

**Bill No. 98 of 2019**

THE NATIONAL BOARD FOR WELFARE OF  
FLOOD VICTIMS BILL, 2019

By

SHRI AJAY MISRA 'TANI' M.P.

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BILL

*to provide for the constitution of a National Board for welfare of flood victims by making provisions of providing permanent shelters to flood victims, suggest measures to control floods 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 National Board for Welfare of Flood Victims Act, 2019.

Short title,  
extent and  
commencement.

5 (2) It extends to the whole of India.

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

Definitions.	<b>2.</b> In this Act, unless the context otherwise requires,—	
	(a) "Board" means the National Board for Welfare of Flood Victims constituted under section 3; and	
	(b) "prescribed" means prescribed by rules made under this Act.	
Constitution of the National Board for providing permanent shelters to flood victims.	<b>3. (1) The Central Government shall, by notification in the Official Gazette, constitute a National Board for Welfare of Flood Victims.</b>	5
	<b>(2) The headquarters of the Board shall be at New Delhi and its regional offices shall be located in the capital of each State.</b>	
	<b>(3) The Board shall consist of a Chairperson and such other members as may be prescribed.</b>	10
	<b>(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.</b>	
	<b>(5) The Central Government shall make available such officers and staff to the Board as it may require for its efficient functioning.</b>	
Functions of the Board.	<b>4.</b> The Board shall—	15
	(1) identify areas in every State which are prone to flood;	
	<b>(2) take steps to provide permanent shelters capable of withstanding the intensity of the flood to people in identified areas;</b>	
	<b>(3) formulate accelerated water drainage system in the residential areas located near rivers;</b>	20
	(4) take steps for plantation in nearby areas of river banks to mitigate the gravity of flood;	
	<b>(5) install flood forecast system to alert the persons residing in flood prone areas; and</b>	
	(6) make recommendations to the Central Government regarding minimizing the loss of lives and property in flood affected areas.	25
Expenditure incurred on implementation of the Act to be borne by the Central and the State Governments.	<b>5. The expenditure incurred on provision of permanent shelter to flood victims under section 4 shall be borne by the Central Government and the State Governments in such ratio, as may be prescribed.</b>	
Recommendations of the Board to be implemented by the Central Government.	<b>6.</b> It shall be the duty of the Central Government to implement the recommendations of the Board:	30
	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.	
Annual Report.	<b>7. (1)</b> The Board shall prepare, in such form and at such time, as may be prescribed, its annual report, giving a true and full account of its activities during the previous financial year and submit a copy thereof to the Central Government.	35
	(2) The Central Government shall cause the annual report to be laid before each House of Parliament.	
Power to make rules.	<b>8. (1)</b> The Central Government may, by notification in the Official Gazette, make rules for carrying out the purposes of this Act.	40

(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 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

India is an agricultural country where more than seventy per cent. of the people earn their sustenance from agriculture itself as it happens to be the principal source of their income. Besides natural resources, favourable atmosphere is also necessary for good produce. Polluted environment, unplanned and uncontrolled development leads to disruption in the weather-cycle in the country frequently culminating in the incidence of floods. In the recent past, floods have wreaked havoc in Uttar Pradesh, Madhya Pradesh, Bihar, West Bengal, Uttarakhand, Odisha, States. The floods have devastated hundreds of villages and caused severe damage to life and property as well as to crops. Alongside, agricultural land has been subjected to great soil erosion. Several parts of the country have to bear the burnt of devastating floods every year from June to September due to which millions of people get displaced and rendered homeless. Huge loss occurs due to the loss of crops, livestock as well as erosion of soil. In view of the problems faced by the flood victims, temporary arrangements of shelter and food are made for them.

Such temporary arrangements need to be put in place in the flood affected areas every year. There is a need to exercise an effective control and find a permanent solution by making arrangements for permanent shelters to the flood affected people with essential infrastructure like pucca houses, proper drainage system, community hall for livelihood in emergent situation and sheds for animals with proper provision of fodder, etc.

Hence this Bill.

NEW DELHI;  
*June* 10, 2019.

AJAY MISRA 'TANI'

#### FINANCIAL MEMORANDUM

Clause 3 of the Bill provides for constitution of a National Board for Welfare of Flood Victims. Clause 4 provides *inter alia* that Board shall take steps to provide permanent shelters capable of withstanding the intensity of the flood to people in identified areas, formulate accelerated water drainage system in the residential areas located near rivers and install flood forecast system to alert the persons residing in flood prone areas. Clause 5 provides that the expenditure incurred on provision of permanent shelters to flood victims shall be borne by the Central Government and State Governments in prescribed ratio. 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 thousand crore per annum.

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

#### MEMORANDUM REGARDING DELEGATED LEGISLATION

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

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*(Shri Ajay Misra 'Teni', M.P.)*