

The Times of India- 29- September-2022

# India-Bangladesh MoU on water withdrawal gets cabinet approval

TIMES NEWS NETWORK

**New Delhi:** The Union cabinet on Wednesday gave its ex-post facto approval to a memorandum of understanding (MoU) between India and Bangladesh on withdrawal of up to 153 cusecs of water each by both the countries from the common border river Kushiya. The MoU signed in September 6 will enable Assam to withdraw up to 153 cusecs of water from Kushiya river during the dry season (November 1 to May 31) for their consumptive water requirement.

"A joint monitoring team will be set up by both the countries to monitor the withdrawal of water by each side during dry season," said a statement of the Jal Shakti (water resources) ministry on the cabinet decision. Both countries had finalised the text of MoU on interim water sharing of Kushi-

yara river during the 38th meeting of the ministerial-level joint rivers commission of India and Bangladesh, held here on August 25.

In the meeting, both sides also finalised the design and location of water intake point on the Feni river to meet the drinking water needs of Sabroom town in Tripura as per the October 2019 India-Bangladesh MoU on this issue.

One of the important areas of cooperation, where India has been assisting Bangladesh, is sharing of real time flood data. India has recently extended the period of flood data sharing beyond October 15 to help Bangladesh address unforeseen flood events.

India and Bangladesh share 54 rivers, of which seven have been identified earlier for developing framework of water-sharing agreements on priority.

Millennium Post- 29- September-2022

THE WATER LEVEL TO RECEDE FURTHER OVER THE NEXT 2 TO 3 DAYS

# Yamuna water level starts dropping but still above danger mark: Officials

## OUR CORRESPONDENT

**NEW DELHI:** The water level in Yamuna river in Delhi started receding after breaching the evacuation mark of 206 metres, with Haryana reducing the flow from the Hathnikund Barrage in Yamunanagar, officials said on Wednesday.

Authorities said they expect the Yamuna water level to recede further over the next two to three days as there has been no significant rainfall in the upper catchment areas of the river or in Delhi.

A swollen Yamuna flooded low-lying areas along the riverbanks in Delhi on Tuesday, prompting authorities to evacuate around 6,500 people and suspend rail traffic movement on the Old Yamuna Bridge.

The water level in the river shot up to 206.59 metres by 7 am, much above the danger



mark of 205.33 metres and the highest since August 2019. But it dropped to 206.58 metres by 8 am and further to 206.41 metres by 3 pm.

The water level is predicted to drop to 206.05 metres by 9 pm, a forecast issued by the Central Water Commission said.

A senior government official said they have deployed a large number of civil defence workers

in the affected low-lying areas to prevent people from moving back into their houses till the water recedes to the normal level.

The low-lying areas near the river in Delhi are considered vulnerable to flooding and are home to around 37,000 people.

"Most of the people shifted to safer places themselves. The Delhi administration had to

evacuate around 6,500 and move them to community centres, schools and temporary tents," East Delhi District Magistrate Anil Banka said.

"We expect the water to recede to normal levels in two to three days. Thereafter, these people can go back to their places," he said.

Though the land along the Yamuna belongs to the Delhi Development Authority, Revenue Department and private individuals, encroachments have come up on a large part of river floodplains over the years.

The river breached the danger mark of 205.33 metres in Delhi on Monday night and the evacuation mark of 206 metres early Tuesday morning following an unusually late spell of heavy rain in the upper catchment areas between September 21 and September 25.

Normally, flooding in the

Yamuna is reported in July or August which receive maximum rainfall during the monsoon season.

This is the second time within two months that the authorities are evacuating the people living in the river floodplains due to flooding.

The Yamuna had breached the danger mark of 205.33 metres on August 12, following which around 7,000 people were evacuated from the low-lying areas near the riverbanks.

The water level had shot up to 205.99 metres on August 13 before the river started receding.

The authorities reported a discharge rate of around 25,400 cusecs at 9 am on Wednesday from the Hathnikund barrage in Haryana. The discharge rate was 2,95,212 cusecs at 6 am on Monday, which is the highest so far this year. One cusec is equivalent to 28.32 litres per second.



The Hindu- 29- September-2022

# In nature's warning signs, a nudge to riparian states

**T**here has been an increase in the magnitude, the frequency and the intensity of floods in many parts of the world. As an example, nearly a third of Pakistan is experiencing devastation, with a spread of diseases and severe shortage of potable water after intense flooding. In June this year Assam experienced one of its worst floods in living memory which affected over 30 districts. In some districts in Assam and Bihar, flooding is a recurrent feature, and thus a major impediment in ensuring poverty alleviation and meeting Millennium Development Goals.

Flooding is still considered to be a natural phenomenon that cannot be entirely prevented. But it is compounded by the lack of transparency in the sharing of hydrological information and also information relating to activities (such as by one riparian state) that are transboundary in their effect (affecting other riparian states), thus serving as an obstacle in understanding the magnitude of flooding.

## On customary international law

In accordance with customary international law, no state has to use its territory in a manner that causes harm to another state while using a shared natural resource; this amounts to saying that there is a binding obligation on all states not to release water to cause floods in another co-sharer of the river water. This obligation gives rise to other procedural norms that support the management of floods, which include notification of planned measures, the exchange of data and information, and also public participation.

The International Court of Justice (ICJ), in the Pulp Mills on the River Uruguay (Argentina vs Uruguay) case (2010), upheld that conducting a transboundary environmental impact assessment (TEIA) of a planned measure or projects on the shared water course is part of customary international law. In fact, the ICJ noted that the acting state must notify the affected party of the



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With the devastating effects of climate change visible, riparian states across the world must comply with all the procedural duties pursuant to the 'no harm rule'

results of TEIA to "enable the notified party to participate in the process of ensuring that the assessment is complete, so that it can then consider the plan and its effects with a full knowledge of the facts".

## The Brahmaputra and India's concerns

Closer home, there is the case of China being the upper riparian in the Brahmaputra, which spans India and Bangladesh, enjoying apparent leverage vis-à-vis lower riparian India. During the monsoon, flooding has been the recurrent feature in the last several decades in Assam. India faces other woes in the form of the construction of dams by China. China's excessive water release, as a "dam controller", in violation of customary international law has the potential to exacerbate flooding in Assam in future. India's main concern is that there is no comprehensive sub-basin or all basin-level mechanism to deal with water management of Brahmaputra. Neither India or China are party to the United Nations Convention on the Law of the Non-Navigational Uses of International Watercourses (UNWC) 1997 or the United Nations Economic Commission for Europe (UNECE) on the Protection and Use of Transboundary Watercourses and International Lakes 1992 (Water Convention).

The UNWC contains a direct reference to floods, which covers harmful conditions and emergency situations. Article 27 of the Convention says: "Watercourse States shall, individually and, where appropriate, jointly, take all appropriate measures to prevent or mitigate conditions ...that may be harmful to other watercourse States, whether resulting from natural causes or human conduct, such as floods or ice conditions, water-borne diseases, siltation, erosion, salt-water intrusion, drought or desertification."

In the absence of any mechanism, India relies

on its memorandum of understanding (MoU) with China in 2013 with a view to sharing hydrological information during the flood season (June to September). The MoU does not allow India access to urbanisation and deforestation activities on the Chinese side of the river basin. With the MoU in the background, India by becoming a party to either the UNWC and the Water Convention could lay the groundwork for a bilateral treaty on the Brahmaputra but subject to the reservation that it should not insist on the insertion of a dispute settlement mechanism provision.

## India, Nepal and flood prevention

Floods are also a recurrent problem in the Koshi and Gandak river basins that are shared by India and Nepal. The intensity and magnitude of flooding is rising because of heavy seasonal precipitation as well as glacial retreat due to global warming and human-induced stressors such as land use and land cover changes in the river basin area of Nepal (Terai) and Bihar. It is important that the two neighbours view the river basins as single entities, which will help in facilitating an integrated approach for improved basin and flood risk management. The India-Nepal Koshi agreement 1954 (revised in 1966) is aimed at reducing devastating flooding in the river basin. The treaty-based joint bodies have also tried to refine the early warning systems for flood forecasting. In contravention of procedural customary international law obligation, India considers data on transboundary rivers as classified information, which is one of the key challenges in developing cross-border flood warning systems. In light of the cataclysmic floods in Pakistan and the visible effects of climate change, it is important that all riparian states must comply with all the procedural duties pursuant to the no harm rule. They must also think of becoming a party to either the UNWC or the UNECE Water Convention.

**The Economic Times- 29- September-2022**

## THE ECONOMIC TIMES

### **Cabinet clears MoU with Bangladesh on river water withdrawal**



[Assam](#) can withdraw upto 153 cusecs of water from the common stretch of [Kushiyara river](#) during dry season (1st November to 31st May) for their consumptive water requirement.

The Union [Cabinet](#) chaired by the Prime Minister, Narendra Modi has given its ex-post facto approval for a

Memorandum of Understanding (MoU) between the Government of the Republic of [India](#) and the Republic of [Bangladesh](#) on withdrawal of upto 153 cusecs of water each by India and Bangladesh from common border river Kushiyara.

The Memorandum of Understanding (MoU) was signed on 6th September, 2022 between the Ministry of Jal Shakti, Government of the Republic of India and Ministry of Water Resources, Government of the People's Republic of Bangladesh on withdrawal of upto 153 cusecs of water each by India and Bangladesh from common border River Kushiyara during dry season (1st November to 31st May) for their consumptive water requirement.

A Joint Monitoring Team shall be set up by both the countries to monitor the withdrawal of water by each side during dry season.

**The Tribune- 29- September-2022**

# Cabinet approves MoU with B'desh on water withdrawal

**NEW DELHI, SEPTEMBER 28**

The Union Cabinet today gave its ex post facto approval to the Memorandum of Understanding (MoU) between India and Bangladesh on withdrawal of up to 153 cusecs of water by both the countries from the border river, Koshiyara.

The MoU was signed on September 6 between the

Ministry of Jal Shakti and Bangladesh's Ministry of Water Resources on withdrawal of water during the dry season from November 1 to May 31 for their consumptive water requirement.

The government in an official statement said, the MoU will enable Assam to withdraw water from the common stretch of the river. — TNS

Rashtriya Sahara- 29- September-2022

# घटने लगा यमुना का जलस्तर

## ■ नई दिल्ली (एसएनबी)।

यमुना का स्तर अब घटने लगा है। इसके साथ ही हरियाणा ने यमुनानगर में हथिनी कुंड बैराज से पानी का बहाव कम कर दिया है। अधिकारियों ने बुधवार को यह जानकारी दी। उन्होंने कहा कि उम्मीद है कि दो से तीन दिन में यमुना का स्तर और कम होगा।

गौरतलब है कि मंगलवार को यमुना में बाढ़ आ गई थी, इसके कारण निचले इलाकों में रहने वाले लगभग साढ़े छह हजार लोगों को निकालना पड़ा और पुराने यमुना पुल पर रेल यातायात को निलंबित करना पड़ा था। नदी में सुबह सात बजे पानी का स्तर 206.59 मीटर तक बढ़ गया था, जो कि खतरे के निशान (205.33 मीटर) से अधिक था और अगस्त 2019 के बाद से अब तक का सबसे ऊंचा स्तर था। नदी में पानी का स्तर सुबह आठ बजे घटकर 206.58 मीटर रह गया। सरकार के एक वरिष्ठ अधिकारी ने कहा कि उन्होंने नदी का स्तर सामान्य होने तक निचले इलाकों में

## ■ लोगों को उनके घरों में वापस जाने से रोकने के लिए सिविल डिफेंस के कार्यकर्ता मुस्तैद

लोगों को उनके घरों में वापस जाने से रोकने के लिए बड़ी संख्या में सिविल डिफेंस कार्यकर्ताओं को तैनात किया है। दिल्ली के इन इलाकों में लगभग 37 हजार लोग रहते हैं।

पूर्वी दिल्ली के जिलाधिकारी अनिल बंका ने कहा कि ज्यादातर लोग स्वयं सुरक्षित स्थानों पर चले गए हैं। दिल्ली प्रशासन को उनमें से लगभग साढ़े छह हजार को निकाला और उन्हें सामुदायिक केंद्रों, स्कूलों तथा अस्थायी शिविरों में भेज दिया। दो महीने में यह दूसरी बार है जब लोगों को बाढ़ प्रभावित क्षेत्रों से निकाला जा रहा है। यमुना में 12 अगस्त को पानी का स्तर खतरे के निशान से ऊपर गया था, जिसके बाद निचले इलाकों से लगभग सात हजार लोगों को निकाला गया था।



Amar Ujala- 29- September-2022

## नदी जल विवाद : आंध्र को कर्नाटक के खिलाफ मामला वापस लेने की अनुमति

नई दिल्ली। सुप्रीम कोर्ट ने आंध्र प्रदेश और कर्नाटक के बीच करीब दो दशक पुराने नदी जल बंटवारा मामले का निपटारा कर दिया। आंध्र प्रदेश ने कर्नाटक के खिलाफ याचिका दायर कर उत्तरी पेन्नार नदी के पानी का दोनों के बीच बंटवारा करने के लिए केंद्र सरकार को नदी जल न्यायाधिकरण का गठन करने का निर्देश देने की मांग की थी।

मुख्य न्यायाधीश यूयू ललित, जस्टिस एस. रविंद्र भाट, जस्टिस जेबी पारदीवाला ने पाया कि मामला काफी पुराना है। आंध्र प्रदेश ने मूल याचिका 2003 में दायर की थी। इसके बाद सर्वोच्च अदालत ने आंध्र प्रदेश को याचिका वापस लेने की अनुमति देते हुए कहा कि इसके लिए वह अन्य रास्ते भी अपना सकता है। इनमें केंद्र सरकार से संपर्क कर नदी न्यायाधिकरण के निर्माण की मांग भी की जा सकती है। ब्यूरो