

[*Shri Priya Ranjan Das Munsi*]

at the age of 45 or so. These people cannot maintain their skill, after certain age and naturally for the rest of their life, they have to fall back upon the earnings of their early life which are heavily taxed and they are thus not able to save much for their future.

For all such people, the Finance Ministry should come forward with a comprehensive legislation, amending relevant provisions of Income-Tax Act, so as to exempt the income derived by these sportsmen from their skills. Income earned by these people from other sources, however, may not be exempted from Income tax. To begin with, the Government should exempt at least sportsmen and women and the performing artists, to promote sports and culture in the country.

The Government should take this matter into consideration to provide a positive direction in this field, thus providing much needed security/protection to this class of people.

[*Translation*]

(vii) Need to set up a T.V. relay centre at Begusarai in Bihar

PROF. CHANDRA BHANU DEVI (Balua) : There is an urgent need of setting up a Doordarshan relay centre in Begusarai. In the modern days the importance of Doordarshan is increasing day by day. Doordarshan is not only a source of entertainment, but also the source of knowledge. Not only this, it can bring about social and economic changes also. It has a vital role in sustaining the unity of the country. Keeping in view the importance of Doordarshan our Government has set up relay centres of Doordarshan in remote areas of the country. But, unfortunately, Begusarai district has not found place on the Doordarshan map.

Begusarai district is the biggest industrial centre of Bihar. Barauni Refinery-Hindustan Fertilisers Corporation, Barauni Steam Power Organisation and several small industries have been set up here but still

there is no Doordarshan relay centre here. Though two blocks of Begusarai district are covered by the Doordarshan relay centre at Mungher, yet the remaining populace of Begusarai district remains deprived of the Doordarshan facility.

I would request the Government that a Doordarshan relay centre should be set up immediately at Begusarai so that Begusarai is connected with the mainstream of the country and social, economic and educational progress of the district takes place early.

12.20 hrs.

STATUTORY RESOLUTION RE DIS-
APPROVAL OF THE RAVI AND BEAS
WATERS TRIBUNAL ORDINANCE 1986
AND
INTER-STATE WATER DISPUTES
(AMENDMENT) BILL-Contd.

[*English*]

SHRI HARDWARI LAL (Rohtak) : I rise to support the Bill which is a welcome attempt though belated one to implement a part of the Punjab accord.

The history of the division of Ravi Beas waters was traced in proper detail by my friend, Rao Birendra Singh, the other day. Even some other friends have also spoken about various aspects of the accord. I will not repeat what they have said.

I seek to draw your attention only to two main points. One, the new dimensions which the entire Punjab settlement has acquired during the last few months during which we unfortunately sat back and waited on events and second, the apparent impossibility of the accord being implemented in the existing situation.

You will agree with me that accord can be implemented only with the cooperation of the two Governments concerned. You will also agree that the accord can be implemented not only with the cooperation of the

Governments concerned but also if they are able to control the elements which are opposing the accord or its implementation.

Take the Punjab Government first. No less a person than the Chief Minister of Punjab is saying that the Punjab has no water to spare for Haryana and the very construction of the SYL canal will be a waste of money. And even if the Punjab Chief Minister can be persuaded to be reasonable, there are in the Punjab elements which can effectively and will effectively obstruct the construction of the canal. The extremists there are certainly not interested in the implementation of the accord. And the writ of the Punjab Government does not seem to be running in the State. But even if the Punjab Government with the backing of the Centre can restore some sort of peace so essential for the pursuit of all normal activity, there is the Kisan Union. It is a mighty organisation which cannot be ignored. In fact, it paralysed life in Chandigarh some time back. It is openly proclaiming that the canal will not be allowed to be constructed. We cannot ignore it. In fact, we will be making a mistake, if we under-estimate the capacity of the Kisan Union to obstruct the construction of the canal.

Now, come to Haryana. The State is in great turmoil. The Chief Minister had been correctly voicing Haryana's demands and grievances. What he said was dismissed as being unduly aggressive. The result is that his position has weakened and the lead has been secured by elements bitterly opposed to the accord. During the last two months they have organised a rally in Delhi; they have organised the *rasta roko* programme in Haryana and they have organised the Haryana bandh and with great success. Only a week ago, they organised a massive rally. Even the official estimates are that the attendance was more than 2 lakhs. And Unofficially they say that it was over a million. Luckily for these people, the simple Haryana peasant is highly aggrieved. Therefore, their task becomes very very easy. You might recall that Bhakra Dam was conceived in 1907 by a British Engineer for the sole

benefit of South-East Punjab of those days. Now this area is the present Haryana. The Dam has long been completed but Haryana has not been adequately benefited by the Dam. The post-partition Punjab, the Reorganised Punjab have witnessed several Agreements and Awards and those Awards and Agreements recognised and conceded the just demands of Haryana, but none of these have been implemented so far. In mid-sixties, Shah Commission gave Chandigarh and Kharar Tehsil of Ambala district to Haryana but their recommendations were not implemented at all. According to 1971 Award of Mrs. Indira Gandhi, Haryana was to get Fazilka and Abohar in lieu of Chandigarh. That also was put in cold storage. In 1976 and again in 1981, Haryana was promised substantial quantity of water from Ravi-Beas Accord. Even this is today in the melting pot.

Haryana, Sir, as you are aware, is predominantly a rural State with a peasantry as virile as that of Punjab. The Haryana peasant has been known for his patience and good humour. But feeling alarmed at what might happen to his claim to Ravi-Beas waters, he is virtually in revolt against the accord and its implementation. In short, the situation in both the States is grim in extreme and I may not be taken as opposing the Bill if I also suggest that the entire situation, of which the Punjab Accord is only a part, or in other words, a means to an end, seems to warrant instant review. We must see the storm signals, we must face the stark realities. The Mathew Commission ended in a fiasco because the terms of reference were vague. If you do not frame the terms of reference of the Eradi Commission in a manner which can ensure the allotment of adequate waters to Haryana, Haryana I know, will not accept the Tribunal's Award. It is an unfortunate fact but it is a fact. Then if Haryana does not get Ravi-Beas waters in the quantity earlier promised to it, you will have, at the doorstep of the national capital, a State boiling with rage so far as the division of water is concerned and so far as the statements of the Punjab Chief Minister and similar statements are con-

[*Shri Hardwar Lal*]

cerned. The Haryana peasant is really feeling alarmed and angry.

Then, there is the third reality. Certain elements in Punjab will certainly see to it that the SYL canal is not completed and Haryana does not get its rightful share of Ravi-Bias water, even if the Eradi Tribunal's Award is in favour of Haryana.

Fourthly, there is currently the talk that immediate transfer of Chandigarh will restore peace in Punjab. May I submit that this is a sheer illusion? The immediate transfer of Chandigarh may turn Chandigarh into another Ludhiana or Batala but it will not restore peace in Punjab. It will only widen the sphere of activities of the terrorists. I would suggest that the transfer of Chandigarh be delayed; it is advisable that it is linked with the completion of the SYL canal. It will at least assure Haryana that its interests are being borne in mind by the Centre. We have to determine our steps in the context of these realities. I hope nobody will take offence to what I suggest. I do suggest that there is nothing sacrosanct about the accord. Sant Longowal meant well by the Punjab and by the country. He was a wise and great man. Had he lived, he might have weathered the storm which has overtaken Punjab. Unfortunately for all of us he is not here. The sole object of this Accord was to bring peace to the troubled State of Punjab by satisfying the Akalis. That was the object; the object was that they should be satisfied and there should be peace. This Accord, whether implemented or not, will not achieve the resired objective. In such a situation let us think of other ways of achieving our objective. Now, Sir, merger of Punjab, Haryana and Himachal is one way. I was one of the witnesses before the Parliamentary Committee which was appointed in 1966 to consider the reorganisation of Punjab. I said then and I have always maintained that the reorganisation of the Punjab will go-down in the history of independent India as a political blunder and if it is recognised as a political blunder, it might be as well to rectify it in the interest

of the entire region. There is another suggestion which I would like to make. Every since reorganisation, Punjab has been demanding big chunks of Haryana territory. This demand may be conceded and Haryana may be enlarged by adding to it Agra and Meerut divisions of the monolithic U.P. which also might gain in health by shedding some of its weight. This demand was made in mid-20s. and ever since it has repeated again and again. Then there is the third solution which is much less desirable than the first two. If the accord is being seen as a panacea for all the present ills, the Centre might once again take over the administration of the Punjab and firmly implement the Accord-and this 'if' is a big 'if'. In any case, we must not either and make ourselves an object of ridicule. We are in a crisis. We must face the realities. The accord is not a solution of the Punjab problem. Let the Government think afresh and evolve a solution in consultation with all the political parties. I am sure the entire House will back the Government.

As regards the Bill under discussion, I support it. It is all right as far as it goes. But I do submit that it will not advance matters much. With these words I conclude,

SHRI V.S. KRISHNA IYER (Bangalore South): Sir, I welcome this Bill. In fact it should have been framed much earlier. It would have really paved the way for the implementation of the historic Punjab Accord. Sir Punjab Accord has been welcomed by all sections of this House. The delay in the implementation of the Accord has caused the nation very heavily both in terms of money and also in terms of men. Only the other day a senior Member of this House, Shri Rao Birendra Singh in an eloquent speech has thrown some light on this subject.

12.35 hrs.

[SHRI VAKKOM PURUSHOTHAMAN
in the chair]

Sir, he has cleared some misapprehensions and he has very frankly said, given the solution for solving this problem.

it is no longer a problem. If the Government had implemented the 1981 inter-state river agreement between the three States of Punjab, Haryana and Rajasthan probably this Bill would not have come before this House. There was no need for the Minister to bring this Bill, in that case. But unfortunately, the powers then did not think it necessary to implement it and somehow it was shelved.

Now, this amendment for constitution of a tribunal under the Inter-State Water Disputes Act, to be known as Ravi Beas Water Tribunal, for the verification and adjudication of matters referred to in paragraph 9 (1) and 9 (2) of the Punjab Accord has been brought forward before the House. But this Bill confines only to Punjab and Haryana. We are at a loss to know of course, it is in accordance with the Accord, no doubt—but at the same time, as Rao Birendra Singh said the other day, we cannot ignore the interest of Rajasthan. I am sure, the interest of Rajasthan also should be safeguarded by this tribunal. More than anything else, what is important is—after Parliament passes the Bill, the Tribunal will be constituted. But what is more important is, implementation of the decisions of the Tribunal. That is possible only with the cooperation of the concerned State Governments and the people of the concerned States. Now, I know a number of instances and even the hon. Minister knows a number of instances wherein the Commissions have given awards—whether it may be in respect of river water dispute or territorial dispute—but the decisions of the Commissions have not been implemented. Sir, only yesterday, I read a report in one of the newspapers from our State that the hon. Minister has stated that the Centre has no executive authority to force any State to implement the decision of the Tribunals. So, what is going to be the fate of the award which the proposed tribunal will give? It is very important. So, I personally feel that in matters like this, it is better that the Central Government tries to bring about mutual agreement between the States concerned. I know, in a number of instances, the hon. Minister, Mr. Shankaranand has been

making that experiment with regard to inter-State water disputes. Many of the hon. Members have stated this fact. It is very necessary. Now, of course, the tribunal is being constituted, which is very necessary in accordance with the Accord. But at the same time, all avenues must be explored to see that a settlement is arrived at by mutual agreement between the States concerned. A mutual settlement is always ever lasting and it will also be good to all the States concerned. If it is a decision of the tribunal, generally our experience is that, it leaves behind bitterness, because all the States concerned—here in this case, of both the States Haryana and Punjab—it is possible that one State get the advantage and the other State may not get.

I strongly urge that when the Government frames the terms of reference, they should also see that a clause is added wherein the Commission will try to explore the possibility of bringing about mutual settlement. I hope the Minister will look into it. Another fact is, the Government should not ignore that while framing the terms of reference, they should be very very cautious. It should not become another Mathew Commission. It should not end in a fiasco like that Commission. That is why, it is very necessary that it should be very cautious with regard to the terms of reference.

About the Punjab Accord, everyone or every hon. Member is anxious that it should be implemented. It should be implemented not only in letter but also in spirit. It is necessary that we should bear in mind and particularly I urge the Akali Government led by Shri Barnala to see, because it is the responsibility of that Government as well as that of the Haryana Government to see that it is implemented in toto because the whole nation was shocked the other day when the Punjab Chief Minister announced on the floor of the Punjab Assembly that the SYL canal scheme cannot be implemented. He is reported to have said that “there is no surplus water in Punjab and so it cannot be implemented. That statement really shocked the people.

MR. CHAIRMAN : Why not you leave it to those people concerned ?

SHRI V.S. KRISHNA IYER : I would urge that it is very necessary that the accord should be implemented in toto. The whole nation is watching with interest what we are going to do with regard to the Punjab situation because it is connected with this.

The killings in Punjab must stop. All parties must give cooperation to Barnala Government to see that the terrorists who raised their ugly heads again should be contained.

With these words, I conclude.

[*Translation*]

SHRI DHARAM PAL SINGH MALIK (Sonapat) : Mr. Chairman, Sir, I rise to support the Inter-State Water Disputes (Amendment) Bill, 1986. much has been said on the subject and long speeches too have been delivered on it my submission is that mere delivering speeches will not do. You can prepare a book with the speeches but they cannot provide sustenance to the farmers and the people of Haryana and Rajasthan. I want to submit that in the entire dispute three things are very important. One is that the share of Haryana and Rajasthan in the SYL canal or Ravi-Beas canal waters has so far been determined seven times and it is the eighth time that we have been confronted with a tribunal. I would like to remind you that in 1955 when negotiations were held for the Indus Water Treaty with the help of the World Bank, this thing came in for consideration that the water to be taken from Sutlej, Ravi and Beas will be used for the southern and western parts of Punjab and the desert areas of Rajasthan. For this the Central Government gave Rs. 110 crores to Pakistan. According to that Treaty the water to these parts should have been made available by 31-3-1970 ; but a period of 16 years has elapsed and nothing has happened. In 1955, it was determined for the first time how much share of water will be given to Haryana. Subsequently, a Food Committee and Haryana Development Committee were

appointed. Both the Committees were appointed by the Punjab Government. Those Committees decided that 3.75 MAF water will go Haryana. The second Committee said that the major share of the bulk water which was to go to Punjab should go to those parts of Punjab which now form Haryana. At that time Haryana used to be referred to as southern Punjab or south western Punjab. In this way Haryana's share was determined thrice by that time. Haryana's share of water was determined for the fourth time when Planning Commission gave a note in the regard. The Commission had recommended that 3.74 MAF water should go to Haryana. In 1976 it was said that Haryana should get 3.5 MAF water. In 1981 an inter-state agreement was concluded between Punjab, Haryana and Rajasthan. In that agreement Haryana's share was determined at 3.50 MAF. Now, as a result of Rajiv-Longowal Accord, it will be for the eighth time that Haryana's share will be determined. In this Accord all these things, including the construction of SYL canal, have been included. Seven times the shares of Rajasthan and Haryana have been determined. We are also of the view that a Tribunal should be set up which should determine the shares of Haryana and Rajasthan, keeping in view the earlier recommendations. Regarding it Haryana, should be kept in mind that at the time of the Indus Water Treaty, Haryana was not a separate State. It became a separate State subsequently. Earlier, it was a part of Punjab. This has been the convention in India that when partition takes place between two brothers, the elder brother gives option to the younger brother to select the share of his own choice and in this way half of the share is given to him. But injustice has been meted out to us for the last 20 years. You can yourself see it.

Even if some Tribunal determines a share, what is the way to get that award implemented? Which method should be adopted to dig the SYL Canal? You can yourself see the statement of Shri Barnala? He had said at a place that what is the use of digging the canal when Haryana is not going to get water,

from it? Several Members of his Party are sitting here? Let Shri Ramoowalia refute it. If Haryana was not to get water then what for mention was made in the Accord about the construction of SYL canal determination of share of Haryana and Rajasthan.

Another thing I want to say is that when we were not to get water then what for Punjab Government has been given Rs. 110.5 crores and machinery worth Rs. 3 crores and why the Punjab Government went on accepting it? If I go to a shopkeeper and ask him to give certain commodity and pay Rs. 10 for that and if the shopkeeper after taking the money says that he does not have that commodity, what would that mean? I want to say that there is a deep conspiracy behind it. Had Punjab been in need of water and if Haryana and Rajasthan were not in need of water, we would not have felt sorry if Punjab had used the surplus water because Punjab is like our elder brother. But it does not need water which is evident from the fact that at the recent meeting of the Planning Commission, Shri Barnala had requested for more funds for flood control. At that time the Chief Minister of Haryana, Shri Bhajan Lal had said that if Punjab gives Haryana's share of water, the floods will automatically be controlled there. You can yourself get the position assessed by engineers. The water table in Punjab has gone up by two feet and the situation has deteriorated so much there that because of water logging vast stretch of land can become wasteland whereas in Rajasthan and Haryana people do not have even drinking water, not to talk of water for irrigation. There the people are crying for water. On the other hand the situation in Punjab is very grave. On the basis of all these things I would like to submit that I do not agree with the hon. Member who spoke before me that we should implement the Punjab Accord which will usher peace in Punjab. If you are of the view that disturbances in Punjab are due to non-implementation of the Punjab Accord i.e. Rajiv-Longowal Accord, then I would like to ask why Shri Longowal was killed? Shri Longowal was

killed those people who did not want the Punjab Accord to be implemented. They had not accepted the Accord. Shri Rajiv Gandhi has been of the view from the very beginning that somehow the dispute between Punjab and Haryana should be amicably resolved. But we have been observing that certain anti-social elements are raising their head. They want that there should be turmoil in this country. The disputes is not of Chandigarh and Fazilka. The intention of the extremists is somewhat different. You should observe their activities. If they had accepted the Accord Shri Longowal would not have been killed. The way things are happening and to say that there will not be any further digging of canal is not a happy thing. During the past seven years, Haryana dug that part of the canal which falls in its territory and spent a lot of money on it. But Shri Prakash Singh Badal himself went there with 500 workers of the Bhartiya Kisan Union and sat on 'dharna' at the SYL canal site and said that they will not allow digging of the canal. You can very well judge the position. I want to submit that if the intentions of the Akali Dal are clear and if it wants to implement the Accord then the extremists cannot stop its implementation.

If a handful of people want to destabilise the country, want to spread disturbances and want to disintegrate the country by illegal means then it becomes our as well as Akali Government's duty to curb such people.

If the Government want that Haryana and Rajasthan should get their share in real sense—because rivers are the national wealth and are not the exclusive property of any particular State, there are the property of the entire India—then on the lines of the Central Reserve Force, a force by the name of the Canal Reserve Force or Police Force or by any other name should be created which may look after the national wealth like rivers and other resources.

You have also seen that Bhakra canal was breached twice. Why it was breached twice in 1985? They did not benefit from it

[*Shri Dharam Pal Singh Malik*]

but they wanted that Haryana should be harmed. The result is that the water which is not coming there is going to Pakistan. They are happy if the water goes to Pakistan but Haryana, and Rajasthan should not get water. They are acting in this manner. I would like to submit that there should be a package deal in respect of digging of canal, transfer of Hindi speaking villages to Haryana and transfer of Chandigarh to Punjab. All the three problems should be resolved simultaneously.

I have given an amendment. I would like to say something about that.

[*English*]

MR. CHAIRMAN ; Nothing will go on record.

[*Translation*]

SHRI DHARAM PAL MALIK : **

[*English*]

MR. CHAIRMAN: Ch. Ram Prakash.

[*Translation*]

CH. RAM PRAKASH (Ambala) : Mr. Chairman, Sir, the Inter-State Water Dispute (Amendment) Bill has been presented in the House.

[*English*]

SHRI MOOL CHAND DAGA (Pali) : I would request you, Sir, to please ask all the hon. Members from the Akali Dal to just have a say so that we can reply or we can understand them. They are not opening their mouth. They must be called for. I hope that they must speak so that.. (*Interruptions*)

SHRI BALWANT SINGH RAMOO-WALIA (Sangrur) : We are pleading for maximum time. He is not realising our Limitations. We are again and again pre-suringising ... (*Interruptions*)

12.58 hrs.

[*Translation*]

CH. RAM PRAKASH : Mr. Chairman, Sir, Inter State Water Disputes (Amendment) Bill has been introduced in the House for which I thank the Minister who is fortunately sitting in the House. It is hoped that this Bill might provide solace to the people of Haryana, who are in distress. You have mentioned about the tribunal in this Amendment Bill and fixed its term at six months. I would request you to reduce its term from six months to three months because delay would only complicate the problem further and it may pose threat to the nation Since 1955, a number of commissions were set up for S.Y.L. Canal, Ravi, Beas and Sutlej Water disputes and they also gave their awards. I think all the commissions have given their awards in favour of Haryana and Rajasthan. They all said that barren areas of Haryana and Rajasthan are in utmost need of water and they should be given more water.

Mr. Chairman, Sir, you know that earlier we had to import wheat from America and in view thereof the Central Government had purchased water from Pakistan in 1960 by paying Rs. 110 crores. Punjab has no right over this water. Haryana and Rajasthan are the rightful owners of that water. Now Punjab complains that it is affected by floods and water logging. We demand that water should be given to us and I again say that all the commissions have decided in favour of Haryana.

I think on 31 December, 1981, all the three Chief Ministers of Haryana, Punjab and Rajasthan had decided in a joint meeting to let every state have its share of water. At that time Haryana's share was 3.5 lakh acre feet. Even after that the dispute remained unresolved. In February 1982 our late Prime Minister Shrimati Indira Gandhi, while inaugurating the SYL canal said that digging of canal should be completed early.

[SHRI SHARAD DIGHE *in the Chair*] [English]

SHRI BALWANT SINGH RAMOO-WALIA (Sangrur): It was inaugurated on 8th April, 1982.

CH. RAM PRAKASH: What was the time? Perhaps you did not comprehend it... (Interruptions).....

SHRI BALWANT SINGH RAMOO-WALIA: You are speaking as if you were in Jodhpur.

CH. RAM PRAKASH: I have visited both Jodhpur and Punjab. You talk about the inauguration. We did not get water. In spite of the agreement, we could not get a single drop of water. There is a couplet:

*Ae Aber dekh li humne teri dariyadili,
Tishnalav rakha magar ek boond Pani
ki na di.*

Everything was done and Shrimati Indira Gandhi inaugurated the Canal also. But Government of Punjab do not agree even with the Punjab Award which was signed by Shri Barnala, our Chief Minister and also the Prime Minister but they do not abide by the Accord. They have no faith in Wahe Guru or Gurudwaras or temples. They have no respect for brotherhood. They are not amenable to any advice or Accord.

[English]

SHRI BALWANT SINGH RAMOO-WALIA: I object to this. He is having infringement on my religious feelings.

[Translation]

This should not go on record. We have faith both in Gurudwaras as well as Wahe Guru. He said that we did not obey Wahe Guru. We seek your protection..... (Interruptions)..... It should not go on record..... (Interruptions).....

CH. RAM PRAKASH: Wahe Guru is God (Interruptions) Sardarji you listen to me. You talk about the Wahe Guru, you shot dead people even inside the Gurudwaras.

SHRI BALWANT SINGH RAMOO-WALIA: Sir, again he is trying to create... who has killed the granthi? Have I killed? Sir, protect me. He says you have killed the granthi. He should have said somebody has killed the granthi.

MR. CHAIRMAN: You give your personal explanation if there is a personal grievance.

I request the hon. Member to speak on the Bill.

[Translation]

CH. RAM PRAKASH: I submit that I talk very peacefully and honestly but if you talk like this, I too would lose control over myself. We can also do what you are doing in Punjab. I welcome it but I would like to stress that Punjab should have no control over the SYL Canal. This project is being financed by the Centre and as such it should either be under the control of Haryana or the Centre, because it is beyond their capacity. They want to starve Haryana and Rajasthan. They only want to have their way.

I would, therefore, request you that either its control should be handed over to the Army or to Haryana.

Secondly, we are apprehensive otherwise also because they are the people who had twice breached the canal supplying water to us from Bhakhra so that people of Haryana might not get water. They cannot be trusted in such matters.

As regards the criticism of our Chief Minister, Shri Bhajan Lal, can Shrimati Geeta Mukherjee or anybody else point out where he is at fault. Had Shri Bhajan Lal not been there, the Punjab situation would have repeated in Haryana and created problems for the Centre as well and later on engulfed the entire country. There cannot be a more brave person than Shri Bhajan Lal.

[English]

MR. CHAIRMAN : Don't address the Member Please address the chair.

[Translation]

CH. RAM PRAKASH : You may do whatever you like but you have to admit that during the last meeting held at New Delhi which was attended by your Chief Minister and by Shri Bhajan Lal also.

(Interruptions)

You raised issues which affected the entire country. You have provided hideouts to the foreigners in Punjab.

[English]

PROF. MADHU DANDAVATE : Sir, Bhajan Lal is a State subject.

[Translation]

CH. RAM PRAKASH ; You don't talk about them. It makes no difference whether Hindi-speaking areas remain with you or with us. We need water. (Interruptions) Listen to me.

MR. CHAIRMAN : Speak on the Bill.

[English]

Both of you please sit down. Do not address the Members. Please address the chair and speak on the Bill.

[Translation]

CH. RAM PRAKASH : Our Prime Minister Shri Rajiv Gandhi wants to make this country prosperous. Punjab, Haryana and Rajasthan have increased the production of foodgrains substantially. We used to import foodgrains from other countries but now we are exporting the same. Farmers of Haryana are hard working. Let me make it clear that if they put obstacles in the digging of SYL Canal, because it passes through

the Punjab, then they would also not be allowed to go beyond Rajpur. If they want to come to Delhi they will have to pass through Haryana. (Interruptions)

MR. CHAIRMAN : Your time is over.

[English]

SHRI BALWANT SINGH RAMOO-WALIA : Sir, he is speaking anti-national. He is creating bitterness among the Communities, Please stop him from making such remarks. He is creating bitterness among the communities. He is instigating the hooligans.

[Translation]

CH. RAM PRAKASH : Don't be excited. Every day people are being killed in Punjab. Your frenzy is destroying the nation. (Interruptions) The situation in Punjab can improve only if it is handed over to the army.

*SHRI CHARANJIT SINGH ATHWAL (Ropar) : Sri, Punjab is a State which has just one wealth that is the water of the rivers. It has no other asset which can help it to make progress. It has no gold mines no coal mines and no heavy industries ; in fact it has no such asset on the basis of which it can develop. River waters are the only asset and our elders have made great sacrifices in order to preserve it. I want to ask the hon. Members whether Punjab is not a part of India, whether the people of Punjab and particularly the Sikhs are not the citizens of India? The leaders of India use to go abroad and begg for foodgrains. Do they not feel happy today when they say that our country has become self-sufficient in foodgrains? It is because of contribution of Punjab farmers. Have they not contributed richly to the common pool? If all these are facts then I want to ask this hon. House as to why it is being thought to ruin and destroy that beautiful State of Punjab which is the granary of the world and city like Ludhiana which is known as

*The speech was originally delivered in Punjabi.

Manchester of India. People come to see the ancient monuments of Indian civilization like Nalanda and Texla University. Will the hon. Members of this House like that a few selfish persons who think on communal lines should destroy Punjab, the granary of India, and turn this city into ruins? Do you want that people from all over the world who used to come here to visit the ruins of Texla and Nalanda University should instead come to visit the beautiful cities of Punjab State in shambles. If the hon. Members really feel that the people of Punjab are hard working and they should be saved from destruction, then justice must be done to Punjab. I have already said that Punjab is riparian State both according to the international law and also the law of the land. I can say with confidence that the water of this riparian State has been looted. Before I start the tale of our misfortune I want to tell you that I am highly surprised at the manner in which water has been distributed.

Mr. Chairman, it was in 1954 that this water was distributed for the first time. The water of Satluj was distributed in 1954. It was meant to irrigate 16 lakh acres of land of the present Haryana. Water was given to Rajasthan to irrigate 9 lakh acres of land. (*Interruptions*) What I am saying is based on facts. I will not say anything which is wrong. Water was given to irrigate 16 lakh acres of land which is a part of the present Haryana. Rajasthan was given water to irrigate 9 lakh acres of land. You will be surprised that the present Punjab was given water to irrigate only 11 lakh acres of land. This is not end of story. In 1955, to our misfortune, a letter came from Washington. At that time Shri N. D. Gulati was the Chief negotiator. He sent a letter to the Government of India saying that a World Bank team was coming in order to prepare schemes for the full utilisation of the waters of the Punjab rivers, Satluj, Ravi and Beas about which there was a dispute going on. Mr. Chairman, you will be surprised that no scheme has ever been prepared with such expedition. The agenda was circulated but the decisions taken were outside that agenda. All this happened in

1955. It is our misfortune that the Irrigation Minister at that time never lost any opportunity to take revenge from the people of Punjab, particularly the Sikhs. The result was that on the basis of the 1955 letter, the water in Punjab was distributed. Accordingly, Punjab was given 5.9 MAF water, Pepsu was given 1.3 MAF and Rajasthan was given 8.00 MAF. In 1955, water was allotted according to this paper work. When the people of Punjab agitated and protested against it, then it was said that water was being distributed only on paper and not actually.

I would like to say one thing more in this connection. If a criterion helps the people of Punjab, particularly the Sikhs and Akalis, it will never be adopted. Only such a criterion is adopted which will harm us.

Narbada Tribunal was set up. It was presided over by a Supreme Court judge. Rajasthan applied to this Tribunal. Renowned advocate argued the case. The ultimate result was that it was said that Rajasthan could not apply as an inherent right. It was also stated that Narbada water cannot be given to Rajasthan because no part of Narbada touched Rajasthan. I want to submit that if water from Narbada could not be given to Rajasthan as an inherent right, can the water of Punjab rivers-Sutlej, Ravi and Beas be given to Rajasthan when no part of these rivers touches Rajasthan.

SHRI MOOL CHAND DAGA (Pali) : you have no dispute with Rajasthan. You also want that Rajasthan should get the same amount of water.

*SHRI CHARANJIT SINGH ATHWAL : I want to say one thing to the House. I do not want that Rajasthan should not get water or that Haryana should not get water. I want that Punjab should develop : Punjab should become prosperous. In the same way, I want that Rajasthan which is a desert State, should also progress. Don't be worried. I will offer my suggestion in the end. I want to submit that water was given

*The speech was originally delivered in Punjabi.

[*Shri Charanjit Singh Athwal*]

to Rajasthan in an illegal manner in 1955 and a vain attempt was made to give it a legal cover by inserting Section 78 in the Reorganisation Act. Mr Chairman, this section empowered the Centre to allocate water in whatever manner or in whatever ratio it liked. I think that this House cannot have passed such a Reorganisation Act which will apply to one State in one way and to another State in another way. But, in my opinion, an award was given in 1976 under the cover of this Section. Consequently, the paper proposal of 1955 was given legal cover taking recourse to section 78 of the Reorganisation Act. In 1976, the whole country was like a jail. It was done during the time of Emergency. When the Akali Dal Government came to power, it filed a case in the Supreme Court against it, The case was still going on when the Akali Government went out of power. After that in 1981, an Inter-State Agreement was arrived at. I think this Agreement was made under Section 78. As a result of the Agreement, Rajasthan's share of 8.00 MAF was raised by 6 points and made 8.6 MAF. Punjab's share of 3.5 was raised to 4.22 MAF. on papers, Now, you may be surprised and you may ask me that when in 1976 Punjab had 15.58 MAF water how it became 17.17 MAF in December 1981 when Inter-State Agreement was signed. Senior Members are sitting here. When we take the series 1921-22 and 1945-46, the water to be distributed was 15.58 MAF. 8.6 MAF was given to Rajasthan in 1976; not in 1976 but in 1981. (*Interruptions*). This is my reply when series of 1980-81 were available why the series of 1960-61 taken in to account.

Mr. Chaireman the House wants to know that the stand of our Government is and what the case of Punjab is in this matter. Therefore, you may kindly think about the time to be given to me. Please do not disturb me by ringing the bell. About the Inter-State agreement of 1981 I want to say that the agreement was in violation of the Constitution. Under Entry 56 and Article 262 of the Constitution Parliament is authorised only to make he regulation with regard to Inter-State rivers not like

the rivers Satluj, Ravi and Beas. Rivers Satluj, Ravi and Beas flow only through Punjab and no part of these rivers flows through Rajasthan and Haryana. Therefore the award given in 1976 was against the provisions and spirit of the Constitution. An award or treaty which is against the spirit and provisions of the Constitution cannot be valid in the eyes of the law. (*Interruptions*). Therefore, I want to say that the ratio which was raised on paper in 1981 and the agreement signed in 1981 were not according to the Constitution.

I want to reply to the points which have been raised by hon. Members. It has been said that water has been purchased from Pakistan. Water had not been purchased from Pakistan. The payment which has been made by us is not the cost of water. On the other hand it was given as compensation regarding the cost of essential works of diversion of water from the old canal to the new canals from Chenab and Jhelum to old Punjab canals. I think the hon. Minister did not look into this aspect while making a statement in Rajya Sabha. I think it is essential to quote the following lines from Indus water treaty Article V "In consideration of the fact that the purpose of part of the system of works referred to in Article IV(1) is the replacement, from the Western Rivers and other sources of water supplies for irrigation canals in Pakistan which, on 15th August 1947, were dependent on water supplies from the Eastern Rivers, India agrees to make a fixed contribution of Pounds Sterling 65,060,000 towards the costs of these works."

It means that the payment has been made as compensation for diverting the water from Jhelum and Chenab to the new canals.

Hon. Members from Rajasthan have referred to the treaty of 1960. The treaty making power vests only with the Centre under the Constitution. This treaty was signed between India and Pakistan and not between Pakistan and East Punjab. If the Constitution has given the treaty making power to the Centre, it has given some

rights to Punjab and other States also because a State is a component of India. The Constitution empowers one State to give water to any other State or a riparian State can give water to a non-riparian State. This is an Act which can be passed only by a State legislature. We have also constitutional rights. Therefore the treaty does not mean that the right that has been given to Punjab State about water has been taken away. The Constitution has given treaty making power to the Centre. If that is conceded, then the right given to the States by law has also to be maintained. The treaty does not effect that right.

One hon. member had said and I had also pointed out earlier that in order to give us a bad name...*(Interruptions)*.

[English]

SHRI MOOL CHAND DAGA : Is he speaking against the accord ? Shri Longowal has put his signature to it. Are you speaking against Clause (1) or the accord ? You kindly think about it. The statement is there. Had it been signed by Shri Longowal. They have agreed in paragraph 9(1).

MR. CHAIRMAN : Let him speak whatever he wants to.

[Translation]

SHRI CHARANJIT SINGH ATHWAL: Our friends here had said about the people of Punjab that we are prepared to send water to Pakistan but not to Rajasthan and Haryana. This is absolutely wrong and baseless. Perhaps they have not seen the records. After the completion of Bhakra Nangal and Pong dam not a drop of water has gone to Pakistan from Satluj and Beas. As regards Ravi, after giving water to Upper Bari Doab, Canal and Kashmir canal, the water which is left with us 1.87 MAF which is insufficient and is needed for Madhopur headworks. I think my friends will agree with me. No water from Ravi goes to Pakistan except in the rainy season that is during 3 months like July and August. 2.41 lakh acre^{feet} water goes

there. This can also be stopped. I want to tell my friends from Rajasthan and Haryana that if the Centre had given us the sanction for the completion of Thein dam and if the Thein dam had been completed earlier then our water would not have gone there. But the sanction for Thein dam had been used as a weapon against us. The Centre had thought that sanction would not be given if we did not accept the 1976 Award and the earlier distribution of water. It is true that the award was accepted in 1981. S. Darbara Singh put his signature over it. By doing so he proved that he was a true follower of Congress and very loyal to Bibiji but he sealed the destiny of Punjab for ever. As a result of this the sanction for Thien dam was given. But I want to submit that because of delay in giving sanction for Thien dam the water continued to flow to Pakistan. If my friends even now think as to why the water of Satlej and Beas goes to Pakistan during rainy season then we can open gates towards them...*(Interruptions)*.

CH. RAM PRAKASH : This water is not the property of the Central, Punjab or Haryana...*(Interruptions)*.

SHRI CHARANJIT SINGH ATHWAL: In 1964 Thein dam could have been constructed at a cost of Rs. 6⁵ crores. Now it may not be possible to construct it even with Rs. 780 crores. Therefore the Thien dam water continued to flow out due to the weakness of the Centre.

Now I would like to take a few minutes to say something about the SYL canal about which hon. members of this House make a lot of noise. As I have said earlier and as the Chief Minister has also stated, it is a fact that if you appreciate our problem, if the people of India understand our helplessness, you yourself will say that Punjab is really in great difficulty. It has no water which it can give to other States. *(Interruptions)*

Mr. Chairman we have 105 lakh acres of land which we cultivate and which is to be irrigated. Out of this we irrigate

[Shri Charanjit Singh Athwal]

only 45% land by canals and for balance 55% land we draw underground water through tubewells. Now there are 117 blocks in Punjab. Mr. Chairman, you will be surprised to hear that in 67 of these blocks it has been declared that no new electricity connection can be given to instal tube wells. There are about 32 blocks in which connections can be given only for some time but there are 20 blocks in which terrain is such that no tube wells can be installed. We irrigate 55% of the land with tubewell water. We should draw 3 MAF water but you will be surprised to know Mr. Chairman that we are drawing 12 MAF water every year from under the ground. As a result, the level of underground water is going down by 1 foot to 1 1/2 feet every year, according to Punjab University. As a result of this the farmers have to spend Rs. one hundred crores every year to install tube wells.

Mr. Chairman I have to make one or two submissions more. About SYL I would like to submit that the tribunal is going to be set up. It has to give its decision. It has yet to be decided what is Haryanas share, what Rajasthan was getting on 1.7.85 and how much water was to be used by Punjab. (Interruptions). Rajasthan's share of water will also be covered and considered and only after that a decision will be given. As I said in the beginning, we want that water should be given to Haryana and Rajasthan.

I will conclude by giving a suggestion. Water should be given to them but I do not want that water should be given to them by destroying Punjab. I want that they should also prosper. Therefore I want to give a suggestion. We believe that the water of Ganga is very sacred. All the people, particularly those who believe in religion, think that the water of Ganga is so sacred that by having a dip in it we are absolved of all our sins. If it is bliss to have a bath in Ganga water, the same water should be used for irrigating land. Mr. Chairman, I will conclude in one minute. That water should be brought to Haryana and Rajas-

than. (Interruptions). You must first hear me. Mr. Chairman, I must say that the water should be brought from Bhim Goda Weir point to Tajewala headworks and then Hissar, Rohtak and other adjoining areas of Haryana can be irrigated. In the same way water should be brought from Roorkee to Rajasthan feeder canal. We can make 200 mile long canal. Similarly, water can be brought from Ram Ganga project to Okhla Head works point and it can be supplied to Delhi and Gurgaon. I want to tell hon. Members that Ganga has 45 MAF water but only 3 MAF is utilised. (Interruptions). I want to give a suggestion. 42 MAF water comes from the mountains and flows into the sea. If that water is utilised for Punjab, Rajasthan and Harayana, Rajasthan and Harayana can get water and Punjab can also be saved and can continue to flourish.

With these words I thank you for the opportunity you gave me to speak.

[English]

SHRI CHIRANJI LAL SHARMA (Karnal) : Having heard this hon. Member from the Akali Party, the Opposition now should not say that the Government should implement the Longowal-Rajiv pact.

DR. G.S. DHILLON (Ferozepur) : Mr. Chairman, Sir, I rise to support this Bill. While supporting this Bill I do it out of the spirit of supporting the Accord which has been signed between Sant Longowal and our Prime Minister. I do not want to go from one end to the other like the previous speaker. I want just to confine myself to the Bill and to the points which are relevant and expected after the accord. My previous speaker was mixing in his speech about events of pre-accord and post-accord periods. I can just say that when this Bill comes, it comes in a spirit of implementing 9.1 and 9.2 of the provisions of the Accord. I confine myself to that. Unfortunately, after the partition in 1947 the irrigation system which was the best in Punjab, got divided. The best por-

tion of it went to Pakistan. Our Canal System of the United Punjab was one of the best in the world. After the partition the remaining part and less developed part which came to our part of India had to be developed by us. We had to develop it under united Punjab. We did not know at that time that the Punjab which come to our part after partition, the truncated State, will further be subdivided. We had no idea at that time about it. We started developing the state from a scratch. There was dispute with Pakistan. The matter was referred to arbitration. It went to World Bank. Our top most engineers were there to help in this matter ; that resulted in the Indus Waters Treaty and we are going ahead with that Treaty as the basis. Whether it be Haryana or Rajasthan or Punjab we cannot forget that, they are all part of one country. We are all part of one nation. We cannot ignore the fact that the dispute is between brothers and not between opponents like other nations. It is not a dispute between a nation and a nation. It is a dispute between a State and a State. There are so many disputes like Cauvery, Narmada and so on which come under the category of Inter-State Disputes.

The earlier part of the history regarding Rajasthan, its background and history, is not known to many. If Rajasthan had not agreed to the Indus Waters Treaty and agreed to eleven point something, the country as a whole would have been deprived of many benefits ; we would not have reached the present stage of development if Rajasthan had not supported us at that time. We have no quarrel with them. We are all brothers. Then the matter again came up in 1976. I happened to be a Member of Mrs. Gandhi's Cabinet at that time. The total water available 7.2 ; out of which 3.5 went to Punjab ; 3.5 went to Haryana and 0.2 went to Delhi for drinking water purposes.

Mr. Chairman, if I am not divulging the Cabinet secret of that time, one thing I can make it clear. The Chairman of the Water and Power Commission,

at that time, Mr. Murthy was of the opinion that the Punjab was entitled to a little more share, just only a fraction or so, of which Punjab has been deprived. But still the parties themselves agreed to it. Regarding this drinking water, we have no dispute. It went on. But you will be surprised that the Chief Minister at that time, the Congress Chief Minister, Giani Zail Singh protested against the award giving by the late Prime Minister, Mrs Indira Gandhi. I am quite sure even one of my colleagues who later became Chief Minister from the Congress Party too was not in favour of that agreement. But still in the broad national interest, Punjab accepted it. But what really surprises is, it was not a continuing quarrel. When our Party came to power, they had some understanding. This was the position at that time. A few months later, the Janata Party came to power, in 1977. Both the top leaders of their the Akali Party became Ministers. In 1977, only a few months after the award given by Mrs. Gandhi, they became the rulers. They joined the Cabinet of Morarji Bhai Desai. Sardar Prakash Singh Badal joined the Union Cabinet. He left the Cabinet office here at the Centre and went over as the Chief Minister of Punjab. And the present Chief Minister of Punjab joined the Morarji Cabinet and became the Union Minister of Agriculture and Irrigation and the subjects dealing with this very issue. We thought, if we have committed a mistake, then both at the provincial level and at the Central level, they had their own top leaders for first year passed for second year passed and so the third year. They did not speak about it. Nor was there any quarrel about Rajasthan. Nor was there any quarrel about the Indira Gandhi award. Nor was there any new proposal. As soon as we came to power in 1980 again they raised the matter, and again they raked up the old issues. We are quite landing ourselves in the present position. I am telling the facts. I am not distorting. If I have to distort, I could say so much.

SHRI BALWANT SINGH RAMOO-
 WALIA : After that award, we went to the Supreme Court.

DR. G.S. DHILLON : When you are going to the Tribunal, to the Supreme Court, why don't you go for a stay? My view is, let us forget about the past. Forget about what they did or we did as Ministers. The real matter is now to bring peace to Punjab. Your leaders have agreed to the provisions of the Accord. Nine of them have already been implemented. Only these two this tribunal and also another one have been left. Now, as no State had referred this matter to the Central Government, under the Inter-State Water Disputes Act, a special ordinance was promulgated. But as soon as the lacuna was discovered, both the States made a regular reference. That ordinance was withdrawn and the present Bill has been brought forward to amend the Inter-State Water Disputes Act. There is no difference. I really do not know what difference will it make, whether it will come this way or that way. The only difference is that instead of one judge of the Supreme Court, there will be three now one more Supreme Court and one High Court Judge.

Instead of one Supreme Court Judge under the Water Disputes Act, there will be three judges now and two assessors under the Inter State Water Disputes Act. When so much has happened and when we have covered so much ground, then why rake up old issues? There are several, more serious events and incidents coming up to engage our attention. We should be very happy that this is a blessing under which at least two or three outstanding disputes may be settled. We should welcome it. That is why, I thought I should request you also and Sardar Charanjit Singh Athwal that it is not a question to continue to quarrel over. Panjab being the pride of the country do not take it to your head that the word water itself belongs to word Punjab. The area of Punjab was extending right from Islamabad up to Delhi at one time. We parted with a major part of our irrigation system for those people and the present Punjab is not the same as has old Punjab. This irrigation system was handed over to us after partition. It is further divided into Himachal, Haryana and Punjab. You worked for it, Haryana

people got Haryana on platter because you agitated for Punjabi Suba and part of Punjab went over to Haryana. Beautiful places like Simla, Dalhousie, Kulu, Manali, Chamba and many other places went over to Himachal Pradesh, we all lost them and the catchment area of our rivers is in Himachal Pradesh. Suppose tomorrow there is some nuclear device and if the catchment arer is diverted to some other area, what will you do? Nobody knows it. When the division of Punjab came, you should have thought over this aspect at that time. Take the recent voting in Abohar and Fazilka. They voted for no because they wanted to stay in Punjab and they did not want to lose their water. Why not apply the same idea here in the dispute between Punjab and Haryana and Rajasthan and all the rest of it.

My request is to look forward to a more promising future peaceful and prosperous Punjab.

[*Translation*]

CH. SUNDER SINGH (Phillaur): Mr. Chairman, in 1946, Sayed Hidat was the head of the Government. When he left the scene, Dr. Ambedkar sent emissaries to us and exhorted us to join hands with Muslims to demand the partition of India. At that time I was the leader and I had a sizeable following. At that time the population of India was 34 crores. It consisted of 9 crores Muslims and 6 crores Harijans. Had we joined hands with Muslim league, there would have been neither Punjab nor Haryana. Dr. Ambedkar had said:

[*English*]

I was born as a Hindu. The blame was not mine. I prefer to die as Hindu.

[*Translation*]

Had we accepted his suggestion it would have been better and these disputes would also not have been there.

Now when India has become Independent, they are fighting for water.

*Aab Aab Kar Muyon Buchcha Ina
pharsiyon Kar gade Ik bar Tu Pani
Mangda Main Bhar Bhar dendi Pyale*

Both of them demand water. Don't you know that this water belongs to Hindustan. Why do you fight over it? It should go neither to Haryana nor to Punjab, it should go to the States where it is needed most.

Dr. Ambedkar sent an emissary to me, and I was asked to join hands with the Muslim league and demand the partition of India. I was brought to Rai Sahab Sohan Lal and there were nine persons with me. He told me that he had three bungalows one each in Shimla, Lahore and Delhi. He further asked me to form a Coalition Government with Muslim league with the promise that three of my followers would be appointed Minister — two Hindus and one Sikh. I told him that he had a lot of property, Whereas my sole property was sincerity and the wish to live in India. I spurned his offer. At that time India's population was 34 crores, out of which 9 crores were Muslims and 6 crores Harijans. Had we accepted the offer at that time there would have no Haryana or Punjab and it is the Harijans who would have got this water. So, what we have got today is due to our sacrifices. Harijans made this sacrifice. This water belongs neither to Punjab nor to Haryana; it only belongs to India. They fight like children over water. Water should go to area where it is needed. You believe in God. (*Interruptions*)

[English]

“Be a good cheer and believe that we are selected by the Lord to do great things and we will do them. Hold yourself in readiness. Be pure and holy and love for love's sake. Love the poor, the miserable, the down-trodden and god will bless you”. This is what Swami Vivekanand has said,

[Translation]

The water should go to the area where it is needed. It should neither be given to

Haryana nor to Punjab. It is my opinion. I support this Bill, I hope that my suggestions will be given due consideration.

[English]

SHRI INDRAJIT GUPTA (Basirhat):
The first question that arises in one's mind after listening to this debate is whether we are citizens of hostile and inimical to countries confronting each other or whether we all belong to the same country although we may be living in different States.

This dispute can only be settled and has got to be settled through some agreed and civilised procedure. It cannot be settled on the battle field. Though some provocative utterances which I deplore very much are being made — the intention may not be like that — but the only effect of that will be to escalate tensions particularly between Haryana and Punjab and escalation of tension is going on outside the House also on both sides. This is to be seen in the background and in the context of what is actually happening in Punjab. Also one cannot divorce this question of settling the water dispute in isolation from the general situation that is prevailing now in Punjab. In fact I apprehend that this whole exercise which is being made by this Bill may become irrelevant if the basic attitudes on both sides are not changed and if the attitudes remain what they are at present. If this kind of escalation of tension and mutual confrontation is allowed to go on, this whole exercise will be totally irrelevant. Therefore, I would first of all like to say that the Central Government the Prime Minister of this country being a signatory to the Punjab accord it is the bounden duty of the Central Government first and foremost to take all necessary measures to see that this Punjab accord is implemented faithfully. This responsibility cannot be shunted off by the Central Government on to the State Governments. Of course, they have their own responsibility too. But the central cannot just disappear behind the curtain as it were.

I would like to know what the Centre has been doing? Here they say in the State-

[Shri Indrajit Gupta]

ment of Objects and Reasons that the Tribunal contemplated under para 9 of the Punjab Settlement could not be set-up earlier due to certain unavoidable administrative reasons. It is a wonderful explanation to give. If you are serious about the implementation of the Punjab settlement and I think everybody at least admits that this Punjab accord may have some limitations in it; may have some deficiencies in it but that Punjab accord, if it is properly implemented, is the only hope that we have got at present for restoring peace and normalcy in a very vital border State of this country.

We should not forget the context in which we are operating and what is happening on the border and across the border. People who forget everything and allow their passions over-ride everything else will only help to create a situation which will be exploited by the worst enemies of this country. Everyday we are talking in this House about Pakistan, how they are lending a hand in stoking the forces of communalism and separatism but when we take up this question of water dispute in isolation we are sometimes behaving as though we have forgotten what is happening all around.

First of all I would like to have one or two clarifications from the Minister when he replies. First one being what is the basis of selecting this date of 1.7.1985, which is incorporated in the Punjab agreement, as being a sort of cut-off date? An assurance is given that the three States, viz., Punjab, Haryana and Rajasthan will not get water less than what they were using from the Ravi-Beas system as on 1.7.1985. What is the significance of this date? Is it purely an *ad hoc* date which was just selected or it has any particular significance? I am asking this question because one hears and reads reports of allegation that this particular date is a date on which I do not know whether it is fact or not—the quantum of water which was given to Punjab was abnormally high or was more than the average that they were getting. I do not know if this is correct but obviously

there must be some basis on which this date was selected.

Then in Clause 9 (2) of the Agreement it says that the Tribunal will be set-up. What will be its jurisdiction? First of all to verify the actual quantum of usage which took place on 1.7.1985. That is to be determined first. Having determined that the remaining waters now they will be distributed is the issue which will come up before the Tribunal, and I do not think there is any use for Members both from Haryana and Punjab arguing their case here. When the Tribunal is set-up they will be free to go and argue that point with all the documents and facts they can marshal about their case. That is what the Tribunal is meant to adjudicate about. After the quantum which was distributed on 1.7.85, has been verified, those remaining waters have to be distributed and how it is to be done, the Tribunal is to decide.

14.00 hrs.

SHRI VISHNU MODI (Ajmer) : The Tribunal has to decide about Punjab and Haryana share, not Rajasthan. But you are saying that the Tribunal has to adjudicate about their using and then the Tribunal has to decide about the remaining waters. Then Rajasthan does not come in the picture at all.

SHRI INDRAJIT GUPTA : That is right. I can't help it. I did not sign the accord. Nor did I draft the accord. You are quite right that Rajasthan was not mentioned. Though verbal assurances had been given many times that everything will be done to see that injustice is not done to Rajasthan, but that is a general phrase and I do not exactly know what it means. But my point is something else. I do not know whether this Bill, this amending Bill which is brought forward now is strictly in conformity with the terms of the Punjab Agreement or not? Why? Because the Punjab Agreement says that the decision of this Tribunal will be rendered within six months and would be binding on both

parties. But in regard to the Tribunal which is to be constituted under the Inter-State Water Disputes Act, with which we are concerned here, will the award of the Tribunal also be binding or will it be only recommendatory? I am informed that it is only recommendatory in nature. It is not binding. If it is to be binding, another legislation has to be brought forward to that effect.

SHRI SOMNATH CHATTERJEE (Bolpur) : Schemes have to be prepared and all that.

SHRI INDRAJIT GUPTA : First of all, no terms of reference have been framed yet.

THE MINISTER OF WATER RESOURCES (SHRI B. SHANKARANAND) : Not necessary. The law is already there.

SHRI INDRAJIT GUPTA : The terms of reference of this Tribunal are what the Tribunal is exactly expected to adjudicate about and they have not been specified by the Central Government. Besides some States, one or other of the disputed State is supposed to make the reference to the Centre for the setting up of the Tribunal. Apparently, nobody did it. Apparently, none of these parties concerned is anxious to go to the Tribunal. This is the whole trouble. Where does the responsibility of the Centre coming in if it wants to enforce the implementation of this accord? It is deciding through this amending Bill to set up a Tribunal under the Inter-State Water Disputes Act although neither Punjab, nor Haryana nor Rajasthan has asked for its reference.

Secondly, if the award of this Tribunal is to be not recommendatory but binding and I suppose it should be binding, otherwise is meaningless, nobody will accept or nobody who feels that injustice has been done to him will accept it and he may go to the and court challenge it. So, how is it to be made binding? Under the present Act, it is not binding, technically binding *if so facto*.

These points have to be clarified. There is no use rousing passions. I deplore very much what is going on outside. I shudder to think where this country is going, as if we are going to behave as if two enemy camps are preparing for some kind of show down. Is it a matter which is going to be settled like that? Can it be settled like that? We want the farmers of Punjab to prosper, we want the farmers of Haryana to prosper and we want the farmers of Rajasthan to prosper. They are all our brothers, part of this country and it is no use somebody arguing now that Haryana and Rajasthan are not riparian States because Ravi and Beas do not flow through their territory. This is no argument. Haryana was a part of Punjab. If Haryana is a part of Punjab, then it becomes riparian State because Ravi and Beas are there. If it is decided in all wisdom that Haryana should be separated from Punjab, then it ceases to be a riparian State. I mean that this may be some kind of legal quibbling, but this is not the way to settle the problem. Therefore, what I would like to know now is that that part of Punjab agreement is very clear that this canal, Sutlej-Jamuna Link Canal, has got to be dug and has to be completed by 15th of August 1986 and now there is such a big agitation going on by the extremists or whoever they may be, I do not know, I do not know whether their action is to obstruct the digging up of the Canal, already I think the work is at stand-still. There is no work going on. I hope the Akali friends, or the Government of Shri Barnala does not support that. They cannot support it. They should come out against the people who are obstructing the digging of the canal.

SHRI BALWANT SINGH RAMOO. WALIA : We do not support that.

SHRI INDRAJIT GUPTA : You cannot support that, because it is a violation of the accord Sant Longowal signed. Can you go against something which your own leader has signed and paid for with his own life? But the fact is that the canal is not being dug. And if that canal is not dug, then the whole exercise is meaningless, the exercise

[*Shri Indrajit Gupta*]

of distributing water. How will you distribute it? Nobody is saying that Punjab should be deprived of the minimum water which is its requirements. Nobody can support such a proposition. We do not support it.

We have had experience of one Commission, the Mathew Commission. It made a mess of the whole affair. It was the first Commission probably which ended up by saying that it was not in a position to give any finding, although its terms of reference were known to it very well before it started on that exercise. Certainly, it will be a violation of the Punjab accord, if only, one part of it is implemented, that is to say, that Chandigarh is unilaterally transferred to Punjab, without the other part being implemented, that is the transfer of some Hindi-speaking regions to Haryana. The two have to go together. I am not going into the Indira Gandhi award and all that now, because unfortunately that award was still-born. That award was given, but nothing was done to implement it.

The terms of reference of the Mathew Commission which flow from the Punjab accord do not mention a word about Fazilka and Abhor. It speaks about Hindi-speaking majority villages which should be transferred provided they are contiguous with Haryana. They did not specially either mention 'include' or 'exclude' Fazilka and Abhor, but the Mathew Commission has mentioned Fazilka and Abhor which, in my opinion, it had no business to do, unless it was going to give some findings. It made up its mind not to give any findings at all. Therefore, this question of some villages was very important for the people living there no doubt. Whether they should be on this side of the border or that side of the border, or the border will have to be redrawn in order to accommodate certain villages either this side or that side is a thing which can only be settled if there is a mutual good will and a desire for a peaceful and brotherly settlement, otherwise it cannot be settled by sabre-rattling at each other and behaving as if the Heavens will fall, if six villages go this side or that side. Are

we not living like that for years together in this country, not only in Punjab and Haryana, but in so many other States also? Are there not people living who speak certain language and their villages are located in a neighbouring State whose language is different? Have the Heavens fallen because of that? Are we not citizens of one country?

If this situation is to be tackled in the larger context of the country, all right thinking and sensible and patriotic people of all communities, whether they are Hindus, Sikhs or people of Punjab, Haryana or Rajasthan, whosoever they are, in the common interest of saving this country and the unity of this country, must come together; they must take steps to see that these types of disputes are settled by normal peaceful and fraternal processes and not by rousing people against each other as though they are enemies. This will be fatal for the country's security and for its future.

I regret very much that some speeches have been made here in such a tone which may help the speaker to get some votes in his own State, but if that is their only concern, even when they become Members of the Lok Sabha, that is, how to get some votes in their own State and let the whole country go to dogs, this kind of attitude and atmosphere will have to be changed and for that serious attempts will have to be made. The Central Government has to play its part now. It cannot be a signatory to the accord and not take its full share of the responsibility to see that this accord is properly implemented.

[*Translation*]

SHRI MOOL CHAND DAGA (Pali):
Mr. Chairman, Sir, It was a pleasant thing to hear the Member of Akali Dal when he was expressing his views. All of us are aware of this fact that India is as much proud of Haryana as of Punjab and for that matter any other part of the country. India cannot forget the sacrifices made by you and even now India is proud of Punjab. We do not

have any dispute with each other. Sometimes, political leaders, who have an eye on the ballot box adopt a hostile posture. Therefore, we do not have any dispute. There may be difference of opinion between Punjab and Rajasthan or Rajasthan and Haryana but we are one. We have to abide by the Indus Treaty of 1960. Once, Pt. Nehru said before the World Bank ;

[English]

“The available surplus of Ravi-Beas Waters was distributed between Rajasthan, PEPSU and Punjab in 1955. Later on PEPSU was merged with Punjab...”.

[Translation]

Pt. Nehru further added :

[English]

“The entire case of India before the World Bank was based on the demand of water for Rajasthan Canal, as will be clear from Prime Minister, Jawahar Lal Nehru’s letter of 11th July 1960 to President of World Bank emphasising that ‘Rajasthan Canal is of vital importance to us and our planning is based on it. Any great delay in providing adequate supplies of water to this canal would create very difficult political, social and economic problems for us’.

[Translation]

This is what Jawahar Lal Nehru had said. Ravi, Beas and Sutlej were the eastern rivers and Jhelum, Chenab and Indus were the western rivers. Mr. Chairman, we know that people of Punjab are brave. We have high regard for the members of Akali Dal not only because they sport a beard but also because of their large heartedness. Even the people of Rajasthan are proud of them.

Mr. Chairman, this Treaty was not concluded at our behest. It was a division between two brothers. The Treaty was concluded in 1955, and it was decided that Punjab could utilize the water till the

Rajasthan Canal was not completed. Punjab also agreed to release the water after the canal was completed. That canal has been completed after spending Rs. 2000 crores. Now, Punjab should give this water to Rajasthan willingly. The Chief Minister had signed an agreement on 31st December. This is not a question of a challenge. The decision was taken on 31st December, 1981 and earlier it was taken in 1955. But now people allege that we are quarrelling. We speak a bit loud but we are tender at heart. That is why we snub the people, who try to intervene. If the people are being killed in Punjab, the representatives of Akali Dal feel it deeply. Yesterday, I read in the newspapers that they also took out a procession. We shall have to see the spirit behind the Rajiv-Longowal Accord concluded on 24 July, 85. Clause 9(1) and 9(2) of the Accord are very clear. As regards verification, it has been written there—

[English]

It is a question of verification ; it is not a question of adjudication.

[Translation]

‘Adjudication’ word is not used there. It is a question of verification only. I want to read it for you’.

[English]

“The farmers of Punjab, Haryana and Rajasthan will continue to get water not less than what they are using from the Ravi-Beas system as on 1.7.1985. Waters used for consumption purposes will also remain unaffected”.

[Translation]

This question cannot be a matter of dispute. Shri Longowal had the heart of a true ‘Sardar’ and he had shown great courage in signing the Accord on 24th July to maintain the national unity and integrity of the country. This day would be recorded in history as the day on which the historic Accord had been concluded. The entire House had applauded the signing of this

[*Shri Mool Chand Daga*]

Accord. If any error have been committed after the Accord was enforced, that is a different matter altogether. The second question is why should we, the representatives of Rajasthan, intervene. Rajasthan Canal will be completed in due course. There may be a water-logging problem in Punjab, as your Minister has said, but there is scarcity of water in Rajasthan. The water table in Rajasthan has gone considerably. There is an acute problem of scarcity of water in Rajasthan. You have well remarked that we are dependent on rivers. These rivers are national waters and are, therefore, the property of the nation. Pandit Nehru created those national assets by signing an agreement with the World Bank. All of us were a party to the agreement. Besides, you very well know that there is no such question in the Punjab Reorganisation Act of 1978. The question is "of verification". Then why are you confusing it? You have even provided in the Accord that Delhi would be provided with drinking water. Shri Longowal sacrificed his life for the integrity of this country. To condemn someone behind his back or to rake up old issues will not be beneficial for either of the parties. We should let bygones be bygones. We should forget the old issues and must march ahead. The agreement signed in the year 1981 is binding on everybody including the Tribunal because the Tribunal had stated that it would verify the facts. I do not understand from where you have introduced the term adjudication. Whatever is written about 'remaining waters' in clause 9(2) is very clear.

Therefore, Sir, as Shri Dhillon had suggested and we also want, action must be taken for the quick implementation of the Accord. But to shed blood or deliver speeches in regard to this matter can only be the work of the Opposition, who do not get enough votes. We should be wary of the people whose main aim is to get votes by swaying the masses. I think when the innocent people are killed in Punjab, every Sikh must be feeling its anguish at night. Mr. Chairman, Sir, if someone speaks against this Accord we must not encourage him at all. You should not

surmise that we have been fighting amongst ourselves. We speak in a loud voice, because we consume pure desi Ghee and not vanaspati Ghee. In our area, Vanaspati is not popular because a large number of cows and buffaloes of good breed are available there. Also, there is no water logging problem in our area. We must say just one thing, that the Punjab Accord which was signed with Shri Longowal must be implemented in letter and spirit, because-

[*English*]

Actions speak louder than words.

[*Translation*]

Therefore, Sir, I wish that the management of Bhakra and Beas should be taken over by the Central Government. When Shri Morarji Desai was the Prime Minister and Shri Barnala was a Minister in his cabinet, it was demanded that the management of the headworks of Harike, Ferozepur etc. should be handed over to the Centre. Let us not rake it up because it was the fault of the bureaucracy which is sought to be thrust on you. If the people of Rajasthan say that Punjab is unwilling to release surplus water, can we get away by saying that the fault lies with the machinery? Let the centre take over the management of the three headworks, and see how well the waters are distributed. It is true that many times errors are committed by the Government officials and we are accused of it. Kindly entrust the management of Bhakra and Beas along with that of Harike, Ferozepur and Ropar to the Centre, because the Centre is a signatory to the Accord.

Mr. Chairman, Sir, you have rung the bell at the opportune moment. But kindly refrain from obstructing the discussion as it is on a very important issue. Coming to the question of excess water, if you do not want the canal to be constructed, you may spell it out. However, it is not your fault as you are grappling with the problem of terrorism. We shall never say that we do not recognise the Punjab Government; in fact, we wish the Barnala Government to continue and we would render all help in that direction, so that every part of our

country grows stronger and consequently our nation also gains in strength. But the question is how far is it proper to go back on one's word and indulge in the politics of vote. These facts are the root cause of the disputes everywhere. The clause 9 (1) of the agreement is very clear, and the Tribunal has already fixed a cut off date and all the agreements signed prior to that day would be verified and excess water would be justly distributed. Therefore, no injustice has been done in regard to this matter. It is essential that both the parties must abide by the 1981 Agreement in which the sharing of waters is mentioned in unequivocal terms. After presenting that in the House, I would not take any more of your time. I shall take my seat as per your orders ; because the Punjab Accord can be implemented only when all the parties observe discipline. So I must also deserve discipline.

Coming to the point of sharing of the waters again, I would like to reiterate that I have learnt a great deal from Shri Pandey and from Sardar Sahib's speech. According to the agreement, the share of Punjab, Haryana, Rajasthan, Delhi, Jammu and Kashmir is 4.22, 3.50, 8.60, 0.20, 0.65 million acre feet respectively. Four more things are applicable on it but not a single one of them has been implemented. To err is human but to support an error is the work of Satan. It is not wrong to point out a mistake and we should accept it with grace. Similarly, the agreement clearly mention that the management of the Headworks would be handed over to the respective states. Kindly state when will you effect the transfer. You mentioned that excess water shall be put to use, but even if after the completion of the canal, which would cost Rs. 2000 crores, the Headworks are not handed over, then what is the use? That is why, we should not pay much attention to the earlier agreements, but concentrate on the implementation of the Accord that took place on 24th July 1985 between Shri Longowal and our Prime Minister. We should act according to this Accord and effect the distribution in a manner as if it were between two brothers. It is not a question of the quantity of water, but the question of goodwill. All the waters are

national property, that is why fellow feeling is most important.

SHRI ABDUL RASHID KABULI (Srinagar):
 Mr. Chairman, Sir, I have listened to the views of both the sides regarding the issue of Punjab river waters. I think the Central Government and the States must put their heads together to resolve the differences specially in the present circumstances when the Punjab is burning and that fire would certainly engulf the adjoining areas of Haryana, Himachal Pradesh and Jammu and Kashmir, unless the water problem is solved satisfactorily. I would like to say to the House, through you, Sir, that when Punjab was united and had not been partitioned, the Central Government had paid a huge price to the Government of Pakistan so that India could use the waters of three rivers and the other three rivers were allocated to Pakistan. I regret to say that when the Indus water treaty was signed, Jammu and Kashmir was completely ignored. Mr. Chairman, Sir, I would like to say that Indus, Jhelum and Chenab rivers were given to Pakistan. I would like to question the right of the Central Government in this connection, because no compensation was paid to Jammu and Kashmir, when the source of the rivers, the catchment areas are in this State. Although the rivers emanate in our State, yet they are flowing into Pakistan. At that time Pakistan received 174 million dollars from India and 1000 million dollars from the World Bank, USA and other big countries to enable it to meet its requirement of constructing its own canal system to utilise the waters of the three rivers as also to solve the problems that could arise in our country if Pakistan stopped the flow of rivers into India. In this way their problem was solved. But it served as a hindrance to Jammu and Kashmir. I would like to inform that under the Salal Project, a big dam was proposed to be constructed to meet the water requirements of nearby areas and to produce more electricity, but that Treaty came in the way. A Pakistan Commission visited India and saw it. Later on you had to alter your original proposal.

I would like to ask the Government from where our water requirements will be

[*Shri Abdul Rashid Kabuli*]

met when our requirement for water increases? Under the Indus Water Treaty you have given water to Pakistan but what will happen to our own requirements ?

So far as the question of Jammu and Kashmir is concerned, it has fallow land but it can produce a lot. In the thein dam, you have not given us substantial share whereas the Ravi river, on which it is constructed, touches the borders of Punjab, Himachal and Jammu and Kashmir. You must also think that when we require more water for our Jammu and Kashmir Projects in future, what will happen.

So far as Punjab, Haryana and Rajasthan are concerned, I think it is a big problem. I think Punjab, Rajasthan and Haryana have equal right over it and justice should be done to all. But the agreement must be implemented. This tangle cannot be solved by appointing Tribunals and by holding lengthy discussions. Shri Indrajit Gupta has rightly pointed out that the speeches being made in the House may increase the tension. Problems faced by Punjab and nearby States at this juncture will not be solved by the tribunals. Even if a recommendatory agreement is concluded, any State can torpedo it or sabotage it by obtaining stay orders from the Supreme Court and our whole exercise will become useless.

I would like to say that today the need of the hour is to restore peace in the Punjab and to stop the killings and bloodshed by the extremists. Under such circumstances it is necessary to strengthen the Akali Government in Punjab and it appears from the steps taken by the Central Government during the last 2 to 4 days that our Prime Minister wants to strengthen the hands of Shri Barnala. if we have to save the Punjab, which is burning, we shall have to strengtean the Punjab Government which is an elected Government. It is facing the situation very boldly and courageously. I think, under such circumstance, any other Chief Minister would have resigned. We should congratulate and pat the Akali Government for working under such adverse and trying

circumstances to save the country. I think the solution of the Punjab problem is linked with the success of the Akali Government in Punjab.

After the Operation Blue Star and imposition of Army rule, we saw that situation there had further deteriorated. It caused anguish to our late Prime Minister, Shrimati Indira Gandhi and I remember, she said that healing touch was required. We have to admit that besides the damage caused by the Operation Blue Star, a fear psychosis had developed among the Sikhs who felt insecure. This is the community which had sacrificed a lot for the nation. Both Punjabi Hindus and Sikhs had made sacrifices to defend the borders of the country. Whenever there was war, these brave Sikhs had sacrificed their lives and property for the sake of the country. I want that this issue should be seen in correct political perspective. Appointment of the tribunal is not enough ; you must restore peace there. Today, the people of Punjab are disheartened and distressed. That is why we have to curb the activities of the terrorists. If we want to curb the activities of such elements we shall have to instil confidence among the Hindus and the Sikhs so that they may think themselves as part of this country.

There would be no conflict, if peace is restored there and a spirit of mutual understanding is created among the people. This Water dispute can be solved in a single meeting. I would like to tell Rao Birendra Singh that it is not a big problem. Punjab, Haryana, Himachal, Rajasthan and Jammu and Kashmir all are like brothers, these are not different nations. They are part of a great country. This Problem can be solved if all of us sit together and find a solution. We must solve the Punjab tangle before we try to solve. the water dispute.

I would like to point out here that the Central Government have also committed some mistakes in regard to the Punjab problem. It was announced with great fanfare that Chandigarh would be transferred to Punjab on 26th January. When you had in your mind that there would also be

simultaneous transfer of the villages to Haryana, there was no need to overact in the matter. The way the Chandigarh issue was kept in the limelight and the way the Prime Minister made commitments, at various platforms and Press conferences, resulted in an anti-climax. Thereafter, the entire issue was referred to the Mathew Commission which could not resolve the issue. I say that such commission** I am of the opinion that Mathew Commission should have worked sincerely to find out a solution. The Commission should have given its decision on the basis of its terms of reference so as to solve this problem. I would, therefore, request you that the Punjab Accord should be implemented honestly and sincerely. Akali Government in Punjab should be strengthened. You should not take undue advantage of its weaknesses. All parties should cooperate with them. Earlier also, we had requested that the hands of the moderates should be strengthened. It is dangerous to weaken them.

THE MINISTER OF PARLIAMEN-
TARY AFFAIRS AND TOURISM (SHRI
H.K.L. BHAGAT) : For whom did you
use the words** ?

SHRI ABDUL RASHID KABULI :
For the Mathew Commission.

SHRI H.K.L. BHAGAT : To Com-
mission** ?

[English]

SHRI ABDUL RASHID KABULI : I
don't mean that. The Commission means
the persons who are heading the Com-
mission.

SHRI H.K.L. BHAGAT : I hope you
don't mean that and you understand what
you are talking.

(Interruptions)

MR. CHAIRMAN : This expression
is undignified. I will expunge that.

SHRI H.K.L. BHAGAT : Are you
advocating violence ? I know you don't
mean that.

SHRI ABDUL RASHID KABULI :
No, no.

[Translation]

I am saying it in a different context. I
was trying to point out the deteriorating
conditions in Punjab. These have wors-
ened because of the issue of Chandigarh,
Abohar and Fazilka.

[English]

SHRI H.K.L. BHAGAT : Now, I think
you are correcting yourself.

[Translation]

SHRI ABDUL RASHID KABULI :
The Government should own responsibility
for the deteriorating conditions in Punjab
as a result of these issues which have not
been solved for a long time. They should
own responsibility for the death of thous-
ands of people because of the delaying
tactics of this Commission. I feel when the

Government do not have a clear, cut policy
in this regard or do not want to follow a
principled line, they should own responsi-
bility for the happenings in Haryana, Punjab
and Himachal Pradesh where people are
being killed and their houses burnt. Some-
body should own the responsibility. The
Central Government as well as the
Commission should partly share the respon-
sibility. The Central Government should
own responsibility because the Punjab
Accord is not being properly implemented.
In this connection, I would like to add that
so far as the constitution of a Tribunal in
this regard is concerned, I am fully in
its favour.

We are keen in getting the Punjab pro-
blem solved because it has resulted in ruin-
ing four tourist seasons in our State. The
solution of the Punjab problem is vital to
our survival. Rao Birendra Singh pointed
out earlier that if Haryana did not get ad-
equate water it would pose a threat to their
survival. I once again emphasize that the
Punjab problem has become a matter of
life and death for us. Punjab is our life
line. Our industry depends entirely on the

** Expunged as ordered by the Chair.

[*Shri Abdul Rashid Kabuli*]

transport which passes through Punjab. The tourism industry in the State is ruined as we have not been able to earn foreign exchange for the last four years. I, therefore, urge the Central Government to improve the conditions in Punjab so that not only the problem of water in all the States is solved, but also our State is saved from further ruination. For the last four years, the people in our State have suffered and the poor have become poorer.

SHRI G. L. DOGRA (Udhampur) :
Mr. Chairman, Sir, I did not want to say much in this regard but after listening to Kabuli Sahib's speech, I thought, it proper to express my views on the subject in the House. Prior to Kabuli Sahib, Shri Gupta and Shri Dhillon spoke on the subject and had created a conducive atmosphere. Shri Kabuli, while supporting the Bill, raised such issues and gave such a twist to the issue that I feel it was in bad taste. Though he is an experienced person yet he went astray. It is true that a Treaty was signed between India and Pakistan on river waters and the interests of Jammu and Kashmir were adversely affected because of it. These things are badly affecting the people in the State. Though we are making progress yet the ill-effects of the the aforesaid agreement are badly affecting us. But this was a secondary issue.

The two signatories of the Accord were the Prime Minister and Sant Longowal and, therefore, I feel that so far as the Accord is concerned, there is no need to give a historical or emotional speech or praise anyone because it will not alter the situation. The bone of contention is how much water has been assured. A Tribunal is proposed to be set up to ensure that the States should continue to get the same amount of water as they got on 1.7.1985 and the surplus water should be equally distributed among them. There is no dispute over this issue. It is also true that until Thein Dam is constructed the States will not get full quantum of water. Till then Punjab, Haryana and Rajasthan will not get adequate Water to meet their requirements. Therefore, early completion of Thein Dam is highly essential. At present the Punjab Government can claim that this much quantum of water is theirs. Now the rivers are emanating from

Jammu and Kashmir or Himachal Pradesh but passing through Punjab. With the construction of Thein Dam, even rain water would flow into the dam. May be at that time, the States which have invested huge funds in this project would demand that it is their right to utilise the water from the Dam. That is a matter of approach and nobody should get emotional. I do not agree with the views expressed by Shri Kabuli in his speech that we should try and appease Punjab and forget about Haryana; later on he concluded that it was a matter between Punjab and Haryana. The people of Punjab have made numerous sacrifices for the country. They have fought for the Country whenever it was threatened and they will fight in future as well. The present Government in Punjab should be assisted in all possible ways to bring the situation under control. Let bygones be bygones. I think making statements regarding the past will not lead us anywhere but it would only add to the illwill.

I, therefore, urge the Government to complete Thein Dam as early as possible and it should have maximum storage capacity. The land likely to be submerged as a result of construction of Thein Dam belongs to Jammu and Kashmir, Punjab and Himachal Pradesh. Many people in our State will be rendered homeless and they will be deprived of their land due to it. The planning of Thein Dam was done in haste and the same is incomplete and those who took decision in this regard, did not weigh its implications properly. I, therefore, request the hon. Irrigation Minister to review the implications. Merely providing compensation to the affected people will not serve the purpose. If they are not provided with alternative sites for housing where will they go? If they do not have roof over their heads they will become homeless and the Government does not have any right to make anybody homeless. Therefore, the concerned authorities of Thein Dam, probably the Central Government should look into it and arrange to rehabilitate these people.

I want to say a few words about Basauli which is an ancient historical place. It is 20 kms. away from Thein Dam but the decision in respect of the Dam will increase

this distance to 200 kms. This would result in great hardship to the people. Now the people will have to come to work from Jammu and Kathua which is district Headquarters. This is not good thing that people will be forced to cover 200 kilometers instead of kilometres at present. Nobody has a right to take such a decision—whether it is Central Government, Punjab Government or the Jammu and Kashmir Government. There is only one solution and that is to construct a bridge between Basauli and Bhatwa in Punjab. This should be the responsibility of the Thein Dam Authority. On the one side there is the embankment of Dam and that side should be utilised for movement of traffic and on the other side a bridge will have to be constructed. Earlier, this was not planned. The decisions were taken under pressure forced by circumstances. Therefore, there is need to see its implications. Therefore, I request the hon. Irrigation Minister to constitute a committee of experts to look into all these matters particularly to make provision for those who will be rendered homeless and take steps to rehabilitate them. There is an urgent need to take a decision with regard to construction of a bridge. This bridge should be constructed and only then can Thein Dam be constructed. The objective behind the construction of Thein Dam is to bring prosperity to people and not to ruin them. Punjab, Rajasthan and Haryana are staking claims to water on the plea that such and such part is without water. Our requirement of water must also be met. Every one wants that their requirement of water must be met in full. If the Thein Dam is to be constructed after submerging lands, destroying a historical township, it would not be beneficial to anybody. So we have to be very cautious. The Irrigation Minister and the Central Government must direct its attention to this fact.

SHRI C. JANGA REDDY (Hanamonda):
 Mr. Chairman, Sir, the Inter State Water Disputes (Amendment) Bill is being discussed in the House. Earlier, Ravi Beas Water Dispute Bill was introduced to replace the Ordinance. But that bill was later on withdrawn. I would like to ask why was it withdrawn? We have no information in this regard. I do not see who the Agreement reached between the three Chief Ministers is

being again reopened. What are the reasons for it. Why is an amending Bill being brought to appoint a Tribunal for implementing the Rajiv Longowal Accord of 1985? Are the extremists or the terrorists indulging in violence, because they want a larger share of water for Punjab? Are they facing the problem of unemployment? Why is the Government trying to create another problem instead of solving the present one.

If the extremists and terrorists are indulging in violence because they do not have a satisfying share of water, then of course, the people of Rajasthan and Haryana can be told to sacrifice their share. As Punjab is a border state, a good number of people of this state opt for employment in the army. Being in the army they are committed to a noble cause of defending the country, but this cannot serve as a reason for demanding more share of water.

Why has the Agreement in respect of the distribution of water signed in 1981 has not been implemented so far? Now the Tribunal proposed by this Bill is only recommendatory in nature and not statutory. If any of the concerned parties disagrees with the recommendations made by this Tribunal, then the same can go to the Supreme Court. That is why I would like to know why the earlier Bill was withdrawn. I think that the bill was withdrawn due to same political Pressure. If they wanted to take a decision, the Bill should have been passed and the distribution of waters could have been effected as per the provisions of the Bill. But some vested interests came in the way. What I am trying to say is that in case the recommendation of the Tribunal had not been favourable to any of the parties or detrimental to its interest it could have approached the court and appealed against the award. Instead, what is happening is that an agreement was signed in 1955, another in 1981 and again the same issue is being reopened. If the decision goes against Rajasthan and Haryana, they can very well approach the court. But Government have advanced the plea that the Bill has been brought to ensure nation's security, unity and integration and to bring Punjab in the national mainstream. Will the slogan for 'Khalistan' or terrorism end with a different distribution of

[Shri C. Janga Reddy]

the river waters. I do not agree to the argument that the transfer of Chandigarh and increased share of water to Punjab will put an end to the extremists activities in Punjab. These extremists and terrorists are encouraged by religious fundamentalists and external powers who are interested in disintegrating India and our Akali friends are trying to increase their share of water by using the leverage of violence in Punjab and are acting against the legitimate rights of Rajasthan and Haryana guaranteed to them by the 1981 Accord. The people of Haryana and Rajasthan can also start a peaceful agitation not on the line of terrorists but on the line of Mahatma Gandhi's concept of satyagraha. I wish to reiterate that the problem in Punjab is not due to the issue of Chandigarh or river waters. The Punjab problem requires a political solution. We must identify the people behind it and also ascertain their demands. We must try to find ways and means to solve the problem. We are prepared to hand over Chandigarh to them if the extremists guarantee that the Punjab tangle would be solved by this transfer. But it is not true. We fail to understand who is the ring leader of this movement. It was felt that with the Punjab Accord with Longowal, the extremist and terrorist problems in Punjab would come to an end and there would not be any demand for Khalistan. But Longowal was assassinated and incidents of terrorism increased thereafter. More and more people are being killed everyday. Earlier only a select set of people were attacked, but now even the innocents are not being spared. Are these people being killed for transfer of Chandigarh or for the demand for more water? It is naive to think on the above lines. We have to put an end to these everyday killings. We have to think in a different direction and find a political solution to the khalistan issue.

Even in South there are river water disputes. Talks are going on regarding the distribution of Cauveri river water and the Telegu Ganga Project. These rivers belong to the nation and are not owned by any State. That is why I suggest that these rivers should be considered as national rivers. The distribution of river waters should not be treated as inter state dispute. All the rivers should be under the control of the Central

Government, which should allocate waters according to the needs of each state. The centre can maintain the unity and integrity of this country only if it invests itself with this power.

15 00 hrs.

You are aware that there are river water disputes between Karnataka and Andhra in the South; and between Maharashtra, Madhya Pradesh and Andhra for the sharing of the river valley. Why do these disputes take place? The reason is that *ad-hoc* decisions are taken, and there is neither a Central board nor a Central Committee to effect distribution.

Therefore, if the Government is interested in solving the water disputes between various states it should develop all the major rivers as national property and allocate water according to the genuine needs of each state. It should not take *ad-hoc* decisions. They have to think of a permanent solution at the national level about the problem of river water distribution. If they want to appease the terrorists then it would not solve the issue. If they want to resolve the tangle with the help of the Tribunal, we shall extend our cooperation.

But the Tribunal would hardly help in solving the problem. A political solution can alone help. Again, if under the pressure of terrorists or Akalis any Agreement is reached and the interests of Haryana and Rajasthan are ignored it would give rise to another problem.

15.02 hrs.

STATEMENT RE LOSS OF TWO
AN-32 TRANSPORT AIRCRAFT

[English]

THE MINISTER OF STATE IN THE DEPARTMENT OF DEFENCE RESEARCH AND DEVELOPMENT (SHRI ARUN SINGH): Mr. Speaker, Sir, With profound regret I wish to inform the House that two Indian Air Force AN-32 aircraft are missing since 22nd and 25th March, 1986, respectively. They have not yet been