods occur in almost all river basins of the country. The water resources of the country are not being fully utilized. Every year there are floods in some parts of the country which cause immense loss of life and property. It has been observed that at the same time, there is flood in one part of the country and the other part is affected by drought. The national resources are damaged by floods and drought. The problem, therefore, needs to be addressed urgently to mitigate the affects of floods and droughts.

Therefore, it is expedient in public interest to evolve an integrated and scientific approach to deal with the problem of frequent occurrence of floods and drought and to draw out a national plan fixing priorities for implementation of strategies in the future.

The Bill seeks to provide for the constitution of a National Flood Control Board to suggest measures to prevent flood and deal with the problem of drought in the country.

Hence this Bill.

NEW DELHI;
July 3, 2024.

ALOK KUMAR SUMAN

FINANCIAL MEMORANDUM

Clause 3 of the Bill provides for constitution of a National Flood and Drought Control Board. Clause 4 provides *inter alia* for a time bound action plan for inter-linking of rivers and installing of flood forecasting system. Clause 5 provides that the expenditure incurred on implementation of the provisions of this Act shall be borne by the Central Government and State Governments. The Bill, therefore, if enacted, would involve expenditure from the Consolidated Fund of India. It is likely to involve a recurring expenditure of about rupees one hundred crore per annum.

A non-recurring expenditure of about rupees one hundred crore is also likely to be incurred.

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 and as such the delegation of legislative power is, therefore, of a normal character.

LOK SABHA

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(Dr. Alok Kumar Suman, M.P.)