

Under Rule 130 of the Tamil Nadu Legislative Assembly Rules, the following Bill which was introduced in the Legislative Assembly of the State of Tamil Nadu on 25th October 2013 is published together with Statement of Objects and Reasons for general information:—

L.A. Bill No. 22 of 2013

A Bill to repeal the Tamil Nadu Groundwater (Development and Management) Act, 2003.

BE it enacted by the Legislative Assembly of the State of Tamil Nadu in the Sixty-fourth Year of the Republic of India as follows:-

1. (1) This Act may be called the Tamil Nadu Ground Water (Development and Management) Repeal Act, 2013.

Short title and
commence-
ment.

(2) It shall be deemed to have come into force on the 14 day of September 2013.

Tamil Nadu Act
3 of 2003.

2. The Tamil Nadu Groundwater (Development and Management) Act, 2003, is hereby repealed.

Repeal of
Tamil Nadu
Act 3 of
2003.

Tamil Nadu
Ordinance
4 of 2013.

3. The Tamil Nadu Groundwater (Development and Management) Repeal Ordinance, 2013, is hereby repealed.

Repeal of
Ordinance.

STATEMENT OF OBJECTS AND REASONS

The Tamil Nadu Groundwater (Development and Management) Act, 2003, was enacted taking into consideration the circumstances prevailed in the year 2003. However, in the past 10 years, the following factors have drastically changed the scenario:-

(i) Certain definitions like marginal and small farmers, etc., have not been clearly defined to carry out the purport of the Act preventing groundwater drawal for Agricultural purposes and thereby causing hardship to farmers.

(ii) The people at large are to be ensured minimum potable water from groundwater sources when other sources are not sufficient especially in a drought affected year.

(iii) The provisions in the Act require that all individuals should be registered with the Groundwater Authority and licence should be obtained by all persons having over 1 Horse Power motor. If the Act in the present form was implemented and groundwater was not allowed to be tapped, it would have led to a public outcry.

(iv) Since 2003, the Municipal Corporations like Chennai, Coimbatore, Madurai, etc., have expanded. Piped water supply is not adequately available in the extended portions. Therefore, for supply to households by the Corporations and Private lorries, tapping of groundwater is being resorted to. As per the Act, a permit has to be obtained for transport of groundwater by means of lorry, trailer, etc., from the notified areas for any purpose. This would result in unnecessary difficulties to the general public as each and every lorry or trailer in the State has to obtain a permit from the State Groundwater Authority even for supply of drinking water causing difficulties to the general public.

(v) The manner in which the drawal of groundwater has to be regulated for construction of multistoried buildings and for commercial exploitation of water, where water is used as raw material has not been addressed in the Act.

2. In view of the above facts, the Tamil Nadu Groundwater (Development and Management) Act, 2003, need to be comprehensively changed taking into account the present demand, need and supply.

3. The Government have, therefore, decided to repeal the Tamil Nadu Groundwater (Development and Management) Act, 2003, to enact a comprehensive law to develop and manage the groundwater in the changed scenario.

4. Accordingly, the Tamil Nadu Groundwater (Development and Management) Repeal Ordinance, 2013 (Tamil Nadu Ordinance 4 of 2013) was promulgated by the Governor on the 14th September 2013 and the same was published in the *Tamil Nadu Government Gazette* Extraordinary, dated the 14th September 2013.

5. The Bill seeks to replace the said Ordinance.

K.V. RAMALINGAM,

Minister for Public Works Department.

A.M.P. JAMALUDEEN,
Secretary.