

SC ASKS PUNJAB, HARYANA CMS TO MEET ON SYL CANAL DISPUTE

Relevant for: Indian Polity | Topic: Issues and Challenges Pertaining to the Federal Structure, Dispute Redressal Mechanisms, and the Centre-State Relations

A view of a part of Sutlej-Yamuna link canal in Rupnagar district of Punjab. Akhilesh Kumar Akhilesh Kumar

The Supreme Court on Tuesday drew an assurance from the State of Punjab that Chief Minister Bhagwant Mann will meet his Haryana counterpart, Manohar Lal, “within this month” to discuss the construction of the Sutlej-Yamuna Link Canal which has been languishing for two decades.

The court said the canal was meant to address water shortage. “Water is a natural resource and living beings must learn to share it, whether it be individuals, States or countries... There is a shortage. But if you look at it only from the point of view of the State, then somebody will look at it from the point of view of the city... Then what will happen? In the larger interest of the country, you have to sit down and work it out. It cannot be left as a festering wound,” Justice Sanjay Kishan Kaul, heading a three-judge Bench, addressed Punjab and Haryana.

The observations came after the Centre complained that Punjab had “refrained” from coming to the negotiating table to engage in talks with Haryana over the issue. The construction of Punjab’s portion of the canal had led to militant attacks in the 1980s. The issue had also been a political thorn for successive governments in Punjab, so much so that it led to the State’s unilateral enactment of the controversial Punjab Termination of Water Agreements Act of 2004. This law was, however, struck down by a Constitution Bench in 2016, dashing the hopes of Punjab’s farmers to reclaim lands acquired for the SYL canal project.

Assurance from Punjab

The assurance from Punjab came after Attorney-General K.K. Venugopal, for the Centre, placed on record a letter dated September 5 from the Secretary, Ministry of Jal Shakti. Mr. Venugopal, referring to the letter, said that “despite various endeavours, Punjab did not join the negotiating table”. Punjab’s abstention was despite its assurances to meet with the Haryana Chief Minister in an effort to resolve the canal dispute amicably.

On the other hand, Mr. Venugopal said, Haryana had been pressing for the implementation of the Supreme Court’s decree in 2002 to complete the construction of the SYL canal. The Centre had been previously assigned the role of an arbitrator between the two neighbouring States. The Ministry said the construction of the canal and other carrier channels ought to be completed even as discussions on water-sharing could continue for arriving at an agreement.

The court said a negotiated settlement between the States was a matter of security concern, and affected the entire nation. If the States do not meet and resolve their issues, “other forces start to take root”, it said.

Justice Kaul said countries were able to settle international boundary disputes. “Water rights among countries are resolved,” the judge said. The court listed the case after four months, on January 18, 2023.

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