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AS INTRODUCED IN LOK SABHA

08 DEC 2006

Bill No. 92 of 2006

THE NATIONAL WATERWAY (TALCHER-DHAMRA STRETCH OF RIVERS
GEONKHALI-CHARBATIA STRETCH OF EAST COAST CANAL,
CHARBATIA-DHAMRA STRETCH OF MATAI RIVER AND
MAHANADI DELTA RIVERS) BILL, 2006

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BILL

to provide for the declaration of the Talcher-Dhamra stretch of Brahmani-Kharsua-Dhamra rivers, Geonkhali-Charbatia stretch of East Coast Canal, Charbatia-Dhamra stretch of Matai river and Mahanadi delta rivers between Mangalgadi and Paradip in the States of West Bengal and Orissa to be a national waterway and also to provide for the regulation and development of the said stretch of the rivers and the canals for purpose of shipping and navigation on the said waterway and for matters connected therewith or incidental thereto.

BE it enacted by Parliament in the Fifty-seventh Year of the Republic of India as follows:—

1. (1) This Act may be called the National Waterway (Talcher-Dhamra Stretch of Rivers, Geonkhali-Charbatia Stretch of East Coast Canal, Charbatia-Dhamra Stretch of Matai River and Mahanadi Delta Rivers) Act, 2006.

Short title and commencement.

(2) It shall come into force on such date as the Central Government may, by notification in the Official Gazette, appoint.

Declaration of certain stretches of rivers and canals as National Waterway.

2. The Talcher-Dhamra stretch of Brahmani-Kharsua-Dhamra rivers, Geonkhali-Charbatia stretch of East Coast Canal, Charbatia-Dhamra stretch of Matai river and Mahanadi delta rivers between Mangalgadi and Paradip, the limits of which are specified in the Schedule, is hereby declared to be a National Waterway. 5

Declaration as to expediency of control by the Union of certain stretches of rivers and canals for certain purposes.

3. It is hereby declared that it is expedient in the public interest that the Union should take under its control the regulation and development of Talcher-Dhamra stretch of Brahmani-Kharsua-Dhamra rivers, Geonkhali-Charbatia stretch of East Coast Canal, Charbatia-Dhamra stretch of Matai river and Mahanadi delta rivers between Mangalgadi and Paradip for purposes of shipping and navigation on the national waterway to the extent provided in the Inland Waterways Authority of India Act, 1985. 10

THE SCHEDULE

(See section 2)

LIMITS OF THE NATIONAL, WATERWAY (TALCHER-DHAMRA STRETCH OF BRAHMANI-KHARSUA-DHAMRA RIVERS, GEONKHALI-CHARBATIA STRETCH OF EAST COAST CANAL, CHARBATIA-DHAMRA STRETCH OF MATAI RIVER AND MAHANADI DELTA RIVERS)

East Coast Canal and Matai river

(Consisting of old Hijli tidal canal, Orissa coast canal and Matai river)

Northern limit	Confluence point of Hooghly river and Hijli tidal canal at Geonkhali at Lat 22° 12' 20" N, Lon 88° 03' 07" E.
Southern limit	Confluence of Matai river and Dhamra river near Dhamra Fishing harbour at Lat 20° 47' 42" N, Lon 86° 53' 03" E.

Brahmani-Kharsua-Dhamra river system

(Consisting of Brahmani-Kharsua-Dhamra rivers)

North-Western limit	Samal barrage across river Brahmani, Talcher at Lat 21° 04' 26" N, Lon 85° 08' 05" E.
South-Eastern limit	An imaginary line drawn across Dhamra river at East Point of Kalibhanj Dian Reserved Forest near Chandnipal at Lat 20° 46' 26" N, Lon 86° 57' 15" E.

Mahanadi delta rivers

(Consisting of Hansua river, Nuna nala, Gobri nala, Kharnasi river and Mahanadi river)
(Alternate route-Hansua river enters into Bay of Bengal through northern point of False point bay, then enters river Kharnasi at southern end of False point bay, river Atharabanko, a northernly distributory of river Mahanadi)

Northern limit	Confluence of Kharsua river with Brahmani river at Ramchandrapur at Lat 20° 36' 55" N, Lon 86° 45' 05" E.
Southern limit	An imaginary line in continuation to the Northern break water structure across the entrance channel at Paradip Port at Lat 20° 15' 38" N, Lon 86° 40' 55" E.

STATEMENT OF OBJECTS AND REASONS

In the absence of suitable organisation and paucity of resources with the State Governments, the development of Inland Water Transport has not made much headway. There are certain advantages in this mode of transport, such as, low cost transport, energy efficiency, generation of employment among weaker sections of the community and its eco-friendly nature. Various committees set up by the Government for the purpose of looking into this matter recommended that the Central Government should declare certain waterways as national waterway and assume responsible for their development.

2. The Central Government have accordingly constituted the Inland Waterways Authority of India under the Inland Waterways Authority of India Act, 1985 (82 of 1985), for the regulation and development of inland waterways for purposes of shipping and navigation. Allahabad-Haldia stretch of the Ganga-Bhagirathi-Hooghly River, Sadiya-Dhubri stretch of the Brahmaputra river and Kollam-Kottappuram stretch of West Coast Canal along with Champakkara and Udyogamandal Canals have already been declared as national waterways by the National Waterway (Allahabad-Haldia Stretch of the Ganga-Bhagirathi-Hooghly River) Act, 1982 (49 of 1982), the National Waterway (Sadiya-Dhubri Stretch of the Brahmaputra River) Act, 1988 (40 of 1988) and the National Waterway (Kollam-Kottappuram Stretch of West Coast Canal and Champakkara and Udyogamandal Canals) Act, 1992 (25 of 1992), respectively. Consequently, Inland Waterways Authority of India has taken up the development, maintenance and management of these waterways.

3. It is now proposed to declare Talcher-Dhamra stretch of the Brahmani-Kharsua-Dhamra rivers, Goenkhali-Charbatia stretch of the East Coast Canal, Charbatia-Dhamra stretch of the Matai river and Mahanadi delta rivers between Mangalgadi and Paradip as a National Waterway. Infrastructural facilities currently available on this waterway are not adequate for safe, convenient and sustained shipping and navigation by large mechanised crafts. Therefore, the waterway is required to be developed by providing adequate infrastructure for safe, convenient and sustained shipping operations. The regulation and development of the proposed national waterway under the control of the Union for the purposes of shipping and navigation is in the public interest and declaration to that effect has also been made in this Bill.

4. The Bill seeks to achieve the above objects.

NEW DELHI;
The 24th November, 2006.

T.R. BAALU.

PRESIDENT'S RECOMMENDATION UNDER ARTICLE 117 OF THE CONSTITUTION OF INDIA

[Copy of letter No. NW-12013/2/2004-IWT (Vol. II), dated the 24th November, 2006 from Shri T.R. Baalu, Minister of Shipping, Road Transport and Highways to the Secretary-General, Lok Sabha]

The President, having been informed of the subject matter of the proposed National Waterway (Talcher-Dhamra Stretch of Rivers, Geonkhali-Charbatia Stretch of East Coast Canal, Charbatia-Dhamra Stretch of Matai River and Mahanadi Delta Rivers) Bill, 2006 recommends under article 117(3) of the Constitution of India, the consideration of the Bill by Lok Sabha.

FINANCIAL MEMORANDUM

The regulation and development of the proposed national waterway will be carried out by the Inland Waterways Authority of India constituted under the Inland Waterways Authority of India Act, 1985 (82 of 1985). Consequently, three distinct functions namely, development, maintenance and management of the proposed waterway will devolve on the Inland Waterways Authority of India. It has been visualised that inland water transport traffic to the tune of 18.07 million tonnes is likely to be carried on the proposed national waterway after its full development by the year 2016-17. This traffic is expected to be handled at 4 terminals namely, Talcher, Nasirabad, Balasore and Rajnagar. The development of the rivers and canals along with provision of infrastructural facilities for purposes of shipping and navigation to handle the above mentioned traffic includes development of the waterway for navigation, channel marking, construction of terminals, transit sheds, installation of handling equipment, etc. It is estimated that the expenditure with respect to the said development will be of the order of Rs. 1526.00 crores which will be of a non-recurring nature.

2. In addition, it is estimated that an expenditure of recurring of the order of Rs. 59.00 crores annually will be incurred for operating the waterway and terminals.

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(Shri T.R. Baalu, Minister of Shipping, Road Transport and Highways)