

MAHADAYI WATER DISPUTES TRIBUNAL

1. In July, 2002, the State of Goa made a request under Section 3 of the Inter-State River Water Disputes Act, 1956 (as amended) for constitution of the Tribunal under the said Act and refer the matter for adjudication and decision of dispute relating to Mandovi River. The issues mentioned in the request included the assessment of available utilisable water resources in the basin at various points and allocation of this water to the 3 basin States keeping in view priority of the use of water within basin as also to decide the machinery to implement the decision of the tribunal etc. The Act requires that Central Government shall constitute a tribunal if it is of the opinion that water dispute cannot be settled by negotiation.
2. Therefore, actions and efforts of Central Government in MoWR since July, 2002 were basically guided by the aforesaid provision of the Act. In continuation of this process, Hon'ble Union Minister for Water Resources convened an inter-State meeting on 4.4.2006 at the level of Chief Ministers of the States of Goa, Karnataka and Maharashtra. Subsequent actions of Government of Goa with regard to follow up action on decisions taken in the inter-State meeting gave impression that State of Goa is not ready to pursue the negotiation process further and wants constitution of tribunal and reference of the dispute to the Tribunal immediately. Accordingly, the Central Government in the MOWR concluded that the dispute contained in the request of State of Goa of July, 2002 cannot be resolved by negotiation and initiated further action in the matter as per the provisions of Inter-State River Water Disputes Act, 1956 and rules made there under.
3. Meanwhile the Govt. of Goa filed a suit in the Hon'ble Supreme court in Sept, 06 for setting up of a water dispute tribunal for adjudication of the above river water dispute and an interlocutory Application (IA) for stay in construction activities. The Writ Petition with the application has been listed on a number of occasions before the Hon'ble Supreme Court. Meanwhile, the Cabinet considered in its meeting held on 10.12.2009 and approved the proposal of constitution of Mahadayi Tribunal.
4. Cabinet Committee on Accommodation in its meeting dated 06.10.2010 approved proposal of locating Tribunal in New Delhi. Central government has constituted Mahadayi Water Disputes Tribunal (MWDT) vide notification dated 16th November, 2010.

5. Further, the central Govt. vide notification dated 13th November, 2014 decided that the effective date of constitution of MWDT shall be 21st August, 2013 instead of 16th November, 2010.
6. The Tribunal submitted its report u/s 5(2) of the Act to the Central Government on 14.08.2018. The report of the Tribunal in pdf format is provided below.
7. The State of Goa filed an application under Order 39 Rule 2A of the Code of Civil Procedure, 1908 read with Section 5(3) of the ISRWD Act, 1956 before the Tribunal on 20.08.2018. Subsequently, the States of Goa, Karnataka and Maharashtra filed further references under section 5(3) of the ISRWD Act before the Tribunal on 20.09.2018, 13.11.2018 and 05.11.2018 respectively. Also, the Central Government had filed further reference under section 5(3) of the ISRWD Act on 14.01.2019. These references are currently pending before the Tribunal.
8. The States of Maharashtra, Karnataka and Goa have filed SLP(C) No. 32517/2018, 33018/2018 and 19312/2019 respectively against the Report-cum-final decision dated the 14th August, 2018 of the Tribunal in the Hon'ble Supreme Court. These SLPs are sub judice before the Hon'ble Supreme Court.
9. As per the Order of Hon'ble Supreme Court dated 20.02.2020 in I.A. No. 109720/2019 in SLP No.33018/2018, the Central Government has published MWDT Award dated 14.08.2018 in the Gazette of India vide Notification No. S.O. 888(E) dated 27.02.2020.
10. Further, the term of the Tribunal is being extended on yearly basis and presently, the tenure of MWDT has been extended for a period of One Hundred and Eighty days w.e.f 20.08.2024