MR. SPEAKER : There is nothing before the House. What is your point of order ?

SHRI P. K. DEO : It is about the next item on the agenda—the Calling Attention. I would like to raise a point of order about that My submission is—

MR. SPEAKER : There is no point of order which may be a submission.

SHRI P. K. DEO : It is a point of order. It is this. It is the established parliamentary practice that whether the House is in session, any policy statement that is made should first come to the House, before it is released to the press. Here, the Minister of Irrigation and Power has released to the press, about the Cauvery waters, stating that this is a matter to be referred to the negotiating table and they do not like it to be sent to the tribunal. In this regard, I would submit that in all inter-State disputes, the Centre always acts as a grand arbiter and these are decided on a political plane, whether it is Fazilka or Chandigarh or the Mysore-Maharashtra dispute. We cannot have different yardsticks for different questions. So far as the Godavari Krishna and the Narmada water disputes are concerned, they have been referred to the tribunal. Why, in this case, there is a departure from the usual practice ?

MR. SPEAKER : This is not a point of order. I am not allowing it.

SHRI P. K. DEO : Why is this departure ? We cannot reduce this House to a mockery. I would like to know from the Minister why on this question of major policy it was released to the press before it was brought to this House

MR. SPEAKER : When you sent it in writing to me, why should you get up again ? The Minister has not made any policy statement I have seen that statement. Of course, from day to day, many factual things occur, and the Minister has a right to speak to the press or to the people.

SHRI P. K. DEO : He should not.

MR. SPEAKER : It is not a major policy that he has laid down ; not at all.

SHRI P. K. DEO : It is a question of life and death to Tamil Nadu. It should not have been treated like that. (*Interruption*).

MR. SPEAKER : It is a bad habit with you. Kindly sit down.

SHRI BALATHANDAYUTHAM *rose*—

MR. SPEAKER : I have studied your point also. Will you please sit down ? In this Call Attention motion, one hon. Member from Mysore came out in the ballot ; two from Tamil Nadu both of whom are absent. What is the fault of the ballot ?

SHRI S M. BANERJEE (Kanpur) : I shall quote an instance just to help you.

MR. SPEAKER : There is one Shri Muktiar Singh Malik, and then Shri Ramkanwar.

SHRI PILOO MODY (Godhra) : No substitution

MR. SPEAKER : No substitute, we will have some time for discussion.

SHRI PILOO MODY. This has nothing to do with who is from which State. The matter is before the House. It is a national issue, this is not a State issue. (*Interruption.*)

MR. SPEAKER : Order please. Do not interrupt. If the Tamil Nadu Members have any grievance that they are absent, I will put it before the Business Advisory Committee and if they allot any time, I will no objection to fix any time if the Government agree.

SHRI BALATHANDAYUTHAM (Coimbatore) : We have given a motion for discussion.

SHRI S. M. BANERJEE : You will kindly remember that when there was a calling attention motion about State hood for Tripura in my name, you allowed me to drop out and you allowed Shri Meghchandra to put a quesion. There is a precedent for it. I am quoting from the records.

MR. SPEAKER : It was expressly decided by the House that this thing would not be treated as a precedent and it would not be repeated. Now, Mr. Shivappa.

12.05 hrs.

CALLING ATTENTION TO MATTER OF URGENT PUBLIC IMPORTANCE

CAUVERY WATERS DISPUTE

SHRI N. SHIVAPPA (Hassan) : Sir, I

call the attention of the Minister of Irrigation and Power to the following matter of urgent public importanee and I request that he may make a statement thereon :

"The reported statement of the Chief Minister of Tamil Nadu and the resolution passed by the Tamil Nadu Legislative Assembly demanding that the Central Government should refer the Cauvery waters dispute to a Tribunal and restrain the Mysore Government from going ahead with the construction of Hemavathi and other projects in the Cauvery basin."

THE MINISTER OF IRRIGATION AND POWER (DR. K. L. RAO) : Sir, before I read the statement, I would like to point out that what Mr. Deo said is not correct. I have not been interviewed by the Press on this subject. Even the statement I am going to read was given for cyclostyling in my office only at 10 O'clock this morning.

MR. SPEAKER : I have given my ruling already. Why do you go into it again ?

DR. K. L. RAO : I will read the statement.

The resolutions of Tamil Nadu Legislature and the Statement of Chief Minister of Tamil Nadu have been received. Cauvery is one of the most extensively used rivers of the world. Irrigation has been practised for several centuries in its valley. In its basin, there are still large tracts without irrigation water. The river passes through the States of Mysore, Kerala and Tamil Nadu and there is demand for the waters of Cauvery from all the three States. The States of Tamil Nadu and Kerala have been representing that the matter should be settled by reference to a Tribunal under Inter-State Water Disputes Act of 1956. Mysore Government on the other hand contend that the projects proposed to be undertaken by them are not only essential but are within their rightful allocations of water and reference to the Tribunal is not necessary. Attempts have been made to settle the dispute amicably.

In the absence of an elected Government in Mysore, it is difficult to bring negotiations to a conclusive stage. We are however endeavouring to ensure that the relative claims of different States concerned are not prejudiced in the meantime.

SHRI G. VISWANATHAN (Wandiwash) On a point of order, Sir.

MR. SPEAKER : No point of order now.

SHRI G. VISHWANATHAN : Only during Question Hour it is not allowed. During calling attention, it is allowed. Kindly give me two minutes and I will satisfy you that I am within the rules.

SHRI K. LAKKAPPA (Tumkur) : On a point of order, Sir . How can you allow Mr. Vishwanathan to make a statement now?

SHRI G. VISHWANATHAN : The minister has just now made a statement which is diametrically opposed to a law passed by this House. Under the Inter-State Water Disputes Act, 1956, if a State wants a particular dispute to be referred to a tribunal, it is obligatory on the part of the Central Government to refer it to a tribunal. There is no option left.

MR. SPEAKER : A point of order should relate to the procedure.

SHRI G. VISHWANATHAN : It is opposed to public policy. Section 4 of the Act says :

"When any request is received from any State Government in respect of any water dispute and the Central Government is of opinion that the water dispute cannot be settled by negotiations, the Central Government shall, by notification in the Official Gazette, constitute a Water Disputes Tribunal for the adjudication of the water dispute."

The minister has said that the negotiations have broken down. So, it is obligatory on the part of the Centre to refer it to a tribunal.

MR. SPEAKER : This is no point of order. I have held earlier that there is no point of order. The hon. Member has said whatever he wanted to say.

SHRI N. SHIVAPPA : At the very outset, I wish to congratulate the hon. Minister for his realistic approch to the problem. It is not a question of favouring my State or another State but it is a question of having a practical and sympathetic approch to the problem. I am glad the Minister has taken the right stand

[Shri N. Shivappa]

especially when there is no popular government representing the people in the State of Mysore at present. We have got a long-standing problem and since the very signing of this agreement we have been requesting the Central Government technical clearance and sanction of some of the schemes for utilisation of water and some funds for implementing those schemes but I have to say with regret that we have not got even a single pie from the Central Government. This is a project which requires clearance because it comes within the ambit of some agreement, either of 1892 or 1924. But, over, and above that, there are numerous projects which are pending consideration and sanction, namely, Swarnavathy, Yagachi, Votehole, Gantal Sagare, Doddakare and also Cauvery which are not covered by any agreement. Yet, there is a hue and cry about them and the dispute is carried to the public street. If this is the attitude which is adopted by some of the State Governments, what is the value which we are attaching to national integration of this country? The Minister is doing his best to solve the Cauvery water problem in an amicable way so that it will contribute to the economic improvement of the various States Our demand is very modest. We want to increase our irrigation facilities from 9 per cent to at least 15 per cent They have already reached 40 per cent. They have utilized our water over and above the Mettur Dam. Only 3 lakhs acres of land were to be irrigated by Mettur Dam What is the present utilisation? They are cultivating about 10 lakhs acres with that water. Not only that, they constructed Bhavani and Amaravathi without consulting the Central Government, much less the Mysore Government. The Mysore Government have protested against it but still they went on utilising our water.

SHRI INDRAJIT GUPTA (Alipore): Why are you accusing us? We have not done anything against you. Why do you say "they have taken our water"? Who are "they"?

SHRI N. SHIVAPPA: I was referring to Tamil Nadu. The trouble started with the 1892 agreement. That agreement was concluded between two unequal partners. The agreement that was entered into with the bigger State of Madras is not binding on us. It is *abinitio* void. We are not prepared to honour it. We want the hon. Minister to be sympathetic to our request. We want technical clearance for non-scheduled rivers because in regard to them there is no agreement or stoppage of water. What is the bottleneck in regard to them? Why should Tamil Nadu Government come forward and create all this *hullagulla*, I do not understand. The agreement is subsisting till 1974. So, why should they make all this *kalata* and *hullagulla*, till then? The Mysore Government is requesting the Centre only for technical clearance of some projects and financial help for their implementation. Why should technical clearance be withheld for those projects? At least when the control of the Mysore Government is with the Central Government, let them give an assurance on the floor of this House that they will give technical clearance to these schemes at least at this late hour. I do not want to criticize any of our friends. I have got all regards for them I request them not to make this kind of a demonstration hereafter.

DR K. L. RAO So far as the clearance of projects on the unscheduled rivers in the Cauvery Basin is concerned, that will be done. There is no difficulty about it. As regards clearance of projects in scheduled rivers, it is a matter on which the Government of India has got to be very careful. They have got to satisfy all the requirements of everybody. Unless we get a general agreement between the three parties concerned, it will not be possible to clear the projects on the scheduled rivers.

श्री मुख्तियार सिंह मलिक (रोहतक): स्पीकर साहब, यह कावेरी वाटर डिसपुट बड़े लम्बे अरसे से चला आ रहा है। वैसे उसके पानी को दोनो स्टेट्स सदियो से इस्तेमाल करती चली आ रही है, लेकिन पीछे इन दोनो स्टेट्स के बीच मे यह झगड़ा पैदा हो गया। सेंटर की कुछ ऐसी आदत हो गई है कि वह ऐसे मैटर्ज को बहुत लम्बे अरसे तक लटकाये रखता है, जिसका नतीजा यह होता है कि स्टेट्स के आपसी ताल्लुकात बड़े कशीदा हो जाते है। आप ने इस हाउस मे ही देख लिया है कि इस मामले पर मैसूर और तामिलनाडू के मेम्बर

भी आपस में लड़ने पर आमादा हैं। जैसा कि मैंने कहा है, सैंटर ने ऐसी आदत बना ली है कि वह झगड़े को निपटाने के बजाय कनफ्यूजन को ज्यादा कानफाउंड करता चला जाता है।

अध्यक्ष महोदय : पंजाब और हरियाणा का भी यही हाल है।

श्री मुख्तियार सिंह मलिक : मैं नहीं जानता कि इस झगड़े को निपटाने के लिए दोनों स्टेट्स के चीफ मिनिस्टर्ज या अफसरान की कोई मीटिंग हुई है या नहीं। मिनिस्टर साहब ने अपने स्टेटमेंट में कहा है कि चूंकि मैसूर में इस वक्त पापुलर गवर्नमेंट नहीं है, इसलिए इस वक्त इस झगड़े का कोई फैसला नहीं किया जा सकता है। मैं कहना चाहता हूं कि यह मामला तो बहुत अरसे से चला आ रहा है और इस बीच में मैसूर में पापुलर गवर्नमेंट रही है। तो वहां पर पापुलर गवर्नमेंट के रहते हुए सैंटर ने इस झगड़े को निपटाने के लिए कौन से इकदाम उठाये ?

1924 में एक एग्रीमेंट हुआ—मैसूर उस वक्त एक रजवाड़ा था—जिसके मुताबिक मैसूर को दस परसेंट पानी इस्तेमाल करना था। लेकिन अब मैसूर ने कावेरी के ट्रिब्यूटरीज पर बांध बनाना शुरू कर दिया है माननीय सदस्य, श्री शिवप्पा, ने कहा है कि मैसूर ने डेम बनाना और दूसरे प्राजेक्ट शुरू कर दिये है और प्लानिंग कमीशन को उनकी मन्जूरी दे देनी चाहिए। यह तो वैसी बात है कि कोई थप्पड़ मार के पूछे कि ज्यादा तकलीफ तो नहीं हुई। मैसूर ने डेम बनाना शुरू कर दिया है और अब माननीय सदस्य इस हाउस में यह एशोरेंस चाहते हैं कि मैसूर को इस बारे में ग्रीन सिग्नल दे दिया जाये। यह तो कोई अच्छी बात नहीं है।

यह झगड़ा सिर्फ दो स्टेट्स का नहीं है। चूंकि कालीकट डिस्ट्रिक्ट इसके कैचमेंट एरिया में आता है, इसलिए केरल स्टेट भी इस मामले से कनसर्न्ड है। तामिलनाडु का स्टैंड यह है कि मैसूर ने जो बांध वगैरह बनाना शुरू कर दिया है, उसका असर तामिलनाडु को मिलने वाले पानी पर बहुत जबर्दस्त होगा, इसलिए इस मामले को हल करने के लिए ट्रिब्यूनल के सुपुर्द कर दिया जाये। मैसूर स्टेट मनमानी कर रही है। उसने अपने यहां बांध बनाना शुरू कर दिया है।

मिनिस्टर साहब ने अपने स्टेटमेंट में कहा है :

> "In the absence of an elected Government in Mysore, it is difficult to bring negotiations to a conclusive stage. We are, however, endeavouring to ensure that the relative claims of different States concerned are not prejudiced in the meantime."

उन्होंने जो शुभकामना जाहिर की है, वह तो ठीक है, लेकिन उन्होंने सब स्टेट्स के इन्ट्रेस्ट्स को सेफगार्ड करने के लिए क्या कदम उठाये हैं, ने इस स्टेटमेंट में एन्युमरेट नहीं किये गये हैं।

तामिलनाडु के तंजोर और तिरुची डिस्ट्रिक्ट्स इसके कैचमेंट एरिया में आते है और उनको पानी मिलता है। क्या मिनिस्टर साहब हाउस मे यह एशोरेंस देने के लिए तैयार हैं कि इस वक्त तामिलनाडु के इन दो डिस्ट्रिक्टस को जितना पानी मिलता है, वह उसी तरह से मिलता रहेगा और मैसूर में बांध बनाने या पानी को रोकने से तामिलनाडु के इन दो डिस्ट्रिक्ट्स के खराब होने पर किसी किस्म का कोई असर नहीं होगा और उसके इन्ट्रेस्ट्स सेफगार्ड दिये जायेंगे ?

क्या मिनिस्टर साहब यह बता सकते हैं कि कब और कौन सी स्टेट ने इस झगड़े के बारे में सेंटर को एपरोच किया और सैंटर ने इस झगड़े को निपटाने के लिए क्या क्या कदम उठाये हैं ? मैं यह भी जानना चाहता हूं कि क्या सैंटर की मध्यस्थता में इन तीनों स्टेट्स के बीच में इस झगड़े को हल करने के लिए कोई मीटिंग या कांफरेंस हुई है, उस मीटिंग

[श्री मुल्लियार सिंह मलिक]

या काफरेंस मे क्या प्राग्रेस हुई और टाक्स के ब्रेक डाउन होने के बाद सेटर ने इस बारे मे क्या इकदाम उठाये ।

क्या 1924 के एग्रीमेट के मुताबिक कभी किसी मौके पर इन तीनो स्टेट्स का हिस्सा मुकर्रर हुआ था कि मैसूर स्टेट को दस परसेट पानी मिलेगा, बाकी पानी तामिलनाडू को मिलेगा और कुछ पानी केरल के कालीकट डिस्ट्रिक्ट को मिलेगा ? क्या किन्ही टाक्स, मीटिंग या काफरेंस मे सैटर ने इन स्टेट्स को मिलने वाले पानी के हिस्से मुकर्रर किये थे ?

क्या मेन्ट्रल गवर्नमेट के नोटिस मे कोई ऐसी बात है कि उनको हिस्से के मुताबिक पानी नही मिला ? आगर उनको नही मिला तो क्या उन्होने मेन्टर को एप्रोच किया ? किसी बाध के बाधने के लिये सैटर मे कभी किसी स्टेज पर उन्होने इजाजत मागी या नही—इन बातो की वजाहत के बाद मिनिस्टर साहब तामिलनाडू सरकार का एशोरेस दे कि उनका पानी के बारे मे जो हक है, उस पर असर नही पडेगा । इस बिना पर स्टेट के आपस के ताल्लुकात को कशीदा करना, लम्बा बढाने से कोई फायदा नही है ।

स्पीकर साहब, आप जानते है, इस वक्त नर्बदा वाटर के बारे मे गडबड है, गुजरात का झगडा है, भाखडा के बारे मे पजाब और हिमाचल का झगडा चला आता है । सैटर इस किस्म की पालिसी रखना है कि वहा पर अपनी गवर्नमेट है या नही (व्यवधान)

DR K L RAO The Government of India has been making sincere efforts consistently for the last four years to achieve an agreement between various States A near-agreement had been reached with regard to most of the subjects and the agreement was about to be signed also but then it went off We have still got hope that it will be possible for us to bring an amicable settlement My only request—I appeal to the hon. Members in the House and outside —is that they should eschew emotions and passions on the subject Not only on this river water dispute There are other river systems also For example, as the hon. Member mentioned, we are engaged in trying to reach an amicable settlement on the Ravi-Beas waters between Punjab and Haryana. Similarly, there are many other river systems in the country We are lucky in having so many river systems in our country Therefore, these problems will be there and we have to solve them in an atmosphere of peace and not in anger and, it is for us to settle the issue in the best interests of the country and also in the best interests of the various States concerned

The hon Member asked me two specific questions One is about the steps being taken in this matter No doubt, we are handicapped because we do not have a popular Government in Mysore, and we have got the President's Rule there That creates a certain amount of difficulty in pursuing the matter Nevertheless, I have been thinking of having a discussion with the hon Members of this House coming from various States I propose to have a discussion with the hon Members who have studied the subject very well and we shall try to arrive at an amicable settlement as soon as possible I have been thinking on these lines, because the matter is a very delicate one, and we should try to arrive at some solution as quickly as possible Therefore, I am thinking that I should invite the hon Members of this House belonging to three States to sit together and try to find a solution

Then, the hon Member mentioned about Tanjore and Tiruchi districts The hon. Members in this House and outside can be rest assured that so far as Tanjore and Tiruchi districts are concerned, these irrigated lands are not going to be affected in the least Some of them are saying that these districts will be converted into a dry desert This is absolutely unfounded, exaggerated and nothing like that. I can assure you that area is not only a sacred land of Tamil Nadu but of India. These lands have been irrigated for several centuries and it will be our endeavour to see that nothing happens to these ancient irrigated lands of Tanjore and Tiruchi districts.