

GOVERNMENT OF INDIA
MINISTRY OF JAL SHAKTI,
DEPARTMENT OF WATER RESOURCES, RIVER DEVELOPMENT & GANGA REJUVENATION
LOK SABHA
UNSTARRED QUESTION NO. †644
ANSWERED ON 04.02.2021

PUNJAB TERMINATION OF AGREEMENT ACT

†644. SHRI HANUMAN BENIWAL

Will the Minister of JAL SHAKTI be pleased to state:

- (a) whether the Honourable Supreme Court had given its opinion or judgment on constitutional validity of the Punjab Termination of Agreement Act, 2004 in respect of Ravi-Beas water and if so, the details thereof;
- (b) whether the Government proposes to provide 0.60 M.A.F. excess Ravi-Beas water to Rajasthan and if so, the details thereof; and
- (c) the details of the steps taken by the Government during the last two years in this regard?

ANSWER

THE MINISTER OF STATE FOR JAL SHAKTI & SOCIAL JUSTICE AND EMPOWERMENT
(SHRI RATTAN LAL KATARIA)

(a) Yes, Sir. On 10th November, 2016, the Hon'ble Supreme Court of India had given its following opinion on the Presidential Reference 1 of 2004, on Constitutional validity of the Punjab Termination of Agreements Act, 2004, regarding Ravi-Beas water:-

“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.”

(b) & (c) Under the 1981 agreement between the Hon'ble Chief Ministers of Punjab , Haryana and Rajasthan on sharing of surplus Ravi Beas Water, Rajasthan was allocated 8.60 MAF out of assessed 17.17 MAF of surplus Ravi Beas waters. The agreement provided that until such time, Rajasthan is in a position to utilize its full share of 8.60 MAF, Punjab, shall utilize 0.60 MAF share of Rajasthan.

Rajasthan has been mentioning that it is in a position to utilize its entire share of 8.60 MAF as per agreement of 1981. However, Punjab holds the view that the Ravi Beas water availability has significantly come down and as such the state is not in position to share waters beyond the present arrangement. Punjab has filed the original suit 1/2015 in Hon'ble Supreme Court praying for constitution of appropriate Tribunal under section 4(1) of inter-state Water dispute Act of 1956 to adjudicate the disputes relating to the equitable distribution of waters of rivers Ravi and Beas. The State of Rajasthan has also filed an Original Suit No 6 of 2020 in this regard in the Hon'ble Supreme Court. Thus, the matter is under consideration of the Hon'ble Court and therefore, is sub judice.

This Ministry favors an amicable settlement of the issue arrived through discussion between the partner states for which it has been continuously endeavoring.
