

2900 was allowed instead of the scale of Rs. 1400-2600 earlier sanctioned on the basis of the recommendations of the Fourth Pay Commission.

(b) Yes, Sir.

(c) As the considerations on the basis of which the recommendation of the Fourth Pay Commission in regard to the pay-scale of Assistants/Stenographers Grade 'C' was modified are not relevant in the case of Upper Division Clerks, the demand was not found acceptable and there is no proposal to revise the pay scale of UDC

STATEMENT CORRECTING REPLY TO  
UNSTARRED QUESTION NO. 794 DATED  
29-7-1991 REGARDING UNAUTHORISED  
OCCUPATION OF LAND IN DURGA  
PARK, DELHI

THE MINISTER OF STATE IN THE  
MINISTRY OF URBAN DEVELOPMENT  
(SHRI M. ARUNACHALAM): In reply to the  
question cited as subject, against the words-  
"Delhi Development Authority has re-  
ported that Durga Park is an authorised  
colony"

it may read as under:-

"Delhi Development Authority has re-  
ported that Durga Park is an unauthor-  
ised colony"

The mistake had occurred due to typo-  
graphical error and could not be detected  
earlier due to over-sight.

Inconvenience caused to the Sabha is  
regretted.

12.00 hrs.

STATEMENT BY MINISTER

Cauvery Water Dispute

[English]

THE MINISTER OF WATER RE-  
SOURCES (SHRI VIDYACHARAN  
SHUKLA): After the Cauvery Water Dis-

putes Tribunal pronounced its Interim Order dated 25.6.1991, various representations were received by the Government on the question whether the Government should or should not publish the Order by notifying it in the official Gazette, in order to make it effective. In the replies to questions raised in Parliament on this issue, Government had clarified on 26.7.1991 in the Rajya Sabha that the Order would be effective from the date of its pronouncement by the Tribunal and that, in order to be effective, it does not have to be published in the Gazette.

In the meanwhile, the Government of Karnataka promulgated an Ordinance on 25.7.1991 in respect of the use of Cauvery waters in Karnataka. Since the legal position on various questions arising out of the said Ordinance and the interim Order of the Tribunal needed clarifications, the President of India referred the matter to the Supreme Court for its opinion under Clause (1) of article 143 of the Constitution. The Supreme Court pronounced its opinion on 22.11.1991 as follows:-

"The Karnataka Cauvery Basin Irriga-  
tion Protection Ordinance, 1991 passed  
by the Governor of Karnataka on 25th  
July, 1991 (now the Act) is beyond the  
legislative competence of the State and  
is, therefore, *ultra vires* the Constitu-  
tion".

"The Order of the Tribunal dated June  
25, 1991 constitutes report and deci-  
sion within the meaning of Section 5 (2)  
of the Inter-State Water Disputes Act,  
1956."

"The said Order is, therefore, required  
to be published by the Central Govern-  
ment in the official Gazette under Sec-  
tion 6 of the Act in order to make it  
effective".

"A Water Disputes Tribunal constituted  
under the Act is competent to grant any  
interim relief to the parties to the dispute  
when a reference for such relief is made  
by the Central Government".