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## Interlinking of Rivers- Assessing a Feasible Answer

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### Abstract:

*The current layout of the interlinking of rivers as proposed is being considered as very crucial for the nation. The article seeks to analyze various aspects related to interlinking of rivers. The moment when the proposal of interlinking of rivers was put forward by Sri. KL Rao, the problems at that point of time were quite less and different as compared to the present scenario. There are three ways which have been discussed further to transfer floodwater in the Ganga & Brahmaputra river basins to dry and semi-arid regions of Rajasthan and Madhya Pradesh. Prior to political or lucrative positions, the social and environmental elements are also to be contemplated on a huge scale due to issues like displacement, dislocation, rehabilitation, environmental deterioration etc. Riparian assertions amid the states of Karnataka and Tamil Nadu were being taken into account. River pollution is another problem which needs to be taken care of while inspecting the project and inspection at source would not be feasible.*

*There are various views with respect to the river linking project. One such view has been put forward by Vandana Shiva, a famous environmentalist who considers it to be a dishonest scheme on Indians due to several reasons. A case law N. Nandhivarman Dravida Peravai General Secretary Vs Union of India pertaining to interlinking of rivers has also been analyzed in the article. Therefore, a task force was established on 13 th December, 2002 to reach to a consensus between the states and provide direction on rules of appraisal of personal projects.*

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**Introduction:**

Interlinking the main rivers of the nation appears to be a great fascination. The project seems to be convincingly one of the biggest and contentious and infrastructure development project which may ever be taken up in the whole world. Apart from this, the Indian Parliament hasn't observed any formal discussion with the main political parties determining to back the ruling alliance on this project. Proposals of interlinking should contemplate that as per righteous control and management, an express meaning of public interest is required and this be utilized to recognize the prime stakeholders and explaining their losing or gaining stake in a huge development project. Nevertheless, the proponent was raised by the Supreme court. Issues like these must be subjected to sizeable and thorough collective arguments, prior to political or lucrative positions are taken or irretrievable monetary promises are made.

Networking of rivers requires building canals, dams and alternative linked hydraulic engineering tasks for large scale conveying of water athwart river basins. The project aims to transfer the floodwater from the Ganga & Brahmaputra river basins to dry and semi-arid regions such as Rajasthan and Madhya Pradesh and to the headland rivers of South India. To make this possible, there are three options: there is a canal way to build long canals, the tunnel way; which includes transferring of water under mountains and the pumping way to pump water above mountains. Combining these ways is plausible but they won't be obvious choices to the widespread solution of huge conveyance of water through river basins. These three ways have been of much use to the people of the states that have been facing issues with the water supply in their states.

**Networking of Rivers-Problems:**

It is correct that the suggestion of interlinking rivers is quite old, but the moment when Sri K.L. Rao<sup>2</sup> anticipated the project, rivers had water to a great extent and remained unpolluted with industrial squander, desertification was quite minimal and floods weren't as intense and recurring as now-a-days, India wasn't so much populous, dislocation, relocation and rehabilitation of individuals impacted by the project wasn't contemplated as a serious concern and individuals of the lower economic strata weren't made known of their privileges and didn't fight like they do now.

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<sup>2</sup> Initial plan submitted to the Indian Government in 1960

Though, the current scenario is quite distinct. Therefore, to ascertain a suggested solution of the recent past to the scenario of today and to deduce it now without assessing transparent options will be monetarily unwise and anti-democratic at a point of time when dislocation, public disturbance and lucrative and environmental deterioration are giving reasons to a lot of individuals to question the decisiveness of one-sided individuals in power who decide strategies. There might not be any ambiguity so as to the technical feasibility of networking rivers or the competence of Indian engineers, but technology possesses expenses not only monetarily but social & environmental as well.

### **Riparian Assertions amid the States:**

So far as inter-state association within the Indian Union have to do with, the case of sharing of water of river Cauvery between Karnataka and Tamil Nadu can be considered. The Supreme Court has unambiguously stated that Karnataka is supposed to allow water to flow freely to Tamil Nadu and can't retain the water for itself. Additionally, the canal will transfer water by way of adjacent states and every state on the course of action will surely assert a part of the water or cash instead, even if they acknowledge that their river conveys surplus water. Without taking this fact into account and carrying out comprehensive analysis, it isn't feasible to reach at a logical computation with respect to the amount of water to be conveyed in which month and the quantity to be taken off on the way etc.

These issues which must guide to framing preparatory system outline presumptions have not been contemplated as of now, although the supreme court has ordered the Indian Government to establish a task force and conclude the work in 10 years.

### **River Pollution:**

The annually occurring floods in India flush manufacturing and civic pollution into Ganga towards the ocean. Decreasing movement in Ganga by rerouting would increase the pollution. An instance is the Yamuna River which flows through Haryana and Delhi. Keeping in mind that these two regions are heavily dependant on the river and that huge quantities of water is regularly extracted the impoverished quality of the river poses a mortal threat to many. It is important to see that the costly project to cleanse the Ganga hasn't flourished even with annual flooding. It cannot be asserted that pollution of river water is intrinsic and might be inspected at source, this is another fact which needs to be involved in the legality inspection for the project.

**Land Acquisition:**

We should inspect meticulously and protect against our propensity to solve the political problems of forward- looking policy and law-making for resolving fights over natural resources with technically sound solutions. Therefore, the expense of other needs to be pragmatically conducted for the choices of:

River inter connecting or networking (with various alternatives like pumping, tunneling or contour canals and different amalgamations)

Harvesting of water by restricted, dispersed attempt and expression of a prudent agricultural strategy with managing wastage and over utilization.<sup>3</sup>

The river linking project is a privatization project as per Vandana Shiva, a renowned environmentalist. It is also contemplated to be a scam on Indian people due to the following causes<sup>4</sup>:

1. The government hasn't explained from where will 200 billion US dollars required for the large -scale project come. The Union Water Secretary indicated to raise money from privatized sources. If the investments would be through World Bank and the Asian Development Bank or by way of water multinationals: Privatization of rivers would be the unavoidable consequences.
2. Riparian groups haven't been called for advice while declaring this large- scale project although it is their privilege that the project subverts.
3. Rivers which are previously dry deficient because of ecological destruction and dams and rerouting are being considered as surplus.
4. Projects which have been planned or implemented previously are being depicted as recent projects under water linking.
5. The ecological and social expenses of the recent dams and rerouting haven't been inspected.

**Case Law:**

The concept of interlinking of rivers is considered from quite a time in India. It was put forward in the case N. Nandhivarman Dravida Peravai General Secretary V. UOI and ors.

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<sup>3</sup> S.G. Vombatkere, Interlinking- Salvation or Folly?

<sup>4</sup> Vandana Shiva Water Peace Vs Water Wars

Following are the issues on which the court<sup>5</sup> ordered:

1. The Apex Court informed the government to guide the officials to commence the execution of the project in gradual way and within a time span.
2. The practicability outline formulated by the National Water Development Agency under the Ministry of Water Resources should be available to the people as a whole accompanied with the causes for prolonged utilization of time in commencing the project.
3. The Court also looked for particulars of the entire money expended by the central as well as the state governments on flood and drought relief.

It was asserted by the petitioner that interlinking Cauvery and Ganga was firstly forward in the year 1972 by Dr. KL Rao that anticipated 2640Kms long Ganga-Cauvery link. As a result, The Garland Canal was proposed by Captain Dastur in 1947. In July 1982, the NDWA was established to develop feasibility outlines. Moreover, in September 1987, National Water Policy stated that its main objective was to interconnect national rivers. All this while, none of these reports was made available to public, apart from that the interlinking of rivers has also not been taken up in a staggered way.

The NWDA was only accumulating data offered by different state governments combining them into reports. For this also, 2010 was the time span to conclude all possible studies. With respect to this the petitioner prayed to the court to discover what will be the final outcome of the project. In December 2002, the NDWA was directed by the Supreme Court to undertake the job of linking the main rivers in the nation. The NDWA after conducting thorough studies recognized 30 links for preparation of feasibility outlines as per the National Perspective Plan, 1980 and has come up with feasibility outlines of six links.

To reach to an agreement between the states direction on rules of appraisal of personal projects and the mode of project financing the central government has established a task force<sup>6</sup> on December 13, 2002. Certain guidelines, norms and reforms were laid down in the same.

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<sup>5</sup> Writ Petition no 512/2002, October 31, 2002

<sup>6</sup> The task force consisted Shri Suresh Prabhu, MP, Lok Sabha, Chairman Shri C.C. Patel, VC and Dr. C.D. Thatte, Member Secretary.

**Conclusion:**

According to international water availability norms, India is a nation whereby the demand for water is more than the availability. Without alterations in the constitution for transfer of legislative authority on water from state list to concurrent list, it is not feasible to continue the project since land acquisition, rehabilitation and numerous liabilities on the states with respect to execution are probable to stress upon a federal structure.

Currently, with respect to flood management as well, numerous state legislations are in force with specific policies and ways acceptable to the local circumstances. However, the central government is expanding its support by way of monetary aids, deployment of parliamentary power for saving and provision of infrastructural provisions, it hasn't invoked the provisions of the River Board Act. No resort to article 249 or 252 has been made for ratifying a central legislation on the matter. But there is capability to appertain administrative directions as per articles 256 and 257. The state legislations permit for impeding human conduct in flood plain zoning, prevent restriction to rivers, mandatory removing of individuals and property from the arenas which are risky or impacted by flood, demand of workers and boats and demand of land for implementing flood control plans<sup>7</sup>. But extended solutions such as reforestation and harvesting of rain water have not been taken into consideration as per the state legislations. These are considered as important steps in providing the solution to the problem that has been seen in this article. Therefore, united attitude needs more structured cooperation in this respect.

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<sup>7</sup> Assam Embankment and Drainage Act, 1954; Andhra Pradesh Irrigation Act, 1955; Bengal Embankment Act, 1882