

I/171276/2024



भारत सरकार
जल शक्ति मंत्रालय
केंद्रीय जल आयोग
परियोजना मूल्यांकन (दक्षिण) निदेशालय



Government of India
Ministry of Jal Shakti
Central Water Commission
Project Appraisal (South) Directorate



विषय: VIP Reference of Sh. H.D. Devegowda, Former Prime Minister of India regarding drinking water crises in Bengaluru and DPR of Mekadatu Project.

Kind attention is invited to your email dated 30.04.2024 vide which the VIP reference as above mentioned has been forwarded to this office for inputs/comments. Therefore, the following is submitted in this regard -

1. The Mekedatu Project was first accorded "In-Principle" consent for preparation of DPR by CWC on 24.10.2018 with certain conditions . Subsequently, the DPR of this Project was submitted by Government of Karnataka in January, 2019 and forwarded to CWMA for considering the acceptability of the Project. To assist CWMA, preliminary observations/ comments of various Directorates of CWC on inter-state aspects, hydrological studies and seismic aspects as well as Hydro Engineering and Technology Development Division of CEA were also conveyed to CWMA in April and May 2019.
2. Further, CWMA vide letter dated 09.02.2024 has informed that the project was deliberated and discussed in the 28th meeting of CWMA held on 01.02.2024 and based on the opinion of majority of the participants of the meeting, CWMA has decided to return the DPR back to CWC for establishing its feasibility or otherwise of the project.
3. Earlier, Tamil Nadu has gone to the Hon'ble Supreme Court with respect to "In-principle" consent given to Mekedatu Project (for preparation of DPR) and in reply the GoI has filed an affidavit in which it has been mentioned that acceptance of the DPR by CWMA is a prerequisite for consideration of DPR by the Advisory Committee of DoWR, RD & GR for its approval.
4. As and when PFR/ DPR of any major & medium irrigation, flood control & multipurpose project is submitted by the concerned State Government, the same is technically appraised in CWC as per extant Guidelines. However, in the present case, the Mekedatu project is a project which is different from other projects being appraised in CWC as according to its FR and DPR, it has been framed to ensure compliance to the CWDT Award as modified by Hon'ble Supreme Court by releasing the required quantum of water to Tamil Nadu on monthly basis. Accordingly, CWMA needs to indicate as to whether the project parameters are in consonance with the award to enable CWC to carry out further appraisal process.
5. It is further mentioned that DoWR, RD & GR sought legal opinion with respect to powers and role of CWMA as to whether the same includes examination / conveying sanction /clearance/ approval to the projects or not. In response, **Learned Solicitor General of India** vide Note dated 04.05.2022 has rendered his opinion wherein he has mentioned that

"The composition of CWMA as given in Section 3 of the Notification

I/171276/2024

dated 01.06.2018 makes it clear that it has representation from each affected State and as powers and functions as enumerated under Section 10 of the Scheme. The said powers are very wide. It appears that it for the said reason that CWC has required CWMA to examine the issue first and give its report to CWC.

In the light of above, rather going into the query quoted above, in my opinion, suffice to say that CWMA can discuss and deliberate upon the project in question and give its report to CWC".

He further mentioned that: "***it is undisputable that CWMA is constituted to give effect to the Award passed by the Tribunal and it will have to take a decision as to whether the project is in conformity with the Award [as modified by Hon'ble Supreme Court] or not".***

In view of the above submissions, CWMA has to necessarily and compulsorily render its opinion as to whether the Mekedatu Balancing Reservoir cum Drinking Water project as submitted by Govt. of Karnataka in January, 2019 is in conformity with the CWDT Award as modified by Hon'ble Supreme Court or not.

Accordingly, the matter has been examined in CWC and a draft proposal is being sent to DoWR, RD&GR for taking further decision with respect to Mekedatu Project.

This issues with the approval of Competent Authority in CWC.

Signed by Rajiv Kumar
Date: 03-05-2024 17:55:34
Reason: Approved
(Rajiv Kumar)
Director-PA(S)

Senior Joint Commissioner, Peninsular River, DoWR, RD&GR, New Delhi
(Email- cadwmcentral-mowr@nic.in)

Copy to :-

- 1) Director, Technical Coordination, CWC, Sewa Bhawan, New Delhi
 - 2) Director, WP&P Coordination, CWC, Sewa Bhawan, New Delhi
-

I/171276/2024

सप्तम तल(दक्षिण), सेवा भवन
राम कृष्ण पुरम, नई दिल्ली -110066
दूरभाष: 011-29583418,
ई मेल: pasdte-cwc@gov.in

♣जल संरक्षण-सुरक्षित भविष्य♣



7th Floor(South), Sewa Bhawan,
R.K. Puram, New Delhi-110066
Tel: 011-29583418,
E-mail: pasdte-cwc@gov.in

♣Conserve Water- Save Life♣