



राष्ट्रीय जल विकास अभिकरण

(जल संसाधन, नदी विकास और गंगा
संरक्षण मंत्रालय, भारत सरकार)

National Water Development Agency
(Ministry of Water Resources, River Development
and Ganga Rejuvenation, Government of India)

Minutes of the Fifth Meeting of the Task Force for Inter-linking of Rivers (Held on 25th October, 2016 at New Delhi)

नई दिल्ली
New Delhi

Minutes of the 5th meeting of Task Force for Interlinking of Rivers held on 25th October, 2016 at New Delhi

Fifth meeting of Task Force for Interlinking of Rivers was held on 14th October, 2016 at New Delhi under the chairmanship of Shri B. N. Navalawala, Chairman, Task Force and Chief Advisor, Ministry of Water Resources, River Development and Ganga Rejuvenation. List of the participants is enclosed as Annex-I.

At the outset, Shri B. N. Navalawala, Chairman, Task Force and Chief Advisor, Ministry of Water Resources, River Development and Ganga Rejuvenation welcomed all the Members and Special Invitees for participating in the meeting. In his opening remarks, he indicated that he had been interacting with Director General, NWDA and other NWDA officers from time to time since last meeting held in June, 2016 to take stock of the situation of ILR programme, particularly about important links such as Ken-Betwa, Par-Tapi-Narmada, Damanganga-Pinjal and Mahanadi-Godavari links. He mentioned that the stand of Odisha on Mahanadi was not, so far, very conducive for ILR programme. Donor States are not agreeing with water balance studies as carried out by NWDA. Considering the legal implications involved in the implementation of ILR Programme, a Group on Legal Aspects under Task Force has been constituted under the chairmanship of Shri A. D. Mohile, former Chairman, CWC and Member of the Task Force to deliberate on related aspects and give appropriate recommendations in the matter. He then requested Director General, NWDA and Member Secretary, Task Force to take up agenda items for discussion.

Item 5.1: Confirmation of the minutes of the 4th meeting of the Task Force for Interlinking of Rivers held on 15th June, 2016 at New Delhi

Director General, NWDA and Member Secretary, Task Force informed that the minutes of the fourth meeting of the Task Force for Interlinking of Rivers (TF-ILR) held on 15.06.2016 at New Delhi were circulated to all the members vide letter no. SCILR/Tech/400/5/2015/812-833 dated 1.7. 2016. No comments have been received from any of the members. As such, the minutes of the fourth meeting of the Task Force for ILR may be confirmed as circulated. At this point, Dr. Prodipto Ghosh desired to know the status of action regarding the presentation on following two topics suggested by him in previous meetings:

- i. How ILR Projects could be used in peak season to recharge ground water aquifer-by an expert from water sector or by NWDA.

- ii. Experience of Public Private Partnership in case of Infrastructure sector (and not on Interlinking of rivers or water sector), where it has been very successful, by an eminent expert.

Chairman, Task force requested Dr. Ghosh to suggest the name(s) of suitable expert(s) on Public Private Partnership so that he/she can be approached by NWDA for making presentation. Shri Ghosh suggested name of Shri Vinayak Chatterjee in this regard. Director General, NWDA agreed to take action on suggestions of Dr. Ghosh in subsequent meetings. Chairman, Task Force mentioned that the earlier Task Force on ILR had suggested various options for funding of ILR projects. He desired that the report on funding options prepared by earlier Task Force may be circulated to the members of the present Task Force, which would be discussed in the next meeting. Further the issue of as to how the ILR Projects could be used in peak season to recharge ground water aquifer a presentation by an expert from water sector or by NWDA should be arranged in the next meeting. The Chairman desired that next meeting should be held preferably within next one month.

Item 5.2: Follow-up action on the decisions taken during the last meeting

- (i) **Surplus water and guidelines for preparation of Water balance Studies**

DG, NWDA informed that as decided in the fourth meeting, the Draft guidelines for working out the surplus water in a river basin as finalised by the Task Force were circulated by NWDA among the members of TAC of NWDA vide letter dated 12.7.2016. This item is proposed to be discussed in detail under agenda item no. 5.3.

- (ii) **Constitution of Group on legal aspect**

DG, NWDA informed regarding the constitution of a Group on legal aspect headed by Shri A. D. Mohile. The Group has held its two meetings on 19.8.2016 and 15.9.2016 so far. Chairman, Task Force requested Shri Mohile to suggest appropriate mechanism wherein water balance studies carried out by NWDA are duly honoured by the States for proper implementation of ILR Programme. He also desired that copy of opinion note on legal aspects of the ILR projects and surplus water prepared by Shri Virag Gupta, Member of the Legal Group may be circulated to all the Members of the Task Force as it is very useful. The

Group has been given two months additional time for submission of their report because of complexities involved in the matter.

Dr. Ghosh was of the view that since Centre has clear constitutional mandate in respect of interstate rivers, water balance study cleared by the Task Force should be binding on the State Government and surplus water worked out by NWDA should be acceptable to them.

Shri Virag Gupta mentioned that since ground water and surface water are co-related with each other, there should not be separate rule for each. He indicated that Parliament should enact uniform legislation for both surface and ground water. Secondly, the present legal understanding on surplus water is not binding on the State because we do not have updated data. So we should have updated data for river flow, water uses for various purposes and surplus water and that too in public domain. Thirdly, we should have Supreme Court endorsement for Interlinking of River Programme.

Director General, NWDA clarified that river flow data is continuously updated every year and given to State Governments and other agencies as per prescribed norms. However, there is problem in getting water utilisation data from the States. Sometimes they do not have actual and real-time utilisation data whereas sometimes even if they have actual data they do not want to share it with Central agencies. DG, NWDA further clarified that there is not much dispute on data relating to present utilisation because it is easy to check from the records. However, the dispute arises about data relating to projected utilisation because of projection and assumptions involved in this regard.

Chairman, Task Force sought the opinion of Shri Virag Gupta on Supreme Court intervention in the matter of ILR. Shri Gupta stated that Supreme Court may not entertain request of the Centre if intervention is sought on the basis of failure in implementing the ILR Programme. However, Supreme Court might entertain the request if it is made on the basis of deficiency or non-clarity in the Supreme Court order, which is delaying implementation of ILR programme.

Regarding the data it was suggested that updated river flow data except that of restricted basins that is Ganga, Brahmaputra and Indus basins should be kept in public domain so that State should not have any reason

to contest/oppose the data and there is complete transparency in the matter. If it is in public domain, after reasonable time, the Court will treat it as data admitted by the State unless and until it has been opposed by the State on valid ground. Secondly, effort should be made to synchronise the present and projected utilisation data with the State Governments. This will facilitate the determination of surplus water acceptable to States.

(iii) **TA/DA to newly approved members**

DG, NWDA informed the status of the case as given in the agenda note. The Chairman, TF-ILR expressed concern over the delay in approval of the proposal for the entitlement of TA/DA of the non-official private members equal to the entitlement of official retired (Government officer) members (PB-4 in grade pay of Rs.10,000). Members also felt that advantage of co-opting members from other fields could not be availed just because of this constraint of TA/DA entitlement.

Item5.3: Review of NWDA guidelines for carrying out Water Balance Study in a River Basin

DG, NWDA informed that the draft guidelines for working out surplus water in a river basin as finalised by Task Force were circulated among the members of TAC of NWDA including the State Governments by NWDA vide letter dated 12.7.2016 with the request to convey the consent or views as of their Government within one month time. In response, comments from CGWB, NIH, CEA, Ministry of Agriculture & Farmers Welfare, and Governments of Tamil Nadu, Kerala and Telangana States were received. Ministry of Agriculture & Farmers Welfare has supported the draft guidelines finalised by the Task Force for ILR. Based on these comments, draft guidelines have been modified and required corrections have been done. The modified draft guidelines were discussed by the Members. Important points that emerged during the discussion on the guidelines are as under:

- i. Some of the Members were of the view that utilisable ground water resources should be added to surface water resources while working out total availability of water resources in water balance studies. Some of the members were not agreed with the suggestion of inclusion of ground water while working out surplus water due to the reasons that availability of ground water is location specific, ground water aquifers do not follow the basin boundary and also its measurement is not accurate. After deliberation, it was agreed that assessment

and accordingly the accounting of any surplus or deficit in ground water availability in any basin would not be practicable and as such the ground water should be left entirely to the concerned States. This however, does not mean that NWDA or the States will not consider conjunctive and optimum use of both surface and ground water in their water resources development planning.

- ii. Tamil Nadu has requested that the irrigation efficiency for major and medium irrigation projects should be restricted to 60% as per recommendation of the National Commission for Integrated Water Resources Development Plan (1999 Report) as it would not be possible to achieve the irrigation efficiency of 65% as adopted in revised guideline for preparation of PWBS by NWDA. Members of the Task Force after deliberation decided to retain 65% irrigation efficiency as adopted in the draft guidelines.
- iii. Regarding 75% dependable flow for working out water availability in water balance study, representative of Rajasthan State indicated that this criteria should be relaxed for drought prone States like Rajasthan and the States should be allowed to plan their project for lesser dependability i.e. upto 50% dependable flow. Chairman, Task Force mentioned that the criteria of 75% dependable flow was linked to the risk of farmer's investment. However as Rajasthan is having 30% desert area alongwith other water short area, he appreciated the concern of Rajasthan and indicated that for water short areas, the planning based on 50% dependable flow may be allowed in specific cases only. However for general planning in national interest, 75% dependable flow criteria should be followed.
- iv. NIH suggested for adopting rainfall-runoff regression analysis on monthly basis in the hydrological studies in place of seasonal basis being done by NWDA. Shri A.D. Mohile mentioned that there were various recognized scientific methods for assessing water availability, as such; only proper scientific method should be used for assessing the water availability in place of rainfall- runoff method. Chairman, Task Force mentioned that States were not having any objection on the existing method of rainfall- runoff regression analysis being adopted by NWDA in hydrological studies, as such it would not be desirable to make any change in the procedure being adopted by NWDA for assessing water availability .
- v. Dr. Prodipto Ghosh suggested that while accounting for 60% of net culturable area for making the provisions of water for ultimate irrigation requirement in working out the surplus waters in a river basin, the existing, ongoing projects

and the future identified projects which are feasible based on the Internal Rate of Return (IRR)/ Economic Rate of Return (ERR) should only be considered.

- vi. Some of the States have commented on the provision of environmental flow and advocated for increase in the Environmental flow. Members of the Task Force were of the view that no consensus on e-flow has been made so far. As such present practice of adopting 10% of average lean season flow as environmental flow may be continued by NWDA.
- vii. Tamil Nadu has requested to reduce the provision of regeneration in the water balance study. NWDA guidelines suggest that the percentage of regeneration may undergo change based on the scientific study to be carried out in this regard. In view of this the Task Force felt that there is no need of any change in the draft guidelines on account of regeneration. On the same analogy Task Force also felt that there is no need of any change in the present provision in the draft guidelines for salinity control.
- viii. Regarding request of Telangana State for changing criteria of 75% dependable flow, it was observed that the guidelines have been framed in national perspective and whereas the problem of Telangana is State specific. It was mentioned that the request of Telangana for raising the limit of lift height beyond 120m had already been considered and agreed to.

Item5.4: Extension of Time Period for legal group and appointment of its Chairman

DG, NWDA informed about extension of tenure of the Group on Legal Aspects for a period upto 20th November, 2016 and designation of Shri A D Mohile as Chairman of the Group. Members noted the development in this regard.

Item 5.5: System Simulation Studies of Mahanadi-Godavari link

DG, NWDA informed that as decided in the 8th meeting of the Sub-Committee held on 13th May, 2016, the draft report on the hydrological studies and multi reservoir simulation of Mahanadi - Godavari link was revised by NIH and submitted to NWDA in July, 2016. Revised report was discussed in detail in 9th meeting of the Sub-Committee on System Studies held on 30.08.2016. As decided in the meeting, NIH was to complete the report within 25 days after getting the requisite data from NWDA and State Governments and other agencies. Accordingly, all the required data had been supplied by NWDA to NIH, Roorkee and the studies are under revision/finalisation. Chairman, Task Force desired to know whether State of Odisha

and Chhattisgarhi were being associated in discussion in Sub Committee meeting. It was mentioned that both the State Governments are being involved in the study.

Item 5.6: Any other item with the permission of the Chair

Chairman, Task Force desired to know whether Interlinking of rivers had ever been discussed in meeting of National Water Resources Council. It was informed that this aspect would have to be checked up. Chairman suggested that ILR may be included in the agenda of the next meeting of NWRC.

The meeting was ended with a vote of thanks to the chair.

Annex-I

List of participants of the Fifth Meeting of the Task Force for Interlinking of Rivers held on 25.10.2016 at New Delhi.

- | | | |
|--------------------------|--|--|
| 1. | Shri B.N. Navalawala,
Chief Advisor,
Ministry of WR, RD & GR | Chairman |
| 2. | Shri G.S. Jha
Chairman,
Central Water Commission | Member |
| 3. | Shri A.D. Mohile,
Former Chairman,
Central Water Commission | Member |
| 4. | Shri Virag Gupta,
Constitutional & Environmental
Law Expert | Member |
| 5. | Shri Prodipto Ghosh
Former Secretary, MoEF | Member |
| 6. | Shri S. Masood Husain
Director General, NWDA | Member-Secretary |
| Special Invitees: | | |
| 7. | Shri R. Jeyaseelan,
Former Chairman,
Central Water Commission | |
| 8. | Shri S. Narasimha Rao,
Chief Engineer,
ISWR, Govt. of Telengana | Representing Principal
Secretary, Irrigation & CAD,
Govt. of Telangana |
| 9. | Shri D. Sankara Rao,
Dy. Exe. Engineer
Water Resources Department,
Govt. of Andhra Pradesh, Hyderabad | Representing Principal Secretary,
Irrigation & CAD,
Govt. of Andhra Pradesh
Hyderabad |
| 10. | Shri R.V. Panse
Director General
Maharashtra Engg. Research Institute,
Nashik, Maharashtra | Representing Principal Secretary
(WRD), Govt. of Maharashtra
Mumbai |

- | | | |
|-----|--|--|
| 11. | Shri K.B. Rabadia,
Chief Engineer (S.G.) & Addl. Secretary,
WRD, Govt. of Gujarat, Gandhinagar | Representing Secretary, WRD,
Govt. of Gujarat, Gandhinagar |
| 12. | Shri Anil Sharma
Chief Engineer,
Water Resources Department
Govt. of Rajasthan, Jaipur (Raj.) | Representing Secretary, WRD,
Govt. of Rajasthan, Jaipur |
| 13. | Shri R.K. Sukalika
Addl. Secretary, WRD
Govt. of Madhya Pradesh, Bhopal, M.P. | Representing Principal Secretary
WRD, Govt. of Madhya Pradesh
Bhopal |

Other State Government Officers :

- | | | |
|-----|--|--|
| 14. | Shri V. Krishna Rao,
Executive Engineer, WRD
Govt. of Andhra Pradesh | |
| 15. | Shri R. VenkataRamana,
Deputy Director (Addl.), I & CAD
Govt. of Telangana | |

NWDA Officers :

- | | | |
|-----|---|--|
| 16. | Shri M.K. Srinivas
Chief Engineer (South), Hyderabad | |
| 17. | Shri R.K. Jain,
Chief Engineer (HQ), New Delhi | |
| 18. | Shri N.C. Jain,
Director (Tech.), New Delhi | |
| 19. | Shri K.P. Gupta,
Superintending Engineer,
New Delhi | |
| 20. | Shri Nagesh Mahajan,
Deputy Director, New Delhi | |
| 21. | Shri M.K. Sinha,
Senior Consultant, New Delhi | |