

Title: Discussion on the Nationalisation of Inter-State Rivers Bill, 1999 moved by Shri Vaiko on 5.5.2000(Not concluded).

15.59-1/2 hrs.

MR. CHAIRMAN : Hon. Member Shri Vaiko to continue his speech. He has already taken 20 minutes.

SHRI VAIKO (SIVAKASI): Mr. Chairman, on the other day, when I initiated the debate on this Bill on Nationalisation of Inter-State Rivers, I made a reference about inter-State water disputes. Two disputes became very prominent. One was the Ravi-Beas water dispute between the States of Punjab, Haryana and Rajasthan. The other one was the Cauvery water dispute between the States of Tamil Nadu, Karnataka, Kerala and the Union Territory of Pondicherry. These disputes were referred to the Tribunal under the provisions of the Inter-State Water Disputes Act, 1956 for adjudication in the month of April, 1986 as far as the Ravi-Beas dispute is concerned and the other dispute was referred for adjudication in the month of June, 1990.

The Ravi-Beas Water Disputes Tribunal submitted its fact-finding report on 30th January, 1987. The party-States and the Central Government have sought explanation and guidance under Section 5, part 3 of Inter-State Water Disputes Act, 1956.

16.00 hrs.

The Cauvery Water Dispute Tribunal passed an interim order on 25th June, 1991. But Sir, for the first time, the State of Karnataka, through the Governor, issued two Ordinances which were against the spirit of the interim order. It became a very serious controversy. Still, it is a problem which is pending before the Central Government as well as the State Government. We speak of emotional integration and national integration of this great country.

1601 hours (Mr. Deputy-Speaker *in the Chair*)

Sir, in order to arrive at an emotional and real integration, I have introduced this Bill proposing that inter-State rivers should be nationalised, with the principle that the maximum advantage should be given to the whole of India, to all the States. For that purpose, let the Members of this House, cutting across party lines, give their opinions, views and expressions on this issue of nationalisation of inter-State rivers.

Sir, water is a precious national asset. The National Water Policy embodies the nation's resolve that planning and development of water resources will be governed by the national perspective. What are the principal elements of this national perspective? First, water is a precious national resource and its development should be governed by the national perspective. The available resources, both surface and ground water, should be made utilisation of to the maximum extent. Water should be made available to the areas, where there is a shortage, by transfer of water from other areas, including the transfers from one river basin to another after taking into account the requirements of that basin. In the allocation of water, ordinarily first priority should be given to drinking water with irrigation, hydro-power, and other uses following in that order. Sir, navigation will also play a major role. The transport will be very cheap if all the rivers are nationalised and if priority is given for that purpose also.

Sir, allusions to the proposal for inter-linking of rivers were made about 30 years ago by an eminent engineer who was also a Minister in the Central Cabinet. It was done by Dr. K.L. Rao who was the then Irrigation Minister of India. At that time, it was called Irrigation Ministry and now it is Water Resources Ministry. He gave a report in the sixties. He made a proposal towards the end of the sixties to transfer certain amount of surplus water from the *Ganga* during the monsoons by a series of canals taking off from somewhere near little west of Patna to the *Cauvery*. That proposal had an emotional content. I do remember that the *Ganga-Cauvery* Link was much talked about, and the people in the *Ganges* Valley and the *Cauvery* Basin could be linked together, and there could be great prosperity. Poet Subramaniam Bharati made a dream of that. But Sir, what did happen? After some time, when Dr. Rao left the Government, they thought that the proposal under-estimated the cost and therefore, they made another detailed study of the *Ganga-Cauvery* link proposal. They came to the conclusion that it was impracticable, expensive and requiring enormous amount of electricity to lift water from the *Ganga* across India. Therefore, that proposal was finally dropped.

Instead, they developed a National Perspective Plan for water resources development with two components -- one, the Himalayan River Development Programme; the second, Peninsular River Development Programme. An autonomous organisation called the National Water Development Agency was set up in the year 1981, which first prepared the perspective for the peninsular rivers from Mahanadi and Narmada in the North to Vaiappar and Tambraparni in the South. Under this, the National Water Development Agency suggested a large number of links for transfer of waters from the surplus to the deficit areas.

The Mahanadi, originating from the Bastar region of Madhya Pradesh enters Orissa near Sambalpur close to where

the Hirakud dam has been constructed to store water for irrigation, power-generation and flood control. Even after this, the river has sufficient water, particularly during the monsoon, and the city of Cuttack is often threatened by the Mahanadi when it rains heavily in the catchment areas.

The National Water Development Agency proposal consists of first constructing a dam across the Mahanadi at a place called Manibhandra. From there, about 8,000 million cubic metres (mcm) of the estimated 11,500 mcm of surplus waters of the river is to be diverted to the Godavari through a gravity canal, which does not require pumping *en route* to be delivered near the Dowleshwaram barrage.

Upstream of the existing Dowleshwaram barrage, another barrage is proposed to be built across Godavari Polavaram for diverting a total of 21,550 mcm to Krishna River. This includes the estimated 15,000 mcm of surplus water of Godavari, and 6,500 mcm which is expected to reach Dowleshwaram from Mahanadi, about 1,500 mcm being utilised for *en route* irrigation in the Srikakulam and Visakhapatnam districts of Andhra Pradesh.

Then the other links come. Three links are proposed for diverting the surplus flow from the Godavari to the Krishna. First, the Polavaram Vijayawada link for delivery of 1,200 mcm near the Prakasham barrage; the second is the Ichchampalli Pulichintala link carrying 4,370 mcm. Pulichintala is east of the Nagarjunasagar reservoir across the Krishna and the Ichchampalli barrage across the Godavari was proposed several decades ago; the third is the Ichchampalli Nagarjunasagar link, which is proposed to carry about 14,000 mcm into the Nagarjunasagar reservoir.

From Nagarjunasagar, 12,000 mcm can be transferred to the Somasila reservoir which is existing across the Pennar. Actually, 9,800 mcm is likely to be carried into the Somasila. From the Pennar, 9,500 mcm is proposed to be carried to the Cauvery. So, right from the Mahanadi, the water is taken up to Cauvery to be delivered at the Grand *Anicut* on this river. Two thousand years ago, the great Chola King Karikala built this dam. Now, in 2000, at the threshold of the new millennium, we are speaking because we have to plan for the next generation, for the next century.

Actual delivery will be of the order of 5,000 mcm, taking into account irrigation *en route* and supply of drinking water to Chennai City. Out of this, 3,000 mcm is likely to be utilised in the Cauvery Basin and 200 mcm to be taken further south to the Vaigai, on the banks of which lies the holy city of Madurai.

Based on the pre-feasibility reports, the peninsular component is estimated to irrigate five million hectares of additional land in Andhra Pradesh and Tamil Nadu and the cost, at 1994-95 prices, is Rs. 30,000 crore. Since it is going to be a project which will require several decades to be completed, if at all taken up, the cost is not something that should deter the Central and the State Governments concerned for undertaking it.

However, in order that the farmers of the Cauvery Delta do not have to look to the skies and the State of Karnataka for saving their paddy crops at times of distress, this inter-basin transfer of water has to be taken up on a war footing by every one concerned.

The initiative has to come from the Centre. It is a welcome development that the manifesto of the National Democratic Alliance has mentioned inter-basin transfer of river waters as a priority item. So, we have made a commitment in the manifesto of the NDA. However, they still have not updated their information on this aspect and continue to refer to the proposal as the Ganga – Cauvery link. That has to be corrected.

Finally, the Centre and all the States must arrive at a consensus for amending the Constitution in order to give 'water' the status of a Concurrent subject and not a State subject, which it is today. Two days back, my friends from the Congress Party expressed surprise and actually some of them congratulated me by saying that they never expected such views and perceptions from me. I am committed for autonomy of the State. My point is that the subject should not be taken from the State list and just put in the Concurrent list. The Residuary powers should also vest with the State as it happens in countries like the United States of America and Australia. A real Federation should be there. But as far as water is concerned, this subject should be taken from the State List and put in the Concurrent List. That is the point. Normally, we do not want any subject to be lifted from the State List and put in the Concurrent List. Now to solve this problem of water, it has to be included in the Concurrent List. Water resources have to be given a high priority in the scheme of things in the new century.

Sir, the Cauvery is the fourth longest river in peninsular Southern India, after the Godavari, the Krishna, and the Mahanadi. In its course of 802 kilometres, from the Western Ghats to the Bay of Bengal, the main river flows for 381 kilometres in Karnataka and 357 kilometres in Tamil Nadu.

Sir, the limitations and arrangements laid down in certain specified clauses of the 1924 Agreement were open to reconsideration at the expiry of 50 years from the date of its execution. The reconsideration was to be "in the light of experience gained and of an examination of the possibilities of the further extension of irrigation within the territories

of the respective Governments and to such modifications and additions as may be mutually agreed upon".

Sir, there are international river disputes for rivers running through different countries. There are so many doctrines and policy approaches for settling these river water disputes. In modern times such disputes have occurred on continents containing a number of nation-States – Europe, North America, South America, Africa and Asia – and in large national Federations such as the USA, Australia, Canada and India. Early river disputes dating back to the seventeenth century in Europe related to navigational rights in the Danube between Austria and Turkey and in the Rhine between Germany and France.

Sir, battles were fought on the controversy of river waters. I do recall that the Kings of the Chola Empire went with their army for settling water disputes. But the times have now changed and I am not going into those things. Even during the time of the Buddha there were battles fought between the Sakiyas and Koliyas over the sharing of water of river Rohini. When Gautam Buddha came to know that the Sakiyas and Koliyas waged a terrible war about sharing the river Rohini, blood gushing like spring, flooded with water, he talked to both the sides and an amicable solution was reached. He solved the problem. He did what was needed. Gautam Buddha succeeded in bringing both the sides together to end the long-drawn discord.

Sir, in North-America, examples relate to the Rio Grande and Colorado disputes between the USA and Mexico and to the Columbia dispute between the USA and Canada; and South America to the Amazon and Del Plata basin involving a number of countries in each case. In Africa, Sudan and Egypt have

been the principal disputants to the sharing of the waters of the Nile, although seven other countries have also been involved.

Other major disputes in Africa relate to rivers Niger and Senegal. In Southeast Asia, Laos, Thailand, Vietnam and Cambodia are parties to cooperative arrangements in the Lower Mekong basin. Major infra-federal disputes have been settled in respect of Delaware and Laramie in the USA; in respect of the Murray river basin in Australia involving New South Wales, Victoria and South Australia; and in respect of the Saskatchewan in Canada with Manitoba, Alberta and Saskatchewan being the interested States.

Throughout the world, solutions for problems related to rivers running across different countries have been found. What is the difficulty in arriving at solutions in regard to rivers flowing inside the country? The dispute between Egypt and Sudan over the waters of Nile was solved. Likewise, to come to an amicable and final solution in regard to rivers flowing in India, river waters have to be nationalised. It is with that purpose I am trying to bring to the kind notice of the hon. Members of this House as to how disputes have been settled throughout the world in the past.

In the long history of river disputes, various doctrines and theories have evolved on the sharing of river waters and a number of bodies have been engaged in formulating principles for settlement of such disputes. The first of these is the theory of absolute territorial sovereignty. It is also known as the Harmon doctrine. It came to be called so after the 1895 opinion given by Attorney General Harmon of the United States on the Rio Grande river dispute between the USA and Mexico. Under the doctrine, a riparian State can do what it pleases with its waters without regard to its effect on other co-riparian States, and no riparian State has a right to demand the continued flow of water from other States. Some States may try to refer to this doctrine and say that sovereignty rests only with one riparian State.

However, in the words of H.A. Smith, one of the leading authorities on the subject and an international luminary, the doctrine of absolute supremacy of the territorial sovereign is essentially anarchic. He said that permitting every State to inflict irreparable injury upon its neighbours without being amenable to any control, save the threat of war. So, we cannot accept Harmon doctrine. On the same consideration successive tribunals in India such as Narmada, Krishna and the Ravi and Beas tribunals have explicitly rejected the territorial sovereignty theory based on the Harmon doctrine. That is the point. In India we have not accepted this Harmon doctrine; we have rejected it lock stock and barrel. We do not agree with the Harmon doctrine at all. If that is accepted, one particular State will say that since the river flows in that State it would not allow the other riparian States to have any exclusive right over the waters of that river. That is why India has rejected this Harmon doctrine.

The second theory, which is the antithesis of the earlier one, is the theory of natural water flow. It is also referred to as the territorial integrity theory. According to this theory, every lower riparian is entitled to the natural flow of the river without any interference from the upper riparian because such interference will amount to a violation of the territorial integrity of the lower riparian of which the river is a constituent.

In the early twentieth century, Egypt as the lower riparian, advanced this theory *vis-à-vis* Sudan in regard to the waters of the Nile. Although the Nile Waters Commission rejected the argument, Britain, representing Sudan, conceded in 1929 the right of veto to Egypt on the utilisation of waters by the upper riparian. This was clearly a

political settlement.

The third theory is the doctrine of prior appropriation. It is neutral between upper and lower riparians. Under this theory, the first user who puts the water to beneficial use acquires a prior right to the extent of such use. The doctrine of prior appropriation utilised the slogan 'prior in time prior in right' as its watchword.

It is not part of international law. In Indian case laws before tribunals, as well as in international literature, 'Prior Appropriation has not been considered to be an overriding principle for allocation although it is to be given due weightage as one among other relevant considerations.

Sir, the fourth theory is the 'Community of Interest' theory under which the whole basin is regarded as a single economic unit irrespective of State boundaries, and the waters are vested in the 'community' of co-riparian States, to be utilised to the maximum benefit of all in an integrated manner. Logically, this is an attractive theory but it ignores the fact that so long as the State boundaries exist in actuality, conflicts of interests between States cannot be wished away by treating rivers as a single economic unit. However, once basic conflicts are resolved, it may be – and has indeed been – possible for basin States to co-operate in the integrated development of their common assets.

Sir, this theory also underlines the opinion, often expressed in India, that rivers ought to be nationalised in order to prevent or solve inter-State water disputes. So, the rivers have to be nationalised even according to the 'Community of Interest' theory. That is the point. When we take into account the whole basin as a single unit, I say, 'the whole country is to be taken into account as a single unit' so that water is available in all the rivers at all points.

In certain areas when there are floods, people are washed away and killed by the floods, at the same time in some other areas, people suffer like anything and cattle die like anything due to drought. At the same time, in one part of this country floods cost havoc and in other parts of the country at the same time, there is severe drought attacking the people. Therefore, 'Community of Interest' theory underlines the opinion that the rivers should be nationalised. H.M. Seervai points out about it.

Finally, we have theories relating to the 'equitable apportionment' or 'equitable utilisation' of inter-State river waters.

Sir, the most noted one is the 'Helsinki Rules'. Whoever speaks about settling the disputes about inter-State rivers, he always refer to the 'Helsinki Rules'. The most complete and best known of these attempts is contained in the 'Helsinki Rules' adopted by the International Law Association in its 52nd Conference held in 1966 at Helsinki in the country of Finland, following several years of deliberations. Sir, for years together, the luminaries from different countries sat together, they went on discussing together and finally came to the conclusion. That was the theory of 'Helsinki Rules'.

Although the 'Helsinki Rules' do not have the status of international law, they have been considered to have the status of a source of international law since they have been evolved in more than a decade of dedicated labour of a group of experts of unparalleled expertise in the field of international river law. Sir, a group of eminent persons for years together deliberated and then finally came to the conclusion in the field of international law and represent the opinion of highly qualified and distinguished jurists and publicists.

The Helsinki Rules runs upto 37 Articles. Of these, Articles 4 and 5 are in Chapter II on the 'Equitable Utilisation of the Waters of an International Drainage Basin.'

The approach of the Helsinki Rules essentially reflects in Article 33 of the UN Charter on 'Pacific Settlement of Disputes.'

Sir, in India, 16 out of the 18 major river basins cover two or more States, the only exceptions being two smaller basins in Gujarat and Tamil Nadu.

Disputes which could not be resolved among the parties and have had to be referred to adjudication by tribunals under the Inter-State Water Disputes Act, 1956, relate to the Narmada, Krishna, Godavari, Ravi and Beas and Cauvery.

Sir, there are Constitutional provisions. Until the Montague-Chelmsford Reforms (the Government of India Act, 1919), all irrigation works except minor projects were under the control of the Central Government and subject to the sanction of the Secretary of the State.

The Government of India Act, 1919 made irrigation a provincial but reserved subject where matters of inter-provincial concerns affecting the relations of a province with any other territory were subject to legislation by the Central Legislature. That was the case in 1919. Parliament, by law, provided for the adjudication of disputes

relating to waters of inter-State river valleys with respect to the use, distribution and control of waters. The second piece of legislation enacted under the enabling provision of Article 262 is the Inter-State Water Disputes Act of 1956 cited earlier in this study.

MR. DEPUTY-SPEAKER: Shri Vaiko, you have already taken more than 46 minutes. This is your own Bill and there are a lot of hon. Members who want to speak.

SHRI VAIKO : I will take only a couple of minutes more. I will not take much time.

In this discussion where I have referred to Ganga, Cauvery, Mahanadi and all the rivers, I would also like to say that we are very much concerned about the west-flowing rivers in our sister State of Kerala going waste into the Arabian Sea. These river waters could be utilised in the southern part of Tamil Nadu. It will bring prosperity not only to the State of Tamil Nadu but also in a way bring prosperity to the State of Kerala. They could have power in exchange. We could also give rice. When Justice Krishna Iyer was a Minister, he promoted this idea. This was there even during the British days. This has to be done. The water is going waste.

Some of my friends have got an international outlook on every issue. They would have a global outlook on all issues. But on this particular issue, they become very parochial and chauvinistic. I am not referring to friends like Shri Radhakrishnan. He is a man of high vision.

Regarding the Mullapperiyar dam, the Central Water Agency has already said that the height should be increased. That will help thousands and thousands of acres to be irrigated. They have taken an unalterable and intransigent position. That is not beneficial to either of us. The Pamba-Achankovil-Vaippar link project is a proposal to bring water from Kerala to the drought-prone southern districts of Tamil Nadu and will be a reality if Kerala gives its consent.

The feasibility report prepared by the National Water Development Agency for the project has been finalised and circulated to the two States besides the Union Government's departments and agencies concerned. One day, this discussion will be taken into account. Therefore, I am bringing all these facts before this august House. This is for the consideration and kind attention of hon. Members. This will definitely help not only the State of Tamil Nadu, this will also help the State of Kerala and the whole of India. Therefore, I do not understand why they are objecting to this proposal.

The proposal envisages diversion of about 22 TMC of surplus water available in the west-flowing Pamba and Achankovil rivers in Kerala to the Vaippar basin in Tirunelveli Kattabomman District. The diversion will help irrigate about one lakh hectares of land in the Tirunelveli Kattabomman, Chidambaranar and Kamarajar Districts. The project, estimated to cost about Rs.1,400 crore, will take eight years for completion.

According to the National Water Development Agency officials, the fate of the proposal depends on the decision of the Kerala Government as the subject of irrigation is presently under the State List. That is why I said that it should be taken to the Concurrent List and the rivers should be nationalised.

Under the proposal, of the three reservoirs to be constructed, one will be across Pamba-Kallar or Punnamedu, the second across Achankovil-Kallar and the third across Achankovil. The capacity of these reservoirs will be 7.34 TMC, 17.54 TMC and 1.08 TMC respectively.

The first two dams will be connected by an eight kilometre long tunnel for diverting water of Punnamedu to Achankovil from where water will be pumped to Achankovil-Kallar. Water from Achankovil-Kallar, in turn, will be diverted through a nine kilometre long tunnel passing through the Western Ghats. A canal will take off from the exit point of the tunnel in Mekkarai village of Shencottah taluk and run for about 50 kilometres before reaching Alagarodai, a tributary of Vaippar.

A power station of 500 MW will be located at the downstream of Achankovil-Kallar dam. Six mini-Hydel power stations, having an aggregate capacity of 8.37 MW, have been proposed. Of this, four will be in Tamil Nadu and the rest in Kerala. The benefits of the scheme will include the generation of over 1000 million units of energy and food production of about 1.7 tonnes annually, with estimated revenue of Rs. 400 crore. Originally, the proposal was to link Pampa and Achankovil with Vaigai. But it has been cut down to Vaippar because of the cost factor as the Planning Commission stipulated that developmental projects, proposed for even backward regions, would have a return of nine per cent.

The National Water Development Agency officials say that only 20 per cent of the total surplus water available in the Pamba and Achankovil basins is being sought to be diverted. We want to divert only 20 per cent of the surplus water. Moreover, a provision has been made for regulated release of about five tmc ft. of water to the rivers during the non-monsoon period and this will improve the flow in the rivers and help combat salinity intrusion.

The proposal will meet the prime objective of the Kerala Government's "Twin Kallar Project" to tap Pamba and Achankovil for power generation. The diversion will also help satisfy the irrigation requirement of Kerala.

Sir, one day or the other, all these projects are to be implemented. For this purpose, I introduce the Bill. I am happy that the Bill has been taken into consideration.

If we do that, it will not only enable distribution of water among the different States, without affecting the interests of the States concerned, but it will also enable proper utilisation of available resources.

I would like to request my hon. friends in this House to extend their support to this Bill. I would thank the Chair for having permitted me to speak for such a long time. Thank you.

SHRI E.M. SUDARSANA NATCHIAPPAN (SIVAGANGA): Respected Deputy-Speaker, Sir, we have to congratulate the hon. Member for bringing forward such a Bill which is actually provoking the thoughts of millions of Indians.

In the villages, people are thinking that both air and water are signs of national integration. When we are looking at the Indian Railways, we feel that it is a golden chain which connects all the Indian States. In the same way, when we think of rivers, it should be like a garland; and all the rivers in India should be connected. If we do that, the integration of India will be for ever.

Our civilisation has started only from the river banks. Our Vedic history shows that India was united by way of water being brought from Ganges to Rameswaram and from Rameswaram to Kashi. That is oneness of the pilgrimage centres of Hindus. The Hindus feel that – when they take water from one river to another and from the second to the third – they are getting divine power, from the Heaven. That is the feeling of everybody in the villages. This is the main basis of integration of India. Therefore, when we talk of nationalisation of Inter-State rivers, it is the integration of all the rivers. It is a very very important point in the present day.

One more benefit that accrues is on the employment sector. There are thousands and thousands of engineers and graduates, who are unemployed. Many graduates, many technicians and skilled people are unemployed. At one stroke, we can employ them all, throughout India.

Unemployed people can be recruited and their services can be used for linking up the rivers. In that way the entire India can be connected. This should be taken up as a mass programme. If we take it that way, the purpose of Employment Assurance Schemes introduced by successive Governments can be served. Instead of adopting a piece meal approach, we should see it as a mass project so that the river waters flowing into the oceans can be properly utilised. I would like to say that this work can be done through a Corporation, like Damodar Valley Corporation. That Corporation has done a good job for the nearby States. In that way Narmada and Cauvery water dispute can be solved. We are integrated in every manner. Despite different religions, regions and languages, we Indians are integrated. Tamilians are living in Gujarat, Gujaratis are living in Tamil Nadu, Keralites are living in Assam and Assamese are living in Maharashtra. We cannot be disintegrated at all. When people migrate from one part of the country to the other, why can not we utilise the water? We are breathing the same air of Bharat. Why can we not share the river water? For that we should have a vision. If we have a vision, we can achieve that. We need not worry about language or religion or about any partisan attitude. This should be taken as a Bill of the Government. The Government should take it up as a challenge for the next five years. They should promote it.

From the navigation point of view also it is very useful. The Government is spending a lot of money on transport and on creating infrastructure. Road is not the only way of having surface transport. Navigation can also become part of surface transport. During the British period a very perfect navigation was planned. Even small rivers were connected with proper banks and navigation method was followed everywhere. In Chennai there is a river called Coovum. That river was used to navigate vegetables to the city of Chennai during the British days. Same thing can be done throughout Indian river basins. This is a very important work which should be given primary importance. It should be taken as a challenge.

Shri Vaiko hails from Sivakasi, a drought-prone backward district; I hail from Sivaganga which is also a backward district and Shri Thirunavukarasu hails from Pudukottai. It is also a backward district. Why is there a drought? Our Keralite brothers should realise that areas very near to their State are suffering for lack of water. As Shri Vaiko said, we can take electricity. They can take the lands. They can purchase the lands and use them. We are all brothers and we should adopt a brotherly attitude. Instead of letting the river waters go into the oceans, we can use those waters for the development of backward districts like Sivakasi and Sivaganga. Mullai Periyar issue has become a

dispute now. There should not be any dispute at all. Unnecessarily the water is flowing into the Arabian Sea. Let it be diverted to us.

But the Supreme Court is seized of the matter. We all are brothers. We should live for the integration of India. We should develop an integrated approach in developing *Bharat*. We should have a feeling that it is our *Bharat* which we have to develop. We should not recognise the State boundaries. Of course, I do not dispute the State autonomy but as far as we are concerned, the boundaries should be there only for the purpose of map. We feel very proud of being an integrated nation. In the morning there was a talk about the Hindi language. If Hindi is developed as a language having Tamil, Telugu or Gujarati words, nobody can say that we have a Hindi feeling. Mahatma Gandhi had said that Hindi language should include words from the other languages also so that every Indian is conversant with it. That sort of integration should be there. Americans, Germans, French and people from UK have integrated and created Heaven. They have got that integrated feeling, as a result they are sharing the natural wealth that each one of them has and perhaps that is why they are ruling the world. Why cannot India, the emerging superpower, do that? We should share river water with the States where there is scarcity of it. To earn the livelihood, people of different origin migrate from their mother-State to other. Quite a number of Punjabis live in my State. They have big industries there. Similarly, people from my State go and live in either Kerala or Gujarat. So, this is high time and through you, I would request the House, taking advantage of this opportunity, to consider this as a Government Bill. I would suggest that this may be sent to a Committee where, cutting across Party lines, Members can give their opinion and then this may be passed by the House unanimously. We should all join together and see that ours is a real *Bharat*.

DR. NITISH SENGUPTA (CONTAI): Mr. Deputy Speaker, Sir, I rise in support of the Bill, so ably presented by my friend Shri Vaiko with a wealth of materials, with tremendous in-depth analysis and with a vision which is rarely seen when such Bills are presented.

Mr. Deputy Speaker, essentially, this Bill aims at restoring to our rivers, some of the mighty rivers of this sub-continent, the place that belonged to them throughout our history.

Sir, India is a land of rivers. Northern India has Indus, Ganges, and Brahmaputra. Southern India has Mahanadi, Godavari, Krishna, Cauvery, and all those rivers. Now, for years, we have neglected them.

Prior to the construction of the Railways, they were the most important sources of navigation and, of course, irrigation. Somehow or the other with the coming up of Railways, we have neglected these rivers. I am glad that Shri Vaiko added the word 'navigation'. I had thought that one aspect which was missing in the present Bill is that there is no mention of navigation. But he has made up for it and we may use the word 'navigation' as one of the main objects of this Bill.

Now, he has tried to introduce to our rivers the concept of international rivers and the rights of riparian States as we see in international law. In the case of Europe, Danube and Rhine rivers do not belong to any particular country but belong to Europe as a whole. They are international rivers. Similarly, Nile in Africa, Columbia in North America and so many other rivers do not belong to any nation. They are international rivers and all the international rules apply to them. He has brought into his case a lot of arguments from the international law, case history, various doctrines, theories and all that. After that, I do not think it is necessary to add anything.

To sum up again, he has mentioned about the doctrine of community of interest in preference to prior appropriation. Yes, somebody can appropriate the river and can have priority. But he cannot claim priority for all time to come. So eventually, we have to go in for community of interest which is what this entire Bill is about.

I also support the proposal that we should bring water to the Concurrent List of our Constitution. For, it is not just a State matter. It is essentially a national matter.

Now, with these words, I strongly support this Bill and I give my full-hearted support to it. Once this Bill is accepted, I think a lot of our problems will be over. The manner in which the hon. Prime Minister gave a solution to a long standing river problem among several States which had been dogging this country for at least two to three decades, is commendable. If we adopt this Bill, it will be possible for the Central Government with the help of the Planning Commission and others to find out solutions which are acceptable to everybody and solutions which are of mutual interest to all the States concerned.

In this connection, I would also like to add the fact that when Farrakha Water Agreement was reached with Bangladesh, 40,000 cusecs were promised. Some how or the other, that volume of water has not reached. I suppose some of the States up above have exercised their priority of appropriation rights. With the result, when the Ganga flows into Bangladesh, it does not get that much water which can really keep Calcutta Port functioning and also provide adequate water to our sister-State, Bangladesh. Now, it is, therefore, desirable that the entire gamut of

control over these rivers go to the level of the Central Government. What was planned during the '50s and '60s about that grand Ganga-Cauvery scheme linking these rivers together, if that can happen, it could solve many problems. It has not yet happened. There are serious problems. But the problems will be very largely over once we learn to allow the Centre to take national decisions in respect of the national rivers. No doubt, that would be done in consultation with the States and it would be based on their mutual interest.

About navigation, it is a simple thing that if we can make these river routes navigable – which could only be done by Central action – a lot of our problems will be over. We do not have to import costly diesel from the international market spending about Rs.7500 crore or more every year. Navigation will be much cheaper. To give one example, exporting a tonne of steel from Vizag Steel Plant to Beijing is cheaper by 28 dollars to a tonne than sending it by road to Chandigarh. Now, if Ganga-Cauvery link could be created – which could only be done if we can pass this Bill – many of the problems will be solved.

India will gain a lot in terms of saving the scarce foreign-exchange resource.

Then the question of using river water for irrigation purpose comes. The late lamented Rajiv Gandhi had a grand scheme of making the Ganga river functional again. Since then more than fifteen years have elapsed, but nothing much has happened although hundreds of crores of rupees have gone into it. I do not know where all those money went. Still, if you take the course of Ganga, until the river Gharga reaches Hardwar, essentially there is no river. In quite a lot of places like Kanpur the great holy river Ganga has been reduced to a sort of sewerage carrying basin. That is what is happening. We need to revive Ganga. We need to connect Ganga with Brahmaputra. Then we need to connect Ganga-Brahmaputra with Cauvery. We need to do all these major schemes so that the time comes when it will be possible for using these rivers for navigation purposes, for irrigation purposes and also for the purpose of producing hydro-electricity. For that it is absolutely necessary that we entrust the Central Government with the authority to have the ultimate say. For this purpose we have to transfer the water resource subject from the State List to the Concurrent List.

With these words, I give my complete support to the Bill so ably piloted by Shri Vaiko.

SHRI KHARABELA SWAIN (BALASORE): Mr. Deputy-Speaker Sir, I rise to support the Bill brought by Shri Vaiko.

While initiating the Bill he has spoken at great length giving exhaustive details, which I do not want to repeat. I do not think that I will be able to add anything more to what he has already said with regard to the equitable distribution of water by nationalising all inter-State rivers. Basically he has given great details about river water disputes all over the world. But the basic point he has raised is with regard to the scarcity of water. A problem turned dispute with regard to the river water arises when there is scarcity of water. There is a dispute with regard to the Cauvery water because there is scarce water in the Cauvery river. Both Karnataka as well as Tamil Nadu want to utilise the water to its fullest extent and therefore the tussle comes.

But, in the north-eastern part of the country from where I come, the problem is not of scarcity of water. It is the problem of excess water. So, my point is, inter-State river water should also be nationalised to control the excess water. Hardly there is any river in India which is not inter-State. Hardly there is any river in India which originates in one State, passes through the same State and joins sea at the coast of the same State. Almost all the rivers pass through many States.

I come from Orissa. Take the examples of Brahmani, Vaitarani, Subarnarekha and Mahanadi. All these rivers originate either from Madhya Pradesh or Bihar, some of them pass through West Bengal and then come to Orissa. They are, therefore, essentially inter-State rivers.

I will give you one more example. There is the river Subarnarekha which passes through my constituency Balasore. It is considered to be the Hwang Ho of Balasore. Year after year it devastates the lives of thousands of people in my district. For the last fifty years there have been proposals to control the river water. This effort is being made in Bihar because it originates from Bihar. The Government of Bihar has started building a dam each at Chandil and at Galudiha to moderate the flood water. The work of these two dams is continuing for the last fifty years.

It is continuing and continuing and God knows when the work will be over. The hon. Minister for Water Resources is sitting here. I am his voter. He belongs to my constituency. I may be somebody else's MP but he is my MP. I feel that I am very fortunate that he has become the Minister for Water Resources after getting elected to this august House for five times since 1971. Just some days back, he paid a visit to Bihar and these two dam sites at Galudi and Chandil. He was telling that the intention of Bihar is not to complete the work. Almost 95 per cent of the dam work is over and just 5 per cent of the work remains to be completed after which it will be functional. But that is not over. Why is the State Government not wanting to complete it? They do not want to complete it. Had this

Subarnarekha being nationalised, there would not have been so much of a problem. The dam work could have been completed many years before. By that way, it would have set right the crops and agricultural fields of Orissa, West Bengal and Bihar. That is why, I would appeal to you that there should be a master plan for flood control and management for each flood prone basin. As regards flood control and management, the strategy should be to reduce the intensity of floods by sound watershed management and provision of adequate allocation for water storage projects wherever feasible to facilitate better flood management in each flood prone basin.

Water is a thing which cannot be produced. It cannot be generated. Water has got its limit. The way the population is increasing in this country, after about 20 to 30 years, more number of people will require more water for bathing, cleaning, irrigation and drinking. For everything, they will require water. But the quantum of water is not going to increase. As I have said, it has got its limit. Then, from where do you get potable water? You cannot get drinking water from the sea. You can get it only from the river if you store water. By that way, you can not only moderate flood but also there will be availability of ground water. Storage of water through river dams will recharge ground water also. Every year, ground water level is going down by even 10-15 metres and after about 10-15 years, you will hardly get any water to drink because most of the water in this country is utilised for irrigation projects. We are irrigating our fields with drinking water. It is all right for the time being. But what happen after 20-30 years? The State Governments or the Central Government want that water should be given free of cost to everybody because they think that water is useless. The farmer also thinks that it is a useless thing because he is not paying anything for water. That is why, even if it is totally wasted, he does not mind it. After some years, there will be no water even to drink and then the actual problem will arise. For that reason, I appeal to you that there should be no piecemeal flood control measure taken by various States. There should be a national plan on how to control flood. There should be a plan at the Central level, and every State who wants to control flood should follow the principles enunciated by the Central Government or by the Flood Control Department of the Government of India. This is my second proposal.

17.00 hrs.

Sir, I will complete my speech within two or three minutes. Finally, I would appeal to the hon. Water Resources Minister to look into the matter. I think he has gone somewhere. Anyway, the former Water Resources Minister is here. I would appeal to him to take note of it.

MR. DEPUTY-SPEAKER: He is taking notes for the hon. Water Resources Minister.

SHRI KHARABELA SWAIN : Yes, he will do it. I would appeal to him to do that.

Now, I come to my other point. The *Subarnarekha* river not only plays havoc with the lives of the people in *Balasore* district in *Orissa* but also creates water-logging problem in the *Bhograi* block of *Balasore* district. Thirteen to fourteen *Gram Panchayats* remain water-logged for three to four months each year where the only mode of transport is by a country boat. You can go to anybody's house in these villages only by a boat. This is the only problem by which we are losing the *khari* paddy crop every year....(*Interruptions*)

Sir, the hon. Water Resources Minister has come. I would appeal to him to see to it that at least *Chandil* and *Galudih* projects in Bihar are completed within a very short period so that floods in the *Subarnarekha* river are moderated. I would like to draw the attention of the hon. Water Resources Minister to this problem since he has come now.

MR. DEPUTY-SPEAKER: Do not repeat it. He has already taken notes for the hon. Water Resources Minister. There are other hon. Members who also want to participate in the debate. Prof. Rasa Singh Rawat is just waiting in front of you. He is keen to participate in the debate. Please conclude now.

SHRI KHARABELA SWAIN : Sir, I will complete my speech within a minute....(*Interruptions*)

THE MINISTER OF WATER RESOURCES (SHRI ARJUN SETHI): I know the problem very well because we are from the same region.

SHRI KHARABELA SWAIN : Already I have told you that you are my Member of Parliament. You are my Minister. I am your voter. So, I would appeal to the Central Government to come forward to tackle the water-logging problem in *Bhograi* block in the district of *Balasore*. For the last thirty years, we have been appealing to the State Government to tackle this problem. Since we do not have enough funds, we cannot do away with this problem. I would, therefore, appeal to the hon. Minister to kindly look into the matter and see to it that paddy crop is not lost every year. If there is no water-logging problem, at least we can raise another crop there.

Finally, I would like to state that I fully support the Bill enunciated by the hon. Member Shri Vaiko. I would request

the hon. Minister not to think that it is simply a Private Member's Bill. I would request him to accept it as a Government Bill. Let him not appeal to the hon. Member to withdraw his Bill at the end of the debate. I am saying this because always the Minister concerned would request the hon. Member to withdraw the Bill saying that the Government would bring forward a Bill later on. Mr. Minister, kindly do not say so. Kindly accept it in principle. Kindly see to it that the Inter-State rivers are nationalised and the flood problem, the water scarcity problem and the water-logging problems are solved all over the country. Thank you.

प्रो. रसासिंह रावत (अजमेर) : मान्यवर उपाध्यक्ष महोदय, मैं माननीय वैको जी द्वारा सदन में अंतर्राज्यीय नदियों का राष्ट्रीयकरण विधेयक, 1999 बिल का पुरजोर समर्थन करता हूँ। यह अत्यंत खेद का विषय है कि स्वाधीनता के लगभग 53 वर्षों के बाद भी हमने राष्ट्र के अंदर राष्ट्रीय जल नीति तो कहने के लिए बना ली, जल को राष्ट्रीय सम्पत्ति भी कहने को मानने लगे, लेकिन इसके बावजूद भी कुछ ही समय पहले प्रधान मंत्री जी की अध्यक्षता में सारे राज्यों के जल संसाधन मंत्रियों की एक बैठक हुई जिसमें हम राष्ट्रीय जल प्राधिकरण का निर्माण नहीं कर पाये, इससे बढ़कर विडम्बना और क्या हो सकती है।

उपाध्यक्ष महोदय, जल परमपिता परमात्मा की देन है। हमारे यहां शास्त्रों में कहा गया है - आपोवहि ब्रह्मः। जल ही ईश्वर है, जल ही जीवन है। अब्दुरहीम खानखाना साहब ने स्पष्ट कहा था - "रहिमन पानी राखिये बिन पानी सब सून, पानी गये न ऊबरे, मोती, मानस, चून।" जल की हमेशा रक्षा होनी चाहिए।

उर्दू में आबरू शब्द आता है - आब के मायने चमक और आब से जल बना तो संसार की सब भाषाओं के अंदर, सब देशों के अंदर जल को अत्यधिक महत्व प्रदान किया गया है। ईश्वरीय प्रदत्त जो हमारे पास यह तत्व जल है, उस जल का उपयोग हम मानव मात्र के लिए, समस्त राष्ट्र के लिए नहीं कर सकें, इससे बढ़कर विडम्बना और क्या होगी।

इसलिए मैं आपके माध्यम से कहना चाहता हूँ कि वैको साहब द्वारा जिस भावना से यह बिल प्रस्तुत किया गया है, उसका पुरजोर समर्थन करता हूँ और कहना चाहता हूँ कि जो नदी एक राज्य में नहीं बल्कि एक से अधिक राज्यों में बहकर जाती है, उस नदी के पानी को राष्ट्रीय संपत्ति माना जाना चाहिए और उसका नियंत्रण केन्द्रीय सरकार के अधीन चाहिए ताकि उस जल का समुचित उपयोग हो सके। खेद है कि आज़ादी के बाद हम राष्ट्रीय और भावात्मक एकता की बात करते हैं। मैं कहना चाहूंगा कि एक बहुत बड़ा पेंड था। पेंड पर हजारों पक्षी रहते थे। एक नादान व्यक्ति वहां से गुजर रहा था और उसके हाथ में मिट्टी के तेल का पीपा था। उसके मन में भावना पैदा हुई कि इस पेंड को जला देना चाहिए। उसने पेंड पर मिट्टी का तेल छिड़क दिया आग लगा दी। और देखते ही देखते पेंड धू-धू कर जलने लगा। हमारे सांसदों जैसा कोई विद्वान व्यक्ति रास्ते से जा रहा था तो उसने कहा :

आग लगी इस पेंड को जलने लग गए पात

तुम क्यों जलते पखेरुओ पंख तुम्हारे साथ।

इस पेंड के पत्ते जलने लगे हैं, मगर पक्षियों, तुम क्यों जल रहे हो, तुम्हारे पास तो पंख हैं, उड़ जाओ। उस समय माननीय, आप जैसा कोई विद्वान पक्षी था जिसने उत्तर दिया :

फल खाये इस वृक्ष के, गंदे कीने पात

यही हमारा धर्म है, जलें इसी के साथ।

इस पेंड के फलों को हमने खाया है, पेंड के पत्तों को गंदा किया है, आज इस पेंड पर मुसीबत आई है तो हमारा फर्ज है कि हम इसका साथ दें। इसी प्रकार अगर तमिलनाडु पर संकट आता है तो राजस्थान के व्यक्ति को सोचना चाहिए कि हमारे राष्ट्र के एक व्यक्ति पर अगर संकट आया है तो यह हमारा संकट है। अस्म में संकट आता है तो कश्मीर के व्यक्ति को अनुभव होना चाहिए, गुजरात का संकट और अरुणाचल को अनुभव होना चाहिए। यहही नहीं, कि पंजाब, हरियाणा, सतलुज लिंक नहर के लिए कहते हैं कि उसमें पानी जाएगा तो हम भर देंगे। मैं जानता हूँ पंजाब हमारे देश की मंडी है, पंजाब हमारे देश का गौरवराशन है, पंजाब हमारे देश की शान है, लेकिन पंजाब की नदियों का पानी अगर बहकर पाकिस्तान में चला जाए तो वह तो मंजूर है लेकिन पंजाब का पानी हरियाणा या राजस्थान के सूखे रेगिस्तान में इंदिरा गांधी नहर और बीकानेर गी गंग नहर और दूसरी नहरों के माध्यम से आए तो वह कुछ लोगों को मंजूर नहीं होता। जबआखिर हम एक राष्ट्र के निवासी हैं, एक राष्ट्र के रहने वाले हैं, एक ही माता के बेटे हैं, एक आसमान के नीचे इन सब गुरुओं को मानने वाले और आस्था में विश्वास रखने वाले एक मातृभूमि के बेटे हैं, फिर पानी का झगड़ा क्यों? कहते हैं कि पहले पंजाब का अधिकार है, लेकिन पंजाब में सब काम करने के बाद अगर बानी बचता है तो पास वाले राज्य को दिया जाना चाहिए, समुद्र में पानी बेकार नहीं जाना चाहिए। चाहे केरल का पानी हो, चाहे तमिलनाडु का पानी हो, चाहे आंध्र प्रदेश का पानी हो, चाहे कर्नाटक का पानी हो, जो के.एल.राव पहले सिंचाई मंत्री थे, उन्होंने कहा था जिन्होंने कहा था कि गंगा का पानी बाढ़ के माध्यम से बहकर समुद्र में चला जाता है, क्यों नहीं उस उस उत्तर के पानी को दक्षिण में पहुंचाया जाए तो राष्ट्र में एक भावात्मक एकता उत्पन्न होगी। राष्ट्रीय जल आयोग में बानीति में भी 1987 में जो जल नीति बनाई गई थी, उसमें माना गया है कि

The National Water Policy embodies the nation's resolve that planning and development of water resources will be governed by the national perspective.

राष्ट्रीय परिप्रेक्ष्य में जल संसाधनों का विकास और नियोजन राष्ट्र को ध्यान में रखकर किया जाएगा। जब यह राष्ट्रीयकरण है तो "माताभूमि पुत्रोअहं पृथिव्या" अर्थात् यह भूमि मेरी माता है और मैं इसका बेटा हूँ। हम सब भारत माता के बेटे हैं और एक अर्ब से ज्यादा हैं और फिर एक प्यासा रहे और एक पानी फैलाता रहे यह कौन पसंद करेगा। इसलिए मैं समझता हूँ कि राष्ट्र के हित में माननीय वैको साहब द्वारा प्रस्तुत जो बिल है, जिसका उन्होंने विस्तार से विवेचन किया, अंतर्राज्यीय नदियों का राष्ट्रीयकरण विधेयक, इसका मैं पुरजोर समर्थन करता हूँ और भारत सरकार से अनुरोध करता हूँ कि जैसे 1981 में राष्ट्रीय जल विकास अधिकरण बना, 1983 में राष्ट्रीय जल संसाधन परिषद् बनी, मार्च 1983 में उसका गठन हुआ, 1987 में राष्ट्रीय जल नीति का निर्माण हुआ, सितम्बर 1990 में राष्ट्रीय जल बोर्ड बना, लेकिन जल प्राधिकरण नहीं बना, उसका निर्माण हो और इसमें जो प्रावधान हैं

नदियों का उपयोग सारे राज्य कर सकें तो वह काम केन्द्र सरकार द्वारा होना चाहिए।

उपाध्यक्ष महोदय, इधर भाखड़ा ग्रिड के संबंध में सर्वोच्च न्यायालय में हरियाणा, पंजाब और राजस्थान का मामला चल रहा है। मैं क्षमा चाहूंगा माननीय सदस्य महानुभावों से, अगर हमारे तीनों प्रदेशों के मुख्य मंत्री एक स्थान पर बैठकर इसका हल निकालना चाहें तो निकाल सकते हैं। हम एक भारत माता के बेटे हैं, हमारे एक तरह के हित हैं और यदि हम राष्ट्रीय हित में विकास चाहते हैं, तो हमारा आपस में कोई झगड़ा नहीं होना चाहिए और सबको जिसका जितना हिस्सा पानी का बनता है, उतना हिस्सा दिया जाए, तो राजस्थान का रेगिस्तान फसलों से लहलहा उठेगा। राजस्थान का रेगिस्तान चमन बन जाएगा। वहां पिछले दिनों जो सूखा पड़ा और वहां ट्रनों और टैंकों के माध्यम से पानी पहुंचाया गया, वैसी स्थिति नहीं आएगी। "मेरे देश की धरती सोना उगले, उगले हीरे-मोती" यह बात होनी चाहिए। खूब फसल पैदा होगी, अन्न की कमी नहीं रहेगी, धन-धान्य से भरपूर रहेगा।

उपाध्यक्ष महोदय, जब पानी राष्ट्रीय संपत्ति बनने वाली है, तो उससे बनने वाली बिजली पर भी राष्ट्रीय नियंत्रण होगा। आज जो यहां हमारी ऊर्जा मंत्री विराजमान हैं, उन्हें एक दूसरे राज्य की बिजली की कटौती करने की कठिनाई का सामना नहीं करना पड़ेगा। आज राजधानी दिल्ली में हरियाणा से पानी आ रहा है। हरियाणा कभी कह दे कि हमारे पास पानी नहीं है और हम दिल्ली को पानी नहीं देते, तो दिल्ली को यदि हरियाणा और उत्तर प्रदेश से पानी नहीं आएगा, तो दिल्ली का काम कैसे चलेगा क्योंकि दिल्ली के पानी का स्रोत तो हरियाणा और उत्तर प्रदेश ही हैं। इसलिए नदियों को राष्ट्रीय संपत्ति मानकर राष्ट्रीय नियंत्रण होना चाहिए।

मान्यवर, मैं एक बात कहकर अपना स्थान ग्रहण करूंगा।

"The Central Government shall have exclusive right and control over all inter-State rivers and it shall distribute river waters according to pre-determined formula for allocation of waters."

जो जल तकनीक को जानने वाले इंजीनियर्स हैं और जो कृषि मामलों के विशेषज्ञ हैं वे बताएंगे कि कौन से राज्य को आवश्यकता के अनुसार कौन से मौसम में कितनी मात्रा में पानी चाहिए, उसका निर्धारण विशेषज्ञ लोग करेंगे। इसमें आगे दिया है-

"The Central Government shall also have exclusive right over electricity projects constructed on inter-State rivers."

विद्युत परियोजनाओं पर भी केन्द्र का अधिकार होगा और इस प्रकार से सारे राज्यों के हितों की रक्षा हो सकेगी, ऐसा मैं समझता हूँ।

उपाध्यक्ष महोदय, इसमें एक चीज और कही गई है

"There are many rivers, big or small flowing through many States before they sub-merge into the nearest sea."

अभी हमारे मित्र कह रहे थे कि हमारे देश की हालांकि पाकिस्तान के साथ नदी के पानी को लेकर संधि है और फरक्का बांध का समझौता भारत बंगला देश के बीच हुआ है, अब जब हम पड़ोसी देश का ध्यान रखते हैं और पड़ोसी के साथ उदारता बरतते हैं, तो अपने देश के अंदर राज्यों में ऐसी सदाशयता क्यों नहीं दिखाते? मिनीकाय द्वीप में पानी की कमी नहीं हो सकती है, क्योंकि वह चारों तरफ से समुद्र से घिरा है वहां रोजाना वार्ता होती है, लेकिन राजस्थान जहां 14 वर्ग में बादल दिखाई देते हैं, तो लोग देखकर हैरत करते हैं और मुश्किल से जान पाते हैं कि बादल ऐसे होते हैं, हांलांकि अब भौगोलिक परिवर्तन आ गया है और जैसलमेर जैसे सूखे और रेत से भरे रेगिस्तान में भी बाढ़ आनी शुरू हो गई है। अब तो देश की स्थिति यह है कि कहीं अतिवृष्टि है, कहीं सूखा है, कहीं ओलावृष्टि है और कहीं अनावृष्टि है।

"Indian Budget is a gambling on monsoon."

भारत का बजट मानसून पर निर्भर है। यदि कहीं अच्छी वार्ता हो गई, तो वहां अच्छी पैदावार होगी। यदि वार्ता नहीं हुई, तो नदियों का जल जो छोटे तथा बड़े बांधों और जलाशयों में एकत्रित किया हुआ है, उनका डायवर्शन कर के नदियों के माध्यम से खेतों की सिंचाई के काम आता है। जहां पर अंसिंचित क्षेत्र हैं उनका भी विकास हो सकेगा और अधिकाधिक वृक्षारोपण होगा और सच्चे मायने में हमारी भूमि "शस्य श्यामला" कहलाएगी और सुजलाम, यानी अच्छे जल वाली, सुफलाम यानी अच्छे फलों वाली भूमि कहलाएगी। भारत के बजट के लिए तो यही कहा गया है कि

"Indian Budget is a gambling on monsoon."

उपाध्यक्ष महोदय, इन नदियों को राष्ट्रीय संपत्ति मानकर, राष्ट्रीय जल प्राधिकरण के द्वारा निश्चित अनुपात में जल वितरण का काम होगा, तो देश में कहीं भी सूखा या बाढ़ की स्थिति पैदा नहीं होगी और समूचा देश प्रगति के पथ पर अग्रसर होगा।

उपाध्यक्ष महोदय, आपने मुझे बोलने का अवसर दिया इसके लिए मैं आपका आभार प्रकट करता हूँ और वैको साहब को धन्यवाद देता हूँ कि उन्होंने देश के व्यापक हित में प्रस्ताव रखने का काम किया जिसके कारण हमें इतने महत्वपूर्ण विषय पर अपने विचार प्रकट करने का अवसर प्राप्त हुआ। धन्यवाद।

MR. DEPUTY-SPEAKER: Now, Shri Varkala Radhakrishnan will speak.

...(Interruptions)

SHRI VARKALA RADHAKRISHNAN (CHIRAYINKIL): I was very patiently hearing all that Mr. Vaiko spoke in support of the Bill. But I am constrained to oppose the Bill. In the first place, it is unconstitutional. Certainly, it is ridiculous. It is purely politically motivated. For these reasons, though he is my personal friend, I have to oppose him.

SHRI VAIKO (SIVAKASI): When I spoke, I gave all the respect to him. He may differ with me. He was the Speaker of a House. He is a senior man. How could he use such words?

SHRI VARKALA RADHAKRISHNAN : Please hear me.

SHRI VAIKO : I am amazed at how he reacts. He was dreaming and sleeping somewhere. Suddenly, you asked him. He jumped up and he is speaking something. ...(Interruptions)

MR. DEPUTY-SPEAKER: To be fair to him, Shri Vaiko, he has really requested for time.

SHRI VAIKO : Sir, they have got an international outlook. But here they – the so-called Marxists - are parochial.

SHRI VARKALA RADHAKRISHNAN : No, no; I do not have a parochial outlook.

MR. DEPUTY-SPEAKER: Let us hear.

...(Interruptions)

MR. DEPUTY-SPEAKER: You must be in a position to absorb difference of opinion in this House.

...(Interruptions)

SHRI VAIKO : I will react. ...(Interruptions) When I made my speech even on Cauvery water, I did not make it political.

MR. DEPUTY-SPEAKER: Shri Radhakrishnan, being a veteran speaker from Kerala, you have to restrain yourself from using the words.

SHRI VARKALA RADHAKRISHNAN : Yes; I am coming to the point.

DR. C. KRISHNAN (POLLACHI): Sir, the word 'ridiculous' should be expunged from the records....(Interruptions)

SHRI VAIKO : He can express his views. ...(Interruptions) When people read all the speeches, they will have their own judgement about the subject. But it should be on the records....(Interruptions)

MR. DEPUTY-SPEAKER: All right. Shri Vaiko, let us hear him now.

...(Interruptions)

SHRI VARKALA RADHAKRISHNAN : Now, the first thing is about land, water and air. These are the bare necessities of human life. Will anybody say that all the land in India be nationalised? I put that simple question to Shri Vaiko....(Interruptions)

SHRI VAIKO : Whenever it suits the Marxists, they will speak about the nationalisation. ...(Interruptions) They will even have the multinationals in West Bengal. That is their policy. It is a hypocritical policy of these Marxists.

SHRI VARKALA RADHAKRISHNAN : You hear me.

MR. DEPUTY-SPEAKER: Since you yielded to him, he has spoken.

SHRI VAIKO : I am not yielding. ...(Interruptions) Nobody in India will move a Bill for nationalising the entire land....(Interruptions)

MR. DEPUTY-SPEAKER: Shri Swain, now, you have to keep quiet.

SHRI VARKALA RADHAKRISHNAN : You may realise that there are different types of land in India. Some are barren, some are fertile and some are desert. Nobody, including *Zamindars*, will come forward and say that the entire land should be nationalised and brought under the Central Government.

SHRI VAIKO : I have read about Shylock in the *Merchant of Venice*. ...(*Interruptions*) Now, I find the real Shylock in people like Shri Radhakrishnan.

SHRI VARKALA RADHAKRISHNAN : My friend, Shri Vaiko, will not bring forward a legislation to have the entire land of Tamil Nadu under the Central Government for nationalisation. Nobody will say that. So also, we will not say that the water should be nationalised. What is the meaning of 'nationalisation'? No river in India is under private ownership.

SHRI VAIKO : They want to monopolise water which is going waste into the Arabian Sea.

MR. DEPUTY-SPEAKER: Shri Vaiko, let us hear him.

SHRI VARKALA RADHAKRISHNAN : The rivers are under the State ownership. They are not under private ownership.

MR. DEPUTY-SPEAKER: He is developing his point. Let us hear him.

SHRI VARKALA RADHAKRISHNAN : These need not be nationalised.

If somebody is holding private ownership, I can understand the question of nationalisation. But here the rivers are owned by the State and not by an individual. Why should there be a nationalisation in those matters? I can understand his sentiments, I can understand his emotions...(*Interruptions*)

SHRI VAIKO : To tackle the parochialists like Shri Radhakrishnan of Kerala !

SHRI VARKALA RADHAKRISHNAN : I can understand the Cauvery dispute being settled. I am not standing in its way. But this is not the proper way.

MR. DEPUTY-SPEAKER: That part should be avoided because individual opinions are there. Please do not bring them here in the debate.

SHRI VARKALA RADHAKRISHNAN : Sir, I am too for a proper settlement of the Cauvery dispute. I am standing for an honourable and early settlement of Mullaperiyar Dispute.

SHRI VAIKO : What is his stand on Mullaperiyar?

SHRI VARKALA RADHAKRISHNAN : To achieve that purpose what scheme has been prepared? For bringing water in the Concurrent List, a constitutional amendment is required. A constitutional amendment will have to be brought first, then only we can think about this. Where is it stated that land is in the Concurrent List? But water is not in the Concurrent List.

SHRI VAIKO : It should be included in the Concurrent List.

SHRI VARKALA RADHAKRISHNAN : As they have appointed a review commission and this matter has been referred to them, I would advise him that the best course would be to let the review commission say that water is to be nationalised and that it must be brought to the Concurrent List. Since, there is the NDA Government at the Centre, before doing that he had all of a sudden come with that the entire water should come under the Central Government. I would like to remind Shri Vaiko that things may change, he himself will find difficulty of putting it in the Concurrent List.

SHRI VAIKO : A day will come when the rivers will be nationalised.

SHRI VARKALA RADHAKRISHNAN : Now, I put a simple question. If the water is to be put in the Concurrent List, there are so many lakes in the country some having pure water, could he say that it should be brought under the control of the Central Government because water is to be put in the Concurrent List?

SHRI VAIKO : Therefore, I have not asked it to be included in the Union. I have carefully said that it should be brought under Concurrent List.

SHRI VARKALA RADHAKRISHNAN : Now, nobody would say that Mississippi-Missouri in America be nationalised because it is an international dispute. Here also there are very big lakes. Nobody would say that these should be brought under the control of the Central Government.

SHRI VAIKO : There are no parochialists in America like Marxists.

SHRI VARKALA RADHAKRISHNAN : This is absurd and ridiculous. We cannot imagine about such a legislation.

SHRI VAIKO : Sir, we would like to know what is his reaction on this Bill? It shows the mentality of these people, particularly the Marxists in Kerala.

SHRI VARKALA RADHAKRISHNAN : I am only for the settlement of water dispute.

MR. DEPUTY-SPEAKER: Shri Vaiko, you will have a very good opportunity to reply. You take down all these points and give befitting reply at the time of your conclusion. Now, let us hear for the benefit of his expressions and suggestions.

SHRI VAIKO : Sir, expected light to be generated in the discussion. When he generates heat, normally it reflects and the reaction naturally will come.

MR. DEPUTY-SPEAKER: He may find a different way of thinking. Let the House share it.

SHRI VARKALA RADHAKRISHNAN : Now, there are certain very important lakes in India. People go to pilgrimages, will anybody say that water in those lakes be brought under the control of the Central Government, if water is to be put in the Concurrent List? How impractical it is? How can water be nationalised without bringing it into the Concurrent List? If you bring it under the Concurrent List then the water in the lakes should also go to the Central Government. Would he agree to that?

SHRI VAIKO : Concurrent List means, both the State and the Centre could have a role. How have you understood the Constitution?

SHRI VARKALA RADHAKRISHNAN I will tell you another thing.

I will give you a simple fact. In Kerala, hydro electricity is generated from water. Will the Central Government be prepared to take over all the hydro electric projects by nationalising it? How impractical it is! Will the Central Government be prepared to say that they would take all the hydro electric projects in Kerala? According to Shri Vaiko, if all the rivers are nationalised, then all the hydro electric projects will have to go to the Central Government. Would they do? How impractical it is! ...(*Interruptions*)

SHRI VAIKO : Mr. Deputy-Speaker, Sir, he has not understood my point. I have asked only to nationalise the inter-State rivers. ...(*Interruptions*)

SHRI VARKALA RADHAKRISHNAN : Sir, you should protect me. I was keeping silence without even a murmur when he was speaking. ...(*Interruptions*)

SHRI VAIKO : You were in deep slumber. Suddenly you woke up and started speaking. ...(*Interruptions*)

SHRI VARKALA RADHAKRISHNAN : Sir, he is intervening in every word that I use. ...(*Interruptions*)

SHRI VAIKO : Okay, you carry on.

SHRI VARKALA RADHAKRISHNAN : I will tell you the intricacies of your legislation. I will tell you how impractical it is. There cannot be a State like India with your legislation. ...(*Interruptions*)

SHRI VAIKO : You are not going to come to power in Delhi. That will never happen. ...(*Interruptions*)

SHRI A.C. JOS (TRICHUR): Shri Vaiko, why are you giving a running commentary? Let him complete. ...(*Interruptions*)

MR. DEPUTY-SPEAKER: It will be better if no interruption is made.

SHRI VARKALA RADHAKRISHNAN : Sir, how can I speak with so much of interruptions? ...(*Interruptions*)

SHRI VAIKO : You only invited the trouble. ...(*Interruptions*)

MR. DEPUTY-SPEAKER: Shri Varkala Radhakrishnan, how many minutes more, interruption free, do you require?

SHRI VARKALA RADHAKRISHNAN : I will conclude within five or ten minutes.

MR. DEPUTY-SPEAKER: You take only five more minutes.

SHRI VAIKO : Sir, you give him full time. I have to reply to him.

SHRI VARKALA RADHAKRISHNAN : Sir, I will express one difficulty for those gentlemen who are here. Ganga is considered to be the mother of India. All the Hindus take it as a pilgrim centre. We do rituals there. Certain Gods of India are supposed to be holy. Suppose Ganga is nationalised, what will be the consequences? You BJP people are supporting him without knowing it. Suppose if that river is nationalised, what will be the consequences, where will be your *Hindutva*, and where will be your feelings?

प्रो. रसा सिंह रावत (अजमेर) : यहां सिंचाई के लिए पानी की बात हो रही है और ये पता नहीं बात को लेकर कहां से कहां पहुंच गये। ये कहां की बात को कहीं और ले जा रहे हैं, मिसइंटरप्रेट कर रहे हैं।

MR. DEPUTY-SPEAKER: Shri Varkala Radhakrishnan, please address the Chair. Do not create any problem for us.

SHRI VARKALA RADHAKRISHNAN : Now, I am putting a very simple question. ...*(Interruptions)*

MR. DEPUTY-SPEAKER: You will have to address the Chair. Do not create any problem for me.

SHRI VARKALA RADHAKRISHNAN : At Allahabad, there is a convergence of Yamuna and Ganga. Lakhs of people go there and take bath. During *kumbamela* they adorn it. Now, suppose that river is nationalised, what will be the consequences? The position is entirely different. ...*(Interruptions)* According to the Constitution, you cannot claim those holy rites and you cannot perform those holy rites. Without knowing these intricacies, you people are supporting him. ...*(Interruptions)*

MR. DEPUTY-SPEAKER: Shri Varkala Radhakrishnan, please address the Chair. You are inviting trouble for you and to me also.

SHRI VARKALA RADHAKRISHNAN : Now, let us take the case of Banaras, which is considered to be very holy. People all over India come over there and do rituals. According to this legislation if it is nationalised, what will be the consequences? You think for a moment. Can you nationalise Ganga? Can you nationalise Yamuna? I simple put this question. ...*(Interruptions)*

PROF. RASA SINGH RAWAT : Sir, is he talking about liberalisation and privatisation? ...*(Interruptions)*

MR. DEPUTY-SPEAKER: Prof. Rasa Singh Rawat, you should be in a position to absorb different viewpoints.

SHRI VARKALA RADHAKRISHNAN : This is impractical. Yamuna will have to be retained in the present form. It cannot be made a nationalised property. Yamuna can never be a nationalised property. Do you want that mother to be nationalised?

MAJ. GEN. (RETD.) B.C. KHANDURI (GARHWAL): Should it be a private party?

SHRI VARKALA RADHAKRISHNAN : It is not a private property and he is asking you to get it nationalised. The MDMK man from South is coming here, joining you and asking you that you nationalise Yamuna. Unknowingly, you raise your hands in support of him, thereby you are putting yourself in trouble. That is what I have to say....*(Interruptions)*

SHRI BIKRAM KESHARI DEO (KALAHANDI): It is for the national integration.

SHRI VARKALA RADHAKRISHNAN : But do you understand the implication of nationalisation? The implication of nationalisation means, it becomes the property of the Government of India....*(Interruptions)*

MR. DEPUTY-SPEAKER: Shri Radhakrishnan, I think now you will have to conclude. I think it is time for you now to conclude.

...*(Interruptions)*

SHRI VARKALA RADHAKRISHNAN : I very, very humbly submit that it is impractical. There is no doubt we will have to settle the river dispute and we will have to find out an effective machinery. That we need very much. But this is not the way of doing things. By passing this impractical legislation, which is creating so much trouble to India, we cannot solve the river dispute problems. An effective machinery to which I will support you for helping it can solve that. But Cauvery is also a holy river. Will the Tamil Nadu people agree for nationalisation of Cauvery?...*(Interruptions)*

SHRI E.M. SUDARSANA NATCHIAPPAN (SIVAGANGA): Do you not want to develop India?

SHRI VARKALA RADHAKRISHNAN : I do not think so. Moreover, it is not a private property. It is a public property. There is no question of nationalisation. Moreover, the provisions of the Constitution will have to be amended. You bring an amendment to the Constitution. Are you prepared? Are you prepared to bring in water in the Concurrent List?...(Interruptions)

SHRI VAIKO : All are prepared to do that.

SHRI VARKALA RADHAKRISHNAN : If that is the case, what you should do is, you approach the Review Commission and tell us to suggest the methods. That is what the procedure. You have to tell them. You are for a Constitutional review and you have appointed a Commission. If such a thing is in your mind, you must tell them to bring in that proposal also. We will discuss along with the report. Before that, without making an amendment to the Constitution, how can you bring this legislation before this House?

Thinking that the river waters are private property, just like nationalisation, you want to nationalise the public property of the State. For what purpose? Would it solve the problem? I do not think so. So, I simply request him to withdraw this Bill. My friend, how did you bring in this Bill? I do not understand. I even now dream whether it is Shri Vaiko from Chennai is before me. I thought that he was a man of some genius but he has come over here, and after joining these people, he lost his sense also. His normalcy is even lost. That is why, he dares to bring in such a legislation before this House. He is asking you to nationalise Yamuna, Pennar, Brahmaputra and all these rivers which are in the ancient *vedas*. Do you say that you want them to be nationalised? Without understanding the implication, you do not support him. Otherwise, he may be with you. You need not go to that extent for this purpose. Shri Vaiko will be with you for the time being because of his political convenience. You need not come down to such an extent for this purpose. So, I request my hon. friend to withdraw the Bill failing which you will be doing a disservice. I am sure Anna will not forgive you. The late great Anna will never forgive you for bringing this legislation before this House. So, I request you to withdraw the Bill. With these words, I conclude.

SHRI SIMRANJIT SINGH MANN (SANGRUR): Mr.Deputy-Speaker, Sir, I rise to oppose this Bill because legally it is untenable. River waters are governed internationally by riparian laws and only those States have the rights to the waters through which the rivers pass. Non-riparian States do not have the rights to take water from the riparian states. That is the principle and if there is any doubt we could go to a Select Committee because of the laws quoted from the USA, Canada, Australia on the riparian law. The Supreme Courts of the USA have ruled that non-riparian States do not have any rights to water which flows from a riparian State. That is the law.

Now, I have also understood, during this debate that the NDA stands for devolution. I do not know why the Treasury Benches are insisting on nationalising the rivers when the riparian waters are in the State List as per article 246 of the Constitution and I also believe that the Centre has no right to the waters of riparian rivers, riparian States and that is the reason why the NDA wishes to nationalise the waters.

In that context I wish to say that the NDA says that it wants to decontrol things, bring in devolution but where is the devolution when they want to nationalise the water, introduce a new TADA Bill, introduce a federal law enforcement agency and the Election Commissioner says that the Governors should conduct the elections in the States? So, these are all symbols of making the Centre very powerful and we disassociate ourselves from this.

MR. DEPUTY-SPEAKER: We are discussing a Private Member's Bill. It has not been introduced by the Government. This Bill introduced by Shri Vaiko is a Private Member's Bill which is being discussed.

SHRI SIMRANJIT SINGH MANN : I know that. I am speaking on that very particular point. I am stating that that I disassociate myself from this Bill introduced by Shri Vaiko. I quite understand that.

Now the thing is that if the Treasury Benches want to bring in such legislation they should forget about their manifesto which speaks of decentralisation, devolution and more federalism. On the one hand, we have the Kashmir Assembly asking for more powers, reviving the status of pre-1953 in which Kashmir will have a separate flag, a separate Constitution, and a separate Government. That will mean non-applicability of article 356. These are the things that are now coming into prominence and I wish that this Bill should never have been introduced because our State will oppose it tooth and nail.

Moreover patriotism is sought to be mixed up in nationalising water policy. I do not think that a person or a State which disagrees with this nationalisation of waters is any less patriotic than Members who support the Bill. So, my contention is that we will not support this Bill and we oppose it.

MR. DEPUTY-SPEAKER: For this Bill we had allotted two hours. Now, the time of two hours is over.

Is it the pleasure of the House to continue with the present Bill?

SEVERAL HON. MEMBERS: Yes, Sir.

MR. DEPUTY-SPEAKER: So, the time of the Bill is extended by one hour.

डा. सुशील इन्दौरा (सिरसा) : उपाध्यक्ष महोदय, वेदों में लिखा है, जल की महत्ता क्या है। जल जीवन है। जल को सीमाओं से बांध कर नहीं रखा जा सकता है। जिस तरह से रिशतों और भावनाओं को सीमाओं में नहीं बांधा जा सकता है, उसी तरह जल को भी सीमाओं में बांधकर नहीं रखा जा सकता है। हमारे देश की भौगोलिक स्थिति इस तरह की है कि वहाँ कहीं होती है, जल का स्रोत कहीं होता है, जल पहुंच कहीं जाता है, जल की जरूरत कहीं होती है और उसकी अधिकता कहीं होती है। माननीय सदस्य, श्री वैको, ने जल विवाद की राष्ट्रीय समस्या पर सदन में चर्चा कराने का काम किया है, इसके लिए मैं उनको धन्यवाद देता हूँ।

हमारे देश कृषि प्रधान देश है और जल की महत्ता को आप अच्छी तरह से जानते हैं। वास्तव में देखा जाए, अगर जल की अधिकता हो जाती है, तो बाढ़ आ जाती है और बरसात न हो, तो सूखा पड़ जाता है। पिछले दिनों राजस्थान और गुजरात में हम इस पीड़ा को भोग चुके हैं। बाढ़ की स्थिति में हमारे देश के सामने खतरा मंडरा रहा है कि बाढ़ जान-ब-माल की हानि का कारण बन सकता है। यह सब इसलिए हो रहा है, क्योंकि हमारे देश में कोई राष्ट्रीय जलनीति नहीं है। श्री वैको जी ने अन्तरराष्ट्रीय नदियों के राष्ट्रीयकरण की बात कही है और कावेरी जल-विवाद मुद्दे की ओर सदन का ध्यान आकर्षित किया है। इसी तरह आज हरियाणा और पंजाब राज्यों के बीच में बहुत लम्बे समय से जल-विवाद चल रहा है। हरियाणा जब पंजाब से अलग हुआ और जो पानी हरियाणा के हिस्से में आया, उसका अवलोकन किया जाना चाहिए। मैं यह कहूंगा, पंजाब की धरती पर जल स्रोत है, लेकिन हरियाणा भी पंजाब का हिस्सा रहा है, तो उस जल पर हरियाणा की हिस्सेदारी बनती है। इस समस्या को सुलझाने के लिए एराडी ट्रिब्यूनल बनाया गया था, उस ट्रिब्यूनल ने अपनी रिपोर्ट दी और उसी के तहत एस्वाईएल कैनल का निर्माण कराया गया। यह मुद्दा उलझ गया और एस्वाईएल कैनल का कार्य अधूरा पड़ा हुआ है। पिछले कई सालों से हरियाणा का एस्वाईएल कैनल का हिस्सा पूरा हो चुका है और उस पर 63,943 करोड़ रुपए खर्च हो चुके हैं। उसके बावजूद भी हरियाणा प्रदेश का रेगिस्तानी इलाका, रेतीला इलाका, महेन्द्रगढ़ का इलाका हरा-भरा नहीं हो पाया है। एस्वाईएल कैनल अधूरी निर्मित होने के कारण ये इलाके रेतीले पड़े हुए हैं। जिस उद्देश्य से एस्वाईएल कैनल का निर्माण किया गया था, वह पूरा नहीं हो पा रहा है। स्थिति यह है कि 95 प्रतिशत कार्य एस्वाईएल का पूरा हो चुका है।

इस पर भारत सरकार का ऐसा भी बहुत खर्च हो चुका है। पिछले दिनों जब माननीय चन्द्रशेखर जी देश के प्रधानमंत्री थे तब जो पंजाब के हिस्से की बात थी, उसका कार्य पूरा करने के लिए सम्पर्क नहर का सड़क सीमा संगठन को पूरा करने का काम दिया गया था, लेकिन वह आज तक अधूरा पड़ा है। इसका कारण यह है कि हमारे देश की राष्ट्रीय जल नीति नहीं है, कोई नेशनलाइजेशन इस बात पर नहीं हो पाया है।

महोदय, मैं सिर्फ इतना कहना चाहता हूँ कि अगर हमारी राष्ट्रीय नीति होती, नदियों का राष्ट्रीयकरण किया जाता तो जो हमारी प्राकृतिक आपदाएँ हैं— जैसे कहीं सूखा आ जाता है और कहीं बाढ़ आ जाती है तो सरकार उन समस्याओं को सुलझा सकती थी। सरकार उन पर अच्छी तरह से व्यवस्था कर सकती थी कि कहां हमें कितना पानी जरूरत के हिसाब से भेजना चाहिए। आज न केवल हरियाणा, पंजाब और राजस्थान के इलाकों में, बल्कि पूरे देश में बिजली का संकट है। अगर पूरे देश की एक नीति होती तो बिजली की क्षमता बढ़ाई जा सकती थी। (व्यवधान)

उपाध्यक्ष महोदय : अब आप कंकलुड कीजिए।

डा. सुशील कुमार इन्दौरा : महोदय, यह हमारे प्रदेश से जुड़ा हुआ काफी महत्वपूर्ण मुद्दा है। (व्यवधान) प्राकृतिक आपदाओं से छुटकारा मिल सकता है, बिजली की जरूरतों को पूरा किया जा सकता है। महोदय, यह कैसी विडम्बना है कि बाढ़ की वजह से हमारे जान-माल की हानि होती है और सूखे की वजह से भी जान-माल की हानि होती है। (व्यवधान)

उपाध्यक्ष महोदय : आप इस बिल का समर्थन कर रहे हैं न।

डा. सुशील कुमार इन्दौरा : जी हां, मैं इस बिल के समर्थन में बोल रहा हूँ। मैं जो बोल रहा हूँ, वह ज्यादातर समर्थन में ही है, लेकिन कुछ बातें कहना चाहता हूँ जिनमें संशोधन किया जा सकता है, उसके लिए सुझाव दिया जा सकता है। जैसे रासा सिंह रावत जी ने कहा कि हरियाणा दिल्ली का पानी ले लेता है, उसे देता नहीं है। (व्यवधान) मैं आपको बताना चाहता हूँ। (व्यवधान)

उपाध्यक्ष महोदय : आपको बताने की जरूरत नहीं है, यह मंत्री जी बताएंगे।

डा. सुशील कुमार इन्दौरा : महोदय, हमारे प्रदेश की बात है। अगर दिल्ली के लोग यमुना की गाद को, जो 38-40 किलो मीटर का ऐरिया है उसे ही निकाल लें तो मैं समझता हूँ कि हरियाणा से पानी मांगने की जरूरत नहीं। मैं कहना चाहता हूँ कि हमारे सतलुज यमुना लिंक के अधूरे पड़े रहने की वजह से तकरीबन 500 करोड़ रुपए से अधिक की कृषि की पैदावार प्रभावित हो रही है। अगर राष्ट्रीय जल नीति हो तो इस कठिनाई को दूर किया जा सकता है। इराड़ी ट्रिब्यूनल ने अपनी रिपोर्टमें इंग्लिश दी। हम इस बात के पक्षधर हैं कि हरियाणा और पंजाब के जल विवाद को सुलझाने के लिए अगर सही मायनों में इराड़ी ट्रिब्यूनल लागू हो जाए तो सब को फायदा होगा, क्योंकि पानी की अधिकता के कारण आज पंजाब के किसानों को दिक्कत आ रही है, पानी जमीन से ऊपर आ रहा है। एस्वाईएल. के न बनने से ज्यादातर पानी पाकिस्तान को जा रहा है। हमारे देश के किसान इस बात से प्रभावित हो रहे हैं, खास कर हमारे हरियाणा के किसानों को एस्वाईएल. के पूरा होने से फायदा हो सकता है। (व्यवधान)

उपाध्यक्ष महोदय : आप सिद्धांत पर बात कीजिए, इससे इस बाल का कोई संबंध नहीं है।

डा. सुशील कुमार इन्दौरा : माननीय वाइको जी जो यह विधेयक लाए हैं मैं उसके लिए इनको धन्यवाद देता हूँ और इसका समर्थन करता हूँ लेकिन साथ ही कुछ सुझाव भी देना चाहता हूँ। राष्ट्रीय जल नीति जो बनाई जाये उसमें राज्य सरकारों से सलाह-मशविरा करके इस तरह का कोई प्रावधान होना चाहिए ताकि इन विवादों को सुलझाया जा सके। ऐसा नहीं होगा तो सारा जल रा्ट्र के पास चला जायेगा और कोई भी प्रांत एक बूंद पानी भी नहीं ले सकेगा। इसलिए ऐसा होना चाहिए

कि जो भी कठिनाइयां राज्यों को आती हों, उन कठिनाइयों को दूर किया जा सके। जिस तरह से सुप्रीम कोर्ट का फैसला मान्य होता है उसी तरह का निर्णय करने का अधिकार ट्रिब्यूनल के पास हो जिससे देश में एक राष्ट्रीय जल नीति बन सके और जल विवादों का सुलझाया जा सके। माननीय वाइको जी ने इस विधेयक को लाकर राष्ट्रीय अखंडता की ओर जो कदम बढ़ाया है, मैं उसके लिए उनको धन्यवाद देता हूँ।

SHRI A.C. JOS (TRICHUR): Sir, I am broadly in agreement with the concept of this Bill. I say so because nationalisation of rivers is not the appropriate word that is to be used because all rivers are public property. There is no necessity for nationalising inter-State rivers. I do not agree with my learned friend Shri Varkala Radhakrishnan that it needs a Constitution amendment. It does not need a Constitution amendment. In fact, I am very proud to say that our forefathers or founding fathers of the Constitution would have envisaged a discussion like this at the time of framing of the Constitution. Item 56 of first list, that is, Union List of the Seventh Schedule of the our Constitution says:

"Regulation and development of inter-State rivers and river valleys to the extent to which such regulation and development under the control of the Union is declared by Parliament by law to be expedient in the public interest. "

So, even now this august House has got the authority and power to regulate and develop inter-State rivers. So, I would urge my friend, Shri Vaiko, who has brought such a very important issue to the attention of this House, that the word nationalisation, which is of course very dear to Shri Varkala Radhakrishnan at times, now becomes slightly difficult for him. Therefore, I would urge Shri Vaiko and the Government to consider suitably amending the word nationalisation. I have already mentioned that I am broadly in agreement with the intention and the concept of this Bill.

SHRI VARKALA RADHAKRISHNAN : Sir, let me speak without interruption. ...(*Interruptions*)

MR. DEPUTY-SPEAKER: Shri Jos, are you yielding to him?

...(*Interruptions*)

SHRI A.C. JOS : Sir, he is senior ...(*Interruptions*)

SHRI VARKALA RADHAKRISHNAN : I know that the provision is there and I have gone through it. Here, the question is regarding the ownership of the inter-State rivers. What Shri Jos is saying is regarding regulation. ...(*Interruptions*)

SHRI A.C. JOS : Shri Radhakrishnan, you are over-stretching it. ...(*Interruptions*)

SHRI VARKALA RADHAKRISHNAN : This Parliament has passed Inter-State Rivers Dispute Act and a Tribunal is there by that Act made by Parliament.

That item 56 is regarding regulation of inter-State rivers, as pointed out by Shri A.C. Jos. But here is a move regarding ownership. Here, nationalisation means that ownership of inter-State rivers should be with the Central Government. That is the intention. I am not against the regulation. ...(*Interruptions*)

MR. DEPUTY-SPEAKER: Are you against the nationalisation?

...(*Interruptions*)

SHRI VARKALA RADHAKRISHNAN: That is the difference.

SHRI A.C. JOS : Entry 17 of List II, that is, the State List, says:

"Water, that is to say, water supplies, irrigation and canals, drainage and embankments, water storage and water power subject to the provisions of entry 56 of List I."

So, Sir, even the water management, that is to say, water supplies, irrigation and canals, drainage and embankments, water storage and water power is subject to the provisions of entry 56 of List I. Entry 56 of List I empowers this House to:

"Regulation and development of inter-State rivers."

My learned friend, Shri Radhakrishnan, spoke of Ullaperiyar River, which is very vital to Kerala. I was not present here when Shri Vaiko said that Pampa River waters have to be diverted to Tamil Nadu. I think, we should not go to that ridiculous extent because it is not possible.

Here, the concept is about inter-State rivers. Our country is blessed with bountiful of water resources. But everyday, every season, we read in the newspapers about the devastating flood in Assam and, at the same time, about the drought in Gujarat. Again, after two weeks, we hear that there are floods in Gujarat. The most essential thing, I would request the learned Minister who is here, is to bring a comprehensive water management policy. Shri Rawat has pointed out a very pertinent thing. We have got enough Boards and Authorities, but for such a very important thing like water, which is the basic need of human life, and that is why my learned friend said, we do not have a Water Board or Authority.

Scientifically, it is said that only one per cent of the rain water, which nature gives to us, is being utilised in India, and 99 per cent of water is flowing into different seas. We are to be blamed for this. Though nature has given us this much bountiful of water, we have not used it till date.

Some time back, the hon. Prime Minister has come to this House saying that the drought situation in Gujarat was terrible, and we all contributed to the Fund. At the same time, the flood situation in Assam is equally devastating and terrible. We have seen the Brahmaputra River; it runs like a wild elephant; we could not tame it, and we could not harness it because of which the entire water is flowing into the sea.

Somebody mentioned about complete drying up of underground water. It is correct because the way we are using the groundwater now, we would not have any more groundwater after ten years. It is because we have not been able to harness the rainwater to increase the underground water level.

Recently, I had been to Rajasthan for a Committee meeting. Now, there is a boom in Rajasthan. I am not saying that everything is okay. But after the partial completion of the Indira Gandhi Canal, there is vegetation; there is cultivation, and the agriculturists are getting their due remuneration. This is a living example to us.

So, my submission to the Government is that this is a golden opportunity provided by Shri Vaiko, who moved this Bill, because in a democratic set up, it will be difficult to build a consensus and enact a law. Now, you have an opportunity for using entry 56 of List I, and entry 17 of List II, of the Constitution.

Shri Radhakrishnan has got an innate difficulty with reference to the word "nationalisation". That is why, I am repeatedly saying that I do accept the concept of this thing.

18.00 hrs.

Everyday we hear about the Cauvery water dispute. But what about the wasted water?

MR. DEPUTY-SPEAKER: Shri Jose, would you like to continue?

SHRI A.C. JOS : Sir, yes. This is a very important subject.

MR. DEPUTY-SPEAKER: There are two to three more speakers to speak on this subject. You can continue again when it is taken up.

Now, the House stands adjourned to meet again at 11 A.M. on Monday, 31st July, 2000.

18.01 hours

The Lok Sabha then adjourned till Eleven of the Clock

on Monday, July 31, 2000/Sravana 9, 1922 (Saka)
