

**Model bill on rainwater harvesting**

\*292. PROF. SAIF-UD-DIN SOZ: Will the Minister of WATER RESOURCES be pleased to state:

(a) whether it is a fact that the Ministry had adopted and circulated a Model Bill on rainwater harvesting to all the States in the country; and

(b) whether it is also a fact that many States had either not adopted the Bill or adopted it to their requirement?

THE MINISTER OF WATER RESOURCES (SHRI HARISH RAWAT): (a) Ministry of Water Resources has circulated the Model Bill to all the States/Union Territories to regulate and control development and management of ground water, which also contains a chapter on rain water harvesting for ground water recharge.

(b) So far, fourteen (14) States/UTs, namely, Andhra Pradesh, Goa, Tamil Nadu, Lakshadweep, Kerala, Puducherry, West Bengal, Himachal Pradesh, Bihar, Chandigarh, Jammu & Kashmir, Karnataka, Assam, Dadra and Nagar Haveli have modified the Model Bill as per their requirement and enacted the legislation. Government of Maharashtra has enacted Maharashtra Ground Water (Regulation for Drinking Water Purposes), Act 1993. Government of Maharashtra has also introduced and passed a Comprehensive Ground Water Bill in the Legislative Assembly to regulate and manage ground water resources in the State. Fifteen (15) States/UTs, namely, Andaman & Nicobar, Chhattisgarh, Daman & Diu, Delhi, Gujarat, Haryana, Jharkhand, Madhya Pradesh, Meghalaya, Mizoram, Odisha, Rajasthan, Uttarakhand, Uttar Pradesh and Punjab have initiated action for enactment of the Model Bill. States of Arunachal Pradesh, Manipur, Nagaland, Sikkim and Tripura have indicated that their ground water development is low and thus they do not feel the need to adopt the Bill.

**Impeachment of judges**

†\*293. SHRI RASHEED MASOOD: Will the Minister of LAW AND JUSTICE be pleased to state:

(a) whether Government has chalked out any policy to check the tendency of resigning from the office after the introduction of impeachment motion;

(b) if so, the details thereof;

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†Original notice of the question was received in Hindi.

(c) the number of proposals pending before Government to move impeachment motions against judges; and

(d) by when a decision would be taken thereon?

THE MINISTER OF LAW AND JUSTICE (SHRI ASHWANI KUMAR): (a) and (b) The procedure for removal of Judges of the Supreme Court and High Courts by impeachment is laid down in Article 124 (4) of the Constitution. The Judges (Inquiry) Act, 1968 regulates the procedure for the investigation and proof of the misbehaviour or incapacity of a Judge of High Courts and the Supreme Court and for the presentation of an address by Parliament to the President.

As regards the resignation of Judges of the Supreme Court and High Courts, Articles 124 (2) (a) and 217 (1) (a) of the Constitution provide that a Judge may, by writing under his hand addressed to the President, resign from his office. There is no separate provision made in the Constitution for acceptance or otherwise of the resignation of Judges of the Supreme Court or High Courts against whom impeachment proceeding has been initiated.

Government has introduced the "Judicial Standards and Accountability Bill", which is presently under consideration in the Parliament. This provides a mechanism for receiving complaints, conduct inquiry/investigations against Judges of the Supreme Court and High Courts by an Oversight Committee to be constituted for this purpose. It also provides a mechanism to impose commensurate penalty/punishment to the Judge(s) found guilty as a result of the investigation. Further, Clause 34 (3) of the Bill provides that, in a case where an inquiry or investigation against the Judge has been initiated and such Judge has demitted office during such inquiry or investigation, such inquiry or investigation may be continued if the Oversight Committee is of the opinion that the misbehaviour is serious in nature and requires to be investigated into.

(c) and (d) In terms of the provision contained in Section 3(1) of Judges (Inquiry) Act, 1968, impeachment proceedings against a judge can be initiated by the Members of Parliament in the manner provided in the Act. There is no proposal(s) for impeachment pending with the Government.

#### **E-filing of nominations during elections**

\*294. SHRI BALWINDER SINGH BHUNDER: Will the Minister of LAW AND JUSTICE be pleased to state: