SC Verdict in Cauvery River Water Dispute

Why in news?

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The Supreme Court has pronounced its verdict on the sharing of Cauvery water among Tamil Nadu, Puducherry, Karnataka and Kerala.

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How did the Cauvery dispute emerge?

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- **Historically**, Tamil Nadu used about 602 TMC of the total yield of the river i.e. the available water in a particular year.
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- As a result, only about 138 TMC was available for Karnataka until the turn of the 20th century.
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- In **1924**, Tamil Nadu built the Mettur dam across the Cauvery river.
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- Subsequently, Karnataka and Tamil Nadu signed an agreement effective for 50 years.
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- Accordingly, Tamil Nadu was allowed to expand its agricultural area by 11 lakh acres from the existing 16 lakh acres.
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- Karnataka was authorised to increase its irrigation area from 3 lakh acres to 10 lakh acres.
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- The Cauvery River thus primarily served the needs of farmers in Tamil Nadu.
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- On completing 50 years, the **accord lapsed in 1974.**

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- Subsequently, Karnataka claimed that the agreement restricted its ability to develop farming activities along the Cauvery basin.
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- To make up the lost ground, **Karnataka** attempted to **expand farming activities** in the Cauvery basin.
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- It started building reservoirs.
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- With this, the Cauvery river water sharing issue emerged.
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- It is now a major water sharing dispute among Tamil Nadu, Karnataka, Puducherry and Kerala.
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- **Tribunal** - By Tamil Nadu's demand, the Union government formed the Cauvery Water Disputes Tribunal (CWDT) in 1990.
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- The dispute was adjudicated by the CWDT in 2007.
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What was the Tribunal's order?

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- According to the tribunal's order, the total availability of water in the 802-km long Cauvery basin is 740 tmc in a normal year.
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- Of the total 740 thousand million cubic feet (TMC) of water available for utilisation -
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i. 419 TMC was awarded to Tamil Nadu
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ii. 270 TMC to Karnataka
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iii. 30 TMC to Kerala
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iv. 7 TMC to Puducherry
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- The remaining 14 TMC was reserved for environmental protection.
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- 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.
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- This should be at the rates specified by the tribunal for each month.
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- The tribunal also noted that in case the yield was less in a distress year, the allocated shares shall be proportionately reduced.
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What was the response?

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- Both Tamil Nadu and Karnataka challenged the tribunal’s order.
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- Karnataka claimed 312 TMC of water as against the 270 TMC ordered by the tribunal.
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- The court reserved its order in September 2017.
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What is the present SC verdict?

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- The Court declared Cauvery a “national asset”.
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- It upheld the principle of equitable apportionment of inter-State river water among riparian States.
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- The judgment concluded that the CWDT did not take into account Tamil Nadu's stock of an “empirical” 20 TMC of ground water.
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- Accordingly, Karnataka is "entitled to marginal relief".
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- In its present verdict, the Supreme Court has thus reduced the allocation of Cauvery water from Karnataka to Tamil Nadu.
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- This means a reduction of 14.75 TMC quota of Cauvery water to Tamil Nadu from the earlier 192 TMC as stipulated by the tribunal.
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- This change will be adjusted from the Biligundlu site.
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- Karnataka will now release only 177.25 TMC Cauvery water from Billigundlu site to Mettur dam in Tamil Nadu.
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- The SC has given the Centre 6 weeks to frame a scheme to make sure the final decisions are implemented.
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- SC has also directed the formation of the **Cauvery Management Board (CMB)** immediately.
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  CMB will be an inter-state forum which will work to ensure the implementation of orders of the CWDT.

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  The Board shall be under the control of the Ministry of Water Resources.

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  The members of the Board will include a Chairman, two full-time members, and representatives of the central government and each of the four states.

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The expenses of the Board will be borne by the state governments.

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Source: The Indian Express, The Hindu

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