



## Refer Krishna Dispute to Tribunal

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Telangana Chief Minister has requested Union Government to refer the water disputes pertaining to sharing of Krishna water to the tribunal under the Inter-State River Water Disputes (IRWD) Act of 1956.

Earlier, the Union Government had referred the matter under **Section 89 of the Andhra Pradesh Re-organisation Act**, which according to the CM were limited in scope and would not be able to do justice to the rightful claims of Telangana.

### Background

- Krishna Water Disputes Tribunal (KWDT) set up by the Central Government under **R.S. Bachawat as its Chairman in 1969 was the first-ever tribunal** for a river dispute under the Interstate River Water Disputes Act, 1956.
- It was set up to resolve the disputes between the states of **Karnataka, Maharashtra and then undivided Andhra Pradesh over sharing of Krishna river water.**
- The tribunal gave its award in 1973. The total quantum of water available for distribution was 2060TMC. This was divided between the three states in the following manner:
  - Maharashtra 560 TMC.
  - Karnataka 700 TMC.
  - Andhra Pradesh 800 TMC.

#### Terms related to River Water Disputes

- Riparian, Lower Riparian, Upper Riparian: Relating to or situated on the banks of a river; Maharashtra is upper riparian state and Andhra Pradesh is lower riparian state with respect to Krishna basin.
- Tmcft, (Tmc ft), (TMC), (tmc), is the abbreviation for one thousand million cubic feet commonly used in reference to volume of water in a reservoir or river flow.

- The tribunal in its first award provided for a review of its award after 31 May 2000. However no such review was taken up for more than 3 years after that.
- In April 2004, the second KWDT under **Brajesh Kumar**, was constituted by the Government of India following requests by all three states.
- According to KWDT II, Andhra Pradesh got 1001 TMC of water, Karnataka 907 TMC and Maharashtra 666 TMC.
- The Brajesh Kumar tribunal also suggested the setting up of the **Krishna Basin Authority** to protect the basin, especially after large-scale exploitation of groundwater was detected.
- Next review of water allocations will be after the year 2050.
- However, after **reorganisation of Andhra Pradesh**, a case was filed by AP and Telangana to **redistribute water among all 4 states**.
- The tribunal opined that **Section 89** the Andhra Pradesh Reorganisation Act, 2014 was not applicable to all four riparian states but is **meant only for Telangana and Andhra Pradesh**.
- Thus, there was **no need to re-allocate of Krishna River water** among all four riparian states. The river water should be re-allocated between Telangana and Andhra Pradesh, from the share of undivided Andhra Pradesh.

### Other Major Inter-State River Disputes

River	State Concerned
Ravi and Beas	Punjab, Haryana, Rajasthan
Narmada	Madhya Pradesh, Gujarat, Maharashtra, Rajasthan
Krishna	Maharashtra, Andhra Pradesh, Karnataka, Telangana
Vamsadhara	Andhra Pradesh & Odisha
Cauvery	Kerala, Karnataka, Tamil Nadu and Puducherry
Godavari	Maharashtra, Andhra Pradesh, Karnataka, Madhya Pradesh, Odisha
Mahanadi	Chhattisgarh, Odisha
Mahadayi	Goa, Maharashtra, Karnataka
Periyar	Tamil Nadu, Kerala

## Constitutional Provisions

- Water is included in the state list of the Constitution. It can be subject to the Centre's arbitration if, and only if, it involves a clear case of conflict or dispute.
- Article 262 of the Constitution allows for providing an adjudicatory mechanism for any inter-state water dispute by the Parliament.
- Notwithstanding anything in this Constitution, Parliament may, by law provide that neither the Supreme Court nor any other court shall exercise jurisdiction in respect of any such dispute or complaint.
- Inter-state River Water Disputes Act, 1956 passed by Parliament under Article 262 provides for the adjudication of disputes relating to waters of inter-State rivers and river valleys.
- However, tribunals have also been criticized for the delay in their constitution and the delay after their constitution.

## Krishna River

- The Krishna River is the second biggest river in peninsular India after Godavari River.
- It originates near Mahabaleshwar (Satara) in Maharashtra.
- It runs from **four states** Maharashtra (303 km), North Karnataka (480 km) and the rest of its 1300 km journey in Telangana and Andhra Pradesh before it empties into the Bay of Bengal.
- Tributaries: Tungabhadra, Mallaprabha, Koyna, Bhima, Ghataprabha, Yerla, Warna, Dindi, Musi and Dudhganga.
- Pattiseema Lift Irrigation project is the first river linking project in India, connecting Godavari with Krishna through the Polvaram right canal. It will divert surplus Godavari water to the Krishna river.