

GOVERNMENT OF INDIA
MINISTRY OF WATER RESOURCES,
RIVER DEVELOPMENT & GANGA REJUVENATION
LOK SABHA
UNSTARRED QUESTION NO. 1722
ANSWERED ON 20.12.2018

INTER-STATE RIVER WATER SHARING DISPUTES

1722. SHRI K.R.P. PRABAKARAN

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

- (a) whether it is a fact that large number of inter-State river water disputes have been pending in various courts for the final decision;
- (b) if so, the details thereof and the steps taken by the Government to ensure that the disputes are resolved in a timebound manner;
- (c) whether the Government proposes to amend inter-State River Water Disputes Act, 1956; and
- (d) if so, the details and the status thereof?

ANSWER

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

(SHRI ARJUN RAM MEGHWAL)

(a) to (d) The Parliament has enacted Inter-State River Water Disputes (ISRWD) Act, 1956 for adjudication of disputes relating to waters of inter-State rivers and river valley thereof. When any request under the said Act is received from any State Government in respect of any water dispute on the inter-State rivers and the Central Government is of the opinion that the water dispute cannot be settled by negotiations, the Central Government constitutes a Water Disputes Tribunal for the adjudication of the water dispute. Currently, 5 water disputes Tribunals are active, details of which are given in **Annexure**.

In order to further streamline the adjudication of inter-State river water disputes, the Inter-State River Water Disputes (Amendment) Bill, 2017 was introduced in Lok Sabha by the Minister for WR, RD & GR on 14.03.2017 by amending the existing ISRWD Act, 1956. The Bill envisages to constitute a standalone Tribunal with permanent establishment and permanent office space and infrastructure so as to obviate with the need to set up a separate Tribunal for each water dispute which is invariably a time consuming process. In the proposed Bill, there is a provision for establishment of a Dispute Resolution Committee (DRC) by the Central Government for resolving amicably, the inter- State water disputes within a maximum period of one year and six months. Any dispute, which cannot be settled by negotiations shall be referred to the Tribunal for its adjudication. The dispute so referred to the Tribunal shall be assigned by the Chairperson of the Tribunal to a Bench of the Tribunal for adjudication. The proposed amendments in the Bill will speed up the adjudication of water disputes referred to it. The Bill was referred to Parliamentary Standing Committee on Water Resources for examination. The Standing Committee has submitted its recommendation on the Bill vide Lok Sabha Secretariat letter dated 11.08.2017 in the form of 'Nineteenth Report of Standing Committee on Water Resources on The Inter-State River Water Disputes (Amendment) Bill, 2017'. Accordingly, the Ministry has prepared draft Cabinet Note for Official Amendments to Inter-State River Water Disputes (Amendment) Bill, 2017.

ANNEXURE REFERRED TO IN REPLY TO PARTS (a) TO (d) OF THE UNSTARRED QUESTION NO. 1722 TO BE ANSWERED IN LOK SABHA ON 20.12.2018 REGARDING “INTER-STATE RIVER WATER SHARING DISPUTES”**Status of active Inter-State Water Disputes Tribunals relating to the sharing of river water**

S. No	Name of Tribunal	States concerned	Date of constitution	Present Status
1	Krishna Water Disputes Tribunal -II	Karnataka, Telengana, Andhra Pradesh and Maharashtra	April, 2004	Report and decision given on 30.12.2010. Further report given by the Tribunal on 29.11.2013. However, as per Supreme Court Order dated 16.9.2011, till further order, decision taken by the Tribunal on references filed by States and Central Government shall not be published in the official Gazette. As such, matter is sub-judice. Term of the Tribunal was extended for a period of two years w.e.f. 1 st August, 2014 to address the terms of reference as contained in section 89 of Andhra Pradesh Reorganisation Act, 2014. Thereafter, the term of the Tribunal has been extended thrice for period of one year latest being w.e.f. 01.08.2018. The matter is under adjudication in the Tribunal. Further, the Government of Telengana has filed a SLP 33623-26 of 2014 and WP(C) 545 of 2015 in the Supreme Court in the matter. The matter is thus sub-judice.
2	Mahanadi Water Disputes Tribunal	Odisha and Chhattisgarh	12 th March, 2018	The Government of Odisha had filed a complaint dated 19.11.2016 with the Ministry of Water Resources, River Development and Ganga Rejuvenation under Section 3 of the Inter-State River Water Disputes Act, 1956 read with Inter-State River Water Dispute Rules, 1959. The Government of Odisha has requested Union Government for Constitution of a Tribunal under Section 4 (1) of the Inter-State River Water Disputes Act, 1956 for adjudication of the water disputes in respect of the Inter-state River Mahanadi and its basin between the riparian States of Odisha and Chhattisgarh and refer the complaint to the Tribunal under Section 5 (1) of the Inter-State River Water Disputes Act, 1956. The Central Government has constituted

S. No	Name of Tribunal	States concerned	Date of constitution	Present Status
				Mahanadi Water Disputes Tribunal vide Notification dated 12.03.2018. Subsequently, the reference was made to the Tribunal under Section 5(1) of the ISRWD Act, 1956 on 17.04.2018. The matter is thus under adjudication in the Tribunal.
3	Mahadayi Water Disputes Tribunal	Goa, Karnataka and Maharashtra	November, 2010 However, vide notification dated 13.11.2014 date of reckoning of the constitution of the Tribunal is w.e.f. 21.08.2013	Report and Decision u/s 5(2) of ISRWD Act, 1956 has been submitted to Central Government on 14.08.2018. The State of Goa filed an application under section 5(3) of the Act on 20.08.2018. The matter is thus under adjudication in the Tribunal.
4	Ravi & Beas Water Tribunal	Punjab, Haryana and Rajasthan	April, 1986	Report and decision under section 5(2) given in April, 1987. Clarification/explanation sought from the Tribunal under Section 5(3) of the said Act by the party States. Presidential Reference 1 of 2004 was made on the Punjab Termination of Agreements Act, 2004. The Hon'ble Supreme Court has pronounced the judgement on Presidential Reference in negative. Further, Government of Haryana has filed IA No. 6 of 2016 in OS No. 6 of 1996 in the matter. The matter is subjudice.
5	Vansadhara Water Disputes Tribunal	Andhra Pradesh & Odisha	February, 2010 However, as per the Supreme Court order the date of reckoning of the constitution of the Tribunal is w.e.f. 17.9.2012	The Tribunal has submitted its report to the Central Government under Section 5(2) of the ISRWD Act, 1956 on 13.09.2017. Further, State of Odisha and the Central Government have filed reference under Section 5(3) of the ISRWD Act, 1956 on 11.12.2017 and 12.12.2017 respectively. The matter is thus under adjudication in the Tribunal.
