SLIDES: Politics of Interstate Water Cooperation and Conflicts: The Case of Krishna River, India

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Politics of Interstate Water Cooperation and Conflicts: The case of Krishna river, India

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Overview

• The argument
• Coping with scarcity: Interbasin transfers and interlinking of rivers
  – Are we prepared: politics, policies, practices?
• Interstate water disputes
• The case of Krishna river dispute
  – Telugu Ganga
• Lessons
The argument

Close convergence of substantive water politics and democratic politics is a challenging reality for forging federal cooperation in multiparty federal democracies like India.
Coping with Scarcity

Setting the context: Drought in 2016
Coping with Scarcity

- Interbasin transfer from surplus basins to deficit basins
- India’s major rivers are transboundary, more than 20 river basins are spread across multiple states’ territories – require interstate cooperation
- Changing hydrological regimes increase propensity of interstate water disputes
- India already has eight formally recognized river water disputes (adjudicated/to be adjudicated)
- How effective have these been, are we prepared?

Source: Current Science

Interlinking of Rivers

Source: NWDA, regenerated and adapted
Interstate Water Disputes Resolution: Asymmetries, Ambiguities and Antagonisms

**Laws**
Interstate Water (River) Disputes Act 1956
River Boards Act 1956

**Interstate Cooperation**
Not a single river boards under the act so far!

**Interstate water dispute resolution**
Supreme Court’s jurisdiction barred;
Exclusive and independent tribunals adjudicates disputes

**Problems**
 Constitutional ambiguities, Non-Compliance of awards by states, Policy paralysis, Institutional vacuum, Politicization of disputes

• Postcolonical condition:
  – ‘the curious case of exception’
  – Water, a state subject
  – Historical prejudices vs entitlements

• Reorganization of boundaries and reterritorialization (14 states in 1956 to 29 in 2014)

• De-historicized policies and degenerated practices:
  Extended litigations, adversarial proceedings, long delays (e.g., Ravi-Beas – 29+; Cauvery – 17 years; Krishna – 10+years)
Transboundary Water Conflicts

• Interstate water disputes are transboundary water conflicts
• Literature identifies three sets of factors contributing to transboundary water cooperation:
  ▪ Political relations
  ▪ Context (geographical, historical, social and ecological)
  ▪ Institutions

(Wolf 1998, 1999a, 199b, 2003; Wolf, Yoffe and Giordano; 2003; Giordano, Giordano and Wolf 2003; Giordano and Wolf 2003; De Stefano, Edwards, De Silva and Wolf 2010 – OSU’s TBDD based writings)

Source: Chokkakula, 2015
Krishna

Maharashtra-Karnataka-Andhra Pradesh- Telangana (now)

Source: Chokkakula 2015
Krishna river dispute: the setting

- Krishna river flows through three states: Maharashtra, Karnataka and Andhra Pradesh (now Telangana and Andhra Pradesh), with histories of agonizing reorganization of boundaries.
- First dispute to have two tribunals adjudicating, first (KWDT-I) in 1970s and second in 2000s (KWDT-II).
- KWDT-II constituted in 2004, gave final award in 2013; to adjudicate new dispute due to Telangana state creation.

Source: Chokkakula 2015
Krishna river dispute: historical recurrence

1970: constitution of KWDT-I
1973: KWDT-I Final Award
1976: KWDT-I's Further Report
Rise of regional parties
Telugu Ganga project
Cauvery dispute escalation to violence
1997: Peak of Almatti conflict
2004: KWDT-II constituted

Centre (Government of India)
Andhra Pradesh
Karnataka
Maharashtra
Congress
Janata Party
Janata Party (Secular)
Janata Dal
Bharatiya Janata Party
Shiv Sena
Telugu Desam
Progressive Democratic Front

Source: Chokkakula 2015
The narrative:

Celebrated as finest instance of interstate water cooperation and federalism (Sampathkumar 2005, Ramadevi and Nikku 2008, Iyer 2009)

The three riparian states agreed to contribute water from their shares (each 5 TMC) for the water scarce Chennai city drinking water requirements in Tamil Nadu, a non-riparian state.

Source: http://irrigation.cgg.gov.in
The inglorious irony

- Then Prime Minister, Mrs Indira Gandhi’s stealth political maneuver during Emergency (1975-77) led to a concurrence of three riparian states for allocating 15 TMC to Madras from Krishna rivers.
- The popularly elected DMK government opposed the Emergency; an effort to appease Tamil people.
- Revived an old idea of transferring Krishna waters to Chennai (then Madras city).
- KWDT-I incorporated this agreement in its award.
- Remained dormant after the Emergency ended.
The paradoxical revival

• Revived as a means to counter Indira with the rise of regionalism, end of single party dominance in 1980s
• N T Ramarao of AP revived the project with dual agenda
  – as a conduit to consolidate a coalition and counter Congress dominance, the Southern Council with support of non-congress governments in Karnataka and Tamil Nadu
  – Also to extend irrigation to his own constituency, a water scarce region in Southern AP: shifted offtake point by 175 km, constructed canal of 11,500 cusecs (instead of 1500 cusecs) to provide irrigation to areas up to the offtake point.

Source: http://media.radiosai.org
The persisting politics

- Post the coalition, the project remained a source of tensions between riparian states.
- Karnataka objected to the enhanced capacity of the canal, accused AP of intent to claim rights over surplus waters (allocated to AP without rights by KWDT-I), litigating before Supreme Court till KWDT-II set up.
- Remained a key issue of contestation before KWDT-II.

Source: livemint.com
Andhra Pradesh was bifurcated into two states of Telangana and Andhra Pradesh in 2014.

Telangana demands re-adjudication the entire dispute afresh.

Litigations continue in the Supreme Court as well as KWDT-II.

The persisting politics
Lessons

• Interstate water cooperation/disputes resolution in India suffers from constitutional and legal ambiguities, institutional vacuum, politicization.

• Increasing nexus between substantive water politics and democratic politics – an increasing reality in multiparty democracies like India.

• Interstate water cooperation/disputes resolution is a permanent process, highly contingent to politics. The challenge is to create right kind of policies, practices and institutions for channelizing the politics for progressive outcomes.