

Q.1 How to combat the inter-state river water disputes in India. (300 Words)

Introduction

Inter-State rivers are a shared national resource whose governance reflects the balance between federal autonomy and national coordination. Recognising the potential for conflicts, the Constitution and subsequent laws have created a specialised legal and institutional framework to ensure equitable utilisation and peaceful resolution of disputes.

Constitutional and statutory framework governing Inter-State river water disputes

1. **Constitutional basis – Article 262:** Article 262 empowers Parliament to provide for adjudication of inter-State river water disputes and exclude the jurisdiction of courts over such disputes.
Eg: The Inter-State River Water Disputes Act, 1956 was enacted under Article 262, providing for the constitution of Water Disputes Tribunals.
2. **Legislative competence – Entry 56, Union List:** Entry 56 of the Union List enables Parliament to regulate and develop inter-State rivers and river valleys when declared expedient in the public interest.
Eg: Parliament enacted the River Boards Act, 1956 under Entry 56, although no River Board has been constituted under the Act.
3. **Statutory adjudication mechanism:** The Inter-State River Water Disputes Act, 1956 provides for the establishment of Tribunals to adjudicate disputes between States.
Eg: The Cauvery Water Disputes Tribunal (1990–2007) allocated the waters of the Cauvery among Karnataka, Tamil Nadu, Kerala and Puducherry.
4. **Binding nature of tribunal awards:** After publication in the Official Gazette, tribunal decisions acquire the force of a Supreme Court decree and are binding on all parties.
Eg: The Cauvery Tribunal Award was notified by the Union Government in 2013, making it legally enforceable.
5. **Institutional framework for implementation:** The Cauvery Water Management Authority (CWMA) and Cauvery Water Regulation Committee (CWRC) were constituted to implement the Supreme Court's 2018 judgment.

Eg: In July 2026, the CWRC directed Karnataka to release water to Tamil Nadu after reviewing basin conditions.

Challenges in effective implementation

- 1. Delays in adjudication and enforcement:** Despite statutory timelines, disputes often remain unresolved for years due to prolonged litigation and implementation difficulties.
Eg: The Cauvery Water Disputes Tribunal took 17 years (1990–2007) to deliver its final award.
- 2. Distress-year disagreements:** Low rainfall often leads to disputes over proportional sharing, as States interpret distress-sharing obligations differently.
Eg: During the 2026 southwest monsoon deficit, Karnataka and Tamil Nadu disagreed over the quantity of water to be released under reduced inflows.
- 3. Political and electoral pressures:** Water disputes are frequently influenced by regional political considerations, affecting compliance with institutional decisions.
Eg: Successive Cauvery disputes have witnessed protests and political mobilisation in both Karnataka and Tamil Nadu during lean monsoon years.
- 4. Absence of integrated river basin governance:** Existing mechanisms primarily resolve disputes instead of enabling coordinated planning and basin-wide management.
Eg: The Mihir Shah Committee (2016) recommended river basin organisations for integrated and participatory water governance.
- 5. Climate variability and rising demand:** Changing rainfall patterns, urbanisation and increasing water demand have made historical allocation frameworks more difficult to implement.
Eg: The proposed Mekedatu project reflects the growing challenge of balancing urban drinking water, downstream rights and ecological sustainability.

Conclusion

Strengthening inter-State river governance requires moving beyond adjudication towards cooperative basin management supported by science-based planning and institutional trust. A transparent and collaborative federal framework is essential for ensuring both water security and constitutional harmony.