

GOVERNMENT OF INDIA
MINISTRY OF WATER RESOURCES,
RIVER DEVELOPMENT & GANGA REJUVENATION
LOK SABHA
UNSTARRED QUESTION NO. 1145
ANSWERED ON 08.02.2018

TRIBUNAL FOR INTER-STATE RIVER WATER SHARING DISPUTES

1145. SHRIMATI KOTHAPALLI GEETHA

Will the Minister of WATER RESOURCES, RIVER DEVELOPMENT AND GANGA REJUVENATION be pleased to state:

- (a) whether the Government has set up a permanent tribunal to adjudicate river water disputes between States;
- (b) if so, the details thereof;
- (c) whether the Government has appointed expert agencies to collect data on rainfall, irrigation and surface water inflow and if so, the details thereof and the work done thereon so far; and
- (d) the present status of river disputes still pending between the States and the reasons for the same along with the steps taken/to be taken to settle these disputes at the earliest?

ANSWER

THE MINISTER OF STATE FOR WATER RESOURCES, RIVER DEVELOPMENT AND GANGA REJUVENATION & PARLIAMENTARY AFFAIRS

(SHRI ARJUN RAM MEGHWAL)

- (a) No, Madam. The Government has not set up a permanent Tribunal to adjudicate water disputes between States. River water disputes between States are adjudicated through the legal mechanism provided under Inter-State River Water Disputes (ISRWD) Act, 1956 (last amended in August, 2002).
- (b) In view of (a), does not arise.
- (c) At present the surface water availability data is largely collected by Central Water Commission (CWC) and to a small extent by the States. The ground water availability is collected by Central Ground Water Board (CGWB). Additionally, the Indian Metrological Department collects data on rainfall.
- (d) Currently, 5 inter-State river water disputes Tribunals are active, details of which are given at **Annexure**. 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 constitution of Mahanadi Water Dispute Tribunal is under consideration of the Government of India.

Further, State of Bihar has filed a complaint dated 04.01.2018 under Section 3 of the ISRWD Act, 1956 in respect of Tilaiya-Dhadhar Diversion scheme.

ANNEXURE REFERRED TO IN REPLY TO PART (d) OF UNSTARRED QUESTION NO. 1145 TO BE ANSWERED IN LOK SABHA ON 08.02.2018 REGARDING “TRIBUNAL FOR INTER-STATE RIVER WATER SHARING DISPUTES”.

Status of Inter-State water disputes over the sharing of river water under Tribunals

S. No	Name of Tribunal	States concerned	Date of constitution	Present Status
1	Ravi & 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 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 subjudice.
2	Cauvery Water Disputes Tribunal (CWDT)	Kerala, Karnataka, Tamil Nadu and Puduchery	2 nd June, 1990	Report and decision given on 5.2.2007 which was published vide Notification dated 19.2.2013. Further report of CWDT u/s 5(3) of the Act is awaited. The party States also filed Civil Appeals against the order of CWDT dated 5.2.2007 before the Supreme Court. Supreme Court passed a judgement dated 09.12.2016 on the admissibility of Civil Appeals filed by the party States and upheld the maintainability of the Civil Appeals. As such the matter is subjudice.
3	Krishna Water Disputes Tribunal -II	Karnataka, Telengana, Andhra Pradesh and Maharashtra	2 nd 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. Further, to address the terms of reference as contained in section 89 of Andhra Pradesh Reorganisation Act, 2014, term of the Tribunal was extended for a period of two year w.e.f. 01.08.2014, thereafter term of the Tribunal has been extended twice for period of one year i.e. for one year w.e.f. 01.08.2016 and for one year w.e.f. 01.08.2017. The matter is under adjudication in the Tribunal. Further, the Government of Telengana filed a SLP 33623-26 of 2014 and WP(C) 545 of 2015 in the Supreme Court in the matter. The matter is thus sub-judice.
4	Vansadhara Water Disputes Tribunal	Andhra Pradesh & Odisha	24 th February, 2010.	The Tribunal 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.
5	Mahadayi Water Disputes Tribunal	Goa, Karnataka and Maharashtra	16 th November, 2010	Report and Decision not given by the Tribunal u/s 5(2) of ISRWD Act, 1956.

