



GOVERNMENT OF KERALA

Abstract

Water Resources Department - Extraction of water from rivers/water bodies in Kerala for the purpose other than Drinking, Domestic and Irrigation - amendment to Kerala Irrigation and Water Conservation Act 2003 - Orders issued.

WATER RESOURCES (MP) DEPARTMENT

G.O.(P)No.19/2024/WRD Dated,Thiruvananthapuram, 15-10-2024

Read 1 GO(Rt) No 805/2009/WRD dated 25/07/2009

2 GO(P) No 1/2018/WRD dated 18/02/2018

3 Letter Number CEIA/2840/2023-PL2(PLG)/D dated
19/07/2024 CE(I&A),Thiruvananthapuram

ORDER

The Department for promotion and Industry and Internal Trade(DPIIT), Ministry of Commerce and Industry,Government of India as part of the State Business Reform Action Plan(SBRAP-24) has recommended to allow online service delivery for the approval of abstraction of water from rivers. As such Chief Engineer(I&A) as per letter read above has furnished amendment proposal. It is therefore found necessary that immediate executive orders have to be issued in public interest prior to Act amendment through the legislature. Therefore Government examined the proposal of amendment in Kerala Irrigation and Water Conservation Act in detail and are pleased to issue following orders.

A Chapter ii section 4 -regulation of abstraction of water from water course

No person or agency shall abstract water from a water course or irrigation work for Irrigation purpose by any means or by any installation work by any means or by installation of any mechanical or electrical device, the capacity of which in aggregate more than 3 horse power,except with the previous permission of the Irrigation officer authorized by Government in this behalf and subject to such terms and

conditions and payment on such fees as may be prescribed.

B Chapter ii section 4 Subsection (1a) Regulation of abstraction of water from water course

In case of non-irrigation or Industrial purpose, no person or agency shall abstract water from a water course or irrigation work by any means or by installation of any mechanical or electrical device, or any pipe, hose, or other similar device or for power generation in medium/mini/small hydroelectric projects or construction or by any other means only with the previous permission of the Irrigation Officer authorized by Government in this behalf, whose jurisdiction in which such device for abstraction of water is installed and subject to such terms and conditions and on payment of such fees, as may be prescribed, provided that Kerala Water Authority or local Authority shall not be liable to obtain a permit under this subsection.

C Chapter ii section 4 Subsection 3-(Regulation of abstraction of water from water course

If any person or agency or industry abstracts water from a water for course or irrigation work in violation of the provisions of sub-section (1) or an order of the Collector under sub-section (2), the Irrigation Officer authorized under subsection (1) or any person authorized by him in that behalf shall without prejudice to any other action that may be taken for such violation, will have power to enter any property, place or premises in which abstraction of water is being made by the means mentioned under subsection (1) and to remove or cause that means to be removed or also to confiscate or demolish such means if he is satisfied that such confiscation/demolition is necessary for the prevention of abstraction of water as prescribed by the rules.

Government are also pleased to order that the aforesaid facility for approval for abstraction of water from a water course for Irrigation, Non Irrigation and Industrial purpose will be online facility and the said facility can be availed through Kerala Single Window Interface for fast and Transparent Clearance (K-SWIFT).

(By order of the Governor)
BISHWANATH SINHA
ADDITIONAL CHIEF SECRETARY

To:

The Chief Engineer(I&A),Thiruvananthapuram

The Chief Engineer Projects-I,Kozhikode

The Chief Engineer Projects-II,Thiruvananthapuram

The Chief Engineer,IDRB,Thiruvananthapuram

The Chief Engineer,(Mechanical),Thiruvananthapuram

The Chief Engineer,(IN&KP),Alapuzha

The Accountant General (A&E/Audit), Thiruvananthapuram

The Industries Department

The Managing Director, Kerala State Industrial Development Corporation, Thiruvananthapuram

All Sections in Water Resources Department

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Forwarded /By order
Signed by Hashim S

Date: 15-10-2024 22:20:59

Section Officer