

Cauvery Water Dispute

The Kaveri is an interstate basin that originates in Karnataka and passes through Tamil Nadu and Pondicherry before draining into the Bay of Bengal. The total watershed of the Kaveri basin is 81,155 sq km, of which the river's catchment area is about 34,273 sq km in Karnataka, 2,866 sq km in Kerala and the remaining 44,016 sq km in Tamil Nadu and Pondicherry.

1.The Harangi and Hemavati dams in Karnataka have been constructed on the Harangi and Hemavati rivers which are tributaries of the rivers Kaveri. The Krishna Raja Sagar Dam has been constructed downstream of these two dams on the main Kaveri River in Karnataka. The Kabini Reservoir in Karnataka is constructed on the Kabini River, a tributary of the Kaveri River, which joins the Krishna Sagar Reservoir. The Mettur Dam has been constructed across the main stream of Kaveri in Tamil Nadu. The Central Water Commission has established two G&D sites namely Kollegal and Billigundlu on the main Kaveri river between the confluence of Kabini and Mettur dam with Kaveri. The Billigundlu G&D site is about 60 km below the Mettur Dam where the Kaveri River forms the border with Karnataka and Tamil Nadu.

2.The Government of India constituted the Cauvery Water Disputes Tribunal (CWDT) on June 2, 1990, to adjudicate the water dispute between the states of Tamil Nadu, Karnataka, Kerala and Puducherry with respect to the inter-state Cauvery water and river basin.

Formed.

3.The Cauvery Water Disputes Tribunal (CWDT) passed an interim order on June 25, 1991 directing the State of Karnataka to release water from its reservoir in Karnataka so that in a water year (1 June 205 million cubic feet (TalMC) of water to the Mettur reservoir in Tamil Nadu, either monthly or as a weekly assessment, between May 2016 to May 31.

4.Water is to be released in four weeks in four equal installments with reference to a particular month. If it is not possible to release the required quantity of water in any week, the said shortfall will be released in the subsequent week. 6 TMC of water will be given by the State of Tamil Nadu in a regulated manner to the Karaikal region of the Union Territory of Pondicherry.

5.Having considered the said Order, the President of India, under clause (1) of Article 143 of the Constitution of India, on the 27th July, 1991, to consider and report on the following
Referred to the Supreme Court of India :-

- i. whether the order of this Tribunal includes report and award within the meaning of section 5(2) of the Act; And
- II. whether the order of this Tribunal is required to be published by the Central Government to give effect to it;

6.The Supreme Court on 22nd November, 1991 opined on the above questions inter alia that;

- i. The order of the Tribunal dated the 25th June, 1991 contains the report and award within the meaning of section 5(2) of the Inter-State Water Disputes Act, 1956; And
- II. Therefore, in order to give effect to the said Order, it is required to be published by the Central Government in the Official Gazette under section 6 of this Act”;

7.In view thereof, dated the 10th December, 1991 to give effect to the interim order of the CWDT dated 25th June, 1991 and to be made binding on and to be given effect to by the various parties to this dispute Notified in the Gazette of India under section 6 of the ISRWD Act, 1956 and required to be made effective by them.

8.On May 14, 1992, the Government of Tamil Nadu filed Original Case No. 1 of 1992 in the Supreme Court in which they inter alia sought to give effect to the decisions of this Tribunal and to issue notification in the Official Gazette. prayed for passing the necessary degree of ordinance directing the Union Government to frame a scheme making provision for all necessary matters. Original Case No. 1/92 came up for hearing on 9th April, 1997 before the Constitution Bench of the Supreme Court. At the behest of the Supreme Court, the Attorney General of India made a statement in the Court on 9th April, 1997 that the Union of India agreed to prepare a scheme under Section 6A of the Inter-State Water Disputes Act, 1956 for effective implementation of the Interim Award of this Tribunal . After hearing on 9th April, 1997, when the Supreme Court directed the Central Government to prepare a plan, the Supreme Court on 20th August, 1997, 30th September, 1997, 11th November, 1997, 6th January, 1998, 31st March, 1998, Regular hearings were held on 28 April 1998 and 21 July 1998. In view of the above, under the provisions of section 6A of the ISRWD Act, 1956, the Central Government notified a scheme called the Cauvery Water (Implementation of Interim Orders of 1991 and all subsequent Tribunal Orders) Scheme, 1998. It includes Cauvery Water Authority (CRA) and Monitoring Committee (CMC). The Cauvery River Authority is headed by the Hon'ble Prime Minister and has the Chief Ministers of the basin states as members. The Secretary of the Ministry of Water Resources is the Secretary of this Authority. The Monitoring Committee has Secretary, Ministry of Water Resources as Chairman and Chief Secretaries and Chief Ministers of Basin States as members.

