

A good beginning: on the Cauvery Water Management Authority

That the first meeting of the Cauvery Water Management Authority took place in a cordial atmosphere augurs well for a sustained phase of constructive cooperation among the States concerned. The CWMA has been formed by the Centre to implement the water-sharing award of the Cauvery Water Dispute Tribunal as modified by the Supreme Court earlier this year. At its meeting on Monday, it [asked Karnataka to release 31.24 tmcft](#) (thousand million cubic feet) of water in July. The quantum is based on the monthly schedule drawn up by the Tribunal, and excludes the surplus realised on the Tamil Nadu side in June. For the Authority to successfully perform its role, it needs the cooperation of the States in gathering data on rainfall, inflows and outflows, cropping patterns and periodic withdrawals from reservoirs. The CWMA is expected to meet once every 10 days during the monsoon months. The south-west monsoon has been active for nearly a month, and is forecast to be normal this year. Therefore, the CWMA may not face any major problem in overseeing the release of water to Tamil Nadu. As long as the inflows into Karnataka's major reservoirs are substantial, it has had no problem releasing its surplus water into the lower riparian areas of the basin. It is only in a distress year that the CWMA will face a significant challenge, as determining the extent of distress, and dividing the shortfall among the States on a *pro rata* basis can be tricky exercises.

Karnataka [is planning to challenge in the Supreme Court](#) the Centre's notification constituting the Authority. It will be unfortunate if this dispute gets into another round of litigation. The provisions of the Inter-State River Water Disputes Act, 1956, make it clear that it is the Centre's duty to notify a scheme to implement the award of a Tribunal. Parliament has the power to modify the scheme, or leave it as it stands, but Karnataka's claim that the scheme requires parliamentary approval before it is implemented is questionable. Further, the Supreme Court approved the draft scheme only after finding it to be "in consonance with the dictum and directions in the Award as modified by this Court and also in conformity with Section 6A of the 1956 Act". Now that the CWMA has become functional, Karnataka, Tamil Nadu, Kerala and Puducherry should approach the issue of sharing the waters of the inter-State river in a spirit of cooperation and help the Authority in implementing the verdict. The parties concerned should leave behind the era of litigation. There is now a non-political mechanism available to make sound professional decisions on water availability and sharing of distress, if any, after discussing the issues threadbare. After having been locked in a contentious legal dispute for so long, all parties concerned must embark on a new era of mutually beneficial water-sharing.

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