

**GOVERNMENT OF INDIA
WATER RESOURCES
LOK SABHA**

UNSTARRED QUESTION NO:548
ANSWERED ON:08.07.2009
RAVI-BEAS WATER AGREEMENT
Bhadana Shri Avtar Singh;Singh Shri Dushyant

Will the Minister of WATER RESOURCES be pleased to state:

- (a) the salient features of the 1981 agreement for sharing of Ravi-Beas water between Rajasthan and Punjab;
- (b) whether the State Government of Rajasthan is getting its due share as per the agreement;
- (c) if not, the reasons therefor;
- (d) the details relating to Satluj-Yamuna Link (SYL) Canal;
- (e) whether the Union Government has received any suggestion from the affected States;
- (f) if so, the details thereof; and
- (g) the steps taken/being taken by the Union Government in this regard?

Answer

THE MINISTER OF STATE IN THE MINISTRY OF WATER RESOURCES (SHRI VINCENT H. PALA)

(a) The salient features of the agreement signed by the Chief Ministers of Punjab, Haryana and Rajasthan on 31.12.1981, re-allocating the mean supply of 17.17 Million Acre Feet (MAF) of surplus Ravi-Beas waters, are as follows:

(i) The following shares among the States were decided in the agreement:

Punjab 4.22 MAF

Haryana 3.50 MAF

Rajasthan 8.60 MAF

Quantity earmarked for Delhi Water Supply 0.20 MAF

Jammu & Kashmir 0.65 MAF

In the case of any variation in the figure of 17.17 MAF in any year, the shares shall be changed prorata of the above revised allocations subject to the condition that no change shall be made in the allocation of Jammu & Kashmir which shall remain fixed as 0.65 MAF as stipulated in the 1955 agreement. The quantity of 0.20 MAF for Delhi water supply stands as already allocated.

(ii) 'Until such time as Rajasthan is in a position to utilize its full share, Punjab shall be free to utilize the waters surplus to Rajasthan's requirements. As Rajasthan will soon be able to utilize its share, Punjab shall make adequate alternative arrangements expeditiously for irrigation of its own lands by the time Rajasthan is in a position to utilize its full share. As a result, it is expected that during this transitional period when Rajasthan's requirements would not exceed 8.0 MAF, 4.82 MAF of water should be available to Punjab in a mean year when the availability is 17.17 MAF.'

(iii) The Bhakra Beas Management Board (BBMB) shall be permitted to take all necessary measures for carrying out measurements and for ensuring delivery of supplies to all the concerned States in accordance with their entitlements. The selection of the control points at which the BBMB would take appropriate measures as mentioned above shall include, but be not limited to, all points at which Bhakra and/or Ravi-Beas discharges are being shared by more than one State and all regulation points on the concerned rivers and Canals for determining the shareable supplies.

(iv) The claim of Rajasthan to convey 0.57 MAF of water through Sutlej-Yamuna Link will be decided by Secretary, Ministry of

Irrigation, Government of India in consultation with Punjab, Haryana and Rajasthan. If no mutually acceptable solution is reached, the decision of Secretary, Ministry of Irrigation shall be binding on all the parties.

(v) The agreement reached in paras

(i) to

(iv) above shall be implemented in full by the Government of Haryana, Rajasthan and Punjab. If any signatory State feels that any of the provisions of the agreement are not being complied with, the matter shall be referred to the Central Government, whose decision shall be binding on all the States.

(b) BBMB decided on an adhoc interim arrangement of distribution of Ravi-Beas waters considering the share of Rajasthan as 8 MAF, in its 105th meeting held on 03.12.1982 which is being followed. Further, Government of Rajasthan has informed that 0.17 MAF of water for Nohar Sidhmukh project [out of 0.47 MAF] as per the decision of the Government of India [in pursuance of para

(iv) enumerated above in the salient features of the agreement], is also not being released by BBMB on account of objections by Haryana.

(c) In the various meetings of the BBMB there has been continued divergence of opinion among the signatory states of the 1981 agreement regarding the interpretation of clause(ii) of the agreement. During the inter-state meeting convened by the then Hon'ble Minister of Water Resources on 25.07.2002, the Hon'ble Chief Minister of Government of Punjab expressed Punjab's inability to restore Rajasthan's remaining share of 0.6 MAF. Later, on 12.07.2004, the State of Punjab enacted the Punjab Termination of Agreements Act, 2004 terminating the 1981 agreement and all other agreements relating to Ravi Beas waters. The report of the Hon'ble Supreme Court on a Presidential Reference filed before it on 22.07.2004 questioning the constitutional validity of the Act, will facilitate further course of action in the resolution of the issue.

(d) to (g) Sutlej Yamuna Link (SYL) Canal, running about 121 km in Punjab and 90 km in Haryana, envisages conveying 3.45 MAF out of 3.5 MAF of Haryana's average annual share of surplus Ravi-Beas waters. Haryana portion of the canal is complete. A major portion of works in Punjab portion was also completed, when the works came to a halt in July 1990 following the killings of some project officials. In a Suit filed by the State of Haryana in 1996 with a prayer for immediately restarting the works and completing the canal, the Hon'ble Supreme Court on 15.01.2002 directed State of Punjab to make the canal functional within one year. It also directed that if within one year the canal is not completed by Punjab, then the Union Government should get it done through its own agencies as expeditiously as possible. In a Suit subsequently filed by State of Punjab in 2003 and an application filed by State of Haryana praying for directions to the Union of India to complete the SYL canal, the apex Court in its judgment dated 04.06.04 directed the Union of India to carry out its action plan for the completion of the SYL Canal in Punjab territory. However, on 12.07.2004, the State of Punjab enacted the Punjab Termination of Agreements Act, 2004 which provided that all existing and actual utilizations through the existing systems shall remain protected and unaffected. Government of Punjab conveyed that any step taken in furtherance of the agreement of 31.12.1981 would be against the legislative mandate of this Act. Keeping in view that there is likelihood of the constitutional provisions of the Act being challenged in courts of law involving protracted and avoidable litigation, that the differences and doubts had given rise to a public controversy which might lead to undesirable consequences and that a question of law had arisen which was of such a nature and of such public importance that it would be expedient to obtain the opinion of the Hon'ble Supreme Court of India thereon, a Presidential Reference regarding the constitutional validity of the Act was made to the Hon'ble Supreme Court on 22.07.2004. The completion of the SYL canal is dependant on the report of the apex Court in the matter.