



# महाराष्ट्र शासन राजपत्र

## असाधारण भाग आठ

वर्ष ४, अंक १९(४)]

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असाधारण क्रमांक ४२

प्राधिकृत प्रकाशन

महाराष्ट्र विधानमंडळाचे अधिनियम व राज्यपालांनी प्रख्यापित केलेले अध्यादेश व केलेले विनियम आणि विधि व न्याय विभागाकडून आलेली विधेयके (इंग्रजी अनुवाद).

In pursuance of clause (3) of article 348 of the Constitution of India, the following translation in English of the Maharashtra Water Conservation Corporation (Amendment) Bill, 2018 (L.A. Bill No. XIV of 2018), introduced in the Maharashtra Legislative Assembly on the 20th March 2018, is hereby published under the authority of the Governor.

By order and in the name of the Governor of Maharashtra,

RAJENDRA G. BHAGWAT,  
I/c. Secretary (Legislation) to Government,  
Law and Judiciary Department.

### L. A. BILL No. XIV OF 2018.

#### A BILL

*further to amend the Maharashtra Water Conservation Corporation Act, 2000.*

Mah. III of 2001. WHEREAS it is expedient further to amend the Maharashtra Water Conservation Corporation Act, 2000, for the purposes hereinafter appearing; it is hereby enacted in the Sixty-ninth Year of the Republic of India as follows :—

1. This Act may be called the Maharashtra Water Conservation Corporation (Amendment) Act, 2018. Short title.

Mah. III of 2001. 2. In section 1 of the Maharashtra Water Conservation Corporation Act, 2000 (hereinafter referred to as "the principal Act"), in sub-section (2), for the figure "250" the figure "600" shall be substituted. Amendment of section 1 of Mah. III of 2001.

3. In section 2 of principal Act,— Amendment of section 2 of Mah. III of 2001.  
(a) in clause (d), for figure "250" the figure "600" shall be substituted ;

(b) for clause (h), the following clause shall be substituted, namely :—

“(h) “member” means a member of the Corporation and includes the Chairman and Vice-Chairmen of the Corporation ;”.

Amendment  
of section 4 of  
Mah. III of  
2001.

4. In section 4 of the principal Act,—

(a) in sub-section (1),—

(i) after clause (b), the following clause shall be inserted, namely :—

“(b-1) One member to be nominated by the State Government, having special knowledge and practical experience of water conservation and soil conservation as well as having a experience about water conservation, through peoples participation ;

Vice-  
Chairman;”;

(ii) for clause (q), the following clause shall be substituted, namely :—

“(q) two members to be nominated by the State Government having special knowledge and practical experience in the field of Irrigation ;”;

(b) in sub-section (2), for the words, brackets and letters “clauses (a) to (n)” the words, brackets and letters “clauses (a), (b) and (c) to (n)” shall be substituted ;

(c) in sub-section (3), after the word “clauses” the brackets, letter and number “(b-1),” shall be inserted ;

(d) in sub-section (4), after the word “clauses” the brackets, letter and number “(b-1),” shall be inserted.

Amendment  
of section 5 of  
Mah. III of  
2001.

5. In section 5 of the principal Act, in sub-section (1),—

(a) for the portion beginning with the words “consisting of the Chairman” and ending with the words “the following members” the words “consisting of the Chairman of the Corporation as the Chairperson, the Vice-Chairmen of the Corporation as the Vice-Chairpersons and the following members” shall be substituted ;

(b) in clause (b), for the words and brackets “Chief Engineer, Irrigation (Local Sector), Pune” the words and brackets “Additional Commissioner (Water Conservation)” shall be substituted ;

(c) in clause (c), for the words “Director, Soil Conservation and Watershed Management, Pune” the words “Additional Commissioner (Soil Conservation)” shall be substituted.

Amendment  
of section 7 of  
Mah. III of  
2001.

6. In section 7 of the principal Act, in sub-section (1), after the word “clauses” the brackets, letter and number “(b-1),” shall be inserted.

Amendment  
of section 8 of  
Mah. III of  
2001.

7. In section 8 of the principal Act, for sub-section (2), the following sub-section shall be substituted, namely :—

“(2) The Chairman shall preside over every meeting of the Corporation. In the absence of the Chairman, the *Ex officio* Vice-Chairman under clause (b) of sub-section (1) of section 4 shall preside over such meeting and in absence of both Chairman and *Ex officio*

Vice-Chairman under clause (b) of sub-section (1) of section 4, the nominated Vice-Chairman under clause (b-1) of sub-section (1) of section 4 shall preside over the meeting. If, for any reason, the Chairman and Vice-Chairmen are unable to attend any meeting, the meeting shall be presided over by the seniormost member Minister, present in the meeting.”.

8. In section 17 of the principal Act, in proviso to sub-section (4), for the words “Executive Engineers” at both the places where they occur, the words “District Water Conservation Officers” shall be substituted.

Amendment  
of section 17  
of Mah. III of  
2001.

## STATEMENT OF OBJECTS AND REASONS.

The Maharashtra Water Conservation Corporation is established under the provisions of section 3 of the Maharashtra Water Conservation Corporation Act, 2000 (Mah. III of 2001) for promotion, operation and rapid development and regulation of watersheds and water conservation works including social forestry and the irrigation projects in the State of Maharashtra and the matters connected therewith.

2. With a view to ensure effective implementation of Soil and Water Conservation policies of the Government, it has been decided to establish a separate Soil and Water Conservation Commissionerate and to restructure the administrative machinery of the said Commissionerate. It has also been decided to provide that the Corporation shall have jurisdiction over minor irrigation projects or schemes having irrigable command area upto 600 hectares. In view of this, it is considered expedient to suitably amend sub-section (2) of section 1, sub-section (1) of section 5 and section 17 of the said Act, suitably.

3. Sub-section (1) of section 4 of the said Act, *inter alia*, provides that one member to be nominated by the State Government having special knowledge or practical experience in the field of Irrigation shall be a member of the Corporation.

It is felt that the main objective of the Corporation namely water conservation and watershed development can be achieved through the increased peoples' participation. It is, therefore, considered expedient to amend the said sub-section (1) suitably to provide that one *non-official* member, having special knowledge and practical experience of water conservation and soil conservation as well as having experience of water conservation through peoples' participation, nominated by the State Government shall be a Vice-Chairman of the Corporation. Towards this objective, it is also considered expedient to provide that, the number of members to be nominated from category of the persons, having special knowledge and practical experience in the field of irrigation, shall be increased to two.

4. The Bill seeks to achieve the above objectives.

Mumbai,  
Dated the 16th March 2018.

RAM SHINDE,  
Minister for Soil and  
Water Conservation.