

# Standing Committee Report Summary

## The Dam Safety Bill, 2010

- The Department Related Parliamentary Standing Committee on the Ministry of Water Resources submitted its seventh Report on 'The Dam Safety Bill 2010' on August 17, 2011. This Bill will be applicable initially only to Andhra Pradesh, West Bengal and the Union Territories, as these states had passed a resolution under Article 252 (1) of the Constitution of India requesting Parliament to make a law on safety of dams.
- The Bill seeks to impose an obligation on the central government, state governments and owners of specified dams to set up a mechanism for ensuring the safety of the dams. It specifies the duties and functions of such mechanisms.
- The Bill does not have any provision for penalising the owner in case of a dam failure causing a disaster in the upstream or downstream of the dam. The Committee recommended that a penal provision for such dam failure should be incorporated in the Bill.
- The Committee recommended that compensation should be provided to the affected families.
- The Committee also recommended that the concerned agencies should adopt the latest technologies. This should be done not only at the time of constructing the dam, but also during periodic review of the dams.
- An independent regulatory authority should be established to oversee the implementation of the dam safety measures.
- The Committee was of the opinion that the government should persuade the other state governments to adopt this Bill.
- The Committee recommended that the term safety assurance should be added in the Bill. It also recommended that certain terms such 'safety', 'safety assurance' and environment should be suitably defined.
- The Bill sets up a National Committee on Dam Safety (NCDS). The Bill proposes that the meeting of the NCDS should be held at least twice a year. The Committee recommended that one meeting of the NCDS should be held before the monsoon season. It also recommended that the members of the NCDS should be restricted to representatives of states which have the largest dams.
- The Committee recommended that members of the National Institute of Hydrology, the Central Soil and Materials Research Station and the National Disaster Management Authority should be represented in the NCDS. The Ministry agreed with this recommendation.
- A Core Technical Committee (CTC) should be set up. It should consist of only technical experts.
- The Bill states that the Central Dam Safety Organisation shall maintain the records of 'major dam failures in the country.' The Committee noted that an 'incident' can occur without dam failure. It recommended that the word 'failure' be replaced by 'incident'. The term incident should also be defined. The Ministry agreed with this suggestion.
- The Committee recommended that the expertise and knowledge of the members of the Central Dam Safety Organisation should be specified. The Ministry agreed with this recommendation.
- A National Level Early Warning System should be established.
- The Committee recommended that it should be mandatory for the different agencies and governments to follow the guidelines and standard codes provided by the Bureau of Indian Standards. The Ministry agreed with this recommendation.
- The Bill stipulates that the dam safety should be evaluated by the owner of the dam either through their own engineers or by an independent panel of experts. The Committee recommended that the words 'either through their own engineer or' should be deleted.
- The Bill provides the measures to be undertaken for safety of dams located outside India. The Committee recommended that the Bill should be modified to include dams created by the movement of glaciers or landslides. The Ministry accepted this recommendation.
- The Committee also recommended preparing emergency action plans within two years and conducting risk assessment studies every five to ten years.

DISCLAIMER: This document is being furnished to you for your information. You may choose to reproduce or redistribute this report for non-commercial purposes in part or in full to any other person with due acknowledgement of PRS Legislative Research ("PRS"). The opinions expressed herein are entirely those of the author(s). PRS makes every effort to use reliable and comprehensive information, but PRS does not represent that the contents of the report are accurate or complete. PRS is an independent, not-for-profit group. This document has been prepared without regard to the objectives or opinions of those who may receive it.