

# THE CAUVERY WATER MANAGEMENT AUTHORITY SHOULD ACT

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At the Krishnaraja Sagar, in 2016 | Photo Credit: FILE PHOTO: V. SREENIVASA MURTHY

With the pace and output of the southwest monsoon this year casting a shadow over the catchment areas of the Cauvery river in Karnataka and Kerala, the elusive distress-sharing formula is back in focus. Recent submissions by Tamil Nadu and Karnataka as well as the deposition of the Cauvery Water Management Authority (CWMA) before the Supreme Court of India only reinforce the need for an early formulation that is acceptable to all.

The notion of a distress-sharing formula has been in the air ever since the Cauvery Water Disputes Tribunal (CWDT) gave its interim order in June 1991. A serious attempt to have one was made in 2002-03 when the southwest monsoon yielded scant rain (compared to long-term data) over a three-year block, between 2001-02 and 2003-04, with poor inflows to four reservoirs — Krishnaraja Sagar (KRS), Kabini, Hemavathy and Harangi, all in upper-riparian Karnataka. The state of Mettur dam in Tamil Nadu, the lower riparian State, needed no elaboration.

There is nothing much in the final order of the Tribunal in 2007 and the judgment of the Supreme Court in 2018, which the players concerned could look to for distress sharing. The judicial bodies had referred to the principle of pro-rata sharing in times of distress. The Tribunal had suggested that in the event of there being two consecutive bad years of rain, the monthly schedule of water release be relaxed and all the reservoirs in the entire basin operated in an integrated manner “to minimise any harsh effect”. But, in the discourse now, neither of the parties to the dispute nor the Authority has expressed anything against the concept of distress sharing. The divergence appears to be over what the elements of the proposed formula should be. Tamil Nadu takes into account the deficit in inflows to the four Karnataka reservoirs vis-à-vis the average flows in the last 30 years, and the rainfall pattern in three groups of the Cauvery catchment (the catchment of the KRS and Kabini, the catchment upstream of Biligundulu on the inter-State border, and the catchment downstream of Biligundulu).

Karnataka, which is not for considering only the deficit in inflows into its reservoirs, has been maintaining that the overall distress situation cannot be calculated till the end of January. It has said that the outcome of the northeast monsoon (October-December) should also be taken into account with that of the southwest monsoon (June-September). As an upper riparian State that is dependent on the southwest monsoon for irrigation, drinking water and more, Karnataka is

well within its rights to be concerned about meeting its requirements for the next eight-odd months, even though it has the propensity to fix the “rules of the game” for water release unilaterally. It had even informed the Court of its difficulties in releasing water in view of a “severe drought situation” in the Cauvery and Krishna basins.

The CWMA, in its meeting on August 29, deliberated on many factors that included the shortfall in inflows and rainfall, the monsoon forecast over the next fortnight (till September 12), and inflows and outflows of four other reservoirs in the Cauvery basin. — an approach that has not been to the satisfaction of both States. While directing Karnataka to ensure the realisation of 5,000 cubic feet per second (cusecs) for 15 days from August 29, the CWMA recorded that during June 1 to August 27, the four Karnataka reservoirs had suffered a shortfall of 51.22% in their inflows, with the upper catchment of the Cauvery basin having had a more negative deficit in rainfall. The CWMA pointed out that the shortfall for Biligundulu, as compared to the stipulated flows in a normal year, was 62.4%. The Authority, which held an emergency meeting on September 18, endorsed the Cauvery Water Regulation Committee (CWRC)’s direction given on September 12 to Karnataka to continue providing 5,000 cusecs for another 15 days (September 13 to 27).

Tamil Nadu, which has worked out what is due to it this year, is waiting for the Supreme Court’s intervention to get back “its quota” of water for the one-and-a-half months (half of August and the whole of September), even as the case is likely to be heard by the Court on September 21. Regardless of the outcome, the State should pursue the idea of judicious use of water.

The positions taken by Karnataka and Tamil Nadu may appear to be difficult to reconcile but this should not deter the Authority — or, if required, the Union government — from trying to find a formula. Such an approach could and should have been used by the Authority after its inception in June 2018. Unfortunately, nothing much was done in these five years. The opportunity now should not be lost.

The history of the Cauvery dispute shows that it is people at the helm of affairs who have not risen to the occasion to resolve the problem. Instead of giant steps being taken to solve the issue, settling for status quo has been the norm. Of course, political considerations have been a factor. A silver lining when it comes to the composition of the Authority is that the body is populated with officials and technical experts, who should not have any problem in coming to a distress-sharing formula in a rational and objective manner. The CWMA may not have shown its mettle so far, but it should now try and make a fresh beginning. To begin with, the Authority along with its assisting body, the CWRC, should make the proceedings of all its meetings held so far available to the public on a website. Putting out all the facts in the public domain will help the CWMA dispel misconceptions in both States about this issue given that the Cauvery has always been an emotive subject.

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