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Question1

Subject:- Lok Sabha Provisionally Amitted Starred/ Unstarred Question Dy. No. 5029 regarding 'Water Stressed Villages' to be answered on 28.11.2019.

With reference to Ministry's letter No. H-11011/WS/2/2019-IT/743-50 dated 19.11.2019 on the subject cited above, it is intimated that Bhakra Beas Management Board is constituted for administration, operation & maintenance of Bhakra-Nangal and Beas projects. Hence, water stressed villages in Punjab and Haryana does not come under the jurisdiction and purview of Bhakra Beas Management Board. However, the question-wise reply on behalf of Bhakra Beas Management Board is as under:

Sr. No.	Question	Reply
a)	the details of water-stressed villages in Punjab and Haryana;	Relates to the State Government of Punjab and Haryana.
b)	the steps are being taken by the Government to reduce over-irrigation; and	As per (a) above.
c)	the steps are being taken to penalize the farmers who are using such activities?	As per (a) above.

Question2

Lok Sabha Starred/Unstarred Question Dy. No. 9278 Regarding 'Full Reservoir Level of Dams' to be answered on 03.01.2019.

Sr. No.	Question	Reply
a)	Whether the Bhakra and Pong dams are not filled up to Full Reservoir Level (FRL) by the Government and if so, the details thereof ;	The designed Full Reservoir Level of Bhakra and Pong Dams are 1690 ft and 1400 ft respectively. After the devastating floods during the year 1988, the Board in its 138 th & 139 th meetings held on 19.07.1990 and 29.08.1990 respectively had decided that maximum level at Bhakra and Pong reservoirs should be kept 1680 ft and 1390 ft respectively for the storage purposes to cater any flood eventuality occurring in late monsoon months. In case the levels are allowed to rise a little higher than these values for the purposes of flood routing/absorption and to avoid synchronization of releases with those of rivulets downstream of the dams, the levels would be brought down as soon as the conditions downstream of the reservoirs permit. Further the Central Water Commission has revised/raised Probable Maximum Flood (PMF) values of Bhakra Dam from designed 4,00,000 cusecs to 7,97,800 cusecs. As such, revised PMF has to be passed through the existing spillway only by carrying out flood routing without allowing the reservoir level above designed maximum level of 1690 ft. (For details, please see Note for Pad)
b)	Whether the dam can be filled upto FRL using latest technology, proper planning and weather forecasting and if so, the details thereof;	After the devastating floods of 1988, based on the recommendations of a committee constituted by Govt. of India, BBMB adopted a rule curve for filling of Bhakra & Pong Reservoirs for optimum operation of the reservoir while catering to any flood eventualities occurring in the months of late August & September. Further as elaborated in (a) above, the Probable Maximum Flood has also been revised by CWC from 4,00,000 cusecs to 7,97,800 cusecs. Although, there is rapid advancement in weather forecasting technology, but still the monsoon vagaries are yet to be predicted accurately owing to number of variables involved. However, BBMB has developed Real Time Decision Support System (RTDSS) for efficient operation of reservoir on river Satluj (Bhakra Dam) and river Beas (Pong Dam). In view of the above, in order to safeguard any loss of precious human lives and property downstream of both the dams in the eventuality of any flood, BBMB is strictly adhering to the rule curve. (For details, please see Note for Pad)
c)	Whether the Government proposes to give directions to BBMB for conducting a study to fix the maximum level of water to be filled in Bhakra and Pong dams; and	Relates to Government of India.
d)	If so, the details thereof?	As per (c) above.

Question3

Lok Sabha UNSTARRED Question Dy. No. 7884
for answer on 03.01.2019 regarding
‘Inter-State River Water Sharing Agreements’.

Sr.No.	Question	Answer
a)	the date on which first Inter-State water agreement reaches and the number of States involved in it and the scheme chalked out by the Government for distribution of water of States;	<p>The distribution of Satluj water amongst the Partner States of Punjab, Haryana and Rajasthan is done as per Bhakra-Nangal Agreement, 1959. For the distribution of surplus Ravi-Beas water, the first Agreement was entered on 29.1.1955 and thereafter as per Punjab Re-organization Act, 1966, the Central Government issued Notification on 24.3.1976 for distribution of surplus Ravi-Beas waters to the States of Punjab, Haryana, Rajasthan, J&K and Delhi. Lastly, an Agreement was signed between the Chief Ministers of Punjab, Haryana and Rajasthan on 31.12.1981.</p> <p>(For details, please see Note for Pad)</p>
b)	whether States are getting water as per Inter-State water agreements;	As per (a) above.
c)	if so, the details thereof;	As per (a) above.
d)	if not, the reasons therefor?	As per (a) above.
e)	whether Rajasthan, Punjab and Haryana are getting their due share of water as per agreement; and	As per (a) above.
f)	if not, the reasons therefor?	As per (a) above.

**Lok Sabha UNSTARRED Question Dy. No. 7884
for answer on 03.01.2019 regarding
'Inter-state River Water Sharing Agreements'.**

Note for Pad

The distribution of Sutlej water amongst the partner States of Punjab, Haryana and Rajasthan is done as per Bhakra Nangal Agreement 1959, which is based on the command area, water allowance and capacity factors. The overall share of the Partner States (**Annexure- I**) is as under and the water is being distributed accordingly to the satisfaction of partner States:-

Punjab	57.88%
Haryana	32.31%
Rajasthan	9.81%

Regarding sharing of Ravi-Beas waters, it is brought out that the surplus flow of rivers Ravi and Beas, over and above the pre-partition use (on the basis of 1921-45 flow series) was allocated as per Agreement dated **29.1.1955** between the concerned States as under:

Share of Punjab	7.20 MAF (including 1.30 MAF for PEPSU)
Share of Rajasthan	8.00 MAF
Share of J&K	<u>0.65 MAF</u>
Total :	15.85 MAF

In case of any variation in total supplies, the shares shall be changed pro rata on the above allocation subject to the condition that no change shall be made in allocation for Kashmir State which shall remain as 0.65 MAF.

In exercise of the powers conferred by sub-section (i) of Section 78 of the Punjab Re-organization Act, 1966, the Central Government vide its notification dated **24.3.1976** made the following determination:-

The Central Government hereby directs that out of the water which would have become available to the erstwhile State of Punjab on completion of Beas Project (0.12 MAF whereof is earmarked for Delhi Water Supply), the State of Haryana will get 3.5 MAF and the State of Punjab will get the remaining quantity not exceeding 3.5 MAF. When further conservation works on the Ravi are completed, Punjab will get 3.5 MAF out of 7.2 MAF which is the share of the erstwhile State of Punjab. The remaining 0.08 MAF, out of 7.2 MAF is recommended as additional quantum of water for Delhi Water Supply for acceptance by both the Governments of Punjab and Haryana

It was also mentioned therein that if the availability of water in Beas at Mandi plain is more/less in a particular year, the share of the State of Haryana would be increased or decreased as the case may be pro-rata taking into consideration the provisions of the 1955 Agreement and the requirement of Delhi Water Supply.

Lastly an agreement was signed between Chief Ministers of Punjab, Haryana and Rajasthan on 31st December, 1981 for distributing surplus Ravi-Beas waters. As per the said agreement, the total quantum of surplus Ravi-Beas waters; over and above the pre-partition utilisation has been assessed as 17.17 MAF on the basis of flow series

for the year 1921-60 after deducting the pre-partition uses of 3.13 MAF and transit losses in Madhopur Beas Link of 0.26 MAF. The allocation to the various states in accordance with the agreement is as under:-

Punjab	4.22 MAF
Haryana	3.50 MAF
Rajasthan	8.60 MAF
Delhi Water Supply	0.20 MAF
J&K	<u>0.65 MAF</u>
Total	<u>17.17 MAF</u>

It was provided that in case of any variation in the figure of 17.17 MAF in any year, the shares shall be changed pro-rata of the above allocations subject to the condition that no change shall be made in the allocation of Jammu and Kashmir and Delhi Water Supply.

Bhakra Beas Management Board is distributing Ravi-Beas waters to partner States of Punjab, Haryana and Rajasthan in the ratio of 30:21:49 approved by the Board in its 105th meeting held on 03.12.1982 as an adhoc interim arrangement since consensus could not be arrived on the interpretation of the Interstate Agreement dated 31.12.1981 reached between the Chief Ministers of Punjab, Haryana and Rajasthan for distribution of surplus Ravi-Beas waters. Since then the aforesaid decision of the Board taken in the 105th meeting is being followed.

For planning purposes the water year is considered from 21st May to 20th May of subsequent year and is divided into two periods, i.e. filling period (21/5 to 20/9) & depletion period (21/9 to 20/5 of subsequent year). During the filling period deliveries to States are given as per requirements projected/decided in the Technical Committee meeting (TCM) held every month taking into account the level of Reservoirs and the inflows, while during depletion period the deliveries to States are made as per requirements projected by States within their overall share, for the period 21st Sept. to 20th May of subsequent year, intimated by BBMB at the start of depletion period.

BBMB releases water from Bhakra and Pong Reservoirs in accordance with the decisions(s) taken in its Technical Committee meeting(s) which is generally held in the last week of every month, wherein Chief Engineers of all the Partner States alongwith officers of the Central Water Commission and Agriculture Department etc. remains present. Further, BBMB keeps watch on the supplies delivered by the Partner States from their respective system. The position of supplies to Partner States out of Ravi-Beas waters as well as Satluj water during the last ten years is enclosed herewith as **Annexure-I**.

Question 4

Lok Sabha ADMITTED STARRED Question Dy. No. 9226
for answer on 03.01.2019 regarding
'PUNJAB TERMINATION OF AGREEMENTS ACT, 2004'.

<u>Sr. No.</u>	<u>Question</u>	<u>Reply</u>
a)	whether the Hon'ble Supreme Court has expressed its views regarding the constitutional validity of Punjab Termination of Agreements Act, 2004 regarding Ravi-Beas water in Presidential Reference 2004;	<p>It relates to Government of Punjab. However, the Hon'ble Supreme Court of India on 10th November, 2016 has given its opinion, the extract of which is as under:-</p> <p>"In our opinion, the Punjab Act cannot be said to be in accordance with the provisions of the Constitution of India and by virtue of the said Act the State of Punjab cannot nullify the judgment and decree referred to hereinabove and terminate the agreement dated 31st December, 1981.</p> <p>Thus, in our view, all the questions referred to this Court are answered in the negative."</p>
b)	If so, the details thereof;	As per (a) above.
c)	Whether the Government proposes to provide remaining surplus 0.60 MAF Ravi-Beas water to Rajasthan.	<p>It relates to Government of India.</p> <p>(For details, please see Note for Pad)</p>
d)	If so, the details thereof and the time by which it is likely to be done; and	As per (c) above.
e)	If not, the reasons therefor?	As per (c) above.

**Lok Sabha ADMITTED STARRED Question Dy. No. 9226
for answer on 03.01.2019 regarding
'PUNJAB TERMINATION OF AGREEMENTS ACT, 2004'.**

Note for Pad

The Chief Ministers of Punjab, Haryana and Rajasthan reached at an Agreement on 31st December, 1981 regarding allocation of surplus flows of rivers Ravi and Beas, over and above the pre-partition uses. As per agreement, the total quantum of surplus Ravi-Beas waters over and above pre-partition utilization had been assessed as 17.17 MAF on the basis of flow series for the years 1921-60 after deducting the pre-partition uses of 3.13 MAF and transit losses in the Madhopur Beas Link of 0.26 MAF. The allocation to the various States out of surplus Ravi-Beas waters, in accordance with Agreement dated 31.12.1981, is as under:-

Punjab	4.22 MAF
Haryana	3.50 MAF
Rajasthan	8.60 MAF
Delhi Water Supply	0.20 MAF
J&K	<u>0.65 MAF</u>

Total: 17.17 MAF

It was provided that in case of any variation in the figure of 17.17 MAF in any year, the shares shall be changed pro-rata of the above allocations subject to the condition that no change shall be made in the allocation of Jammu & Kashmir and Delhi Water Supply.

It was also stipulated in the agreement that until such time as Rajasthan is in a position to utilize its full share, Punjab shall be free to utilize the waters surplus to Rajasthan's requirements. As a result, it was expected that during this transitional period, when Rajasthan's requirement would not exceed 8.00 MAF, 4.82 MAF of water should be available to Punjab in a mean year, when the availability is 17.17 MAF.

As consensus could not be arrived on the implementation of the Interstate Agreement dated 31.12.1981 reached between the Chief Ministers of Punjab, Haryana and Rajasthan for distribution of Ravi-Beas waters, the Bhakra Beas Management Board in its 105th meeting held on 3.12.1982 approved an adhoc interim arrangement according to which Punjab, Haryana and Rajasthan had been allocated Ravi-Beas waters in the ratio of 30:21:49.

For planning purposes the water year is considered from 21st May to 20th May of subsequent year and is divided into two periods, i.e. filling period (21/5 to 20/9) & depletion period (21/9 to 20/5 of subsequent year). During the filling period deliveries to States are given as per requirements projected/decided in the Technical Committee meeting which is generally held in the last week of every month, wherein Chief Engineers of the Partner States of Punjab, Haryana, Rajasthan alongwith officers of the Central Water Commission and Agriculture Department etc. remains present. While during depletion period the deliveries to States are made as per requirements projected by States within their overall share for the period 21st Sept. to 20th May of subsequent year intimated by BBMB at the start of depletion period. The position of Ravi-Beas water supplied to Rajasthan at Harike during the last ten years is annexed at **Annexure – I**.

On the request of Rajasthan Government, the matter regarding restoration of Rajasthan's share of surplus Ravi-Beas waters from the existing 8.0 MAF to 8.6 MAF was put up before the Board under Item No. 180.03 of Board 180th meeting held on 10.1.2003 at Chandigarh wherein Member/Punjab stated as under: -

"This matter has already been referred by Government of Rajasthan to Central Government and the directions of Central Government in this regard are awaited. It is an interstate matter and BBMB is not the right forum to raise this issue."

Member/Haryana endorsed the above view point of Member/Punjab.

In view of above, no decision could be arrived at on the request of Rajasthan Government. The requisite decision of the Govt. of India on the reference made by Rajasthan is yet awaited and the adhoc interim arrangement approved by Board in its 105th meeting held on 03.12.1982 is being followed. Moreover, the State of Punjab has enacted the "Punjab Termination of Agreements Act, 2004" terminating and discharging the Government of Punjab from its obligations under the agreement dated 31.12.1981 and all other agreements relating to waters of Ravi-Beas. Govt. of India has made a Presidential reference to the Supreme Court inter alia whether the Punjab Termination of Agreements Act, 2004 and the provisions thereof are in accordance with the provisions of the Constitution of India.

The Hon'ble Supreme Court of India on 10th November, 2016 has given its opinion, the extract of which is as under:-

"In our opinion, the Punjab Act cannot be said to be in accordance with the provisions of the Constitution of India and by virtue of the said Act the State of Punjab cannot nullify the judgment and decree referred to hereinabove and terminate the agreement dated 31st December, 1981. Thus, in our view, all the questions referred to this Court are answered in the negative."

As the matter is subjudice, BBMB by itself is unable to take any decision in the matter. It is further stated that matter regarding restoration of remaining 0.60 MAF Ravi-Beas waters by Punjab to Rajasthan was discussed in 28th meeting of the Northern Zonal Council held at Chandigarh on 12.05.2017. It was decided therein that Ministry of Water Resources, RD & GR should convene a meeting of the Chief Secretaries and Chief Ministers of member States to sort out the issue. Representative from the CWC and the Ministry of Power should also be invited.

As per directions of MoWR, RD & GR, an interstate meeting was convened under the Chairmanship of Chairman, CWC with the representatives from BBMB, CWC and the Chief Secretaries of Government Punjab, Haryana and Rajasthan on dated 28.08.2017 at New Delhi to resolve the issue but due to differing views of party States, no reconciliation on the issue could be made.

Lastly, the matter was deliberated in the meeting of the Standing Committee of the Northern Zonal Council held at Jaipur on 24th March, 2018 wherein, CWC/Ministry of Water Resources, RD&GR has stated that a meeting of Union Minister on this issue is likely to be held shortly. Further, the issue of PTAA is being deliberated by the Supreme Court. Consequently, Ministry of Water Resources, RD&GR was advised by the

Standing Committee to place the outcome of the meeting, expected to be held shortly, before the Northern Zonal Council.

SUPPLY OF RAVI-BEAS WATER TO RAJASTHAN AT HARIKE (MAF)

YEAR	PERIOD	Share	Deliveries	Excess/shortage
2008-09	FILLING	2.0110	2.1678	0.1568
	DEPLETION	4.1905	5.4905	1.3001
	TOTAL	6.2015	7.6583	1.4568
2009-10	FILLING	1.8118	1.7306	-0.0812
	DEPLETION	2.5560	2.4595	-0.0965
	TOTAL	4.3678	4.1901	-0.1777
2010-11	FILLING	2.3085	2.1299	-0.1786
	DEPLETION	3.8122	5.1292	1.3170
	TOTAL	6.1208	7.2591	1.1384
2011-12	FILLING	2.6416	2.9158	0.2742
	DEPLETION	3.9996	4.9286	0.9290
	TOTAL	6.6413	7.8445	1.2032
2012-13	FILLING	2.6376	2.7312	0.0937
	DEPLETION	3.8446	4.6915	0.8468
	TOTAL	6.4822	7.4227	0.9405
2013-14	FILLING	2.5832	3.0318	0.4487
	DEPLETION	4.0641	4.9358	0.8718
	TOTAL	6.6472	7.9676	1.3204
2014-15	FILLING	2.6335	2.6157	-0.0178
	DEPLETION	3.2813	3.9901	0.7088
	TOTAL	5.9148	6.6058	0.6910
2015-16	FILLING	2.9069	3.0580	0.1511
	DEPLETION	3.8770	4.8141	0.9371
	TOTAL	6.7839	7.8721	1.0882

2016-17	FILLING	2.0264	2.4047	0.3783
	DEPLETION	3.6507	4.3569	0.7062
	TOTAL	5.6771	6.7616	1.0845
2017-18	FILLING	2.6820	2.9500	0.2679
	DEPLETION	3.9010	4.6960	0.7950
	TOTAL	6.5830	7.6460	1.0629
2018-19	FILLING	2.0400	2.1560	0.1160
<p>Note:</p> <ol style="list-style-type: none"> 1. Filling period is from 21st May to 20th September and depletion period is from 21st September to 20th May of subsequent year. 2. The shares/allocation are based on the basis of water accounts circulated by BBMB and have been restricted to indent or safe carrying capacities if it is less. 3. The deliveries to Rajasthan are more as compared to the requirements projected in Technical Committee Meeting. 4. The figures of filling 2018 are yet to be reconciled with Partner States. 				

Question 5



**Bhakra Beas Management Board,
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SPEED POST

From

Secretary

To

Joint Secretary (Hydro),
Government of India,
Ministry of Power,
Shram Shakti Bhawan, Rafi Marg,
New Delhi – 110 001. Tele: 011-23766242

No: 5464-66/B-224/12/DHD

Dated: **06.12.2019**

Subject: Matter raised by way of Special Mention in Rajya Sabha on 2nd December, 2019 by Dr. Kirodi Lal Meena, Hon'ble Member of Parliament regarding "demand for execution of work of Shahpur Kandi Barrage through independent organization.

With reference to Ministry's letter No. 5-7/1/2019-BBMB (MoP) dated 05.12.2019 containing an extract of the Special Mention raised by Dr. Kirodi Lal Meena, Hon'ble Member of Parliament on 2nd December in the Rajya Sabha on the subject cited above, I am directed to intimate as under:-

An agreement was signed among the Hon'ble Chief Ministers of Rajasthan, Haryana and His Excellency the Governor of Punjab including Hon'ble Union Minister for Energy, Govt. of India, New Delhi on 10th May, 1984 regarding the supply of cooling water for Ropar Thermal Power Station and commissioning of the Anandpur Sahib Hydel Project. Part-II of the Agreement deals with sharing of power from various Hydel Projects, the Sub-clause (i) of which is reproduced as under:

"In view of the claims raised by Haryana and Rajasthan to sharing of Power in Anandpur Sahib Hydel Project, Mukerian Hydel Project, Thein Dam Project, UBDC Stage-II and Shahpur Kandi Hydel Scheme, it is hereby agreed that the Government of India, shall refer the matter to the Supreme Court for its opinion. The Supreme Court's opinion obtained by the Government of India shall be remitted to the signatory States and shall be binding on them."

It was also provided in the said Agreement that pending receipt of the opinion of the Supreme Court, Government of India will give due consideration to the requests of Haryana and Rajasthan for making available additional power from the unallocated share in the Central Generating Stations.

In this regard it is intimated that the issue regarding vesting of possession and control of Madhopur Headworks, Thein Dam/Ranjit Sagar Dam and Shahpur Kandi Dam Project to BBMB and sharing of power from these projects is sub-judice before Hon'ble Supreme Court of India in cases titled Original Suit No. 3/2009 titled State of Haryana Vs State of Punjab & others and Original Suit No. 1/14 titled State of Rajasthan Vs State of Punjab & others. This bears the approval of the Competent Authority.

Secretary

SPEED POST

CC:

M/s Rita Singh, Under Secretary to the Government of India, Ministry of Power, Shram Shakti Bhawan, Rafi Marg, New Delhi – 110001. Telefax-23766242 for kind information.

Dy. Secretary (Coordination), BBMB, D-II/47, Kaka Nagar, New Delhi to coordinate in the matter with the Ministry.



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प्रेषक

सचिव

सेवा में

संयुक्त सचिव (हाइड्रो),
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क्रमांक: 5464-66 /बी-224/12/डीएचडी

दिनांक: 06.12.2019

विषय: डॉ. किरोड़ी लाल मीणा, माननीय संसद सदस्य द्वारा 2 दिसंबर, 2019 को राज्यसभा में विशेष उल्लेख में शाहपुरकंडी बैराज का कार्य स्वतंत्र संगठन से करवाने संबंधी।

विद्युत मंत्रालय के पत्र संख्या 5-7/1/2019-बीबीएमबी (MOP) दिनांक 05.12.2019 के संदर्भ में, माननीय संसद सदस्य डॉ. किरोड़ी लाल मीणा, द्वारा 2 दिसंबर, 2019 को राज्यसभा में उपरोक्त विषय पर उठाये गए विशेष उल्लेख के संबंध में मुझे निम्नानुसार सूचित करने का निर्देश हुआ है।

रोपड़ थर्मल पावर स्टेशन के लिए पानी की आपूर्ति और आनंदपुर साहिब हाइडल परियोजना के चालू होने के संबंध में, 10 मई, 1984 को राजस्थान, हरियाणा के माननीय मुख्यमंत्रियों और पंजाब के महामहिम राज्यपाल के बीच एक समझौता हुआ, जिसमें माननीय केंद्रीय ऊर्जा मंत्री, भारत सरकार, नई दिल्ली भी शामिल थे।

समझौते का भाग-2 विभिन्न हाइडल परियोजनाओं से विद्युत के हिस्से से संबंधित है, जिसका उप खण्ड (i) निम्नानुसार पुनः प्रस्तुत किया जाता है:

"आनंदपुर साहिब हाइडल परियोजना, मुकेरियां हाइडल प्रोजेक्ट, थीन डैम परियोजना में यूबीडीसी स्टेज-II तथा शाहपुर हाइडल परियोजना के विद्युत हिस्सेदारी के बारे में हरियाणा तथा राजस्थान के दावों के मददेनजर इस बात पर सहमति व्यक्त की है कि भारत सरकार अपनी राय के लिए सर्वोच्च न्यायालय को उनकी सलाह लेने हेतु संदर्भित करेगी। भारत सरकार द्वारा सर्वोच्च न्यायालय से प्राप्त राय संबंधित हस्ताक्षरित राज्यों को भेज दी जाएगी और यह उन पर बाध्यकारी होगी।"

उक्त समझौते में यह भी प्रावधान किया गया था कि सर्वोच्च न्यायालय की लम्बित राय भारत सरकार, हरियाणा और राजस्थान को केन्द्रीय उत्पादन स्टेशनों में अतिरिक्त ऊर्जा की असूचीबद्ध हिस्सेदारी उपलब्ध करवाने पर उचित विचार करेगी।

इस संबंध में यह सूचित किया जाता है कि माधोपुर हैडवर्क्स, थीन डैम/रंजीत सागर डैम एवं शाहपुरकंडी डैम का नियंत्रण बीबीएमबी को देने बारे एवं इन प्रोजेक्टों से पैदा होने वाली विद्युत की भागीदारी का मामला माननीय सर्वोच्च न्यायालय नई दिल्ली में आरीजनल सूट नं. 3/2009 (हरियाणा राज्य बनाम पंजाब राज्य एवं अन्य) और आरीजनल सूट नं. 01/2014 (राजस्थान राज्य बनाम पंजाब राज्य एवं अन्य) के अंतर्गत लंबित है।

यह सक्षम प्राधिकारी के अनुमोदनोपरांत जारी किया जाता है।

हस्ता:
सचिव

स्पीड पोस्ट

प्रतिलिपि:

1. सुश्री रीता सिंह, भारत सरकार के अवर सचिव, विद्युत मंत्रालय, श्रम शक्ति भवन, रफी मार्ग, नई दिल्ली - 110001 टेलीफैक्स -23766242 की जानकारी के लिए।
2. उप सचिव (समन्वय), बीबीएमबी, डी- II / 47, काका नगर, नई दिल्ली।

Question 6

Rajya Sabha Starred/ Unstarred Question Dy. No. U45 regarding Divergence of Water to Himachal Pradesh to be answered on 10.12.2019.

<u>Sr. No.</u>	<u>Question</u>	<u>Reply</u>
(a)	whether it is a fact that Government vide letter 17.05.1984 had directed Bhakra Beas Management Board (BBMB) that water for irrigation of areas of Himachal Pradesh has to come from the share of Punjab in the Ravi Beas water;	: Yes. (For details, please see Note For Pad)
(b)	whether BBMB has implemented this decision, if not the reasons therefor; and	: As per (a) above.
(c)	whether Government intends to give direction to BBMB for early implementation of this decision?	Relates to Government of India.

**Rajya Sabha Starred/ Unstarred Question Dy. No. U45 regarding Divergence of Water
to Himachal Pradesh to be answered
on 10.12.2019.**

Note for Pad

A Memorandum of Understanding was signed on 16.07.1983 between the Chief Ministers of Punjab & Himachal Pradesh for allowing 228 cusec of water from Shah Nehar barrage to Himachal Pradesh regularly. Ministry of Irrigation, Government of India vide Secretary, BBMB letter No. 38633-36/B-890/DHD dated 21.11.1983 was requested to clarify whether this water to be supplied to Himachal Pradesh would be out of share of Punjab since Himachal Pradesh had not been allowed any share either from the Satluj water or Ravi-Beas water and further Agreement dated 16.07.1983 was a bilateral Agreement between Punjab and Himachal Pradesh.

Government of India vide letter No. 15/9/82/IT dated 17.05.1984 clarified that water for all the areas of Himachal Pradesh proposed to be irrigated (existing as well as potentially irrigable areas) as per Clause-1 of the Agreement drawn in July, 1983 between Punjab and Himachal Pradesh, has to come from the share of Punjab in Ravi-Beas waters, as all the areas proposed to be irrigated by Himachal Pradesh were parts of erstwhile State of composite Punjab and were transferred to Himachal Pradesh on 01.11.1966 as a result of reorganization of State of Punjab. At that time only 25 cusec of water was being utilized by Himachal Pradesh and accordingly in view of Government of India clarification, this 25 cusec water was booked to Punjab's Ravi-Beas water account w.e.f. 1985 onwards. The Water Accounts were prepared and circulated accordingly till year 1985 and the same were being accepted by all the States. Rajasthan raised objection for booking of 318 cusec of water instead of 25 cusec to Punjab's account from 2010 as 318 cusec of water is being utilized by Himachal Pradesh ex-Shah Nehar Barrage.

On the request of Rajasthan, the matter was put up and deliberated in various meeting(s) of Irrigation Sub-Committee meetings as well as in Bhakra Beas Management Board's meetings and was lastly deliberated in Board's 227th meeting held on 20.09.2017 at Chandigarh under Item No. 227.07 wherein Member/Punjab did not agree to the proposal of Rajasthan. As such, both the Members (Punjab & Rajasthan) agreed to take up the issue separately. Further, no input/communication in the matter has been received from the State of Rajasthan/Punjab thereafter.

Question 7



Bhakra Beas Management Board,
Sector 19-B, Chandigarh-160019.
Tel: 0172-5011758, Fax-0172-2549857
E-Mail: secy@bbmb.nic.in



SPEED POST

From

Secretary

To

Joint Secretary (Hydro),
Government of India,
Ministry of Power,
Shram Shakti Bhawan, Rafi Marg,
New Delhi – 110 001. Tele: 011-23766242

No:

/B-224/12/DHD

Dated: .2019

Subject: Rajya Sabha Starred/ Unstarred Question Dy. No. U46 regarding Divergence of water through Bhakra Main Line to be answered on 10.12.2019.

In continuation to this office letter No. 5347-51/B224/12/DHD dated 29.11.2019 on the subject cited above, I am directed to further intimate that the Government of Rajasthan has filed an Original Suit No. 1/2011 in the Hon'ble Supreme Court of India in this regard and the matter is now subjudice. The Legal update of the Suit filed by Govt. of Rajasthan in the Hon'ble Supreme Court is enclosed as **Annexure-A**.

This bears the approval of the Competent Authority.

D.A. /As above

Secretary

SPEED POST

CC:

1. M/s Rita Singh, Under Secretary to the Government of India, Ministry of Power, Shram Shakti Bhawan, Rafi Marg, New Delhi-110001. Telefax-23766242 for kind information.
2. Chairperson/Central Electricity Authority, Sewa Bhawan, R.K. Puram, New Delhi with reference to the Ministry's letter as referred above for information.
3. Shri P.K. Saxena, Commissioner (Indus), Ministry of Jal Shakti, Block 11, 8th Floor, CGO Complex, Lodhi Road, New Delhi with reference to the Ministry's letter as referred above for information.
4. Dy. Secretary (Coordination), BBMB, D-II/47, Kaka Nagar, New Delhi to coordinate in the matter with the Ministry.
5. Dy. Secretary (Hydro), Government of India, Ministry of Power, Shram Shakti Bhawan, Rafi Marg, New Delhi – 110 001.

D.A. /As above

Original Suit No.1 of 2011 titled State of Rajasthan Vs. Union of India & Ors.

The State of Rajasthan has filed Original Suit No. 1 of 2011 in the Hon'ble Supreme Court of India claiming following reliefs:

1. The Union of India may be directed to take decision about allocation for release of 0.17 MAF water Ex-Nangal through BML in pursuance of the reference made by the BBMB on 03.08.2006 and in terms of clause (V) of the agreement dated 31.12.1981; and
2. The BBMB may be directed to release 0.17 MAF of Ravi Beas water Ex-Nangal through BML: and
3. The State of Haryana may be restrained from unduly interfering/impeding in release of 0.17 MAF of due share of water of State of Rajasthan because there is no dispute with regard to its share as well as the carriage canal of BML.

In this case, initially following were the party respondents:

- | | | |
|----|--|-----------------|
| 1. | Union of India through Ministry of Power | Respondent No.1 |
| 2. | State of Haryana | Respondent No.2 |
| 3. | Bhakra Beas Management Board | Respondent No.3 |
| 4. | State of Punjab | Respondent No.4 |
| 5. | Central Water Commission | Respondent No.5 |
- In this suit BBMB through its Chairman was arrayed as Respondent No. 3 but as the State of Rajasthan has filed the Original Suit under Article 131 of the Constitution of India, therefore, BBMB not being a necessary party to the suit because under Article 131, Supreme Court of India can only decide inter-state matters. Hence BBMB filed IA No.2/2012 for deletion of its name from array of respondents. The IA filed by BBMB was allowed by Hon'ble Supreme Court of India vide Order dated 21.04.2015 (**Annexure-I**) and the name of BBMB stands deleted from this case.
 - Likewise Ministry of Power (initially arrayed as Respondent No.1) has also taken the stand that Ministry concerned in this case is the Ministry of Water Resources, therefore Ministry of Power too stands substituted with Ministry of Water Resources. Therefore Ministry of Power too is not a party to this case as per Order dated 5/2/2016 of Hon'ble Supreme Court of India (**Annexure-II**).

At present, following are the respondents in this case:

- | | | |
|----|--|-----------------|
| 1. | Union of India through Ministry of Water Resources | Respondent No.1 |
| 2. | State of Haryana | Respondent No.2 |
| 3. | State of Punjab | Respondent No.3 |

In this case, State of Rajasthan has sought directions for release of 0.17 MAF water and the BBMB referred the matter to the Govt. of India in the year 2006 under Rule 7 of BBMB Rules, 1974 as the matter could not be decided between the partner States. Subsequently, the matter became subjudice as the State of Rajasthan filed an Original Suit No. 1 of 2011 in the Hon'ble Supreme Court of India.

The matter was also deliberated between the partner States in the 205th meeting of the Board held on 04.10.2010 wherein it was decided to expedite the matter with Ministry of Power, Govt. of India after obtaining fresh comments from partner States. Since the dispute is inter-se the parties i.e. partner states no action on the part of BBMB is required. Moreover, BBMB has been created as a nodal agency under the provisions of Punjab Re-organization Act, 1966 for administration, maintenance and operation of works enumerated therein.

This case lastly came up for hearing before Hon'ble Supreme Court of India on 25.09.2019 (**Annexure-III**) and in view of the request made by the parties to the suit as some negotiations are going on, the Hon'ble Supreme Court has adjourned for four months and the case is likely to be listed on 27.01.2020.

Since the matter is now subjudiced before Hon'ble Supreme Court of India and any subsequent action by Government of India can only be taken after the decision by Hon'ble Supreme Court.

Question 8

Rajya Sabha Starred/Unstarred Question Dy. No. U46 regarding Divergence of water through Bhakra Main Line to be answered on 10.12.2019.

Sr. No.	Question		Reply
(a)	whether it is a fact that Bhakra Main Line (BML) was constructed to carry the Satluj water;	:	Yes. Bhakra Main Line was constructed to carry Satluj water to Punjab (undivided) and Rajasthan as per Bhakra-Nangal Agreement, 1959.
(b)	whether Ravi Beas water can be delivered through BML to partner states ;	:	There was no provision for Ravi-Beas water to be carried through BML at the time of construction of Bhakra - Nangal project. However, Ravi-Beas water for Haryana is being delivered in spare capacity of BML over and above Satluj water. (For details, please see Note For Pad)
(c)	whether Secretary, Ministry of Irrigation, Government of India vide decision dated 15 th January, 1982 has allocated 0.17 MAF (Ex-Nangal) water to Rajasthan through Bhakra Main Line ;	:	Yes. (For details, please see Note For Pad)
(d)	whether Bhakra Beas Management Board (BBMB) has referred the matter to Government of India under Rule 7 of BBMB Rules, 1974 for a decision in the matter ;		Yes, the matter was referred to the Secretary, Government of India, Ministry of Power, New Delhi in the year 2006 under Rule-7 of BBMB Rules, 1974 for decision.
(e)	whether Government has conveyed its decision; and		No, still pending.
(f)	If so, up to when Government will convey its decision?		Relates to Government of India. (Case sub-judice in the Supreme Court)

Rajya Sabha Starred/Unstarred Question Dy. No. U46 regarding Divergence of water through Bhakra Main Line to be answered on 10.12.2019.

Note for Pad

On 13th January, 1959, Governors of erstwhile Punjab & Rajasthan entered into an agreement to collaborate in the construction of a Dam across the river Satluj at Bhakra and other ancillary works, executed under the Bhakra Nangal Project for extension and improvement of irrigation and generation of Hydroelectric power on the term and conditions given in the agreement. The percentage shares of these States out of Satluj water were also specified in the said agreement. After reorganization of erstwhile Punjab into Punjab and Haryana in 1966, the share of Haryana was derived from the share of erstwhile Punjab in a meeting held on 19.12.1966. Since, only Satluj water was available in Bhakra reservoir at that time, therefore, the distribution of the same through existing canal water carrier system was mentioned / planned in the said agreement. On the completion of Beas Project-I (Beas Satluj Link Project), water diverted from river Beas to river Satluj at Pandoh was also available in Bhakra reservoir.

The Chief Ministers of Punjab, Haryana and Rajasthan reached at an Agreement on 31st December, 1981 regarding allocation of surplus flows of rivers Ravi and Beas, over and above the pre-partition uses. As per agreement, the total quantum of surplus Ravi-Beas waters over and above pre-partition utilization had been assessed as 17.17 MAF on the basis of flow series for the years 1921-60 after deducting the pre-partition uses of 3.13 MAF and transit losses in the Madhopur Beas Link of 0.26 MAF.

For enabling Haryana to draw its allocated share of water, it was provided in the Clause (iv) of the above said agreement that the Satluj Yamuna Link Canal Project shall be implemented in a time bound manner so far as the canal and appurtenant works in the Punjab territory are concerned within a maximum period of two years from the date of signing of this Agreement. Subsequently, in the 2nd para of the same ibid clause, the claim of Rajasthan to carry 0.57 MAF of water through Satluj Yamuna Link Canal/Bhakra System, it has been discussed that the Secretary, Ministry of Irrigation, Government of India will hold discussions with Punjab, Haryana and Rajasthan with a view to reach an acceptable solution. These discussions shall be concluded in a period of 15 days from the date of affixing signatures on 1981 agreement. If no mutually acceptable agreement was reached, the decision of Secretary, Ministry of Irrigation to be given within this period would be binding on all the parties. Shri C.C. Patel, the then Secretary to Govt. of India, Ministry of Irrigation had decided on 15.01.1982 that 0.17 MAF which is equivalent to about 300 cusecs shall be delivered to Rajasthan ex-Nangal via BML for irrigating Nohar and Sidhmukh areas after the BML is restored to its original designed capacity of 12,500 cusecs.

Question 9

Rajya Sabha Starred/Unstarred Question D.No. U658 regarding Allocation of water to Rajasthan by BMC to be answered on 02.07.2019.

Sr. No.	Question	Reply
(a)	whether it is fact that Bhakra Main Line (BML) was constructed to carry the Sutlej water;	: Yes. Bhakra Main Line was constructed to carry Satluj water to Punjab (undivided) and Rajasthan as per Bhakra-Nangal Agreement, 1959.
(b)	whether Ravi Beas water can be delivered through BML to partner States ;	: There was no provision for Ravi-Beas water to be carried through BML at the time of construction of Bhakra-Nangal project. However, Ravi-Beas water for Haryana is being delivered in spare capacity of BML over and above Satluj water. (For details, please see Note For Pad)
(c)	whether Secretary, Ministry of Irrigation, Government of India vide decision dt. 15 th January 1982 has allocated 0.17 MAF (Ex-Nangal) water to Rajasthan through Bhakra Main Line ;	: Yes. (For details, please see Note For Pad)
(d)	Whether Bhakra Beas Management Board (BBMB) has referred the matter to Government of India under Rule 7 of BBMB Rules, 1974 for a decision in the matter ;	Yes, the matter was referred to the Secretary, Government of India, Ministry of Power, New Delhi in the year 2006 under Rule-7 of BBMB Rules, 1974 for decision.
(e)	Whether Government has conveyed its decision; and	No, still pending.
(f)	If so, up to when Government will convey its decision?	Relates to Government of India.

Note for Pad

On 13th January, 1959, Governors of erstwhile Punjab & Rajasthan entered into an agreement to collaborate in the construction of a Dam across the river Satluj at Bhakra and other ancillary works, executed under the Bhakra Nangal Project for extension and improvement of irrigation and generation of Hydroelectric power on the term and conditions given in the agreement. The percentage shares of these States out of Satluj water were also specified in the said agreement. After reorganization of erstwhile Punjab into Punjab and Haryana in 1966, the share of Haryana was derived from the share of erstwhile Punjab in a meeting held on 19.12.1966. Since, only Satluj water was available in Bhakra reservoir at that time, therefore, the distribution of the same through existing canal water carrier system was mentioned/ planned in the said agreement. On the completion of Beas Project-I (Beas Satluj Link Project), water delivered from river Beas to river Satluj at Pandoh was also available in Bhakra reservoir.

The Chief Ministers of Punjab, Haryana and Rajasthan reached at an Agreement on 31st December, 1981 regarding allocation of surplus flows of rivers Ravi and Beas, over and above the pre-partition uses. As per agreement, the total quantum of surplus Ravi-Beas waters over and above pre-partition utilization had been assessed as 17.17 MAF on the basis of flow series for the years 1921-60 after deducting the pre-partition uses of 3.13 MAF and transit losses in the Madhopur Beas Link of 0.26 MAF.

For enabling Haryana to draw its allocated share of water, it was provided in the Clause (iv) of the above said agreement that the Satluj Yamuna Link Canal Project shall be implemented in a time bound manner so far as the canal and appurtenant works in the Punjab territory are concerned within a maximum period of two years from the date of signing of this Agreement. Subsequently, in the 2nd para of the same ibid clause, the claim of Rajasthan to carry 0.57 MAF of water through Satluj Yamuna Link canal/ Bhakra System, it has been discussed which provides that the Secretary, Ministry of Irrigation, Government of India will hold discussions with Punjab, Haryana and Rajasthan with a view to reach an acceptable solution. These discussions shall be concluded in a period of 15 days from the date of affixing signatures on 1981 agreement. If no mutually acceptable agreement was reached, the decision of Secretary, Ministry of Irrigation to be given within this period would be binding on all the parties.

Shri C.C. Patel, the then Secretary to Govt. of India, Ministry of Irrigation had decided on 15.01.1982 that 0.17 MAF which is equivalent to about 300 cusecs shall be delivered to Rajasthan ex-Nangal via BML for irrigating Nohar and Sidhmukh areas after the BML is restored to its original designed capacity of 12,500 cusecs.
