

**GOVERNMENT OF INDIA
WATER RESOURCES, RIVER DEVELOPMENT AND GANGA REJUVENATION
LOK SABHA**

UNSTARRED QUESTION NO:1232

ANSWERED ON:03.03.2016

Inter-State River Water Sharing Disputes

Koli Shri Bahadur Singh;Parthipan Shri R.;Reddy Shri Ch. Malla;Sathyabama Smt. V.;Singh Shri Dushyant

Will the Minister of WATER RESOURCES, RIVER DEVELOPMENT AND GANGA REJUVENATION be pleased to state:

- (a) the details and the current status of each of the inter-State river water sharing dispute in the country along with agreements signed between the States for the purpose;
- (b) the quantum of water demanded by the States and being supplied to each State in the country at present from each of the rivers involved in such disputes along with the details of the objections received from States by indicating the action taken thereon, if any;
- (c) the details/names of the Committees/Boards/Authorities/ Tribunals/Commissions constituted/to be constituted for resolving the disputes along with the progress achieved in this regard to water sharing amongst States so far; and
- (d) the steps taken/to be taken by the Government to resolve all the inter-State river water sharing disputes along with efforts made to ensure that due /agreed share of water from the rivers involved in disputes is released to the concerned States without any hurdle?

Answer

THE MINISTER OF WATER RESOURCES, RIVER DEVELOPMENT AND GANGA REJUVENATION

(SUSHRI UMA BHARTI)

(a) to (c) On the complaint made by the State Governments, the Central Government has, so far, set up 08 tribunals to settle water disputes among the States under the inter-state river water disputes (ISRWD) Act, 1956. The present status of various inter -state water disputes over the sharing of river water is at Annexure.

In the past, some of the states had resolved their disputes on water sharing or joint projects through mutual discussions and agreements with/without the direct intervention of the Central Government. As such this ministry does not maintain relevant record. However, as per information available in central water commission publication "agreements on inter-state rivers", Vol. III of Legal Instruments on Rivers In India, about 114 inter-State agreements have been reached so far.

Parties to Agreements/decision of Tribunals are entitled to their share of water in concerned river basin as per provisions of such Agreements/decision of Tribunals. This Ministry does not maintain such records. However, supply of water to concerned States varies on year to year basis depending mainly on availability of water in the basin/reservoirs in a particular year and other relevant factors and is monitored by the concerned Board/Authority/regulatory body functioning in a particular river basin project.

Further, no committee/boards have been constituted for resolving the inter-state water disputes between the party states raised under the provision of Inter-State River Water Disputes Act, 1956.

(d) The mechanism for settlement of water disputes is already available in the form of ISRWD Act, 1956. The ISRWD Act, 1956 has been last amended in 2002 whereby adjudication of the water disputes by tribunals has been made time bound after consultation with all state governments. Further, Ministry of Water Resources, River Development & Ganga Rejuvenation adopted a revised National Water Policy (NWP) in 2012. As per Clause 12.2 of the Policy, a permanent Water Disputes Tribunal at the Centre should be established to resolve the disputes expeditiously in an equitable manner. However, the proposal to set up a standing tribunal to adjudicate interstate river water disputes is under consultation with the States.

ANNEXURE REFERRED TO IN REPLY TO PART (a) to (c) OF UNSTARRED QUESTION NO. 1232 TO BE ANSWERED ON 03.03.2016 IN LOK SABHA REGARDING INTER-STATE RIVER WATER SHARING DISPUTES

A. Status of Inter-State water disputes over the sharing of river water under to Tribunal

S.

No Name of Tribunal States concerned Date of constitution Present Status

1. Godavari Water Disputes Tribunal Maharashtra, Andhra Pradesh, Karnataka, Madhya Pradesh & Odisha April, 1969 Award given on July, 1980

2. Krishna Water Disputes Tribunal -I Maharashtra, Andhra Pradesh, Karnataka, April, 1969 Award given on May, 1976

3. Narmada Water Disputes Tribunal

Rajasthan, Madhya Pradesh, Gujarat and Maharashtra October, 1969 Award given on December, 1979

4. Ravi & Beas Water Tribunal Punjab, Haryana and Rajasthan April, 1986 Report and decision under section 5(2) given in April, 1987. Clarification/explanation sought from the Tribunal under Section 5(3) of the said Act by the party States. Also, a Presidential Reference in the matter is before Supreme Court and as such the matter is sub-judice.

5. Cauvery Water Disputes Tribunal Kerala, Karnataka, Tamil Nadu and Puduchery June, 1990 Report and decision given on 5.2.2007 which was published vide Notification dated 19.2.2013. Further, report of CWDT u/s 5(3) of the Act is awaited. Also, Special Leave Petition (SLP) filed by party States in Hon'ble Supreme Court, as such the matter is sub-judice.

6. Krishna Water Disputes Tribunal -II Karnataka, Telengana, Andhra Pradesh and Maharashtra April, 2004 Report and decision given on 30.12. 2010. Further report given by the Tribunal on 29.11.2013. However, as per Supreme Court Order dated 16.9.2011, till further order, decision taken by the Tribunal on references filed by States and Central Government shall not be published in the official Gazette. As such, matter is sub-judice. Term of the Tribunal has been extended for a further period of two year w.e.f. 1st August, 2014 to address the terms of reference as contained in section 89 of Andhra Pradesh Reorganisation Act, 2014. The matter is under adjudication in the Tribunal. The Government of Telengana has filed a SLP 33623-26 of 2014 and WP(C) 545 of 2015 in the Hon'ble Supreme Court in the matter. The matter is sub-judice.

7. Vansadhara Water Disputes Tribunal Andhra Pradesh & Odisha February, 2010

However, as per the Supreme Court order the date of reckoning of the constitution of the Tribunal is w.e.f. 17.9.2012 Report and decision not given by the Tribunal. State of Odisha has filed an SLP in Supreme Court against the appointment of one of the Members of the Tribunal. The SLP in the matter filed by the State of Odisha in the Supreme Court is pending. The matter is sub-judice. Besides, Hon'ble Vansadhara Water Disputes Tribunal in its Order dated 17.12.2013 has directed to constitute a 3-member Protem Supervisory Flow Management and Regulation Committee on River Vansadhara to implement its Order. State Govt. of Odisha has filed Special Leave to Appeal (Civil) No.3392 of 2014 with regard to the Vansadhara Water Disputes Tribunal Judgement dated 17.12.2013. The matter is sub-judice.

8. Mahadayi Water Disputes Tribunal Goa, Karnataka and Maharashtra November, 2010

However, vide notification dated 13.11.2014

date of reckoning of the constitution of the Tribunal is w.e.f. 21.08.2013 Report and Decision not given by the Tribunal.

B. Status of other Inter-State water disputes over the sharing of river water

1. Further, the Central Government has constituted a 3-member Supervisory Committee on;

i. Mullaperiyar Dam for implementing the order dated 7.5.2014 of the Hon'ble Supreme Court.

ii. Babhali Barrage on 24.10.2013 for implementation of the Order dated 28.2.2013 of Hon'ble Supreme Court.

2. Action of negotiated settlement with the party States has also been initiated by the Central Government as per the provisions of the ISRWD Act, 1956 on the request of Government of Bihar, on river Sone. After two meetings each taken by Chairman, Ganga Flood Control Commission (GFCC) and by Chairman, Central Water Commission (CWC) in 2014 and 2015, it was agreed that the situation can be watched for one year regularly and instead of analysing Joint Operation Committee (JOC) recommendations at the end of season, it would be better to have analysis carried out during the lean period, so that corrective measures could be taken timely. It was further agreed that the two states U.P. & Bihar would meet periodically every two months to analyse the release pattern vis-a-vis the JOC recommendations from Rihand dam and try to solve the issues bilaterally.