Interstate water disputes bill

Why in news?

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Recently Union government introduced Inter-State River Water Disputes (Amendment) Bill 2017.

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What is interstate river water disputes act?

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- The Interstate River Water Disputes Act, 1956 (IRWD Act) is an Act of the Parliament of India enacted under Article 262.
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- IRWD Act is applicable only to interstate rivers / river valleys, the Supreme Court and other courts do not have jurisdiction over such disputes but they can interpret verdicts of tribunals.
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- Whenever the riparian states are not able to reach amicable agreements on their own in sharing of an interstate river waters, section 4 of IRWD Act provides dispute resolution process in the form of Tribunal.
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- The tribunal responsibility is not limited to adjudication of issues raised by the concerned states and also investigation of other aspects which are in public domain.
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- When the tribunal final verdict issued based on the deliberations on the draft verdict is accepted by the central government and notified in the official gazette.
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- The verdict becomes law and binding on the states for implementation.
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What are the provisions included in the amendment?

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- **Permanent body -** The bill proposes a permanent Inter-State River Water Disputes Tribunal (ISRWDT).
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- In the current arrangement, tribunals are formed when a river water dispute arises.
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- The ISRWDT will be an eight-member body comprising serving Supreme Court and high court judges.
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- The members will retire when they are 70, there was no such limit earlier.
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- **Time bound -** The entire process is restricted to five-and-half years, taking into account all extensions, there is almost no limit on extensions in the current arrangement.
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- **Specialized committee -** The bill provides for a DRC (Disputes Resolution Committee) to enable negotiated settlements.
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- This is an interesting provision, evidently to avoid disputes advancing to the next stage of legal adjudication.
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- The bill says the Centre will set up the DRC with “members from such relevant fields, as it deems fit, for resolving the disputes amicably”.
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- **Data repository -** The other much touted provision for a data bank and information system.
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- There is a similar provision in the current act as well, but it mandates the Centre to create such a repository.
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What are the shortcoming of the bill?

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- There is no clear mentioned provisions about speedy resolution of disputes.
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- The bill doesn’t fully recognise the need to plug holes in the interstate river water sharing, development and governance.

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- The benefits of the amendments will depend on the mechanism’s efficiency.
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- In any case of data bank, the challenge is not about gathering data and information, but more about states agreeing over a particular piece of data.
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- There are challenges in implementing the tribunal’s awards.
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- The ad-hoc mechanisms devised outside this law have not been successful.
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Quick fact

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Ongoing Interstate water disputes

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- **Sutlej-Yamuna Link canal Dispute -** States involved are Punjab & Haryana
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- **Cauvery River Dispute -** States involved are Karnataka & Tamilnadu
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- **Krishna River Dispute -** States involved are Maharashtra, Andhra Pradesh, Telangana and Karnataka
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- **Godavari River Dispute -** States involved are Andhra Pradesh, Madhya Pradesh, Chhattisgarh, Orissa and Karnataka.
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- **Mullaiperiyar River Dispute -** States involved are Kerala and Tamilnadu
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- **Mahadayi (or) Mondovi River dispute -** States involved are Karnataka, Goa & Maharashtra
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- **Barak River Dispute -** States involved are Manipur & Assam
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Ongoing water disputes with neighbouring countries:

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- **India-China Zangmu dam issue** on Brahmaputra river
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- **India-Pakistan** on Indus river (Sutlej tributary)
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- **India-Bangladesh** on Teesta river (originates in zemu glacier, Sikkim)
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Source: Indian Express

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