

GOVERNMENT OF INDIA
MINISTRY OF WATER RESOURCES
RAJYA SABHA
QUESTION NO 18.11.2010
ANSWERED ON
KISHAN GANGA HYDEL PROJECT .

1067

SHRIMATI SHOBHANA BHARTIA

Will the Minister of COALCOALCOALWATER RESOURCES be pleased to state :-

- (a) the nature of differences between India and Pakistan over the Kishan Ganga Hydropower Project;
- (b) the current status of the project;
- (c) the list of objections raised by Pakistan; and
- (d) whether Government still plans to complete the project ahead of schedule despite Pakistan having taken the matter to the International Court of Arbitration?

ANSWER

THE MINISTER OF STATE IN THE MINISTRY OF WATER RESOURCES

(SHRI VINCENT H. PALA)

(a) Pakistan's objections comprise 'Differences' relating to the design of the Kishenganga Hydropower Project which may be resolved by a Neutral Expert and 'Disputes' relating to the interpretation of the provisions of the Treaty, which may be resolved by a Court of Arbitration to be set up under the provisions of the Treaty. India is however of the view that the project is in compliance of the Treaty and the scope for 'Differences' or 'Disputes' does not arise.

(b) The construction works of the project in Dam complex, Adits related to Intake, Head race Tunnel, Pressure Shaft, Power house complex, Head Race Tunnel etc. are ongoing.

(c) The list of objections raised by Pakistan is given below:

1. "Whether India's proposed diversion of the river Kishenganga (Neelum) into another Tributary, i.e. the Bonar-Madmati Nallah, being one central element of the Kishenganga Project, breaches India's legal obligations owed to Pakistan under the Treaty, as interpreted and applied in accordance with international law, including India's obligations under Article III(2) (let flow all the waters of the Western rivers and not permit any interference with those waters) and Article IV (6) (maintenance of natural channels) ?

2. Whether the design of the Kishenganga Project is in conformity with Paragraph 8(a) of Annexure D to the Treaty?

3. Whether the design of the Kishenganga Project is in conformity with Paragraph 8(c) and Paragraph 8(f) of Annexure D to the Treaty?

4. Whether the design of the Kishenganga Project is in conformity with Paragraph 8(d) of Annexure D to the Treaty?

5. Whether the design of the Kishenganga Project is in conformity with Paragraph 8(e) of Annexure D to the Treaty? 6. Whether under the Treaty, India may deplete or bring the reservoir level of a run-of-river project below dead storage level in any circumstances except in the case of an unforeseen emergency?

(d) It is India's endeavour to complete the project as early as possible as it is permissible under the Treaty, and harness much needed power therefrom.