

GOVERNMENT OF INDIA  
MINISTRY OF JAL SHAKTI,  
DEPARTMENT OF WATER RESOURCES, RIVER DEVELOPMENT & GANGA REJUVENATION  
**RAJYA SABHA**

**UNSTARRED QUESTION NO. 884**

ANSWERED ON 25.07.2022

**INTER-STATE RIVER WATER DISPUTES**

884 DR. SASMIT PATRA

Will the Minister of JAL SHAKTI be pleased to state:

- (a) the details of the Inter-State river water disputes with special reference to Odisha;
- (b) the progress made by the Mahanadi Tribunal in this regard; and
- (c) the progress made on resolving issues of the Polavaram project with reference to Odisha in this regard?

**ANSWER**

THE MINISTER OF STATE FOR JAL SHAKTI

(SHRI BISHWESWAR TUDU)

**(a) & (b)** For adjudication of disputes relating to waters of inter-State rivers and river valley thereof, the Parliament has enacted the Inter-State River Water Disputes (ISRWD) Act, 1956. 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 said water dispute. Currently, 4 water disputes Tribunals are active, the details of which are given at **Annexure-I**.

So far as the State of Odisha is concerned, there are two disputes in which State of Odisha is a party, viz; Mahanadi River Water Dispute and Vansadhara River Water Dispute. For adjudication of Vansadhara River Water Dispute between the States of Odisha and Andhra Pradesh, the Central Government constituted Vansadhara Water Disputes Tribunal in the year 2010 under section 4 of the ISRWD Act, 1956 (as amended). The Tribunal has submitted its report under section 5(2) and 'further report' under section 5(3) of the Act. Further, the Central Government has dissolved the Tribunal in March, 2022. For adjudication of Mahanadi River Water Dispute among the States of Odisha and Chattisgarh, the Central Government has constituted Mahanadi Water Disputes Tribunal in the year 2018 under section 4 of the Act. The Tribunal has held 29 hearings and finalized 46 issues for adjudication.

**(c)** The progress made on resolving issues of the Polavaram project with reference to Odisha is given at **Annexure-II**.

**ANNEXURE-I****ANNEXURE REFERRED TO IN REPLY TO PART (a) & (b) OF UNSTARRED QUESTION NO.884 TO BE ANSWERED IN RAJYA SABHA ON 25.07.2022 REGARDING “INTER STATE RIVER WATER DISPUTES”****Status of active Inter-State Water Disputes Tribunals**

| <b>S. No</b> | <b>Name of Tribunal</b>                      | <b>States concerned</b>                              | <b>Date of constitution</b>                                                                                                                               | <b>Present Status</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
|--------------|----------------------------------------------|------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 1.           | Krishna Water Disputes Tribunal –II(KWDT-II) | Karnataka, Telengana, 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 Gazette. As such, matter is sub-judice. Term of the Tribunal was extended for a period of two years w.e.f. 1 <sup>st</sup> 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 seven times for period of one year latest being w.e.f. 01.08.2022.                                      |
| 2.           | Mahanadi Water Disputes Tribunal             | Odisha and Chhattisgarh                              | 12 <sup>th</sup> March, 2018                                                                                                                              | The Government of Odisha had filed a complaint dated 19.11.2016 with the Ministry of Water Resources, River Development and Ganga Rejuvenation under section 3 of the Inter-State River Water Disputes Act, 1956 read with Inter-State River Water Dispute Rules, 1959. The Central Government has constituted Mahanadi Water Disputes Tribunal vide Notification dated 12.03.2018. Subsequently, the reference was made to the Tribunal under Section 5(1) of the ISRWD Act, 1956 on 17.04.2018. The Central Government, vide Notification dated 3rd June, 2021 has extended the tenure of the Tribunal for a period of two years upto 11th March, 2023 or till the submission of report, whichever is earlier. |
| 3.           | Mahadayi Water Disputes Tribunal(MWDT)       | Goa, Karnataka and Maharashtra                       | 16 <sup>th</sup> November, 2010<br>However, vide notification dated 13.11.2014 date of reckoning of the constitution of the Tribunal is w.e.f. 21.08.2013 | The MWDT submitted its report under section 5(2) of the ISRWD Act, 1956 to the Central Government on 14.08.2018. The Central Government notified the Award and Final Decision of the MWDT given on 14.08.2018 in the Gazette of India vide notification No. S.O. 888(E). dated 27.02.2020. Further references under section 5(3) have been filed by the party States and the Central Government before the Tribunal. The matter is sub-judice. The term of the Tribunal has been extended for a further period of one year w.e.f. 20.08.2021 to submit its Further Report under section 5(3) of ISRWD Act, 1956.                                                                                                 |
| 4.           | Ravi And Beas Water Tribunal (RBWT)          | Punjab, Haryana and Rajasthan                        | April, 1986                                                                                                                                               | Report and decision under section 5(2) were given in April, 1987. Clarification/explanation was sought from the Tribunal under section 5(3) of the said Act by the party States.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |

**ANNEXURE-II**

**ANNEXURE REFERRED TO IN REPLY TO PART (c) OF UNSTARRED QUESTION NO.884 TO BE ANSWERED IN RAJYA SABHA ON 25.07.2022 REGARDING “INTER STATE RIVER WATER DISPUTES”**

1. As per the inter-State agreement concluded on 02.04.1980 among the States of Andhra Pradesh, Madhya Pradesh and Odisha, which was made part of final order of GWDT, the States of Odisha and Chhattisgarh can opt for either for protective embankments along rivers Sabari and Sileru with adequate drainage sluices to protect the lands and properties likely to be affected above RL + 150 ft in their territories due to construction of Polavaram Irrigation Project at the cost of the project or for compensation for the areas and properties going to be affected in those States. Polavaram Irrigation Project envisages construction of protective embankments in the territory of Odisha and Chhattisgarh to avoid submergence. However, if protective embankments are not constructed in the territory of Odisha then the number of Project Affected Families in Odisha State are 1,002. MoEF&CC has requested the States of Odisha and Chhattisgarh to take necessary steps to conduct public hearings.

2. In 2007, an Original Suit (OS.No.4/2007) was filed by Govt of Odisha before Hon’ble Supreme Court (SC). As per Hon’ble SC order dated 02.08.2018, the issues of public hearings and backwater effect in the States of Odisha & Chhattisgarh are among the issues that are framed in OS.No.4/2007.

3. The Governments of Odisha, Chhattisgarh & Telangana filed Original Suits (OS) no. 4 of 2007, OS no. 3 of 2011 & OS no. 1 of 2019 respectively before Hon’ble SC. The matter is subjudice. So far, there is no order from any court against construction of project. 13 issues including estimation of design flood, backwater studies, environmental clearance etc. have been framed in order dated 02.08.2018 by Hon’ble SC.

4. Vide letter dated 27.10.2021, Government of Odisha informed MoJS that the progress of conducting public hearing in Odisha territory cannot be initiated at this stage until all the issues pertaining to Odisha are resolved by Hon’ble SC

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