

**BEFORE MAHANADI WATER DISPUTES TRIBUNAL
NEW DELHI**

REFERENCE NO. 1/2018

State of Odisha

Claimant

and

State of Chhattisgarh & Ors.

Respondents

With

REFERENCE NO. 2/2019

State of Chhattisgarh

Claimant

and

State of Odisha & Ors.

Respondents

**17.07.2025: This matter was called on before the Tribunal
today at 11.00 A.M.**

CORAM:

HON'BLE MS. JUSTICE BELA M. TRIVEDI

CHAIRMAN

HON'BLE DR. JUSTICE RAVI RANJAN

MEMBER

HON'BLE MRS. JUSTICE INDERMEET KAUR KOCHHAR

MEMBER

FOR STATE OF ODISHA:

Mr. Pitambar Acharya, Advocate General.
Mr. Mohan Katarki, Senior Advocate,
Mr. Mahesh Aggarwal, Adv.
Mr. Ranvir Singh, Adv.
Ms. Anindita Pujari, Adv.
Mr. Manu Krishnan, Adv.
Ms. Kamakshi Sehgal, Adv.
Ms. Muskan Sethi, Adv.
Ms. Shailja Singh, Adv.
Ms. Visakha Raghuram, Adv.
Mr. Somkeerti V. Singhdeo, Adv.
Mr. Roturaj Satpathy, Adv.
Ms. Sukanya Das, Adv.
Mr. Pavan Bhushan, Adv.

FOR STATE OF CHHATTISGARH:

Mr. A.K. Ganguli, Sr. Adv.
Mr. K.K. Lahiri, Adv.
Mr. Jagjit Singh Chhabra, Adv.
Mr. Rakesh Kumar Nagaria, OIC, CE (Retd.)
Mr. Anil Kumar Goyal, Consultant.



Mr. Ram Swami Naidu, OIC, CE(Retd.)
Mr. Jayant Kumar Bisen, E.E.
Mr. Nohar Singh Dhruv, A.E.

FOR STATE OF MAHARASHTRA:

Mr. Deepak Nargolkar, Sr. Adv.
Mr. Viraj Kadam, Adv. AOR

FOR STATE OF MADHYA PRADESH:

Mr. Sunny Chaudhary, Adv.
Mr. Shashank Shekhar, Adv.

FOR STATE OF JHARKHAND:

Mr. Anish Ahlawat, Adv.
Ms. Tulika Mukherjee, Adv.

ORDER

Pursuant to the informal discussion held on 25.01.2025 with the learned counsels for the respective States with regard to exploring the possibility of settlement between the party-States, today the learned Advocate General, Mr. Pitambar Acharya for the State of Odisha, at the outset submitted that there was a concrete discussion for settlement on the issues involved was held at the highest level between both the States and the same is still going on. However, the Senior Advocate Mr. A.K. Ganguli for the State of Chhattisgarh states that he has no such instructions. Be that as it may, since sufficient time has already elapsed, both the States are



requested to hold some concrete discussion as may be possible and take some decision as regards settlement on the issues involved. The learned counsel for the respective States are requested to apprise the Tribunal about the progress of such discussion/decision, if any, on the next date i.e. on 02.08.2025. The learned Advocate General for the State of Odisha is also requested to give the fresh list of witnesses to be examined and also submit the supplementary affidavits in lieu of examination-in-Chief of the witnesses as may be required on the next date i.e. on 2nd August 2025.

List on 2nd August, 2025 at 11.00 A.M.



—sd—

..... J.
(BELA M. TRIVEDI)
CHAIRMAN

—sd—

..... J.
(DR. RAVI RANJAN)
MEMBER

—sd—

..... J.
(INDERMEET KAUR KOCHHAR)
MEMBER

Certified to be True Copy

Mullim
Registrar 17/07/25

**BEFORE MAHANADI WATER DISPUTES TRIBUNAL
NEW DELHI**

REFERENCE NO. 1/2018

State of Odisha

Claimant

and

State of Chhattisgarh & Ors.

Respondents

With

REFERENCE NO. 2/2019

State of Chhattisgarh

Claimant

and

State of Odisha & Ors.

Respondents

**02.08.2025: This matter was called on before the Tribunal today at
11.00 A.M.**

CORAM:

HON'BLE MS. JUSTICE BELA M. TRIVEDI

CHAIRMAN

HON'BLE DR. JUSTICE RAVI RANJAN

MEMBER

HON'BLE MRS. JUSTICE INDERMEET KAUR KOCHHAR

MEMBER

FOR STATE OF ODISHA:

Mr. Pitambar Acharya, Advocate General.

Mr. Mohan Katarki, Senior Advocate.

Ms. Anindita Pujari, Senior Adv.

Mr. Mahesh Aggarwal, Adv.

Mr. Ranvir Singh, Adv.

Mr. Manu Krishnan, Adv.

Ms. Kamakshi Sehgal, Adv.

Ms. Muskan Sethi, Adv.



Ms. Shailja Singh, Adv.
Ms. Visakha Raghuram, Adv.
Mr. Somkeerti.V.Singhdeo, Adv.
Mr. Raturaj Satpathy, Adv.
Ms. Sukanya Das, Adv.
Mr. Pawan Bhushan, Adv.
Smt. Anu Garg, IAS, Development
Commissioner-cum-Additional Chief Secretary,
Govt. of Odisha.
Er. Bibhuti Bhusan Dash, Engineer In Chief-
cum-Special Secretary-II, Interstate Issues &
Legal Matters
Dr. Bijaya Kumar Sethi, Chief Engineer,
Interstate Water Issues
Er. Sumant Chandra Das, Director
Er. Harmohan Pradhan, Expert Witness
Dr. Dibakar Naik, Expert Witness
Er. Arunodaya Sethi, Additional Director
Er. Bhagirathi Sahu, Assistant Deputy Director
Er. Priyanka Sukla, Assistant Deputy Director
Er. Narmada Padhi, Assistant Engineer

FOR STATE OF CHHATTISGARH:

Mr. A.K. Ganguli, Sr. Adv.
Mr. K.K. Lahiri, Adv.
Mr. Jagjit Singh Chhabra, Adv.
Mr. Anil Kumar Goyal, Consultant.
Mr. I.J. Uikey, Engineer in Chief
Mr. Rakesh Kumar Nagaria, CE (Retd.)
Mr. Ram Swami Naidu, CE (Retd.)
Mr. Jayant Kumar Bisen, E.E.
Mr. Nohar Singh Dhruv, Asst. Engineer.

FOR STATE OF MAHARASHTRA:

Mr. Deepak Nargolkar, Sr. Adv.
Mr. Viraj Kadam, Adv. AOR



FOR STATE OF MADHYA PRADESH:

Mr. Sunny Chaudhary, Adv. (NP)

FOR STATE OF JHARKHAND:

Ms. Tulika Mukherjee, Adv.
Mohd. Abran Khan

ORDER

1. In view of the order passed by the Tribunal on 17th July 2025, the learned Advocate General for the State of Odisha, Mr. Pitambar Acharya has placed on record a copy of the letter dated 25.07.2025 along with the draft minutes of the proceedings of High-Level Meeting chaired by the Hon'ble Chief Minister of Odisha, a copy of D.O. letter dated 25.07.2025 written by the Hon'ble Chief Minister of Odisha to the Hon'ble Chief Minister of Chhattisgarh sending a proposal of an amicable settlement of Mahanadi Water Dispute, and a copy of the reply dated 01.08.2025 given by the Hon'ble Chief Minister of State of Chhattisgarh to Hon'ble Chief Minister of State of Odisha stating that the matter for settlement of Mahanadi Water dispute between the two states was under consideration.
2. The learned Senior Advocate for the State of Chhattisgarh has also stated that the issue of settlement of the disputes is under active consideration before the Hon'ble Chief Minister of the State of Chhattisgarh.



3. Taking the above correspondence as also the statements of learned Senior Advocates for the party States on record, we deem it appropriate to give some more time to resolve the dispute amicably, as may be possible and apprise the Tribunal about the progress of the same on the next date.
4. We also deem it appropriate to request the concerned Secretaries of the respective States to remain present before the Tribunal on the next date, to apprise the Tribunal about the progress of the settlement talks between the two States.
5. With the consent of the learned counsel for the parties, list on 06.09.2025 at 11 a.m.



Certified to be True Copy
Mukul
Registrar, 02/09/25

Sd/-
..... J.
(BELA M. TRIVEDI)
CHAIRMAN

Sd/-
..... J.
(DR. RAVI RANJAN)
MEMBER

Sd/-
..... J.
(INDERMEET KAUR KOCHHAR)
MEMBER

**BEFORE MAHANADI WATER DISPUTES TRIBUNAL
NEW DELHI**

REFERENCE NO. 1/2018

State of Odisha	and	Claimant
State of Chhattisgarh & Ors.		Respondents

**With
REFERENCE NO. 2/2019**

State of Chhattisgarh	and	Claimant
State of Odisha & Ors.		Respondents

**06.09.2025: This matter was called on before the Tribunal
today at 11.00 A.M.**

CORAM:

HON'BLE MS. JUSTICE BELA M. TRIVEDI	CHAIRMAN
HON'BLE DR. JUSTICE RAVI RANJAN	MEMBER
HON'BLE MRS. JUSTICE INDERMEET KAUR KOCHHAR	MEMBER

FOR STATE OF ODISHA:

Mr. Pitambar Acharya, Advocate General.
Mr. Mohan Katarki, Senior Advocate.
Ms. Anindita Pujari, Senior Adv.
Mr. Mahesh Aggarwal, Adv.
Mr. Ranvir Singh, Adv.
Mr. Manu Krishnan, Adv.
Ms. Kamakshi Sehgal, Adv.
Ms. Muskan Sethi, Adv.
Ms. Shailja Singh, Adv.
Ms. Visakha Raghuram, Adv.
Mr. Somkeerti.V.Singhdeo, Adv.
Mr. Raturaj Satpathy, Adv.
Ms. Sukanya Das, Adv.



Mr. Pawan Bhushan, Adv.

Mr. Debashis Tripathy, Adv.

Smt. Anu Garg, IAS, Development Commissioner-
cum-Additional Chief Secretary, Govt. of Odisha.

FOR STATE OF CHHATTISGARH:

Mr. A.K. Ganguli, Sr. Adv.

Mr. K.K. Lahiri, Adv.

Mr. Jagjit Singh Chhabra, Adv.

Mr. Rajesh Toppo, Secretary, WRD

FOR STATE OF MAHARASHTRA:

Mr. Deepak Nargolkar, Sr. Adv.

Mr. Viraj Kadam, Adv. AOR (NP)

FOR STATE OF MADHYA PRADESH:

None Present

FOR STATE OF JHARKHAND:

Ms. Tulika Mukherjee, Adv.

Zain A. Khan

ORDER

Pursuant to the order passed by the Tribunal on 02.08.2025, the concerned Secretaries of the respective States, Smt. Anu Garg, Additional Chief Secretary for the State of Odisha and Mr. Rajesh Toppo for the State of Chhattisgarh are present in Court.

2. At the outset, the learned Advocate General for the State of Odisha, Mr. Pitambar Acharya submitted the Notes of submissions on the steps taken for the amicable settlement of the Mahanadi Water disputes, according to which the Hon'ble Chief Minister of Odisha had met the Hon'ble Home Minister and Hon'ble Minister of Jal Shakti, DoWR, River Development and Ganga Rejuvenation separately at New Delhi on 06.08.2025 to discuss about the amicable solution of Mahanadi water



disputes. Mr. Acharya further submitted that as a follow up action, the Chief Secretary of State of Odisha had written a letter to the Chief Secretary of State of Chhattisgarh for a Secretaries level meeting and accordingly the Chief Secretaries and Water Resources Secretaries of both the States had met at New Delhi on 30.08.2025. Mr. Acharya also submitted that the Technical Committees have been formed by both the State Governments to further discuss on the technical issues involved and that the members of the Technical Committees of both the States had met on 05.09.2025. The next meeting of Technical Committees is now scheduled on 12.09.2025.

3. The submissions made by learned Advocate General, Mr. Acharya for the State of Odisha have not been disputed by the learned Senior Counsel Mr. A.K. Ganguli as also the Secretary for the State of Chhattisgarh, Mr. Rajesh Toppo, present in the court. The representatives of both the States have empathetically submitted that both the States are seriously considering the issues for the amicable solution of the Mahanadi water disputes.

4. The submissions of the learned counsels for the Party States as also the Minutes of Meetings and the correspondence that ensued between both the States produced along with the Notes of submission are taken on record.

5. At this juncture, it may be noted that the Mahanadi Water Disputes Tribunal was constituted vide the Notification No. SO 1114(E) dated 12.03.2018 of Government of India in the Ministry of Water Resources, River Development and Ganga Rejuvenation for the adjudication of the Water disputes regarding Inter-State River Mahanadi and River Valley thereof. The Tribunal was required to submit its report and decision within a period of three years i.e. on or before 11.03.2021. However, due to unavoidable reasons the Tribunal could not submit its report within the said timeline. Thereafter the Central Government, vide Notification dated



03.06.2021 extended the period for submission of the report and decision thereon by the Tribunal for a period of two years upto 11.03.2023 or till the submission of the report and decision under Section 5(2) of the Inter-State River Water Disputes Act. It further appears that considering the request of the Tribunal to treat the effective date of setting up of Tribunal as 14.12.2019 and considering the period from March 2020 to June 2021 as non-functioning and embellishing period for the Tribunal due to Covid-19 pandemic, the Central Government, directed that the allocated period shall be deemed to expire on 13.04.2024. Thereafter vide Notification dated 21.06.2023 extended the period of the Tribunal for two years, i.e. up to 13.04.2026 or till the submission of the report and decision under Section 5(2) of the said Act, whichever is earlier.

6. At this juncture, it may also be noted that for various reasons and unavoidable circumstances, since the constitution of the Tribunal in the year 2018 till this date i.e. during about 7 years, there has been hardly any substantial progress in the Proceedings of the Tribunal. After the completion of the Pleadings and finalization of the Issues on 29.08.2020, only one witness i.e. witness no.1, Dr. Manoj Panda on behalf of the State of Odisha was examined and he was discharged as per the order passed by the Tribunal on 22.02.2024. By the said order, the Tribunal had directed the State of Odisha to file Supplementary Affidavit in lieu of Examination in Chief of Witness no.2 Dr. Dibakar Naik within one week of the order and keep the Witness present on 11.03.2024. It is stated by the Learned Advocate General, Mr. Acharya that the Affidavit in lieu of Examination in Chief of Witness no.2 Dr. Dibakar Naik was filed on 28.04.2022 and Supplementary Affidavit was filed on 22.02.2024.

7. In view of the above stated premises, while appreciating the sincere efforts made by both the concerned States to narrow down the issues and to find out an amicable solution thereof, we grant further time of one month to explore the possibilities of settlement as earnestly prayed for by



the Learned Counsels for the Party States. However, considering the term of the Tribunal, which is likely to expire in April, 2026, we direct the respective representatives/Counsels of both the States to prepare themselves for proceeding further with the Proceedings of the Tribunal on the next date of hearing, if there is no substantial progress in settlement process.

8. At this juncture, we expect that both the Party States shall expedite the process of settlement and take decisions in the larger public interests of both the States. It is further directed that the State of Odisha shall keep present the Witness no.2 Dr. Dibakar Naik for his Examination, on the next date of hearing. The concerned Secretaries of both the States shall remain present on the next date of Hearing.

9. With the consent of learned Counsels for the parties, list on 11.10.2025 at 11 a.m.

Certified to be True Copy

[Signature]
Registrar



Sd/-
..... J.
(BELA M. TRIVEDI)
CHAIRMAN

Sd/-
..... J.
(DR. RAVI RANJAN)
MEMBER

Sd/-
..... J.
(INDERMEET KAUR KOCHHAR)
MEMBER

**BEFORE MAHANADI WATER DISPUTES TRIBUNAL
NEW DELHI**

REFERENCE NO. 1/2018

State of Odisha

Claimant

and

State of Chhattisgarh & Ors.

Respondents

With

REFERENCE NO. 2/2019

State of Chhattisgarh

Claimant

and

State of Odisha & Ors.

Respondents

**11.10.2025: This matter was called on before the Tribunal
today at 11.00 A.M.**

CORAM:

HON'BLE MS. JUSTICE BELA M. TRIVEDI

CHAIRMAN

HON'BLE DR. JUSTICE RAVI RANJAN

MEMBER

HON'BLE MRS. JUSTICE INDERMEET KAUR KOCHHAR

MEMBER

FOR THE STATE OF ODISHA:

Mr. Pitambar Acharya, Advocate General
Mr. Mohan Katarki, Senior Advocate
Ms. Anindita Pujari, Senior Advocate
Mr. Mahesh Agarwal, Adv.
Mr. Ranvir Singh, Adv.
Mr. Manu Krishnan, Adv.
Ms. Kaamakshi Sehgal, Adv.
Ms. MuskanSethi, Adv.
Ms. Shailja Singh, Adv.
Ms. Visakha Raghuram, Adv.
Mr. Somkeerti V. Singhdeo, Adv.
Mr. Ruturaj Satpathy, Adv.
Ms. Sukanya Das, Adv.
Mr. Pawan Bhushan, Adv.



Smt. Anu Garg, MS Department Commissioner-cum-
Additional Chief Secretary, Government of Odisha
Er. Bibhuti Bhusan Dash, EIC-cum-Special Secretary-
I I/C, DOWR, Odisha
Dr. Bijaya Kumar Sethi, Chief Engineer, Inter State
Water Issues
Dr. Dibakar Naik, Agri. Expert. & Witness, Odisha
Er. Sumant Chandra Das, Director

FOR THE STATE OF CHHATTISGARH:

Mr. Praphulla Kumar Bharat, Advocate General
Mr. A.K. Ganguli, Senior Advocate
Mr. K.K. Lahiri, Adv.
Mr. Jagjit Singh Chhabra, Adv.
Mr. Rajesh Toppo, Secretary WRD
Dr. Bapujirao Bodapati, Consultant
Mr. Anil Kumar Goyal, Consultant
Mr. N.K. Mathur, Consultant
Mr. I.J. Uikey, Engineer-in-Chief
Mr. Shankar Thakur, IOIC
Mr. Ram Swami Naidu, CE (Retd.)
Mr. Rakesh Kumar Ngaria CE (Retd.)
Mr. Jayant Bisen, Executive Engineer
Mr. Nohar Singh Dhruv, Executive Engineer

FOR THE STATE OF MAHARASHTRA:

Mr. Deepak Nargolkar, Senior Advocate
Mr. Viraj Kadam, Adv.

FOR THE STATE OF MADHYA PRADESH:

Mr. Shashank Shekhar, Adv.

As per last order dated 06.09.2025, the representatives of both the States i.e. the concerned Secretaries and the learned Advocate Generals are present in the Court. Witness No.2 Dr. Dibakar Naik is also present.

2. The learned Advocate General Mr. Pitambar Acharya for the State of Odisha has submitted a Note on the steps taken by both the States for amicable settlement, after the last Order was passed. The Note reads as under:-



"STEPS TOWARDS AMICABLE SETTLEMENT"

1. In Jharkhand, during Interstate Committee meeting Hon'ble Home Minister asked Odisha to go for amicable solution for Mahanadi.
2. HCM Odisha wrote a letter to HCM Chhattisgarh on 25.07.2025 regarding possible amicable settlement of the Mahanadi Water Issues and a positive response was received from HCM Chhattisgarh on 01.08.2025.
3. The Chief Secretaries / Secretaries of Water Resources Department of both the states met on 30.08.2025 to address the Mahanadi Water Issues.
4. Accordingly, a 5 member Technical Committee of both the States headed by respective Engineering-in-Chiefs were formed to sort out the Technical Issues.
5. Four joint meetings of the technical committee have already been held on 05.09.2025, 12.09.2025, 26.09.2025 and 06.10.2025 at New Delhi and minutes of the proceedings of the said four meetings are annexed. The next meeting has been scheduled on 28.10.2025 at New Delhi to finalized technical modalities.
6. As per the decision in joint technical committee meeting, the Working Group Teams of both the States were formed to facilitate & assist further discussion and consideration by the Technical Committees. Two nos. of joint meeting (of both the Working Groups) have already been held at Bhubaneswar from 22.09.2025 to 23.09.2025 and at Raipur from 03.10.2025 to 05.10.2025.
7. Major Outcome of the last technical meeting on dated 06.10.2025:
 - Two projects from each state need to be cleared at appropriate level following the convergence of both the Technical Committees. On Odisha's side, two projects from the Tel Sub-basin namely (i) Uttei-Roul (ii) Khadago have been decided for final examination in subsequent meeting. Two projects namely (i) Shekharapur (ii) Dandpani of Chhattisgarh have been decided, for final examination in IB Sub-Basin in consistent with 1983 Agreement.
 - The yield analysis done by Joint Working Group may vary from the yield analysis submitted by the Expert Witnesses in their affidavits. Hence, consultation of Techno- Legal team is necessary on the said matter.
8. The report of the joint Technical Committee will be discussed by the respective Chief Secretaries and Water Resource Secretaries and recommend for amicable settlement step by step".



3. He fervently submitted that both the States are working very hard and are very serious about the settlement of the issues involved in the present Proceedings and that the meetings ^{were} also held at the highest level in the States as well at the level of the Hon'ble Home Minister to see that the confidence is built among both the States for the settlement. He has also placed on record the Minutes of the Meetings held by the Technical Committees of the States of Odisha and Chattisgarh to show that some of the very important Projects proposed by both the States are not being granted the permission by the Central Water Commission (CWC) to the said Projects because of the pendency of the present proceedings. The discussion had also taken place in the said meetings with regard to the said Projects to see to it that some unanimous solution is found out for the same. The learned Advocate General, Mr. Praphulla Kumar Bharat for the State of Chhattisgarh also while agreeing to the submissions made by the learned Advocate General for the State of Odisha, requested to grant some more time to crystalise and narrow down the issues for settlement. Both of them have earnestly prayed to grant some more time to see to it that on the next date of hearing, some concrete decisions on some of the issues are placed on record.

4. Having regard to the said submissions, it appears that both the States are positively proceeding further for the settlement of their long pending issues by holding meetings at the highest level of the State Governments as well as the Central Government. Hence, considering their submissions as well as considering the limited tenure of this Tribunal, we fix the next date of hearing on 15.11.2025 at 11 a.m as requested by the learned Advocate Generals for the Parties-States. We make it clear that since sufficient time has already been granted earlier, till the next date of hearing, if any concrete decision/decisions on the pending issues are not taken as a part of settlement proceedings by both the States, the Tribunal shall proceed further with the Proceedings in accordance with law.



5. The respective representatives of both the States shall remain present. We would appreciate if the learned Advocate Generals of both the States also remain present on the next date.i.e.15.11.2025.

- sd -

..... J.
(BELA M. TRIVEDI)
CHAIRMAN

- sd -

..... J.
(DR. RAVI RANJAN)
MEMBER

- sd -

..... J.
(INDERMEET KAUR KOCHHAR)
MEMBER

Certified to be True Copy

Muliyil
Registrar



**BEFORE MAHANADI WATER DISPUTES TRIBUNAL
NEW DELHI**

REFERENCE NO. 1/2018

State of Odisha

Claimant

And

State of Chhattisgarh & Ors.

Respondents

With

REFERENCE NO. 2/2019

State of Chhattisgarh

Claimant

and

State of Odisha & Ors.

Respondents

**22.11.2025: This matter was called on before the Tribunal
today at 2.30 P.M.**

CORAM:

HON'BLE MS. JUSTICE BELA M. TRIVEDI

CHAIRMAN

HON'BLE DR. JUSTICE RAVI RANJAN

MEMBER

HON'BLE MRS. JUSTICE INDERMEET KAUR KOCHHAR MEMBER

FOR THE STATE OF ODISHA:

Mr. Pitambar Acharya, Advocate General

Ms. Anindita Pujari, Senior Advocate

Smt. Anu Garg, Addl. Chief Secretary

Er. Bibhuti Bhusan Dash, E/C-cum-Spl.Secretary-I I/C

DOWR, Odisha

Dr. Bijaya Kumar Sethi, Chief Engineer, Inter State Water Issues

Dr. Dibakar Naik, Agri. Exp. & Witness, Odisha

Er. Sumant Chandra Das, Director



FOR THE STATE OF CHHATTISGARH:

Mr. A.K. Ganguli, Senior Advocate
Mr. K.K. Lahiri, Adv.
Mr. Jagjit Singh Chhabra, Adv.
Mr. Biswajit Dubey, A.A.G.
Mr. Rajesh Toppo, Secretary WRD
Mr. Anil Kumar Goyal, Consultant
Mr. N.K. Mathur, Consultant
Mr. I.J. Vikey, Engineer-in-Chief
Mr. Shankar Thakur, OIC
Mr. Ram Swami Naidu, CE (Retd.)
Mr. Rakesh Kumar Nagaria CE (Retd.)
Mr. Jayant K. Bisen, Executive Engineer
Mr. Nohar Singh Dhruv, Executive Engineer
Mr. Vinayak Sharma, Standing Counsel

FOR THE STATE OF MAHARASHTRA:

Mr. Deepak Nargolkar, Senior Advocate
Mr. Viraj Kadam, Adv.

FOR THE STATE OF MADHYA PRADESH:

None Present

FOR THE STATE OF JHARKHAND:

Mr. Utkarsh Anand Adv. For
Ms. Tulika Mukherjee, Adv.

ORDER

The representatives of both the States i.e. concerned Secretaries and the learned Advocate General for the State of Odisha are present in the Court.

2. Again today, the learned Advocate General, Sh. Pitambar Acharya for the State of Odisha has submitted a Note stating the steps taken by both the States towards an amicable settlement, highlighting Proceedings of the Joint meetings held by the Technical Committee of both the States and also the proceedings of the meetings held by the Chief Secretaries of both the States on 10.11.2025. As per the Note, the

The block contains a handwritten signature in blue ink and a circular purple stamp. The stamp is from the 'Odisha Water Disputes Tribunal' and the word 'Registrar' is visible in the center.

outcome of the Chief Secretaries meeting held on 10.11.2025 has been stated as under:-

"8. Major Outcome of the last Chief Secretaries meeting held on 10.11.2025 are :-

- i. *Both the States have agreed in principle that they will submit joint inter-state agreement for the following projects in Ib and Tel sub-basins of both the States, withdrawing their objections, and place a request before the Hon'ble Tribunal for directing the Central Water Commission to issue the necessary permissions with regard to such projects.*

Sl.No.	State	Project	Sub-Basin
1	Odisha	Uttei-Roul Integrated	Tel
2	Odisha	Khadaga	Tel
3	Chhattisgarh	Shekharpur	Ib
4	Chhattisgarh	Dandapani	Ib

- ii. *Both the Chief Secretaries directed the Technical Committees to explore technical solutions with respect to how Odisha can optimize utilisation of water in the non-monsoonal months from Hirakud Dam and how Chhattisgarh can optimize flows in non-monsoonal months up to Hirakud dam.*
- iii. *Also, data inconsistency in the Common Format Information (CFI) as submitted to the Hon'ble Tribunal to be worked out by both the States.*
- iv. *After detailed deliberation, both sides agreed that the issues of assessment of yield and its principles of apportionment and a possible mechanism for management of shortages and surpluses, shall be discussed going forward.*
- v. *Both the Chief Secretaries will meet again after finalisation of the technical solutions and date reconciliation, referred to in para 2 & 3 above respectively, jointly by the Technical Committee."*

3. The outcome of the Joint Technical Committee meeting held on 21.11.2025 has also been stated in the Note which reads as under:-

"9. The Joint Technical Committee meeting held on 21.11.2025, discussed the following major aspects as a follow up action to the outcomes of the Chief Secretary level meeting held on 10.11.2025:

Mulshin



- i. The yield at different dependabilities at various locations i.e. (a) Interstate border, (b) Hirakud dam, (c) Naraj, (d) Outfall to the sea i.e., whole Mahanadi basis and sub basin wise are to be accessed after checking up the adequacy and consistency as well as firming up of the reasonable demands of both the States for which Working Groups will meet online frequently.
- ii. To maintain due preparedness in exploring various options for amicable settlement, it was opined that Odisha should optimize the utilisation of water in the non-monsoonal months from Hirakud Dam and Chhattisgarh should optimize flows in non-monsoonal months upto Hirakud Dam.
- iii. Next meeting of the Joint Technical Committee shall be held tentatively on 1st week of December, 2025."

4. The learned counsels for both the States has submitted a Joint Statement on the basis of the outcome of the said meeting of Chief Secretaries held on 10.11.2025, which reads as under:-

"JOINT STATEMENT ON BEHALF OF THE STATE OF ODISHA AND THE STATE OF CHHATTISGARH BEFORE THE HON'BLE MAHANADI WATER DISPUTES TRIBUNAL

As agreed in the meeting of Chief Secretaries of the States of Odisha and Chhattisgarh on 10.11.2025, in the spirit of amicable bilateral resolution of the issues framed by the Hon'ble Tribunal, as a first step, the State of Odisha and the State of Chhattisgarh have agreed that they will not raise any objections to the following four projects, when the project proposals for the same are presented by the concerned State before the Central Agencies, and particularly the Central Water Commission (CWC), for clearance.

Sl.No.	State	Project	Sub-Basin
1	Odisha	Uttei-Roul Integrated	Tel
2	Odisha	Khadaga	Tel
3	Chhattisgarh	Shekharapur	Ib
4	Chhattisgarh	Dandapani	Ib "

5. Without commenting or expressing any opinion on the Joint Statement submitted before the Tribunal, we hereby deem it appropriate to adjourn the proceedings for a further period of about

Mukhyamantri


four weeks, to enable the Technical Committees of both the States and also the Chief Secretaries of both the States to further discuss and proceed further to arrive at an amicable, bilateral resolution on the issues involved in the present proceedings, which may include the Projects stated in the Joint Statement. We appreciate the serious efforts made by both the States to arrive at an amicable settlement.

6. List on 20.12.2025. In the meantime, it is expected that the Technical Committees of both the States shall meet, discuss and recommend the practical, amicable solutions on the issues involved in the Proceedings. The outcome of the joint meetings of members of Technical Committees and of the Chief Secretaries of both the States shall be placed before the Tribunal on the next date of hearing.

7. The representatives/concerned Secretaries of both the States shall remain present on the next date i.e. 20.12.2025 at 11.00 a.m.

.....Sd/-..... *sd* J.
(BELA M. TRIVEDI)
CHAIRMAN

.....Sd/-..... *sd* J.
(DR. RAVI RANJAN)
MEMBER

.....Sd/-..... *sd* J.
(INDERMEET KAUR KOCHHAR)
MEMBER

Certified to be True Copy
Mukhija
Registrar



**BEFORE MAHANADI WATER DISPUTES TRIBUNAL
NEW DELHI**

REFERENCE NO. 1/2018

State of Odisha

Claimant

And

State of Chhattisgarh & Ors.

Respondents

With

REFERENCE NO. 2/2019

State of Chhattisgarh

Claimant

and

State of Odisha & Ors.

Respondents

**20.12.2025: This matter was called on before the Tribunal
today at 11.00 A.M.**

CORAM:

HON'BLE MS. JUSTICE BELA M. TRIVEDI

CHAIRMAN

HON'BLE DR. JUSTICE RAVI RANJAN

MEMBER

HON'BLE MRS. JUSTICE INDERMEET KAUR KOCHHAR MEMBER

FOR THE STATE OF ODISHA:

Mr. Pitambar Acharya, Advocate General
Dr. Anindita Pujari, Senior Advocate
Smt. Anu Garg, IAS, Development Commissioner-cum-
Addl. Chief Secretary, Government of Odisha

FOR THE STATE OF CHHATTISGARH:

Mr. Biswajit Dubey, A.A.G.
Mr. K.K. Lahiri, Adv.
Mr. Jagjit Singh Chhabra, Adv.
Mr. Rajesh Sukumar Toppo, Secretary WRD



FOR THE STATE OF MAHARASHTRA:

Mr. Deepak Nargolkar, Senior Advocate

FOR THE STATE OF MADHYA PRADESH:

Mr. Ratnesh Kumar, Adv.

FOR THE STATE OF JHARKHAND:

Mr. Zain A. Khan, Adv. for
Ms. Tulika Mukherjee, Adv.

ORDER

The learned Advocate General, Mr. Pitambar Acharya has placed on record the developments which took place between the last hearing and this date. He again emphasised that both the States are seriously making their respective endeavours to resolve the long pending issues with regard to the Mahanadi water disputes. Mr. Acharya has also submitted that along with the Technical Committees of both the States, the State of Odisha has also constituted an Inter-Ministerial Committee to examine, co-ordinate and advise the State Government on the matters relating to the amicable resolution of Mahanadi water disputes. Mr. Lahiri, Senior Advocate for the State of Chhattisgarh also submitted that similar exercise is being done by the State of Chhattisgarh, and that the Technical Committees of both the States, having discussed and deliberated on the water issues, have also exchanged their inconsistencies in the data submitted in the CFI.

2. As per the Notes submitted by the learned Advocate General Mr. Acharya, the following developments have taken place since the last hearing of the Proceedings of the Tribunal:-

**"DEVELOPMENTS IN AMICABLE SETTLEMENT OF
MAHANADI WATER ISSUES SINCE THE LAST HEARING
OF HONBLE MWDT HELD ON 22/11/2025**

*Keeping in view the decisions taken in the 2nd meeting of the
Chief Secretaries of Odisha and Chhattisgarh on 10/11/2025
and the order of the Hon'ble MWDT held on 22/11/2025, the*

A handwritten signature in blue ink is written over a circular official stamp. The stamp contains the text "Mahanadi Water Disputes Tribunal" around the perimeter and "Registrar" in the center.

following are the developments for amicable settlement of the Mahanadi Water Issues;

A. The Technical Committees of both the States met on 05/12/2025 and 12/12/2025 for discussion and deliberation on relevant issues for amicable settlement. The following are the summary of the outcomes of the two meetings:

- The inconsistency in data as submitted in the CFI has been exchanged between the two States and same has been sorted out.
- The length of the data series for assessment of yields has been finalized for the period 1980-81 to 2018-19.
- The yields of the Mahanadi basin at various locations viz; at Interstate border, Hirakud, Naraj and outfalling point to sea with different dependabilities, i.e., 50%, 75%, 90% and average assessed by the joint Working Groups of both the States considering the mutually agreed rainfall data for the period of 1980-81 to 2018-19, catchment area measured using the DEM and geospatial parameters as finalized by the Learned Assessors with consent of the States on 20.06.2023 are accepted by the Joint Technical Committee on 12/12/2025.
- The yields assessed by the Working Groups of both the States have been reviewed and converged for acceptance by Technical Committees of both the States in the meeting held on 12/12/2025, for which the processes are on the verge of finalization.
- Apportionment of the yields, modalities for sharing of surpluses and shortages on year to year basis through a regulatory mechanism with involvement of officers of both the States and other experts have already been deliberated by both the Technical Committees including options for sharing of yields and technical solutions thereof.
- The necessity and methods of optimization of flow as to how Odisha can optimize utilization of water in the non-monsoonal months from Hirakud Dam and how Chhattisgarh can optimize flows in non-monsoonal months up to Hirakud dam have been thoroughly discussed, deliberated by the Technical Committees of both the States for amicable settlement.

B. To pave the path further for early settlement of Mahanadi Water Issues, the State of Odisha vide Notification No. WR-ISILM-MWDT-II (Part-IV)/2025/34654 Dated 10/12/2025 has constituted an Inter-Ministerial Committee headed by Hon'ble Deputy Chief Minister of Odisha to examine, coordinate and advise the State

Anulajin
Mahanadi Water Disputes Tribunal
Registrar

Government on all matters for ongoing efforts towards amicable resolution."

3. Since the tenure of the Tribunal is limited to April 2026, the learned Advocates for both the States have orally requested and agreed to submit in writing to move the Government for extension of the tenure of the Tribunal.

4. Having heard the learned Advocates for both the States as also the learned Secretaries present before the Tribunal, the further Proceedings of the Tribunal are adjourned till 07.02.2026 to enable both the States to proceed further to come to a consensus with regard to the controversial issues on the assessment of yields, apportionment of the yields, the necessity and methods of optimization of flow of water etc. It is expected that just as the State of Odisha has constituted an Inter-Ministerial Committee to examine the issues, similar Committee may be constituted by the State of Chhattisgarh to put an end to the long pending issues pertaining to the Mahanadi water disputes at the earliest.

5. Let the learned counsels for the respective Party States submit their joint application for the extension of tenure of the Tribunal, as desired by them by the first week of January 2026.

6. List the matter on 07.02.2026 at 11.00 a.m.



Certified to be True Copy

[Signature]
Registrar

Sd/-
..... J.
(BELA M. TRIVEDI)
CHAIRMAN

Sd/-
..... J.
(DR. RAVI RANJAN)
MEMBER

Sd/-
..... J.
(INDERMEET KAUR KOCHHAR)
MEMBER