

Report

on

**One-Day Workshop on: Roadmap for Effective implementation of the
National Water Policy-2012**

**Submitted to
India Water Partnership, Gurgaon**

By

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Acknowledgment

This is to acknowledge that the Work-shop on “One-Day Workshop on: Roadmap for Effective implementation of the National Water Policy-2012” was organized jointly by the West Zone Water Partnership (WZWP), with financial support India Water Partnership (IWP). Gomukh Environmental Trust for Sustainable Development, convener of the WZWP workshop also wishes to thank the science and Technology Park, Pune for providing the conference facilities.

I would also like to thank our participants who took out time from their busy schedules for participating in this Workshop and for their active contribution in the all the sessions.

Last but not the least, I am highly gratitude to my colleagues who helped me to organize the workshop in an efficient manner.



Executive Summary:

The Workshop on “One-Day Workshop on: Roadmap for Effective implementation of the National Water Policy-2012” was held at Science and Technology Park, Pune on the 4th of January 2014.

Related Government and Pune Municipal Corporation (PMC) / Pimpri Chinchwad Municipal Corporation (PCMC) officials, some of the elected / nominated representatives of PMC & PCMC, Members of Parliament were invited, to make discussion meaningful and realistic.

Since water is a State subject as per our constitution, all the States are expected to promulgate State Water Policies in accordance with National Water Policy, but so far there appears to have been no sign of such a step in Maharashtra. **One of the objectives of the workshop was to draft a common appeal to the GoM, asking it to release a “revised” policy at the earliest.** Participants also advocated for some ‘additions’ relevant to the current crisis in the Water Sector in Maharashtra, since state governments have the prerogative to do so.

The workshop was conducted in seven sessions. The first session was conducted by the convener of the workshop Prof. Paranjpye, briefly presented the NWP (2012), he pointed out the lacunae of the earlier policies of (1987, 2002) and also appreciated the fact that the new policy contains Section 8 which is totally focused on Protection and River-Conservation. He also flagged off several issues on which participants could deliberate.

The second session was opened for discussion based on the first session. During the discussion **Maharashtra Groundwater (Development and Management) Act 2009**, came into light which covers several concerns and objectives of the NWP-2012 and has been recently approved by the Cabinet (GoM) and ratified by the Governor of Maharashtra. Similarly, a bill on **Maharashtra Krishna River Basin Agency Act** is also being deliberated upon by the legislative assembly (GoM). Passing of such a bill will be a major step in the implementation of IWRM principles, as it would create a River-basin agency (RBA) with the powers to prepare an integrated plan for the Krishna River-basin and implement in a coordinated fashion.

The third and fourth sessions were on discussion for preparing the Roadmap for implementation of National Water Policy (2012). During the discussion it was pointed out that the Road map should be rural and urban centric and need to include the serious problems like

pollution of water bodies in both rural and urban areas. To achieve this, the State Water Policies should look into this aspect, which could be disastrous, if left unattended.

The fifth session was on a Case study taken from Western Maharashtra i.e., on Agrani River and which was conducted by Mr. Vinod Bodhankar of Jalbiradari, Maharashtra. He discussed how the initiative was taken by village *Gramsabhas* to restore the Agrani River which flows through a highly drought prone area of Western Maharashtra, with the help of *Jalabiradari*, a civil society organization working for people managed river restoration programs.

Seventh session was conducted by Mr. Sandeep Joshi, through a presentation on “Precursors for Conservation of Rivers from Water Policy - 2012”, followed by a discussion to find ways for project implementation within the current administrative framework, which is rather fragmented.

Eighth session was for the concluding remarks where the participants’ discussion came to an end with the following conclusions:

1. The emphasis on conservation of Rivers, water bodies, and water sources needs to be broadened to include the River Basin – as the unit of planning and management.
2. To create a framework that includes “top to Bottom” and “Bottom – up” management and implementation procedures, where grass-root organizations and other communities function simultaneously so that the stakeholders become equal partners in the process of policy implementation
3. The post of a senior level ‘River Restoration Officer’ needs to be created at the District level to coordinate actions between multiple government agencies. (A precedent of the appointment of such an officer already exists in Satara District)
4. Planning conducted by the local people at the mini and micro catchments, and at the primary watershed level needs to be linked upwards to the river basin plans and then to the state water plans, so that they comply with the directives of the NWP - 2012.

5. The full implications and benefits of implementing NWP - 2012 will be understood and appreciated when they are linked to and understood within the broader framework of laws and policies, directly or indirectly relevant to NWP 2012.
6. There was a general consensus on the fact that, the judgments, decisions orders and awards granted by river dispute tribunals awarded by the highest courts are being disregarded and contemptuously ignored by government agencies and citizens alike. Such acts of impunities reflect **the presence of a huge trust deficit** and a lack of political will to seriously respect the 'rule of law'. In conclusion participants felt that issuing new policy statements and new laws would sound ironical and meaningless till the principles of good governance are put into practice.



Report

The Workshop on “One-Day Workshop on: Roadmap for Effective implementation of the National Water Policy-2012” was held at Science and Technology Park, Pune on the 4th of January 2014. The objective was to highlight the need to recommend to the GoM that the State Water Policy (2003) be revised and updated on the basis of the NWP – 2012, and to discuss the additions and modifications which need to be made while releasing the revised State Water Policy. A total of twenty nine participants attended the workshop, which included one Member of the Rajya Sabha, Mrs. Vandana Chavan, and five Government Officials who represented Maharashtra Water Resources Regulatory Authority (MWRRA) and Pune Municipal Corporation.

Prof. Vijay Paranjpye, flagged off for discussion the important points in the NWP-2012 which have been newly introduced. He appreciated the fact that for the first time the Ministry of Water Resources (MoWR), Govt. of India has come up with a policy which contained a major section on “**Conservation of River Corridors, Water Bodies and Infrastructure**”. He also stated that, in view of the general public criticism about the lack of implementation of the earlier policies (1987 & 2002).

Shri. S V Sodal (Member, MWRRA) informed the participants that the **Maharashtra Groundwater (Development and Management) Act 2009**, which covers several concerns and objectives of the NWP-2012 has been recently approved by the Cabinet (GoM) and ratified by the Governor of Maharashtra. Similarly, he stated that a bill on **Maharashtra Krishna River Basin Agency Act** is also being deliberated upon by the Legislative Assembly (GoM). He felt that the passing of such a bill will be a major step in the implementation of IWRM principles, as it would create a RiverBasin Agency (RBA) with the powers to prepare an integrated plan for the Krishna River-basin and implement in a coordinated fashion. However, the current bill does not include stakeholders or community participants in the committees meant for implementing this Act. This flaw needs to be corrected immediately. Copies of these two documents were circulated to all the participants.



Shri Vinod Bodhankar, and his colleagues made a detailed presentation on the Agrani River initiative wherein the village *Gramsabhas* had taken the decision to restore the Agrani River flows through a highly drought prone area of Western Maharashtra, with the help of *Jalabiradari*, a civil society organization working for people managed river restoration programs. This was an excellent example of a bottom-up approach to the development of river-basins, which contained many interesting lesson to the Government agencies / the establishments to adopt along with the conventional top-down approach. There was a consensus on the idea that the top-down and bottom-up approaches have to be given equal importance so that the traditional wisdom about water management and the modern techniques of water resource development can be synergized to achieve optimal results. Such a model could then be replicated in other sub-basins. This would require the appointment of a ‘River Restoration Officer’ at the district level, by the GoM. Interestingly, in the case of Agrani located in the Satara district such an officer has already been appointed by the district administration, and this precedent should be replicated in other districts as well, the responsibility of coordinating and negating between different departments can be well defined.

Mr. Sandeep Joshi, Director, Shrishti Ecotech Research Institute, made a presentation on “Precursors for Conservation of Rivers from Water Policy - 2012”. It was a technical presentation which was related to methodology for implementation. There was a general appreciation of the logical sequencing but no discussion. This was followed by a discussion on the ways in which projects could be effectively implemented within the current framework of Urban-governance. Mr. Joshi’s presentation gave a clause by clause linkage between the NWP articles and ground level reality by taking the example of the Mula-Mutha-Pauna-Indrayani River system (Pune District). Further, he insisted that besides technology the socio economic and ecological aspects have to be given equal importance by government agencies, local urban bodies and the civil societies. Copy of Mr. Joshi’s presentation was also circulated among the participants.

There were six numbers of people from the industrial sector. One of them was Smt. Anu Aga, Member of Rajya Sabha & Head of the Thermax Limited and one of the leading supporters of all water related activities in Pune district. In addition Mrs. Arti Kirloskar (wife of Mr. Atul Kirloskar, MD of Kirloskar group of Industries), Mrs. Parimal Choudhary, Head of CBR Division of the Praj Industries, Mr. Sandeep Joshi, who besides being expert on Pollution and is also M.D of Shrishti Ecotech Research Institute. The major points raised by the industrialists were related to their apprehension about how the CSR money would be raised by the Government in case there are large amount left-over in certain financial year. In addition they expressed the view that money contributed to public projects related to water in Maharashtra is often not used appropriately. Therefore, most industrialists have broadly



decided that they would establish their own Charitable Trusts so that they can directly supervise investments in water sector both in rural and urban areas.

They agreed with the general view expressed by practically all participants that the country already has an adequate framework of laws and policies which are not being implemented or enforced, and therefore an additional National Framework Law on water would not improve this situation.

Mr. Joy (Director SOPPECOM) and Mr. D.N More further pointed out that s, after the introduction of the National (Umbrella) Law Framework several States had openly disagreed and communicated the disagreement with the Government of India. It was therefore clear that there is no consensus on the proposed National Law Framework.

The house was of the view that there was a huge lack transparency and accountability in the working of line agencies, and therefore there was a need to place all documents / data and statistics related to surface and groundwater in ‘Public-Domain’.

Participants also stated that unless cultural and ethical principles (supported by all religious precepts) are invoked along with science and technology, the quality of water bodies will not improve and its distribution and utilization would not be equitable.

While there was a general consensus and agreement with many of the concerns, principles, objectives and implementation strategies, there were some areas where there was disagreement regarding the instruments to be used for implementing the NWP-2012. There was also a detailed discussion on whether or not the concepts like ‘**common-pool resources**’ and ‘**public trust doctrine**’ had been fully understood and internalized by the Government agencies responsible for managing water resources.

A general view expressed by many participants was that the NWP-2012 needs to be linked to other policies related to urban growth / industrialization / forest conservation etc. and that there needs to be an umbrella approach to make it consistent with all related issues so that the policy is not applied in a sectoral and fragmented manner.

Participants pointed out that the new policy had not taken a definite stand on “Right to water” which was essential for achieving the constitutional right to life (Article 21). It was



resolved that the right to State Water Policy as a



water should be included in major amendment.



It was also pointed out that the Road map has to include essentially “rural-centric” as well as the serious problems of encroachment and pollution of water bodies in urban areas, rampant and illegal abstraction of sand from river-bed etc., which are new emerging problems. To correct this imbalance the State Water Policies and their relevant Road maps need to look at the urban issues which have become serious and hazardous due to a rapid urbanization.

There was a common refrain from almost all participants that both at the Central and State level there are excellent policies and laws, and that there is no need for additional laws and amendments; but the problem is that of a near collapse of the implementation and enforcement mechanism. There was a general agreement that this was primarily an issue of bad governance, lack of answerability and a major “trust-deficit”.

Conclusions :

1. The emphasis on conservation of Rivers, water bodies, and water sources needs to be broadened to include the River Basin – as the unit of planning and management.
2. To create a framework that includes “top to Bottom” and “Bottom – up” management and implementation procedures, where grass-root level organizations and other communities function simultaneously so that the stakeholders become equal partners in the process of policy implementation
3. The post of a senior level ‘River Restoration Officer’ needs to be created at the District level to coordinate actions between multiple government agencies. (A precedent of the appointment of such an officer already exists in Satara District)
4. Planning conducted by the local people at the mini and micro catchments, and at the primary watershed level needs to be linked upwards to the river basin plans and then to the state water plans, so that they comply with the directives of the NWP - 2012.



5. The full implications and benefits of implementing NWP - 2012 will be understood and appreciated when they are linked to, and understood within the broader framework of laws and policies, directly or indirectly relevant to NWP 2012.
6. There was a general consensus on the fact that, the judgments, decisions orders and awards granted by river dispute tribunals awarded by the highest courts are being disregarded and contemptuously ignored by government agencies and citizens alike. Such acts of impunities reflect **the presence of a huge trust deficit** and a lack of political will to seriously respect the 'rule of law'. In conclusion participants felt that issuing new policy statements and new laws would sound ironical and meaningless till the principles of good governance are put into practice.

The participants concluded that the National Water Policy (2012) is generic in nature since, water is a state subject, state level conditions differs from state to state, modifications amendments and additions discussed during the workshop will need be addressed and **lobby** with to the Water Resources Department (GoM) & Maharashtra Water Resources Regulatory Authority for consideration and making appropriate additions when State Water Policy and State Roadmap for implementation are revised for Maharashtra State in line with National Water Policy-2012.





One - Day Workshop on: Roadmap for Effective Implementation of the National Water Policy - 2012

Date: 4th Jan 2014

Venue: Science and
Technology Park, Pune

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