

GOVERNMENT OF INDIA
MINISTRY OF WATER RESOURCES,
RIVER DEVELOPMENT & GANGA REJUVENATION
LOK SABHA
UNSTARRED QUESTION NO. 1052
ANSWERED ON 08.02.2018

CONSTRUCTION OF DAMS ON MAHANADI RIVER

1052. SHRI BHARTRUHARI MAHTAB

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

- (a) whether the Union Government has not constituted Inter-State Water Dispute Tribunal within a year as mandated by the Section 4 (1) of the Inter-State River Water Disputes Act, 1956 to resolve the disputes pertaining to construction of dams on Mahanadi river between the State Governments of Odisha and Chhattisgarh;
- (b) if so, the details thereof and the reasons therefor along with the time by which such Tribunal is likely to be constituted;
- (c) whether the Government of Chhattisgarh has been allowed uninterruptedly to construct dams despite objections of the Government of Odisha during the last year and the current year;
- (d) if so, the details thereof and the reasons therefor; and
- (e) the corrective steps taken/being taken by the Union Government to resolve the said disputes and to address the concerns of the Government of Odisha?

ANSWER

THE MINISTER OF STATE FOR WATER RESOURCES, RIVER DEVELOPMENT AND GANGA REJUVENATION & PARLIAMENTARY AFFAIRS

(SHRI ARJUN RAM MEGHWAL)

(a) to (e) State of Odisha submitted a complaint dated 19.11.2016 to the Central Government on Mahanadi River Water Dispute under Section 3 of the Inter State River Water Disputes (ISRWD) Act, 1956. As per section 4 of the ISRWD Act 1956, this Ministry constituted a Negotiation Committee comprising of members from basin States and concerned Ministries of Central Government, Central Water Commission (CWC), India Metrological Department (IMD), National Institute of Hydrology (NIH) for resolution of Mahanadi River Water Dispute on 19.01.2017. Two meetings of the Negotiation Committee were held on 28.02.2017 and 22.05.2017. There was no participation from Government of Odisha in meetings of the Negotiation Committee.

Government of Odisha also filed an Original Suit (No. 1 of 2017, State of Odisha vs. State of Chhattisgarh & Ors.) in the Hon'ble Supreme Court and prayed to the Hon'ble Supreme Court for :

- (i) restraining from continuing with the construction of six ongoing industrial barrages, namely, Samoda, Seorinarayan, Basantpur, Mirouni, Sardiha and Kalma, pending

contd. P2/..

constitution of the Tribunal as sought in the complaint dated 21.11.2016 filed by Government of Odisha for resolution of water disputes in respect of waters of the Mahanadi Basin;

- (ii) restraining from continuing with the construction and operation of 7 ongoing projects for utilization of 2.95 MAF of water annually viz. Kelo, Arpa-Bhaisajhar Barrage, Sondhur, Rajiv Samodanisda diversion project phase-II, Mongra Barrage, Ph-II Sukhanalla Barrage and Ghumarya Nalla Barrage, pending constitution of the Tribunal as sought in the complaint dated 21.11.2016 filed by Government of Odisha for resolution of water disputes in respect of waters of the Mahanadi Basin; and
- (iii) restraining from taking up any projects against the category of future projects mentioned in the letter dated 27.8.2016 of State of Chhattisgarh in annexure P-1, pending constitution of the Tribunal as sought in the complaint dated 21.11.2016 filed by Government of Odisha for resolution of water disputes in respect of waters of the Mahanadi Basin.

The matter came for hearing in Supreme Court on 10.4.2017, 25.4.2017, 2.5.2017, 25.7.2017, 28.8.2017, 9.10.2017, 11.12.2017 and 23.01.2018. The Hon'ble Supreme Court has concluded the hearing on 23.01.2018 and disposed of the matter with the following order :-

“We, therefore, have no hesitation in directing that the Central Government shall issue appropriate notification in the Official Gazette and constitute a Water Disputes Tribunal for adjudication of the water dispute between the parties herein within a period of one month from today. Accordingly, the plaint in Original Suit No. 1 of 2017 is returned to the plaintiff for its presentation and adjudication by the Water Disputes Tribunal to be newly constituted by the Central Government.

We order accordingly.

With the aforesaid directions, the instant suit is disposed of as having returned to the plaintiff for its presentation to the Water Disputes Tribunal.

Needless to mention that the question of all reliefs as may be allowed to the party, are left open”.

Government of Odisha has to raise their concerns before the Water Disputes Tribunal as directed by Hon'ble Supreme Court.

This Ministry has framed the proposal for formation of Mahanadi Water Dispute Tribunal as per the direction of Hon'ble Supreme Court order dated 23.01.2018.