

# Water Right Practices in Sri Lanka

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# Current Status

- ✖ In Sri Lanka no proper Water Right System established by Law upto now.
- ✖ But traditionally all kind of Water Users are having some right of getting required amount of water by some way or another.
- ✖ Individuals apply from NWSDB and get their water connections and pay the cost to the agency based on their usage.



## Cont:

- ✦ Major Irrigation schemes, Hydro Power Plants, large Bulk Water users get their quota from MASL
- ✦ Medium and Minor Irrigation Schemes get their requirements from respective reservoirs as per the decision taken by the Kanna Meetings.
- ✦ Private Farms get their requirements applying to relevant agencies who are having the authority.



# Are we happy with the current Situation: No

- ✱ Fresh Water is Scarce and limited & Precious Resource
- ✱ With rapid development and globalization, demand for water is drastically increased.
- ✱ Priorities are changing rapidly.
- ✱ Due to human activities water bodies are largely polluted.
- ✱ Health condition of the people are deteriorated.
- ✱ There can be no clean water , at least for Drinking purposes for the next Generation



# Solution

- ✦ Then Country need to approve some legislation which is acceptable to all customers and who are ready to respect to it .
- ✦ Basically Clear Discipline in the Water Use Sector is a must.



# Need of Water Rights Allocation Policy

The objective of water Right/Allocation policy is to promote the efficient & wise use of available water resources of Sri Lanka through secure and orderly allocation of water, equitable access to water by all users, preservation of water supply for environmental and social/cultural priorities, and voluntary transfer to higher valued uses.

# Draft Legislation Was Developed & It covers following areas

1. Water entitlements
2. Environment & Social Water Requirements
3. Water Allocation Priorities
4. River Basin & Ground Water Management Plans
5. Management of Low Flow/Drought condition
6. Transfer of Water Entitlements
7. Adjustment & Cancellation of Water Entitlements
8. Phased Implementation

# 1. Water Entitlement

- Water use rights will be granted through the water entitlements. Water entitlements will be granted to group schemes

Eg . Urban water systems,  
Irrigation schemes, etc.)  
Hydro Power Plants  
larger water users.

Small scale users & individual users supplied through group schemes exempt from the requirement to hold an entitlement.

- Water entitlement use to convey water rights for both surface & groundwater.



# 1. Water Entitlements

- ✿ Government agencies or categories of water users have not an automatic right, on the basis of other legislation, to use water without an entitlement.
- ✿ MASL & ID hold water entitlements on behalf of farmers. Farm organization or farmer companies are formed or aggregated at a system level.

## 2.Environment & Social Water Requirements

- ✱ Environment , social & cultural uses/users will be protected, including provision of water for the poorest & maginalized.
- ✱ Water for above purposes will be protected by reserving minimum flow & storage volumes and by limiting total volume of water under water entitlements
- ✱ River basin Plans may specify reduction in reserved flows during period of droughts.

### 3. Water Allocation Priorities.

- ✱ Water Entitlements will be issued on following priority order.
  - Reserved flows in Rivers or reserved levels of multipurpose storages
  - Existing water users who have used water prior to specified date.
  - After above two priorities new users may apply to receive entitlements upto the limit of available water in a River Basin.

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### 3. When Water supplies are insufficient to meet all entitlements & Reserve flows,

- ✦ First Priority will be Domestic water, subject to implementation of any previously agreed conservation measures.
- ✦ Other water users will share the available supply in proportion to their normal entitlements
- ✦ Other priorities during water shortage period may be specified in the river basin plan.

Cont:

## 4. River Basin & Ground Water Management Plans

- ✦ River Basin Plans will be developed to specify the long term allocation of water and other water management functions.
- ✦ River Basin Management committees consisting of representatives of the government and all stakeholders are formed.
- ✦ River Basin plans will be implemented through the issuing of water entitlements



## 5. Management of Low Flow/Drought Conditions

- ✦ Water entitlement will not guarantee that the permitted water quantity is available at all times. Government will not provide compensation in such occasions.
- ✦ Entitlement Holders must recognize water supplies vary naturally .
- ✦ During the period of Drought available water supplies will be directed to the priority users.

## 6. Transfer of Water Entitlements

- ✿ Voluntary transfer of water entitlements will be allowed .
- ✿ Transfer of entitlements will be allowed between similar or different type of water users.
- ✿ Water entitlement holders are free to transfer their entitlements as long as the transfer does not negatively affect the water rights of others.
- ✿ When land for which a water entitlement is in effect is sold, the new owner will be assumed to take over the water entitlement.
- ✿ In case of water disputes , the government will take an active role in facilitating negotiating transfer of water entitlements.

## 7. Adjustment & Cancellation of Water Entitlements

- ✦ Government through non-renewal of expired water entitlement, cancellation of an entitlement or reduction of the permitted volume of abstraction due to violation of terms of the entitlement or voluntary cancellation or reduction of entitlement may recover water entitlement.



## 8. Phased Implementation

- ✦ Water use entitlements will be issued only in designated water management areas.
- ✦ River Basin planning & issuing of water entitlement will be undertaken progressively in water management areas.
- ✦ Water entitlements will not be required outside such designated water management areas.



# Conclusion

- ✚ A Draft National Policy was developed by Water Resources Secretariat /WRC.
- ✚ This Draft National Water Policy and the institutional Recommendations are now before the Government for Final Approval.
- ✚ Need quick action on this important legislation

Thank you for your  
Attention

