

MAHANADI WATER DISPUTES TRIBUNAL

1. The Government of Odisha had filed a complaint dated 19.11.2016 with the Ministry of Water Resources, River Development and Ganga Rejuvenation (now Ministry of Jal Shakti) under Section 3 of the Inter-State River Water Disputes (ISRWD) Act, 1956 read with Inter-State River Water Dispute Rules, 1959.
2. The Government of Odisha requested Union Government to constitute a Tribunal under Section 4(1) of the ISRWD Act, 1956 for adjudication of water disputes in respect of river Mahanadi and its basin between the riparian States of Odisha and Chhattisgarh and refer the complaint to the Tribunal under Section 5(1) of the ISRWD Act, 1956.
3. The Central Government constituted a Negotiation Committee for settlement of the dispute through negotiation. The Negotiation Committee submitted its report in May, 2017 in which it mentioned that that any further meetings of this Committee would not be fruitful as there had been no participation from complainant State i.e. State of Odisha in the meetings. Accordingly, it was concluded that the dispute cannot be resolved by negotiation.
4. Subsequently, the Central Government constituted Mahanadi Water Disputes Tribunal vide Notification No 1114 (E) dated 12.03.2018. In this connection, Reference was made by the Central Government to the Tribunal on 17.04.2018 as per provisions under sub-section (1) of the section 5 of the ISRWD Act, 1956.
5. The matter is under adjudication before the Tribunal. Further, as per the request of the said Tribunal, the Central Government considered the period from March 2020 to June 2021 due to COVID-19 pandemic, as non-functioning and embellishing period for the Tribunal;
6. Subsequently, the Central Government, having regard to the direction given by the Hon'ble Supreme Court in similar matters, has decided that the effective date of constitution of the said Tribunal shall be the 14th December, 2019 and period from March, 2020 to June, 2021 (sixteen months) shall be treated as non- functional and embellishing period for the said Tribunal due to unavoidable reasons and the three-year period which is allocated under sub-section (2) of section 5 of the said Act be deemed to expire on 13th April, 2024;
7. Now, therefore, in exercise of the powers conferred under the proviso to sub- section (2) of the section 5 of said Act, the Central Government hereby extends the period of

submission of report and decision by the Mahanadi Water Disputes Tribunal for a period of two years with effect from the 14th April, 2024, that is, on or before the 13th April, 2026, or till the submission of report and decision under sub-section (2) of section 5 of the said Act, whichever is earlier.

MoM to consider various water resources issues in Mahanadi Basin on 17.09.2016

1. The Govt. of Odisha had represented that Chhattisgarh had started many projects upstream of Hirakud Dam, which would have long term effect on the flow downstream especially during the lean period. The effect of ongoing projects upstream of Hirakud on long term flows downstream in Odisha will result as retain of the major portion of the non-monsoon flow of water and will also affect ecologically sensitive Coastal and delta area of Mahanadi. As such, Govt. of Odisha has urged that the Government of Chhattisgarh should stop work of all ongoing projects for three months.
2. On the other hand, Chhattisgarh pleaded that 52.9% of the total catchment of Mahanadi and 89.9% of catchment up to Hirakud lies in their State and they had a right to use the water of Mahanadi. Chhattisgarh pointed out that Odisha had also commenced certain major and medium projects without informing them as the upper riparian State.
3. In view of above, Ministry of Water Resource, RD & GR has convened two meetings viz. 29.7.2016 and 17.09.2016 to consider various water resources issues in Mahanadi Basin. In the meeting held on 17.09.2016 under the Chairmanship of Hon'ble Minister for WR,RD & GR with Chief Ministers of Odisha and Chhattisgarh and following decisions were deliberated :-
 - i. Special Committee to list out the water resources projects in Odisha and Chhattisgarh, under construction without the approval of Technical Advisory Committee (TAC) of M/o Water Resources, RD&GR under chairmanship of Dr. Amarjit Singh, OSD, MoWR,RD&GR, will be formed.
 - ii. Formation of an Expert Committee with the representatives of CWC, Government of Odisha and Chhattisgarh.
 - iii. Government of Chhattisgarh shared information with respect to ongoing projects. However, Government of Odisha has referred the matter under Inter-State River Water Dispute Act, 1956 for adjudication of the matter. This Ministry constituted a Negotiation Committee as per ISRWD, Act, 1956 vide letter dated 19th January, 2017.