

CHAPTER - 2

NATIONAL WATER POLICY

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Recognising water as a precious national asset, the National Water Policy embodies the Nation's resolve that planning and development of water resources should be governed by the national perspective. The policy recognises drainage basin as the basic unit of planning for development of water resources and calls for appropriate measures to optimise utilisation of this resource not only for the benefit of the people living in the basin, but also for transfer of surplus water to meet the requirements of areas which have shortage of water. The principal elements of the policy are :-

- Water is a precious national resource and its development should be governed by the national perspectives;
- The available resources, both surface and ground water, should be made utilisable to the maximum extent;
- Planning for water resources to be on the basis of the hydrological unit such as a drainage basin or sub-basin. Appropriate organisations should be established for the planned development and management of the river basins as a whole;
- Water should be made available to areas where there is a shortage by transfer from other areas including transfers from one river basin to another, after taking into account the requirements of the basins ;
- Project planning for development of water resources should, as far as possible, be for multiple benefits based on an integrated and multi-disciplinary approach having regard to human and ecological aspects and special needs of disadvantaged sections of the society;
- In the allocation of water, ordinarily first priority should be for drinking water, with irrigation, hydro-power, industrial and other uses following in that order ;
- The ground water potential should be periodically reassessed and its exploitation regulated with reference to recharge possibilities and consideration of social equity;
- Due care should be taken right from the project planning stage to promote conjunctive use of surface and groundwater;

- Maintenance, modernisation and safety of structures should be ensured through proper organisational arrangements;
- There should be close integration of water use and land use policies and distribution of water should be with due regard to equity and social justice;
- Efficiency of utilisation should be improved in all the diverse uses of water and conservation consciousness promoted through education, regulation, incentives and disincentives;
- Water rates should be such as to foster the motivation for economy in water use and should adequately cover the annual maintenance and operational charges and a part of the fixed cost;
- Farmers should be progressively involved in the management of irrigation system;
- There should be a Master Plan for flood control and management for each flood prone basin. In flood control and management, the strategy should be to reduce the intensity of floods by sound watershed management and provision of adequate flood cushion in water storage projects wherever feasible to facilitate better flood management of each flood prone basin;
- Land erosion by sea or river should be minimised by suitable cost-effective measures. Indiscriminate occupation of, and economic activity in coastal areas and flood plain zones should be regulated;
- Needs of drought-prone areas should be given priority in the planning of projects for development of water resources. These areas should be made less vulnerable through soil-moisture conservation measures, water harvesting practices, the minimisation of evaporation losses, the development of ground water potential and transfer of surface water from surplus areas where feasible and appropriate. Pastures, forestry or other modes of development which are relatively less water demanding should be encouraged;
- A national information system on water resources should be established with a net-work of data banks and data bases integrating and strengthening the existing Central and State level agencies;
- Training and research efforts should be intensified as an integral part of water resources development programmes.

Follow up Action

The Union and State Governments are taking necessary follow-up action on the recommendations of the Policy. State Water Policy has been framed by Governments of Kerala, Orissa and Tamil Nadu. The Governments of Arunachal Pradesh, Daman & Diu, Lakshadweep, Maharashtra, Haryana, Bihar, Meghalaya, Rajasthan, Nagaland, Mizoram, Andhra Pradesh, Jammu & Kashmir, Punjab, Himachal Pradesh, Karnataka and Pondicherry have already initiated action to follow the policy guidelines. The Government of Madhya Pradesh has drafted the State Water Policy and has taken up preparation of perspective plan for each river basin.

UPDATING/ REVISION OF NATIONAL WATER POLICY

Since the adoption of the National Water Policy in 1987, a number of problems and challenges have emerged in the development and management of the water resources sector. The National Agenda for Governance provided for adoption of a National Water Policy for effective and prompt settlement of disputes and their time bound implementation. Further, in his address to the Nation on 22nd March 1998, the Prime Minister had also stated that the Government would unveil a National Water Policy so that no water goes waste and we can clean up our water resources.

During the joint Presidential address to the two houses of Parliament the Government's intent was reiterated, "Government will present a Water Policy that will facilitate the creation of appropriate administrative, commercial and technological solutions to ensure that the present and future generations are not deprived of this life sustaining resource. Inter-State water disputes will be equitably resolved. The needs of environmental protection and afforestation will be fully addressed in achieving the goal of sustainable development." Therefore, the existing National Water Policy needs to be reviewed and updated in the context of existing problems/ emerging challenges and also in the light of the experiences of the last ten years of its implementation. Some of the important areas/ aspects, which need to be considered for their inclusion in the existing National Water Policy, include multi-sectoral perspective and participatory approach towards resource planning and management, private sector participation and integration of quantity, quality and environmental aspects in the water resources management, mandatory operation and maintenance, funding and related policies for revenue generation and reforms related to legislations, institutions, incentives/ disincentives, environment and technology etc. under the water resources sector.

Accordingly, the National Water Board in its meeting on 29.10.1998 reviewed the existing National Water Policy 1987, considered proposed changes and finalised the updated draft National Water Policy. The updated National Water Policy will be placed before the National Water Resources Council for its consideration and adoption.

NATIONAL POLICY GUIDELINES FOR WATER ALLOCATION AMONG STATES

The subject of water management includes issues of combating recurrent floods and droughts in the country which involves transfer of water from surplus to deficient areas for which agreement between basin States are required. In view of this fact, the issue becomes very complex. In most of the cases the interests of upper riparian States are in conflict with lower riparian States in regard to water sharing and thereby delaying the development and scientific management of water resources.

The National Water Policy was adopted by the National Water Resources Council in 1987. At the time of adoption of the policy, the Council had taken note of the necessity for formulating guidelines for allocation of water of inter-State rivers among the States. The National Water Board constituted under the National Water Resources Council has also indicated the need for such guidelines.

The draft "National Policy Guidelines for Water Allocation amongst the States" was considered in detail in the special meeting of the National Water Board held on 16-27 June 1994. In the light of suggestions and discussions held in the meetings of the National Water Board, the Ministry of Water Resources had prepared a draft National Policy Guidelines for Water Allocation among the States.

These were discussed in the eighth meeting of the National Water Board held on 6th November 1996. As consensus could not be reached, it was decided that further discussions would not be needed on these guidelines, which are of advisory nature; and, a detailed note indicating the points of agreement or otherwise could be prepared and placed for approval of the National Water Resources Council. As a follow up action on the decision taken in the 8th meeting of the National Water Board, a note indicating the points of agreements or otherwise on guidelines for allocation of waters of inter-state rivers among States was prepared and discussed in the 9th meeting of the National Water Board on 19th November, 1997 for finalisation wherein it was decided that the draft guidelines as finalised by

the Board, incorporating necessary modifications based on the suggestions received from the Members during the meeting, might be placed before the National Water Resources Council for its consideration.

The modified Guidelines will now be submitted to the National Water Resources Council together with the updated draft National Water Policy for its consideration and adoption.

NATIONAL WATER RESOURCES COUNCIL

National Water Resources Council (N.W.R.C.) was set up by the Government of India in March, 1983 as a national apex body with Prime Minister as the Chairman, Union Minister of Water Resources as the Vice-Chairman, and concerned Union Ministers, Chief Ministers of State Governments and Administrators/ Lt. Governors of the Union Territories as Members.

Secretary, Ministry of Water Resources, is the Secretary of the Council.

The functions of the Council are as follows: -

- a. To lay down the National Water Policy and to review it from time to time;
- b. To consider and review development plans submitted to it (including alternative plans) by the National Water Development Agency, the River Basin Commissions etc;
- c. To recommend acceptance of the plans with such modifications as may be considered appropriate and necessary;
- d. To give directions for carrying out such further studies as may be necessary for full consideration of the plans or component thereof;
- e. To advise on the modalities of resolving inter-State differences with regard to specific elements of these plans and such other issues that may arise during planning for implementation of the project;
- f. To advise on practices and procedures, administrative arrangements and regulations for fair distribution and utilisation of water resources by different beneficiaries keeping in view optimum development and the maximum benefits to the people; and
- g. To make such other recommendations as would foster expeditious, environmentally sound and economical development of water resources in various regions.

The Council has held three meetings so far. In the second meeting held on 9th September 1987 the National Water Policy was adopted unanimously. The third meeting of the N.W.R.C. was held on 6th February, 1996, when the

following issues/ policy papers were placed before the Council for consideration and adoption:

- i. Water Information Bill.
- ii. Policy note on setting up of River Basin Organisation.
- iii. National policy for resettlement and rehabilitation of persons affected by reservoir projects.
- iv. Modification of water allocation priorities specified by National Water Policy.
- v. Overall policy guidelines for water management and pricing of water for industrial purposes.
- vi. An approach to organisational and procedural changes in irrigation sector.
- vii. Irrigation Management Policy.
- viii. Guidelines for planning conjunctive use of surface and ground water in irrigation projects.

The decision of the Council on the above items remained inconclusive. Besides, controversies being faced in the water resources sector and Government of India's stand thereon improving the performance of existing projects, ultimate needs of stable population of India and future development plans to meet them during the next 20 years were also deliberated upon.

NATIONAL WATER BOARD

National Water Board was constituted in September, 1990 with Secretary, Ministry of Water Resources, as Chairman, Chief Secretaries of all the States/ UTs, Secretaries of concerned Union Ministries and Chairman, CWC as Members in order to review the progress of implementation of the stipulations of the National Water Policy for reporting to the NWRC and also initiate effective measures for systematic development of the country's water resources. Member (Water Policy and Planning), CWC is the Member-Secretary of the Board.

The Board has so far held ten meetings and a special meeting. The tenth meeting was held in October 1998.

In the tenth meeting of the National Water Board held on 29.10.1998, the updated draft National Water Policy (1998) was finalised for consideration of the National Water Resources Council.

STANDING COMMITTEE/ STANDING SUB-COMMITTEE FOR ASSESSMENT OF WATER FOR DIVERSE USES IN THE COUNTRY

Under the Government of India (Allocation of Business), (227th Amendment) Rules, 1995, Ministry of Water Resources is charged, inter-alia with the responsibility of national perspective of water planning and coordination in relation to diverse uses of water. With a view to enable the Ministry to discharge its mandated role mentioned above, a Standing Committee and a Standing Sub-Committee have been constituted on 4th September, 1996 in the Ministry of Water Resources for overall national perspective to water planning and coordination in relation to diverse uses of water. Both the Standing Committees have met thrice so far and a document on "Assessment of Availability and Requirement of Water for Various Uses in the Country" is presently under finalisation by them.

The States/ UTs were requested to set up similar State Level Standing Committees for overall water planning and co-ordination in relation to diverse uses of water. Almost, all the State Governments have set up such Committees.

PRIVATE SECTOR PARTICIPATION IN IRRIGATION AND MULTI-PURPOSE PROJECTS

Water resources development of the country is passing through a very difficult phase due to financial constraints. It has been felt that in addition to the governmental efforts, private sector participation in irrigation and multi-purpose projects should be encouraged so that the ongoing projects which are languishing can be completed at the earliest and, new projects which Governments are not able to take up for implementation for want of adequate funds can be taken up and completed early to derive the benefits from these projects.

A High Level Committee under the Chairmanship of the then Minister of State for Water Resources was constituted in 1995 to examine the feasibility and scope of Private Sector Participation in Irrigation and Multi-purpose projects. The Committee comprised officials of the Ministry of Water Resources, other related Ministries of the Government of India and representatives of some of the State Governments.

The Committee in its report submitted in December 1995, concluded that while private sector participation was feasible in respect of all irrigation (surface and ground water) and multi-purpose projects, it would be desirable to introduce this on a pilot basis for selected projects that did not have

problems of inter-state issues, security etc. The recommendations of the Committee have been sent to the States for taking further follow up action.