

PUNJAB VIDHAN SABHA
BILL NO. 1-PLA-2025
THE PUNJAB WATER RESOURCES (MANAGEMENT AND
REGULATION) AMENDMENT BILL, 2025

A
BILL

Further to amend the Punjab Water Resources (Management and Regulation Act, 2020.

Be it enacted by the Legislature of the State of Punjab in the Seventy Sixth Year of the Republic of India as follows:-

Short title and
Commencement.

1. (1) This Act may be called the Punjab Water Resources (Management and Regulation) Amendment Act, 2025.

(2) It shall come into force on and with effect from the date of its publication in the Official Gazette.

Amendment in
section 6 of
Punjab Act 2 of
2020.

2. In the Punjab Water Resources (Management and Regulation) Act, 2020 (hereinafter referred to as the Principal Act), in section 6 for sub-section (1) and (2), the following sub-sections shall be substituted, namely:-

“(1) No person shall serve as Chairperson or other Member if he has attained the age of sixty five years.

(2) Chairperson or other Members shall hold office for a term, as may be specified, but not exceeding three years at a time, from the date on which he enters upon his office:

Provided that the said term of three years may be extended upto five years depending upon the quality of performance, management of affairs and initiatives taken by the incumbent.”

Substitution of
section 9 of
Punjab Act 2 of
2020.

3. In the Principal Act, for section 9, the following section shall be substituted, namely:-

“9(1) All fees, charges and funds received by the Authority

from any source(s) as may be decided by
the Government, shall be deposited in the State
Treasury.

(2) The Authority shall prepare annual budget and send it to the government every year to meet the expenditure on following namely:-

(i) the salary, allowances and other remuneration of the Chairperson, Members, Secretary, officers and other employees of the Authority; and

(ii) the expenses of the Authority in the discharge of its functions under this Act.

(3) The Government shall utilize the funds deposited by the authority to meet the objectives of the Act.”

Amendment in
section 28 of
Punjab Act 2 of
2020.

4. In the Principal Act, in section 28, for sub-section (2), the following sub-section shall be substituted, namely:-

“(2) Where the Government is of the opinion that some reasonable directives need to be given to the Authority in respect of matters relating to optimum utilization of ground water resources in public interest, the Government may make such directives, as it deems necessary in order to achieve the objectives of this Act, which shall be binding upon the Authority.”

STATEMENT OF OBJECTS AND REASONS

1.0 It is apprised that in order to provide for the management and regulation of water resources of the State for ensuring the judicious, equitable and sustainable utilization and management thereof, and for matters connected therewith or incidental thereto, the State of Punjab enacted the Act namely:– '**The Punjab Water Resources(Management and Regulation) Act, 2020**'.

1.1 In pursuance of the aforesaid Act, the Regulatory Authority namely the Punjab Water Regulation and Development Authority has since been constituted and notified. Section 6 of the above said Act provides for the qualification for Chairman and Members of the Authority. The Chairperson or Member of the said authority could retain office till they attain the age of 70 years. There are many such autonomous bodies set up by the State Government in various departments. In all such bodies, the maximum age of the Chairperson/Members has been kept much less than seventy years. In most of the cases, the maximum age is 65 years. As an example, the Chairperson of the Punjab State Regulatory Commission can hold office till the age of 65 years. Likewise, the Punjab State Chief Information Commissioner and State Information Commissioner in the Punjab State Information Commission can also retain office till the age of 65 years

1.2 In view of this background and to keep uniformity in such appointments, the retirement of Chairperson or Member of the Authority till the age of 70 years appears to be on very high side, which needs to be rationalized. It is, therefore, proposed that the upper limit of the age for Chairman and members may be kept as 65 years.

1.3 Further, the initial term of appointment of the Chairperson and members is proposed to be three years, which may be extended upto five years in

view of quality of performance, management of affairs and initiatives taken by the incumbent for public welfare schemes.

1.4 Apart from above, the State Government has since constituted the Authority as required under Section 3 of the Punjab Water Resources (Management and Regulation) Act, 2020. The Authority has processed 985 applications (as of 12.11.2024) received from the applicants mainly industries. The Authority has also collected Rs. 253.52 Cr. as on 31st August, 2024 from the various applicants.

1.5 So far the Authority has incurred expenditure only on regular expenses and has spent little money on measures to recharge the groundwater. Moreover, the Department of Water Resources and various other State Government Departments have submitted proposals with the Authority, which are pending since long. It is further submitted that there is small window of time to carry out various irrigation works particularly the construction of the water courses as farmers do not allow to construct any water course or lay pipelines etc. when the crops are standing. Moreover, the funds collected by the Authority should be deposited in the State Treasury as a matter of principle which will improve the liquidity position of the State Government. The Finance Department has also observed on couple of occasions that these funds should be deposited in the State Treasury rather than keeping these funds by the Authority in some bank accounts. This causes a huge loss to the State exchequer and at the same time the purpose of saving and recharging of groundwater water is not served. Moreover, if the funds are deposited in the treasury, it becomes easy for the A.G. (Audit) to audit the funds, which is otherwise very essential.

1.6 Apart from this, Section 28 of the said Act relates to adherence of policies of the State Government by the Authority. There are certain instances, where the State Government has to take decisions regarding sustainable utilization

of available water resources and management thereof in public interest. However, the power in this regard of the State Government in this regard is limited to make recommendations only to the Authority. It is upto the Authority to consider such recommendations in their own wisdom. Moreover, such recommendations are not binding upon the Authority.

2.0 Hence, to achieve all these objective. A Bill is presented to amend the aforesaid Act suitably.

Barinder Kumar Goyal
Water Resources Minister,
Punjab

FINANCIAL MEMORANDUM

There are no adverse financial implications for the State Government At the same time the Authority with the proposed amendments will not be deprived of any funds. The State Government undertakes to provide the funds to the Authority every year based on its requirement for which the Authority shall submit the budget requirements every year to the Finance Department through the Administrative Department. The Authority is presently keeping the funds in bank account which causes a loss of public money.

The Governor has, in pursuance of clause (1) and (3) of Article, 207 of the Constitution of India, recommended to the Punjab Legislative Assembly, the introduction and consideration of the Bill.

CHANDIGARH:
THE 23RD FEBRUARY, 2025

RAM LOK KHATANA
SECRETARY

N.B.- The above bill published in the Punjab Government Gazette (Extraordinary), dated the 24th February, 2025 under the proviso to rule 121 of the Rules of Procedure and Conduct of Business in the Punjab Vidhan Sabha (Punjab Legislative Assembly).