

**GOVERNMENT OF INDIA
WATER RESOURCES
LOK SABHA**

UNSTARRED QUESTION NO:5336
ANSWERED ON:28.04.2010
LEGISLATION ON DAM SAFETY
Thamaraiselvan Shri R.

Will the Minister of WATER RESOURCES be pleased to state:

- (a) whether the Government proposes to bring a legislation on dam safety;
- (b) if so, the details thereof;
- (c) whether the Government has sought opinion of the various State Governments in this regard;
- (d) if so, the details thereof and the response of the State Governments thereon; and
- (e) the time by which the legislation is likely to be introduced?

Answer

MINISTER OF THE STATE IN THE MINISTRY OF WATER RESOURCES (SHRI VINCENT H. PALA)

(a) Yes Sir.

(b) The proposed Dam Safety Legislation will provide for proper surveillance, inspection, operation and maintenance of all dams of certain parameters in India to ensure their safe functioning and for matters connected therewith or incidental thereto. The proposed Legislation seeks to enjoin responsibility on Central Government, State Governments and owners of specified dams to set up an institutional mechanism for ensuring safety of such dams and reporting the action taken. It defines the duties and functions of these institutions in relation to perpetual surveillance, routine inspections, operation and maintenance, maintenance of log books, instructions, funds for maintenance and repairs, technical documentation, reporting, qualifications and trainings of concerned manpower, etc.

(c) The recommendation for enactment of such legislation was originally given by a Standing Committee, under the chairmanship of Chairman, Central Water Commission (CWC), in its report titled "Report on Dam Safety Procedures" in July 1986. The need for legislation was also repeatedly emphasized by the National Committee on Dam Safety (NCDS) in its several meetings. Extensive consultation have been held by CWC with States on Dam Safety Legislation. The first draft of the proposed Bill was prepared by CWC in 1987 and was discussed with the representatives of State Governments in many meeting of the NCDS. Comments on the draft Bill were also received from twelve states (i.e. Andhra Pradesh, Bihar, Gujarat, Karnataka, Kerala, Madhya Pradesh, Maharashtra, Orissa, Rajasthan, Tamil Nadu, Uttar Pradesh and West Bengal) which were incorporated in the Daft (2002) Bill circulated to all states for enactment by respective State Assemblies.

(d) The Central Government has received requests for enactment of this legislation by the Parliament of India from the two states, namely the States of Andhra Pradesh and West Bengal. The Andhra Pradesh Legislative Assembly has adopted a Resolution on 24.3.2007 that the Dam Safety Legislation should be regulated in the State of Andhra Pradesh by an Act of Parliament. The West Bengal Legislative Assembly has also passed a Resolution (West Bengal Legislative assembly Bulletin Part-I dated 24.07.07) empowering the Parliament of India to pass the necessary Dam Safety Act under Article 252 of the Constitution of India.

(e) The introduction of the legislation on dam safety (The Dam Safety Bill, 2010) has been listed in the tentative list of Government Business, expected to be taken up during the Fourth Session of Fifteenth Lok Sabha, 2010.