

Sixteenth Lok Sabha

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Title: Issue regarding formation of Tribunal relating to Mahanadi Interstate Water Dispute.

SHRI BHARTRUHARI MAHTAB (CUTTACK): Madam, my point of contention here is not to raise this issue during Zero Hour. We have been repeatedly giving Adjournment Motions and Notices. This is a matter relating to the functioning of the House and the prestige of the Parliament. The Government made a commitment on the floor of this House and also in the Rajya Sabha relating to the formation of Tribunal and relating to Mahanadi Inter-State Water Dispute. Now the Government is going back on the commitment which it made on the floor of the House... *(Interruptions)*

**12.10 hours**

*(At this stage, Shri Deepender Singh Hooda and some other hon. Members came and stood on the floor near the Table.)*

That is why, our Party has been insisting that this discussion should be taken up under Adjournment Motion. That is the reason why I do not want to raise it during the 'Zero Hour'... *(Interruptions)*

SHRI SUDIP BANDYOPADHYAY (KOLKATA UTTAR): Madam, we associate with it... *(Interruptions)*

SHRI BHARTRUHARI MAHTAB : That is the reason why we want to raise this matter. It is not a State-specific issue. It is a national issue where the Government is going back. It is acting in a duplicity... *(Interruptions)*. That was a commitment that it had made. It is the neutrality that is supposed to be maintained by the Union Government. It has to be neutral when a dispute arises between two States relating to water sharing. But the neutrality of this Government has been compromised. It has been compromised not only in the Parliament but it has been compromised also in the Supreme Court, the highest legal body which is to determine on this issue... *(Interruptions)*. That is the reason why we are insisting that this is a fit case for Adjournment Motion.

Secondly, if we deliberate it under Adjournment Motion, the sky is not going to fall. We would only ventilate our point of view and the Government can ventilate its point of view. The Members from Chhattisgarh can also ventilate their point of view. Ultimately, it is the Union Government which has to act neutrally. But what we find from their behaviour in the Supreme Court and also in the Parliament is that it has withdrawn the commitment it had made during December, 2016 and August, 2017.

Repeatedly the Government made this commitment on the floor of the House while a number of questions were put forth. The answer was given by the Minister of Water Resources that the draft Cabinet note is already ready and he will be going in for the constitution of the Tribunal. But now they have gone to the Supreme Court and said that it is not going to form a Tribunal... *(Interruptions)*

Third point is regarding the constitutional provision. As per the Act of 1956, the Inter-State Water Dispute Tribunal has to be formed when a complacent State raises an objection and says that there is a need to form a Tribunal. The Government has no flexibility to override this Act. It has to form a Tribunal because the word used is 'shall'. It says that the Government shall form a Tribunal within one year. That one year has lapsed on 19 November, 2017. Still neither this Government is coming back to us nor it is forming a Tribunal. What we hear outside is that because a Bill is pending, that is why, they are not forming the Tribunal... *(Interruptions)*. A Tribunal can be formed. It can be subsumed after a single Tribunal comes into existence. That is the reason why we want an Adjournment Motion to be admitted. In your wisdom, you have done outright rejection... *(Interruptions)*

HON. SPEAKER: It is an important matter but you can raise it in other way.

SHRI BHARTRUHARI MAHTAB : I have given notices for Calling Attention and also for Short Duration Discussion under Rule 193... *(Interruptions)*

SHRI SUDIP BANDYOPADHYAY : Madam, we also support his views... *(Interruptions)*

SHRI BHARTRUHARI MAHTAB : We want your wisdom to prevail. Kindly allow us to participate in a discussion on this burning issue. Fourteen Parties including Trinamool Congress, Left Front and Congress Party are demonstrating in Parliament Street in Delhi for the last two days. That is the reason why we want to agitate this issue here. As quickly as possible, this needs to be considered and it should be listed in the List of Business... *(Interruptions)*

HON. SPEAKER: If you have given any other notice, I will see to it. That much I can say.

... *(Interruptions)*

HON. SPEAKER: I have allowed him. How can I say anything now? I have allowed you and you have made your statement. I cannot force the Government to respond.

... *(Interruptions)*

SHRI BHARTRUHARI MAHTAB : If the Adjournment Motion is not being allowed, Calling Attention can be allowed or a Short Duration Discussion can be allowed. That is my request to you.

HON. SPEAKER: I will see to it. Just now I cannot say anything.

...(व्यवधान)