

KWDT-II

1. The Central Government vide Notification number S.O. 451(E) dated 02.04.2004 has constituted Krishna Water Disputes Tribunal (KWDT) for adjudicating dispute between the States of Maharashtra, Karnataka and erstwhile Andhra Pradesh under Section 4 of the Inter-State River Water Dispute (ISRWD) Act, 1956.
2. The Tribunal has given its report and decision under Section 5(2) of the Act on 30.12.2010. The party States and the Central Government sought further clarification from the Tribunal under Section 5(3) of the Act. However, State of Andhra Pradesh (AP) filed in March, 2011 a Special Leave Petition (SLP (Civil) No. 10498/2011) before the Hon'ble Supreme Court against the States of Karnataka and Maharashtra under Article 139 of Constitution of India, challenging the decision of KWDT-II dated 30.12.2010 on various grounds.
3. Later, in July 2011, State of AP also filed IA NO- 3 in above SLP before the Hon'ble Supreme Court. Tribunal in the mean-time has forwarded report on 29th November, 2013 under Section 5(3) of the ISRWD Act, 1956; recommending allocating of water amongst the States of Andhra Pradesh, Maharashtra and Karnataka.
4. However, on account of stay by Supreme Court vide its order dated 16.09.2011, the award could not be published in the Official Gazette in terms of Section 6(1) of the ISRWD Act, 1956, yet. The matter of KWDT-II is still sub-judice before the Hon'ble Supreme Court.
5. The Ministry vide its notification dated 15.05.2014 extended the tenure of the Tribunal for two years or until further order whichever is earlier with effect from 01.08.2014 in exercise of the powers conferred by the sub-Section 3 of Section 5 of the ISRWD Act, 1956 so as to address the Terms of Reference (TOR) specified in clauses (a) and (b) of the Section 89 of Andhra Pradesh Reorganization Act, 2014 (6 of 2014).
6. Further, the term of the Tribunal is being extended on an yearly basis and the Tribunal is currently hearing the disputes on matters related to newly created State of Telangana and Andhra Pradesh. Presently, the term of the Tribunal has been extended for a further period of one-year upto 31.07.2025.
7. Further, a request has been received from the Government of Telangana under section 3 of the said Act, to refer the water disputes regarding the Inter-State river Krishna, and

the river valley thereof, by confining the scope of reference between the jurisdictional limits of States of Andhra Pradesh and Telangana only, to the said Tribunal for adjudication.

8. Subsequently, the Central Government is satisfied that further reference to the Tribunal in the matter is necessary under section 12.
9. 1. Therefore, in pursuance of the provisions contained in section 3, sub-section (1) of section 5 and section 12 of the said Act, the Central Government vide Gazette Notification dated 06.10.2023, referred the following further terms of reference to the said Tribunal for adjudication:
 - (1) for the purposes of clauses (a) and (b) in the existing terms of reference, “project-wise” means existing, on-going and contemplated projects of both the States of Telangana and Andhra Pradesh; and
 - (2) shall distribute/allocate the Krishna River waters between the States of Telangana and the present State of Andhra Pradesh from the undivided share of erstwhile State of Andhra Pradesh and the total undivided share of the erstwhile State of Andhra Pradesh that may be considered for the purpose of this distribution/allocation is as below:
 - (i) 811 thousand Million Cubic Feet (TMC) of overall allocation (en bloc) made by the Krishna Water Disputes Tribunal-I to the erstwhile State of Andhra Pradesh and any additional allocation over and above it made by the said Tribunal to the erstwhile State of Andhra Pradesh; and
 - (ii) share of water allocated to the erstwhile State of Andhra Pradesh by the Godavari Water Disputes Tribunal, which is made available by transfer of water from Godavari to Krishna through Polavaram Project and any further transfer from Godavari to Krishna from Polavaram project, if proposed