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AN ANALYSIS OF INTER STATE WATER DISPUTES IN INDIA

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ABSTRACT

When there is a disagreement between two or more states over the usage, distribution, and management of rivers running through two or more states, there is an interstate water conflict. The central government establishes a water conflict tribunal to settle disputes when the involved states are unable to do so via discussion. The parliament established the Inter-State River Water conflicts (ISRWD) Act, 1956 to settle such conflicts and provide rules for adjudicating disputes relating to the water of interstate rivers and river valleys. The primary goal of establishing constitutional mechanisms for addressing water conflicts is to prevent any interstate conflict and disagreement. Can accelerated resolution of water disputes with the most recent modifications. Creating a single tribunal with many benches and imposing stringent deadlines for judgment may hasten the settlement of conflicts involving interstate rivers. The centre suggestion to establish a body to work alongside the tribunal and gather and analyse data on river waters should be seen as a positive start in the right direction. All of these steps will simplify how such interstate water conflicts are resolved throughout the nation. Water is one of the five natural elements that is essential to life. Since the beginning of time, it has been advisable to establish ethical principles governing its fair distribution among the population due to the irreplaceable significance of water, its limited supply, and the fundamental human nature of owning an entity. Water disputes between nations and states increased, which prompted riparian to create legislation and treaties allowing for the peaceful and appropriate use of the resource. Due to the varied topography of India, not all states had the same access to water, hence strict regulations were needed to settle disagreements between states. Under Article 262 of the Indian Constitution, the Interstate River Water Disputes Act, 1956, was passed to settle water disputes that could occur in the usage, management, and distribution of an interstate river or river valley. This Act has undergone several revisions to further streamline and facilitate the settlements and agreements between the relevant states. On July 25, 2019, the Lok Sabha heard the most recent modification to this Act. It will considerably simplify the process of resolving interstate river water conflicts. To simplify the resolution of interstate river water disputes and strengthen the current institutional framework, the bill aims to alter the Inter-State River Water Disputes Act, 1956.

Keywords: Inter-state relations, water disputes, provisions, amendments, Constitutional actions

I. Introduction

On the eve of the reorganization of states based on language, the Indian Parliament passed the Interstate River Water Disputes Act, 1956 (IRWD Act) under Article 262 of the Indian Constitution to settle water disputes that might arise in the use, control, and distribution of an interstate river or river valley. Article 262 of the Indian Constitution gives the union government a role in resolving disputes between the state/regional administrations over interstate rivers. This Act has also undergone additional changes, with the most recent one occurring in 2002. According to Schedule 7 of the Indian Constitution, entry 17 of the state list, the use and exploitation of river waters falls within state control. However, to the extent that such water resources are directly under its control and when necessary in the interest of the general welfare, the union government may, with the consent of the parliament, pass laws governing the regulation and development of interstate rivers and river valleys (entry 56 of the union list, Schedule 7 of the Indian Constitution). Referring to Entry 56 of the union list are entities controlled by the union government, such as the Damodar Valley Corporation, NHPC, River Boards Act 1956, etc. When the union government wants to take over an interstate river project from the states pursuant to entry 56 of the union list under its control by law (as provided in the constitution), it must first receive the consent of the legislature assemblies of the riparian states in accordance with the Article 252 of the constitution before passing such a bill in the Parliament. In the spirit of Article 263 to investigate and provide recommendations about the conflict that has occurred between the Indian states, the President can also establish an interstate council where the public interest is served.

II. Research Question

1. Whether the political ideologies and legal frameworks influence the resolution of interstate water disputes? A comparative analysis of the Cauvery and Krishna river disputes."?
2. Whether the Interstate water agreements be adapted to ensure equitable water sharing in the face of climate change?

III. Research Objectives

1. To study of Inter-state water dispute in India, and related landmark cases.
2. Evaluate the economic feasibility and potential effectiveness of water markets or tradable water permits as tools for managing water scarcity and resolving inter-state water disputes in specific river basins.
3. To examine the influence of historical treaties, colonial legacies, and evolving geo-political dynamics on the persistence and framing of specific inter-state water disputes in India.
4. To identify the analysis of inter-state water governance models employed by other federal countries, identifying potential best practices and adaptation strategies for the Indian context.

IV. Significances of study

The purpose of the study is to critically analyze the trends followed by the judiciary over the years in their judgments on Inter-state water dispute. This research is to study, analyze and critically evaluate the proceedings and court decisions. Study the concept of Inter-state relations under the Constitution of India decide the current position. This study is important to analyze the trend of judiciary in dispensing justice and changes in judgments over the years with respect to Art. 262 of the Constitution of India ,1950.

V. Research methodology

The methodology adopted for the research is by doctrinal method involving analysis of primary and secondary sources of data collected to determine validity of agreements. The data sources used include articles and one of the case judgement is reference as major evidence. Analyze past cases of inter-state water disputes in India to understand the historical context, legal frameworks, and resolutions employed. Begin by conducting an extensive review of existing literature on inter-state water disputes in India.

VI. LITERATURE REVIEW

1) S.N JAIN AND ALICE JACOB CENTRE-STATE RELATIONS IN WATER RESOURCES DEVELOPMENT 12 JILI p:1 SCC Online,1970

A nation's ability to exploit its water resources, especially its river waters, is largely what determines its economic prosperity. The growth of industry and agriculture in a nation like India, where rainfall is irregular and infrequent, depends heavily on the intensive extraction and usage of river resources. The four monsoon months of June through September bring the highest rainfall to most sections of the nation. For the rest of the year, it is essentially dry.

Although the nation receives around 45 inches of rain on average, there are regional variations, with as much as 5 inches falling in Rajasthan's dry regions and approximately 500 inches in Assamese highlands. Moreover, even the typical monsoon months' rainfall is unpredictable and varies greatly. Thus, some form of irrigation is necessary for productive farming. Since India's independence, harnessing rivers and water resources to irrigate desert terrain has grown more significant because agriculture accounts for the majority of the nation's economy. The growth of river waters was promoted by the British colonizers in India. It was they who devised the modern irrigation system in India.

Since the country acquired independence, there has been a noticeable increase in the use of its water resources. The nation's subsequent Five Year Plans all take this aspect into account. The cost of electricity and irrigation has been rising gradually.

Irrigation from surface and subsurface waters cost Rs. 385 crores in the First Five Year Plan, Rs. 475 crores in the Second Plan, and Rs. 845 crores in the Third Plan. Nevertheless, only around 37% of the useable yearly flow would have been used at the start of the Fourth Plan. Approximately Rs. 600 crores were invested over the course of the three plan periods to generate hydroelectric power on various rivers in the country, in addition to the development of river resources for agriculture. With the exception of the desert in Rajasthan to the northwest,

India's river network is rather evenly distributed throughout the country. Two categories of rivers may be distinguished: (i) the permanent rivers of northern India fed by snow, and (ii) the rivers located in central and southern India. The nation's principal rivers have an interstate nature. They transcend state political borders. For example, the Indus river basin in India comprises sections of Himachal Pradesh, Rajasthan, Kashmir, and Punjab. The Brahmaputra River originates in Tibet and traverses West Bengal, East Pakistan, Assam, and Tibet. Himachal Pradesh, Haryana, Delhi, Uttar Pradesh, Rajasthan, Madhya Pradesh, Bihar, and West Bengal are all traversed by the Ganges and its tributaries.

Madhya Pradesh, Maharashtra, and Gujarat are traversed by the Narmada and Tapi rivers. Parts of Bihar, Maharashtra, Orissa, and Madhya Pradesh are all traversed by the Mahanadi. Madhya Pradesh, Orissa, Mysore, Andhra Pradesh, and Maharashtra are all part of the Godavari basin. Andhra Pradesh, Mysore, and Maharashtra are drained by the Krishna River. Kerala, Tamil Nadu, and Mysore are all crossed by the Cauvery River. Even smaller rivers, including the Mahi, Pen-nar, and Damodar, are interstate. As was previously said, since independence, the development of river water resources for irrigation and the production of hydroelectric power has advanced gradually. On interstate rivers, several multipurpose river valley projects have been implemented. The growth of the areas they serve has been substantially aided by river valley projects like Bhakra-Nangal, Hirakud, Chambal, Tungbhadra, Nagarjunasagar, and Damodar valley, which offer irrigation, electricity, and flood control.

In several of these initiatives, the states have worked together to cooperatively develop the river in question in an integrated manner, allowing the different riparian nations to get the greatest benefits from it. However, in certain instances, conflict between co-riparian states over the use of interstate river waters has impeded the development of water resources to some degree (which is to some part the natural process of federalism).

In many circumstances, the required level of interstate collaboration has not been forthcoming. The Krishna-Godavari Page: 3 and Narmada river basins are the two main basins where this has occurred. As a result, plans for river development in these rivers have come to a complete halt. The nation as a whole and the areas these rivers serve in particular are losing out on the enormous advantages that the different projects will provide in terms of irrigation, electricity, and flood control. Such interstate conflicts should be resolved as soon as feasible for the sake of the nation, removing any barriers to river growth.

2)IRAM MAJID A PERPETUAL TUSSLE OVER WATER RESOURCES: AN INEVITABLE NEED FOR INTER STATE MEDIATION IN INTER-STATE WATER DISPUTES, SCC Online Blog Exp 19,2021

India has seen and taken part in several local, national, and international water disputes both before and after obtaining independence. This is attested to by the long history of water-related disputes between Pakistan and India.

As a result, starting on March 23, 2021, the countries will convene annually as the Permanent Indus Commission, which was formed under the 1960 Indus Waters Treaty. The domestic legal framework and procedures for handling inter-state water disputes are still too outdated and underdeveloped to support inter-

state mediation, even though this meeting creates a platform for the resolution of water disputes and establishes an agency for mediation in India. For this reason, it is not sufficient.

In light of the aforementioned, the first section of this essay will discuss water conflicts and their causes. Second, the essay will examine the causes of the antiquated and underdeveloped domestic legal system, which is unable to sufficiently support interstate mediation as a means of resolving interstate water conflicts. Finally, the paper will provide recommendations on how inter-state mediation may be used to settle India's long-running water problems.

With every day that goes by, water resources are turning into one of the main grounds of contention for many regions, towns, and nations. The causes of this include the "global food trade," physical and economic water shortages, unsustainable development and management practices linked to water usage, and the harm that human behavior—mining, industry, and other activities—causes to the environment. We may thus conclude that there may or may not be water shortage in a situation where water conflicts arise. Water conflicts stem from the inadequacies and inefficiencies of dispute settlement procedures. Stated differently, the settlement of water disputes within a community or region is contingent upon the efficacy of the dispute resolution procedures in place.

Water conflicts will probably always arise and persist if there is an inadequate dispute settlement process. The crusade to get, govern, control, and/or utilize these water resources is effectively translated into these "disputes." The intrinsic right to utilize these resources, their depletion, and the underlying danger to livelihood these disagreements bring as a side effect also frequently result in conflicts over them.

3) GIRISH R, WATER DISPUTES IN INDIA: CONSTITUTIONAL MECHANISM AND JUDICIAL CONTROL OF DISPUTES ON INTER-STATE RIVERS, 9 GJLDP (October) p: 199,SCC ONLINE,2019

Since the Indian Constitution limits the jurisdiction of courts, water conflicts between the states of India have taken on significant importance in the adjudicatory machinery. It was discovered that the Union administration and Parliament's roles as stipulated by the Constitution and laws were ineffective for resolving conflicts between States. The Supreme Court of India's use of the judicial review process proved to be a successful means of achieving peace among the States and striking a balance between their rights. This area of center-state relations is particularly complicated because of the restrictions placed on the ability of courts and tribunals to exercise their jurisdiction, as well as the central government's capacity to decide how the tribunals' awards would be implemented. There is frequently a direct clash between state laws and tribunal orders, which gives states the right to use their legislative power to overturn tribunal or court rulings. This creates a constitutional issue. It is recommended that the union take control of rivers, network the rivers, create a permanent tribunal at the central level, and provide appellate jurisdiction over tribunal decisions in order to reduce the number of legal conflicts arising from water sharing. The provisions of the Inter-State Water Disputes Act, 1956, and Article 262 of the Indian Constitution both require reconsideration.

4)PRIYA SINHA, EVOLUTION OF THE CONSTITUTIONAL FRAMEWORK FOR THE RESOLUTION OF INTER STATE WATER DISPUTES, JCLJ 2255 , SCC ONLINE ,2022

Water is one of the five elements found in nature, and it is essential to life. Since the beginning of time, it has been convenient to establish moral guidelines for the fair distribution of water among the populace because of the resource's incomparable value, limited supply, and the essential characteristics of human nature. As a result of the rise in international water conflicts, riparian governments developed treaties and laws to allow for the justifiable and peaceful use of their resources.

Strict rules were necessary to settle conflicts between states because of India's diverse terrain, which means that not every state had the same amount of water available to it. Due to the non-implementation of tribunal decisions, this question remains unanswered, having started as early as 1919 in the pre-independence era. The principles and legal development underlying the settlement of interstate water disputes in India are the main topics of this essay.

5) ABHITOSH PRATAP SINGH AND KALPANA TYAG, WATER: LEGAL ISSUES AND SOCIAL CONCERNS 18 ALJ 165,SCC ONLINE ,2007-2008,

Water is the source of all life, thus life flows like water. From the beginning of time, the phrases "Life & Water" and "Water & Life" have perfectly matched and complemented one another. Rivers have been the lifeline and birthplace of civilization for the whole human race, from prehistoric times to the current era of nanotechnology. Since the birth, growth, and pinnacle of all great civilizations occurred beside one or more rivers, rivers came to represent the original expression of all divine forces and the authentic embodiment of loving maternal affection. As civilization and population grew, so did human requirements in terms of quantity and quality, leading to the recognition that water supplies needed to be managed and watched after. Once more, a stark portrayal of life's central aspect. It is impossible to separate water from life. Historical research reveals that the management and exploitation of water resources is where the idea of taxation originated. In his selfless generosity, Providence divided up the water resources, and mankind, ever voracious, sought to direct the advantages of this Divine kindness onto a certain class, giving rise to classes such as upstream and downstream.

Although the chemical formula for water is one of the most straightforward and stable, its physical distribution within political borders surely results in exothermic reactions and unstable political equations. The Indian Constitution was drafted with a distinct approach intended only for water-related concerns as a result of all these circumstances. Water, being a basic requirement, was established a state topic. However, interstate river transportation & drainage was given to the center, in recognition of the states' dependency on one another for the equitable distribution and efficient use of the nation's water resources. Given that Rivers' correct allocation among riparian and upper riparian states cannot be guaranteed without treating them as a national asset, it seems like a logical step.

ISSUES INVOLVED AND CHALLENGES

The problems that the states have with interstate river water contain provides with sharing the waters of interstate rivers or streams among the states, provides with giving benefits of a project jointly constructed by several states and sharing construction costs, issues with making up a state that may have been adversely affected by the implementation of a project by any other state, disputes arising from the interpretation of agreements, complaints relating to excessive or excessive water withdrawal by a state, sharing of additional water, and building dams, canals, etc. Andhra Pradesh and Telangana are against the construction of dams and other hydroelectric projects by the upper riparian states of Maharashtra and Karnataka because they believe the constructions will affect their ability to use the water based on the Krishna River's customary flows. These disputes are related to the water disputes between Indian states and the utilisation of its water. Other instances of this sort of issue that still exist are the Cauvery and Narmada rivers, among others. The majority of the time, the conflicts remain unresolved. A few examples of problems that have been resolved peacefully include the Chambal Valley project, in which the administrations of two states agreed not to charge the project any compensation for the government property that would be flooded in their respective areas. On the other hand, there have occasionally been disagreements over how the state agreements made and to divide up the waters of interstate rivers should be interpreted. Examples of these disagreements include the Ravi-Beas water dispute between Punjab and Haryana and the Cauvery water dispute between Tamil Nadu and Karnataka. The water conflicts in the Krishna, Cauvery, and Ravi-Beas rivers must be analyzed to comprehend these interstate river water disputes and their difficulties.

KRISHNA WATER DISPUTE

Krishna water dispute arose among the States of Maharashtra, Karnataka, Andhra Pradesh, Madhya Pradesh and Orissa and was not resolved through negotiations. The dispute mainly concerned with the inter-state utilization of untapped surplus water. The Krishna Water Disputes Tribunal addressed three issues while deciding the dispute i.e. The extent to which the existing uses should be protected as opposed to future or contemplated uses, diversion of water to another watershed, rules governing the preferential uses of water. The State of Andhra Pradesh has filed the suit under Article 131 of the Constitution of India, seeking relief of declaration and mandatory injunction on the allegation that the State of Karnataka made gross violations of the decision of Krishna Water Disputes Tribunal and such violations have adversely affected the residents of the State of Andhra Pradesh. It was contended in the suit by State of Andhra Pradesh that Supreme Court should direct Karnataka to stop construction over the river and also direct Karnataka to not raise the height of the dams.

In State of A.P. v. State of Karnataka, the Supreme Court has considered the questions such as whether Supreme Court adjudicates upon the implementation of the award by the tribunal. Can the Supreme Court interpret the award of the tribunal?

The Supreme Court can interpret the decision of the tribunal but cannot adjudicate upon that matter and therefore directed the parties to go to tribunal for same. But on the above issue there is no bar upon the jurisdiction of the Supreme Court.

CAUVERY WATER DISPUTE

The dispute between the States of Karnataka and Tamil Nadu with respect to the waters of the Cauvery River has been pushed into the limelight by virtue of the most recent developments on the same, and the subsequent riots and violence that erupted in response to the Supreme Court orders.

The Cauvery River is 802 km long, and has a basin area of roughly 44,000 square kilometers in Tamil Nadu, and 32,000 square kilometers in Karnataka. The inflow of Water River in Karnataka has 425 thousand million cubic feet and Tamil Nadu has 252 thousand million cubic feet. Tamil Nadu on the basis of two pre-Independent India treaties between the erstwhile Kingdom of Mysore and the Madras Presidency contest their claims, although Karnataka has disputed these as being heavily inclined in favour of Tamil Nadu. There has been resistance on changing the existing pattern of usage by Tamil Nadu and vehemently contends that any change thereto will result in the loss of livelihood of millions of farmers, and the destruction of agricultural productivity and by extension the economy of the state. The main point of the Cauvery dispute relates to the re-sharing of waters. Between 1968 and 1990, 26 meetings were held but no consensus was reached. Interventions of Government of India and Supreme Court could not provide any result and finally Supreme Court of India order for Constitution of Cauvery Water Dispute Tribunal. The Cauvery Water Dispute Tribunal was constituted on June 2, 1990 under the Inter-State Water Disputes Act, 1956.

In the case of State of Karnataka v. State of T.N., the Supreme Court of India determined the extent of its jurisdiction and concluded that, despite a bar to jurisdiction under Article 262(2) read with Section 11 of the Inter-State Water Disputes Act, 1956, Act, the Supreme Court may still exercise its jurisdiction to carry out the Tribunal Award. Balance in these conflicts between States is made possible by the Supreme Court's affirmative involvement. It is a dangerous undertaking for the courts to decide issues pertaining to the water conflict, and they should only do so after carefully considering the implications.

THE RAVI-BEAS RIVER WATER DISPUTE

The Mullaperiyar Environmental Protection Forum v. Union of India case, which the Supreme Court cited in reaching its decision, established the legal position as follows: "Where a dispute between two States has already been adjudicated upon by this Court, which it is empowered to deal with, any unilateral law enacted by one of the parties that results in overturning Page: 218 The final decision is flawed because it violates the theory of separation of powers and the Rule of law, not because the principles of res judicata influence it. According to this statute, the legislature has unquestionably usurped the judicial power.

The Punjab Act was declared to be unlawful by the Court because it violated the Indian Constitution, and the State of Punjab had overreached its legislative authority in trying to overturn this Court's ruling. It further concluded that an agreement could not unilaterally cancelled after being deemed legal by both the highest judicial authority and a tribunal, since doing so would be against both the Inter-State Water Disputes Act of 1956 and the Indian Constitution. The Court determined that the 1981 agreement was lawful and binding.

NARMADA WATER DISPUTE

In 1969, under section 4 of the Inter-State River Water Disputes Act, 1956, the Gujarat government filed a complaint with the Government of India, leading to the establishment of the Narmada Water Disputes Tribunal. Its purpose was to make decisions about the sharing of the Narmada River's waters. Judge V. Ramaswami presided over the tribunal. According to the tribunal's ruling, the four states of Gujarat, Rajasthan, Madhya Pradesh, and Maharashtra were to share a certain amount of useable waters with a 75% reliability rate. The panel also established the height of the Sardar Sarovar Dam, ruling that it should be set at 455 feet, the full reservoir level. The Gujarati government was therefore ordered by the tribunal to finish the dam's construction. This tribunal's decision enabled the states to resolve their disagreement over water and supported Article 262's criteria.

JUDICIAL PERSPECTIVE

The Indian Constitution's Article 262 addresses the arbitration of disputes pertaining to interstate rivers' or river valleys' waters. The Indian Constitution's statutes and clauses pertaining to interstate water issues are examined below: Entry 17 of the State List addresses issues pertaining to water supply, irrigation and canals, drainage and embankments, water storage, and water power. Entry 56 of the Union List deals with the development and control of interstate rivers and river valleys for the benefit of the general public.

Article 262 (1), which states that "Parliament may, by law, provide for the adjudication of any dispute or complaint with respect to the use, distribution, or control of the waters of, or in, any inter-State river or river valley," gives the Union government authority. Article 262(2) - "In spite of the provisions of this Constitution, Parliament may by law specify that no court, including the Supreme Court, should have jurisdiction over any dispute or complaint mentioned in section (1).

Legal Doctrine Relating to the Use of Water

The **theory of riparian rights**, A lake, river, or stream's owner who owns land next to it is entitled to use the water that flows from it, according to the riparian rights idea. The question of permissible usage was established based on the degree of need. According to Lockwood, J., each riparian must use the flowing water while doing as little harm as possible to the co-riparian below him. In other words, rather than being taken away, a landowner's right to use water without interference from the exploitation of another co-riparian. Two major problems with this philosophy are an unequal allocation of water among non-riparian landowners and a deficiency of water conservation techniques.

The doctrine of prior appropriate: Some people see the common law of riparian rights as the opposite of the principle of prior appropriate. Water is seen as public property, therefore "first in time, first in right" should govern who owns and uses it. Because of this, the individual who uses the water wisely initially gets the right to utilize it, which is in line with the state's interests. The first appropriator has precedence over all other appropriators.

Territorial sovereignty concept: Originally developed by Attorney General Judson Harmon to justify the US decision to lower the Rio Grande River's flow in 1895, this theory is often referred to as the Harmon notion or the Absolute-sovereignty thesis. To put it simply, it said that nations upstream of a river owed no obligations to those downstream and might divert or capture the water flow as needed.

The **Natural Water Flow Theory**, sometimes referred to as the Territorial Integrity Theory, holds that the upper riparian states may only reasonably use the water and may not obstruct the channel's or stream's natural flow into the territory of the lower riparian states.

The main criticism of this concept is that it hinders the relevant basin's technological growth because of its obstructionist nature.

According to the idea of **equitable utilization**, Fair and reasonable sharing of water is required between the co-riparian administrations. Article IV of the Helsinki Rules, 1966 permits each basin state in an international drainage basin to utilize its portion of the water for beneficial purposes. Article V provides an overview of the several factors that should be taken into account when determining each basin state's portion. An example of how this idea may be applied was provided by the Narmada Water Tribunal in India.

SARKARIA COMMISSION

The establishment of Boards for Interstate Rivers and river valleys in cooperation with State Governments was made possible by the River Board Act of 1956. No river board has been established as of yet. Inter-State Water Dispute Act, 1956: The Central Government should attempt to settle the dispute via dialogue with the offended states if a state or states approach the Center for the establishment of the tribunal. Should it not function, it might serve as the tribunal. The Supreme Court may challenge the tribunal's operations, but it may not challenge the tribunal's award or methodology.

In 2002, the Inter-State Water Dispute Act of 1956 was modified to incorporate the principal suggestions made by the Sarkaria Commission. The revisions required the creation of the water disputes tribunal within a year and stipulated that a decision must be made within three years.

ANALYSIS

According to the constitution, the court is responsible for resolving federal disputes, or disagreements between the States and the Union. For many years, the resolution of interstate water issues posed a constitutional threat to the ties between the Indian states. It is determined that parliamentary legislation and the constitutional system of adjudication for interstate water conflicts are inadequate for this adjudicatory procedure. All states try to use as much water as possible, regardless of the terms of agreements, court rulings, and mutual agreements. The efficient and fair distribution of river flows has long been a significant legal and constitutional issue. The Ganges, Brahmaputra, Indus, Cauvery, Godavari, Narmada, Ravi, Beas, and other significant rivers in India, which cross political boundaries between states, allow for the implementation of several irrigation and hydroelectric power generating plans on interstate rivers. The states have frequently worked together to build these multifunctional projects, making the best use of water resources possible.

However, in many cases, development has been hampered by friction among riparian states over utilization of the river water. The Krishna-Godavari, Narmada, Cauvery River disputes and Satlej-Yamuna Linking Canal are some of India's major inter-state water disputes. When the waters of a river flow through several States, it cannot be said that only one state has exclusive right and ownership over such waters. No State is permitted to legislate for the use of such waters as no State can legislate beyond its territory. Under the Indian Constitution, a special status has been accorded to inter-state water disputes since they don't fall under the ambit of the jurisdiction of Supreme Court of India or any other court. The same is following Article 262 of the Indian Constitution. The setting up of tribunals for adjudication of inter-state water disputes has aimed to resolve the disputes comprehensively and have the direct involvement of Central Government to monitor and control these disputes. The resolution of federal disputes, that is, disputes between States or between States and the Union is constitutionally conducted through the judiciary.

The Constitution's Article 131 grants the Supreme Court this authority "so far as the dispute involves any question, whether of law or fact, on which the existence or extent of a legal right depends." Except in the case of interstate river water conflicts, when an exception has been made that permits Parliament to determine the forum and mode of resolution. The Supreme Court of India's constitutional fight began with parliamentary legislation that allowed the establishment of a tribunal to adjudicate water issues and excluded courts' authority, de facto resolving such problems. The current study examines constitutional questions about water conflicts, the legal system, the Union of India's expected involvement, and the Supreme Court of India's role.

The Inter-State Water Disputes Act, 1956 established the tribunals to hear three river water disputes. To decide on the Krishna Waters Dispute, one is the Krishna Waters Disputes Tribunal. Andhra Pradesh, Mysore, and Maharashtra are the states at odds in this conflict. The Godavari River water dispute between the states of Mysore, Maharashtra, Orissa, Madhya Pradesh, and Andhra Pradesh will be resolved by the Godavari Water Disputes Tribunal. Due to some overlap between the issues in the two cases, the members of the two tribunals are the same.

Since there are differences between the two claims and the Inter-State Water claims Act appears to call for a different tribunal for each conflict, there is a technical basis for establishing two independent courts. To settle the disagreement over the Narmada waters between the states of Madhya Pradesh, Rajasthan, Gujarat, and Maharashtra, a third tribunal has been established: the Narmada Water Disputes Tribunal.

SUGGESTIONS

- The provisions seemed to be working well that are Krishna, Godavari, and Narmada tribunals successful instances of the conflict resolution operation.
- The fact that new differences have arisen or that public interest litigation arose in some cases does not invalidate that statement.
- The further reference being made to the tribunals because of in case of the Cauvery dispute, adjudication has been running a troubled course.
- The more committees are provided for disputes settlement

- The state both suggestions are accepted first then the particular plans provides for the settlements

CONCLUSION

The legal framework for interstate water issues has shown to be ineffectual regarding applicability and timely case settlement. Excessive delays have plagued the establishment of tribunals, the terms of talks, inaccurate investigations, and the postponement of award implementation. Decades-long court cases have frequently led to violent public outbursts and worthless justice administration. The Inter-State Water Bill 2017 seeks to create an issue Resolution Committee (DRC) in lieu of creating separate tribunals for each problem, as is the case with the courts for the water of the Indus, Godavari, Krishna, Ravi, and Beas rivers, among others. Legally enforceable awards and negotiation are the two primary methods of settlement utilized to settle water disputes in the legislative and constitutional spheres. Voluntary processes such as arbitration, conciliation, and mediation are feasible options.

But if the disputing parties are unable to accept a satisfactory conclusion and cannot agree on its meaning, then neither lawsuit nor negotiation will be successful. Therefore, the contesting parties and even the courts must follow a calm and humane attitude while approaching the Central Government and rendering the award. Enhancing public policy and welfare, as well as attending to social demands, should receive more attention.

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