

THE VICE-CHAIRMAN (SHRI SHYAM LAL YADAV): Please conclude.

SHRIMATI RAJINDER KAUR: I am finishing in a minute. Moreover, in India nobody thinks of demanding a division of the Army. Moreover, whatever power the States have or will have will only be through the Constitution which can be conveniently amended if ever there is a slight danger to the unity and integrity of the nation. If our worthy Prime Minister does not feel that a Parliamentary Committee should not be set up to discuss the issue of decentralisation of power, some other ways can be found as a step forward towards decentralisation. Decentralisation is need of the time. The earliest possible it is achieved the better it is for the country's economic development as a whole and for the political stability of the country as the States will not tolerate the economic exploitation by the Centre for long. Thank you.

THE VICE-CHAIRMAN (SHRI SHYAM LAL YADAV): We now pass on to the next item half-an-hour discussion.

SHRI BHUPESH GUPTA: Sir, before you take up the half-an-hour discussion I have to make a submission. I have given notice of half-an-hour discussion on the nuclear power pack. Two notices have been given. I hope some time next week time will be found to discuss it. This arises specially after the Prime Minister's remarks here during the Question Hour.

HALF-AN-HOUR DISCUSSION

On points arising out of the answer given in the Rajya Sabha on the 26th April, 1978, to Starred Question 67 regarding Cauvery Waters issue.

SHRI ERA SEZHIYAN (Tamil Nadu): Sir, I thank you very much

for giving me the opportunity to raise half-an-hour discussion on points arising out of the answer given to Question No. 67. The question is a very simple one. The question has been raised.

(a) whether the Southern States have urged upon the Central Government for an early to the Cauvery waters issues; and

(b) if so, in what manner Government propose to settle the issue to the satisfaction of the concerned State Governments?"

Sir, this settlement of the Cauvery waters among the three Southern States, namely, Karnataka, Tamil Nadu and Kerala, has been prolonging for a long time. In the answer, the hon'ble Minister has been pleased to say that:

"An understanding amongst the concerned States, namely, Karnataka, Kerala and Tamil Nadu with regard to the use and development of Cauvery waters was reached at an inter-State meeting held by the Union Minister of Agriculture and Irrigation in August, 1976."

Sir, the first sentence itself I want to contest.

SHRI L. R. NAIK (Karnataka): Sir, on a point of order. In the Rules of Procedure and Conduct of Business in the House, the Chair has sufficient power to adjust the commencement of discussion regarding certain items. So the hon'ble Member can commence after some time. Meanwhile let the Resolution that has been moved be completed. You have ample powers, Sir.

THE VICE-CHAIRMAN (SHRI SHYAM LAL YADAV): Kindly take your seat. Now that the discussion has been taken over, I think there is no time left. In this House the non-official business terminates at five O'clock and the time is not extended.

SHRI ERA SEZHIYAN: On a point of order. He may be taking law into his own hands. For the first time I am seeing an hon. Member taking the Chair into his own hands.

SHRI K. K. MADHAVAN (Kerala): Another point of order. May I know whether he is contributing to the discussion or answering in the capacity of the Minister or on behalf of the Minister?

THE VICE-CHAIRMAN (SHRI SHYAM LAL YADAV): He is raising a Half-an-Hour discussion.

SHRI P. RAMAMURTI (Tamil Nadu): Are we having a half-an-hour point of order?

SHRI ERA SEZHIYAN: In the statement given by the hon. Minister, it has been stated that "An understanding amongst the concerned States, namely, Karnataka, Kerala and Tamil Nadu with regard to the use and development of Cauvery waters was reached at an inter-State meeting held by the Union Minister of Agriculture and Irrigation in August, 1976." Sir, I want to know what type of understanding was reached and whether the agreement was accepted and honoured by the concerned States. Especially, Sir, at the time of coming to the stated understanding in August, 1976, there was no popular elected Government in Tamil Nadu. Earlier, in 1971 I think, when the Cauvery issue was not yet a settled one and when the respective Governments wanted to raise the issue, it was given on the floor of the other House and here also that until an elected Government, until a popular Government, was put in authority of the State, it was not fair to hold the talks under the President's rule. In August, 1976 there was President's rule in Tamil Nadu, and I want to know from the hon. Minister why the earlier dictum given in 1971 was not adopted. I want to know whether it is binding on all the States, whatever the

understanding might have been. At that time the Karnataka Government was taken under President's rule and a Governor was there. At that time they said, "We will not open this topic because there is no popular Government in Karnataka." Therefore, I want to know whether the same norm was being applied in August, 1976.

Sir, this is a very vexatious and prolonging issue which has left much uncertainty and insecurity in the minds of all the States. Here when I raise the issue, I do not want to give an impression to any of our brethren coming from the adjoining States of Karnataka and Kerala that I am against any improvement being made there, be it irrigation or hydro-electric projects. We are not against that. Every State should try to utilise the natural resources available, and my main plea is this one: What should be the norm to be adopted? When there are inter-State disputes when agreements expire, what should be the norm that should be adopted? Sir, as you are aware and the House is aware, the utilisation of the Cauvery waters between the then Mysore Government and the Madras Government was controlled by two agreements, one of 1892 and, later on, another of 1924 which was to run for a period of 50 years and which expired in 1974. But, as early as 1970, there were attempts to agree to finalise an agreement which could come in place of the 1924 agreement. But somebody may say that the 1924 agreement has been very much outmoded, very much one-sided, lopsided, as they say, because it was done during the British days and there is a claim from a vociferous tribe... (Time bell rings) Sir, what is this? Of course, I am very new to this House.

THE VICE-CHAIRMAN (SHRI SHYAM LAL YADAV): You be brief because other Members are also there.

SHRI ERA SEZHIYAN: I will be very brief. Then all along, the Mysore Government itself in the year

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1951, when the Government of Coorg wanted to arrange some irrigation works across Lakshmana Therttha in the area, raised the issue against the Government of Coorg on the basis of the 1924 agreement. The Hemavathi project was submitted to the Central Government in 1964. The report itself said: "The project is designed keeping in view the 1924 agreement of Madras and Mysore". The project comes under the provisions of the 1924 agreement. It is not as if the 1924 agreement was considered invalid after 1947. It was all along observed as long as it was advantageous to them. But now it is not being observed. e.g. Hemavathi scheme, Kabini scheme are being put forth by Karnataka, e.g. Hemavathi scheme, Kabini scheme and Harangi scheme, but none of them has got the clearance from the Central Government—full clearance from the Central Government. The Kabini project which was sanctioned by the Planning Commission to benefit 30,000 acres at a cost of Rs. 2½ crores has been enlarged to cover 1,26,000 acres at a cost of Rs. 24.8 crores—about 10 times the earlier cost. Sanction has not been obtained. Unilaterally, they are building the dam and impounding the water so much so that the lower riparian rights of the people, especially in Thanjavur district, have been put to much hazard. Sir, is it desirable to create new potentialities of irrigation in one area affecting, if not destroying, the potentialities created already in another area?

There are many west-flowing rivers even inside the State of Karnataka. They can harness these rivers and bring fresh fields under irrigation. If you take the west-flowing rivers, about 1500 TMC are being wasted every year in western coast of Karnataka and Kerala. Better utilisation can be made of the funds that are being sunk in some of these schemes where 95 per cent of the Cauvery waters are used. For example, the Krishna and the Godavari waters are

being very much wasted. In the case of Godavari, 70 per cent of the water goes to the sea. In the case of Krishna, 50 per cent of the water goes unused. About 1500 TMC every year go to the sea from the west-flowing rivers. Therefore, my appeal to the Government is that they should try to harness the west-flowing rivers even inside Karnataka instead of impounding the Cauvery waters at the expense of Tamil Nadu. In the year 1971, the Supreme Court was moved in this matter by the Government of Tamil Nadu. At that time, because the Central Government assured them that it could be settled across the table, the case was withdrawn. In February, 1975, there was an all-party meeting in Madras in which all parties, including Congress (O), the present Congress (I), joined together and suggested that the dispute may be referred to a tribunal. But that move was also deferred because the Central Government assured us to have the dispute settled across the table. Therefore, Sir, we are now left with great trouble. We are torn between two worlds—a world that is died and a world that refuses to be born. The 1924 agreement is stated to have expired, but we do not have any new agreement to succeed it, so much so that there is great insecurity in the lower riparian areas, especially in the districts of Thanjavur and Tiruchi. Every year this problem comes up. In the month of June, when the short-term crop of Kuruvai is to be taken up, we require at least 3 TMC flow every day to be allowed. But if no security is given, no accepted norms are propounded and implemented by both the States, then the irrigation facilities that have been created for centuries and enjoyed by the rice bowl in Tamil Nadu, will be destroyed. There is no use creating a potentiality here, at the same time, destroying a potentiality there. Therefore, Sir, I would like to know from the Hon. Minister why such a long time has been taken even to constitute the Cauvery Valley Authority? Two years ago they propounded this one,

and again it is stated that a number of meetings have been held by a committee constituted by the Secretaries where nothing has moved. Therefore, this question cannot be allowed to prolong further. It has been agonisingly prolonged, and commonsense should dictate that the national resources should be utilised for the benefit of the nation as a whole. It should not be obscured by regional rivalries or petty jealousies. Whether we have a dam here or a dam there, it is the nation which is going to benefit by the created potentialities. Therefore, I would like to ask the Hon. Minister how much more we have to wait. When does he expect to have an agreement made? If it is going to be prolonged further; it should better be referred to a tribunal or a judicial process. The matter cannot be allowed to hang fire further. Thank you.

THE VICE-CHAIRMAN (SHRI SHYAM LAL YADAV): The hon. Minister.

SHRI K. K. MADHAVAN: Before the Hon. Minister rises to speak, as this matter affects my State, I may be permitted to speak.

THE VICE-CHAIRMAN (SHRI SHYAM LAL YADAV): You should have given your name. That is the rule. That is the rule you know.

SHRI K. K. MADHAVAN: It is an *ex parte* decision? You have been twisting the rules always according to your convenience.

THE VICE-CHAIRMAN (SHRI SHYAM LAL YADAV): No.

SHRI MANUBHAI MOTILAL PATEL (Gujarat): He is in the Chair. We cannot say like that to the Chair.

SHRI K. K. MADHAVAN: You have hit me by surprise. This is hitting below the belt. This is a very mean method also.

SHRI ERA SEZHIYAN: It is a highly objectionable word, Sir.

THE VICE-CHAIRMAN (SHRI SHYAM LAL YADAV): Let him say.

THE MINISTER OF AGRICULTURE AND IRRIGATION (SHRI SURJIT

SINGH BARNALA): Irrigation system from the Cauvery River is perhaps one of the oldest in the world they say because it is in existence for the last about 1800 years.

SHRI K. K. MADHAVAN: I walk out in protest on behalf of my State. It may be recorded.

THE VICE-CHAIRMAN (SHRI SHYAM LAL YADAV): You better consult the rules and raise the point. The rules are there. (*Interruptions*).

SHRI K. K. MADHAVAN: You need not advise me. I have enough wisdom. (*At this stage, the hon. Member left the Chamber*).

SHRI SURJIT SINGH BARNALA: The Cauvery waters are almost fully utilised. This is one of those rivers, the waters of which are fully utilised. Efforts have been made by the three States, mainly by Tamil Nadu and Karnataka to utilise its water more and more. Some States developed their irrigation system also, some other States started it later. There have been agreements earlier also. One of the earlier agreements was made in 1892 when Mysore was a princely State and Madras, a British territory. Again an agreement was reached in 1924 for 50 years which ended in 1974. After that there was reorganisation of the States. Some old difficulties rose. Some part of the water-shed came to Kerala also. They started claiming some portion of water. This has a long history. The disputes have a long history because water is such a scarce commodity in those areas where it is properly utilised and where it is fully utilised. We all know that no more water is available from Cauvery. So there were studies being made as to how more water could be made available. Study teams were deputed. They examined many aspects of the whole irrigation system there and ultimately they came to the conclusion that there was a possibility of saving about 125 TMC of water in these States combined. It was calculated that perhaps about 100 TMC of water could be saved in Tamil Nadu and 20 TMC of water in Karnataka and

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TMC in irrigation reservoirs, etc., in some areas of Kerala. This was the expected saving. A big saving I would say, if 125 TMC of water could be saved and utilised. But unfortunately no agreement could be reached.

An inter-State meeting was held in November, 1974. The matters were discussed for some time and then an agreement was also reached. But that was in February, 1975. Again disputes arose. And then talks continued. In 1976 the situation became very serious because of lack of rains in that area. There was again a dispute. A meeting was called. At that time Tamil Nadu was represented by the Governor—there was Governor's rule there—and Kerala was represented by some Ministers and Karnataka by their Chief Minister. So at that time, in those meetings with the then Agriculture Minister, some understanding was reached among those States. It was not an agreement; it was not signed. It was only an understanding.

My hon. friend has asked what were the salient features of that understanding. I may mention some of the salient features for the information of the hon. Member.

(1) It was agreed that the existing utilisation of Cauvery waters was 670 TMC, comprising 489 TMC by Tamil Nadu, 177 TMC by Karnataka and 5 TMC by Kerala. This was agreed to by all of them. Even now there is no dispute about that, so far as my knowledge goes.

(2) There is scope for effecting economies in the present use without detriment to the existing ayacuts. That was also decided.

(3) Maximum possible economies in the present use should have to be effected so that water saved can be used to provide additional irrigation and other benefits.

(4) There is need for integrated operation of reservoirs in the basin and for regulation of supplies to ensure optimum use and equitable distribution of water.

(5) In a normal year, existing areas under irrigation would have to be fully protected. In a normal year—that was the condition.

(6) A committee of representatives of the Centre and the State Governments shall be constituted to work out the manner of sharing of waters in the lean years. The committee will also work out the quantity of surplus waters that may be presently available. The report of the committee will be considered at the next meeting of the Chief Ministers.

The committee was constituted and it has had several meetings. Discussions have been going on at these meetings.

(7) A Cauvery Valley Authority shall be constituted which will comprise one irrigation engineer from each of these three States and will be presided over by an irrigation engineer nominated by the Centre. The functions and the rules of procedure of the Cauvery Valley Authority will be drafted by a committee of Secretaries of the three States and these will be considered at the next meeting of the Chief Ministers. This could not be done. Because of certain disputes the Cauvery Valley Authority could not be constituted, because they never agreed to nominate their representatives on that. They also did not agree on framing the rules, etc.

So this is the position now. Even now my efforts have been to call a meeting of the Chief Ministers. I have written to each one of them. But because of certain difficulties in their programme, the meeting could not be fixed. I wanted to fix a meeting in May. But then one of the Chief Ministers told me that he would be busy throughout the month of May. So the meeting could not be fixed in May. Now I am trying to fix the meeting in the month of June. And I hope some agreement can be reached. Now this is a fairly complex problem. We are dealing with a river the waters of

which are almost totally utilised and where there is a lot of scope for saving. In those areas, particularly in the delta areas where a lot of saving can be made, there the irrigation system is such that water management is not proper; water flows from field to field. There are no field channels. Field channels are probably not known in that area because the irrigation system has been developed in that manner. So there is a lot of wastage of water. I would say a lot of water can be saved. So, all the States should now make an effort to make saving in water and make the best utilisation of water. Some States are utilising this water. For some States there is availability of water from other sources also. So all these matters will have to be considered. There are some States where only these waters are available. There are some other States where waters from other sources are also available. There are areas, as my honourable friend stated, where waters are going waste, waters are flowing into the sea. There are such areas also. So our effort should be to make the maximum use of water. That is why there has been a thinking going on. . . .

SHRI P. RAMAMURTI: Will you permit me to give you a piece of information?

THE VICE-CHAIRMAN (SHRI SHYAM LAL YADAV): First let him finish.

SHRI P. RAMAMURTI: I would request the Minister to go and see Tanjore district in Tamil Nadu. I know there is scope for saving water . . .

THE VICE-CHAIRMAN (SHRI SHYAM LAL YADAV): Please let him finish first.

SHRI P. RAMAMURTI: He has agreed. If you do not allow me, I will sit down. But. . .

SHRI SURJIT SINGH BARNALA: I can visit any part of the country.

SHRI P. RAMAMURTI: You will know that as far as field channels are concerned, they were constructed in Tanjore district long, long, ago. There are other areas where this is not the case. Your officers have misled you.

SHRI SURJIT SINGH BARNALA: If Tanjore area has a good irrigation system, then the other areas should copy that. Delta does not mean only Tanjore area. (*Interruption*) Sir, I would, therefore, say that proper canal system also has to be developed. It is not developed and the water is allowed to flow into the river channels, into the delta channels. And then our effort should be to utilise the water to the best extent possible, as I have submitted. Now, other States are following the pattern of lining the canals, so that you can make some saving, because they do not have other sources. This is a method of conserving the water, this is a method to make better use of the water—a proper management of the water. And this is the only way we can have in Cauvery some more irrigation. Otherwise, we are utilising almost the entire water available now. So there are disputes arising. One State says, well, the other State is using a very large portion of the water to which they are not entitled because the water flows from our State: we are the upper riparian. Some other State says, the other State is using a large portion while we are the lower riparian. And so goes the conflict. It cannot settled. So, the three State Chief Ministers or their representatives should sit together and find some solution how best to do it, how to do it in the best possible manner, in the interests of all the concerned States and in the interests of the country. As I have said, Sir, I am going to call a meeting next month and I hope that some agreement will be reached.

*SHRI E. R. KRISHNAN (Tamil Nadu): Sir, on 26th April, 1978 in reply to my starred question 67, the hon. Minister Agriculture gave a reply, which is very unsatisfactory. I wanted to know whether the Southern States have approached the Central Government for expeditious settlement of Cauvery Water dispute and if so the steps taken by the Government to resolve this conflict to the satisfaction of Southern States.

A Committee of Technical Experts was constituted to decide about the sharing of the Cauvery waters between Tamil Nadu, Karnataka and Kerala. Another Committee of Secretaries was also set up to formulate the format of the Cauvery Valley Authority. It is reported that divergent views were expressed in these Committees by the representatives of the affected States. It is also stated that a ministerial level meeting is in the offing to strike a compromise between the conflicting claims. I would like to ask you: are you satisfied with this answer to my question? The life of Tamil Nadu is in Cauvery waters. The future of 4.5 crores of people is in Cauvery waters. I wonder for how long this dispute can be dragged.

When there is a congenial atmosphere for the Chief Ministers of Tamil Nadu, Karnataka and Kerala to come to an amicable settlement, I do not approve of the contention of the hon. Minister of Agriculture that the officials of the States have expressed divergent views. I demand that a time-limit must be fixed for settling this dispute affecting the people of Tamil Nadu. Here, I would refer to one of the important recommendations of the Irrigation Commission, whose Report seems to have become a prey for white-ants. The Commission has suggested constitution of River Basin Commissions for all the Rivers and an Inter-State Water Resources Council should be set up for initiating action on the recommendations of

*English translation of the speech delivered in Tamil.

such Commissions. The Irrigation Commission has suggested the amendment of the Constitution. I would like to know when this recommendation would be implemented.

In our country, only 6 per cent of the available water resources is utilised for irrigating our land. This 6 per cent irrigates 19 per cent of the cultivable land in the country. If we take steps to utilise 30 per cent of the available water resources, then 100 per cent of the cultivable land would be getting irrigation facilities. If such a day dawns, then India would be the granary for the entire world. I would like to know whether the hon. Minister has initiated any action in this respect.

Before I conclude, I would refer to another issue affecting Tamil Nadu. While there is inordinate delay in the settlement of Cauvery Water dispute, I would like to know whether any steps have been taken for utilising the waters of 46 west flowing rivers, which go and fall in the seas unutilised.

The hon. Minister of Agriculture, Shri Barnala, is new to his portfolio and it may take some time before he acquaints himself fully and acquits himself to the satisfaction of the people of the country. The mover of this discussion, my hon. friend, Shri Era Sezhiyan, has elaborately and effectively, in most unequivocal terms, explained the plight of Tamil Nadu in the matter of water for irrigation. I request the hon. Minister to look into the matter and act effectively forthwith.

SHRI MANUBHAI MOTILAL PATEL: Mr. Vice-Chairman, Sir, Shri Era Sezhiyan has raised a very important point while introducing this issue of Cauvery Waters. Today it is Cauvery. Tomorrow it may be any other major river, say, Narmada. The next day it may be any other river in the North. The main issue before

us is this. When such inter-State river disputes are there, today we are guided by the Inter-States River Disputes Act. But it does not say as to what would happen in case there is delay in arriving at a solution or in case the States do not agree on a common solution. There is no other way out except to refer the dispute to the tribunal as was done by the former Prime Minister, Shrimati Indira Gandhi or to one man's arbitration. But, Sir, this is not the solution. Sir, ours is a country and naturally, the rivers run through one or more States. But it is not the interests of the farmers, it is not the interests of the poor people or it is not the interests of those who are going to get benefit out of these rivers that matter. But it is the local considerations, political considerations and considerations of political parties, considerations of a very narrow nature which come in the way of progress. So, who are the sufferers? The sufferers are the poor farmers and, ultimately, the whole nation as such. Why? Because production also suffers and if production suffers, the whole nation suffers and it does not get any benefit at all. So, when there are delays in the settlement of these disputes and if they are not settled within a stipulated time, a way must be found to settle them quickly and I think the time has now come when the Inter-State River Disputes Act must be amended. If a river flows from one State into another, then, Sir, I think it should become the national property and it should be taken out of the purview of the States and should be taken out of the control of the States and a national body like a corporation should be set up and it should become the subject of the experts not of the politicians or the political parties of the concerned States. So, Sir, I would request the honourable Minister to consider that in such cases of delays, some *via media* should be found and the Inter-State River Disputes Act should be amended in the interest of the nation. Thank you, Sir.

SHRI SURJIT SINGH BARNALA: Sir, very good suggestions have come from the honourable Members. Nobody denies the fact that there has not been enough irrigation in the country so far. We could have developed better if we had tried in a proper manner. But, unfortunately, the inter-State disputes cause a lot of delay. We know of projects which have been pending and which have been hanging fire for the last ten or twelve years due to inter-State disputes. Even now there are many disputes before the various Tribunals and these disputes before such Tribunals have been going on for some time. So, Sir, everybody desires that these disputes should be settled as early as possible. But, when a dispute is referred to a Tribunal, nobody can interfere with that till the decision is given by the Tribunal and even after the decision is given by the Tribunals there have been delays in certain cases of two or three years or so and there have been delays like that. Last year, I would like to submit, that we were able to have additional irrigation for 2.8 million hectares of land. This was a record figure so far and in the coming five years also, we would be able to cover an area of 17 million hectares and if this goes on, I think, within the next few years, within the next twenty years, the entire irrigable land of the country would be brought under irrigation. This is necessary. Otherwise, a lot of water is being wasted and it is just going into the sea without allowing us any irrigation facility. So, regarding this complex problem, I have told the entire history to the honourable Members and I have also stated that a Committee of representatives was constituted and several meetings have taken place and they have been meeting for a long time, but could not reach any conclusion because there were certain variations in the demands from each State and the disputes and demands varied from State to State and they could not come to any definite conclusion. That is why they are trying to have

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another meeting and we are going to have another top-level meeting with the Chief Ministers so that some understanding can be reached and they can issue directions to the members of these Committees to reach some conclusions and to resolve this matter once and for all. So, Sir, this is all that we could do and we can do in this matter. Thank you.

उपसभाध्यक्ष (श्री श्यामलाल यादव) :

सदन की कार्यवाही सोमवार, 15 मई, 1978 को प्रातः 11 बजे तक के लिए स्थगित की जाती है।

The House then adjourned at thirty-nine minutes past five of the clock till eleven of the clock on Monday, the 15th May, 1978.

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