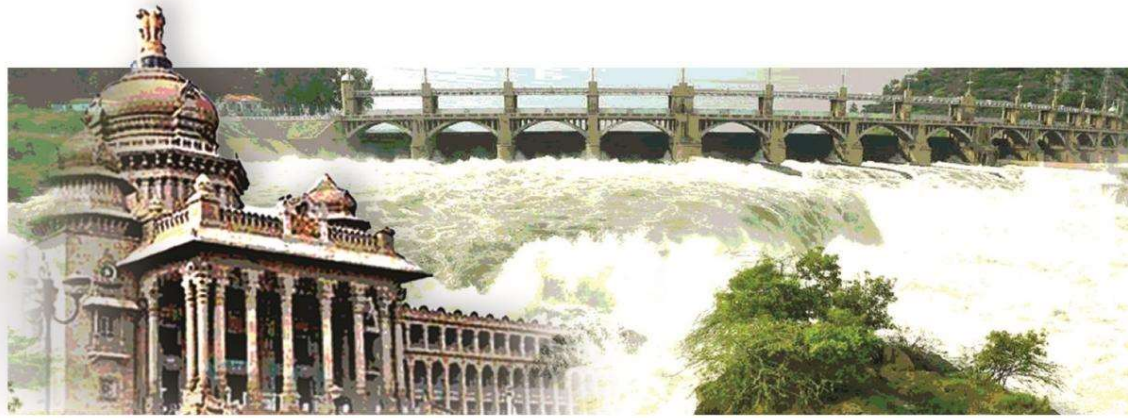


When will the Cauvery's thirst be slaked?



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The Rohini River dispute is viewed as the most ancient in the annals of fights over rivers. In 580 BCE, the river Rohini was the bone of contention between Kapilavastu (town of Sakhyans) and Koli (town of Koliyans). Buddha intervened in the row that raged between the people of these two towns over the use of the river water flowing between the two territories. According to the Buddhist texts, he left Kapilavastu in a huff, unable to end the dispute.

Modern India has several inter-state river disputes among which the most controversial is the Cauvery row between Karnataka and Tamil Nadu.

New landmine

The Cauvery dispute which has witnessed a temporary lull for some time now seems headed for a new bout of raging, thanks to a new landmine buried by Karnataka Deputy Chief Minister and Irrigation Minister D. K. Shivakumar on assumption of office. He said at a review meeting on May 30, 2023, "We have had enough of court interventions. We bear Tamil Nadu no grudge and have no intention to fight either. The people there are our brethren. The Mokedatu is our project which will benefit Tamil Nadu too." He ordered the officials to carry forward the project.

Justice Jain once said during a hearing on the Cauvery case, "God has placed Karnataka in an envious position to supply water down-country. But it behaves like a big brother." Tamil Nadu has to grapple with several issues triggered by Karnataka's stance on the issue.

New dam necessary?

Tamil Nadu has been using the Cauvery for two millennia whereas Karnataka has been using the river for irrigation for two centuries. The river has, for generations on end, been fulfilling the drinking needs of about 1.50 crore people spread over 20 districts in Tamil Nadu and facilitating the cultivation of about 28 lakh acres of land and employment to about 40 lakh agricultural laborers. At the same time, the state has also witnessed and withstood disasters whenever the Cauvery was in spate and also suffered crop damage and casualties as well.

The Cauvery dispute erupted even under the British regime. In post-Independent India, the Cauvery tribunal was set up on June 2, 1990, and delivered its final verdict on Feb.4, 2007. The verdict was gazetted on Sept. 19, 2013. The Supreme Court disposed of the appeal case on the tribunal verdict on Feb. 16, 2018. The TN's share of the Cauvery water was curtailed from 192 tmc feet to 177.25 tmc feet.

The tribunal took 17 years and 568 hearings to deliver its final verdict. Then Karnataka started the Mokedatu issue.

Bengaluru's drinking water needs are 4.75 tmc. In the previous estimates, the drinking water needs were not taken into account. So, what the tribunal and the Supreme Court said on the count could be accepted. But they have not directed the construction of the Mokedatu dam at the cost of Rs.9,000 crore, storing 67.14 tmc water across 4,9996 ha. The Karnataka government has exaggerated the drinking water needs of Bengaluru.

Even before Tamil Nadu, it was the people of the Scheduled Tribes and Scheduled Castes of Karnataka who opposed the dam as they said it posed a danger to them, likely to evict 10,000 people from five villages. Environmentalist Medha Patkar herself visited Karnataka and lent support to the SC/SC agitation. She alleged that the rulers wanted to help the international corporates' mega projects.

Meanwhile, Karnataka dumped construction materials on the site of the Mokedatu dam without getting consent under the rules and regulations of the forest protection law and environmental assessment. This led the Southern Zone of the National Green Tribunal to sit in Chennai and launched an investigation on May 26, 2021. However, it is remarkable that the Delhi sitting of the NGT, though itself having no power, scuttled the Chennai sitting's investigation.

Union and state governments dragging their feet

Governments may come and go in Karnataka, but the state's stance on the Cauvery issue never changes. The previous CM Basavaraj Bommai was steadfast in implementing the Mokedatu dam project and earmarked funds for it in the budget. He announced in the Assembly on Dec. 22, 2021, that consent for the project was obtained from the Jal Sakthi Ministry. No party in power at the Center has approached the Cauvery issue in a neutral manner.

Meanwhile, Jal Sakthi Minister Gajendrasingh Shekhawat has said that Tamil Nadu cannot deny permission for the Mekedatu project as per the 1892 Cauvery agreement.

After the final verdicts in the Cauvery issue, Tamil Nadu has lost cultivation of 15.87 lakh ha. Whereas Karnataka has increased its cultivation space from 9.96 lakh ha. to 38.25 lakh ha.

Now Karnataka Deputy CM Sivakumar has asked what will be the problem for Tamil Nadu if Karnataka goes ahead with its power generation project and said this question has been raised in the verdict. But this argument runs contrary to the verdicts of the Cauvery tribunal and the Supreme Court. It is the court's directive that power projects should not be allowed at the cost of irrigation.

Yet the union government is just a silent spectator to Karnataka's behavior that flies in the face of the federal nature of the country and the apex court's judgment. The Tamil Nadu government, for its part, approaches the Cauvery issue in the spirit of a half-awake and half-asleep man.

In the period of 1968-1990, 26 rounds of talks were held over the issue. Even the retired Supreme Court judge V. R. Krishnaiah conducted talks in vain. Now the Tamil Nadu government says it's going to have yet another round of talks, this time with Shivakumar. This approach will surely have the issue watered down.

Reciprocal respect

The Tamil Nadu government filed a case against the Mekedatu project in the Supreme Court on Feb.16, 2018 and also a contempt case against the higher officials. It must expedite the cases it has filed. The state can approach the NGT, seeking remedy on the basis of the verdict delivered by the Supreme Court judges A. M. Kanwilkar, C.T.Ravikumar, and Rishikesh. Tamil Nadu must pay more attention to mounting political pressure on the union government and approaching the judiciary.

For the past few years, it has been only the merciful skies which have fulfilled the water needs of Tamil Nadu. For instance, in 2021 the total amount of water Tamil Nadu got was 4,563 tmc of which the rains' contribution was 4,314.9 tmc.

There were several people in Tamil Nadu, who have showered Karnataka's Deputy CM Shivakumar on his assumption of power with bouquet after bouquet. In return, is it appropriate on their part to throw brickbats at us?

Translated by V. Mariappan.