

MINISTRY OF WATER RESOURCES

RAJYA SABHA

UNSTARRED QUESTION NO 1997 TO BE ANSWERED ON 10.02.2014

*Setting up inter State river water disputes tribunal

1997. DR. JANARDHAN WAGHMARE

N.K. SINGH

Will the Minister of WATER RESOURCES be pleased to state:-

- (a) the details of various inter-State water disputes which are yet to be settled and the tribunal set up for the purpose under Inter-State River Water Disputes Act, 1956, tribunal-wise;
- (b) whether Government has proposed changes in the said Act to resolve water sharing disputes between basin States;
- (c) if so, the details thereof; and
- (d) whether all stakeholders including the States have been consulted in the matter and if so, the details thereof?

Answer

THE HON'BLE MINISTER OF HEALTH & FAMILY WELFARE AND WATER RESOURCES (SHRI GHULAM NABI AZAD)

(a) The following water disputes referred to the Tribunals under Inter State River Water Disputes (ISRWD) Act, 1956 are yet to be settled.

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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. A Presidential Reference in the matter is before Supreme Court and as such the matter is sub-judice.

2. Krishna Water Disputes Tribunal -II Karnataka, 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till further order, decision taken by the Tribunal on references filed by States and Central Government shall not be published in the official Gazette.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.

3. Vansadhara Water Disputes Tribunal Andhra Pradesh & Odisha February, 2010 Report and decision not given by the Tribunal. State of Odisha has filed an SLP in Supreme Court against the appointment of Justice Sri Ghulam Mohammad, Member of the Tribunal. As such matter is sub-judice.

4. Mahadayi Water Disputes Tribunal Goa, Karnataka and Maharashtra November, 2010 Report and Decision not given by the Tribunal.

5. Cauvery Water Disputes Tribunal Kerala, Karnataka, Tamil Nadu and Puduchery June, 1990 Report and decision given on 5.2.2007 which was published vide Notification dated 19.2.2013. Special Leave Petition (SLP) filed by party States in Hon'ble Supreme Court pending and as such the matter is sub-judice.

(b)to(d) The ISRWD Act, 1956 has already been amended in the year 2002 in consultation with all the State Governments whereby adjudication of water dispute by the Tribunals was made time bound.

Further, the National Water Policy, 2012 inter-alia recommends:

"A permanent Water Disputes Tribunal at the Centre should be established to resolve the disputes expeditiously in an equitable manner. Apart from using the "good offices" of the Union or the State Governments, as the case may be, the paths of arbitration and mediation may also to be tried in dispute resolution."

The Proposal to set up a standing Tribunal to adjudicate inter-state river water disputes in consultation with the stakeholders including the States is at conceptual stage. No time line has been fixed.