

Cauvery again

It is unfortunate that the Cauvery dispute is once again before the Supreme Court, barely weeks after the final verdict. The Centre is to blame for the dispute going into another round of litigation. While Tamil Nadu has moved the court to initiate contempt proceedings against the Centre for not complying with the direction to frame a scheme to implement the water-sharing arrangement set out in the February 16 judgment, the Centre has sought three more months and some clarifications in the court order. It is difficult to believe the issue at hand is so perplexing that the Centre had no option but to come back to the court. It appears that it does not want to handle the issue until the Karnataka Assembly elections get over in mid-May. Political and electoral considerations appear to have dictated the Centre's action. It is almost as if it believes that as long as the option of buying further time is available, it need not fulfil its legal obligations. It is unfortunate that just before the expiry of the court's six-week deadline, the Centre came up with a petition asking the court to clarify whether the proposed scheme should be the same as that which the Tribunal had set out in its final award in 2007, or could be at variance with it.

Supreme Court will ensure Tamil Nadu's share of Cauvery water, CJI assures State

It is true that there is a divergence of opinion between Tamil Nadu and Karnataka on the proposed mechanism and its composition. While Tamil Nadu wants the 'scheme' envisaged by the court to mean nothing other than the Cauvery Management Board and the Cauvery Water Regulation Committee, mentioned in the Tribunal's final award, Karnataka says there is no reference to a 'board' in the apex court's order, and that the Centre could frame a scheme different from that described by the Tribunal. It contends that the apex court envisaged a 'dispute resolution body', and not the 'management board' favoured by the Tribunal. Against this backdrop, the Centre could have exercised discretion and come up with a scheme that would include an inter-State body to oversee the water-sharing. At the latest hearing, the Chief Justice of India, Dipak Misra, observed that the term 'scheme' mentioned in the judgment did not refer to only a 'board'. He also assured Tamil Nadu that the court would ensure that it was not deprived of its share of Cauvery water. It is an indication that it is not the nomenclature but the nature of the relief that matters. It will be wise for all parties to remember that disputes are better resolved on the basis of equity and not prolonged on expedient considerations. The Centre's actions should not amount to undermining the finality of the highest court's judgment, and should be unwaveringly in aid of its implementation.

The revival of the Trans-Pacific Partnership, sans U.S., must buttress the free trade debate

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