Cauvery Water Sharing Issue

Why in news?

The Tamil Nadu government has sought the Supreme Court's intervention to make Karnataka immediately release 24,000 cubic feet per second (cusecs) from its reservoirs.

What is the history of Cauvery River Dispute?

- **Pre- independence period-** There were two agreements entered in 1892 and 1924 with respect to sharing of river water between the states of erstwhile Madras Presidency and the kingdom of Mysore.
- **1924 agreement-** Karnataka and Tamil Nadu signed an agreement effective for 50 years.
- The percentage of water sharing is
    - 75% - Tamil Nadu and Puducherry
    - 23% - Karnataka
    - 2% - Kerala
- **Post Independence-** On completing 50 years, the accord lapsed in 1974.
- Subsequently, Karnataka claimed that the agreement restricted its ability to develop farming activities along the Cauvery basin.
- It attempted to expand farming activities in the Cauvery basin by building reservoirs that has become a major water sharing dispute among ***Tamil Nadu, Karnataka, Puducherry and Kerala.***
- **Tribunal -** By Tamil Nadu's demand, the Union government formed the *Cauvery Water Disputes Tribunal* (CWDT) in 1990 that adjudicated the dispute in 2007.
- **New Bodies-** The following bodies were created in 2018, as per Supreme Court guidelines.
    - ***Cauvery Water Management Authority***- Ministry of Jal Shakthi
    - ***Cauvery Water Regulation Committee***

How did the CWDT evolve?

- **Article 262-** Adjudication of disputes relating to water of inter- State rivers or river valleys.
- **Power of Parliament**- Parliament can provide for adjudication of any dispute or complaint with respect to the use, distribution or control of the waters in inter-state river or river valley by law.
- It can provide by law that neither the Supreme Court nor any other court shall exercise jurisdiction in respect of any such dispute or complaint.
- **Inter State Water Dispute Act, 1956-** Any State may request the Centre to refer an inter-State river dispute to a tribunal for adjudication.

- If the Centre feels that negotiations cannot settle the dispute, it may setup a Water Disputes Tribunal *within 1 year* of the complaint.
- Cauvery Water Dispute Tribunal was formed through this act in 1990.
- **Dispute resolution** - Tribunals has the *power of civil court* and its verdict is equivalent to *Supreme Court verdict* when pronounced under the ambit of the Inter State Water Dispute Act.
- The verdict of the tribunal can be challenged in Supreme Court via civil suits.
- **Amendment-** Tribunal award post 2002 can be altered by new tribunals.

To know about the Centre and State Powers over Water Resources, click here

What was the tribunal's order?

- **Water availability-** According to the tribunal's order, the total availability of water in the 802-km long Cauvery basin is 740 thousand million cubic feet (TMC) in a normal year.
- **Water utilisation-** Of the total 740 TMC, water awarded includes
  - 419 TMC to Tamil Nadu
  - 270 TMC to Karnataka
  - 30 TMC to Kerala
  - 7 TMC to Puducherry
- The remaining 14 TMC was reserved for environmental protection.
- To acheive this sharing, the order stated that Karnataka must release 192 TMC of water from ***Biligundlu Station*** (inter-state dam) in normal monsoon years.
- The tribunal also noted that in case the yield was less in a distress year, the allocated shares shall be proportionately reduced.

What is the current dispute?

- **Supreme Court -** Tamilnadu sought the intervention of SC
  - To make Karnataka immediately release 24,000 cubic feet per second (cusecs) from its reservoirs and
  - Ensure the availability of the specified quantity of water at Biligundlu on the inter-State border for the remainder of the month.
  - To stick with CWDT's final award.
- **Karnataka's stand**- It has contended that lower rainfall in the Cauvery catchment including in Kerala has led to the poor inflow to its own reservoirs.
  - According to data of the Meteorological Department, Kodagu district (Cauvery river origin) received 44% less rainfall during June 1-August 15 than what it was expected to experience.
- The state decided to appeal to Cauvery tribunal to reconsider order on releasing water to Tamilnadu.
- **Tamilnadu's stand -** Tamilnadu is in the favour to formulate distress sharing formula, which is not accepted by Karnataka.

Mekedatu, a multipurpose balancing reservoir project at the confluence of the

River Cauvery and its tributary River Arkavathi in Karnataka has been contentious for years between Tamilnadu and Karnataka.

What lies ahead?

- A distress-sharing formula, acceptable to all the stakeholders, seems to be the need of the hour.
- Government plans to create a single tribunal to deal with all inter State river disputes and reduce the complexity.
- Supreme Court is of the opinion to give water sharing on the basis of river basin and provide equitable sharing of water.

About Cauvery River
• It is the *3rd largest river* in South India. • *Ponni* was another name for it in Tamil literature. • **Origin**- Talakaveri on Brahmagiri range in Western ghats. • **States-** Karnataka, Tamilnadu, Kerala, Puducherry • **Right tributaries**- Lakshmana Tirtha, Kabini, Bhavani, Noyyal, Amaravati, Moyar. • **Left tributaries**- Harangi, Hemavati, Shimsha, Arkavathy • **Basin**- - **Tamilnadu**- 44,000 square kms - **Karnataka** - 32,000 square kms • **Drains**- In Bay of Bengal at Poompuhar in Tamil Nadu

References

1. The Hindu- Explained Cauvery river dispute
2. The News Minute- Karnataka to appeal the order

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