Mahanadi tribunal gets Central nod
Jacob Koshy, NEW DELHI, Feb. 21, 2018 The Hindu

Chhattisgarh and Odisha in dispute over water sharing

The Union Cabinet on Tuesday approved the setting up of a tribunal to settle a row between Odisha and Chhattisgarh on sharing the waters of the Mahanadi river.

This is in keeping with a Supreme Court order last month directing the Centre to set up a tribunal in response to a plea by the Odisha government to stop the Chhattisgarh government from constructing several weirs on the river.

The tribunal is expected to determine water sharing among basin States on the basis of the overall availability of water in the complete Mahanadi basin, the contribution of each State, the present utilisation of water resource in each State and the potential for future development, official sources said.

The order on constituting a new tribunal comes even as the government plans to introduce a new bill that would have a single tribunal to replace all existing water tribunals.

‘Extremely inefficient’

The driving motive for such a tribunal was, according to senior official in the Water Ministry, that tribunals had a decades-long history of being “extremely inefficient” at settling disputes quickly and fairly. The bill, called the Inter-State River Disputes (Amendment) Bill, was introduced in the Lok Sabha by former Water Resources Minister, Uma Bharti, last March but is yet to be debated. “It is expected to be placed in Parliament after it reconvenes after the recess of the Budget session,” an official said.

Were such a Bill to become law, it could affect the composition of the members of various tribunals. Currently, all tribunals are staffed by members of the judiciary, nominated by the Chief Justice.

The proposed Bill has provisions for members, even a chairperson, outside the judiciary. “It is possible that a newly-constituted tribunal, such as for Mahanadi, will have to be re-formulated were the new law to come into effect,” said another Water Ministry official.

‘Common disputes panel soon’

The Centre is hopeful of getting the Inter-State River Water Disputes (Amendment) Bill, 2017 passed in the second part of the budget session of Parliament to establish a unified tribunal to resolve all water disputes in the country from one platform.
States’ support

Union Minister of State for Water Resources Arjun Ram Meghwal, who chaired the Regional Conference of Southern States on Water Resources in the city on Tuesday, said that the bill introduced in Lok Sabha on March 14 last year was supported by almost all the States. The Bill, cleared by a parliamentary committee, proposes to streamline the adjudication of inter-State river water disputes and make the present guidelines robust.