

**PRESS RELEASE**

Text of the D.O. letter dated 14.12.2018 of Thiru **Edappadi K.Palaniswami**, Hon'ble Chief Minister of Tamil Nadu addressed to **Shri Narendra Modi**, Hon'ble Prime Minister of India.

---

"I seek your urgent personal intervention regarding the Dam Safety Bill, 2018.

You may kindly recall that on 15.6.2018, I wrote to you not to legislate an Act on Dam Safety till such time all the States are consulted and consensus is evolved. The Resolution passed by the Tamil Nadu Legislative Assembly on 26.6.2018, expressing the concerns of the people of Tamil Nadu, on the proposed Dam Safety Bill was also sent to Government of India for taking immediate action.

However the serious concerns of Tamil Nadu have not been addressed at all by the Government of India and a Bill has now been introduced in the Lok Sabha without considering the views/comments of the State Governments.

The main concerns of Tamil Nadu are as follows:-

- a) The 1<sup>st</sup> proviso under Section 23(1) of the Dam Safety Bill, 2018 specifies that where the specified Dam in one State is owned by another State, then the National Dam Safety Authority would act as the State Dam Safety Organization for that particular dam. This implies that the dam owning State would have no rights over the safety and maintenance of the dam located in another State. Tamil Nadu's Mullai Periyar, Parambikulam, Thunakkadavu and Peruvaripallam Dams are owned, operated and maintained by the Government of Tamil Nadu by virtue of Inter State Agreements, but are located in a neighbouring State. Further, the Constitution Bench of the Hon'ble Supreme Court of India upheld the rights of Tamil Nadu on Mullai Periyar Dam in the judgment and decree dated 7.5.2014.

Therefore, to deny Tamil Nadu the right to be the Dam Safety Authority with regard to these four dams and vesting the powers to the National Dam Safety Authority would tantamount to encroaching on the rights of Tamil Nadu which is unconstitutional. It is also a violation of the federal principles enshrined in our Constitution. Therefore, I request, that the clause should be suitably amended to ensure that the Dam Safety Organisation of a State should have jurisdiction over the dams owned, controlled, operated and maintained by it even though they are located in another State.

b) Tamil Nadu had suggested to include a new sub clause to enter upon Forest and Wild Life Sanctuary areas for ensuring proper maintenance of the dams by the dam owning States as detailed below :-

**“Notwithstanding anything contained in any other law, the Dam maintenance officials / personnel shall have the right to enter into the Forests and Wild Life Sanctuary area to carry out dam safety, maintenance and rehabilitation measures”.**

This clause should be included in the Bill to ensure access to the dams by technical personnel for those dams which are located in forest areas and wild life sanctuaries. However, this suggestion was also not incorporated in the Bill introduced in the Lok Sabha on 12.12.2018.

In the circumstances, I once again request you to kindly instruct the Ministry of Water Resources, River Development and Ganga Rejuvenation to withdraw the Dam Safety Bill, 2018 introduced in the Lok Sabha on 12.12.2018 and also request you not to proceed further with the process of legislation on Dam safety till such time Tamil Nadu’s genuine concerns are addressed and a consensus evolved among all the States.

I look forward to your immediate positive reply in the matter.”

\*\*\*\*

**Issued by: Director, Information and Public Relations, Chennai-9.**  
**Date : 14.12.2018**