

**Speech of Thiru K.V.Ramalingam, Hon'ble Minister for Public Works, Govt. of Tamil Nadu at the 6<sup>th</sup> Meeting of National Water Resources Council 28<sup>th</sup> December, 2012, New Delhi.**

Hon'ble Prime Minister,

Hon'ble Union Ministers,

Hon'ble Minister of State for Water Resources,

Hon'ble Members of the Water Resources Council,

Ladies and Gentlemen,

I, at the outset, convey the inability of the Hon'ble Chief Minister of Tamil Nadu Puratchi Thalaivi J Jayalalithaa to be present with us in this meeting. I thank our Hon'ble Chief Minister for permitting me to be present here to convey the stand of our Government on the Draft National Water Policy, 2012.

Tamil Nadu depends heavily on rains for recharging its water resources and the State receives 80% of precipitation from the South West and North East monsoons. As far as the South West Monsoon is concerned, Tamil Nadu is considered as a rain shadow region as it lies on the leeward side of the Western Ghats. In addition to this, researchers predict changes in the intensity of rainfall and reduction in number of rainy days resulting in flash floods which cannot be stored effectively for future use. According to a study carried out by Indian Council of Agricultural Research (ICAR), the frequency of drought in entire Tamil Nadu is once in three years. Therefore, change in climate leaves very little room for increasing the water potential. The total surface water potential of the State has been assessed as 853 T.M.C.ft., which includes 261 T.M.C.ft., contributed by the neighbouring States. The surface water potential has been fully harnessed. Tamil Nadu is the pioneer in Water Resources Management and is a model for other States.

I wish to state that our Government is already in the process of implementing Participatory Irrigation Management in a sub-basin framework

through Water Users Associations under the Tamil Nadu Irrigated Agriculture Modernization and Water Bodies Restoration and Management Project which is implemented in the State with the assistance of the World Bank. The Government has been taking continuous efforts to improve water use efficiency and the service delivery mechanism of the irrigation sector, through capacity building at various levels. As per the Hon'ble Chief Minister of Tamil Nadu Puratchi Thalaivi J Jayalithaa's Vision 2023, the Government of Tamil Nadu intends to make rapid strides in these fields, with the funding of Government of India and also under the Public Private Partnership mode. We appeal to the Government of India to encourage such projects which will focus on the improvement of infrastructure in the water sector and overall Governance.

In Tamil Nadu, the utilization of Ground water is about 80% of the available groundwater resources and its usage is already put to stress. Our Government is implementing Artificial Recharge Schemes to recharge the ground water potential which is very limited in space and time.

May I, with the permission of the Chair, raise certain important issues which require immediate attention by this august body before the draft policy is adopted?

- a) Any National Policy should be in consonance with the Federal framework of our Constitution. In the proposed National Water Policy, there are certain issues which directly infringe on the rights of the State Government and, therefore, it should be left to the State Governments to decide on those issues.

For example:- Devolution of Authority for the legislation on water should vest with the State Government. There is no need to evolve a National legal frame work.

- b) Inter-State water disputes should not hamper optimum utilization of water especially for lower riparian States. The policy should, therefore,

ensure that the Upper riparian States do not object to the utilization of water by the lower riparian States especially in the drought prone and needy areas and the lower riparian State should not be compelled to get the concurrence of the other co-basin States for the projects enunciated.

- c) The existing Agreements, Awards of Tribunals, Covenants etc., should be protected in Inter State River Projects.
- d) In the scheme of things, priority should be given to domestic water supply by local bodies and Government Institutions. Drinking Water supply on commercial basis by large private industrial sectors should not be considered as domestic water supply.
- e) The policy states that in the water rich eastern and north eastern regions of India, the water use infrastructure is weak and needs to be strengthened in the interest of food security. This conveys an impression that the infrastructure is adequate in other regions. Instead, the policy should concentrate on "Strengthening water use infrastructure wherever it is weak" in the entire country.
- f) The policy envisages "An institutional arrangement for promotion, regulation and evolving mechanisms for efficient use of water at basin/sub-basin level at the National level. It is our State's firm view that such an institution should be present only at the State level.
- g) Water Tariff:- The draft National Water Policy 2012, insists on water pricing and as a consequence, energy pricing as per economic viability norms. This is a clear infringement on the powers of the State Government. The State Government itself can decide whether water should be priced as an economic good or not. To insist on tariff and an Authority to fix the tariff will only lead to social unrest and we are against such a policy. In the absence of sufficient studies establishing linkages

between usage efficiency and pricing, it is not correct to push through this measure in the guise of improving water usage efficiency.

- h) Dam Safety:- The State owning dam under whose control the dam is operated and maintained should have authority in matters related to the dam inspections, analysis of information reports or recommendations regarding regulating dam safety status, and measures to be undertaken to improve dam safety in respect of the dams located in another State. The Government of Tamil Nadu has already opposed certain provisions forming part of the Dam Safety Bill, since such provisions will be detrimental to the Dam owning State located in an other State and has urged the Government of India to delete such provisions from the Bill and has further suggested certain modifications. These are to be looked into in the proper perspective so that the rights of the Dam owning State are not infringed.
- i) The Project planning of all water resources projects which will have inter-state ramifications including hydro power projects should be managed by Central Government utilities (Central Water Commission, National Hydro Power Corporation Ltd (NHPC) to avoid conflict between State Governments and without infringing on the subsisting rights of the lower riparian States.
- j) Flood plain zoning should be attempted at least in major and medium river basins and activities within the flood plains should be regulated.
- K) The Policy envisages "A permanent Water Disputes Tribunal at Centre". Our Government has already opposed this move, as already designated Tribunals for water disputes are functioning. The establishment of a Permanent Tribunal will be impracticable and ineffective. Further, it will expose the poor understanding of the disputes that arise in several river basins which are very varied in purport and

content. Also, river basins differ widely in the total availability, utilization and nature of use of water in them besides the socio economic conditions and other parameters that require to be examined and taken into consideration in allocating the resources. It is only because each river basin is unique in its characteristics and the water disputes that arise are complex in their mode, unlike the usual civil and criminal cases normally dealt with the Courts, that Parliament had thought it wise to leave such disputes to be handled by the Tribunals which are special courts with all powers to gather data and direct the party States to lead evidence on all technical and other aspects of the disputes. Hence, the Government of Tamil Nadu reiterates its view that there is no need to establish a Permanent Water Disputes Tribunal for the adjudication of disputes amongst the States regarding inter-state Rivers.

L) The following paras should also be deleted:-

(i) (para 12.5) "In addition, water budgeting and water accounting should be carried out for each aquifer" may be deleted since the aquifers are said to be widespread and inter-connected and water budgeting for each aquifer may not be feasible.

(ii) (para 12.7) "States should be encouraged and incentivized to undertake reforms and progressive measures for innovations, conservation and efficient utilization of water resources" may be deleted since "incentivized to undertake reforms" may mean tying up of release of Central funds to the so called reform measures like imposing water tariff on agricultural use or creating a Water Authority which is to fix tariff and could be a clear violation of the rights of the State Governments to decide on such issues.

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Before concluding my speech, I thank the Chairman, National Water Resources Council, for giving me the opportunity to present the views of the Government of Tamil Nadu in this August Forum and I hope that this Forum will ponder over our Government's suggestions seriously and make necessary modifications, deletions etc., in the draft National Water Policy before it is adopted.

Thank you.

**Issued By:-**

**DIPR, Secretariat, Chennai - 9.**