ANNEXURE C—AGRICULTURAL USE BY INDIA FROM THE WESTERN RIVERS

(Article III (2)(c))

1. The provisions of this Annexure shall apply with respect to the Agricultural Use by India from the Western Rivers under the provisions of Article III (2)(c) and, subject to the provisions of this Annexure, such use shall be unrestricted.

2. As used in this Annexure, the term "Irrigated Cropped Area" means the total area under irrigated crops in a year, the same area being counted twice if it bears different crops in kharif and rabi. The term shall be deemed to exclude small blocks of ghair mumkin lands in an irrigated field, lands on which cultivation is dependent on rain or snow and to which no irrigation water is applied, areas naturally inundated by river flow and cultivated on sailab thereafter, any area under floating gardens or demb lands in and along any lakes, and any area under water-plants growing within the water-spread of any lake or in standing water in a natural depression.

3. India may withdraw from the Chenab Main such waters as India may need for Agricultural Use on the following canals limited to the maximum withdrawals noted against each:

<table>
<thead>
<tr>
<th>Name of Canal</th>
<th>Maximum Withdrawals for Agricultural Use</th>
</tr>
</thead>
<tbody>
<tr>
<td>(a) Ranbir Canal</td>
<td>1,000 cusecs from 15th April to 14th October, and 350 cusecs from 15th October to 14th April.</td>
</tr>
<tr>
<td>(b) Pratap Canal</td>
<td>400 cusecs from 15th April to 14th October, and 100 cusecs from 15th October to 14th April.</td>
</tr>
</tbody>
</table>
Provided that:

(i) The maximum withdrawals shown above shall be exclusive of any withdrawals which may be made through these canals for purposes of silt extraction on condition that the waters withdrawn for silt extraction are returned to The Chenab.

(ii) India may make additional withdrawals through the Ranbir Canal up to 250 cusecs for hydro-electric generation on condition that the waters so withdrawn are returned to The Chenab.

(iii) If India should construct a barrage across the Chenab Main below the head regulators of these two canals, the withdrawals to be then made, limited to the amounts specified in (a) and (b) above, during each 10-day period or sub-period thereof, shall be as determined by the Commission in accordance with sound irrigation practice and, in the absence of agreement between the Commissioners, by a Neutral Expert in accordance with the provisions of Annexure F.

4. Apart from the irrigation from the Ranbir and Pratap Canals under the provisions of Paragraph 3, India may continue to irrigate from the Western Rivers those areas which were so irrigated as on the Effective Date.

5. In addition to such withdrawals as may be made in accordance with the provisions of Paragraphs 3 and 4, India may, subject to the provisions of Paragraphs 6, 7, 8 and 9, make further withdrawals from the Western Rivers to the extent India may consider necessary to meet the
irrigation needs of the areas specified below:—

<table>
<thead>
<tr>
<th>Particulars</th>
<th>Maximum Irrigated Cropped Area (over and above the cropped area irrigated under the provisions of Paragraphs 3 and 4) (acres)</th>
</tr>
</thead>
<tbody>
<tr>
<td>(a) From The Indus, in its drainage basin</td>
<td>70,000</td>
</tr>
<tr>
<td>(b) From The Jhelum, in its drainage basin</td>
<td>400,000</td>
</tr>
<tr>
<td>(c) From The Chenab, (i) in its drainage basin</td>
<td>225,000 of which not more than 100,000 acres will be in the Jammu District.</td>
</tr>
<tr>
<td>(ii) outside its drainage basin in the area west of the Deg Nadi (also called Devak River), the aggregate capacity of irrigating channels leading out of the drainage basin of The Chenab to this area not to exceed 120 cusecs.</td>
<td>6,000</td>
</tr>
</tbody>
</table>

Provided that

(i) in addition to the maximum Irrigated Cropped Area specified above, India may irrigate road-side trees from any source whatever;
(ii) the maximum Irrigated Cropped Area shown against items (a), (b) and (c)(i) above shall be deemed to include cropped areas, if any, irrigated from an open well, a tube-well, a spring, a lake (other than a Connecting Lake) or a tank, in excess of the areas so irrigated as on the Effective Date; and

(iii) the aggregate of the areas specified against items (a), (b) and (c)(i) above may be re-distributed among the three drainage basins in such manner as may be agreed upon between the Commissioners.

6. (a) Within the limits of the maximum Irrigated Cropped Areas specified against items (b) and (c)(i) in Paragraph 5, there shall be no restriction on the development of such of these areas as may be irrigated from an open well, a tube-well, a spring, a lake (other than a Connecting Lake) or a tank.

(b) Within the limits of the maximum Irrigated Cropped Areas specified against items (b) and (c) in Paragraph 5, there shall be no restriction on the development of such of these areas as may be irrigated from General Storage (as defined in Annexure E): the areas irrigated from General Storage may, however, receive irrigation from river flow also, but, unless the Commissioners otherwise agree, only in the following periods:

(i) from The Jhelum: 21st June to 20th August

(ii) from The Chenab: 21st June to 31st August:

Provided that withdrawals for such irrigation, whether from General Storage or from river flow, are controlled by Government.

7. Within the limits of the maximum Irrigated Cropped Areas specified against items (b) and (c) in Paragraph 5, the development of these areas by withdrawals from river flow (as distinct from withdrawals from General Storage cum river flow in accordance with Paragraph 6(b))
shall be regulated as follows:

(a) Until India can release water from Conservation Storage (as defined in Annexure E) in accordance with sub-paragraphs (b) and (c) below, the new area developed shall not exceed the following:

(i) from The Jhelum: 150,000 acres
(ii) from The Chenab: 25,000 acres during the Transition Period and 50,000 acres after the end of the Transition Period.

(b) In addition to the areas specified in (a) above, there may be developed from The Jhelum or The Chenab an aggregate area of 150,000 acres if there is released annually from Conservation Storage, in accordance with Paragraph 8, a volume of 0.2 MAF into The Jhelum and a volume of 0.1 MAF into The Chenab; provided that India shall have the option to store on and release into The Chenab the whole or a part of the volume of 0.2 MAF specified above for release into The Jhelum.

(c) Any additional areas over and above those specified in (a) and (b) above may be developed if there is released annually from Conservation Storage a volume of 0.2 MAF into The Jhelum or The Chenab, in accordance with Paragraph 8, in addition to the releases specified in (b) above.

8. The releases from Conservation Storage, as specified in Paragraphs 7(b) and 7(c), shall be made in accordance with a schedule to be determined by the Commission which shall keep in view, first, the effect, if any, on Agricultural Use by Pakistan consequent on the reduction in supplies available to Pakistan as a result of the withdrawals made by India under the provisions of Paragraph 7 and, then, the requirements, if any, of hydro-electric power to be developed by India from these releases. In the absence
of agreement between the Commissioners, the matter may be referred under the provisions of Article IX (2)(a) for decision to a Neutral Expert.

9. On those Tributaries of The Jhelum on which there is any Agricultural Use or hydro-electric use by Pakistan, any new Agricultural Use by India shall be so made as not to affect adversely the then existing Agricultural Use or hydro-electric use by Pakistan on those Tributaries.

10. Not later than 31st March 1961, India shall furnish to Pakistan a statement showing, for each of the Districts and Tehsils irrigated from the Western Rivers, the Irrigated Cropped Area as on the Effective Date (excluding only the area irrigated under the provisions of Paragraph 3), arranged in accordance with items (a), (b) and (c)(i) of Paragraph 5: Provided that, in the case of areas in the Punjab, the date may be extended to 30th September 1961.

11. (a) As soon as the statistics for each crop year (commencing with the beginning of *kharif* and ending with the end of the following *rabi*) have been compiled at the District Headquarters, but not later than the 30th November following the end of that crop year, India shall furnish to Pakistan a statement showing for each of the Districts and Tehsils irrigated from the Western Rivers, the total Irrigated Cropped Areas (excluding the area irrigated under the provisions of Paragraph 3) arranged in accordance with items (a), (b), (c)(i) and (c)(ii) of Paragraph 5: Provided that, in the case of areas in the Punjab, the 30th November date specified above may be extended to the following 30th June in the event of failure of communications.

(b) If the limits specified in Paragraph 7(a) or 7(b) are exceeded for any crop year, the statement shall also show the figures for Irrigated Cropped Areas falling under Paragraph 6(a) and 6(b) respectively, unless appropriate releases from Conservation Storage under the provisions of Paragraph 8 have already begun to be made.