

[Shri Birendra Singh Rao]

Therefore, I think, the hon. Member would appreciate what I wanted to say and convey to the honourable House. They should not misunderstand my statement at all. This is my submission. The Government of India is fully aware of the situation. As I said, flood-control measures are to be undertaken on a permanent basis. A Central Team of the Ministry of Irrigation is going to visit the State today.

The National Commission on floods had submitted its report sometime back. A very prominent person from Gujarat was its Chairman—Mr. Jaisukhlal Hathi. He is the present Governor of Punjab. The Report of that Commission is being studied by the Government of India. I believe the Irrigation Ministry has set up a separate Cell to process the recommendations of the National Commission on Floods.

SHRI G. M. BANATWALLA: How long will it take?

SHRI BIRENDRA SINGH RAO: I think, my hon. colleague Mr. Kedar Pandey is able to say this. But I have stated what I knew. The Ministry of Irrigation is actively pursuing the recommendations of the National Commission on Floods. It has set up a separate Cell to look into all those recommendations and necessary steps will be taken in various States according to the plan, of course, with the resources that can be commanded by the Government of India. As I said earlier, that has been provided for. Now, about this letter of 10th June, probably there is some confusion. The Hon'ble Member knows that the letter was written on 10th June. In fact, it was not necessary to write to any State Government...

SHRI G. M. BANATWALLA: You can sleep.

SHRI BIRENDRA SINGH RAO: We are always awake. Therefore, there is no need to remind the State Govern-

ments again that they should be prepared for floods. They are expected to be prepared always, every year, every time before the monsoon starts. These instructions were sent even last year. But the Government of India was extra-cautious, extra-vigilant and as a measure of abundant caution, we wrote again before the monsoon started. These instructions were again issued not because the State Government was not taking any action before a heavy rainfall started but it was a matter of routine exercise. We wrote again in July as a matter of support to the State Government as if to say "we are also waiting for a report and we hope you are vigilant; you must be able to assess the situation and let us know what help is required from the Central Government, what additional measures you want us to take". It was only for that matter that the telex message was given. But the State Government was itself very active and vigilant and there is no cause for any complaint.

SHRI RATANSINGH RAJDA: (Bombay South): Please permit me to mention a few points. Sir, I want to raise a point relevant to present discussion.

MR. DEPUTY-SPEAKER: You pass them on to the Minister and he will look into them. I will not permit you to raise any question because your name is not in the list. If you are interested in getting some clarifications, you can pass those points to the Minister and he will reply to you. I am not permitting you to raise any point.

13.49 hrs.

STATEMENT RE: REPORT OF THE GODAVARI WATER DISPUTES TRIBUNAL

THE MINISTER OF IRRIGATION (SHRI KEDAR PANDEY): The Godavari Water Disputes Tribunal has today forwarded to the Central Government its Further Report. With the submission of this Report, the

long outstanding dispute relating to the Godavari waters has been settled. Shri Justice R. S. Bachawat, a former Judge of the Supreme Court is the Chairman of this Tribunal. Shri Justice D. M. Bhandari, retired Chief Justice of Rajasthan High Court and Shri Justice D. M. Sen, retired Judge of Gauhati High Court are the other Members.

2. It may be recalled that as the dispute amongst the States of Andhra Pradesh, Karnataka, Madhya Pradesh, Maharashtra and Orissa could not be settled by negotiations, the Government of India had constituted the Godavari Water Disputes Tribunal on the 10th April, 1969 for adjudication, under the Inter-State Water Disputes Act, 1956. Another Tribunal namely the Krishna Water Disputes Tribunal was also set up the same day. As the water disputes were inter-linked and some of the parties to the disputes were common, membership of both the Tribunals was kept the same. The parties to both the Krishna and Godavari water disputes agreed that the Krishna case be heard first. The Krishna case was accordingly taken up first and the Krishna Tribunal gave its final report in May, 1976 which was thereafter published and became effective. The Godavari case was heard later.

3. In November, 1979, the Godavari Tribunal submitted its report setting out the facts as found by it and giving its decisions on matters referred to it. As per the Act, further clarifications or guidance could be sought from the Tribunal on points not originally referred to it, within a period of three months from the date of decision. The further Report submitted today gives its directions on references made to the Tribunal by the Centre and some of the party States. The main features of the award of the Godavari Tribunal are as under:

(1) From time to time, the five States had entered into various agreements for the distribution of

waters of the Godavari River. The Tribunal has ordered that the agreements should all be observed and carried out by the party States.

(2) Maharashtra has been allowed the use of all the waters of the river Godavari upto Paithan dam site including the Pravara Sub-basin and the waters upto certain specified dam sites in the other river systems flowing in Maharashtra area. In addition, Maharashtra has also been allotted about 215 TMC in the various Sub-basins for other projects and minor irrigation schemes.

Karnataka has been allotted 17.77 TMO.

Madhya Pradesh has been allowed the use of all the waters in the Pranhita sub-basin upto Nandana, Amla, Dokdoh, Mohgaon Integrated Projects and Sovana Nalla Project in Pranhita sub-basin, all the waters in the Wain-ganga sub-valley upto specific project sites and waters of other tributaries upto certain specific sites. In addition, Madhya Pradesh has been allotted 412 TMC for its various major and minor schemes in the various sub-basins in which it is interested.

Orissa has been allowed the use of all the waters of the river Indravati upto the Upper Indravati Project site, diversion of about 90 TMC from the Indravati sub-basin to Mahanadi Basin, use of the balance waters after ensuring a quantum of 45 TMC at the Orissa-Madhya Pradesh border. In addition, it has also been allowed the use of waters of the river Sabari upto the boundary between Orissa and Madhya Pradesh and on other specified tributaries. In additions, Orissa has been allocated a quantity of 77 TMC for major and minor schemes in the Sabari sub-basin.

Andhra Pradesh has been allowed the use of balance water in the Godavari sub-basin downstream of Pochampad and other rivers and specified project sites. Certain specific quantities of waters to be used on specific projects have been indicated. Andhra Pra-

[Shri Kedar Nath Pandey]

desh has also been permitted to divert 85 TMC directly from Inchampalli Project.

(3) The decision of the Tribunal provides for construction of a number of projects as joint projects between the States. It also provides for diversion of water from the Polavaram Barrage to the Krishna Basin and a share of the Upper States as a result of such diversion.

(4) The Tribunal has directed that the Polavaram Project shall be cleared by the Central Water Commission for FRL/MWL+150 feet as expeditiously as possible, that the matter of the design of the dam and its operation schedule shall be left to the Central Water Commission which they shall decide keeping in view the Agreements between the parties, including the Agreement of the 2nd April, 1980 and that if there is to be any change in the operation schedule as indicated in the Agreement of the 2nd April, 1980 it shall be made only after consultation with the Parties concerned.

With this direction by the Tribunal, the long standing dispute relating to the diversion of the Godavari waters into the river Krishna from the Polavaram Project of Andhra Pradesh has also been amicably settled. The States of Andhra Pradesh, Maharashtra and Karnataka have also agreed to their respective shares as a result of this diversion. The States of Maharashtra and Karnataka will be entitled to utilise their shares in the Krishna from the date of clearance of the Polavaram Project by the Central Water Commission irrespective of the actual diversion taking place.

(5) The decision of the Tribunal also gives liberty to each of the party-States to divert any part of the share of the Godavari waters allocated to it from the Godavari basin to any other basin. It also provides that nothing

contained in the decision shall prevent its alteration, amendment or modification by agreement between the Parties or by legislation by Parliament.

(6) The States will bear their own cost of appearing before the Tribunal. The expenses of the Tribunal will be apportioned and paid by the States in equal shares.

4. Under the Inter-State Water Disputes Act, the Central Government is required to publish the decision of the Tribunal in the official gazette and the decision shall thereupon become final and binding on the parties to the dispute and shall be given effect to by them. Action to publish the decision is being initiated accordingly.

5. The Godavari is the largest Peninsular river and ranks second in the country, covering in its basin an area of 1,20,800 sq. miles which is nearly 10 per cent of the total geographical area of the country. The Tribunal's decision will now pave the way for early execution of several projects.

PROF. N. G. RANGA (Guntur): May I ask for a clarification? It is said in the statement that if the Governments concerned so wish, they can get into negotiations with each other, and then reach some other allocation of their respective shares of water.

MR. DEPUTY-SPEAKER: You will get this information afterwards.

PROF. N. G. RANGA: Is there any time limit for such negotiations as between themselves, and for their reaching an agreement? Otherwise, it will again be kept pending, as it has been kept pending for 20 years.

SHRI KEDAR PANDEY: It is not kept pending. It is final.