

Minutes of the Third Meeting of the Sub-Committee (14th Meeting of the erstwhile Consensus Group) for Consensus Building through Negotiations and Arriving at Agreements Between concerned States, held on 28th July, 2020

The third meeting of the **Sub-Committee for Consensus Building through Negotiations and Arriving at Agreements Between concerned States** (14th meeting of the erstwhile Consensus Group) was held under the Chairmanship of Shri R. K. Jain, Chairman, CWC on 28th July, 2020 through Video Conferencing. The list of participants is given at Annex-I.

At the outset, the Chairman extended a warm welcome to the participants. He stressed on arriving early consensus on all the issues for the early implementation of projects in national interest. After brief opening remarks, the Chairman, CWC requested Director General, NWDA to take up the agenda items for discussion.

The Director General, NWDA also extended warm welcome to the Chairman of the sub-committee, members and all other participants and briefly informed the background of setting up of the Sub-Committee for arriving consensus through negotiations amongst states for implementation of Inter Linking of Rivers (ILR) projects. He informed that earlier two meetings of the Sub-Committee were held on 17.04.2015 and 30.10.2015. Thereafter, he made the power point presentation on the agenda items to be discussed in the meeting. A brief summary of the discussions held and decisions taken in the meeting are furnished below:

Item 3.1: Confirmation of the Minutes of the Second Meeting of the “Sub-Committee for Consensus Building through Negotiations and Arriving at Agreements Between concerned States” held on 30.10.2015 in New Delhi.

DG, NWDA informed that the minutes of the second meeting of the Sub-committee were circulated to all the members vide letter dated 07.12.2015. No comments were received from any of the members of the Sub-Committee. As such, the minutes of the meeting as circulated may be treated as confirmed by the Sub-Committee. He also intimated that the requisite follow up actions have been taken on all the issues discussed in the last meeting.

Item 3.2: Status of Par-Tapi-Narmada (PTN) & Damanganga-Pinjal (DP) link Projects

Director General, NWDA gave details of the two interlinking projects i.e. Par-Tapi-Narmada(PTN) link and Damanganga-Pinjal (DP) link, including status of their appraisal and clearances. The DPRs of both these two projects have been prepared by NWDA. While the DPR of DP link has already been cleared by the TAC of DoWR, RD & GR, Ministry of Jal Shakti, the DPR of PTN link is in advance stage of appraisal in CWC. Action for taking other clearances like environmental, forest, MoTA clearances etc. have already been initiated. However, the understanding on water sharing between Gujarat and Maharashtra states and signing of an MoU for the implementation of these two projects is yet to be reached. It is affecting the progress on other activities like appraisal by CWC, taking clearances, etc.

Item3.3: Draft Memorandum of Understanding (MoU) for implementation of Par-Tapi-Narmada (PTN) link and Damanganga-Pinjal (DP) link projects

DG, NWDA informed that water sharing issues in PTN and DP links and draft MoU for the implementation of these two projects are being deliberated for quite some time. Though, broad understanding on water sharing has been reached in DP link, the same is under negotiation in case of PTN link. He further informed that PTN link envisages diversion of 1330 MCM water for utilization in Gujarat State of which 896 MCM is generated from the catchment area in Gujarat State and rest 434 MCM is contributed from the catchment area in Maharashtra. After accounting in-basin requirements of Maharashtra, a surplus of 398 MCM is contributed from catchment lying in Maharashtra to PTN link.

The main issue is that Maharashtra State is asking for compensation in lieu of use of 398 MCM water by Gujarat in PTN link generated from their catchment area. Maharashtra is requesting to compensate them in Tapi basin upstream of Ukai dam by allowing them to utilize equal quantity of water (i.e. 398 MCM) in the Tapi basin. Gujarat is not agreeing to this compensation to Maharashtra on the plea that the same will adversely affect inflow into the Ukai dam and will thus affect committed utilization from the project. As decided in an earlier meeting taken by Secretary, DoWR, RD& GR with the Chief Secretaries of Gujarat and Maharashtra States on 7th September, 2018, NWDA suggested following three alternatives to both the States:

Option-I: Diversion of 1330 MCM through PTN link to benefit Gujarat State and providing 398 MCM to Maharashtra reservoir from Tapi basin upstream of Ukai. Maharashtra will be permitted to draw the water in upstream of Ukai reservoir once PTN link water is received in Ukai reservoir.

Option-II: Diversion of 1330 MCM through PTN link to benefit Gujarat State and providing 398 MCM to Maharashtra from storage of Ukai reservoir after receiving water from PTN link. In this case, Maharashtra has to lift water from Ukai reservoir for transferring to needy areas in their state.

Option-III: Diversion of 1330 MCM through PTN link to benefit Gujarat state. Providing 300 MCM to Ukai command (out of 1330 MCM) by deleting the command area proposed in Chota Udepur, Panchmahal and Saurashtra region under the PTN link. In this case, the PTN link will be terminated in Bharuch District. Maharashtra can draw 300 MCM from upstream of Ukai reservoir.

In a shortage year, the short fall shall be shared proportionately. Maharashtra shall utilize its share only if water comes to Ukai reservoir through PTN link canal.

The representative of Govt. of Maharashtra expressed his acceptance for option I only as in option II Maharashtra cannot utilize its share of water without lift and in option-III, they are not getting due compensation. The representative of Govt. of Gujarat informed that all the three options are not acceptable to them and suggested that Maharashtra may explore the possibility of utilizing their share of PTN water in Par river itself in their territory through lift or otherwise. With respect to Option II, the representatives of Gujarat mentioned that they cannot comment unless details such as planning of Maharashtra to utilize water from Ukai, mechanism for lifting the water and sharing in a deficit year etc. are made available to them. However, as Option II is not acceptable to Maharashtra also, this option could not be considered feasible at all. The representative of Govt. of Gujarat also stated that, Tapi being a deficit basin, the additional utilization by Maharashtra in Tapi basin would impact command of

Ukai in Gujarat as flows are reducing over the years. He further pointed that the Maharashtra would be benefitted by a number of intra state links also as proposed in the MoU. He also raised the issue of equality in water sharing considering overall catchments in DP link and PTN link (52.3 percent catchment lying in Gujarat) and extent of the submergence area in both the States. By giving extra 400 MCM of water in PTN link to Maharashtra, the overall share of Gujarat shall be about 45 percent only and same is not justifiable.

Director General, NWDA told that Tapi basin is already a deficit basin and Maharashtra should not be compensated by Tapi water in lieu of surplus water contributed from PTN catchments lying in Maharashtra. He suggested that a reasonable portion of surplus quantity of water generated from catchment of Maharashtra in PTN say about 50 percent of 398 MCM i.e. about 200 MCM may be utilized by Maharashtra in Tapi basin upstream of Ukai dam once the PTN link becomes operational. The shortfall in Ukai reservoir on account of this utilization by Maharashtra in Tapi basin can be compensated by PTN link. Although, it would lead to reduction of water availability for PTN link, this reduction of water availability in PTN link can be compensated to a large extent by (i) harnessing surplus water in PTN link by increasing carrying capacity of PTN link canal and utilizing the carry-over storage capacity available in the Ukai reservoir and (ii) by increasing water use efficiency in PTN command through micro-irrigation. An integrated study shall be carried out by NWDA in this regard.

The Chairman of the Sub-Committee endorsed the suggestion and expressed that the same is very reasonable and should be acceptable to both the States. He also mentioned that any upstream State does not have absolute right over all the quantities of water being generated from their catchments which is amply clear from water sharing arrangements in various other basins. Also, in the absence of PTN link, Maharashtra has to make its own arrangement for transfer of that 398 MCM to Tapi basin which will involve huge lifting of the water and may not be techno-economically viable. Also, even in such situation, considering en route loses and non-availability of adequate storage capacity, it may be possible to transfer only a part of the 398 MCM water to Tapi basin. Also Maharashtra is utilizing 895 MCM of water in DP link while Gujarat will be utilizing about 1330 MCM of water in PTN link. By compensating Maharashtra by about 200 MCM of PTN water in Tapi basin, both the states would be benefiting from these twin links nearly on equal basis and nearly in proportional to their contributing catchments.

Thereafter, the Chairman of the Sub-Committee asked views of both States on this option. Representative of Maharashtra expressed that while the quantum of water to be compensated may be negotiable but they are firm on utilizing it in Tapi basin u/s of Ukai reservoir rather than from Ukai reservoir. Representatives of both the State mentioned that they need to discuss this option with their respective Governments. The representative of Govt. of Gujarat also asked for including Damanganga-Sabarmati-Chorwad intra state link in the MoU on the lines of intra state links of Maharashtra. He also demanded that the intra state links planned by Maharashtra should not impact the water availability in Tapi basin.

Chairman CWC and Chairman of the sub-committee requested Shri S. K. Haldar, Member (WP&P), CWC for his views. Member (WP&P) suggested to review the feasibility of dams and barrages proposed in PTN link considering the present ground conditions, new land acquisition act, R&R issues etc. He also suggested to consider micro irrigation to increase the efficiency of the project. He further suggested that both the DP and PTN link projects along with four intra state links should be planned together. DG, NWDA informed that the draft MoU was prepared on these lines only.

The Chairman of the Sub-committee summarized that both the States should examine the option discussed today expeditiously in consultation with their respective Governments. Meanwhile, studies for assessing the additional quantity of water which can be transferred to Ukai through PTN link, may be taken up by NWDA. Regarding, inclusion of the intra state link of Gujarat in the MoU, this Sub-Committee may not be the right forum to take a decision and same may be taken up at appropriate level. Also, it may be ensured by Maharashtra that water availability is not affected in Tapi basin by their intra state links projects. The issue of water sharing in PTN link may be deliberated again in another meeting of this Sub-Committee if so required, which may be convened in about a month's time.

The meeting ended with vote of thanks to the Chair and all the participants.

Annex-I

List of participants of the 3rd Meeting of the “Sub-Committee for Consensus Building through Negotiations and Arriving at Agreements Between Concerned States (14th meeting of the erstwhile Consensus Group)” held on 28.07.2020 through Video Conferencing.

1.	Shri R. K. Jain, Chairman, CWC	In Chair
2.	Shri S. K. Haldar, Member (WP&P), CWC	Member
3.	Shri Pravin Pardeshi, Upper Chief Secretary, WRP&D, Govt. of Maharashtra	Member
4.	Shri M. R. Patel, Chief Engineer & Addl. Secretary, Govt. of Gujarat (Representing Secretary, Narmada, Water Resources, Water Supply and Kalpasar Department, Govt. of Gujarat)	Member
5.	Shri Vijay Saran, Chief Engineer (IMO), CWC	Member
6.	Dr. Naresh Kumar, Chief Engineer (BPMO), CWC	Special Invitee
7.	Shri Bhopal Singh, Director General, NWDA	Member- Secretary
Other Officers		
8.	Shri S. K. Ghanekar, Secretary, Project Coordination, Govt. of Maharashtra	
9.	Shri J. K. Trivedi, Superintending Engineer, Govt. of Gujarat	
10.	Shri P. Dorje Gyamba, Director (WP&P) Coordination, CWC	
11.	Shri Divakar Raipure, Director (NWP), CWC	
Officers from NWDA		
12.	Shri R. K. Jain, Chief Engineer (HQ.)	
13.	Dr. R. N. Sankhua, Chief Engineer (South)	
14.	Shri K.P. Gupta, Chief Engineer (North)	
15.	Shri Muzaffar Ahmad, Director (Technical)	

16.	Shri Afroz Alam, Superintending Engineer – I	
17.	Shri D. K. Sharma, Superintending Engineer - II	
18.	Shri N. G. Rao, Superintending Engineer	
19.	Shri S. R. Mahor, Deputy Director	
20.	Shri Anil Kumar Jain, Deputy Director (SCILR)	
21.	Shri R. Balakrishnan, Assistant Director	