

Water disputes among various States

†1918. SHRI SANJAY RAUT: Will the Minister of WATER RESOURCES, RIVER DEVELOPMENT AND GANGA REJUVENATION be pleased to state:

(a) the steps taken by the Central Government to resolve water dispute among various States of the country;

(b) whether any water dispute tribunals were set up earlier to resolve the inter-State water dispute;

(c) if so, the name-wise, constitution-wise, date-wise and State-wise details thereof;

(d) whether it is a fact that several water dispute tribunals have not been able to take amicable decision; and

(e) if not, the reasons therefor and the effective steps being taken by Government in this regard?

THE MINISTER OF STATE IN THE MINISTRY OF WATER RESOURCES, RIVER DEVELOPMENT AND GANGA REJUVENATION (SHRI ARJUN RAM MEGHWAL): (a) to (e) The Parliament has enacted Inter-State River Water Disputes (ISRWD) Act, 1956 for adjudication of disputes relating to waters of inter-State rivers and river valley thereof. When any request under the said Act is received from any State Government in respect of any water dispute on the inter-State rivers and the Central Government is of the opinion that the water dispute cannot be settled by negotiations, the Central Government constitutes a Water Disputes Tribunal for the adjudication of the water dispute.

On the complaint made by the State Governments, the Central Government has, so far, set up 08 tribunals to settle water disputes among the States under the ISRWD Act, 1956. The present status of various inter-State water disputes over the sharing of river water is given in the Statement (*See* below).

Government of Bihar sent a request on 27.11.2013 under provision of ISRWD Act, 1956 to this Ministry for constitution of a Tribunal for adjudication of river water disputes related to Sone basin. Negotiations were carried out by the Chairman, Ganga Flood Control Commission and Chairman, Central Water Commission with the States of U.P. and Bihar. It has been agreed that the two States of U.P. and Bihar would meet periodically and try to solve the issue bilaterally. The dispute has since been settled.

† Original notice of the question was received in Hindi.

The State of Odisha filed complaint dated 19.11.2016 under Section 3 of the ISRWD Act, 1956 in respect of Mahanadi basin to the Central Government. Odisha also filed Original Suit No.1/2017 in the Supreme Court of India for constitution of a Water Dispute Tribunal for adjudication of water disputes between Odisha and Chhattisgarh. The Original Suit was disposed of in the final hearing on 23.01.2018 with directions to the Central Government to constitute Water Dispute Tribunal for adjudication of the water dispute between the concerned States within a period of one month from the date of order. The Union Cabinet, in its meeting held on 20.2.2018, has approved the constitution of a Tribunal for adjudication of water dispute on Mahanadi River.

Further, in order to further streamline the adjudication of inter-State river water disputes, the Inter-State River Water Disputes (Amendment) Bill, 2017 has been introduced in Lok Sabha by the Minister for WR, RD & GR on 14.03.2017. The Bill envisages to constitute a standalone Tribunal with permanent establishment and permanent office space and infrastructure so as to obviate with the need to set up a separate tribunal for each water dispute which is invariably a time-consuming process. The proposed amendments in the Bill will speed up the adjudication of water disputes referred to it. The Bill was referred to Parliamentary Standing Committee on Water Resources for examination. The Standing Committee has submitted its recommendation on the Bill *vide* Lok Sabha Secretariat letter dated 11.08.2017 in the form of 'Nineteenth Report of Standing Committee on Water Resources on The Inter-State River Water Disputes (Amendment) Bill, 2017'. Accordingly, the Ministry has prepared draft Cabinet Note for Official Amendments to Inter-State River Water Disputes (Amendment) Bill, 2017.

Statement

Status of inter-State water disputes over the sharing of river water under tribunals

Sl. No.	Name of Tribunal	States concerned	Date of constitution	Present Status
1	2	3	4	5
1.	Godavari Water Disputes Tribunal	Maharashtra, Andhra Pradesh, Karnataka, Madhya Pradesh and Odisha	April, 1969	Award given on July, 1980
2.	Krishna Water Disputes Tribunal-I	Maharashtra, Andhra Pradesh, Karnataka,	April, 1969	Award given on May, 1976

1	2	3	4	5
3.	Narmada Water Disputes Tribunal	Rajasthan, Madhya Pradesh, Gujarat and Maharashtra	October, 1969	Award given on December, 1979
4.	Ravi and Beas Water Tribunal	Punjab, Haryana and Rajasthan	April, 1986	Report and decision under section 5(2) given in April, 1987. Clarification/ explanation sought from the Tribunal under Section 5(3) of the said Act by the party States. Presidential Reference 1 of 2004 was made on the Punjab Termination of Agreements Act, 2004. The Hon'ble Supreme Court has pronounced the judgement on Presidential Reference in negative. Further, Government of Haryana has filed IA No. 6 of 2016 in OS No. 6 of 1996 in the matter. The matter is <i>subjudice</i> .
5.	Cauvery Water Disputes Tribunal	Kerala, Karnataka, Tamil Nadu and Puduchery	June, 1990	Report and decision given on 5.2.2007 which was published <i>vide</i> Notification dated 19.2.2013. The party States have also filed Civil Appeals against the order of CWDT dated 5.2.2007 before the Supreme Court. In this regard, the Supreme Court has pronounced its verdict 16.02.2018.
6.	Krishna Water Disputes Tribunal-II	Karnataka, Telangana, Andhra Pradesh and Maharashtra	April, 2004	Report and decision given on 30.12.2010. Further report given by the Tribunal on 29.11.2013. However, as per Supreme Court Order dated 16.9.2011, till further order, decision taken by the Tribunal on references filed by States and Central Government shall not be published in the official

1	2	3	4	5
				Gazette. As such, matter is <i>subjudice</i> . Term of the Tribunal was extended for a period of two years w.e.f. 1st August, 2014 to address the terms of reference as contained in section 89 of Andhra Pradesh Reorganisation Act, 2014. Thereafter, the term of the Tribunal has been extended twice for one year each viz. for a period of one year w.e.f. 01.08.2016 and for a period of one year w.e.f. 01.08.2017. The matter is under adjudication in the Tribunal. The Government of Telengana has filed a SLP 33623-26 of 2014 and WP(C) 545 of 2015 in the Hon'ble Supreme Court in the matter. The matter is thus <i>subjudice</i> .
7.	Vansadhara Water Disputes Tribunal	Andhra Pradesh and Odisha	February, 2010 However, as per the Supreme Court order the date of reckoning of the constitution of the Tribunal is w.e.f. 17.9.2012	The Tribunal has submitted its report to the Central Government under Section 5(2) of the ISRWD Act, 1956 on 13.09.2017. Further, State of Odisha and the Central Government have filed reference under Section 5(3) of the ISRWD Act, 1956 on 11.12.2017 and 12.12.2017 respectively. The matter is thus under adjudication in the Tribunal.
8.	Mahadayi Water Disputes Tribunal	Goa, Karnataka and Maharashtra	November, 2010 However, <i>vide</i> notification dated 13.11.2014 date of reckoning of the constitution of the Tribunal is w.e.f. 21.08.2013	Report and Decision not given by the Tribunal u/s 5(2) of ISRWD Act, 1956.