

15.33 hrs.

CITIZENS WELFARE BILL, 1987\*

[English]

SHRI G. S. BASAVARAJU (Tumkur): I beg to move for leave to introduce a Bill to provide all citizens with houses, essential commodities at a cheaper rate and to provide job at least to one member of each family.

MR. CHAIRMAN : The question is :

“That leave be granted to introduce a Bill to provide all citizens with houses, essential commodities at a cheaper rate and to provide job at least to one member of each family.”

*The motion was adopted.*

SHRI G. S. BASAVARAJU : I introduce the Bill.

15.34 hrs.

INDIAN PENAL CODE (AMENDMENT) BILL, 1987\*

(Insertion of new Chapter V B)

[English]

SHRI K. RAMAMURTHY (Krishnagiri): I beg to move for leave to introduce a Bill further to amend the Indian Penal Code.

MR. CHAIRMAN : The question is :

“That leave be granted to introduce a Bill further to amend the Indian Penal Code.”

*The motion was adopted.*

\*Published in Gazette of India Extraordinary Part II, Section 2, dated 27.2.1987.

SHRI K. RAMAMURTHY : I introduce the Bill.

15.35 hrs.

FLOOD CONTROL AUTHORITY OF INDIA BILL 1986—Contd.

[English]

MR. CHAIRMAN : We shall now take up further consideration of the following motion moved by Dr. Chandra Shekhar Verma on the 21st November, 1986 namely :—

“That the Bill to provide for the setting up of a flood control authority of India to control floods and for matters connected therewith, be taken into consideration”.

Shri Girdhari Lal Vays may speak.

[Translation]

SHRI GIRDHARI LAL VAYS (Bhilwara) : Mr. Chairman, Sir, I support the Flood Control Authority of India Bill, 1986 moved by Dr. C.S. Verma. This Bill has been presented keeping in view the heavy loss caused by the floods in our country. Floods cause a loss of about Rs. 2000 crores every year. You might be knowing that Dr. Rao, our former Irrigation Minister had prepared an ambitious plan to Inter-link the various rivers of the country to provide the surplus water to the scarcity areas. He had said that by this plan the surplus water could be supplied to the dry areas and it would increase the food production of the country and in this way, we would not only be able to meet our own requirements, but would also be able to assist some other needy countries of the world as well. He had prepared such a very useful scheme. Had this scheme been implemented, we would certainly have saved ourselves from the heavy loss caused by the floods throughout the country.

[Shri Girdhari Lal Vyas]

It has been our experience that all the projects which we undertake are not completed within the stipulated time. The projects, whether of the Central Government or the State Governments, are not completed within the stipulated time. For example the Rajasthan Canal, which has now been named as Indira Gandhi Canal, was a project having an outlay of Rs. 250 crores only and it was to be completed within a period of ten years, but till today Rs. 1000 crores have already been spent on it and I think that an additional amount of about Rs. 1000 crores will be required to complete it. The delaying tactics are adopted by the officers of the concerned department so that estimated cost may increase due to the price escalation and the engineers may be able to make more and more money. It has caused huge loss to the country. Therefore, the problem cannot be solved merely by constituting an authority. As I was saying yesterday, also the Cotton Board, Coffee Board, Tea Board etc. have been set up. A large number of big officers are appointed on these Boards and crores of rupees are spent on them. The Boards are constituted for the development of cotton, coffee, tea etc. so that their production may increase. But actually nothing is done to increase the production and a large number of officers are appointed on these Boards. You can go through the States' Budget or the Central Budget, you will find that more than 60 per cent of the budget allocation is spent on Government officials and that is why the development of our country is lagging behind. Therefore, special attention should be paid to see as to how much expenditure has to be incurred on administration and how much has to be spent on development work for which the Board or authority is being constituted. This thing is not taken into account and as a result of that no development work is done by these Boards, Authorities or Commissions constituted for this purpose. Though the object of the Government is to do more and more development work and as a result of Government policies our country have made tremendous progress since Independence, yet we have not made that much progress which we should have made. Had financial discipline and

administrative discipline been maintained we would have gone far ahead. You may see other countries. China's example is before us that the biggest river of China which used to cause floods and damage thousands of square miles of land every year, has been completely controlled by that Government. Then why can the floods not be controlled in our country? The water which goes waste into the ocean can be utilised in dry areas to increase food production. But such arrangements have not yet been made and that is why the proposal to set up an Authority is a welcome proposal. But even after setting up the Authority, if floods are not controlled, this Authority will also become useless. Till now you have set up so many Commissions and Authorities in respect of Ganga, Narmada, Ravi, Bias etc. You have constituted separate Boards for each river and some development projects have also been prepared. What steps have been taken till now in respect of these development projects? Therefore, it is necessary to look into all these points. Had we made proper utilisation of our water resources, our national income, G.N.P. and per capita income would have certainly gone up. But we could not do so and that is why our country is still a backward country. Our per capita income is the lowest in the world. We are among the last five or six backward countries of the world and it is very difficult to come up. We have a large country with 70 to 75 crores of population and we have all natural resources and climates like summer, winter, rainy season etc. and yet we are backward, whereas other countries are progressing very rapidly.

The main reason for this is that we have not been able to execute these scheme properly as a result of which the whole system is getting disturbed.

If you ask the hon. Minister, then the reply you would get is that they have financial constraints, they do not have the funds, as a result of which they cannot execute these schemes. How are the funds raised and what are the methods of their utilisation? Is India the only country

which invests money? Did the other countries not invest the fund on priority basis? Could this country not invest money on priority basis to control these things so that the per capita income could increase and economic condition of the country strengthened? There should be strong commitment to do the things, then only this system will work. Efficient Government means a Government which should make arrangements to execute all the schemes efficiently. The date from which our young Prime Minister assumed the charge, a lot of work has been done during the last 2 years. Since then, a lot of development has taken place, a mention of which has been made by the Hon. President in his Address also. Until and unless we pick up the speed required to remove poverty, unemployment and under employment from this country, we cannot make progress. Just a little while ago, our hon. Minister was speaking. I heard his speech wherein he has stated that we have democratic system where such firmness could not be adopted as is found in dictatorial system. We also admit it. The opposition puts hurdle in our way. They try to find shortcomings in everything. But there is nothing to get afraid of them. If our heart and intentions are strong, we could certainly execute these schemes, which we wish to do. Therefore, I welcome the Flood Control Authority of India Bill brought forward by my friend, Mr. Chandra Sekhar. Such an Authority must be set up.

The work on the Narmada Scheme is going on in our country. Hon. Minister of Irrigation is present here and it is not known as to how long it would take for its completion. Till this scheme is completed, nobody knows the amount of water which will go waste. Our dry areas like Barmer, Jalore etc. may get water from this scheme. Had the scheme to bring the water of the Ganges and the Yamuna been executed, the districts like Bharatpur, Alwar, Jaipur, and Jhunjhunu would have got water. But God knows when these schemes would be completed and upto that time the water will go waste. Similarly, there are proposals to build small barrages and reservoirs on the Indra Gandhi Canal, and had this

scheme of Rs. 1100 or 1200 crores been completed, we would have made full use of its water and through this Canal 11 or 12 districts of Rajasthan, which are called the desert areas, would have got water. This is such an area where even God's grace is not bestowed. There the children, who are 5 to 7 years of age, do not know as to what the rain is, what does it mean by rain-drops, because they did not at all see the rains. Had we completed these schemes in such areas, we would have gained a lot in developing these areas and the foodgrain production in India would have increased. In our areas waters of a number of rivers go waste, such as the waters of Kali Sind River and Parvati River goes waste. There are a number of rivers in Kota and Jhalawar where dams could have been constructed and they would irrigate the entire area. And the flood waters which caused a great loss to these areas could have been checked by constructing dams on the rivers and their waters could have been utilised for irrigation purposes. Mr. Chairman, Sir, through you, I would like to submit to the hon. Minister that he should complete the schemes of constructing dams on these rivers on a priority basis alongwith his flood control measures so that the dry land of India could get water and our production would increase more and more. These arrangements should be made in order to strengthen the economic condition of the poor people of India. I welcome the Bill which has been brought forward here and with these words I support it.

[English]

MR. CHAIRMAN: The time allotted to this Bill is coming to an end. Still, four hon. Members have expressed their desire to speak. Then the Minister and the mover of the Bill. Do you want to extend the time?

SOME HON. MEMBERS: Yes, Sir.

MR. CHAIRMAN: Do you want to extend it by an hour?

SOME HON. MEMBERS: Yes, Sir.

MR. CHAIRMAN: It is agreeable?



SOME HON. MEMBERS : Yes, Sir.

MR. CHAIRMAN : The time is extended by one hour.

Shri A. C. Shanmugam.

[Translation]

\*SHRI A.C. SHANMUGAM (Vellore) : Sir, I rise to support the measure brought by Dr. Chandrasekhar Verma. The Flood Control Authority of India Bill, 1987 is a timely measure especially when Tamil Nadu is entangled in the vicious circle of drought and flood every year. This is thus an essential piece of legislation for our country.

Two months ago, Andhra Pradesh was affected by floods and a heavy loss of Rs. 1500 crores to property had occurred. 2000 villages are affected, 126 people lost their lives.

Bhopal has also been affected by floods; 20 districts have been affected; 68 persons have died. In Kerala damage to the tune of Rs. 343 crores has been caused by floods. Calcutta, Assam and Punjab have also been affected. In Bihar alone, 75,000 persons have been affected by floods.

In Madhya Pradesh, the damage caused by floods during 1985 is of the order of Rs. 73 crores. In 1979 alone, damage to the tune of Rs. 975 crores occurred and in 1980 it was Rs. 152 crores.

As my previous speaker from the Congress Benches pointed out, in India, on the one hand there is drought in Rajasthan, Tamil Nadu and other States and on the other hand there are floods in Punjab and other States. This situation must be basically remedied. In India, in 1983 alone, property worth Rs. 2,692 crores was damaged and in 1984-85 damage in respect of property and crops was to

the level of Rs. 1650 crores. The previous Government have failed to find out a permanent solution to this chronic problem. We are taking only temporary measures like disbursement of relief doles and food packages. But, it is a sad state of affairs that we have not so far taken any permanent measures to avert the unfortunate consequences of floods and drought.

One would gasp to know that the past 3-4 years, a damage of Rs. 3,000 to 4,000 crores has been caused to life, property and crops in India due to floods. Particularly the loss of foodgrains and crops due to floods is loss that can never be compensated.

The same Congress member who just spoke just before me referred to the Ganga-Yamuna river and we know that they are perennial rivers and waters are wasted into the seas. If the waters are diverted to benefit dry areas, we could not only prevent the wastage of an essential national wealth but also help irrigate the drought hit areas. I, therefore, welcome the suggestion of the Honourable Member for diverting the waters of Ganga to Rajasthan. In this connection, I appeal to the Honourable Prime Minister and the Irrigation Minister to undertake steps to complete the river project connecting Ganga and Cauvery which is pending for long. If Shri Rajiv Gandhi's period is to be inscribed in golden letters in Indian history, if India is to become the first along the world nations, and if we are to march forward towards progress in rapid strides, it can be done only through completion of this Ganga Cauvery Project. I bring this to the attention of the Hon'ble Minister for irrigation. Let this take many years. Considering the damage to life and property over the last 3 to 4 years and a loss to the tune of Rs. 5,000 crores, I could say that the project may be made into a long-term project, say a 20 year project, and executed accordingly. That is how with some Rs. 200 crore allocation every year this could be completed in 20 years if not in the 15 years. This would alleviate the miseries of flood and drought which are playing havoc in many of the

\*The Speech was originally delivered in Tamil.



States. This would benefit the people from Kashmir to Kanyakumari.

I would like to draw the attention of Honourable Minister to the delay in sending study teams by the Central Government to drought-hit areas. The State Government authorities estimate the loss at Rs. 500 crores. The Central study team makes a survey and that too with considerable delay, say for 2 to 3 months, and afterwards reduces the claim to Rs. 100 crore only.

This sort of bureaucratic delay and red-tapism must go. In the recent floods in Andhra, the State Government had asked for Rs. 1680 crores but the Central Government has agreed to give only Rs. 1180 crores. The Hon'ble Minister may kindly know that the deficit of Rs. 500 crores will have to be made by the State Government by curtailing expenditure on some essential developmental activities. Therefore, I request that the Government must accept the claim of the State Government as regards the estimate of loss due to floods and drought without any dispute and financial assistance must be rushed without delay. The same Andhra Pradesh Government asked for 15 lakh tonnes of foodgrains as aid to flood victims but the Central Government had agreed to give only 10 lakh tonnes of foodgrains. I request the Government to send the remaining 5 lakh tonnes of foodgrains immediately to the State.

In the case of flood, the Central financial assistance is treated as a non-plan expenditure. However, in the case of drought it is treated as an advance money from the plan expenditure for the State and adjusted against it thereafter. Why two natural calamities should be treated on two different footings. This situation must not continue. In the same way, I request the Minister to consider the option of earmarking 2% or 3% of the total plan expenditure for relief operations during floods and drought. This is because floods and drought have really become a chronic ailment. These do not occur every 20 years or 30 years. The relief funds should be held always in reserve so that as the State Governments

rush monetary aid to the victims of these natural furies, the Central Government could also make a like effort and even precede the State Governments in rushing assistance. I would at this juncture point out to the Honourable Minister that the Central Government should have the same concern for the sufferings of the people as the State Governments are having.

The Tamil Nadu Chief Minister, Honourable Dr. M. G. Ramachandran has spoken in the National Development Council about the need of nationalising the inter-State rivers. Even the Tamil Nadu members of Parliament have voiced the demand to the Prime Minister and he generally agreed to the need for nationalising the inter-State rivers. I once again urge upon the Government to nationalise all inter-state rivers.

Water disputes ail almost every State. Disputes exist between Haryana and Punjab; between Kerala and Karnataka and Tamil Nadu. The only way to resolve these disputes is to nationalise the inter-State rivers. In this connection, I would like to urge upon the Minister to take steps to divert westward-flowing rivers in Kerala to Tamil Nadu so that the southern districts numbering five could benefit. This is our long pending demand. I hope the Honourable Minister will call both the disputing States to the negotiating table and help arrive at a solution.

The cauveri water dispute is also a long pending dispute. The Minister is also aware of it. The dispute involves both Karnataka and Tamil Nadu. According to the provisions of the agreement of 1924, between the State, the agreement is renewable after 50 years. However, the Karnataka Government is declining to renew the agreement. This situation is continuing for the past 13 years and so far 20 times talks were held between the disputing parties and once under the auspices of the Honourable Minister. A solution has not come to sight. Therefore we insisted for a Tribunal. I once again reiterate our demand for early

[Shri A. C. Shandmugam]

appointment of a Tribunal to go into the question. The appointment of a Tribunal is a must particularly when even the prosperous districts of Tamil Nadu, for example, Tanjore are reeling under drought. People have started migrating from Tanjore district to escape severe drought conditions.

Sir, I may also point out that nearly 30 to 35 percent of the agricultural lands in Tamil Nadu depend on Cauveri waters. But the river is now dry and one can see the sand bed only. It is also painful to note that since the Karnataka Government has constructed five or six dams even without the permission of the Central Government, the flow in the river has come to nil.

16-00 hrs.

The matter was litigated in the Supreme Court in 1971. However, the former DMK Chief Minister Mr. Karunanidhi, at the instance of the Central Government, withdraw the case and thus committed the biggest wrong against his own people. We still hope that the verdict of the Supreme Court would have helped a lot in the matter, I, therefore, request the Honourable Minister to appoint the Tribunal to go into the dispute regarding Cauvery waters. Sir, all the districts of Tamil Nadu are worst affected by the failure of monsoons for the past 4 to 5 years. Particularly, the North Arcot district is badly hit by drought. Even drinking water is not available. Many villages have to be vacated because there is not even underground water. However, the Tamil Nadu Government is taking relief measures on war-footing. Deep water wells are being dug. Employment opportunities are also being provided to agricultural labourers. I request the Central Government to despatch immediately a study team to Tamil Nadu and temporarily provide Rs. 400 or 500 crores for relief measures.

Lastly, I want to state one thing. The Madras city is a big city. The water in the reservoirs is not sufficient even for 10 more days. This would lead to mass

vacation of the city. However, deep water wells are being dug. Water is also transported in lorries for distribution in the city. To avert such a situation, the Government's of Tamil Nadu and Andhra in the presence of Smt. Indira Gandhi had agreed for the Krishna Water Project. Funds for the construction of canals were exchanged between the Chief Ministers of both the States in the presence of Smt. Gandhi who assured to provide all possible central assistance to the Project for its early completion. The same Government continues in the Centre under her illustrious son Shri Rajiv Gandhi. However, the Government is now putting hurdles in its completion. Ministry of Environment and Forests are objecting to the clearance of forests for the construction of canals. I suggest to them to plant trees on both sides of the canal and thus compensate the loss of trees while felling them for construction of the canal. However, I could point out that there are no forests as a matter of fact, but small thorny bushes. Therefore, there should be no objection in clearing them and constructing the canal. The Krishna Water Project must be completed at all costs. Only this would help in providing drinking water to 60 lakhs of people. This only could save Tamil Nadu. I request the Minister to take all possible steps for execution of the Krishna Water Project. With these words, I thank you, Sir, for giving me an opportunity.

16-03 hrs.]

[SHRI N. VENKATA RATNAM  
in the chair]

\*SHRIMATI JAYANTI PATNAIK (Cuttack) : Mr. Chairman Sir, I would like to speak in my language Oriya. The hon. Member Dr. Chander Shekhar Verma has moved the Flood Control Authority of India Bill. I would like to speak a few words in support of this Bill.

Sir, India is the country of rivers. While the major rivers like Ganga and

\*The speech was originally delivered in Oriya.



Yamuna are flowing in the Northern part of India, Godavari, Krishna and Kavery are flowing in the South and the mighty river Brahmaputra in the Eastern region whereas the perennial river Narmada is flowing in Western India. These rivers contain the water resources of the country. For this reason the people of India while worshipping the Gods and goddesses also worship these rivers saying "Gangeicha, Yamunecha." Though we get a lot of benefits from these rivers we also bear a great loss due to the occurrence of severe floods in these rivers. Therefore, there is a proverb in Oriya which means that the survival of human civilisation is impossible without water and at the same time excessive water destroys many civilisations. Therefore, Sir, it is very necessary to utilise every drop of water which is now going waste and causing flood. This can be done by adopting effective flood control measures. Flood is nothing new in India and it has become a great national calamity. The intention of the establishment of the Flood Control Authority is to have a comprehensive and integrated planning.

It is regrettable that the fury of floods have been increasing every year despite several measures taken by our Government to control floods. We have been able to control floods to a large extent by constructing major river dams like Hirakud and Bhakra Nangal. Funds have been earmarked in five year plans. In the words of Pt. Jawaharlal Nehru, the first Prime Minister of India, dams are like temples. Some long term floods control plans have been formulated. Flood control measures have been undertaken in 13 million hectares till the end of 1985-86. With this rate it will take many more years to control floods in all parts of our country. Therefore, we have to accept floods as national calamity and take some effective steps and, if necessary, we may try for World Bank assistance for flood control measures.

Sir, while discussing the flood control Authority Bill we should also find out the causes of floods. In the past, excessive rain fall was the only cause of floods which submerged thousands of acres of

land. Thousands of huts and mud houses collapsed due to breaches in embankments and resulted in enormous loss to crops, human life and cattle wealth and displacement of population. However, fury of the floods which occur every year effecting thousands of hectares of land causing serious silting problem has now been checked. Increasing degradation of forest has now emerged as another main factor for the occurrence of floods. It is regrettable that the unabated felling of trees has not been checked. However, I must thank the hon. Prime Minister for taking decision at the national level to save the forests and to undertake plantation schemes. Legislation have been enacted to preserve forest wealth and centrally sponsored plantation programmes have been undertaken in different States. But merely by allocating funds by the Central Govt. for plantation programme, we cannot preserve our forests. We must first check the degradation with the cooperation of the State Govts. voluntary agencies and common masses. However, I am happy that our Prime Minister has expressed his concern over the situation and some timely steps have been taken by him in this direction.

Sir, we have constructed some major dams in the country for flood control. But now as I feel instead of going for construction of major dams which need huge funds and several years for completion, we should take up small dams which involve lesser time and cost. Central Government and in some cases State Govt. also can undertake the construction works and thus we can achieve our objective in a few years and provide relief to the people. By saying so I do not mean that the major dams which are under construction should be left incomplete. As we have already made huge investment in them we should try to complete them as early as possible. In this context I would draw the attention of the Minister towards some such multi purpose projects which are under construction in Orissa. They are upper Kolab, Indravati Subarnarekha and Reagali. Upper Kolab and Indravati are located in Koraput and Kalahandi which are predominantly tribal districts.



[Shrimati Jayanti Patnaik]

The cost of these projects has gone many fold to the original estimate. These projects on completion can irrigate thousands of acres which are considered drought prone areas. They can also provide adequate flood control measures. Therefore I urge upon the Government to provide necessary funds for their early completion.

The inter-State Subernrekha project is not yet complet. Which on completion can provide flood control measures and irrigation facilities in Mayurbhanj and Balasore districts in Orissa. As you know Mayurbhanj is a backward district with sizeable tribal population. It will also provide irrigation facilities in some drought hit areas in Bihar and West Bengal States. Annual occurrence of floods can be checked in large areas of these three States. Therefore, Government of India should arrange sufficient World Bank Funds for inter-State Subarnrekha project and construction work should be undertaken expeditiously.

Another important inter-State project is Bansadhara. The Government of Orissa has agreed to release 106 acres of land which will be submerged by this project. An accord has been signed between Andhra Pradesh and Orissa to construct this project. I request the Central Government to provide adequate funds for this project.

Sir, Orissa is one of the chronically flood affected State of India. In the recent past floods of varying intensities have occurred in the years 1980-82-84 and 1985 in Orissa. Of these the floods of 1980, 1982 and 1985 caused heavy damages in the State. Several expert committees have examined the problems of floods in that State and suggested the strengthening of embankments, renovation of drainage system and construction of new drainage channels to guard against flood as well as water logging.

Out of a total of 41,000 sq. K. metres flood prone and water logged areas of the State an area of 28,000 S. K. has been provided protection of varying degrees

and work is still going on. There are 157 numbers of flood control schemes in Orissa which have spilled over to 7th plan due to inadequate provision of funds during 6th plan period. As you know Orissa was once considered to be a backward State in agriculture. Now we have made good progress in agricultural production but we have yet to come up to the level of other agriculturally developed States like Haryana and Punjab. Large acres of land in almost all the coastal districts of the State and the Western districts of Bolangir and Samhalpur are affected by flood every year. These extensive loss caused to crops has broken the backbone of the farmers in these districts. Therefore, it is necessary that adequate funds should be provided during the 7th plan period to complete the ongoing flood control schemes in Orissa.

I would like to bring it to the notice of hon. Minister another important matter. Sir, the Central Water Commission, Hyderabad has opened an advance flood forecasting division at Burla in Orissa. As you know Orissa suffers huge losses due to the flood in rivers like Mahanandi, Brahmani, Baitarani, Subernrekha, Kuakhai, Nagabali, Banshdhara, Chitrotpala and Budhabalanga. Mahanandi is the largest river among them which originates from the plateau of Madhya Pradesh and flows in large areas of Orissa spreading over four districts. The advance flood forecasting division, Burla plays a significant role at the time of floods. People living besides the river get advance information about the occurrence of flood through this division. Now, some vested interests have hatched a conspiracy for shifting this division office to Raipur in Madhya Pradesh. As this advance flood forecasting division helps the people to a large extent at the time of flood, I urge upon the Government not to shift this division to any place. It should continue to function there. At the same time, steps should be taken to open more advance flood forecasting centres at Banki and other places in Orissa.

During the sixth plan period a sum of Rs. 115.40 lakhs had been allocated to the flood forecasting division for flood forecasting net work in Mahanandi basin in

Orissa. But I am sorry that the flood forecasting division could not spend the entire amount during that plan period and surrendered 35 lakhs of rupees. It is understood that the flood management coordination circle, New Delhi has deleted that amount from the total allocation made for the 7th Plan. This is really very unfortunate and the entire amount earmarked for flood forecasting should be spent by the concerned flood forecasting division.

Lastly I urge upon the Government to implement flood control measures in different States including Orissa effectively. Special funds should be earmarked for this programme. If the flood control authority can be set up it should exclusively undertake the flood control programmes. This authority should be empowered to take independent decision in this direction. Sufficient funds should be provided to this authority. This Bill seeks to achieve some noble objectives. Therefore, I support this Bill wholeheartedly. Thank you for giving me opportunity to speak on this Bill and with these words I conclude my speech.

SHRI RAM NAGINA MISHRA (Salempur) : Mr. Chairman, Sir, I would like to thank you for giving me a chance to speak on this important subject soon after you took the Chair and secondly I would like to thank him who brought forward this Bill. There was a dire necessity for this. Sir, I do not want to speak about the entire country. My other colleagues will speak on that. But I would like to present the sorrows and sufferings of the State and the district to which I belong. I belong to district Deoria. During the rainy season, the Ghaghara and the Rapti assume a devastating role and Buri Gandak flows on the north of Deoria. It creates havoc on thousands of people every year. Crores and crores of rupees have been spent on rescue measures, but no protection could be provided to the people of this area so far.

Not only that, Sir, the Ghaghara joins Ganga in my area in Balia. Whenever there is flood in this area, it creates a

scene of annihilation and it appears as if there is sea all around. I belong to such a region. A few days ago a Central team had visited that area. Its Members contend that the Centre does not have funds to save the people from the havoc caused by the river, to control the floods in this river.

Sir, the Gandak originates from Nepal and joins Ganga in Bihar near Patna. Gandak passes through both U.P. and Bihar. The Government of Uttar Pradesh has constructed a very big dam to control the floods in this river. This dam has already been constructed up to the Bihar border. Thereafter the Government of Bihar did not continue the construction work for its portion falling in Bihar. The Government of Uttar Pradesh asked the Government of Bihar that if they were unable to construct this dam, they could very well entrust the work to them (U.P. Government). But, neither the Government of Bihar constructs it, nor they hand over the same to the Government of Uttar Pradesh. A few days ago, both the Chief Ministers of U.P. and Bihar had come to Deoria district. A congregation of Lakhs of people put forward a demand before them that the Piprasi Dam be constructed and this will save the district from destruction. There the Chief Minister of Bihar said that he would get it constructed, but later on it was understood that they are unable to do it. Sir, this is a matter which concerns both the States and due to both these States, crops worth crores of rupees and thousands of people in this area are facing destruction. Therefore, if this Bill, which has been brought forward here, is passed, the destruction caused by the floods could be checked. I would also request the hon. Minister to kindly get the piprasi Dam constructed so that havoc faced by thousands of farmers and the loss of crores of rupees could be stopped.

Sir, the Ghaghara and the Rapti join each other at Barhaj. The place at which these two rivers join each other near Barhaj and the areas on its banks are destroyed. Barhaj is a very big township. Sir, by the grace of God, funds had been sanctioned for it and plan had also been



[Shri Ram Nagina Mishra]

prepared, but no work has yet been started there. If this situation continues for the next two years, then that area will submerge in water. Similarly, the condition of Bhagalpur is also almost the same. If you go to Balia side, then the condition of Sitadih is also the same. The rivers fall in Ganga there. There also water has accumulated like that of a sea. Crores of rupees were spent there, but to no avail.

Sir, therefore, I would request you to set up a high powered committee and it must have adequate funds so that it could make efforts to control the floods and save the area from floods, caused by these rivers which are passing through several States.

Sir, you may call it the grace of God or you may call it the weakness of God, mostly this area is affected by floods and the same area is affected by drought thereafter. Neither we can be saved from the destruction caused by the floods nor we can get the benefit out of surplus water of floods. Water is the most essential requirement for agriculture and there is no dearth of water in our country. But the water is misused with the result that whenever there are floods, thousands of lives are lost in it and crops worth crores of rupees are destroyed.

Sir, there is an embankment at Chhitauni on the border of Bihar and Uttar Pradesh, from where the Gandak passes. The money which is spent every year on its maintenance is more than the value of the land there. If the funds spent on the maintenance are worked out, it will come to several crores of rupees. Within that cost two to three bungalows of the contractors are constructed every year. The contracts are awarded to carry out maintenance etc. Boulders worth lakhs of rupees are brought there. Some are washed away by the currents of waters and some are left there. As the two States are involved in it, it is not possible to take up any work there.

Similarly, there is an embankment at the Bihar border and the condition is the

same there. When the floods occur there, the Government spends a few lakhs of rupees to contain the fury of the floods, but it does not improve the condition. After 4 to 5 months, the rainy season will come and there will be floods in the river, but no preparatory measures have been adopted so far. When there will be floods, the Minister, officers and engineers will rush to the spot.

SHRI MOOL CHAND DAGA (Pali) :  
The Minister will visit the area by plane.

SHRI RAM NAGINA MISHRA :  
I was a little bit hesitant in saying this, because at least they see the plight of the people from the plane or the helicopter. The people also think that their Minister is seeing their plight. Whatever you have said is absolutely correct but what is the solution of this problem. The country is sustaining a huge loss this way.

There is no opposition to the Bill from the Members of this side and from that side. I would request the Government to pass this Bill unanimously. A high powered committee should be set up which may suggest ways to control the floods and to utilise the surplus waters. With these words? I support this Bill.

[English]

THE MINISTER OF WATER RESOURCES (SHRI B. SHANKARANAND) :  
I must thank the hon. Members who have participated in the debate for one thing that they have highlighted the issue of flood control in this country.

Though the discussion on the Bill was to be mainly concentrated on the issue of flood control, Members spoke on subjects which were not so relevant to the subject of the Bill. Members have chosen to speak about inter-linking of rivers, inter-state disputes, delay in clearance of projects, crop insurance and other issues which are not directly concerned with the provisions of the Bill. Therefore, at this hour, I do not choose to reply to all those queries made by the hon. Members on various aspects of developmental programmes and activities in the country.



The Mover of the Bill, Dr. Verma, has brought this Bill with good intentions to draw the attention of the Government, Parliament and the people all over the country to the urgent need to take flood control measures. Looking to the discussion and also issues raised by the hon. Members, I think, though there is a need for such a centralised Authority to take effective steps to control floods, the Bill contains various matters which, according to me, do not come within the competence of the Government of India to pass legislation as certain matters lie within the competence of the States, where the States alone are competent to legislate. Now, why at all the floods occur and the damage takes place? The factors for the flood are many—the population is increasing, more land is being brought under cultivation and irrigation, and more so, the human activities are taking place more on the flood-prone areas. There has been increasing encroachment on the flood-prone areas, there has been increasing agricultural activity on the flood-prone areas. As can be seen, even in Delhi the house building activities are going on right in the flood-prone area. So, when the floods come, naturally the damage is occurred. The State Governments are spending a lot of money in controlling the floods, they are taking steps of structural measures, but these are various measures by which the floods can be contained to a certain extent, they cannot be wholly controlled. The population of this country, as I said, is increasing and along with it, the economic activities are expanding and they are encroaching on the flood-prone areas.

Regarding the damages, between 1952 to 1985, on an average the floods have effected nearly eight million hectares, of which the crop area was around 3.65 million hectares and the average annual value of the crops damaged during this period was about Rs. 319 crores. On an average, about one lakh cattle and 1,448 human lives were lost annually during 1953 to 1985 and the average of the total damage to the country was put at Rs. 626 crores. Well, those are average figures for the last 30 years and in some cases the damage has been much more.

From the First Plan till 1985, that is,

the Sixth Plan Rs. 1,743 crores have been spent on flood control programmes and the area benefited is 13 million hectares. This has been achieved through the construction of embankments, drainage channels, etc. This is the reason why the hon. Member has brought this Bill asking the Government of India to take steps. But, if you look at the provisions of the Bill, the Mover of the Bill has resorted to Entry 56 of List-I. It is true that this Entry 56 of List-I says :

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 public interest”.

Entry 56 deals with inter-State rivers and river valleys. Looking to the provisions of the Bill, clause 2 of the Bill is about the setting up of Flood Control Authority of India. Clause 3 is concerned with the constitution of the Authority. Section 4 deals with, and this is a very important Section as far as the Bill is concerned, the functions of the Authority.

Clause 4(a) requires to identify the areas which are prone to floods. Clause 4(b) is to suggest measures for flood control. This also has been done by the Central Government. The measures are also taken by the State Government because flood control is basically the State subject. The State Governments are providing funds in their Annual Plans, Five Year Plan. They do provide outlays and they spend the money.

Clause 4(c) is to make a time bound plan for joining the rivers which are prone to floods with the ones which are not so;

[Translation]

SHRI RAM NAGINA MISHRA :

[Shri Ram Nagina Mishra]

Sir, I would like to seek a clarification. Rivers pass through two States and there is border between them. What measures are you taking to protect the land which is destroyed by such a river passing through various States ?

[English]

SHRI B. SHANKARANAND : You are right. I shall throw light on it later on.

To make time bound plan for joining rivers—the House is aware that the National Water Development Agency has been established by the Government. It is undertaking the study of investigation and identifying the areas and the sites where rivers can be linked. By now about a dozen river links identification have been established by the agency and further study is taking place.

4(d)—“to suggest measures for development of land in areas which are prone to floods but which become free from that as a result of measures taken for controlling floods”.

This is basically the development of land. Land is the subject of the State Government.

Now this Section does not clearly indicate that it is meant only for inter-State. This also contains the concept and the meaning of Intra-State Flood Control within the State which the Centre cannot do and according to the advice given by the Law Ministry, there is about whether we—Parliament—can legislate such a piece of legislation.

Clause 5—

“The cost of taking up the flood control measures suggested by the Authority shall be borne by the Central Government.”

Various Committees including the *Rashtriya Bad Ayog*. The Irrigation

Committees (as flood control cannot be tackled in isolation) and other water resource development activities are to be involved. This is to be a part of the water resource development. If that is the case, Mr. Chairman, Sir, the House is well aware that these projects, water resources development projects, are planned, funded and implemented by the State Governments. The Centre gives them the technical assistance. Of course in certain cases we give the assistance, loan assistance. But it is only funded and it is only planned by the States. Under the circumstances, clause 5 comes directly against the competence of the Government. Clause 6 says :

“There shall be constituted a Committee of Members of Parliament to the progress of flood control measures undertaken, as suggested by the Authority.”

Of Course, this has nothing to do with the intra-States' legislative competence, but still the question is whether such a body can be entrusted with activities of monitoring of the engineering requirements of the villages.

Clause 7 is not so relevant for my purpose, Sir. So, from this Bill I can say, and even according to the Law Ministry it is doubtful whether we can legislate on establishing such a Central authority for the flood control. But I do not want to take cover under the competence or otherwise of the Parliament to legislate such a piece of legislation. I know there has been a greater need, and rightly so, it is engaging the minds of not only the Members of Parliament, but also the people of this country as to whether floods can be controlled at all and mitigated.

Sir, the Prime Minister, Shri Rajiv Gandhi, last October visited Dowlaiswaram in Andhra Pradesh and there were unprecedented floods there and those floods played havoc on the lives of the people. The Prime Minister while pointing out that more attention has to be paid for the maintenance of the existing flood control system that a lot of work

has to be done to put it back in order. He further said that something has to be done with regard to the encroachments to flood control system that have taken place in some areas, otherwise the drainage system would not be adequate. Though he said particularly on his visit to Dowlaishwaram, it applies to all the States that the States have to maintain the present tempo of flood control activities and that they should see that no encroachments take place on the flood bank. Sir, at this moment I wish to inform the House that some time back there was a decision that the Government of India should prepare a model Bill for flood plane zoning and the Bill was prepared and it was sent to all the States.

PROF. N.G. RANGA (Guntur) : Have they formulated it ?

SHRI B. SHANKARANAND : This model Bill has been circulated to all the States years ago.

PROF. N. G. RANGA : Then what happened ?

SHRI B. SHANKARANAND : No State has taken any step in legislating such a sort of legislation except the State of Manipur. As a matter of fact, certain States were resisting, but only after the Dowlaishwaram episode, even the States like Andhra Pradesh acceded and said, 'Yes, there should be some such legislation.' I hope this is a lesson for all the States. They should take timely action to see that such a Bill is passed in their respective State Legislatures so that there will be some sort of mitigation of human miseries on account of floods. Their losses can be curtailed, the human life can be saved, the damage can be saved. And I take this opportunity to appeal to all the States that they should take action to see that such a Bill is passed in their respective States. The main question arises whether we will be able in this country to reduce and minimise flood damages. I say this because more funds are spent every year on the programmes of flood control and surprisingly, there has been an additional increase every year in the demand of flood relief from the

Centre. On the one hand, we are spending more money every year. On the other hand, relief expenditure is also increasing. In order to remove this anomaly, the States have to come forward put their head and heart to see that the money is spent properly. Not only the flood-control structural measures, but the non-structural measures also, should be strengthened regarding flood forecasting and flood warning and flood controlling and other activities which are needed on that spur of the moment where the floods unexpectedly hit the human lives. Though the point of river linking has been raised by many hon. Members, it is not for the purpose of mitigating the floods or controlling or reducing floods. It is for the purpose of increasing the development of irrigation potential in this country. We have to see whether the States which are suffering every year on account of floods and heavy loss of life are prepared to come together, specially with regard to Inter-State rivers where the river basin expands not only to one State but more than one State, where such river is passing through many States, and the river basin is one including all the States, whether the States are willing to come together to establish the various river boards, the Authorities, for the development of the entire river basin. Part of their duty will be flood-control. If that is done, perhaps we will be able to do something. Such River Boards are to take up all the steps with regard to the development of that river basin which needs intimate cooperation between the various States. Such River Boards can tackle this problem to some extent.

PROF. N. G. RANGA : That is where the Centre has to use its good offices.

SHRI B. SHANKARANAND : That is the reason why the Central Water Resources Council has been established under the chairmanship of the Prime Minister.

PROF. N. G. RANGA : Is it working ?

SHRI B. SHANKARANAND : The last meeting has taken place and it is wor-



[Shri B. Shankaranand]

king, and as per the direction of the Prime Minister, the National Water Resources Policy is being formulated which also contains the aspect of flood-control. This National Water Resources Council consists of Chief Ministers of all the States. They are the Members. Water Policy is being formulated. This National Water Resources Council has also to look and review the activities of flood-control by various States and by river authorities. If this is done and if the States all agree for the Authority of the Centre in the water-management of their States, perhaps this can be considered by the Government. But, it is common knowledge, that States are not willing to share their authority. They want to assert, as far as possible, their own authority in the development of whether land or water. They always point out the Constitutional provisions where the Centre cannot step in or step out. Under these circumstances, such a legislation becomes very difficult unless all the States agree. Fortunately, there has been an unanimity as far as the formulation of the National Water Policy and even with regard to flood control and development of river basin as a unit. This goes a long way in the development of this country—not only in the development of the country but also in maintaining the unity of this country. Eighty per cent of the rivers are inter-State rivers in this country. The rivers do not limit themselves to the State boundaries. Floods and droughts are also not limited to the State boundaries. They need action at the national level with the cooperation of all the States. I can very much appreciate the efforts made by Dr. Chandra Shekhar Verma in attracting the attention of the people and the Parliament of this country with regard to the problems of floods and droughts. But the provisions in the Bill, I feel, cannot be accepted in the sense that they are not within the purview of the Centre to pass a legislation. Otherwise, I have got all the sympathy for the intention of the mover of this Bill. We appreciate his intentions and we appreciate the views expressed by all the members who participated in the discussions on this Bill. I also share the concern of all the hon. Members who have expressed their serious concerns about the floods and the damages and ravages they caused in this country. It

needs further studies, further investigations and further probes into the competence or otherwise. I think a comprehensive Bill is necessary. Further, I am guided by the advice of the Law Ministry. If this Bill was entirely within the zone of inter-State relations, perhaps we would have considered this. But this does not demarcate in the sense of inter-State relations and intra-State aspects. That is the reason I doubt that we cannot pass such a legislation. I can assure the hon. Members of this House that we take all the steps that are necessary in assisting the States, to come to their aid—technically and otherwise—as far as possible within the resource constraint and help them to mitigate the miseries of the people by controlling the floods as far as possible and also helping them in inter-State water source development activities. I request the mover of the Bill that he may like to withdraw the Bill because the House is one on the intentions. We are not divided. But certain flaws and defects which are there in the Bill prevent us from passing such a legislation. In view of this, I request you not to press for this Bill and divide the House. We are unanimous as far as the intentions are concerned. I myself would have come forward to commend the Bill. I would request the hon. Member to withdraw the Bill in the interest of the nation.

[Translation]

DR. C. S. VERMA (Khagaria): Mr. Chairman, Sir, I would like to draw the attention of the hon. Minister, through you, to the feelings by which I was motivated to bring forward this Bill. This Bill represents the feelings of 80 per cent people of this country. This question is linked with the feelings of 80 per cent of the people. But, unfortunately, the subject which should have been given top priority, has not been taken up. If there is any problem in the country, the problem of floods, agriculture and farmers tops the list. This is predominantly an agricultural country, but the Government have not done anything for the farmers for the last forty years.

Our hon. Minister gives pretext of law for non-execution of the schemes to

check the floods. But I would say that the law should be amended. The Government should bring forward this kind of Bill on its own in some form so that we may be able to control the floods. We respect the sentiments of late Dr. K. L. Rao and want that his planning to take the waters of the Ganga to South India must be implemented. At present the three-fourth waters of the Ganga, the Gandak and the Kosi rivers flow into the sea. It is an irony that one part of the country suffers drought and the other part has to face the fury of floods. In one part there is famine whereas the other areas face the problem of water-logging. Our hon. Minister belongs to the South so he might not have the experience of floods. But the area which I represent is a point where most of rivers converge. I had told the Hon. Prime Minister that if there is any work to be undertaken for north-east zone, it is the flood control measure and nothing else. The flood control measure will give impetus to the development of agriculture. It will bring prosperity in the country. Agro-based industries will be set up and thus there will be development of north-east zone. At present there is great resentment among the people of north-east zone. As many as one lakh workers belonging to my region have migrated to Delhi. Similarly, lakhs of workers of our region have gone to Calcutta and Assam to seek jobs there. The main reason for such migration is floods which compel them to leave their hearth and home and children behind and migrate to other places. If you understand their hardships, I hope the Government will surely bring forward this kind of Bill on their own. The Government will not find any difficulty in doing so. The Visvesvaraiyya's report, Dr. K. L. Rao's report and other reports of different commissions like Irrigation Commission and Agriculture Commission favour undertaking flood control measures. Water is life and it is our national asset. A lot of water is going waste. If we take the waters of the Ganga and the Gandak to the South by constructing dam in accordance with the report of Dr. K. L. Rao, the whole of South can be converted into a greenery. There will be revolution in the field of agriculture as a result of which

our country will become prosperous.

You have constituted Central Electricity Authority. So, you will not find any difficulty in setting up a Flood Control Authority as well. The whole House will support you in this measure. I do not want that voting should take place here on this Bill, but I would like to request you that keeping in view the feelings of the people, the Government may bring forward a Bill here on its own so that 80 per cent people of this country may get some relief. With these words, I conclude and request the hon. Minister to bring forward this Bill in the next session.

Mr. Chairman, Sir, as the hon. Minister has requested to withdraw the Bill and has given assurance that he would himself bring forward such a Bill on his own and take flood control measures, I withdraw this Bill with the leave of the House.

[English]

I beg to move for leave to withdraw the Bill to provide for the setting up of a Flood Control Authority of India to control floods and for matters connected therewith.

MR. CHAIRMAN : The question is :

"That leave be granted to withdraw the Bill to provide for the setting up of a Flood Control Authority of India to control floods and for matters connected therewith".

*The motion was adopted.*

DR. C. S. VERMA : I withdraw the Bill.