

POLITY

How are the Centre and Inter-State river dispute resolved? Discuss this in the context of the recent major river dispute in India.

most contentious issue, in recent cases Suttlej-Yamuna link canal issue between Punjab and Haryana are some examples.

Constitutional provision:

① According to article 265, the parliament may by law provide adjudication of water dispute or conflict with respect to control, distribution or use of water of or in any inter-state river or river valleys.

② Entry 56 of union list - Regulation and development of river and river valley

③ Entry 17 of state list - water matters

Mechanism for Resolution

① Inter-state water dispute act 1956 provides that any state government can request central government in regards to water dispute, central government in opinion that disputes not settled by negotiation thus water dispute tribunals was constituted.

② This act was amended to include major recommendations of Sarkaria Committee.

Active Water dispute tribunals

- ① Mahanadi Water dispute - Orissa, Chattisgarh
(2018) Tribunal
- ② Mahadayi Water dispute - Goa, Karnataka
(2010) Tribunal - Orissa, Chattisgarh
Maharashtra
- ③ Ravi - Beas water dispute - Punjab, Haryana
(1986) Tribunal Rajasthan
- ④ Vansadhara water dispute - Andhra Pradesh,
(2010) Tribunal Odisha.

Issues with tribunals:

- ① Extreme delays in dispute resolution
Eg: Cauvery dispute constituted in 1990
but final award was in 2007.
- ② Growing nexus between water and politics
has transformed into vote bank politics
Eg: Punjab Government showed braunt
in Ravi - Beas Tribunal.
- ③ Though final, beyond the jurisdiction, state
can go to Supreme court under article 136
(Special leave petition) under article 32 by
the violation article 21 (Right to life).
- ④ Tribunals are not multidisciplinary
- ⑤ Opaque in their frameworks and guidelines.

Inter state water dispute (Amend) Bill 2017.

① To further streamline, inter state water dispute (Amend) Bill was introduced in Lok Sabha.

② This Bill's provisions that provides dispute resolution committee and ensuring that dispute clearance at a maximum period of 1 year and 6 months.

③ This bill provides, no requirement of publishing final decision of Tribunal in the Gazette.

Way Forward:

① Disputes could be settled only by dialogue and talks not by political opportunism.

② Robust and transparent Institutional framework is need of the hour