



H.D. DEVE GOWDA

Former Prime Minister of India
Member of Parliament - Rajya Sabha

September 23, 2023

Respected Prime Minister Shri Narendra Modi ji,

Subject : Resolving the ongoing disputes and differences between Karnataka & Tamil Nadu in the matter of releasing Cauvery waters from Karnataka Reservoirs to Tamil Nadu.

1. I take this opportunity to draw your kind attention to the conflict of interest that is brewing between Karnataka and Tamil Nadu in the matter of releasing Cauvery waters from Karnataka Reservoirs to Tamil Nadu. Due to failure of the South-west monsoon (from June to September) this year, there is no sufficient storage in the identified / designated four reservoirs of Karnataka and the State is facing such a grave situation that it is finding it extremely difficult even to cater to the drinking water requirements let alone supplying water for irrigation. The rainfall received in the months of August and September is the lowest in the last 123 years. It is a curse that Karnataka happens to be the upper riparian State in Cauvery Basin and is always obliged to fulfil the demands of the downstream State. Contrary to this, Tamil Nadu being the lower riparian State, is geographically privileged to be in a better and advantageous position and dictate terms to Karnataka, one of the main reasons for such a situation being that Tamil Nadu is influenced not by South-west monsoon but by North-east monsoon which is from October to January. Due to huge shortage of storage in the Reservoirs, Karnataka could not release, to the extent required, the scheduled deliveries stipulated in the Cauvery Water Disputes Tribunal Award dated 05.02.2007 modified by the Hon'ble Supreme Court on 16.02.2018. However, within the available storages, Karnataka has been releasing water from its Reservoirs to the extent possible.



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2. As Tamil Nadu insisted that Karnataka should release water as stipulated in the order dated 16.02.2018 of the Hon'ble Supreme Court, for which Karnataka was not able to oblige due to its poor storage position, the matter was discussed in the meeting of the Cauvery Water Regulation Committee (CWRC) on 10.08.2023 and the Committee's observations and recommendations were discussed in the meeting of the Cauvery Water Management Authority (CWMA) held on 11.08.2023. The Authority gave directions that Karnataka should release 10,000 cusecs for 15 days commencing from 12.08.2023. It meant that Karnataka had to release about 13 TMC from its reservoirs to Tamil Nadu. Accordingly Karnataka started releasing water in compliance to the Directions of CWMA.
3. Not satisfied with the Orders of CWMA, Tamil Nadu filed a petition in the Hon'ble Supreme Court on 14.08.2023 seeking directions to Karnataka to release water strictly according to scheduled deliveries as stipulated in the order dated 16.02.2018 of the Hon'ble Supreme Court. Karnataka not only filed its objections to the Hon'ble Supreme Court but also filed a review petition before the CWMA seeking review of its earlier order. The CWRC in its meeting held on 12.09.2023 directed Karnataka to release 5000 cusecs for a period of 15 days commencing from 13.09.2023. The CWMA in its meeting held immediately thereafter endorsed the directions of CWRC. Subsequently the Hon'ble Supreme Court heard the matter on 21.09.2023 and issued orders that Karnataka has to release water as directed by the CWMA. Left with no other option, Karnataka started releasing water despite the dwindling storage in its reservoirs.
4. The following table shows the storage capacities of Karnataka Reservoirs, actual storage achieved, actual releases made to Tamil Nadu, requirement of water for standing crops, drinking water requirement for the next 9 months (upto June 2024) etc.



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Sl No	Name of the identified / designated Reservoir	Total live storage capacity above sill level	Actual live storage as on 23.09.23	Obligatory deliveries to TN as per order dated 16.02.2018 of the Supreme Court (during June to September)	Actual releases made to Tamil Nadu from June to 22.9.2023	Requirement of water for standing crops in Cauvery basin of Karnataka	Drinking water requirement for 9 months upto June 2024
1	KR Sagar	45.05 TMC	16.21 TMC	123.14 TMC (for 4 months from June to September)	About 40 TMC	About 79 TMC	About 33 TMC
2	Kabini	15.67 TMC	10.95 TMC				
3	Hemavathy	35.76 TMC	16.31 TMC				
4	Harangi	8.07 TMC	7.63 TMC				
	Total	104.55 TMC	51.10 TMC				

5. It is evident from the above figures that the combined storage actually available as on today in all the 4 reservoirs of Karnataka is only 51.10 TMC whereas the actual requirement for standing crops and for drinking water is 112 TMC. The attitude of Tamil Nadu in pressing for additional releases far in excess of 40 TMC already released so far is not only unjust but also against all principles of equity and natural justice considering the fact that providing drinking water is a fundamental right under the Constitution and it gets the highest priority in the National Water Policy.

6. It is pertinent to note that an appropriate distress formula is yet to be generated to handle the operation of reservoirs in such distress conditions as is prevailing in the Cauvery basin of Karnataka at present. Though the CWMA has been empowered to determine the releases to be made from Karnataka



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Reservoirs to Tamil Nadu in distress conditions, the Authority is taking decisions based entirely on the data supplied by the party States and their oral arguments without making any site visits to assess the actual prevailing ground conditions. As a matter of fact, the Authority is required to make a study for operation of all the identified / designated reservoirs in Cauvery Basin in an integrated manner. But no such RESOP studies appear to have been made by either the CWRC or the CWMA. If only such a RESOP study had been made, it would have helped to generate a suitable distress formula applicable to all the party States in such distress conditions.

7. I would like to bring to your kind notice in this context that I had raised this matter in the just concluded Rajya sabha session seeking the intervention of Union Government to find an amicable solution for this perpetual conflict of interest between Karnataka and Tamil Nadu and in this regard I had proposed to constitute a Committee of 5 experts, independent of the party States and the Union Government, for undertaking an immediate site visit to assess more accurately the prevailing ground realities in both the States. In my opinion, I think this is the only possible interim measure that may be taken by the Union Government to avoid further escalation of the raging conflict.
8. May I therefore kindly request you to give suitable directions to the Ministry of Jalashakti to address the following issues on top most priority :-
 - (i) To appoint an external agency, independent of the Party States and the Union Government, which has expertise in the field of Integrated Reservoirs Operation Studies, for conducting the studies of all the identified / designated reservoirs in Cauvery basin, immediately. The report of the studies shall be placed before the CWRC and CWMA for consideration in consultation with the Party States.



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- (ii) The same external agency should also be vested with the responsibility of deriving a suitable distress formula taking into consideration all factors like the deficiency in rain fall, inflows, reservoir levels, storage positions, crop water requirements, drinking water requirements, the different monsoons in Karnataka and Tamil Nadu, actual utilizations under various categories, mandatory discharges to be made by Karnataka to Tamil Nadu etc. for different scenarios.
- (iii) To appoint a Committee of 5 Experts, not in any way connected to the Party States and the Union Government, to immediately undertake visits to all the Reservoirs of Karnataka and Tamil Nadu to take stock of the prevailing ground realities and report not only to the CWMA for taking appropriate action but also to the Hon'ble Supreme Court, as a measure of immediate relief.
- (iv) The CWMA and the CWRC shall make periodical visits to all the identified / designated reservoirs in Cauvery Basin, preferably once in 15 days, to assess the ground realities instead of relying only on the records placed before them.
9. I sincerely hope that you will kindly consider my suggestions seriously and issue appropriate directions to the Ministry of Jalashakti in this regard expeditiously.

With warm regards,

Yours sincerely,

[H.D.DEVE GOWDA]

Shri Narendra Modi,
Hon'ble Prime Minister,
Government of India,
South Block,
New Delhi-110011.