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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Coping with Water Scarcity in River Basins Worldwide: Lessons Learned from Shared Experiences
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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?

Interlinking of Rivers

Source: NWDA, regenerated and adapted

Source: Current Science

Source: Current Science
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

**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)

**Problems**
- Constitutional ambiguities, Non-Compliance of awards by states, Policy paralysis, Institutional vacuum, Politicization of disputes
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, 1999b, 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
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.
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
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.
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.
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.