

Muddying waters

Delivering its verdict on the Cauvery water dispute on February 16, the Supreme Court (SC) had asked Tamil Nadu, Karnataka, Kerala and Puducherry, the states contending for the river's waters, to shun their parochial outlook. It had called for a basin-centred approach to the imbroglio. But six weeks after the verdict, the matter is back at the apex court with the parties to the dispute at loggerheads over the mechanism to administer the court's award.

Given that the [Cauvery dispute](#) stretches back to more than a century and involves layers of complications, it is understandable that the two riparian states differ over the resolution mechanism. However, what is unfortunate is that the disagreements have taken an emotive hue in Tamil Nadu and poll-bound Karnataka. This is against the spirit of the apex court's verdict.

In February, the SC modified the 2007 verdict of the Cauvery Water Disputes Tribunal (CWDT) — an agency it had constituted in 1990 — and increased Karnataka's share of Cauvery waters at the cost of Tamil Nadu. The Court asked the Centre to formulate a "scheme" within six weeks so that its award "is smoothly made functional".

But what has complicated matters is that this mechanism is different from the one enunciated by the CWDT. The Tribunal recommended that a Cauvery Management Board "be entrusted with the function of supervision of reservoirs and the regulation of water releases from the Cauvery".

This is not a mere difference in nomenclature. "Scheme" is the terminology used in the Inter State River Disputes Act, 1956 and, according to the Karnataka government, what the Court means by it is "a dispute resolution body", very distinct from the regulatory agency mandated by the CWDT. Karnataka also contends that the SC has "left the contents of the scheme to the discretion of the Centre". Tamil Nadu disputes this interpretation arguing the "scheme" should be as per the recommendations of the CWDT.

With elections to the Karnataka assembly a little more than a month away, the Centre has played it safe. It has asked the SC, "if it is open to the Central government framing the scheme in variance with the recommendations contained in the CWDT report". The Tamil Nadu government has also approached the Court contending that the Centre's delay in giving effect to the February verdict constitutes a "contempt of court".

The state government is well within its rights to approach the SC. But what is unacceptable is that both the ruling AIADMK and the opposition DMK are competing with each other to raise tempers over what is an emotive issue in the state. On Tuesday, the AIADMK called a strike with Chief Minister E K Palaniswami and his deputy O [Panneerselvam](#) participating in the protests. The SC will hear the matter on April 9. The parties will do well to hold their horses — at least till then.

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