

GOVERNMENT OF INDIA
MINISTRY OF WATER RESOURCES,
RIVER DEVELOPMENT & GANGA REJUVENATION
LOK SABHA
STARRED QUESTION NO. †*339
ANSWERED ON 03.01.2019

PUNJAB TERMINATION OF AGREEMENTS ACT, 2004

†*339. SHRI RAHUL KASWAN

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

- (a) whether the Supreme Court has expressed its views regarding the Constitutional validity of the Punjab Termination of Agreements Act, 2004 regarding Ravi-Beas water in Presidential Reference 1 of 2004;
- (b) if so, the details thereof;
- (c) whether the Government proposes to provide remaining surplus 0.60 MAF Ravi-Beas water to Rajasthan;
- (d) if so, the time by which it is likely to be done; and
- (e) if not, the reasons therefor?

ANSWER

THE MINISTER OF WATER RESOURCES, RIVER DEVELOPMENT AND GANGA REJUVENATION, ROAD TRANSPORT & HIGHWAYS AND SHIPPING

(SHRI NITIN JAIRAM GADKARI)

- (a) to (e) A statement is laid on the table of the House.

STATEMENT REFERRED TO IN REPLY TO PARTS (a) TO (e) OF STARRED QUESTION NO †*339 TO BE ANSWERED IN LOK SABHA ON 03.01.2019 REGARDING “PUNJAB TERMINATION OF AGREEMENTS ACT, 2004” ASKED BY SHRI RAHUL KASWAN, M.P.

(a) & (b) Yes, Madam. The Hon'ble Supreme Court of India on 10th November, 2016 has given its opinion on the Constitutional validity of the Punjab Termination of Agreements Act, 2004, regarding Ravi-Beas water in Presidential Reference 1 of 2004; the extracts of which are as under:-

“For the aforestated reasons, in our opinion, the Punjab Act cannot be said to be in accordance with the provisions of the Constitution of India and by virtue of the said Act the State of Punjab cannot nullify the judgment and decree referred to hereinabove and terminate the Agreement dated 31st December, 1981. Thus, in our view, all the questions referred to this Court are answered in the negative.”

(c) to (e) Bhakra Beas Management Board (BBMB) has informed that the deliveries to States are given as per requirements projected by States and decided by the Technical Committee which comprises of representatives of the partner States of Punjab, Haryana and Rajasthan and also Officers of the Central Water Commission and Agriculture Department, in its monthly meeting.

BBMB has further intimated that during the last ten years, except in 2009-10, the deliveries of Ravi-Beas waters to Rajasthan are more as compared to those finalized by the partner States in the Technical Committee Meetings.
