

Bill Summary

The Inter-State River Water Disputes (Amendment) Bill, 2017

- The Inter-State River Water Disputes (Amendment) Bill, 2017 was introduced in Lok Sabha by the Minister of Water Resources, River Development and Ganga Rejuvenation, Ms. Uma Bharti, on March 14, 2017. The Bill seeks to amend the Inter-State River Water Disputes Act, 1956.
- **Disputes Resolution Committee:** Under the Act, when a complaint is received from a state government regarding a water dispute, the central government may ask the affected states to undertake negotiations to settle the dispute. If the dispute cannot be settled through negotiations, the central government has to set up a Water Disputes Tribunal within a year of receiving such a complaint.
- The Bill replaces this provision and requires the central government to set up a Disputes Resolution Committee (DRC), for resolving any inter-state water dispute amicably. The DRC will get a period of one year, extendable by six months, to submit its report to the central government.
- **Members of DRC:** Members of the DRC will be from relevant fields, as deemed fit by the central government.
- **Tribunal:** The Bill proposes to set up an Inter-State River Water Disputes Tribunal, for adjudication of water disputes, if a dispute is not resolved through the DRC. This tribunal can have multiple benches.
- All existing tribunals will be dissolved and the water disputes pending adjudication before such existing tribunals will be transferred to this newly formed tribunal.
- **Composition of the Tribunal:** The tribunal shall consist of a Chairperson, Vice-Chairperson, and not more than six nominated members (judges of the Supreme Court or of a High Court), nominated by the Chief Justice of India. The central government may appoint two experts serving in the Central Water Engineering Service, not below the rank of Chief Engineer, as assessors to advise the bench in its proceedings.
- **Time allotted to Tribunal to take its decision:** Under the Act, any water disputes tribunal has to give its decision on a dispute within a period of three years. This period is extendable by a maximum of two years. Under the Bill, the proposed tribunal has to give its decision on a dispute within a period of two years. This period is extendable by a maximum of one year.
- Under the Act, if the matter is again referred to the tribunal by a state for further consideration, the tribunal has to submit its report to the central government within a period of one year. This period of one year can be extended by the central government for such a period as it may consider necessary. The Bill amends this to specify that the extension may be up to a maximum of six months.
- **Decision of the Tribunal:** Under the Act, the decision of the tribunal must be published by the central government in the official gazette. After publication, the decision has the same force as that of an order of the Supreme Court.
- Under the Bill, the requirement of publication in the official gazette has been removed. The Bill also adds that the decision of the bench of the tribunal will be final and binding on the parties involved in the dispute. This decision will have the same force as that of an order of the Supreme Court.
- **Maintenance of data bank and information:** Under the Act, the central government maintains a data bank and information system at the national level for each river basin. Under the Bill, the central government will appoint or authorise an agency to maintain a data bank and information system at the national level for each river basin.
- **Additional rule-making powers:** The Bill gives the central government powers to make rules in which water will be distributed during stress situations arising from shortage in the availability of water.

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