

[Shri Bhupesh Gupta]

thought this Resolution was indeed a comic Resolution it is a caricature of all this and I thought we should speak in a comic way. But now I find it has developed into a great tragedy. I hoped we could make fun of it; either side we could make fun of it.

THE VICE-CHAIRMAN (SHRI DINESH GOSWAMI): Mr- Bhupesh Gupta, one thing appears from the discussion, that you are the best person to become a Minister because in that case there will be no allegations. Now I would request the honourable Minister to avoid all controversies and let us finish this subject as quickly as possible.

SHRI YOGENDRA MAKWANA: I never meant it, as has been rightly pointed out by the honourable Shri Bhupesh Gupta. Because they referred to it, I had to refer to it; other -I was not going to refer to it. In the beginning I had already said this was a very simple Resolution. It seeks to regularise and approve rules which are framed and placed before the House. As I said, rule 9(2) in particular and rule, 10, 13, 17, 24 and 25 which are of similar nature are sought to be approved by this Resolution. As I said in the beginning, there is no financial implication; on the contrary, I gave examples of different journeys undertaken from Delhi to different cities. The amount will be much less than the actual incidental charge at the rate of 35 naya paise.

So, Sir, this Resolution is very simple and I hope it will be passed and approved.

THE VICE-CHAIRMAN (SHRI, DINESH GOSWAMI): The question is:

"This House approves the draft Ministers' (Allowances, Medical Treatment and other Privileges) Amendment Rules, 1980 framed under sub-section (1) of section 11 of the Salaries and Allowances of Ministers Act, 1952 (58 of 1952)

and Jaid on the Table of the Rajya Sabha on 19-6-1930."

*The motion was adopted.*

### THE INTER-STATE WATER DISPUTES (AMENDMENT) Bill, 1980.

THE VICE-CHAIRMAN (SHRI DINESH GOSWAMI): Let us now take up the Inter-State Water Disputes (Amendment) Bill, 1980. I ask for the co-operation of the Members, I have before me 8 speakers. If each speaker can limit his speech to ten minutes, we will be able to finish this on time.

The Minister.

THE MINISTER OF IRRIGATION (SHRI KEDAR PANDE): Sir, I beg to move:

"That the Bill further to amend the Inter-State Water Disputes Act, 1956, as passed by the Lok Sabha, be taken into consideration."

This Bill was passed by the Lok Sabha on 12-6-1980 and is now before this House. I would like to state a few words with regard to this Bill, particularly its aims and objects.

The Narmada Water Disputes Tribunal was constituted in the year 1969 under section 4 of the Inter-State Water Disputes Act, 1956, for adjudication of the water disputes relating to the river Narmada and the river valley thereof between the States, of Gujarat, Maharashtra, Madhya Pradesh and Rajasthan. This was done in October, 1969. The Tribunal gave its report in August 1978. As provided under the Act, the Central Government and the party State Governments made further references to the Tribunal. After considering these references, the Tribunal forwarded its to the Central Government on the 7th December 1979...

श्री हुसमदेव नारायण यादव : (बिहार)  
आप इसके पहले हिन्दी में बोलते थे, इसनिये  
हिन्दी में ही बोलिये ।

श्री केदार पांडे : अभी मैं इसको पढ़ रहा  
हूँ बाद में हिन्दी में ही बोलूंगा ।

SHRI R. MOHANARANGAM (Tamil Nadu): If the Minister read out every rule, procedure and every, thing else in Hindi, is It our boundea duty to ask in English?

THE VICE-CHAIRMAN (SHRI DINESH GOSWAMI): The Minister is reading in English.

SHRI KEDAR PANDE: That is my option. I may speak in English or Hindi, That is permitted.

श्री रामानन्द यादव (बिहार) : आप हिन्दी में बोलिये ।

श्री केदार पांडे : आप कहते हैं तो मैं हिन्दी में बोल जाता हूँ ।

यह ट्राइव्यूनल जो है इसमें चार स्टेटों की बात है। ये चार स्टेट्स हैं—महाराष्ट्र, गुजरात, राजस्थान और मध्य प्रदेश। इन चार स्टेटों का नर्मदा के पानी के बारे में जगड़ा था। उसके बारे में एक ट्राइव्यूनल बना और उस ट्राइव्यूनल ने अपना फैसला दिया। हर एक स्टेट का शेयर आफ वाटर क्या हो और वह कितना बने उसका ट्राइव्यूनल ने फैसला किया। उसके मुताबिक ट्राइव्यूनल ने यह फैसला किया कि एक नर्मदा कंट्रोल अथोरिटी बने। इस फैसले के मुताबिक यह अथोरिटी बनेगी जिसमें 7 मेम्बर रहेंगे और उसके मुताबिक उसमें हर एक स्टेट के रिप्रेजेंटेटिव रहेंगे और मिलकर डे टु डे का जो काम है उसको देखेंगे और जो बोर्ड की रिपोर्ट है, ट्राइव्यूनल की रिपोर्ट है उस रिपोर्ट को लागू करेंगे। लेकिन उसको लीगल रूप देना जरूरी था क्योंकि ट्राइव्यूनल का जो फैसला है, उसको जो बाय-रेकशन है उसके मुताबिक उसको लीगल जामा नहीं पहनाया जा सका था। उसको अथोरिटी होनी चाहिए और कानून तरोके का होता चाहिए। अभी जो कानून है इंटर-स्टेट वाटर डेसप्यूट ऐक्ट 1956 उसमें इतना प्राविजन अभी तक नहीं है। इसमें

ट्राइव्यूनल ने यह भी फैसला किया कि एक रिब्यू बोर्ड बनाएंगे जो कि कंट्रोल अथोरिटी है जो फलता करेगी, उसमें वही डेप्युटी है, कोई कमी मालूम हो तो उस पर वह रिब्यू बोर्ड अपना फैसला ले सकता है, किसी स्टेट की अपील पर हो सकता है। उस रिब्यू बोर्ड में यूनिशन इरीगेशन मिनिस्टर बेयरमैन होंगे और चारों स्टेट के चीफ मिनिस्टर उसमें मेम्बर होंगे। रिब्यू बोर्ड होगा और एडवाइजरों कमेटी टेक्निकल एडवाइजरी कमेटी तीनों के लिये लोचनी कि लीगल अथोरिटी उसको देनी चाहिए इसीलिये इस कानून में यह सब चीजें लाई गई है। इसमें एक ही अमेंडमेंट है, सेक्शन 6 आफ दिस ऐक्ट का एक नया अमेंडमेंट 6(ए) है उस के मुताबिक जो ट्राइव्यूनल का फैसला है, कंट्रोल अथोरिटी या रिब्यू बोर्ड या एडवाइजरी कमेटी वह उसके मुताबिक कैसे काम करेगा जो उसका तीर तरिका रहेगा वह इसमें दिया गया है। वास्तव में यह एक सिंपल अमेंडमेंट है। एक ही सेक्शन 6(ए) का एडिशन हुआ और इसीलिये यह बिल लाया गया है। यह कोई कंट्रोलिंग बिल नहीं है। जो ट्राइव्यूनल के फैसले हैं उन फैसलों का इस कानून के दायरे के अन्दर कैसे लागू किया जाये और उसमें जो 6 है उसको 6(ए) मानकर उसमें कुछ सुधार कर लिया गया है इस लिये यह केवल एक सेक्शन का अमेंडमेंट है, नान-कंट्रोलिंग बिल है, लोक सभा से यह पास हो गया है और जब यहाँ से पास हो जायेगा तो इसके लिये नर्मदा ट्राइव्यूनल अर्वाइज जो है वह लागू होगा और तब काम शुरू हो जायेगा। इसलिये कोई कंट्रोलिंग बिल की बात नहीं है। जो ट्राइव्यूनल का अर्वाइज है उसको जल्द से जल्द हम लागू करें, चलायें, इसको लिये इस कानून में इस परिवर्तन का जरूरत है, यहाँ बात इसमें है।

*The question was proposed.*

THE VICE-CHAIRMAN (SHRI DINESH GOSWAMI): There is a suggestion that we should pass this

[Shri Dinesh Goswami]  
without any discussion. So, if the Members can co-operate, we can finish it.

SHRI HARI SHANKAR EHABHRA (Rajasthan): No, Sir. We are all representatives of the States and the States have certain problems. So, Sir, let us put forth our problems before the House.

THE VICE-CHARIMAN (SHRI DINESH GOSWAMI): Yes, Mr. Nanda.

SHRI NARASINGHA PRASAD NANDA (Orissa): Sir, apparently this is a non-controversial Bill as stated by the honourable Minister. But, Sir, may I refer him to the Seventh Schedule of the Constitution wherein are included the Union List, the State List and the Concurrent List? I would particularly draw his attention to Entry 56 of the Union List in the Seventh Schedule which reads as follows:

"56. Regulation and development of inter-State rivers and river valleys to the extent to which such regulation and development under the control of the Union is declared by Parliament by law to be expedient in the public interest."

Then, Sir, in the State List, Entry 17 reads as follows:—

"17. Water, that is to say, water supplies, irrigation and canals, drainage and embankments, water storage and water power subject to the provisions of entry 56 of List I."

Sir, occurrence of these two provisions in the respective Lists in the Seventh Schedule of the Constitution, one under the Union List and the other under the State List, has given rise to a good deal of controversy and led to a number of litigations. This will lead to a number of litigations. I do not intend to take up the matter too far. But I would just mention about the Betwa River Board. May I tell you that the Betwa River

Board has not been able to function properly, it has not been able to frame its rules and regulations and its Board of Directors is not yet complete. The work which this Board was supposed to do, they were not able to do, because of many technical difficulties, because of many constitutional difficulties. Legal difficulties cropped up and the Board has not been able to function as effectively as it was expected to function.

No doubt, the water resource is a very important resource and the basic infrastructure in agriculture, which consists in water supply to land and also power to the land so that the land can be developed—all these things are dependent on water. I am quite aware of the importance of channelisation of the river, for the regulation and development of agriculture of our country, but I would only raise this question: Before bringing forward this Bill has the hon. Minister taken care to see that this is not in conflict with the provisions in the Constitution? Will this Bill not give rise to litigation amongst the four States? This will also apply to Godavari Tribunal, which has quite recently come. The other day you made a statement on the floor of the House and in the other House that you would make a law. Is this the law which you are making? I am aware that these four States—Maharashtra, Gujarat, Rajasthan and Madhya Pradesh—have not yet agreed upon the Award of the Tribunal. There is still some dispute on many points. I am not going into these details now. You now want to constitute this legal body which may affect Entry 17 of the State List in the Seventh Schedule. Have you taken care to obtain the opinion of the Attorney-General on this issue that this will not give rise to litigation? So far as the intention behind this Bill is concerned, I am one with you. I have, absolutely no difference of opinion with you on this. But in regard to the implementation of the provisions of this Bill, I have very serious doubts because of these two

provisions. And as you know and I read out just now Entry 17 of the Seventh Schedule is too wide; it relates to water. This does not come under the Concurrent List, and any State, under the pretext of its right under Entry, 17 can take up the matter with the court. So about that possibility, I want to know from the hon. Minister whether, before bringing this Bill before this House, you have tried to exclude the possibilities of litigation on the basis of this Bill. Have you taken the considered opinion of the Attorney-General so that litigations can be avoided? Sir, my own reading of the situation is this. There are provisions in the Seventh Schedule—one in the Union List and the other in the State List. We have past experience of disputes between the States on this question of rivers which flow through several States. So many problems have arisen in the past. (*Time bell Rings*) Betwa is one example I gave you. Therefore, I would like to know from the hon. Minister whether he has taken all possible steps to see that the provisions of this Bill will not create problems. Apparently they are innocent. This control authority is sought to be established under this Bill and when they try to distribute water among the States—water being State subject and regulation and development of inter-State rivers being a Central subject—I hope, there will be no conflict. That is all right. But there are stresses and strains in Centre-State relations, at least with regard to some States. Let not this innocent Bill add another burden to the stresses and strains in the relationship between the States and the Centre. I just want to know whether the hon. Minister has given attention to this aspect of the matter. As I said at the very outset, the intention behind the Bill is apparently very innocent. But has he taken care to see that this does not give rise to a crop of litigations? That is all. Thank you, Sir.

THE VICE-CHAIRMAN (SHRI DINESH GOSWAMI): Mr. Sahu, 10 minutes please.

SHRI SANTOSH KUMAR SAHU (Orissa): Mr. Vice-Chairman, Sir, this Bill, the Inter-State Water Disputes (Amendment) Bill, 1980, seeks to insert a new section 6A providing the power to make schemes to implement decision of Tribunal. As the hon. Minister has rightly pointed out, the Narbada Tribunal Award has come, so there must be ways and means for implementing it. I straight-away support the Bill. But I would like to clarify certain points. If we go through the original Inter-State Water Dispute Act, 1956, Clause 6 says:

"The Central Government shall publish the decision of the Tribunal in the official gazette and the decision shall be finally binding on the parties in dispute and shall be given effect to by them."

If you read Clause 12 of the same Act, it says:

"The Central Government shall dissolve the Tribunal after it has forwarded its report as soon as the Central Government is satisfied that no further adjudication in the matter will be necessary."

Clause 5 provides certain things for reference on which the Tribunal has also given judgment. Sir, the original Act provides a judicial process for deciding certain disputes between the different States which want to enjoy the benefit of river basin development. It is apparently a judicial process which has come under the purview of this Act. Now we want to insert Section 6A without prejudice to the provisions of Section 6. It reads:

"Without prejudice to the provisions of section 6, the Central Government may, by notification in the Official Gazette, frame a scheme or schemes whereby provisions may be made for all matters necessary to give effect to the decision of a Tribunal."

I fear that this new insertion is beyond the ambit of the Inter State River

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Dispute Act under which we are going to insert the new clause

If we read through all the clauses, then, Sir, we know that in 1956 there was a River Board Act which was also framed and later on this Inter-State Water Disputes Act was framed because at that time also controversy and conflict of thought was going on whether we should refer these Inter-State water boards or decide the conflict by Inter-State Water Disputes Act should be passed. Now, Sir, the ambit of the original Act itself is for resolution of certain points of difference between different States. Now that is closed. The reference has been made against the Narmada Tribunal Award. The reference is closed now. What do we mean by the insertion of this new clause? We are giving a new subsection under which goes much beyond the scope which was conceived under the original Act. I quite entirely agree with the Minister that the Narmada River Basin Board should be formed, because we must see that all these natural resources, the resources, which are scarce, are used. At present only 20 per cent of the water resources of the country are being utilised. That is why this country is suffering. We want to develop agriculture. We want to have more power. There is urgency of developing all these river basins and form development boards which can operate more efficiently. But, Sir, I very much apprehend that here we are going beyond the ambit and against the scope of the Act. If we go to see the history when the law was framed, as rightly the Minister has stated in his statement, we are thinking of the Narmada Tribunal Award and the Narmada River Basin Development Board. But, Sir, this law is not only for Narmada. It is a general law where any tribunal appointed as such gives any verdict by this insertion 6A these new autho-

rities will be created. But, Sir, the first point of contention is there is reasonable apprehension that this new insertion is a question of not a judicial tribunal or decision, but it is a question of executive authority which wants to implement a thing for the development of the whole river basin. So it is much beyond the scope of the dispute which was envisaged under the 1956 Act.

Then, the second point which I would like to deal with here is that when it is a general question, we must look into the matter in detail. Now, Sir, this Act was meant for expediting the matters. So here there is a provision under section 5 that there should be references to the tribunal after giving the award, but that is debarred in other sections, that these things cannot go to the Supreme Court because these are questions of very critical nature and very sensitive nature where the rights of different States, where rights of the people of different States are to be decided for the overall development of the country and the nation. Now, Sir, in this provision he has made a provision for making a review. Now, Sir, if we see in the insertion under subsection 2(j), there is a provision to constitute a committee for making such review and the procedure to be followed by such committee. So, Sir, it is not very clear whether a point which has been decided by an award of the tribunal can again be reviewed by a court, which is created under this Act and thus create further delay. Will it expedite the matter or delay the matter? Then, Sir, the framers of the law were very clear in the beginning that this is only a judicial process to expedite the matter. If we go through the clause, they have said that when a matter has been referred to the River Board, should it go to the tribunal? The clear mention is that the tribunal should not accept such a matter. So, what was the mind? This clearly shows that the mind of the framers of the Bill in 1956 was that it is to initiate a judi-

cial process to expedite the matter so that the disputes even be resolved in a judicial manner. But, Sir, if we go through all the records of the world on the development of the river basins, whether in America or whether in our own country, we see it is co-operation and mutual understanding between the States that will help in developing the river basins, which is so urgent for our country. Sir, I quote here the decision of the U.S. Supreme Court which has very clearly given a verdict on this question. I will just quote it for better understanding of the problem:

"The reason for judicial caution in adjudicating the relative rights of States in such cases is that, while we have jurisdiction of such disputes they involve the interests of quasi-sovereigns, present complicated and delicate questions, etc. We say of this case, as the court has said of inter-State differences of like nature, that such mutual accommodation and agreement should, if possible, be the medium of settlement, instead of invocation of our adjudicatory power."

So, everywhere if we go through our records, we will see that in the other commissions also which had been appointed, it is very clearly said that the way to find out a solution to the problem and expedite the matter is by mutual accommodation and understanding. To enforce it through a judicial body does not bring in a solution. The Krishna-Godavari Commission did not show any enthusiasm for creating a River Board under the Act and stated:

"The Commission recommends that an inter-State Body, a River Board or by whatever name called, should be established without any delay, for bringing about a co-operative approach and establishing the necessary co-ordination in the planning and operation of various developments in the different river basins." Why do we have to insert this clause? We have the Act also before us, that is, the River Board Act 1956. My

contention is that when the adjudication process is over, the Tribunal has given its findings as per the Disputes Act, if we go through the original Act, under clause 6 it is notified and under clause 5 there is a reference to different States who are to get the benefit, when they have given their references and the Tribunal has considered it and given the final verdict and forwarded to the Central Government the question comes that this Tribunal is to be closed. How can we start from that? Do you force a judge to hang a man whom he has ordered for hanging? It is not so, it is the executive authority which has to do it. And the authority is more like the Damodar Valley Development Corporation etc. or other national bodies. So it has nothing to do with this inter-State Water Disputes Act. We are eager that the water resources must be harnessed and all the river basins development may come about. Not only that, if the Central Government prepares the national alternative plan for development of different river basins, many of the solutions can come about and many States would agree to a reasonable and a scientific development of the river basins. Unfortunately, in our country, many of the largest rivers like Ganga, Cauvery, Krishna, Godavari, Mahanadi onwards flow in different States. This may serve us temporarily but I would request the hon. Minister to consider our demand in priority for more irrigation projects and hydro electric development projects and there must be a sincere attempt for a comprehensive Bill where you can bring in the authority for the river basin development and expedite settlement of different disputes so that the river basin can be developed.

With these words, I apprehend that this may not bring in the solution which the hon. Minister has thought of bringing in by just inserting a clause and giving wide powers beyond the scope of the original law by broadening it. It may not serve the purpose. It would have been better

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if a commission or River Development Authority could have been appointed by a separate Bill. Everybody would have welcomed the measure. The country wants development of water resources. We want more power. But probably we have not considered all the aspects of the River Board Act which was enacted in 1956, that is, River Board Act and Inter-State Water Disputes Act are enacted with different objectives. The River Board Act was meant for that. And here also, in our country, examples of Damodar Valley Corporation and other projects are there where much has been done and the different States have not only been legally getting the benefit, but they have also given what is necessary for the development of the needy people of the needy areas. If we go on indulging in legal quibblings and if we go on creating more work, these things cannot be done. These things should be looked at from the point of view of greater national interest. I would like to point out to Mr. Nanda that article 262 provides that where there are inter-State disputes, the States can regulate the development of the river basins. With these words, I hope, the hon. Minister would look into this and see that a comprehensive scheme is taken up in this country, urgently and without any delay so that the river basins could be developed on an all-India basis. On an earlier occasion, the hon. Finance Minister has said that finance is no problem. If there is a will, the Government can bring in the finance. If we proceed on proper lines, within ten years, we will be able to link the Ganga with the Cauvery. This is very much needed, because, 80 per cent of the country needs irrigation. We require ten times more hydel power. We have the necessary resources. The only thing is that, we should have a strong will to do it. Thank you, Sir.

THE VICE-CHAIRMAN: (SHRI DINESH GOSWAMI): Prof. Ramlal Parikh. You have eight minutes. I

think, you can conclude within that time.

PROF. RAMLAL PARIKH (Gujarat) : Mr. Vice-Chairman, Sir, I rise to welcome this Bill moved by the Government, although, I feel the Government had been moving very slowly in this particular matter of very vital importance of very great urgency, of using our water resources. The award of the Narmada Tribunal has been one of the reasons which prompted the Government to bring forward this Bill. I entirely agree with my predecessor that we do need a comprehensive scheme with its wider dimensions. But I do not understand what will be the advantage in delaying or deferring what is immediately before us for implementing something which is vital. Therefore, Sir, all I would say is that the hon. Minister should have brought this Bill much earlier. Six months have elapsed after the award of the Tribunal. The award was given six months ago. But we are not even able to set up the control board or a specific authority. Perhaps, the Government could have set up the authority even without the Bill and then they could have come in for legal sanction later on. This also would have been feasible, because, many administrative boards have been created and we expected that this board would be created. After all, let us not forget that because of our delay in framing the rules and the regulations, millions and millions of cusecs of water flowing wastefully into the sea. We are not able to utilise it. This is the position when the whole country is starving for power, when the whole country is starving for irrigation. Even these four States which are concerned with this, also need that. Sir, when I welcome this Bill, it is not only to benefit one State. All our rivers are national assets. They are our national property. We should get maximum benefit out of them, whether they are rivers or natural resources, in any other form, including things like gas,

crude oil from the Bombay High and so on. On an earlier occasion. I had stated that these are all national assets and the benefits should be divided equitably. The benefits and advantages should be extended equitably to all. Hence, we should adopt this Bill without any delay and see that the award which has been given by the Tribunal is implemented with the greatest sense of urgency, because, every day, which we are losing, we are losing in power, we are losing in electricity generation, we are losing in employment, we are losing in irrigation, we are losing in new wealth which may be created, which can be generated, we are losing in employment of technical, semi-technical, skilled and unskilled labour. Thousands of our young men in these four States, which are concerned with this, could benefit from this. This scheme was designed much earlier. Pandit Jawaharlal Nehru had laid the foundation of Sardar Sarovar in 1961. Hence, it behoves Parliament to see that the Tribunal award which is there, is implemented without delay. Of course, there may always be some differences. But all the States went to the Tribunal. The Tribunal award is binding on all. There is no further appeal provided in the Act itself. Therefore, the question has now to be looked at from the implementation angle and nothing beyond. I find there is a clause for 'review of the decisions of the authority'. I hope this work 'review' of the decisions of the authority would be carefully restricted to the decisions on implementation of the Award and not in any direct, indirect or any other circumscribed way to review the decisions of the Tribunal. The Tribunal's decision is now the final word.

We have all gone before the Tribunal, raised our objections, put our arguments and the arguments went on for 10 years. The greatest luminaries, Advocate-Generals of all the States went there. Everything has been argued out. Now, it is the highest judgment which is binding on

all of us. My only anxiety is that a pretty long and precious time has been lost already. We should now recover very soon. I am particularly very sorry to hear that some of the machinery which was purchased and specially brought for constructing Sardar Sarovar is lying idle, it could not be used at that time and, therefore, it was transferred from this site to some other project during the Governor's rule. This is very unfortunate. This should not happen in the matter of such national importance and urgency.

Then, Sir, this Award is now to be negotiated for its financial support from the World Bank. It is regrettable that even the project report for the World Bank is not yet ready. How are you going to move in this matter? What is the sense of urgency you are giving to this matter? It is good that you have brought forward the Bill, but it is not adequate. You need to move much more faster. You have to set up a stronger machinery to see that the work is executed in the shortest possible time. I think the project report should be ready within a month or within a couple of months. Before we meet in the next session, we should have a clear and comprehensive statement from the Government, from the hon. Minister about what steps have been taken for the implementation of the Award and what is the programme of the Government for the coming five years. At this stage, I would appeal to you, friends from other States, to get together. There might be some differences, some misunderstanding on such issues. Gujarat is also not satisfied for it is going to get only 16 per cent of electricity power from this dam which will be constructed. So, it is not that every State will get everything. That is not possible. But that stage is over and I would like to appeal to the people in other States that now whatever differences or difficulties are there, we have to sit together, discuss together and work out the setting up of the Narmada Valley Control Authority.

(Prof. Rampal Parikh)

Lastly, Sir, apart from the setting up of this Narmada Valley Control Authority, I would like to suggest that there should be a special cell in the Ministry itself to see that the hands of all the concerned State Governments on whom the burc' implementation is there, should be strengthened and reinforced to ex. ecute thi, project without any further delay. Gujarat is perhaps the last in irrigation and if the water of Narmada Tribunal does not reach Saurashtra or Kutch, there is no way to help these people to raise the level of their living and to liberate them from poverty. This is the only project which can do that and in all other States also we have to do it.

So, I would appeal to the hon. Minister now to take series of measures very urgently, to see that the time lost is recovered, further delay is not caused and these measures are not used in any manner to review the decisions of the tribunal, but to reinforce the decisions to the Tribunal.

With these words I fully support the Bill.

**उपसभाध्यक्ष (श्री दिनेश गोस्वामी) :**  
श्री हुकमदेव नारायण यादव जी, आपके 8 मिनट हैं। इसलिए आप 8 मिनट में अपना भाषण खत्म कर दीजिये।

**श्री हुकमदेव नारायण यादव :** उप-सभाध्यक्ष महोदय, यह पानी के बंटवारे का सवाल है। मैं उसी इलाके से आता हूँ जहाँ से हमारे मंत्री श्री केदार पांडे जी आते हैं। हमारे यहाँ बिहार में दूसरे राज्यों से बहुत कम झगड़ा है। पानी के बारे में हमारा झगड़ा नेपाल से है। कोसी, गण्डक और बागमती आदि सब नदियों का झगड़ा नेपाल से है। इसलिए पूर्वी उत्तर प्रदेश और बिहार के लोगों का यह निवेदन है कि नेपाल के पानी के बारे में, अन्तर्राष्ट्रीय पानी के बंटवारे के बारे में आप कोई बिल लाइये। अगर अन्तर्राष्ट्रीय बिल का सवाल यहाँ पर आए तो

हम लोग इस सदन में उसके बारे में अपनी राय दें। हमारा प्रदेश हर साल पानी में डूब जाता है और हम पानी में मरते रहते हैं। अगर आप इस प्रकार का अन्तर्राष्ट्रीय पानी के बारे में कोई बिल लाएंगे तो उससे हम लोगों को भी लाभ मिल सकेगा। आप जानते हैं कि सभी चीजों के लिए पानी आवश्यक है। रहींम ने भी कहा है—

बहिमन पानी चाहिए, बिन पानी सब सून,  
पानी गये न ऊवरे, मोती, मानुष, चूना।

सब को पानी चाहिए। इस देश में पानी के बंटवारे के लिए और नर्मदा नदी के पानी के बंटवारे के लिए एक ट्राइब्यूनल बना। एक तरफ तो यह स्थिति है और दूसरी तरफ बिहार और पूर्वी उत्तर प्रदेश पानी में डूबे रहते हैं। वहाँ कोई पानी लेने वाला नहीं होता है। हमारे इन इलाकों को हर साल पानी तबाह करता है। हम चाहते हैं कि आप कोई ऐसा योजना बनाइये और इस पानी को इस प्रकार से जमा कीजिए कि जहाँ इस पानी की आवश्यकता हो वहाँ यह पहुँचा दिया जाये। हमारे देश में एक तरफ तो लोग एक-एक बूंद पानी के लिए तरसते रहते हैं दूसरी तरफ हम लोग पानी में डूबे रहते हैं। हम चाहते हैं कि इस पानी के इस्तेमाल के लिए आप कोई रास्ता निकालिये। आपने नर्मदा के पानी के बंटवारे के लिए एक ट्राइब्यूनल बनाया। लेकिन मैं समझता हूँ कि यह सिर्फ नर्मदा का ही नहीं है। जितनी भी नदियाँ हमारे देश के अन्दर हैं, जहाँ-जहाँ राज्यों में पानी के बारे में झगड़े हैं उनके लिए इसी तरह की योजना बनाई जानी चाहिए। यह ठीक है कि नर्मदा

के पानी का बंटवारा महाराष्ट्र, गुजरात, राजस्थान और मध्य प्रदेश के बीच में होगा, लेकिन मैं यह कहना चाहता हूँ कि पानी के बंटवारे के संबंध में इस बात को ध्यान में रखा जाना चाहिए कि जिस राज्य को जितने पानी की आवश्यकता हो उसको उतना पानी दिया जाये। अगर किसी राज्य में कोई नदी सौ किलोमीटर तक चली और दूसरे राज्य में पांच किलोमीटर तक चली और आपने उसके पानी का बंटवारा आधा-आधा कर दिया तो यह न्याय नहीं होगा, ईसाक नहीं होगा। मेरा कहना यह है कि जहाँ पानी की जितनी आवश्यकता हो वहाँ उतना पानी दिया जाये। इस देश की नदियों का संबंध करोड़ों लोगों से होता है, करोड़ों मवेशियों से होता है। इसीलिए हमारे देश में नदियों के पानी को इतना महत्व दिया जाता है। इसलिए मैं चाहूँगा कि पानी के बारे में राज्यों में झगड़ा न हो। उपसभाध्यक्ष महोदय, सदन के उस कौने में किस चीज का बंटवारा हो रहा है? क्या वहाँ भी कोई एवार्ड मिल रहा है?

THE VICE-CHAIRMAN (SHRI DINESH GOSWAMI): Hon. Members, there is a complaint that you are engaged in a group discussion. So either you listen to the debate, or if you feel you have something important to discuss, you should, I feel, go to the Lobby and discuss it.

श्री हुक्मदेव नारायण पादव : श्रीमन्, इस-लिए मैं यह कह रहा हूँ कि राज्यों में पानी को लेकर झगड़ा न हो। मेरी राय है कि आप हिन्दुस्तान की सभी नदियों का राष्ट्रीयकरण

कर दीजिये। नदियाँ किसी राज्य की न रहें बल्कि सभी नदियाँ राष्ट्र की हों और नदियों के पानी पर सम्पूर्ण राष्ट्र का अधिकार हो। जिस राज्य को जितने पानी की आवश्यकता हो उसके अनुसार पानी का बंटवारा किया जाना चाहिए। मैं श्री केदार पांडे जी से प्रार्थना करना चाहूँगा कि बिहार का जो बड़ी-बड़ी नदियाँ हैं और जिनका संबंध नेपाल से है, आप उन नदियों के बारे में नेपाल से बात कीजिए। इन नदियों का पानी हर साल हमारे इलाके में तवाही मचा देता है और समुद्र में बह जाता है। आप इस पानी को रोकने के लिए जल कुण्डों का निर्माण कीजिये। आप जानते हैं कि हमारी लड़ाई किसी राज्य से नहीं है। इन नदियों का पानी बहुत बड़ी मात्रा में समुद्र में बह जाता है। अगर आप इस पानी को एक जगह इकट्ठा करेंगे, उसके लिए जल-कुण्डों का निर्माण करेंगे तो इस पानी का उपयोग वहाँ पर हो सकता है जहाँ पानी की आवश्यकता होती है और आप प्रत्येक राज्य को जितने पानी की आवश्यकता हो उतना पानी दे सकते हैं। इसलिये नदियों में बड़े-बड़े जलकुंड बनाये जाएँ जहाँ पानी को घेर कर रखा जाये, बड़े-बड़े तालाब बनाकर पानी को घेरा जाये और उसके मार्फत खेतों तक पहुँचाया जाये। इस पर कुछ किया जाये। नेपाल के बारे में जो मैंने कहा उस पर भी ध्यान दिया जाये नहीं तो कोसी, गंडक, कल्या, वागमती, इनसे हमको मुक्ति मिलने वाला नहीं है। हर साल डूबते हैं, और अभी भी डूब रहे हैं, जिससे करोड़ों का नुकसान होता है। इसी तरह ट्राइब्यूनल केवल पानी के बंटवारे का ही काम न करे

[श्री हुक्म देव नारायण यादव]

बल्कि आयोग बनाकर उस पर हुए निर्णयों पर कार्यवाही कराये, पैसा खर्च कराये, बांध बनाये और लोगों की हिफाजत का ध्यान रखे और सही ढंग से पानी बँधे। इस बारे में एक राष्ट्रीय नीति होनी चाहिए और उसी के आधार पर पानी का बंटवारा ही ताकि उस आयोग के नैसर्ग पर किसी को किसी तरह की शिकायत न हो।

THE VICE-CHAIRMAN (SHRI DINESH GOSWAMI): Mr. Bhabhra. You have got seven minutes. I know you can finish within seven minutes.

SHRI HARI SHANKAR BHABHRA: I would require 10 minutes, Sir.

THE VICE-CHAIRMAN (SHRI DINESH GOSWAMI): All right. Then there will be no bargain. You will stop just at 5.35.

श्री हरी शंकर भाभड़ा : उपसभाध्यक्ष महोदय, इस बिल के पास होने के बाद जो इसमें कानूनी विसंगतियाँ पैदा होने वाली हैं इसके बारे में कई माननीय सदस्यों ने मंत्री महोदय का ध्यान आकर्षित किया है। इसलिये मैं उसकी पुनरावृत्ति नहीं करूँगा। लेकिन बूँकि इस बिल को लाने के पीछे नर्मदा जल विवाद-न्यायाधिकरण है उसमें खासतौर से राजस्थान और गुजरात के जो झगड़े हैं उनके कारण यह बिल लाया जा रहा है। इसलिये मैं आपके माध्यम से इस सदन को और मंत्री महोदय को, जो राजस्थान का प्वाइंट है वह कितना न्यायोचित है उसकी ओर ध्यान दिलाना चाहता हूँ।

मान्यवर, राजस्थान के अरावली पर्वतों से माही नहीं निकलती है जो मध्य प्रदेश और

गुजरात में भी बहती है। उसका जल ग्रहण क्षेत्र 13 हजार वर्गमील है। मध्य प्रदेश में इस नदी को जो जन ग्रहण क्षेत्र है वह केवल 1789 वर्गमील है, गुजरात में केवल 5000 वर्गमील है और राजस्थान में 6211 वर्गमील है। सन् 1960 में राजस्थान सरकार ने वाँसवाड़ा में माही नदी पर एक बांध बनाने की योजना बनाई थी जिसको स्वीकृति मिल चुकी थी। उसी समय गुजरात में भी कदाना में एक बांध बनाने की योजना बनाई परन्तु उस समय उसकी स्वीकृति उनको मिली नहीं। इस बीच में नर्मदा जल विवाद शुरू हो गया और जब यह नर्मदा जल विवाद शुरू हो गया तो राजस्थान और गुजरात के बीच एक एग्जिमिन्ट हुआ। मैं वह एग्जिमिन्ट पढ़कर सुनाना चाहता हूँ :

"Agreement between Rajasthan and Gujarat for the exploitation of Mahi river in the year 1966:

1. Kadana Dam should be built to FRL 419.00. The entire cost and benefits of this project will be borne by Gujarat. At a later date when Mahi areas are taken over by Narmada, and a part of the Kadana waters are released for use in Rajasthan, Rajasthan should pay to Gujarat an appropriate cost of the Dam for such use. The exact proportions will be fixed at the time when such release becomes available."

इस कदाना बांध को बनाने के पहले गुजरात सरकार इस बात पर सहमत थी कि राजस्थान के बाड़मेर और जालोर इलाके में, जब नर्मदा जल विवाद समाप्त हो जायेगा, तो कदाना बांध के क्षेत्र में गुजरात को जो खेड़ा जिला है, उस क्षेत्र का एक हिस्सा नर्मदा के जल द्वारा सिंचित किया जायेगा और राजस्थान के बाड़मेर और जालोर जिले को इस बांध, कदाना बांध से पानी मिलेगा

और गुजरात के जो ऊंचे इनाके हैं उनको भी कदाना बांध से पानी मिलेगा। यह एग्रीमेंट तय हो गया। जब न्यायाधिकरण की कार्यवाही चल रही थी उस समय गुजरात ने लगातार इस बात को प्रेस किया, इस बात को स्वीकार किया कि यह जो समझौता राजस्थान और गुजरात में हुआ है, कदाना बांध के सम्बन्ध में यह समझौता सही है और न्यायाधिकरण ने जब अपनी रिपोर्ट दी तो उसमें भी उन्होंने इस बात को स्वीकार किया कि गुजरात और राजस्थान के बीच में जो समझौता हुआ है वह समझौता बरकरार रहेगा। लेकिन बाद में न्यायाधिकरण ने अनावश्यक रूप से यह कह दिया क्योंकि नर्मदा जल विवाद में राजस्थान का कुछ लेन-देन नहीं है, इसलिये इस सूरत में राजस्थान को कुछ नहीं मिलेगा। इसका अनुचित लाभ उठा करके गुजरात सरकार ने जो एग्रीमेंट किया था, उसमें वह बैंक आउट कर गई। और कदाना बांध से जो पानी राजस्थान के बाड़मेर और जालोर के जिलों को मिलना चाहिए था उसको देने से इन्कार कर दिया। इस पर राजस्थान सरकार ने आपत्ति की। आपत्ति ही नहीं की बल्कि न्यायाधिकरण के फैसले के खिलाफ सुप्रीमकोर्ट में अपील की और वह अपील विचाराधीन है। लेकिन दुर्भाग्य की बात यह है कि इस संबंध में केन्द्रीय सरकार गुजरात को संरक्षण दे रही है और यह इस बात से स्पष्ट है कि अभी 6 अगस्त को एक न्यूज अखबार में आया—

"PM unhappy with Pahadia for writing to World Bank"

**श्री केदार पांडे :** वह तो मैंने कंट्रेडिक्शन दे दिया है।

**श्री कल्प नाथ राय (उत्तर प्रदेश) :** यह गलत है।

**श्री हरी शंकर भाभड़ा :** जरा सुनिये तो। दुर्भाग्य की बात यह है कि पहाड़िया जी

ने इस प्रकार का कोई पत्र नहीं लिखा। वे इसका खण्डन कर चुके हैं और उसके बावजूद भी आपके सोलंकी साहब ने कहा है कि —

"that Mr. Pandey told Mr. Solanki that he had already sent a communication to the World Bank not to entertain the request of the Rajasthan Chief Minister and to go ahead with the proposal to extend financial assistance to the Narmada Project"

पहाड़िया जी ने पत्र लिखा ही नहीं और हमारे केन्द्र के मंत्री ने वर्ल्ड बैंक को लिख दिया कि पहाड़िया जी ने जो पत्र लिखा है उसको माना न जाए। कितने आश्चर्य की बात है। लेकिन यह इस बात की ओर इशारा है कि केन्द्रीय सरकार इस मामले में बहुत जल्द-बाजी कर रही है। इसका दूसरा उदाहरण भी है। केन्द्रीय सरकार ने इस संबंध में सारे राज्यों की मीटिंग बुलाई थी। इस बैठक का निमंत्रण राजस्थान सरकार को मिला तो उन्होंने कहा कि निमंत्रण चूंकि बहुत देर से मिला है और समय बहुत थोड़ा है इसलिए यह मीटिंग स्थगित कर दी जाए लेकिन वह स्थगित नहीं की गई और एक टेलीग्राम राजस्थान सरकार को भेज दिया गया और उसमें लिखा—

"No representative of the Government of Rajasthan was present in the meeting and so it was suggested by Secretary, Irrigation that a copy of the report with decisions of the meeting, with indication of share cost of Rajasthan State may be sent by the Gujarat Government to the Rajasthan Government for their approval, in case no decision of Rajasthan is received, their portion would be omitted for the present from the project and cost corrected accordingly."

यानी केन्द्र की सरकार इस प्रकार से गुजरात का अनुचित संरक्षण एवं पक्षपात कर रही है जबकि मामला सबजुडिस है राजस्थान

[श्री हरी शंकर भामड़ा]

सरकार सुप्रीम कोर्ट में गई हुई है और यह इतना न्यायोचित मामला है कि जो एग्जिमेंट राजस्थान सरकार ने 1966 में कर लिया था और उसी न्यायाधिकरण के सामने बार-बार गुजरात राज्य ने इसको स्वीकार किया। राजस्थान राज्य केवल उसी बात को मनवाना चाहते हैं। मान्यवर, मैं केन्द्रीय सरकार से निवेदन करना चाहूंगा कि राजस्थान का यह इनाका नाइमेर और जालोर ऐसा इनाका है जहां पर सिंचाई के लिए कहीं से भी पानी के आने की कोई सम्भावना नहीं है। यदि यह कडाना बांध के खन्दर जो गुजरात सरकार का राजस्थान सरकार से एग्जिमेंट हुआ था उसको नहीं माना गया तो हमेशा-हमेशा के लिए यह रेगिस्तान का प्रदेश अक्षिप्त रह जाएगा। इससे न केवल राजस्थान को बल्कि सारे देश को हानि होगी। इसलिए जल्द-बाजी न करें और आप गुजरात सरकार पर दबाव डालें। होना तो यह चाहिए था कि गुजरात सरकार पर दबाव आप डालते कि आपने जो राजस्थान राज्य से एग्जिमेंट किया है उसको वे क्यों नहीं मानते या फिर सुप्रीम कोर्ट का फैसला होने दें। आप कृपया कडाना बांध को बांधने से रोके और राजस्थान की जो वाजिब मांग है उसको स्वीकार करें। इसके लिए राजस्थान की जनता में बहुत बड़ा असंतोष पैदा हो रहा है। राजस्थान असेम्बली ने एक मत से इस संबंध में प्रस्ताव पास किया है। राजस्थान में पानी की वैसे ही कमी है। इसलिए मैं समझता हूं कि केन्द्रीय सरकार इन बात पर विशेष तौर से ध्यान देगी और राजस्थान की इन मांग को स्वीकार करने में कठिनाई भी हिचकिचाहट नहीं करेंगे और गुजरात सरकार को अनावश्यक संरक्षण नहीं देंगे।

PROF. RAMLAL PARIKH: The Minister should tell the House SHRI KALPNATH RAI: Sir,....

THE VICE-CHAIRMAN (SHRI DINESH GOSWAMI): Just a second.

PROF. RAMLAL PARIKH: The honourable Minister should tell the House whether this agreement that was referred to by my colleague just now about the Kadana Dam, was placed before the Tribunal, whether it was discussed and argued by both the States and whether after taking that agreement into account the Tribunal gave the decision or not. The whole point is that unless the House knows whether the Tribunal took into account this particular agreement, then rejected the contention of the agreement and then arrived at a decision, the whole point would become different. (Interruptions)

SHRI HARI SHANKAR BHA-BHRA: That Tribunal was adjudicating on the Narmada waters, and this agreement between Gujarat and Rajasthan was related to the Mahi River waters. (Interruptions) But it was accepted by the Gujarat Government that this agreement was valid and that they had entered into the agreement. (interruptions) It has nothing to do with the Narmada waters.

THE VICE-CHAIRMAN (SHRI DINESH GOSWAMI): There is no point of order. (Interruptions)

PROF. RAMLAL PARIKH: There is no question of the Narmada waters being brought in there. That is not the point.

THE VICE-CHAIRMAN (SHRI DINESH GOSWAMI): Please First, there is no point of order. And I do not know whether it comes within the purview of the Bill or not. You have made your point. It is up to the Minister whether to reply to it or not.

Mr. Kalpnath Rai, you complete in seven minutes.

SHRI KALPNATH RAI: Thank you, Sir. I will complete in ten minutes

THE VICE-CHAIRMAN (SHRI DINESH GOSWAMI): Ten minutes? All right. Gentlemen's agreement. Finish by 5.45.

**श्री कल्प नाथ राय :** उपसभाध्यक्ष महोदय, आदरणीय सिंचाई मंत्री महोदय ने जो बिल प्रस्तुत किया है मैं उसका समर्थन करता हूँ। लेकिन हमारे आदरणीय मित्र श्री हुकमदेव नारायण यादव जी ने जो बातें कहीं हैं उन बातों की तरफ आपका ध्यान दिलाना बहुत जरूरी है। गोविन्द सागर को बाँध कर जवाहर लाल नेहरू जी ने भाखड़ा नान्गल डैम को बनाकर पंजाब, हरियाणा और राजस्थान के कुछ हिस्से का एकदम काया पलट कर दिया और आज इन तीनों प्रांतों में हरित क्रांति आयी और यह हिन्दुस्तान का एक सबसे समृद्ध इलाका बन गया। परन्तु आज दुर्भाग्य यह है कि हमारे देश के अंदर 32 वर्ष की आजादी के बाद भी पानी जो हमारे देश की इतनी बड़ी स्रोत है, जीवन है, जो भारतीय जनता की जिंदगी में प्राण संवार कर सकता है, जिस पानी के उपयोग से भारत को सबसे शक्तिशाली और समृद्ध देश बनाया जा सकता है, आज के युग में उस पानी का इस्तेमाल हमारे देश में करने की दिशा में सरकार को ठोस एवम् समयबद्ध कदम उठाना चाहिए। आदरणीय उपसभाध्यक्ष महोदय, आज हमारे देश के अंदर 32 वर्ष की आजादी के बाद कहीं सुखाड़ है, कहीं बाढ़ है। यानी हिन्दुस्तान के कुछ इलाके बाढ़ में डूबे हुए हैं और अरबों रुपये की सम्पत्ति नष्ट हो रही है तथा कहीं सूखे के कारण अरबों रुपये की फसल नष्ट हो रही है। आखिर यह विडम्बना क्यों है? मुझे ईस्टर्न रीजन में भी जाने का मौका मिला पिटीशन कमेटी का एक मेम्बर होने के नाते वहाँ मैंने देखा कि ब्रह्मपुत्र नदी जिसके कारण कि पूरे बंगाल से लेकर पूरे नार्थ ईस्टर्न एरिया की सारी गरीबी और दरिद्रता को समाप्त किया जा सकता है उस ब्रह्मपुत्र के पानी का भी इस्तेमाल हम नहीं कर पाये हैं। उपसभाध्यक्ष महोदय, आज गंगोत्री से गंगा निकलती है तो गंगा, गंगोत्री से लेकर गंगा सागर तक हिन्दुस्तान का हृदय स्थल है। इसके दोनों छोर पर बसने

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वाले ही लोग आज हिन्दुस्तान से सबसे दरिद्र और गरीब लोग हैं। घाघरा के किनारे बसने वाले लोगों की आज हिन्दुस्तान में सबसे कम धर कैंपिटा इन्कम है। मेरा निवेदन है कि यह अन्तर्राज्यीय पानी के बटवारे का प्रश्न जो है, वह ठीक है, हम उससे सहमत हैं, उसकी वाइडिंग बनाने के लिए जो बिल लाये हैं हम उसका समर्थन करते हैं, लेकिन उपसभाध्यक्ष महोदय, जब तक नेशनल ग्रिड वाटर का नहीं बनाया जाता, पानी को राष्ट्रीय धन के रूप में स्वीकार नहीं किया जाता, जब तक कि वाटर को कान्क्रेट लिस्ट में नहीं लाया जाता और हिन्दुस्तान के पानी का यूटिलाइजेशन पूरे हिन्दुस्तान को एक एरिया मानकर नहीं किया जाता तब तक इस तरह के अन्तरप्रान्तीय झगड़े होते रहेंगे और कभी मोरारजी देसाई झगड़े को शांत नहीं होने देंगे तो कभी राजस्थान के मुख्य मंत्री भैरों सिंह शेखावत झगड़ा करेंगे... (Interruptions)

**श्री हरी शंकर भाभड़ा :** यह झगड़ा पहाड़िया जी और... (Interruptions)

**श्री कल्प नाथ राय :** यह मैं जानता हूँ नर्मदा डिस्प्यूट क्यों हुआ और उस झगड़े को बहुत दिनों तक...

**श्री हरी शंकर भाभड़ा :** जो इनको करना चाहिए, वह हमको करना पड़ रहा है। एक मेम्बर नहीं है जो राजस्थान की तरफ से बोले। महोदय, राजस्थान के प्रति मेरे मन में और पूरे देश के मन में सहानुभूति है। राजस्थान का विकास, वहाँ के हर खेत को पानी मिले यह राष्ट्रीय आकांक्षा है—वहाँ की वहादुर जनता को। लेकिन यह लंगड़ी बिलावल घट में ही तो शिकार नहीं होगा। इस काम को करने के लिए हिन्दुस्तान की सरकार को एक नेशनल ग्रिड बनाना होगा और जैसे पंडित जवाहरलाल नेहरू ने भाखड़ा नान्गल में गोविन्द सागर के पानी को बाँध कर पूरे पंजाब और हरियाणा तथा राजस्थान

[ श्री हरी शंकर भाभड़ा ]

के कुछ इलाके की पूरी तकदीर को बदल दिया और वह जर्जर इलाका रेगिस्तानी बिलकुल हरा-भरा हो गया, नागाजनसगर की योजना को बना कर पूरे दक्षिण भारत में आन्ध्र के इलाके में सम्पूर्ण परिवर्तन कर दिया, हरित क्रांति को ला दिया, वैसे ही आपको हमारे पानी के इस्तेमाल के लिए एक नेशनल ग्रिड सिस्टम इस सरकार को स्वीकार करना चाहिए पानी को कनक रेंट लिस्ट में लाना चाहिए। पानी को रिजर्खायर बना करके रोचना चाहिए। समुद्र में हमारे देश का 90 प्रतिशत पानी नष्ट होता है, उसको नष्ट होने से बचना चाहिए और जो इलाके—हिन्दुस्तान में सिचाई के लिए जिनको पानी की आवश्यकता है, सरकार को वहाँ पानी पहुँचाने के लिए व्यवस्था करनी चाहिए, चाहे जितनी भी लम्बी नहरों का निर्माण करना पड़े और जहाँ बाढ़ आती है, वहाँ के पानी को रिजर्ववायर के माध्यम से रोकने की व्यवस्था करनी चाहिए।

अंत में मैं उत्तर प्रदेश और बिहार के संबंध में कुछ निवेदन करना चाहता हूँ। 32 वर्ष हो गये आज पूरे पूर्वी उत्तर प्रदेश के दस जिलों में करोड़ों की सर्पित्त नष्ट हुई है। पूर्वी उत्तर प्रदेश और बिहार की करीब-करीब एक ही समस्या है—घाघरा, गंडक, रापती, कोसी एक अभिशाप बनी हुई हैं। जो नदियाँ हमारे उत्तर प्रदेश और बिहार के लिए बरदान बन सकती थीं वे नदियाँ हमारे लिए अभिशाप बनी हुई हैं। एक आंचल में लगातार जहाँ बाढ़ से सारी फसल बर्बाद है, उसी उत्तर प्रदेश में दूसरे आंचल में सूबा के कारण फसल बर्बाद हो गई है।

तो मैं आपके माध्यम से आदरणीय केदार पांडे जी जो हमारे स्वतंत्रता संग्राम के सेनानी हैं, अंग्रेजों को इस देश से भगाने में और आजादी की लड़ाई में भी उनकी बहुत बड़ी भूमिका रही है और इनके प्रांत से आजादी की लड़ाई लड़ी गई थी कि अंग्रेजों को हटाना है और देश में समाजवाद और समृद्धि लाना है। तो आज समृद्धि कहाँ है ?

मैं आपके निवेदन करना चाहता हूँ कि आप नेपाल सरकार से तत्काल बात करें, क्योंकि आज तक जितने भी सिचाई मंत्री रहे हैं— इस सदन में बरनाला जी ने एक झूठा वक्तव्य दिया कि मैं नेपाल सरकार से समझौता कर रहा हूँ। लेकिन उन्होंने कोई समझौता नेपाल सरकार से नहीं किया। मैं आदरणीय केदार पांडे जी से और इनके माध्यम से प्राइम मिनिस्टर से निवेदन करना चाहता हूँ कि वे बिहार और पूर्वी उत्तर प्रदेश को भयंकर बाढ़ की विभीषिका से बचाने के लिए और पंचेश्वरी योजना, करनाली योजना, बालू बाँध योजना—चाहे उस पर 1500 या 2,000 करोड़ ही खर्चा क्यों न खर्च हो, वह वर्ल्ड बैंक की मदद से इन योजनाओं को क्रियान्वित करने में मदद करें वरना आज नदियों में पटाख आ गया है जिसके कारण बाढ़ का पानी ऊपर आ गया है और डेंजर मार्क से चार फीट ऊपर नदियाँ बह रही हैं क्योंकि जितनी इन नदियों में गहराई थी, उतनी अब नहीं है। तो इस साल बाढ़ की विभीषिका जितनी है, उससे और ज्यादा बड़ी बाढ़ की विभीषिका अगले वर्षों में आने वाली है।

अब मैं अंतिम बात कह करके अपनी बात समाप्त करता हूँ। नार्थ-ईस्टर्न रीजन में जो आज असम का आंदोलन हुआ—लोग कहते हैं कि वहाँ इस कारण से आंदोलन हुआ। मेरा एक ही कहना है कि दो साल पहले इसी संसद में मैंने कहा था कि ब्रह्मपुत्र और नार्थ-ईस्टर्न रीजन के इलाके में डिब्रूगढ़-सैट के लिए सरकार ने कोई ठोस और समयबद्ध कार्यक्रम नहीं अडोप्ट किया, पैकेज डील नहीं किया, ब्रह्मपुत्र के पानी के इस्तेमाल को वहाँ के विकास के लिए नहीं किया, बंगाल की गरीबी को दूर करने के लिए और नार्थ-ईस्टर्न असम के विकास के लिए नहीं किया तो वहाँ विस्फोटक स्थिति पैदा होगी।

मैं आज सरकार से निवेदन करना चाहता हूँ कि वह पानी को कनक रेंट लिस्ट में लाएँ और पूरे हिन्दुस्तान के सभी नदियों के पानी

का इस्तेमाल राष्ट्र की आवश्यकताओं के अनुकूल राष्ट्रीय ढंग से उनका बंटवारा किया जाए, प्रांतों के अनुकूल उसका बंटवारा न किया जाए ताकि पूरे देश की एकरता भी मजबूत हो और सारे राष्ट्र की आवश्यकता की पूर्ति भी हो। मुझे विश्वास है कि आदरणीय केदार पांडे नेवाल सरकार से तुरन्त छह महीने के अन्दर इस बातों को समाप्त करके बालू बाँध, पंचेशदरी और धरनाली योजना को लागू करके बिहार, और उत्तर प्रदेश को बाढ़ की विभीषिका से बचाएँगे।

THE VICE-CHAIRMAN (SHRI DINESH GOSWAMI): Mr. Mohana-rangam, I think you shall have to finish in six minutes. I will give you two minutes more.

SHRI R. MOHANARANGAM: I don't think I will take even six minutes. Mr. Vice-Chairman, our honourable Minister has moved a Bill further to amend the Inter-State Water Disputes Act, 1956 as passed by Lok Sabha and some of my friends have discussed about some inter-State disputes. They have discussed very elaborately with regard to the scheme which is an outcome of the Tribunal's deliberations. Yesterday from some of my friends I understood that there was no unanimous recommendation and that is why our Minister had to bring a Bill for consideration by Parliament. The honourable Member from Rajasthan spoke about the river which flows through the length and breadth of his State. My friend, Mr. Kalp Nath Rai, spoke about the Brahmaputra which runs through the northern part of this country. And I am not an exception to this trend. Even though we talk of inter-State disputes, unification of the nation, development and benefit of the whole country, but in practice when we are expected to talk, we talk for our respective States. And I have already said I am not an exception to this. I have to talk about my State, namely, Tamil Nadu, the State which I represent in this House. There is a water dispute, namely, the Cauvery river dispute, between

Karnataka and Tamil Nadu for the past sixteen years. The problem has not been solved yet. There was an agreement in the year 1924 and for fifty years that agreement worked. After the expiry of the agreement in 1974 there started the trouble from Karnataka. When I mention Karnataka my friends from Karnataka should not think that I am talking ill of their State. No. We have got thousands and thousands of friends from Karnataka. They do not have any animosity towards our State and *vice versa*. We want both Karnataka and Tamil Nadu to live together. In fact, each and every part of the country should live in peace and friendship with the other without having any dispute whatsoever, whether river disputes or other disputes. We are all Indian citizens, citizens of one Country. We should live together. Under our Constitution there is only one citizenship and that is Indian citizenship, I call myself an Indian citizen, I cannot call myself a citizen of Tamil Nadu. In view of all this the honourable Minister should definitely be able to form a scheme, if at all, to solve these river water disputes, in the light of the recommendations of the Tribunal. Whatever way, what prevented you from solving these problems? As my friend, Mr. Kalp Nath Rai, has pointed out just now, there is a flood in the northern part of this country. So is there a flood in the southern part of this country. If you take Cauvery, our State is entirely dependent on the Cauvery. Fifty per cent of the paddy cultivation in our State is dependent on the waters of the Cauvery. We were getting this water from 1924 to 1974. After 1974 Karnataka Government started constructing Krishnarajasagar Dam and other small dams thus preventing water from flowing into our State. That is why our paddy cultivation has been completely affected in the southern part of our State. We have represented so many times to Karnataka Government. It is time the Central Government came forward to settle this problem. Secondly, I came to

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[Shri R. Mohanarangam]

know—I do not know how far it is true; I have heard from reliable sources—that the Government of India is going to spend Rs. 200 crores on solving the water problem in Tamil Nadu, just on bringing the Krishna waters to Tamil Nadu. I should like to know whether it is true that the Government of India is getting World Bank assistance to the tune of Rs. 1100 crores to solve this problem. I do not know if what I have heard is true, I would like the honourable Minister to tell me whether it is true or not. Madras, the capital city of our State, completely depends on the Krishna waters. Every year lakhs of people in Madras are facing acute water shortage, I understand the present population of Madras is 32 lakhs and it is expected to swell to 50 lakhs in ten years. And if the Krishna water problem is not solved, you can imagine the fate of the people of Madras. Not only the people of Madras, but the people of the entire Tamil Nadu are on the brink of starvation if this water problem is not solved soon. I would therefore request the honourable Minister to tell me here and now—I do not know whether it is proper on my part to ask this question just when the Minister has brought this Bill before us—to give me a direct answer, whether it is true that the Central Government is getting Rs. 200 crores from the World Bank for the Krishna waters. Thank you.

THE VICE-CHAIRMAN ("SHRI DINESH GOSWAMI): Dr. Adi-seshiah. May I request you to finish in eight minutes or so?

DR. MALCOLM S. ADISESHIAH (Nominated): Yes, I shall be brief. Mr. Vice-Chairman, I am very happy to welcome this Bill along with Prof. Ramlal Parikh and I wish to say that this is the first step in the right direction. The speaker on my left as well as Prof. Ramlal Parikh have said the same thing.

The problem we face in this country in the shape of inter-State water disputes is extremely serious. I have here, Mr. Vice-Chairman, a list of eight inter-State water disputes starting with the Narmada which, when we started, was costing Rs. 1,000 crores; but today, after ten years, the same project will cost Rs. 3,000 crores. And the 28 million acre-feet of water in that 500 mile river is going to irrigate 11 million acres of land and produce 2,000MW power.

I would not give similar details in regard to the other disputes such as the Cauvery, the Suvarnarekha, the Ravi, the Beas, the Godavari, the Sutlej, the Yamuna and the Krishna. Latterly there has been a discussion about the West flowing rivers of Kerala through which 57 million acre-feet of water is flowing into the Arabian Sea and only 2 million acre-feet of water is used in Kerala for irrigation 0.5 million acres of land.

The second problem that worries me is that even where agreements have been reached between States, some of the States are going back on these. Recently I heard that the Himachal Pradesh Chief Minister has queried the agreement with his neighbouring State and the Haryana Chief Minister has queried a similar agreement.

Mr. Vice-Chairman the third point I want to mention is that expert studies shows that in a poor country like ours where 60 per cent of the population is below the poverty line, we are using only 10 per cent of the river waters that are available. Considering the fact that we are facing a serious power crisis and 70 to 80 per cent of our export earnings are spent on import of crude oil and energy is in short supply, to allow 90 per cent of our water to flow into the sea as waste is really a serious matter amounting to crime.

One more expert study has shown that two-thirds of our river waters are north of the Tropic of Cancer

whereas 50 per cent of our cultivable land is south of the Tropic of Cancer.

As has been pointed out by the speaker on my left and Prof. Ramlal Parikh there have been various recommendations on the water issue. The Working Group on Energy has recommended that there should be a national approach to this problem of river waters. Very recently the National Flood Commission, of which the Chairman was Mr. Hathi, handed over its report to the Government making similar recommendation. Now the time has come for us to take seriously this particular wealth, the water wealth that we have in order to meet the urgent demands for power, for food and for the other necessities of life. Therefore, I support this Bill. And, Sir, I support this Bill thinking that this is the first step and I would like to see a more comprehensive legislation whereby the waters of the country would be treated as part of the national wealth to be used and I would like this point to be examined and analysed.

Now, Sir with regard to the Bill, I have two questions. The first question is this: There is a provision in clause 2 for the setting up of an authority. Now, would this apply to cases where the decision to set up an authority—there is a proposal to set up a Cauvery Valley Authority—will not arise out of a Tribunal decision or an award?

SHRI M. KALYANASUNDARAM (Tamil Nadu): The Tribunal award must precede.

DR. MALCOLM S. ADISESHIAH: I think my friend, Shri Kalyanasundaram, has answered my point. My point is that this Act will not be able to cover the other cases where there are authorities to be set up.

SHRI M. KALYANASUNDARAM: The Tribunal award must precede.

DR. MALCOLM S. ADISESHIAH: In the case of the Cauvery, there is no Tribunal. Then, Sir, my second question: I do not quite understand

the scope and extent of the delegated power in this Bill. It seems to me, on the one hand, to be rather wide and vague and, on the other, quite narrow. And Sir, I presume that the Ministry has had it examined very carefully and has done it through the legal services and is satisfied with the delegated powers, with the powers that have been delegated to the authority.

With these words, Sir, I support the Bill. I think I have finished within eight minutes. Thank you, Sir

THE VICE-CHAIRMAN (SHRI DINESH GOSWAMI): You have taken less than that. Now, Mr. Kalyanasundaram I think you will finish within seven minutes.

SHRI M. KALYANASUNDARAM: What is the time allotted for my party?

THE VICE-CHAIRMAN: Actually, only four minutes. Therefore, I am giving you seven minutes and I think that it is quite reasonable.

SHRI M. KALYANASUNDARAM: Sir, I am not enthused by the provisions of this Bill and I am not enthused either by its efficacy or its feasibility. Under the guise of giving effect to the award of a Tribunal, I think, Sir, the Government is taking too much of power which it will find it difficult to use to implement it. Instead of solving the problems, they will create more problems. There is no provision even for consulting any of the concerned States during the process of constituting the authority and also at the various stages of its functioning. May be that in an unwritten manner it is there. But what is written only, I can read. Sir, I come from a State which is very deficit in this scarce material called water. Sir, the previous speaker, my esteemed friend, Dr. Adishesiah, explained how water is being wasted in a country like ours. Two-thirds of the arable land in Tamil Nadu is deficit in water. Even the ground water table is going down and down

(Shri M. Kalyanasundaram)

year after year because of the seven lakh pump-sets that we have. And, periodically, for four or five years, we will suffer and our agriculture will suffer on account of drought and for the next five or six years we will suffer on account of heavy rains and floods. The minor irrigation and other things are very badly managed. Now, Sir, the only river that we have is the Cauvery. That is also supposed to be a perennial thing; it is called a perennial river; but it is under a perennial dispute. Sir, the very title is repugnant to a man like me who has spent the most part of his life for the freedom of the country and, after achieving that freedom, for the progress and development of the country. Is it sharing of waters or is it a water dispute? My friend talked of the creation of wealth and he said that the waters of the country should be treated as part of the wealth of the nation. This is one river and here is my riparian right. My riparian rights are there.

6 P.M.

Dispute is different sharing is different. We should approach the problem with the spirit of creating our national wealth, for the development of all regions, for even development of all regions. Even a man who in the southern—most part like Kanyakumari will be benefitted with the resources in the Himalayan area or in Assam or in Gujarat; that spirit is lacking. For thirty years, there is no national integration, no national unity. We are creating more and more disputes This is what this Bill is also going to lead to; that is my fear, Sir. Such machinery must be created—I don't deny. Even for the implementation of an Award machinery has become essential. That shows the spirit, the approach. After Independence, the Government, whoever may be in power, do not think of generations. That great man, Shri Jawaharlal Nehru, had some vision. He thought of planning even before Independence. He thought of the

next generation also. He was convinced that the whole of India is one. So he had that approach. But after that, I wonder if anybody is there to carry forward that spirit with regard to the development of States. That is the crux of the whole problem. (*Time Bell ring?*). That is the problem whether in Assam or in Kashmir or in the south.

So, Sir, before I conclude, there are some pressing problems in my State. I want the hon- Minister, and through him the Prime Minister, to use their good offices to settle that dispute immediately. When the ruling party chiefs in the States going and attacking the non-Congress Governments, how does that create a congenial atmosphere? Sir, a few days back I was in Tiruchirappalli in my native district. The Congress (I) Chief of Tamil Nadu was saying— that the law and order situation has collapsed in Tamil Nadu. "I warn the MGR 'Government'"—he said. Last week, I found, in Kashmir some Congress (I) chief threatening Sheikh Abdullah. In West Bengal, I read about a Congress (I) Chief threatening Mr. Jyoti Basu. He said: rolled into the Bay of Bengal, at least he did not go to that extent He did not threaten MGR with being thrown into the Bay of Bengal or the Arabian Sea. Is this the spirit of national unity, national integration? How—do I get confidence; how do I get conviction? So, Sir, immediately, at least hold this conference of the Chief Ministers of the three States—Kerala, Tamil Nadu and Karnataka—to settle the Cauvery problem, because it is overdue—more than six years' old; it has been pending and it is allowed to rot.

THE VICE-CHAIRMAN (SHRI DINESH GOSWAMI): Please conclude now.

SHRI M. KALYANASUNDARAM: Sir, how to exploit the ground water resources? It is also a problem, although it is not directly connected with this. For thirty years after independence we have neglected minor irrigation tanks; that is also a problem.

blem. I just urge unan the Irrigation Ministry to look into these problems, So that all States and regions should feel confident that their turn will also come. Thank you.

THE VICE-CHAIRMAN (SHRI DINESH GOSWAMI): Mr. Pant. I hope you will conclude within 8 minutes.

SHRI KRISHNA CHANDRA PANT (Uttar Pradesh); I will try to finish within 8 minutes. In any case, I am not going to take long.

Mr. Vice-Chairman, Sir, I support the Bill because it has become necessary for the Award to be implemented. And the Award is not implemented by mutual agreement amongst the States. And it is a pity. I wish the Bill had not been necessary. I wish the States had come forward to implement the Award—this Award and other similar Awards. I have had some association with the Narbada water dispute and I do not mind taking the House into confidence today and saying that at one stage both the Chief Ministers of Madhya Pradesh and Gujarat had practically come to a settlement. If that settlement had been gone through, then this dispute would have been settled years back. Actually both of them had initialled and then one of them went back on it and it has taken so many years. Now, at long last, the Tribunal gave its award. Still certain disputes linger. Still States come forward with their own points of view. I cannot blame them. It is natural. But if it ultimately means that the resources of the nation are not utilised, then it is at the cost of the utilisation of these resources that these disputes are dragged on and the matter is of such serious concern to the nation that I think we must put our minds to this question collectively. There is the question of the awards being treated with finality and I do hope that after the award has been given and after whatever other provisions of clarifications being sought from the Tribunal, etc. have been gone through, the States would

accept the award with finality and they would implement them. Otherwise, there can be no end to these disputes.

Sir, in fact, I have only two things to say on the basis of my little experience of this subject. Water must be treated as a national resource. There is an illusion in this country that there is sufficient water to last for generations. That is not correct. Even today there is scarcity and we take it for granted that the scarcity was always there. In certain areas there was sufficient water but today there is scarcity. Rajasthan is an extreme example of scarcity of water. If we do not take a long-term view of our water resources and if we do not properly manage them and control them, I think in 20 years we shall find large parts of our country with shortage of water. I have come because I think that it is not generally understood nor is it understood that the water that we have is being polluted. So, pollution and shortage will be two of the major problems of water in the years to come on account of demand of urbanisation, demand of water supply in the rural areas, the demand of industries, the demand of agriculture, etc. and the competing claims make it more difficult for water to be sufficient to satisfy all these demands. Today there is wasteful utilisation. I must say that we waste water and it is time that the Government should lay down certain guidelines so that there is proper utilisation of the right quantity of water and water is saved as much as possible. There is the question of underground storage of water which we cannot tackle unless we treat water as a national resource. There is this question of large quantities of water being wasted into sea. Some of my friends referred to it. Except some water going to the sea which is necessary to keep the salinity off the land, we must be able to preserve this water. Then, Sir, there is the question as to how to treat the development of these rivers. The river

(Shri Krishna Chandra Pant)

basin concept has been accepted in India in our planning also. But the problem is that while Entry 56 of the Union List enables the Central Government to take a total view of the river basins, Entry 17 of the State List is so comprehensive in its definition that really speaking Entry 56 is all but nullified and the Central Government is not able, in practice, to develop river basins. The States cannot really undertake the development of the entire basin because the State has control only over a part of the river basin. So, this raises a very fundamental question and this leads us to problems regarding control of floods because of which we have a flood situation in the country. Unless river basins are treated as a whole for the purpose or development, this will continue to pose a problem for the future. I would, therefore, suggest that these two concepts, namely, the idea of treating water as a national resource and the idea of developing river basins as a whole, must be accepted as the basic planks of the development of water resources in our country and for both these it may become necessary to amend even the Constitution. At one stage, I remember there were certain ideas, some tentative proposals and these were discussed with the State Governments. The States had some difficulties but the discussions went far ahead and there was some hope that some formulations would emerge which would take care of this basic problem. But since then there has been very little movement in this direction. I would like to suggest to the Irrigation Minister, who has a lot of experience in his State and who is now experienced here also, that this is the time now to take a total look at this problem. Otherwise in future we may run into serious difficulties.

Lastly, Sir, the question of Nepal has been raised. I raised this issue even at the time of the Budget debate that the discussions with Nepal must be expedited. Otherwise there is no solution to the floods of U.P. and

Bihar. If this is expedited, then the problem of energy will also be sorted out to a considerable extent in this part of the country and it will help the other parts of the country also because the power situation in an interconnected grid can help the other parts of the country also. These are the basic questions. I hope I have saved you some time and not exceeded

**श्री केदार पांडे : मान्यवर, यहाँ तक  
इस बिल का संबन्ध है . . .**

SHRI M. KALYANASUNDARAM: Sir, please speak in English so that we can also understand.

SHRI KEDAR PANDE; Sir, so far as this Bill is concerned, it has got a very limited scope. So far as the other questions are concerned, they are of a general nature. Those are different things outside the scope of this Bill. But so far as this Bill is concerned, there is only one thing, namely, if there will be a tribunal award, how to get it implemented and that is provided in this amending section 6A. So far as the constitutional position is concerned, there is no difficulty. It has been thoroughly examined. Entry 56 of the Union List, Entry 17 of the State List and article 262 of the Constitution are the constitutional provisions which are in this Constitution. Having examined all these things, this Amendment Bill has been brought forward. This has been passed by the Lok Sabha.

Now, so far as the merit of the case is concerned, the Narmada river is a big river and it carries nearly 28 million acre-feet of water. There has been sharing of water in different ratios between different States, four States. Madhya Pradesh has got 18.25 million acre-feet of water. Gujarat has got 9 million acre-feet of water. Rajasthan has got 5 million acre-feet of water. And, Maharashtra has got 2.5 million acre-feet of water. That is the Tribunal award. This Award is going to be implemented-

ed by two organisations as provided in this amendment. (1) Narmada Control Authority is entrusted with the execution of this scheme. We are going to spend a huge amount of money over this project, nearly Rs. 3,500 crores. So it is a big project. This Narmada Control Authority which has been mentioned in this Bill is going to execute this project in different States. Next, if there be any discrepancy or any wrong thing done by this Narmada Control Authority, an appeal may lie to the Review Board. The Chairman will be the Union Minister of Irrigation and the four Chief Ministers will be the members of the Review Board. The Review Board is not going to review the tribunal's award, or the decision of this Control Authority. So there should be no confusion with respect to this aspect. So, it is the limited scope of this Bill. I have cited the example of Narmada. There may be so many awards of the tribunal with respect to so many rivers. But that is a different thing. But this is the basic thing. This Bill applies to all types of awards and inter-State water disputes with respect to different States. So there may be so many awards later on. That is what I wanted to say in regard to this Bill.

So far as the development of water resources of the country is concerned, it is a very general matter and it is very essential also because these water resources must be developed in the whole country, in the past, efforts had been made, that is, for Ganga-Cauvery project by Dr. K. L. Rao, then Captain Dastur's Garland Canal etc., and having examined all these, we have come to the conclusion that those schemes are not practicable. So I convened a meeting of different State Secretaries and Chief Engineers of the country and we discussed it thread bare and that was the national perspective for water resources development in this country. We discussed a lot about the northern portion and the southern portion of the country. So far as the

northern rivers are concerned, we have got certain relations with different foreign countries, like Nepal and Bangladesh. So these disputes are there. So far as southern portion is concerned, in that case we find that it is possible to integrate peninsular rivers in the south. We have Mahanadi river and this Mahanadi may be connected to Krishna-Goda-vari and that scheme seems to be plausible, and we have discussed a lot.

SHRI KALPNATH RAI: National grid.

SHRI KEDAR PANDE: Yes, national grid. So this scheme has been welcomed by the representatives of different States in that region. Later on, we may need some legislation with respect to it but that is being examined.

So far as Nepal is concerned, we have discussed with some officials of Nepal like the Foreign Affairs Secretary and we discussed the Karnali scheme. It is called Ghagra in our country, and Karnali is in Nepal. A dam is going to be constructed on Karnali and that is being discussed.

SHRI KALPNATH RAI: And Kosi?

SHRI KEDAR PANDE: So far as Kosi is concerned, we are going to discuss the reservoir at Kosi. The Irrigation Secretary of Nepal is coming here, on the 18th and Secretary of Irrigation Department and Secretary of Nepal will have fresh discussions on the schemes. So, we are seized of the matter and we are also desirous to see that these reservoirs are built up but an agreement must be reached. Hence, we are very serious about it.

SHRI KALPNATH RAI: Dams.

SHRI KEDAR PANDE: Reservoirs, or dams, as you may say. We may construct these reservoirs in Nepal, because, so far as Bihar and U.P. are concerned, unless we have an agreement with Nepal, these rivers which

[Shri Kedar Pande]

flow from U.P. and Bihar cannot be trained. We must have dams in the Nepal territory, because, the site is there. The geographical structure of the country is such that we have not got many sites of dams. We have got sites there in Nepal. Hence, we, must have agreements with Nepal. We are serious about it. The Government of India is very serious about it. We had some discussions and discussions are going on. So far as the Brahmaputra Board Bill is concerned, we have passed it in the Lok Sabha. (Interruptions) At that time, in the year 1979, when the Janata Party came to power, the Brahmaputra Board Bill was passed here in this House unanimously. But later on, the Janata Government fell and hence it was of no use. Then, we came. We had introduced this Bill in the Lok Sabha and this has now been passed by the Lok Sabha. It may come here tomorrow or the day after tomorrow or sometime, afterwards. We may pass that Bill also. This is the actual position. I do realise the seriousness of the situation. I do realise that there should be multipurpose schemes for water, resources development in this country. Unless we do it, we shall not survive. Unless we do it, we cannot escape from these dangerous floods. This is the real position. Hence, Sir, this is a very simple and small Bill. We should have instruments for implementing the award of the Tribunal. At present, we are faced with the award of this Narmada Tribunal. Now, here, I wish to make one point very clear. So far as the agreement between Rajasthan and Gujarat is concerned—this was in the year 1966—this was thoroughly discussed by the Tribunal. They did not accept it. But the Chief Ministers of Gujarat and Rajasthan approached me. I told them 'You need not worry'. I shall convene a meeting of these two Chief Ministers, we shall discuss it thoroughly and we shall try to find out a solution. Hence, there should be no worry about it. There should be no confusion among the

people of Gujarat and Rajasthan. I have already told them. It is not a fact that Mr. Pahladia, the Chief Minister of Rajasthan, wrote any letter to the World Bank. This confusion was created by the Press. Mr. Pahladia, the Chief Minister of Rajasthan, never wrote any letter to the World Bank. (Interruptions)

PROP. RAMLAL PARIKH: You should clarify. Otherwise, this confusion will go on. Please clarify as to who has written it. (Interruptions)

SHRI KEDAR PANDE; I need not go into it. I shall convene a meeting of the Chief Ministers of Rajasthan and Gujarat and I shall try to find out a solution in respect of this Mahi river. That is all- With these words, I commend this Bill to the House.

SHRI KALPNATH RAI; Are you going to Nepal?

THE VICE-CHAIRMAN (SHRI DINESH GOSWAMI): The question is:

"That the Bill further to amend the Inter-State Water Disputes Act, 1956, as passed by the Lok Sabha, be taken into consideration."

*The motion was adopted.*

THE VICE-CHAIRMAN (SHRI DINESH GOSWAMI): Now, we take up the clause-by-clause consideration of the Bill.

*Clauses 2 and 3 were added to the Bill.*

*Clause 1, the Enacting Formula «\*i<sup>d</sup> the Title were added to the Bill.*

SHRI KEDAR PANDE; Sir, I move:

That the Bill be passed."

*The question was proposed...*

PROF. RAMLAL PARIKH: Sir,...

SHRI NARASINGHA PRASAD NANDA: Since the, hon. Member has participated in the first reading, he cannot participate in the third reading.

SHRI KALPNATH RAI: He cannot speak, Mr. Vice-Chairman.

THE VICE-CHAIRMAN (SHRI DINESH GOSWAMI): Just a second. Mr. Parikh, I do not know whether under the rules there is any bar or not, but if you are asking for a clarification, you can have half a minute. Otherwise, this controversy will take more time.

PROF. RAMLAL PARIKH: Only half a minute, Sir.

While clarifying the position, the hon. Minister pointed out to the disagreement which has arisen between Rajasthan and Gujarat. I want to know whether he has received this letter from Mr. Madavsinh Solanki, Chief Minister of Gujarat, stating that the agreement relating to the exploitation of the Mahi waters is required to be re-examined in the changed circumstances and Gujarat is ready and willing to discuss, provided Rajasthan comes forward with proposals which are practicable. So, you must clarify that Gujarat has already accepted to participate in the negotiations.

SHRI KEDAR PANDE: Gujarat and Rajasthan have agreed to partici-

pate in the meeting which I have convened.

PROF. SOURENDRA BHATTACHARJEE (West Bengal): Sir, I want to know...

THE VICE-CHAIRMAN (SHRI DINESH GOSWAMI): Do you want a clarification Or what?

PROF. SOURENDRA BHATTACHARJEE: Almost a clarification.

THE VICE-CHAIRMAN (SHRI DINESH GOSWAMI): Mr. Bhattacharjee, just a second. I will ask for your cooperation. The Minister is to reply in Lok Sabha. As the Lok Sabha is adjourning and there is no other business, may I ask for your co-operation? You need not do it now, there may be other occasions when the hon. Minister can clarify your points. I am just asking for your cooperation.

*(Interruptions)*

THE VICE-CHAIRMAN (SHRI DINESH GOSWAMI): The question is:

"That the Bill be passed." The motion was adopted.

THE VICE-CHAIRMAN (SHRI DINESH GOSWAMI): The House is adjourned to reassemble on the 18th instant at 11.00 A.M.

The House adjourned at twenty-eight minutes past six of the clock till eleven of the clock on Monday, the 18th August, 1980.