

**GOVERNMENT OF INDIA
WATER RESOURCES
LOK SABHA**

STARRED QUESTION NO:100
ANSWERED ON:16.08.2012
GROUNDWATER FRAMEWORK LAWS
Gandhi Shri Feroze Varun; Thomas Shri P. T.

Will the Minister of WATER RESOURCES be pleased to state:

- (a) whether any assessment has been made by any agency on the quantum of water wasted/misused in the country;
- (b) if so, the details thereof;
- (c) whether the Government is taking any steps to frame new groundwater and water framework laws, so as to prevent misuse of groundwater; and
- (d) if so, the details thereof?

Answer

MINISTER OF THE STATE IN THE MINISTRY OF PARLIAMENTARY AFFAIRS & WATER RESOURCES (SHRI PAWAN KUMAR BANSAL)

(a) to (d) A Statement is laid on the Table of the House.

STATEMENT REFERRED TO IN REPLY TO PARTS (a) TO (d) OF STARRED QUESTION NO. 100 TO BE ANSWERED ON 16.08.2012 IN LOK SABHA REGARDING "GROUNDWATER FRAMEWORK LAWS" ASKED BY SHRI VARUN GANDHI AND SHRI P.T. THOMAS:

(a) & (b) No such assessment of quantum of water wasted/ misused in the country has been made by any Government Agency.

(c) & (d) Ministry of Water Resources is formulating a new National Water Policy (2012) guided by certain basic principles so that there is a unified national perspective in planning, development and management of water resources including ground water resources. The Draft National Water Policy (2012) inter alia recommends as follows:-

2.1 Even while it is recognized that States have the right to frame suitable policies, laws and regulations on water; there is a felt need to evolve a broad over-arching national legal framework of general principles on water to lead the way for essential legislation on water governance in every State of the Union and devolution of necessary authority to the lower tiers of government to deal with the local water situation.

2.2 Such a framework law must recognize water not only as a scarce resource but also as a sustainer of life and ecology. Therefore, water needs to be managed as a community resource held, by the state, under public trust doctrine to achieve food security, livelihood, and equitable and sustainable development for all. Existing Acts, such as Indian Easements Act, 1882, Irrigation Acts, etc., may have to be modified accordingly in as much as it appears to give proprietary rights to a land owner on groundwater under his/her land.

To prevent over-exploitation of ground water, Central Ground Water Authority under Ministry of Water Resources has undertaken the following regulatory measures:

Notification of 82 areas in the country by Central Ground Water Authority for regulation of ground water development and management.

Issuance of directions by CGWA to large and medium Industries using ground water in the over exploited and critical areas in the country (except in the water logged areas) to take up water conservation measures including recharge of ground water/rain water harvesting and adopt practices of treatment, recycle and reuse of waste water in their premises.

Evaluation of proposals based on site specific technical studies and guidelines laid by Central Ground Water Authority for issuing NOC for withdrawal of ground water for new industries/ projects falling in over-exploited, critical and semi-critical areas in the country.

Besides the above measures, Ministry of Water Resources had circulated a Model Bill to regulate and control development and management of ground water to the States/ UTs. So far fourteen States/ UTs namely Andhra Pradesh, Assam, Bihar, Chandigarh, Dadra & Nagar Haveli, Goa, Himachal Pradesh, Jammu & Kashmir, Karnataka, Kerala, Lakshadweep, Puducherry, Tamil Nadu and West Bengal have enacted ground water legislation. The matter is being actively pursued with other States.

