

**Bill No. 179 of 2015**

**THE RAINWATER (COMPULSORY HARVESTING) BILL, 2015**

By  
DR. Udit RAJ, M.P.

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**BILL**

*to provide for compulsory harvesting of rainwater by every household, business establishment and Government building, in order to ensure availability of water and for matters connected therewith or incidental thereto.*

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

**1.** (1) This Act may be called the Rainwater (Compulsory Harvesting) Act, 2015.

Short title and  
extent.

(2) It extends to the Union territories only.

**2.** It is hereby declared that it is expedient in public interest that the Union Government  
5 undertake measures to preserve and harvest rainwater in the country for augmenting drinking  
water availability in the country.

Declaration.

**3.** In this Act, unless the context otherwise requires,—

Definitions.

(a) “business establishment” includes any building which is used as an office or  
a factory in connection with any trade or business;

10 (b) “Government” means the Central Government or the Union territory  
Administration, as the case may be;

(c) “Government building” includes the offices of the Ministries, departments, public sector enterprises, statutory bodies or bodies owned or administered by the Government and autonomous bodies, local self Government bodies and residential areas of Government employees provided by the Government;

(d) “household” means a dwelling unit of any description; and 5

(e) “prescribed” means prescribed by rules made under this Act.

Compulsory rainwater harvesting in Government buildings.

**4. It shall be the duty of the Government to ensure provision of necessary infrastructure and implement such measures, as it may deem necessary, to harvest rainwater in Government buildings within such time as may be prescribed.**

Compulsory rainwater harvesting by households and business establishments.

**5. (1)** Every household and business establishment shall adopt such measures, as may be notified by the Government, for rooftop rainwater harvesting within such time, as may be specified in the notification. 10

(2) The responsibility to ensure compliance of the provisions of sub-section (1) shall lie, in the case of household, on the head or *karta* of that household, and in the case of a business establishment, on the person, by whatever name called, who is primarily responsible for the affairs of that establishment. 15

Duty of Government to protect water bodies.

**6. It shall be the duty of the Government to ensure construction and repair of conventional water bodies such as wells, tanks, ponds, creeks and watersheds to preserve the rainwater so as to recharge the levels of ground water.**

Action plan to educate the masses about rainwater harvesting.

**7. (1)** The Government shall, as soon as possible, prepare an action plan to educate the masses about the technology and the benefits of rooftop rainwater harvesting. 20

(2) For the purpose of sub-section (1), the Government shall also associate Non-Governmental Organisations and such other agencies or institutions, as it may deem fit, in such manner as may be prescribed.

Punishment.

**8.** Any person violating the provisions of this Act shall be punished with simple imprisonment for a term which may extend to one year or with a fine which may extend to rupees one lakh or with both. 25

Act to have overriding effect.

**9.** The provisions of this Act and rules made thereunder, shall have effect, notwithstanding anything inconsistent therewith contained in any other law for the time being in force. 30

Act not in derogation of other laws.

**10.** The provisions of this Act shall be in addition to and not in derogation of any other law for the time being in force.

Power to make rules.

**11. (1)** The Central Government may, by notification in the Official Gazette, make rules for carrying out the purposes of this Act.

(2) Every rule made under this section shall be laid, as soon as may be after it is made, before each House of Parliament, while it is in session, for a total period of thirty days which may be comprised in one session or in two or more successive sessions, and if, before the expiry of the session immediately following the session or the successive sessions aforesaid, both Houses agree in making any modification in the rule or both the Houses agree that the rule should not be made, the rule shall thereafter have effect only in such modified form or be of no effect, as the case may be; so, however, that any such modification or annulment shall be without prejudice to the validity of anything previously done under that rule. 35 40

## STATEMENT OF OBJECTS AND REASONS

It is estimated that our country receives rainfall of about four thousand billion cubic metres every year and major part of this rainwater goes waste as it falls into the sea through the rivers of our country. This huge wastage of rainwater is taking place inspite of the fact that there is severe shortage of drinking water throughout the country. Water is a scare resource and its availability for drinking and other household purposes in the country as a whole is hardly as per requirement-more so in the desert and drought prone areas. The only way to overcome this problem is to prevent the wastage of rainwater by conserving it through harvesting and recharging the groundwater levels.

Identification of the areas not receiving normal rainfall with the help of reconnaissance of each and every hamlet of the country, for success of this programme is the need of the hour. The private sector as well as the Non-Governmental Organisations have to play a major role in physical and financial terms, in order to achieve the goal of rainwater harvesting. To save the planet earth, we have to make rooftop rainwater harvesting a movement of the masses, in which, the Government, corporates and every household would participate and preserve the rainwater which is the purest form of water. This will increase the level of ground water which can be used for drinking and other purposes. Hence, it has become necessary to make rooftop rainwater harvesting mandatory throughout the country to overcome the water scarcity which otherwise will worsen further in near future if we do not act now.

As water is a State subject, initiative has to come from State Governments. But in the first instance the initiative has to come from the Central Government by making rainwater harvesting compulsory in the areas governed by it. The States can follow the Central Government and make it compulsory in the States.

Hence this Bill.

NEW DELHI;  
*July 7, 2015.*

UDIT RAJ

#### FINANCIAL MEMORANDUM

Clause 4 of the Bill provides for creating infrastructure for compulsory rainwater harvesting in Government buildings. Clause 6 provides that the Central Government shall ensure construction and repair of water bodies to preserve rainwater. Clause 7 provides that the Central Government shall prepare an action plan to educate the masses about the technology and the benefits of rooftop rainwater harvesting and associate Non-Governmental Organisations and private sector for the purpose. The Bill, therefore, if enacted, would involve expenditure from the Consolidated Fund of India. It is estimated that a sum of rupees one thousand crore is likely to be involved as a recurring expenditure per annum.

A non-recurring expenditure to the tune of rupees five thousand crore is also likely to be incurred from the Consolidated Fund of India.

MEMORANDUM REGARDING DELEGATED LEGISLATION

Clause 11 of the Bill empowers the Central Government to make rules for carrying out the purposes of the Bill. As the rules will relate to matters of detail only, the delegation of legislative power is of a normal character.

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*(Dr. Udit Raj, M.P.)*