

SHRI R. VENKATARAMAN: I have nothing to add.

STATEMENT BY MINISTER

Report of the Godavari Water Disputes Tribunal

THE MINISTER OF IRRIGATION (SHRI KEDAR PANDEY): Sir, the Godavari Water Disputes Tribunal has today forwarded to the Central Government its Further Report. With the submission of this Report, the long outstanding dispute relating to the Godavari waters has been settled. Shri Justice R. S. Bachawat, a former Judge of the Supreme Court is the Chairman of this Tribunal. Shri Justice D. M. Bhandari, retired Chief Justice of Rajasthan High Court and Shri Justice D. M. Sen, retired Judge of Gauhati High Court are the other Members.

It may be recalled that as the dispute amongst the States of Andhra Pradesh, Karnataka, Madhya Pradesh, Maharashtra and Orissa could not be settled by negotiations, the Government of India had constituted the Godavari Water Disputes Tribunal on the 10th April, 1969 for adjudication, under the Inter-State Water Disputes Act, 1956. Another Tribunal namely the Krishna Water Disputes Tribunal was also set up the same day. As the water disputes were inter-linked and some of the parties to the disputes were common, membership of both the Tribunals was kept the same. The parties to both the Krishna and Godavari water disputes agreed that the Krishna case be heard first. The Krishna case was accordingly taken up first and the Krishna Tribunal gave its final report in May, 1976 which was thereafter published and became effective. The Godavari case was heard later.

In November, 1979, the Godavari Tribunal submitted its report setting out the facts as found by it and giving its decision on matters referred to it. As per the Act, further clarifications or guidance could be sought from the Tribunal on points not originally referred to it, within a period of three months from the date of decision. The Further Report submitted today gives its directions on reference, made to the Tribunal by the Centre and some of the party States. The main features of the award of the Godavari Tribunal are as under;

(1) From time to time, the five States had entered into various agreements for the distribution of waters of the Godavari River. The Tribunal has ordered that the agreements should all be observed and carried out by the party States.

(2) Maharashtra has been allowed the use of all the waters of the river Godavari upto Paithan dam site including the Pravara Sub-basin and the waters upto certain specified dam sites in the other river systems flowing in Maharashtra area. In addition, Maharashtra has also been allotted about 215 TMC in the various Sub-basins for other projects and minor irrigation schemes.

Karnataka has been allotted 17.77 TMC.

Madhya Pradesh has been allowed the use of all the waters in the Pranhita sub-basin upto Nandana, Amla, Dokdoh, Mohgaon Integrated Projects and Sovana Nalla Project in Pranhita sub-basin, all the waters in the Wainganga sub-Valley upto specific project sites and waters of other tributaries upto certain specific sites. In addition, Madhya Pradesh has been allotted 412 TMC for its various major and minor schemes in the various sub-basins in which it is interested.

Orissa has been allowed the use of all the waters of the river Iridic vati upto the Upper Indravati Project site, diversion of about 90 TMC from the Indravati sub-basin to Mahanadi Basin, use of the balance waters after ensuring a quantum of 45 TMC at the Orissa-Madhya Pradesh border. In addition, ifc has also been allowed the use of waters of the river Sabari upto the boundary between Orissa and Madhya Pradesh and on other specified tributaries. In addition, Orissa has been allocated a quantity of 77 TMC for major and minor schemes in the Sabari sub-basin.

Andhra Pradesh has been allowed the use of balance water in the Godavari sub-basin downstream of Pochampad and other rivers and specified project sites. Certain specific quantities of waters to be used on specific projects have been indicated. Andhra Pradesh has also been permitted to divert 85 TMC directly from Inchampalli Project.

(3) The decision of the Tribunal provides for construction of a number of projects as joint projects between the States. It also provides for diversion of water from the Polavaram Barrage to the Krishna Basin and a share of the Upper States as a result of such diversion.

(4) The Tribunal has directed that the Polavaram Project shall be cleared by the Central Water Commission for FRL/MWL plus 150 feet as expeditiously as possible, that the matter of the design of the dam and its operation schedule shall be left to the Central Water Commission which they shall decide keeping in view the Agreements between the parties, including the Agreement of the 2nd April, 1980 and that if there is to be any change in the operation schedule as indicated in the Agreement of the 2nd April, 1980 it shall be made only after consultation with the Parties concerned.

With this direction by the Tribunal, the long standing dispute relating to the diversion of the Godavari waters into the river Krishna from the Polavaram Project of Andhra Pradesh has also been amicably settled. The States of Andhra Pradesh, Maharashtra and Karnataka have also agreed to their respective shares as a result of this diversion. The States of Maharashtra and Karanataka will be entitled to utilise their shares in the Krishna from the date of clearance of the Polavaram Project by the Central Water Commission irrespective of the actual diversion taking place.

(5) The decision of the Tribunal also gives liberty to each of the party-States to divert any part of the share of the Godavari waters allocated to it from the Godavari basin to any other basin. It also provides that nothing contained in the decision shall prevent its altera-tion, amendment or modification by agreement between the Parties or by legislation by Parliament.

(6) The States will bear their own cost of appearing before the Tribunal. The expenses of the Tribunal will be apportioned and paid by the States in equal shares.

Under the Inter-State Water Disputes Act, the Central Government is required to publish the decision of the Tribunal in the official gazette and the decision shall thereupon become final and binding on the parties to the dispute and shall be given effect to by them. Action to publish the decision is being initiated accordingly.

The Godavari is the largest Peninsular river and ranks second in the country, covering in its basin an area of 1,20,800 sq. miles which is nearly 10 per cent of the total geographical area of the country. The Tribunal's decision will now pave the way for early execution of several projects.

श्री शिव चन्द्र झा (बिहार) : श्रीमान्, अभी मंत्री महोदय ने गोंदावरी वाटर डिस्प्यूट्स ट्राइब्यूनल के फैसले के बारे में जिक्र किया है। उन्होंने कहा कि इस फैसले से महाराष्ट्र, कर्नाटक और आन्ध्र प्रदेश आदि राज्यों के पानी संबंधी सब विवाद हल हो जाएंगे और फलों फलों प्रोजेक्ट के जरिए सब पानी का इस्तेमाल ठीक ढंग से होगा। लेकिन मैं यह जानना चाहता हूँ कि इन सब विवादों को दूर करने के लिये क्या भविष्य में किसी अन्य ट्राइब्यूनल की जरूरत नहीं होगी? इसके साथ-साथ मैं यह भी जानना चाहता हूँ कि गारलैण्ड कैनल स्कीम के नाम से एक योजना चालू करने की जो बात थी उसका क्या हुआ? मैं समझता हूँ कि अगर उस स्कीम को लागू किया जाएगा तो भविष्य में पानी के जितने भी डिस्प्यूट्स होंगे उनको आसानी से हल किया जा सकता है और पानी का इस्तेमाल भी ठीक ढंग से हो सकता है। इसलिए मैं जानना चाहता हूँ कि इस स्कीम को लागू करने के लिए क्या आपने कोई नक्शा बनाया है? उस योजना पर कितना खर्च होगा, इसका क्या आपने कोई हिसाब लगाया है? इसके साथ-साथ श्री के० एल० राव ने एक योजना बनाई थी कि गंगा से लेकर काबेरी तक एक नहर बनाई जाये और समस्त पानी का इस्तेमाल किया जाये। इसमें यह भी कहा गया था कि इस योजना से सारे वाटर डिस्प्यूट्स खत्म हो जाएंगे। मैं तो यह कहना चाहता हूँ कि इस ट्राइब्यूनल से ही सारे विवाद खत्म नहीं हो जाएंगे। **This is thinking with the problem.** फिर कर्नाटक और महाराष्ट्र में विवाद होगा और कर्नाटक और आन्ध्र प्रदेश में विवाद उत्पन्न होगा। इसलिए मैं यह जानना चाहता हूँ कि इन विवादों के रेडिकल समाधान के लिए आप क्या उपाय कर रहे हैं और यह जो गारलैण्ड कैनल स्कीम है इसको जल्दी से जल्दी लागू करने के लिए आप क्या कर रहे हैं?

श्री केदार पांडे : श्रीमान्, श्री दस्तूर की एक गारलैण्ड कैनल स्कीम थी और वह साउथ के लिए थी और नार्थ के लिए उन्होंने

एक हिमालयन कैनल का रूपरेखा बनाई थी। यह इतनी बड़ी स्कीम हुई कि जब इसकी जाँच-पड़ताल हुई तो बताया गया कि इस पर 24 हजार करोड़ रुपये खर्च होंगे। फिर उसका डिटल में एकजायमेंशन किया गया तो मालूम हुआ कि यह एकदम प्रेक्टिकल नहीं है। इस योजना पर जो 24 हजार करोड़ रुपये खर्च करने की बात पहले कही गई थी, जाँच करने पर यह मालूम हुआ कि इस योजना पर इससे पाँच सौ टाइम्स ज्यादा खर्च होगा। इस प्रकार से यह इम्प्राक्टिकल स्कीम थी। इसलिए उस स्कीम को ड्राप किया गया है। हमने अब एक नेशनल परस्पेक्टिव फार दी डेवलपमेंट आफ वाटर रिसोर्सेज के बारे में सोचा है। इस संबंध में हाल ही हमने एक बैठक भी बुलाई थी जिसमें स्टेट्स के एग्जीक्यूटिव सेक्रेटरीज और वीफ इंजीनियर्स ने भाग लिया था। इस बैठक में इस नेशनल परस्पेक्टिव फार दी डेवलपमेंट आफ वाटर रिसोर्सेज के बारे में सोचा गया है और हमें उसका इन्वेस्टिगेशन करना है। उस स्कीम के मुताबिक वह सोचा गया है कि हिमालय की तराई में जितनी भी हमारी नदियाँ हैं उनमें हमें बड़े-बड़े डैम्स बनाने हैं और साउथ में जितनी नदियाँ हैं उनमें भी डैम्स बनाने हैं और इन डैम्स से छोटी छोटी नहरें निकाल कर वाटर रिसोर्सेज का डेवलपमेंट करना है। इन्हीं बातों का हम इन्वेस्टिगेशन कर रहे हैं।

तब तक श्री के० एल० राव की गंगा को काबेरी तक ले जाने की स्कीम का संबंध है, यह समझा गया है कि यह यूटोपियन स्कीम थी। इस स्कीम के मुताबिक पटना के नजदीक गंगा के एक लाख बीस हजार एकड़ फीट पानी को ऊपर उठाकर 18 मी फीट ले जाना था। इस योजना पर बिजली कितनी खर्च होगी, इसका भी अन्दाजा लगाया गया है। इस पर 70 लाख फिलो वाट बिजली

बर्च होगी क्योंकि नीचे से 18 सौ फीट पानी को ऊपर ले जाकर साउथ की तरफ डायवर्ट करना था। श्री दस्तूर की स्कीम और श्री के० एल० राव की इन दोनों स्कीमों को आज की हालत में ओवर्सलीट माना गया है। हम समझते हैं कि आज ऐसी स्कीम की ज़रूरत नहीं है। उसको रिलेस करने के लिए हमने एक नेशनल परस्पेक्टिव फ़ार दी डेवलपमेंट आफ़ वाटर रिसोर्सेज की योजना बनाई है और उसके बारे में डिस्कशन भी किया है। जितने भी हमारे स्टेट चीफ़ इंजीनियर्स हैं और एग्ज़िक्यूटिव सेक्रेटरीज हैं,

they have welcomed this scheme and we are going ahead with this. We shall have a blueprint of all these things later on.

SHRI NARASINGHA PRASAD NANDA (Orissa): Sir, once the award of this Tribunal is published, as required, under the Inter State Water Disputes Act, it would be binding on the contending parties. As you have heard from the statement of the hon. Minister, this Godavari water affects several States. It has a far-reaching effect on the affairs of different States. For instance, my State is dependent on the findings of this Tribunal so far as the Indravati is concerned and once it is notified under the Inter-State Water Disputes Act, it will be binding on all the parties. They will be left with no other alternative. Then the matter will be concluded. So, my submission, is before it is concluded and before it is notified under the Act, the hon. Minister should have a full-fledged discussion on this Award so that different interests of all the States are debated fully before it is notified, and necessary adjustment could be made by an accord between the contending parties.

SHRI KEDAR PANDE: In the past there have been so many discussions with different States. With respect to sharing the waters of Goda-wari River we did not reach any

agreement. Several other agreements had been arrived at by the States but in spite of those agreements there were disputes and a Tribunal had to be constituted and the Tribunal has given its Award now which is binding on the parties. There is hardly anything to discuss this Tribunal again. However this can be thought of later on. First of all, this Tribunal's Award must be published and known to the public and then we can think of a discussion.

SHRI NARASINGHA PRASAD NANDA: Once it is published, no purpose will be served in having a discussion. That will be only an academic discussion. Various viewpoints could be placed in this discussion. We have never discussed the Godavari in either of the House of Parliament. We are only discussing non-issues in both the Houses of Parliament. Whenever a question of water dispute arises and the interest of 50 many States is involved, you do not allow a discussion. You simply want to rush through for the notification so that it becomes binding on all the States.

THE VICE-CHAIRMAN (SHRI R. R. MORARKA): Let us go to the next item on the Agenda.

REFERENCE TO THE ALLEGED MOLESTATION OF A WOMAN ON THE 18TH JUNE, 1980 AT BAGHPAT (UP)

श्री नागेश्वर प्रसाद शाही (उत्तर प्रदेश):
श्रीमान्, मैं आपसे एक जानकारी चाहता हूँ।
प्रातः काल के सत्र में गृह मंत्री जी ने कहा था—
सुबह जब यह मामला उठाया गया था—कि
वे अपनी ओर से बागपत के बारे में अपना एक
बयान देंगे

THE VICE-CHAIRMAN (SHRI R. R. MORARKA): I must correct the hon. Member. The hon. Chair said nothing of the type. The only thing said was that the views of the