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Title: Regarding decision taken by the Government to notify the final award of Cauvery Water Tribunal.

SHRI ANANTH KUMAR (BANGALORE SOUTH): Thank you very much Sir.

Mr. Deputy Speaker Sir, thank you for allowing me to raise this very important issue concerning the crores of people in Karnataka. Actually, grave injustice has been done to the State of Karnataka, the people of Bengaluru, the farmers of the Southern Karnataka in Cauvery river water dispute.

Recently, on 20th February, 2013, the Government of India has notified the final award of the Cauvery Water Disputes Tribunal which is against the interests of the state of Karnataka. I am using this opportunity to oppose this, to condemn this Notification. We always felt that the Government of India should have come to the assistance of people of Karnataka because the final award is not equitable. He has not provided any justice to the State of Karnataka.

I want to give it very briefly to the consideration of this august House. The entire basin area in square kilometres in Karnataka is 34,273 which is 42 per cent and in Tamil Nadu, it is 44,016 kilometres which is 54 per cent. The share for each State as per Cauvery Tribunal final award is 270 tmc feet of water for Karnataka which is only 37 per cent and 419 tmc feet of water which is 59 per cent to the State of Tamil Nadu. There has been series of injustice done to the State of Karnataka. We were pleading the Tribunal that we should be given 465 tmc feet of water but only 270 tmc feet of water has been given. There is nearly 47 tmc feet of ground water available in Tamil Nadu area. But that has not been accounted by the Tribunal while sharing the river water.

Thirdly, regarding the need of Bengaluru, you know that Bengaluru is one of the fastest growing cities of the country in Asia. We have more than one crore population. We require nearly 20 tmc feet of water whereas the Tribunal has not taken this into account. The Tribunal has taken only one-third of the Bengaluru population for the purpose of accounting the water requirements of Bengaluru. I also want to apprise the House that unallocated quantity of 48 tmc of water has been erroneously reallocated on population basis. It has drastically reduced the availability of crop water and adversely affected the ongoing projects in the State of Karnataka.

The most important development to be brought to your kind notice is that the Tribunal has over-estimated the crop water requirement of Tamil Nadu based on the self-serving affidavits of Tamil Nadu and overlooking the objections of Karnataka. Finally, the final order of the Tribunal has not been directed for constitution of the Cauvery Management Board. The Tribunal, realising the fact that the constitution of a Board or Authority under section 6A of the Act of 1956 is the sole prerogative of the Central Government and also having regard to the fact that the regulation will have to be approved by the Parliament under section 6A (vii) of the Inter-State River Water Disputes Act of 1956. Therefore, our demand is that they have already notified section 6(1). Our hon. Minister Namo Narain Meenaji is here. Regarding section 6(1), the Central Government should assure this House that they will file an appeal to the Supreme Court on behalf of the Government of India. There are civil appeals from the State of Karnataka, civil appeals from the State of Tamil Nadu, civil appeals from the States of Puducherry and Kerala are pending. When the civil appeals are pending, I do not understand how the final award has been notified under section 6(1). Therefore, I would urge through you that the Government of India should intervene and should take the legal assistance and say that this decision of the Supreme Court should be reviewed.

There is another section, section 6A of the Inter-State River Water Disputes Act. Under section 6A, they can decide about the sharing of the water and the release of the water. They can come out with a scheme and to monitor that scheme, they can have a Management Board. We are totally opposed to this constitution of the Management Board. About 20 years back, there has been a final award of the Tribunal about the Ravi-Beas Award. But till today, it has not been notified. The State Government of Punjab has gone on a writ petition. Therefore, Ravi-Beas Award has been pending for notification for twenty years. In the case of Karnataka, we got the final Award in 2007 and in 2013 under the pressure of the Government of Tamil Nadu, under the political pressure, the Central Government has buckled and allowed the notification. We condemn that. We would urge and demand the Union Government of India that they should not notify section 6A. If they notify section 6A, it will be a great injustice to the State of Karnataka. Already the farmers, the people of Karnataka and the State of Karnataka are in agitation. Therefore, I want an assurance, through you, from the hon. Minister that they will assure the people of Karnataka that they will not notify section 6A of Inter-State Water Disputes Act regarding the final Award of the Cauvery Tribunal.