INTER-STATE BASIN MANAGEMENT IN FEDERAL COUNTRIES - INDIAN SCENARIO
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RIVER BASINS IN INDIA

- 20 river basins
- 12 major basins (drainage area > 20,000 km)
- 83% of the geographical area within inter-State river basin
RIVER BASINS AS COUNTRY'S AREA(%)
CONSTITUTIONAL PROVISIONS

- Article 246 of the Constitution deals with subject matter of laws to be made by the parliament and by state legislatures.

- Constitutional provisions - three categories
  - The Union List (List I)
  - The State List (List II)
  - The Concurrent List (List III)
List II - The State List
17. Water that is to say, water supplies, irrigation and canals, drainage and embankments, water storage and water power subject to the provisions of Entry 56 of List I.

List I - The Union List
56. Regulation and Development of Interstate Rivers and River Valleys to the extent to which such regulation and development under the control of the Union is declared by Parliament by law to be expedient in the public interest.
OTHER CONSTITUTIONAL PROVISIONS

- Article 262 – about Inter State River Disputes

- Article 131 – Law or fact on which the existence or extent of a legal right depends
Central Legislation so far enacted - 2 Acts

- “River Board Act” under “Entry 56”
- “Interstate Water Disputes Act” under “Article 262”
CONFLICT RESOLUTION

- Negotiations between the States with or without Central Government’s intervention (most satisfactory, less time and cost)-114 Inter-State agreements arrived.

Adjudication through Tribunals

- 5 Tribunals set up – Krishna. Godavari, Narmada, Ravi-Beas and Cauvery
- First three Tribunals gave final Award.
- Ravi-Beas Tribunal, Fact Finding Report in 1987
- Cauvery Tribunal, Interim Award in June 1991
- ISWD Act (1956) amended in 2002 specifying the time frame for constituting the Tribunal and giving the award by the Tribunal – speedy resolution expected.
Inter State Water Disputes Act, 1956 was amended in 2002

Important Amendments
- Tribunals to give award within maximum period of six years
- The decision of the tribunal shall have the same force as an Order or decree of the Supreme Court.
INDIA

INTERNATIONAL & INTERSTATE AGREEMENTS CUMULATIVE

YEAR


AGREEMENTS

0 20 40 60 80 100 120 140

125


INTERNATIONAL & INTERSTATE AGREEMENTS CUMULATIVE

125

# CAUVERY BASIN CATCHMENT AREA

<table>
<thead>
<tr>
<th>S.No</th>
<th>State/U.T.</th>
<th>Drainage Area (sq.km)</th>
<th>Percentage of total</th>
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<tr>
<td>1</td>
<td>KARNATAKA</td>
<td>34,273</td>
<td>42.23</td>
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<tr>
<td>2</td>
<td>KERALA</td>
<td>2,866</td>
<td>3.53</td>
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<td>3</td>
<td>TAMIL NADU</td>
<td>43,856</td>
<td>54.04</td>
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<tr>
<td>4</td>
<td>PONDICHERRY(U.T.)</td>
<td>160</td>
<td>0.20</td>
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<tr>
<td></td>
<td>TOTAL 4 Nos</td>
<td>81,155</td>
<td>100.00</td>
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CAUVERY BASIN
MAJOR RESERVOIRS

- KARNATAKA
  - Hemavathi
  - Krishnaraja Sagara
  - Kabini
  - Harangi
- TAMIL NADU
  - Mettur
  - Lower Bhavani
SALIENT FEATURES OF
Cauvery Water Disputes Tribunal
Interim Award (25.06.91)

- Release of water to TamilNadu during the water year 205 TMC
- Monthwise Breakup of release of water during the year (TMC)
  - Jun 10.16, Sep 29.36, Dec 10.37, Mar 2.40
  - Jul 42.76, Oct 30.17, Jan 2.51, Apr 2.32
  - Aug 54.72, Nov 16.05, Feb 2.17, May 2.01
- Reservation out of 205 TMC for Pondicherry (Karaikal Region) 6 TMC
- Karnataka shall not increase irrigated area of Cauvery river 11.20 lac Acres
AUGUST 1998

Cauvery Water (implementation of order of 1991 and all subsequent related orders of the Tribunal) Scheme 1998 notified

Cauvery River Authority

Prime Minister, the Chairperson, Chief Ministers of Karnataka, Kerala, Tamil Nadu and U.T. of Pondicherry as members was constituted.

Cauvery Monitoring Committee

Secretary, Ministry of Water Resources as Chairman, Chief Secretaries of four States, Chairman, CWC and Chief Engineers of four states as members has been constituted.
FUNCTIONS

1) To render assistance to the authority to enable it to take decisions on issues under consideration.

2) To assist the authority in collecting information and data.

3) To assist the authority in monitoring the implementation of the decisions of the authority, In case, any difficulty arises in implementation, the Monitoring Committee shall report the position to the authority.

4) To assist the authority in setting up a well designed hydro meteorological network in Cauvery basin along with a modern communication system for transmission of data and a computer based control room for data processing to determine the hydrological conditions.
MEETINGS HELD SINCE OCTOBER 1998

- Cauvery River Authority - 6 meetings
- Cauvery Monitoring Committee - 16 meetings
- 4 meetings of CMC and 3 meetings of CRA held in 2002-03, being a severe drought year
- Pending final award, efforts are being made by the Authority to arrive at a consensus on distress sharing formula.
CONCLUSION

- Considering the large area, regional imbalances, occurrence of most of the annual rainfall during only 4 monsoon months, particularly in Southern India, disputes do arise.

- Different administrative, institutional and judicial mechanisms are available to settle the dispute/arrive at a consensus.
Thank You