

River water disputes in India

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Manifest pedagogy: River water disputes related geographical facts and issues could be asked both at prelims and mains level. The issue related to tribunal, it's award, setting up of single board etc should be emphasized from mains perspective.

Placing it in syllabus: River water tribunals

Dimensions:

Ongoing river water disputes in India:

1. Krishna dispute
2. Mahanadi
3. Mahadayi
4. Vamsadhara
5. Ravi-Beas

Content:

According to Article 262, **Tribunals functioning at present are:**

- Ravi and Beas Water Tribunal (1986) – Punjab, Haryana, Rajasthan
- Krishna Water Disputes Tribunal II (2004) – Karnataka, Telangana, Andhra Pradesh, Maharashtra
- Mahadayi Water Disputes Tribunal (2010) – Goa, Karnataka, Maharashtra
- Vansadhara Water Disputes Tribunal (2010) – Andhra Pradesh & Odisha
- Mahanadi Water Disputes Tribunal (2018) – Odisha and

Chattisgarh

Ravi-Beas dispute:

- Ravi and Beas Water Tribunal was **constituted in 1986** for verification of the quantum of usage of water claimed by **Punjab, Haryana and Rajasthan** regarding their shares in remaining waters.
- The Tribunal forwarded **report in January, 1987.**
- The tribunal examined **various factors** such as the geographical area, basin area, cultivable area, water requirements etc... and **allocated the waters between Punjab and Haryana in the ratio of 1.3:1.**
- It accepted the 1981 **assessment of the available water** by the Central Government and **out of utilizable supplies, considered only 60% for allocation** between Punjab and Haryana.
- The final allocation given by the tribunal was: Rajasthan 8.60 MAF, Jammu and Kashmir 0.65 MAF, Delhi Water Supply 0.20 MAF, **Punjab 5.00 MAF, Haryana 3.83 MAF** (Million acre – Feet).
- The concerned states and Central Government made references to the tribunal seeking clarification/guidance on certain points of the report.
- The **matter is subjudice before Tribunal.**
- The State of Punjab enacted the **Punjab Termination of Agreements Act, 2004** terminating and discharging the Government of Punjab from its obligations under all agreements relating to waters of Ravi-Beas.
- **Supreme Court held that the Punjab Act is not in accordance with the provisions of the Constitution of India.**
- The matter pertaining to enforcement of **decree regarding construction of Sutlej Yamuna link (SYL) canal** is under consideration of the Hon'ble Supreme Court.

Krishna water dispute:

- A dispute over the sharing of east flowing Krishna river water began with the erstwhile Hyderabad and Mysore states, and later continued between successors Maharashtra, Karnataka and Andhra Pradesh.
- In **1969**, the **Krishna Water Disputes Tribunal (KWDT)** was set up which presented its report in 1973.
- The report, which was published in 1976, divided the 2060 TMC (thousand million cubic feet) of Krishna water into **three parts: 560 TMC for Maharashtra, 700 TMC for Karnataka and 800 TMC for Andhra Pradesh.**
- It was also stipulated that the KWDT order may be reviewed or revised by a competent authority or tribunal any time after May 31, 2000.
- The **second KWDT was instituted in 2004** which delivered its report in 2010.
- It made allocations of the Krishna water at 65 per cent dependability and for **surplus flows** as follows: **81 TMC for Maharashtra, 177 TMC for Karnataka, and 190 TMC for Andhra Pradesh.**
- Andhra Pradesh challenged the report through a Special Leave Petition (SLP) before the Supreme Court in 2011.
- After the **creation of Telangana** from Andhra Pradesh in 2014, the **Water Resources Ministry has been extending the duration of the KWDT.**
- Andhra Pradesh has since asked that Telangana be included as a separate party at the KWDT and that the **allocation of Krishna waters be reworked among four states, instead of three.**
- It is relying on Section 89 of **The Andhra Pradesh State Reorganisation Act, 2014.**
- **Maharashtra and Karnataka are resisting this move** arguing that as Telangana was created following bifurcation of Andhra Pradesh, allocation of water should be from Andhra Pradesh's share which was approved by the tribunal.

Mahadayi dispute:

- The Mahadayi dispute **began in the 1980s** when **Karnataka decided to build a number of dams, canals and barrages to route the Mahadayi river water to the Malaprabha basin** in order to meet the requirements of water-scarce districts of Bagalkot, Gadag, Dharwad and Belagavi.
- Karnataka approached the Union Ministry of Water Resources in 2002 for **permission to divert 7.56 TMC (thousand million cubic feet)** of water from the Mahadayi basin to the Malaprabha river, by **building canals to link its tributaries Kalasa and Banduri**.
- Permission was initially granted, then put on hold when Goa protested as the move would **harm the sensitive ecology of the Western Ghats** and affect its water supply for drinking and irrigation.



- Goa objected to Karnataka's decision and moved the Supreme Court in 2006.
- **Mahadayi Water Disputes Tribunal set up on November 16, 2010.**
- Goa had requested that the Tribunal assess the available water in the basin at various points and its allocation to the three basin states (the other state being Maharashtra).
- In 2016, the **tribunal rejected** Karnataka's demand **to divert 7.56 TMC of water** from the Mahadayi basin.
- After protests in north Karnataka **in August 2018 the tribunal announced final award** which has pegged **Karnataka's access to 13.4 tmc** of Mahadayi River water for its consumptive use (5.4 tmc) and power generation (8.02 tmc).
- **Goa was allowed to use 24 tmc** for state's municipal

water needs, irrigation water requirements and industrial water demands.

- **Maharashtra was awarded lowest share of 1.33 tmc** for meeting its in-basin needs with respect to five projects.
- It **also directed the Central Government to set up Mahadayi Water Management Authority** to implement its report and final decision.

Vamsadhara dispute:

- Vamsadhara, which originates in Kalahandi district of Odisha, flows through Andhra Pradesh (AP) before joining the sea.
- On **September 30, 1962**, it was agreed by both the States to **share the available yield of 115 TMC of water assessed up to Gotta in the Vamsadhara river basin on a 50:50 basis.**
- As per the assessment of CWC in 2007, the yield of Vamsadhara is 105 TMC of water.
- Vamsadhara Water Disputes Tribunal was set up in February, **2010** to decide water sharing disputes between **Andhra Pradesh and Odisha.**
- Justice Mukundakam Sharma is the chairman of Vamsadhara Water Dispute Tribunal.
- The tribunal pronounced its **final verdict in September 2017** and permitted **AP state to construct the side weir at Katragadda and Neradi barrage.**
- The tribunal also upheld the **sharing of 115 tmc ft total yield** as per the 1962 agreement.
- Though Odisha had agreed in principle for the **construction of Neradi barrage by AP**, it had objected for the project execution on the ground of the possibility of the excess land acquisition over and above the mutually agreed extent of **106 acres and backwater effect due to the barrage.**
- On April 5, 2019, the **VWDT directed to conduct a joint**

survey by the officials of AP and Odisha under the supervision of CWC for identifying 106 acres of land in Odisha.

- Though the Odisha government appealed to the tribunal to modify the order, VWDT pronounced its verdict reiterating its earlier order of the joint survey.

Mahanadi river dispute:

- The dispute between **Odisha and Chhattisgarh** over the river Mahanadi began when Odisha alleged that the upper riparian state **Chhattisgarh had “illegally” constructed a number of barrages across the river** and its tributaries.
- This had seriously **affected inflow into the Hirakud reservoir in Odisha**, more so in the non-monsoon seasons.
- The Odisha State Government had moved the Supreme Court in 2016 seeking a direction to Chhattisgarh Government to stop all construction of barrages and dams on the upper stream of the Mahanadi river.
- The Centre constituted the **three-member tribunal in March 2018** following a directive of the Supreme Court on January 23, 2018.



- The Tribunal had **directed both the states on February 9, 2019 to amicably resolve the problem.**
- Secretaries from the Department of Water Resources, engineers and lawyers from both the states attended the meeting.
- The **three-member bench of Tribunal**, Chairperson Justice AM Khanwilkar, Justice Ravi Ranjan and Justice Indermit Kaur, while hearing the interim application of Odisha Government, **directed both states to file a written submission in two weeks.**
- The Bench made it clear that if the two states are not arriving at an amicable solution, it will pronounce its

final judgment on March 9,2019.