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

Srinivas Chokkakula

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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

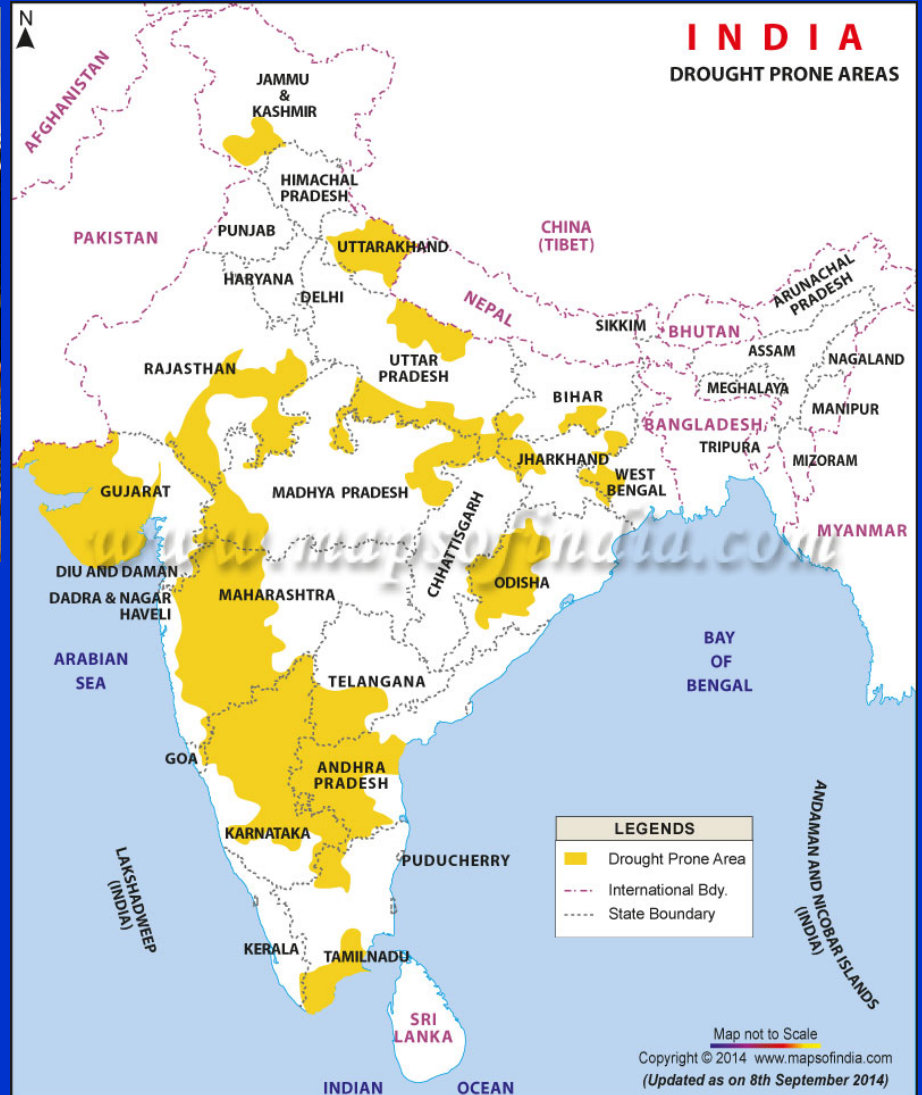
Setting the context:
Drought in 2016



Source: www.dnaindia.com



Source: gstv.in

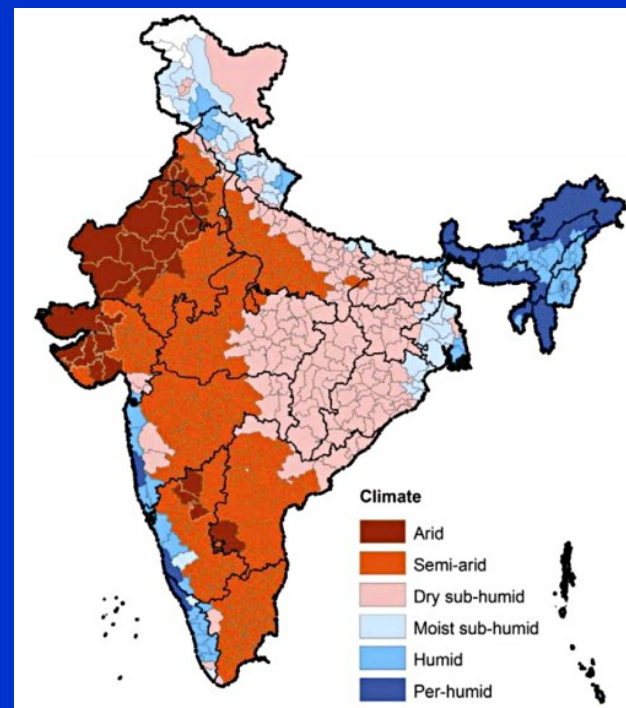


Source: mapsofindia.com

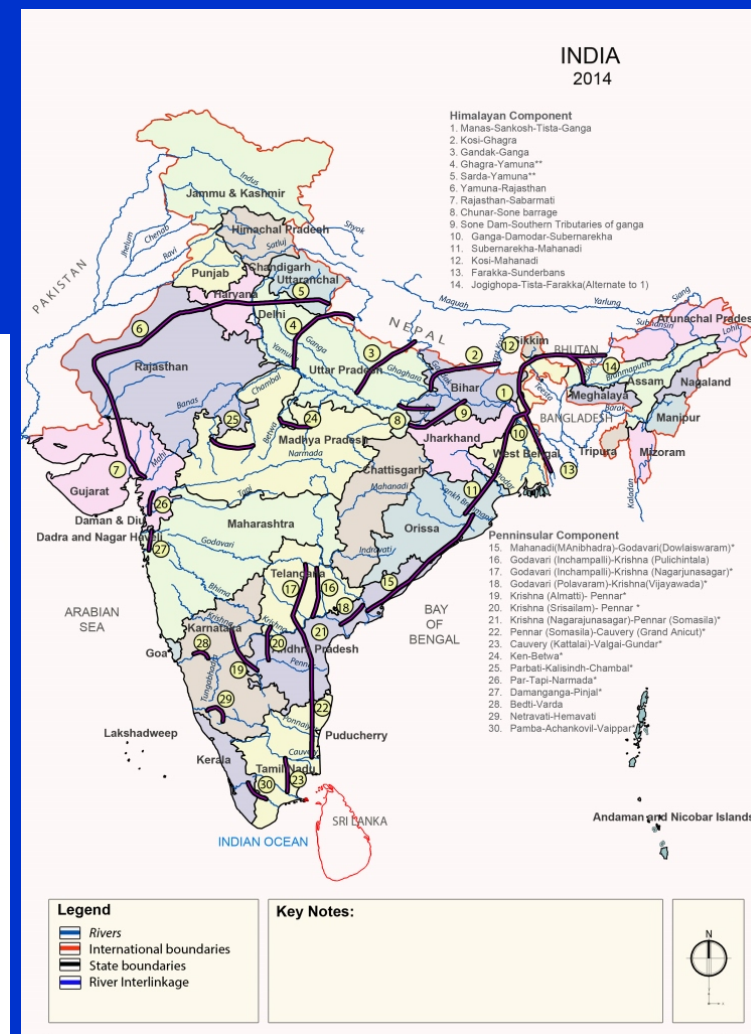
Coping with Scarcity

- 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: Current Science



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

- Postcolonial 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)

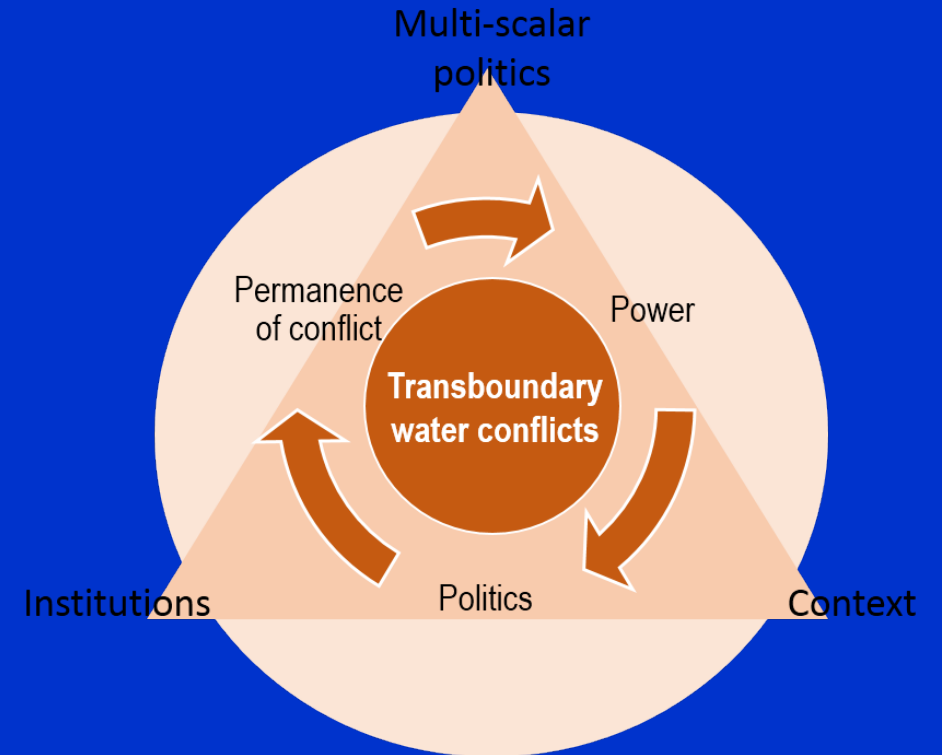
Problems

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

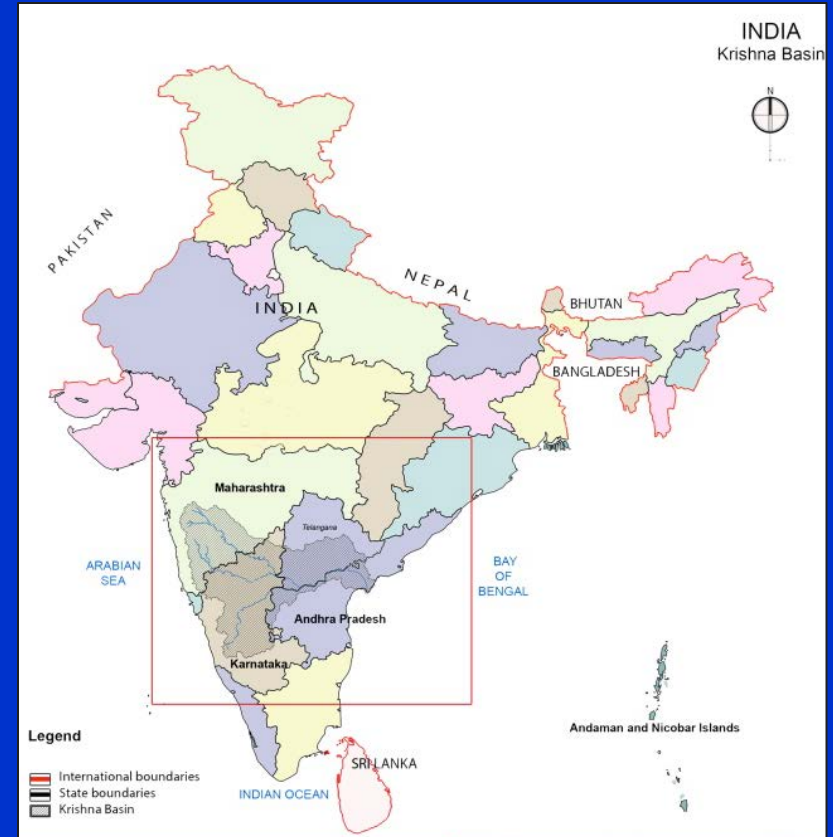
(Wolf 1998, 1999a, 199b, 2003; Wolf, Yoffe and Giordano; 2003; Giordano, Giordano and Wolf 2003; Giordano and Wolf 2003; De Stefano, Edwards, De Silva and Wolf 2010 – OSU's TBDD based writings)



Source: Chokkakula, 2015

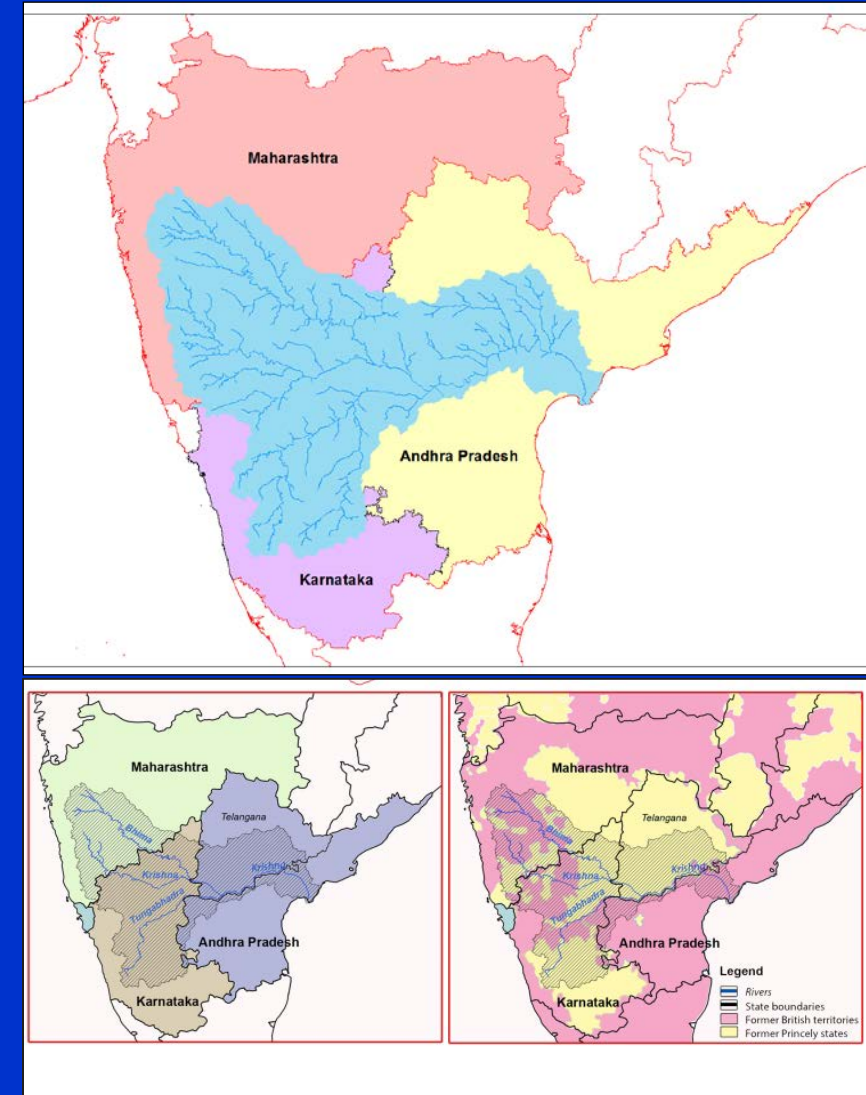
Krishna

Maharashtra-Karnataka-Andhra Pradesh- Telangana (now)



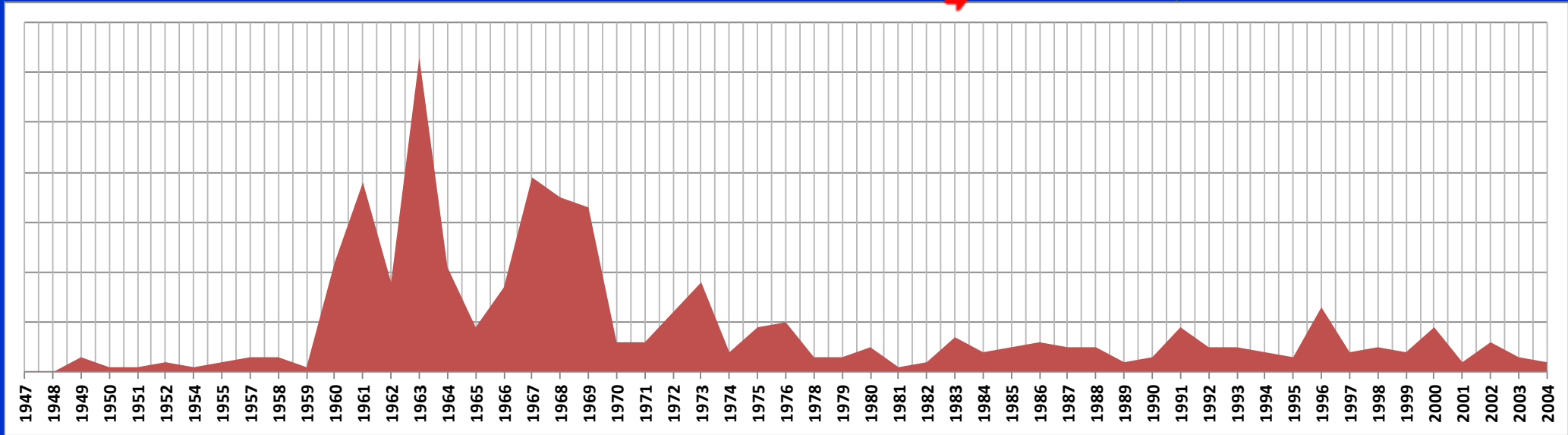
Krishna river dispute: the setting

- 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.

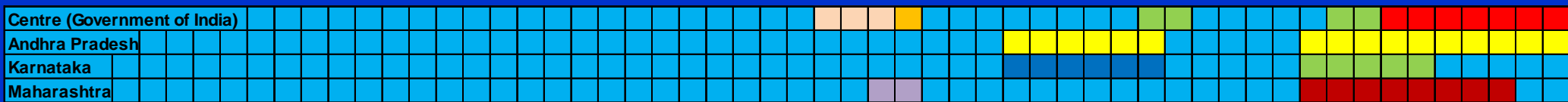


Krishna river dispute: historical recurrence

"krishna river water dispute" in *The Times of India*



Political configuration

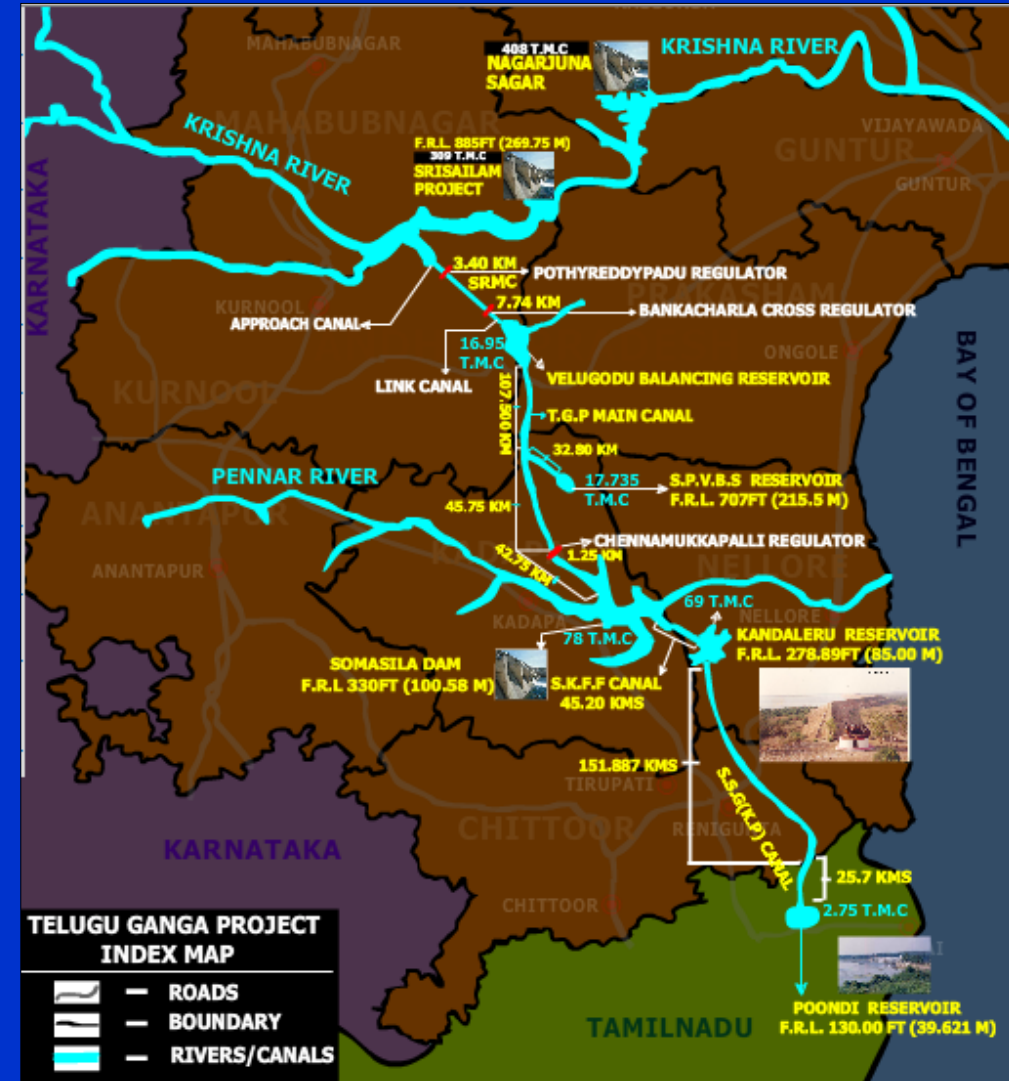


Telugu Ganga

The narrative:

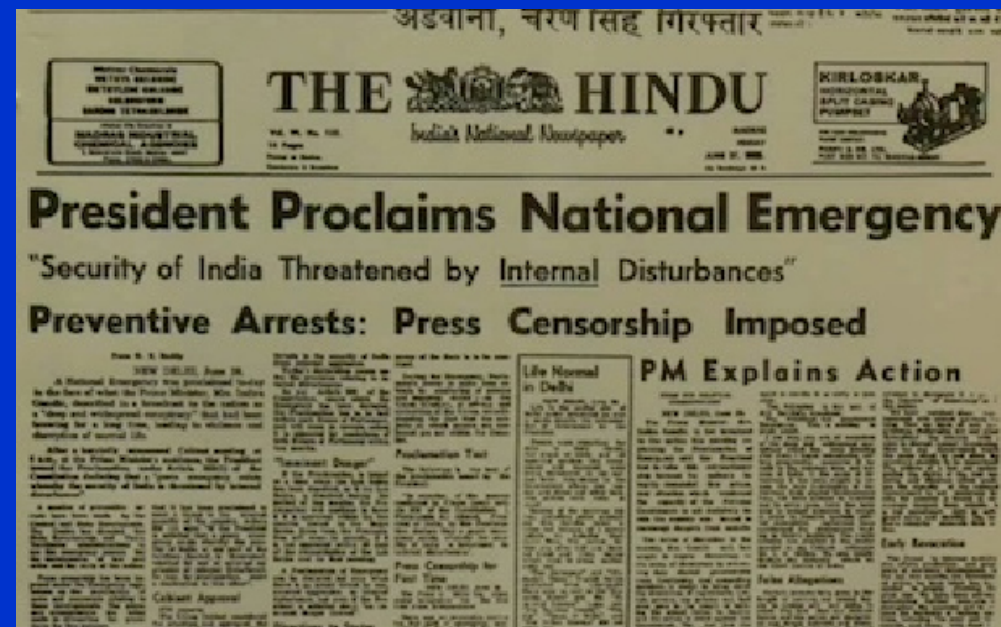
Celebrated as finest instance of interstate water cooperation and federalism (Sampathkumar 2005, Ramadevi and Nikku 2008, Iyer 2009)

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.



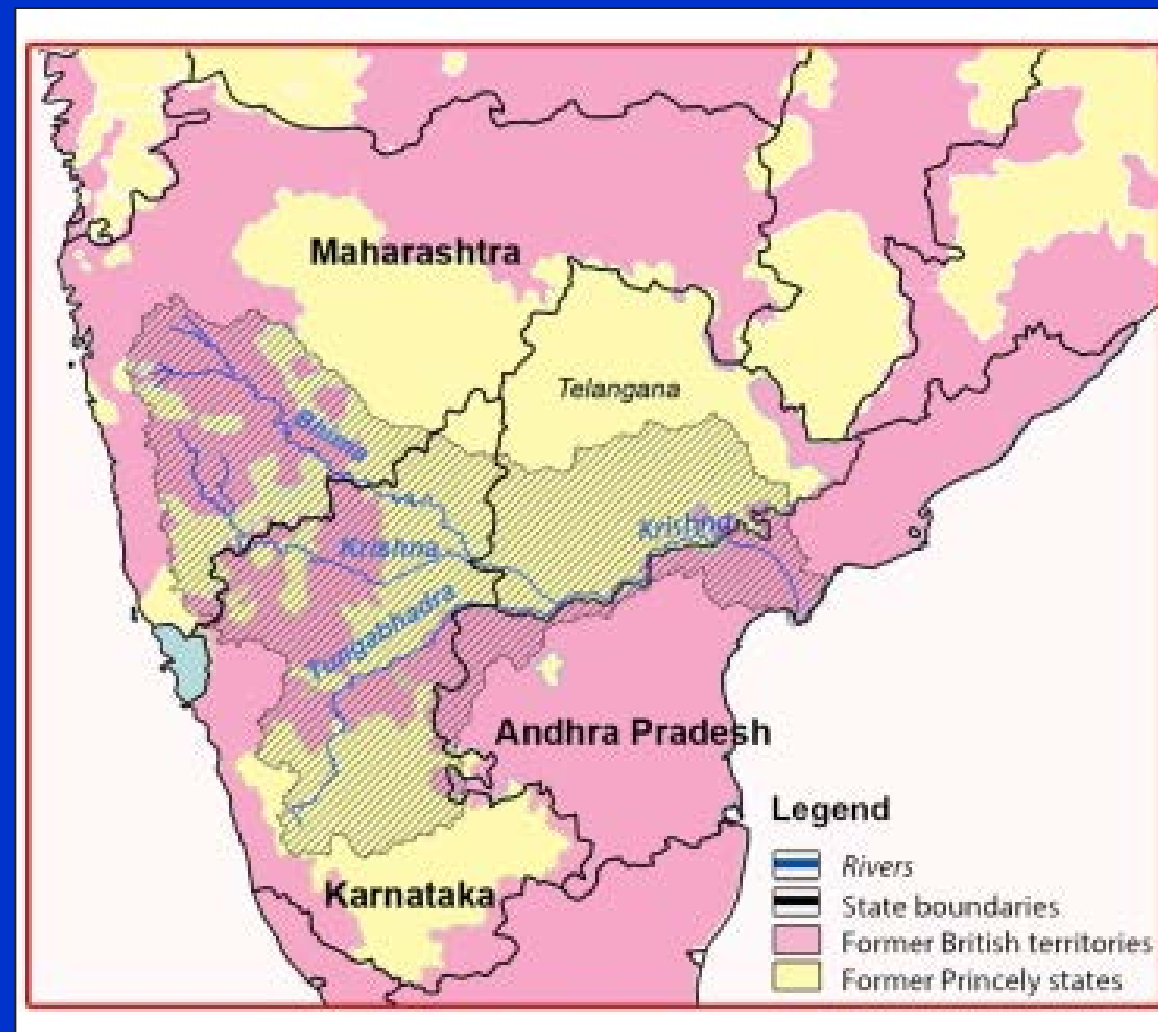
The persisting politics

- 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



The persisting politics

- 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.