Plan for single water disputes tribunal

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The Lok Sabha on Wednesday passed a Bill that promises faster redressal of water disputes between States by putting in place a new architecture for tribunals that handle inter-State water disputes.

Moving the Inter-State River Water Disputes (Amendment) Bill, 2019, for passage in the Lok Sabha, Union Jal Shakti Minister Gajendra Singh Shekhawat said the existing tribunals constituted to resolve river water disputes had failed and in some cases, even after 33 years, the tribunals are yet to give an award.

The Minister said though the original Inter-State River Water Disputes Act, enacted in 1956, was amended 17 years ago to make five years the maximum period within which river water disputes need to be resolved, the reality has been different.

The new Bill proposes that the final award will be delivered in two years and whenever it gives the order, the verdict will be notified automatically.

‘Rise above regions’
Mr. Shekhawat also said that any law passed now should factor in the water scenario that may arise in a few decades.

“When we think of the water issue we have to do so keeping in mind the situation of 30 years from now. Water is a resource that we have to conserve and use judiciously; otherwise there will come a time when laws alone will not work. We have to rise above regions and States and rivers and see this resource and problem in its totality,” the Minister said.

“Disputes have to be resolved and they have to be done in a time-bound manner. Today climate change and water scarcity are issues that need our immediate attention,” he added.

Giving a background of the history of tribunals, the Minister said only four of the nine water tribunals could submit their report. And these too came after a seven to 28 year delay.

Irregular sittings
Mr. Shekhawat said irregular sittings was one of the reasons for delayed orders.

The new Bill provides for the constitution of a single tribunal with different benches, and the setting of strict timelines for adjudication. A retired Supreme Court judge will head the tribunal and benches will be formed as and when required. States can approach the tribunal for resolution of their disputes and once resolved, the bench will wind up.

Congress member Manish Tewari opposed the Bill and claimed that it didn't have any provision for consultation with States.
Dayanidhi Maran of the DMK said tribunals have been "toothless" as the award of water tribunals had not been respected by States and suggested that all rivers be nationalised.

He alleged that Karnataka didn't abide by the Cauvery river water tribunal award and is in "contempt of court".

"We disbelieve the tribunals. Tamil Nadu has been a sufferer for long. All [Central] governments have been playing vote bank politics," Mr. Maran said.

The BJP’s Varun Gandhi suggested that water be treated as national resource and suggested a council on the lines of GST Council.

Speaking on the Rabi-Beas water dispute, Rajasthan MP Hanuman Beniwal (RLP) accused Punjab of stealing water from ‘canals’.

BJP member Satyapal Singh countered him by saying that there should not be any apprehensions in anyone’s mind that the central government wants to hurt the federal structure of the country.