

No. 40-30/2020-NDM-I
Government of India
Ministry of Home Affairs

North Block, New Delhi-110001
Dated 8th August, 2020

ORDER

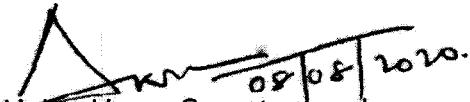
Whereas the Hon'ble High Court of Karnataka at Bengaluru in Writ Petition bearing No. 7615 of 2020 titled as Mallikarjuna A. Vs. Government of India & Ors. vide its Order dated 24th July, 2020 has directed that the National Executive Committee of the National Disaster Management Authority to consider of exercising the powers under clause (l) of sub-section (2) of Section 10 of the Disaster Management Act, 2005 (hereinafter referred to as DM Act) by issuing directions to the State Governments and the State authorities mandating them to give an intimation to the adjacent States immediately after a decision is taken by the authorities of the State to release water from the reservoirs/dams so that mitigating measures can be taken by the State Governments which are likely to be affected and that they will be in the state of preparedness;

And whereas the Department of Water Resources, River Development & Ganga Rejuvenation (hereinafter referred to as DOWR), Ministry of Jal Shakti is *inter alia* entrusted with the subject matter of water management, command area development, management of reservoirs and reservoir sedimentation, flood (control) management ;

And whereas it is considered appropriate that necessary directions in this regard is to be issued by the DOWR for compliance of the aforesaid order of the Hon'ble High Court of Karnataka;

Now, therefore, in exercise of powers conferred under section 69 of the DM Act, the undersigned in his capacity as the Chairperson, National Executive Committee, hereby delegates its power under clause (l) of sub-section (2) of section 10 of the Act *ibid* to Secretary, DOWR to issue necessary direction as is considered expedient to comply with the aforesaid direction of the Hon'ble High Court of Karnataka.

The aforesaid delegation of power is made only in the context of object, intent and purpose of the Disaster Management Act, 2005 with a view to forewarn the receiving State of release of water to pre-empt a possible disaster. This delegation of power is not intended to deal with, interfere or seek to regulate the respective rights and liabilities of the State with regard to the quantum of water entitlement either as per their claims or as per the directions of competent body, tribunal and/or Court.


08/08/2020
Union Home Secretary and

Chairman, National Executive Committee (NEC)

To,
The Secretary,
Department of Water Resources,
River Development & Ganga Rejuvenation,
Government of India.

Copy to :-

- 1. All Members of the National Executive Committee.
- 2. Member Secretary, National Disaster Management Authority.