

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

RAJYA SABHA
UNSTARRED QUESTION NO. 2258

ANSWERED ON 16.12.2024

STATUS OF MAHANADI INTER-STATE RIVER WATER DISPUTES

2258. DR. SASMIT PATRA

Will the Minister of **JAL SHAKTI** be pleased to state:

- (a) the status of the Mahanadi river inter-State river water disputes between Odisha and Chhattisgarh;
- (b) the steps being taken by Government to find a solution to this problem; and
- (c) the reason Government is not impleading itself before the Mahanadi Tribunal to expedite the solution of this issue?

ANSWER

THE MINISTER OF STATE FOR JAL SHAKTI

(SHRI RAJ BHUSHAN CHOUDHARY)

(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.

So far as Mahanadi River Water Dispute is concerned, the Government of Odisha submitted a complaint dated 19.11.2016 to the Central Government on Mahanadi River Water Dispute under section 3 of the ISRWD Act, 1956. The State of Odisha requested to Union Government for constitution of a Tribunal under section 4(1) of the said Act for adjudication of the water disputes in respect of the inter-State River Mahanadi and its basin between the riparian States of Odisha and Chhattisgarh.

The Central Government constituted a Negotiation Committee for settlement of the dispute through negotiation. The Negotiation Committee submitted its report in May, 2017 in which it was concluded that the dispute cannot be resolved by negotiation. The Government of Odisha also filed Original Suit No.1/2017 before Hon'ble Supreme Court. On the direction of Hon'ble Supreme Court, the Central Government constituted Mahanadi Water Disputes Tribunal vide Gazette Notification No. S.O. 1114(E) dated 12.03.2018 and referred the matter of water dispute raised by Odisha to the Tribunal in April, 2018 for adjudication. Presently, the matter is sub-judice before the Hon'ble Tribunal.

(c) As per Rule 3 of the Inter-State River Water Disputes Rules, 1959 framed under Section 13 of the ISRWD Act, 1956, the concerned State Government while communicating its request to the Central Government for constitution of the Tribunal, has to specify the parties to the water dispute. The Central Government is not mentioned as party to the Mahanadi River water disputes in the complaint sent by the State. Further, there is no provision in the ISRWD Act 1956 enabling the Central Government to become party before the Tribunal for proceedings under Section 5(2) of the said Act, while the Mahanadi Water Disputes Tribunal is conducting the adjudication process for report and decision u/s 5(2) of the ISRWD Act, 1956.
