

INTRODUCED ON 07.08.2023.
[AS INTRODUCED IN THE SENATE]

A
BILL

to provide for compulsory harvesting of rainwater in every Government, residential, commercial and institutional building in urban areas to conserve water

WHEREAS it is expedient to provide for compulsory harvesting of rainwater in every Government, residential, commercial and institutional building in urban areas to conserve water and for matters connected thereto;

It is hereby enacted as follows:-

1. Short title, extent and commencement. - (1) This Act may be called the Rain Water Harvesting Facility in Urban Areas Act, 2023.

(2) It shall extend to the Islamabad Capital Territory.

(3) It shall come into force at once.

2. Definitions. - In this Act, unless the context otherwise requires, —

- (a) "**building**" includes all such structures, sheds, houses and buildings as may be notified by the Government under this Act;
- (b) "**commercial establishment**" means any building which is being used as an office or factory or for any other commercial purpose in connection with any trade or business;
- (c) "**Government**" means the Federal Government;
- (d) "**Government building**" means any building occupied or being used by any Government department or Ministry and includes offices of public sector enterprises, statutory bodies, bodies owned or administered by the Government, autonomous bodies, bodies of local self-government and residential areas provided by the Government to government employees;
- (e) "**household**" means a dwelling unit of any description;
- (f) "**housing society**" means a dwelling unit in a complex or building;
- (g) "**prescribed**" means prescribed by rules made under this Act;
- (h) "**rainwater**" is liquid water in form of droplets that have condensed atmospheric water vapor and the precipitated to become heavy enough to fall under gravity;
- (i) "**rainwater harvesting**" refers to the accumulation and deposition of rainwater for reuse on-site and water collected is redirected to a deep pit, reservoir with percolation and provides an independent water supply; and

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- (j) **“rainwater harvesting system”** refers to the process of collecting rainwater and then storing it for domestic use such as irrigation, laundry, flushing and with additional treatment as drinking water.

3. Obligation of rainwater harvesting in Government buildings. - It shall be the duty of the Government to ensure and implement such measures, as it may deem necessary and appropriate, to harvest rainwater in Government buildings within such time as may be prescribed.

4. Compulsory rainwater harvesting in households and residential establishments. - (1) Every owner of an independent household building having area of not less than two thousand eight hundred square feet or every owner who proposes to construct an independent household building on an area of not less than two thousand eight hundred square feet shall install rainwater harvesting system and structures for storage and for use of harvested water.

(2) It shall be obligatory for the builders and promoters of every building and housing society to install rainwater harvesting system and structure on the top of every building or in the land forming part of the property, in order to meet a part of its total requirement of water in such manner as may be prescribed.

(3) The responsibility to ensure compliance of the provisions of sub-section (2) shall lie with the developer or builder of the proposed building or housing society.

Explanation. — For the purposes of this section "builder" or "developer" means the company or individual or group of individuals responsible for the planning and construction of -the building or housing society.

5. Compulsory rainwater harvesting by commercial establishment. -

(1) Every commercial establishment shall adopt such measures to provide rain water harvesting system and structures for storage and for use of harvested water within the premises of the commercial establishment.

(2) The responsibility to ensure compliance of the provisions of sub-section (1) shall lie on the person, by whatever name called, who is

primarily responsible for the affairs of that establishment.

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6. Monitoring and Evaluation.- The prescribed authority shall conduct regular monitoring and evaluation of the safety of the water for domestic use.

7. Punishments. – (1) Whoever contravenes the provisions of section 3 shall face enquiry and the responsible shall be punishable in accordance with Government Servants (Efficiency and Discipline) Rules, 1973.

(2) Whoever contravenes the provisions of section 4 shall be punishable with fine which may extend to five hundred thousand rupees.

(3) Whoever contravenes the provisions of section 5 shall be punishable with fine which may extend to one million rupees.

8. Power to make rules. – (1) The Government may, by notification in the official Gazette, make rules for carrying out the purposes of this Act.

(2) The Government shall make the rules within three months after the enforcement of this Act and shall lay the same before the Parliament for approval.

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

STATEMENT OF OBJECTS AND REASONS

Water crisis is the inherited problem after gaining independence. With passage of time water accessibility per capita has been declining because of increasing population. The quantum of water obtainable within the country being fixed, the increasing demand has reduced per capita water availability. There's a large-scale pollution of water as a results of industrialization and urbanization, a trend that should be checked. Water in most industries is employed for cooling purposes, thus, it's not necessary to use potable water. Instead, the recycled water is also used for this purpose. Demand of water for domestic use may be cut backed. Rainwater is one of the oldest sources of water which can provide the needed water supply for humanity's survival. Thus obligatory fresh water harvest is, therefore, need of hour. It'll not only reduce the burden on restricted water resources but will also guarantee and prove valuable property for the long run generations. It can also supplement the dwindling water supply and prevent flash flooding. The situation clamors to introduce this Bill. Further, the water tables are rapidly depleting due to the mushrooming of housing societies and conversion of agro land to commercial use.

2. The Bill has been designed to achieve the above purpose.

**SENATOR PALWASHA MOHAMMED ZAI KHAN
MEMBER-IN-CHARGE**