



**COMPENDIUM OF GUIDELINES FOR
APPRAISAL OF WATER RESOURCES PROJECTS
FROM INTER-STATE ANGLE**



**CENTRAL WATER COMMISSION
INTER-STATE MATTERS-1 DIRECTORATE
New Delhi**

July - 2025

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I. EXECUTIVE SUMMARY

Central Water Commission (CWC) is a premier technical organization in the field of water resources in India and has been involved in appraising the Major and Medium Irrigation, Flood Control & Multipurpose Projects of the country. CWC while appraising water resources development projects has to deal with the inter-State aspects of the projects located in inter-State river basins. These inter-State aspects of the projects are appraised with the help of various Guidelines framed from time to time and Acts enacted from time to time.

The present Compendium is an attempt to bring out all these Guidelines at one place for easy access to all the concerned stakeholders. Accordingly, the operative parts of these Guidelines/orders/letters have been compiled in a single document titled, “*Compendium of Guidelines for Appraisal of Water Resources Projects from Inter-State Angle*”.

This compilation inter-alia contains Guidelines for appraisal of water resources projects from Inter-State angle; correspondences on dependability criteria for planning of irrigation and multipurpose Projects; Guidelines for examination of proposal for industrial, thermal and drinking water uses; Guidelines for Investment Clearance by MoWR, RD & GR in respect of Irrigation and Flood Control Projects; Extracts related to Inter-State aspects from Guidelines for Submission, Appraisal and Acceptance of Irrigation and Multipurpose Projects, 2017. Along with Guidelines there are decisions of the Cabinet and MoWR with regard to adopting dependability criteria for planning of water resources projects and these are also included in the compendium.

The compendium, in any way, is not creating new Guidelines or instructions but compiling the existing instructions/Guidelines in a published document for easy access to all the concerned stakeholders. Care has been taken to append Original Guidelines/instructions with this document so that one can easily peruse the content in original shape also.

II. FOREWORD



Water is an integral part of the ecological system and is essential for sustenance of life in all its form. The demand of water is increasing continuously while the water availability is nearly constant. In addition to it, due to climate change, the pattern of rainfall is changing, which further puts pressure on the availability of water. So, the management of water is an important aspect to deal with the issues related to water in inter-State Rivers.

The natural flow of water, both on the Earth's surface and underground routinely crosses State boundaries. All the major river basins of India (drainage area more than 20000 sq.km) and some among the medium river basins (drainage area more than 2000 sq.km and less than 20000 sq.km) and few minor river basins (drainage area less than 2000 sq.km) are of Inter- State nature, i.e., having their drainage area lying in more than one State / Union Territory. As per the Constitutional provision stated at Entry 17 of List II, water is a 'State' subject. Water resources development projects are planned and implemented by the respective State Governments as per their needs and priorities which may affect the interests of other basin States in an Inter-State basin and therefore, differences among States arise with regard to use, distribution and control of waters of such basins.

Central Water Commission (CWC) is entrusted with the responsibility of techno-economic appraisal of various water resource projects which have Inter-State or International ramifications. CWC is addressing the inter-State water disputes in light of Inter-State River Water Dispute Act 1956 enacted under Article 262 of the Constitution of India and other Acts enacted from time to time.

I hope this publication shall be of immense help to all the officials who are dealing with water resource projects on Inter-State Rivers. I wish to put on record my appreciation for the initiative of Irrigation Management Organization in preparing and publishing a new Document titled as **"Compendium of Guidelines for appraisal of water resources projects from Inter-State angle"**.

A handwritten signature in blue ink, appearing to read 'Atul Jain', with a horizontal line underneath it.

(Atul Jain)

Chairman, CWC

III. PREFACE



Water is precious natural resource and no nation can afford to ignore its imperative need. Comprehensive planning to secure optimum utilisation of water resources is a need of today. Water, unlike most other natural resources, does not follow political boundaries. In India, all the major river basins, some of the medium river basins and few minor river basins are of Inter-State nature.

The Inter-State issues related to use of waters are generally addressed through mutual understanding/agreement among the co-basin States. Government of India facilitates the stakeholders in arriving at an agreement. In case of non-agreement, the disputes are adjudicated as per Inter-State River Water Dispute Act 1956 (ISRWD Act, 1956) enacted under Article 262 of the Constitution of India.

Central Water Commission (CWC), an attached office of Department of Water Resources, River Development and Ganga Rejuvenation, Ministry of Jal Shakti, Government of India, is a premier Technical Organization of India in the field of Water Resources. CWC is involved in the appraisal of projects with the help of various Guidelines framed from time to time and Acts enacted from time to time.

Guidelines for Submission, Appraisal and Acceptance of Irrigation and Multipurpose Projects, 2017 is already in place and is available on official website of CWC. In order to examine any project proposal from Inter-State angle, CWC has to depend on the Guidelines for examination of projects from Inter-State angle from time to time. With the aim to bring related Guidelines in respect of use, distribution and control of waters of Inter-State River, need has been felt to issue new publication titled “Compendium of Guidelines for appraisal of water resources projects from inter-State angle” which inter-alia contains Guidelines for appraisal of water resources projects from Inter-State angle, correspondences on dependability criteria for planning of irrigation and multipurpose Projects, Guidelines for examination of proposal for industrial, thermal and drinking water uses etc. I sincerely hope that the new publication will serve as ready reference to all users in Water Resources Planning, Development and Management and other concerned stakeholders.

I would like to gratefully acknowledge the guidance and encouragement provided by Shri Atul Jain, Chairman, CWC. Besides this, I would like to place on record my sincere thanks and gratitude to officers of Inter State Matters Directorate-1 under Irrigation Management Organization (IMO), CWC. I would like to congratulate Shri B. P. Pandey, Chief Engineer,

IMO, CWC, who has immense knowledge on interstate issues alongwith his colleagues Shri Manoj Kumar, Director, Shri Asheesh Kumar Pandey, Deputy Director, Shri Gajendra Meena, Deputy Director and Shri Kalel Ahamed A., Assistant Director for the commendable efforts, hard work and valuable contribution in bringing out this publication. It is hoped that this will serve the intended purpose of guiding & assisting all concerned authorities/stakeholders in enhancing the efficiency of appraisal and in dealing with inter-State dispute/issues.


(Yogesh Paithankar)

Member (WP&P), CWC

IV. OFFICERS AND STAFF OF IMO, CWC ASSOCIATED WITH THE PREPARATION OF COMPENDIUM

- Shri B. P. Pandey, Chief Engineer, Irrigation Management Organisation (IMO)
- Shri Vijai Saran, former Chief Engineer, Irrigation Management Organisation
- Shri N.M. Krishnanunni, former Chief Engineer, Irrigation Management Organisation
- Shri Manoj Kumar, Director, Inter-State Matters-1 Directorate
- Shri Vimal Kumar, former Director, Inter-State Matters-1 Directorate
- Shri Rajesh Kumar, former Director, Inter-State Matters-2, CWC
- Smt. Preeti Choudhary, former Deputy Director, Inter-State Matters-1 Directorate
- Shri Asheesh Kumar Pandey, Deputy Director, Inter-State Matters-1 Directorate
- Shri Gajendra Meena, Deputy Director, Inter-State Matters-1 Directorate
- Shri Sunny Yadav, former Deputy Director, Inter-State Matters-1 Directorate
- Shri Swadeep Singh, former Assistant Director, Inter-State Matters-1 Directorate
- Mr Kalel Ahamed A., Assistant Director, Inter-State Matters-1 Directorate
- Shri Sathiyamoorthi C., former Assistant Director-II, Inter-State Matters-1 Directorate

V. NEED FOR GUIDELINES

Central Water Commission (CWC) is a premier technical organization in the field of water resources in India and has been involved in appraising the Major and Medium Irrigation, Flood Control & Multipurpose Projects of the country. CWC while appraising water resources development projects has to deal with the inter-State aspects of the projects located in inter-State river basins.

In the initial stages, there were no definite Guidelines and the appraisal of the water resources project from inter-State angle depended on the experience and perspective of the water resources engineers of CWC. Later on, it was felt in Central Water Commission that there should be definite Guidelines for examination of water resources projects from inter-State angle with a view to have uniform approach in examination of such projects which have similar characteristics. Accordingly, in 152nd Commission meeting of CWC held on 15.12.1994, it was decided that the broader Guidelines need to be adopted/followed and such Guidelines would be followed for internal use of the concerned organization of the CWC for identifying whether the projects under examination is having any inter-State aspects/angle or not. With due approval of the Commission, the Guidelines in this regard were issued on 12.02.1996.

One of the provisions in the Guidelines was that “in case where an ISWDT has been constituted and its award is awaited, individual projects could be processed if all the basin States agree for it otherwise they have to wait till the receipt of final tribunal award”. When KWDT-II was constituted in April, 2004, a difficulty arose for acceptance of projects of Krishna basin because of the aforesaid provision even though the provision of decision of KWDT-I were in force. Therefore, in view of the constitution of KWDT-II, a need was felt for the revision of Guidelines. Consequently, DoWR, RD & GR (earlier MoWR) vide letter dated 16.01.2006 issued additional instructions for examination of proposed projects on Inter-State River after constitution of a Tribunal. These instructions were in supersession of the aforesaid provision.

In 2009 and 2011, Ministry of Water Resources (MoWR) issued a few instructions for clearance of thermal power projects and drinking water supply scheme in Ganga basin from the point of view of implementation of Ganga water sharing Treaty 1996 with Bangladesh.

In addition to the above, project proposals framed by the State Govt. / NTPC / NHPC / Private Developers in other basins for developing up the thermal projects/ Hydro-Electric Pumped Storage project were/are also being received in CWC for seeking concurrence for water availability requirements for these projects. These proposals earlier used to be received through Central Electricity Authority (CEA) or directly in CWC on advice of CEA. The need of guidelines arose for assessment of water availability for non-irrigation uses (mostly Thermal power and Industrial. Accordingly, CWC issued Guidelines in this regard in November, 2012 with approval of Chairman, CWC.

Ministry of WR, RD & GR in 2015 while issuing Guidelines for investment clearance of the water resources projects has also issued some instructions for appraisal of projects from inter-State angle. Similarly, CWC Guidelines of 2017 for submission, appraisal and acceptance of multi-purpose projects has also some instructions in this regard.

In order to examine any project proposal from Inter-State angle, CWC officers have to depend on these Guidelines/letters/Orders. Different Guidelines/instructions issued by the CWC/DoWR, RD & GR from time to time are placed in the files of the corresponding period and it becomes difficult for the officers of CWC especially those who are joining afresh either on transfer or fresh recruitment to access to these Guidelines for examination of water resources projects. Therefore, a need has been felt to consolidate all these guidelines/orders/letters in a single compilation.

Accordingly, the operative parts of these Guidelines/orders/letters have been compiled in a single document titled, “*Compendium of Guidelines for Appraisal of Water Resources Projects from Inter-State Angle*”. The compendium, in any way, is not creating new Guidelines or instructions but compiling the existing instructions/Guidelines in a published document for easy access to CWC officers. The Guidelines in this format, if placed in website of CWC, can be accessed by other concerned organizations also. Care has been taken to append Original Guidelines/instructions with this document so that one can easily peruse the content in original shape also. Along with Guidelines there are decisions of the Cabinet and MoWR with regard to adopting dependability criteria for planning of water resources projects and these are also proposed to be included in the compendium.

**Consolidated and updated
instructions for Appraisal of
Water Resources Projects from
inter-State angle**

A. Inter-State angle

Any river basin is said to be an inter-State River basin, if its drainage area lies in more than one State and the river finally outfalls in an ocean or a big water body. Any river basin whose drainage area lies in more than one State and the river outfalls in another river, the first river basin is considered as inter- State sub-basin of the second inter-State River basin.

Any project located in an Inter- State River basin, is deemed to have inter-State ramification and is required to be examined from inter-State angle (*Clause B (1) (vii) of Annexure-4*). Further, project located in the catchment / drainage area of a river, which flows entirely in one State but is part of an Inter- State River basin / sub-basin shall also attract inter-State ramification and be required to be examined from inter-State angle.

B. Dependability Criteria for planning irrigation projects

Storage projects are generally planned and approved based on 75% dependable flow criteria. Consideration of lower than 75% dependability would be permissible only for projects on intra-State rivers and not on inter-State rivers (*Annexure-1D*). However, lower than 75% dependability may also be permissible for projects on inter-State rivers subject to the effective decision of any Inter-State Water Disputes Tribunal (ISWDT) **or as per the provision in existing agreement.**

C. Irrigation and Hydro Electric (HE) Projects

1. *For projects in an inter-State river basin where awards of Inter-State Water Dispute Tribunal (ISWDT) or the valid Inter- State Agreement is available. (Annexure-2A)*

Concerned project authority shall furnish a break up of utilization of allocated share for different purposes and for existing ongoing and future schemes. In case of river basins where an inter-State mechanism for regulation and development of waters of said inter-State rivers exists or any monitoring mechanism to ensure implementation of effective decision of tribunal exists, due regard should also be given to opinion, if any, of such body obtained following the SOPs framed in this regard. In case of any difference of opinion between the project/State authorities and CWC, regarding interpretation of any portion of Award/Agreement, opinion of concerned co-basin/party States could also be obtained for review only in CWC.

2. *For projects in an inter-State river basin where a Tribunal has been constituted for the first time for examining issues relating to inter-State allocations of water. (Clause 3 of Annexure-2B)*
- (i) CWC shall not consider its techno- economic clearance of such project except with the prior consent of the Tribunal concerned. Responsibility for obtaining consent of Tribunal shall be of the State where the project is located.
 - (ii) Techno-economic and investment clearance could however be considered for those projects, for which an agreement is reached among co-basin States under intimation to the Tribunal.
 - (iii) In cases where a basin State seeks a techno-economic or investment clearance for a project using the waters as allocated to it by the orders of an earlier Tribunal, such clearances may be considered by the CWC, notwithstanding that a subsequent Tribunal may have been constituted for considering water sharing issues in the same basins provided, the project proposed by a State is within the allocations made by the earlier subsisting Award.
3. *For projects in an inter-State river basin where no Tribunal Award or valid Inter- State Agreement is available or where no Tribunal has been constituted.*

An informed judicious approach need to be adopted to work out the water utilization in the concerned inter-State river basin (**Clause 3 (i) of Annexure 2A**). This may cover protecting committed utilization under existing, on-going and sanctioned projects with due regard to possible future upstream and downstream developments. A comparison of planned utilizations from the project site and net water available at the project site at permissible dependability as finalized by CWC could be a reasonable indicator of ensuring the aforesaid. Projects can be processed for acceptance from inter-State considerations after ensuring the following.

- (i) Copy of PFR (Pre-Feasibility Report) and DPR (Detailed Project Report) of any project proposed in the river basin for which no Tribunal award or Inter-State agreement exists, will be circulated to the co-basin States by the Project Authority (**Clause 3.7 & 4.7 of Annexure-5**).
- (ii) After circulation of the project report, the co-basin States have to furnish

views/observations on the project proposal / report within 45 days of receipt of the report after which it will be presumed that the States has nothing to say *(Clause 3.8 & 4.8 of Annexure-5)*. However, based on the examination/analysis in CWC, if it is established that there will be no violation / adverse effect due to the project, the approval of CWC from inter-State angle may be considered.

- (iii) For projects located in river basin wherein there are no valid agreements or decision of the tribunal specifying the allocations of the basin States and where no basin States has raised any issues regarding difference with other basin States on use, distribution or control of water of such river basin/sub-basin either with Central Government or in some other inter- State forums like Zonal Council, need for sharing the PFR/DPR with other basin States in priority projects could be dispensed with and in such situation inter-State of aspects involved in such project could be examined on the basis of provisions in clause 3(i) or 3(ii) or both of these of internal Guidelines of CWC of 1996 and conveying of acceptance from inter-State angle could be considered accordingly. *(Annexure-6)*.
- (iv) Large river basins like Ganga, Brahmaputra and Barak/Meghna have no overall water sharing agreements among its basin States but have inter-state agreements/international treaties in respect of certain of their tributaries among or between the concerned tributary States/Countries. For such basins the provisions in clause 3(i) or 3(ii) or both of these of internal Guidelines of CWC of 1996 should therefore be applicable to only those drainage areas of the basin/sub-basins where so far there are no overall water sharing agreements and the water resources project located in such drainage basin/sub-basin area States should be shared with only the concerned basin/sub-basin States which are so far not part of any overall tributary water sharing agreements. For priority projects in these basins, clarifications as mentioned para 3 above could also be made use of. *(Annexure-6)*.
- (v) Effect of the proposed project on downstream existing/sanctioned projects in other States may have to be analyzed in CWC. Projects that have no substantial effects on project of other States may be considered for acceptance from inter-State aspects. *(Clause 3 (ii) of Annexure-2A)*
- (vi) In case the operation of the proposed project is likely to have some adverse effect on the

operating pattern of the downstream project or on the provisions of any Inter-State agreement/Tribunal Award, an Inter-State monitoring mechanism with the participation of concerned States may be suggested. *(Clause 3 (ii) of Annexure-2A)*

4. In case the project is likely to cause substantial harm to other basin States, specific approval of the affected State is essential. This may inter-alia include (i) submergence (ii) increased flood hazards and (iii) deterioration of water quality etc.,. *(Clause 4 of Annexure-2A)*
5. An inter-State joint project between some or all the concerned States also needs to have specific agreement in respect of sharing of cost and benefits, submergence and land acquisition etc. in addition to the water utilization agreement in accordance with principles described. *(Clause 5 of Annexure-2A).*
6. In case of additions/alterations in existing projects on inter-State rivers involving increase in quantum of water utilization compared to original planned utilization accepted by the competent authority, project should be examined as per the instructions mentioned hitherto depending on the whether valid water sharing agreement or effective decision of Tribunal for the inter-State rivers exists or not. *(Clause 6 of Annexure-2A)*
7. In case of HE/PS Project, consumptive uses should be determined considering evaporation and seepage losses. Project should be examined as per the instructions mentioned hitherto depending on the whether valid water sharing agreement or effective decision of Tribunal for the inter-State rivers exists or not. Projects having quantum of consumptive uses equivalent to utilization from a minor irrigation project should be treated as such and examination of inter-State aspects should proceed accordingly.
8. In case of ERM projects, sometimes, CCA/intensity of irrigation or both are more than the original CCA/intensity of irrigation or both. In such situation, as general proposition it is thought that normally water required for enhanced CCA/intensity of irrigation is more than that originally required. However, this may not be true for all projects and in all conditions as it is quite possible that due to application of efficient farming practices, use of canal lining, SCADA system and PDN; water requirement for enhance CCA/intensity irrigation may be equal to or less than the water requirement for original CCA/intensity irrigation. Therefore, final views of concerned Irrigation Planning Dte should be considered and further action should be taken accordingly. *(Annexure-6).*

D. Thermal/Industrial/Domestic Water Schemes

In case of thermal, domestic water and industrial projects Guidelines as contained in this Compendium hereafter need to be kept in view. Consumptive uses from such proposals should be determined keeping in view norms/Guidelines of Govt of India, CEA Guidelines and directions contained in the valid inter-State agreements /effective decision of Tribunals. Projects proposals having quantum of consumptive uses equivalent to utilization from a minor irrigation project should be treated as such and examination of inter-State aspect should proceed accordingly.

E. Project in advance stage of construction

Projects that have already been started by the Project Authority before acceptance by the Advisory Committee and substantial progress (> 90%) have been achieved, examination of such projects will be restricted for Inter-State aspect only and the projects will not be further considered for acceptance by the Advisory Committee. All such projects will be termed as unapproved projects. *(Clause 4.28 of Annexure-5)*

F. Minor irrigation schemes

In all such cases where the planned utilization / diversion from cluster of minor projects on the Inter- State River/tributary/sub-tributary/water shed exceeds 10 MCM, Inter-State clearance needs to be mandatorily obtained by the State Govt. from CWC. *(Clause 6.2 of Annexure-5).*

Annexures

- 147

No. 10/49/75-DW.II
Government of India
(Bharat Sarkar)
Ministry of Agriculture & Irrigation
(Krishi aur Sinchai Mantralaya)
Department of Irrigation
(Sinchai Vibhag)

①
Sd/- A. SEKHAR
ADVISER (WR) : P.C.
(16)
F4x - 011 - 23096

....

New Delhi, the 11th November, 1975.

OFFICE MEMORANDUM

Subject:- Implementation of the decisions of the Cabinet Committee on administration on part II of the report of the sub group on agricultural development regarding clearance of major and medium irrigation projects.

....

The undersigned is directed to invite a reference to the minutes of the meeting of the Cabinet Committee on Administration held on 23rd October, 1975 circulated by the Cabinet Secretariat vide their Memo no. 6/3/5/75-CF dated the 25th October, 1975, according to which the Committee considered the Note dated 23rd September 1975 submitted by this Ministry on the subject mentioned and took note of its contents.

As per the aforesaid note, the Committee was inter-alia informed that the Minister for Agriculture & Irrigation and the Dy. Chairman, Planning Commission agreed that:

- i) Money spent on scarcity relief should be taken note of in ~~measuring~~ socio-economic benefits of projects and the present ~~criteria~~ criteria of 75% dependability may be continued for major irrigation projects. In the case of medium schemes, the criteria can be raised to 50% dependability for the supplies, and
- ii) States representative may be invited to attend the meetings of the Advisory Committee, if considered necessary.

Since the Cabinet Committee have also now taken note of these decisions, notice may kindly be taken accordingly.

Sd/-
Deputy Secretary to the GOI.

The Planning Commission,
(Shri K.S.S. Murthy), Chief (Irrigation)
Yojna Bhawan,
New Delhi.

Copy to:

- 1) The Chairman, CWC, New Delhi.
(Sh Y.K. Moorthy)
- 2) Ministry of Finance (BF Branch), ND
(Sh S.L. Bhasin).

164
No. 2/11/82-P.II
Government of India
Ministry of Irrigation
.....

New Delhi, the 29th October, 1983.

To

All Irrigation Secretaries.

Subject:- Storage capacity of irrigation reservoirs.

Sir,

The second Irrigation Commission has stated that "at present irrigation projects are designed on the basis of a 75% of dependability. Availability can be improved by providing a carry over capacity in storage reservoirs at an additional cost. The economics of this device needs consideration. The more precious the water in the area as in drought areas, the greater is the justification for providing a carry over".

"According to a decision taken in November, 1975, the criterium of 75% dependability for irrigation reservoirs is being relaxed to about 50% dependability in the case of medium irrigation schemes in drought areas. This indirectly means provision of a higher storage than in possible with 75% dependability. In the context of the recommendation of the Irrigation Commission, it is considered desirable that both in the case of major and medium reservoirs in drought prone areas, a suitable carry over storage may be provided taking into account permissible dependability factor and subject to the normal adopted cost-benefit consideration. It is suggested that in all future projects, this aspect may be kept in view while formulation the proposals.

Yours faithfully,

Sd/-
(A.R.S. Murthy)
Deputy Secretary to the Govt., of India.



A. Sekhar
Adviser (WR)
Telefax: 23096578
e-mail - sekhar306@yahoo.co.in

D.O. No.16(25)/81/2003-WR

Dear Sir,

As I have to attend the sitting of the Parliamentary Standing Committee on Energy on Monday, 4th August 2003 at 3.45 PM, I will not be able to attend the 81st Meeting of the Advisory Committee on Irrigation, Flood Control and Multipurpose projects scheduled for 3 pm on the same day. However, an officer from my Division will be present.

On perusal of the TAC notes pertaining to Maharashtra projects in the Krishna Valley, it appears that planning is being done for dependable yield of 50% or between 50% to 75% although not explicitly brought out in the TAC note. Carryover storages have been provided in many cases as 75% dependable availability is less than the planned utilisation. In each case same dissent note of the Inter State Matters Directorate has been included. Not only should the annual gross utilisation be within the 75% dependable yield but the irrigation success rate should also be about 75% as a higher rate of success will imply that carryover storage is available. Where the success rate is more than prescribed, there is scope to reduce the storage.

The allocation made by the KWDT to the three Party States is from out of the 75% dependable flow of 2060 TMC at Vijayawada. So far we have been clearing projects only on the 75% dependability criterion as this is correct interpretation of the KWDT Award. Following a different criterion for Maharashtra projects will be detrimental to the interest of the lower riparian states.

It would be not possible for the Planning Commission to accord investment clearance to projects techno economically accepted by the Advisory Committee for a criterion other than the 75% dependability. There thus appears to be need for



भारत सरकार
योजना आयोग
योजना भवन
नई दिल्ली-110001
GOVERNMENT OF INDIA
PLANNING COMMISSION
YOJANA BHAVAN
105, NEW DELHI-110001

Dated 31st July 2003

(16)

- 2 -

deferring consideration of the Krishna basin projects and a review got done again in the CWC to confine the scope of the projects to the accepted criterion.

I might add that a cautious approach is required now especially as a new Tribunal is to be set up shortly for Krishna and there is already an inter-State dispute over the Upper Tunga Project clearance.

Yours sincerely,

A. Selvaraj
(A. Selvaraj)

Shri A.K. Goswami
Secretary, Ministry of Water Resources
& Chairman, Advisory Committee
Shram Shakti Bhawan
New Delhi - 110001

✓ Copy for kind information to Shri R. Jeyaseelan, Chairman, Central Water Commission, Sewa Bhawan, R.K. Puram, New Delhi 110065

(19)

No. 27/33/2003-P1
Government of India
Ministry of Water Resources
(Project-I Section)

New Delhi, dated the 21st September, 2004

To

All States/UTs

Subject : Dependability criterion for Planning of Irrigation projects – Storage capacity of irrigation reservoirs.

Sir,

I am directed to refer to this Ministry's letter No. 2/11/1982 P1 dated 29.10.1983 on the subject mentioned above (copy enclosed).

The matter regarding approval of irrigation projects with dependability lower than 75% has been reviewed in this Ministry in consultation with the Planning Commission in the context of the award of the Krishna Water Disputes Tribunal (KWDT) of 1979 and it has been decided that dependability criterion lower than 75% would be permissible only for projects on intra-State rivers and not on inter-State rivers.

Accordingly the circular under reference may be treated as kept in abeyance in so far as inter-State rivers are concerned.

Encl : As above

Yours faithfully,

Padmanabhan
(P. PADMANABHAN)
SR. JOINT COMMISSIONER (WR)
Tele No. 3716131

संलग्न/निवे.
Section/Dte.
री.मं. 632
दि. 27/9/2004

Copy to :-

- one copy please
- 1) Chairman, Central Water Commission, Sewa Bhawan, R.K. Puram, New Delhi.
 - 2) Member (WP&P), Central Water Commission, Sewa Bhawan, R.K. Puram, New Delhi.
 - 3) Adviser (WR), Planning Commission, Yojana Bhawan, New Delhi

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34

No. 9/52/93-ISMV-16.
Central Water Commission
Inter-State Matters Directorate

No. 202(S), Sewa Bhawan
K. Puram, New Delhi-66.
Dated: 12.2.96

SUBJECT:- "GUIDELINES" to be followed to determine whether inter-State aspects are involved in a project received for appraisal in Central Water Commission and procedure to be followed within CWC for clearance from inter-state angle.

The above said guidelines were discussed in CWC's Commission 148th and 152nd meetings and it was decided in 152nd meeting held on 15.12.94 that the broader guidelines are to be adopted/followed, as appended in the Annexure. These guidelines would be followed for internal use of the organisations of CWC for identifying whether the projects under examination is having any inter-state aspect/angle or not. The same is circulated for information and further necessary action please.

Encl: As above

ADD
(T.D. REDDI)
DIRECTOR (ISM)

1. P.S. to Chairman, CWC, Sewa Bhawan, New Delhi.
2. P.S. to Chairman, Central Electricity Authority, Sewa Bhawan, New Delhi.
3. P.S. to Member (WP&P), CWC, Sewa Bhawan, New Delhi.
4. Chief Engineer, Project Appraisal Organisation, CWC.
5. Chief Engineer, Project Preparation Organisation, CWC.
6. Director, RYM. Coordination Directorate, CWC.
7. Director, WP&P Coordination Directorate, CWC.
8. Director (TC), CWC, New Delhi.
9. Director (D&R) Coordination Directorate, CWC.
10. Section Officer, (CM&V) Section, CWC, New Delhi.

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ANNEXURE

Guidelines to be followed to determine whether Inter-State aspects are involved in a project received for appraisal in CWC and procedure to be followed within CWC for clearance from Inter-State angle.

1. The project envisaging utilisation of waters of an inter-state river basin should strictly conform to the awards of Inter-state Water Dispute Tribunal (ISWDT) award or the valid Inter-State Agreement wherever available. In case of any difference of opinion between the project/State authorities and CWC, regarding interpretation of any portion of the Award/Agreement, opinion of concerned co-basin/party states could also be obtained for review only in CWC.

2. In case where an I.S.W.D.T. has been constituted and its award is awaited, individual projects could be processed if all the basin States agree for it otherwise they have to wait till the receipt of final Tribunal Award.

3. (i) Projects situated in an Inter-state river basin where no Tribunal Award or valid Inter-State Agreement is available or where no Tribunal has been constituted, a cautious and judicious approach, particularly in regard to water utilisation under the project may have to be followed. This may cover protecting committed utilisation under existing, on-going and sanctioned projects with due regard to possible future upstream and downstream developments. It would be desirable if the concerned States concur with the project. Initiatives can be taken by CWC unless reservations are expressed by the concerned States.

(ii) Effect of the proposed project on downstream existing/sanctioned projects in other States may have to be analysed in CWC. Projects having no substantial effects on other States may be cleared from serious Inter-state issues.

In case the proposed operation of the project is likely to have some adverse effect on the operating pattern of the downstream project or on the provisions of any interstate agreement/Tribunal Award, an interstate monitoring mechanism with the participation of concerned States may be suggested.

4. In case the project is likely to cause substantial harm to other basin State, specific approval of the affected State is essential. These may inter-alia include (i) submergence (ii) increased flood hazards and (iii) deterioration of water quality etc.

5. An Inter-state joint project between some or all the concerned States also needs to have specific agreement in respect of sharing of cost and benefits, submergence and land acquisition etc. in addition to the water utilisation agreement in accordance with principles described under paras (1), (2) and (3) above.

-36-

6. In case of additions/alterations in existing projects on Inter-state rivers, concurrence of other affected states needs to be obtained.

7. In case of H.E. or thermal projects, requirements for consumptive uses has to be within the allocated shares of the States. In cases where allocations are not there, consumptive uses have to be as per concurrence of other basin States.

MOST IMMEDIATE

Government of India
Ministry of Water Resources
(Projects Section)

Subject : Committee to look into whole aspects of clearance of projects by the Advisory Committee and investment clearance by Planning Commission after constituting a Tribunal for resolution of inter-State Water Disputes.

Reference: i. MOWR Order No. 27/7/2005-P.I dated 7th June, 2005
ii. CWC U.O. No. 7/2-KB/05-ISM/872 dated 14th October, 2005

Vide the Orders cited at reference (i) the Government of India in the Ministry of Water Resources constituted a Committee with the following Terms of Reference:

- i. To examine whether techno-economic clearance ought to be given to the projects when an Inter-State Water Disputes Tribunal has been constituted to examine inter-State allocation of water and related issues in a basin in which the projects are located.
 - ii. To examine whether investment approval ought to be given by the planning commission for the projects in such cases.
2. The Committee submitted its Report vide the reference (ii) cited.
3. After careful consideration of the recommendation of the Committee the following guidelines are issued on the matters related to the terms of reference mentioned in the paragraph above:-
- i. That in basins where a Tribunal has been constituted for the first time for examining issues relating to inter-State allocations of water, the CWC shall not consider its techno-economic clearance of a project except with the prior consent of the Tribunal concerned.
 - ii. Techno-economic and investment clearance could however be considered for those projects, for which an agreement is reached among co-basin States under intimation to the Tribunal.
 - iii. In cases where a basin State seeks a techno-economic or investment clearance for a project using the waters as allocated to it by the orders of an earlier Tribunal, such clearances may be considered by the CWC or the planning commission, notwithstanding that a subsequent Tribunal may have been constituted for considering water sharing issues in the same basins provided, the project proposed by a State is within the allocations made by the earlier subsisting Award.

*File for
information of MOWR
P.C. & State
agencies*

(Signature)

(P. PADMANABHAN)
SR. JOINT COMMISSIONER (PR)
Phone: 23710131

*File for
information of MOWR
P.C. & State
agencies*

Chief Engineer (IMO), Central Water Commission, Sewa Bhawan, R.K. Puram,
New Delhi.

MoWR U.O. No. 27/2/2005-PR | 04

Dated 16 January 2006

No.4/1/2005-BM/1965
 GOVERNMENT OF INDIA
 MINISTRY OF WATER RESOURCES
 (BM SECTION)

New Delhi, Dated: 04.11.09

To

The Chairman
 Central Water Commission,
 Sewa Bhawan,
 R.K.Puram, New Delhi

Sub: Clearance of Thermal Power Project Proposed in Ganga Basin.

Ref: CWC. U.O. No. 10/61/GN-Tech/ISM/170, dated 22.9.09

Sir,

In continuation of this office letter 54/8/91-BM (Vol.III)/598 dated 18.07.1994 (copy enclosed). I am directed to inform that the issue of clearance of thermal power project in Ganga Basin has been reviewed in the Ministry.

It has been decided that the water utilization for Thermal projects in Ganga basin may be cleared. subject to the following conditions:

(i) The project authority may create the ponds for storing sufficient flood water during monsoon to meet their water requirement during the lean season. The project authorities may also use the ground water for meeting their requirements in accordance with the local ground water availability.

(ii) The water may be made available by the concerned states from their irrigation canals against the approved water allocation of such irrigation projects. The states would not claim any right for extra use of water on this account when the water share of the states in Ganga Basin is decided in the future.

(iii) Any or all of the above measures may be used by Thermal Power Stations depending upon the situation there.

Yours faithfully,

(Bhupinder Singh)
 Dy. Commissioner
 Tel-2371 8165

**Government of India
Ministry of Water Resources**

Block No.11, 8th Floor,
CGO Complex, Lodhi Road,
New Delhi-110003

Subject:-Clearance of drinking water supply schemes from international/JRC angle.

This Ministry has received two proposals of drinking water supply schemes from CWC. One on river Chambal near Mandrayal, district Karauli/Sawai Madhopur, Rajasthan and another on river Yamuna in block Mau, district Chitrakoot, U.P., both in Ganga basin, for examination and clearance from International/JRC angle, keeping in view the Ganga water sharing treaty-1996 with Bangladesh. Both the proposals do not contain the information regarding International aspect, which would certify that the withdrawal of water for these schemes from Ganga basin, in the lean season would not affect the river flow downstream.

The Water supply Schemes for drinking purposes were examined vis-à-vis existing guidelines for clearance of Thermal power projects issued by MOWR vide letter No.4/1/2005-BM/1967 dated 4/11/2009 and found that both constitute the consumptive use of water and thus affect the lean season flow of Ganga downstream.

In view of above, approval of Secretary (WR) is conveyed for adopting the existing guidelines of clearance of Thermal Power Project in Ganga basin for clearance of drinking water supply schemes also, in Ganga basin from International/JRC angle.

This is for information and further necessary action.


 (T.S. Mehta)
 Sr. Joint Commissioner(Ganga)

1. Chief Engineer (PAO), CWC, Sewa Bhawan, R.K. Puram, New Delhi-66.
 2. Chief Engineer, Designs(NW&S), CWC, Sewa Bhawan, R.K. Puram, New Delhi-66.
- MOWR,U.O.F.No.7/24/2010-Ganga/ 1973-78 Dated 24th May, 2011

Copy also for kind information to:

1. PPS to Secretary(WR)
2. PPS to Chairman, CWC, Sewa Bhawan, R.K. Puram, New Delhi-66.
3. PS to AS (WR)
4. Commissioner (PR), MOWR.


 (T.S. Mehta)
 Sr. Joint Commissioner(Ganga)

F: ganga wing/Indo-banglades/project clearance/correspondence

Issued
R/S
24-5-11

Guidelines for assessment of water availability for non-irrigation uses as approved by Chairman, CWC in Nov, 2012 (mostly Thermal power and industrial)

1.0 Background

Project proposals framed by State Governments/ NTPC/ private developers for developing up thermal projects are received in CWC seeking concurrence for water availability requirements for these projects. These proposals are either received through CEA or directly in CWC on advice of CEA. Some project proposals seeking CWC concurrence for water availability for domestic water use and industrial water use are also received.

2.0 CWC Mandate

2.1 Irrigation/ Multi-purpose Projects

The State Governments frame their proposals for development of water resources of their State through major and medium irrigation/ multi-purpose projects and approaching the Planning Commission for allocation of plan funds. As per the directives of Planning Commission, all such project proposals are required to be appraised by CWC to assess their technical feasibility and economic viability. The net availability of water at the project location, taking into consideration the gross yield and the share of the co-basin States depending upon any award/ agreement or otherwise is invariably examined in CWC as part of the technical appraisal.

2.2 Thermal/ Industrial/ Drinking Water Schemes.

2.2.1 As per the Guidelines of CEA for 'Formulation of Project Reports for Power Projects - October, 2002' for according economic clearance of thermal projects by CEA, the following certificates are required:

- (i) Water availability certificate from State Irrigation Department (this is required if the project draws fresh water from canal, reservoir etc.). However, if utilisation from ground water is envisaged, clearance from State Ground Water Authority/Board.
- (ii) Clearance of Ministry of Water Resources/ Central Water Commission or Central Ground Water Authority as the case may be. In case of inter-state/ country aspects, necessary clearance from concerned authority.

Even prior to above guidelines of CEA, CEA had been sending the project proposals for concurrence of CWC in respect of water availability for thermal projects.

2.2.2 CWC has been carrying out appraisal of water availability aspects of Thermal Projects on request of CEA since long. However, from the old records maintained by PAO, it transpires that except for MoWR's specific instructions in respect of Ganga Basin, in view of allocation of Sone waters and international treaty with Bangladesh, there are no general instructions to CWC from MoWR for this work.

2.3 Inter-Sectoral allocation

2.3.1 With increase in population and industrialization. The demand from sectors like energy, municipality, industries etc. is increasing at a fast pace. With increased water demand from various sectors, inter-sectoral conflicts are apprehended among different stakeholders e.g. industry versus agriculture; all human needs versus environment; etc. There is no legal mechanism to resolve such disputes.

National Water Policy - 2002 laid down the allocation priorities. Whereas drinking water is stipulated as first charge in any available waters as per the policy. States are free to decide their own priorities and make allocation of their share of water resources as per their requirement. However, there are no guidelines in National Water Policy for inter-sectoral allocations. CWC has no mandate to intervene in addressing issues arising out of inter-sectoral demands/priorities.

3.0 Points for Consideration

3.1 Concurrence/ no objection of MoWR/ CWC to the water allocation made by the State Government for thermal projects/ industries can be construed that CWC is a party to the inter- sectoral water allocation made by the State Government, which may have some repercussions at a later date. However, it may be pointed out that a clearance from CWC is required even if there is no inter- state/ country angle. Actually, the guidelines mentioned at 2.2.1 are CEA guidelines and CWC should be under no obligation to follow these, if CWC has no mandate to make such allocations. The role of CWC, therefore, should be limited to appraisal of the proposal to ensure that inter-state/ international issues are taken care of and water is available at the point of withdrawal.

3.2 A systematic approach as below is proposed to be adopted for appraisal of such proposals.

- a. Assessment of availability/ source
- b. Interstate issues/ international issues, if any
- c. Impact on committed utilizations if irrigation water diverted for non-irrigation uses

3.2.1 (a) Assessment of the availability/ source of water & (b) Inter-State aspects/international aspects - The issues involved are somewhat inter-related. In case water allocation for the proposed project is made by the State Government by withdrawal from main river stem or its tributaries, following scenario emerges –

- (i) Share of State decided by a Tribunal/Valid Agreement
- (ii) Share of State not decided by a Tribunal/Valid Agreement

Following procedure is proposed to be adopted:

(i) Share of State decided by a Tribunal/ Valid Agreement - The examination in such cases to be limited to ensuring that provision for non-irrigation uses as contemplated in the Master Plan of the State Government is not exceeded. In case the existing Master Plan of the State Government does not have sufficient provision for non-irrigation uses; as State Governments are

responsible to develop their water resources for different purposes as per their priorities, a fresh master plan from the State Government will be sought, which is to include the total allocation made for thermal projects/ industries/ drinking water schemes etc. beside irrigation/ multi-purpose projects. The State Govt. has to certify that total provision for thermal/ industries/ drinking water etc. made in the master plan includes provision for the proposed project.

(ii) **Share of State not decided by a Tribunal/ Valid Agreement –** Assessment of water availability in the river at the withdrawal point, as made by the State government will be sought. As the water requirement of such projects is relatively small, detailed analysis by Hydrology Dte. is not considered necessary. However, views of Hydrology Dte. will be obtained. No objection as per para 3.3 below can then be given with the rider that as and when some agreement is reached with the other co-basin States, the allocation for the proposed project will be counted against the share of the concerned State.

3.2.2 (c) Impact on committed utilizations if irrigation water diverted for non-irrigation uses - As discussed above, the water demand of all the sectors is on the rise. Though the water use from the approved projects is the prerogative of the State Government which they have to decide as per their priorities, the diversion of water from already committed irrigation use to non-agricultural uses has to be considered taking into account its likely impact on the availability of water for existing command. The State Government shall be asked to look into this aspect and issue their concurrence to the fresh water demand. Based on the inputs /data provided by the project developer issued by respective State Govt., CWC, will examine the matter in totality from overall technical & Inter-state considerations & will issue concurrence accordingly

(i) The State Govt. is to take measure to ensure that shortfall in irrigation supply due to diversion of water from approved project shall be duly offset by ground water exploitation (if possibility exists) or through better water management (efficiency improvement)/ saving through lining of existing unlined canal etc.

(ii) The total water used by the State Government from the existing project will be limited to already approved utilisation or as per the existing agreement with the co-basin State, if any.

3.3 On appraisal, if found acceptable, it is proposed that hereafter, CWC convey following:

"CWC has no objection to the withdrawal of water from for the proposed project. However this clearance may not be taken as approval of the CWC for allocation of MCM of water for industrial use."

3.4 For projects located in Ganga Basin, as the final clearance is given by MoWR, the proposal after examination are proposed to be sent to Ganga Wing, MoWR by Chief Engineer (IMO), CWC. For project proposals of other basins, the Chief Engineer (IMO) shall issue necessary concurrence with the approval of Member (WP&P), CWC.

No.P.15011/3/2015-SPR
Government of India
Ministry of Water Resources, River Development & Ganga Rejuvenation

Shram Shakti Bhavan, Rafi Marg,
New Delhi - 110001.
Dated 17th December, 2015

To

The Chief Secretary,
Government of *All States of Union of India*

Subject: Guidelines for Investment Clearance by the M/o Water Resources, River Development & Ganga Rejuvenation in respect of Irrigation and Flood Control Projects.

Sir,

The Government has approved the transfer of powers for according Investment Clearance to major, medium irrigation, Extension, Renovation & Modernisation (ERM) of Projects, Flood Control and Multi-purpose projects from the erstwhile Planning Commission to the Ministry of Water Resources River Development and Ganga Rejuvenation (M/o WR, RD&GR). Accordingly, and keeping in view the policy of decentralization, the guidelines for investment approval by the (M/oWR, RD&GR) for Irrigation and Flood Control including drainage projects are detailed below:

A. Investment clearance by the State Governments

- (1) The State Governments are empowered to accord Investment approval for the major and medium Irrigation & or multi-purpose and flood control projects including drainage projects, which do not have inter-State ramifications. A project will be exempted from seeking Investment clearance of Government of India in the following cases:
- (i). If the water utilization from the project does not impinge upon any inter-state water agreement, tribunal awards, and existing allocation or is dependent on the residual flows resulting from previous inter-State allocations, no investment clearance will be required. However, inter-State issues shall continue to be handled by CWC and clearance shall be obtained from CWC before approving the project.
 - (ii). If the Project is not covered under (i) above and does not envisage any Central assistance through Central Sector or Centrally Sponsored Scheme, no investment clearance will be required from this Ministry. However, the major/medium and multi-purpose projects envisaging central assistance through Central Sector or Centrally Sponsored Schemes shall continue to need investment clearance.
 - (iii). Projects other than Major, Medium and multi-purpose Projects such as Schemes of Surface and Ground Water Minor Irrigation, Command Area Development and Water Management, Repair, Renovation and

Restoration of water bodies will continue to be approved by the respective State Governments, as per the existing policies.

- (iv). The State Governments shall intimate with the copy of the investment clearance accorded by them in respect of eligible schemes to the M/oWR, RD, & GR, NITI Aayog (Water Resources Division), Central Water Commission and all concerned Central Ministries Organisations.
- (2) Before according the investment approval to the schemes/projects, the concerned State/UT Government will first obtain a certificate from the Central Water Commission to the effect that such project/scheme does not have any inter-state or international ramifications/implications in case of major and medium irrigation (and multi-purpose) projects as a pre-requisite whereas for flood and drainage projects/schemes, a similar certificate from Ganga Flood Control Commission in case of all Ganga basin States, the Brahmaputra Board in case of all the North Eastern States including Sikkim and CWC in case of all other flood schemes of the States shall be obtained.
- (3) The State Government should take into account the committed liabilities of ongoing schemes vis-a-vis the availability of resources for the implementation of such scheme in the Plans so that available resources are not thinly spread over number of schemes resulting in time and cost overruns. For this purpose, the State Irrigation/Water Resources Department should obtain the clearance from their State Planning Department.
- (4) The State Government shall also obtain all required statutory clearance(s) from the Ministry of Environment & Forests and Ministry of Social Justice and Empowerment such as environmental clearance; forest clearance, approval for rehabilitation and resettlement plan and all other clearances, as may be required by the Ministry in accordance with their latest guidelines/norms fixed by them, before the Investment approval is accorded.
- (5) Before according investment approval, the State Government shall satisfy itself that:
 - (i). The schemes have been prepared after adequate investigations; and planning / designs have been made conforming with relevant standard codes and practices;
 - (ii). The estimates are complete and correct technically;
 - (iii). The financial forecasts and estimates of benefits anticipated are based on reliable and accurate data; and
 - (iv). The needs of environment conservation and proper rehabilitation of project-affected persons have been taken into account.

B. Investment clearance by the MoWR, RD & GR.

- (1) All new major and medium irrigation projects and flood control projects or coastal protection projects including multi-purpose and which have Inter-State or international ramifications will be subject to techno-economic appraisal in CWC and then approval by the Advisory Committee on Irrigation, Flood Control and Multi-purpose Projects in the MoWR, RD & GR. The investment clearance will henceforth be accorded by this Ministry

In place of the erstwhile Planning Commission. The following categories of projects of State Governments, located on inter-state rivers or their tributaries, based on Benefit-Cost Ratio and Technical Feasibility established after exhaustive appraisal by Central Water Commission (CWC), may be recommended for Investment Clearance:

- (i). Major Irrigation (CCA more than 10000 ha.) & Medium Irrigation (CCA more than 2000 ha and less than 10000 ha.) Projects including Multipurpose water resources projects,
- (ii). Extension, Renovation & Modernisation of Irrigation Projects,
- (iii). Flood Control Projects (Major projects costing more than Rs. 25 crore and Medium project costing more than Rs.12.5 crore). These costs would be revised on the basis of inflation index every five years, at the sole discretion of the Committee.
- (iv). In respect of revised project estimates for Major Irrigation and Multipurpose Projects where there is no change in the scope and where the costs escalation due to price rise alone have not changed by more than 15%, the concerned State Govt. need not forward detailed estimates for examination at Centre. For such projects/estimates the procedure will be as follows:
 - the State Govt. should send project-wise statements of excess costs to CWC giving the abstract of costs under major sub-heads indicating the excess costs over the sanctioned costs and reasons there for after obtaining concurrence of the State Finance Department.
 - The covering note will include the salient features of the project contemplated in original proposal and that being executed at site.
 - The CWC will examine such estimates broadly and send its views to the Committee for consideration and recommendation for investment clearance.
 - No successive proforma clearances will be allowed after a cap of 15%.
- (v). Revised Cost Estimate of Projects for cost escalation beyond 15% of the cost approved in the last accorded Investment Clearance for reasons other than cost escalation beyond 15%, viz. change in scope, technical reasons etc., the procedure at (iv) above would not be applicable. In that case appraisal procedure through Advisory Committee will be followed.
- (vi). Extension of time after lapse of duration to complete a previously cleared project without any change in scope or estimate will be examined on case to case basis based on detailed justifications submitted by the State Govt. directly by the Committee in MOWR, RD & GR.
- (vii). As a general principle any project which is located on an inter-State river or its tributary will be deemed to involve inter-State

ramifications and as such shall need investment clearance from this Ministry.

(2) The States will submit the proposals for Investment Clearance, along with check-list (format as annexed) to CWC, Headquarters. CWC will compile all such proposals and send fortnightly report to Ministry of WR, RD & GR with recommendations for the proposed Committee for Investment Clearance. While processing in CWC, the CWC will take into account overall picture of implementability of the project without affecting the implementation of other projects under irrigation sector, overall state plan size, the year-wise allocation for the project including allocation for all other ongoing projects and capacity of State Government to incur financial expenditure and bottlenecks in implementation of the projects.

(3) The following Committee is being constituted for making recommendations for Investment Clearance to the Hon'ble Minister of Water Resources, River Development and Ganga Rejuvenation:

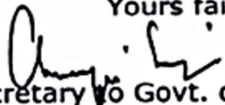
- a) Secretary (WR, RD & GR) – *Chairperson*
- b) Chairman, CWC
- c) Advisor (WR), NITI Aayog
- d) JS&FA, MoWR, RD & GR
- e) JS (PP), MoWR, RD & GR
- f) Commissioner – SPR/FM, MoWR, RD & GR – *Member Secretary **
- g) Economic Adviser, MoWR, RD & GR
- h) Chief Engineer (PAO), CWC (Permanent Invitee)

*Commissioner (SPR) will be the Member-Secretary and Commissioner(FM) will brief the Committee on Flood Control Projects.

(4) The meeting of Committee, after receipt of the proposals in the MoWR, RD & GR, will be convened for considering the proposals for recommendation of Investment Clearance. The Investment Clearance will be granted on the basis of detailed check-list enclosed herewith for benefits cost ratio more than one. Investment clearance will be granted after recommendation of committee by the Hon'ble Minister of Water Resources, River Development and Ganga Rejuvenation in the Ministry.

The above guidelines take place with immediate effect.

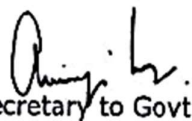
Yours faithfully,


Special Secretary to Govt. of India
Tel. No. 2371 0619

Copy for information to:

1. Cabinet Secretary, Cabinet Secretariat, Rashtrapati Bhavan, New Delhi.
2. Principal Secretary, Prime Minister's Office, South Block, New Delhi.
3. Secretary to President, President Estate, New Delhi.
4. Secretary, Ministry of Agriculture & Farmers' Welfare (Department of Agriculture & Cooperation), Krishi Bhavan, New Delhi.
5. Secretary, Ministry of Environment, Forests & Climate Change, New Delhi.
6. Secretary, Ministry of Social Justice & Empowerment, Shastri Bhavan, New Delhi.
7. Chairman, Central Water Commission, Sewa Bhavan, R.K.Puram, New Delhi.

8. Chairman, Ganga Flood Control Commission, Patna, Bihar.
9. Chairman, Brahmaputra Board, Guwahati, Assam.
10. Joint Secretary, Ministry of Finance, Department of Expenditure, Plan Finance, North Block, New Delhi. .
11. Chief General Manager, NABARD, Sterling Centre, Post Box No.6552, Dr. Annie Besant Road, Worli, Mumbai-18.
12. Irrigation Secretary of all the States/Administrator of UTs.
13. Adviser (Admn.)/Adviser (P&E), NITI Aayog
14. NIC for uploading on the site of Ministry of WR,RD&GR.


Special Secretary to Govt. of India
Tel. No. 2371 061

**Extracts related to Inter-State aspects from Guidelines for Submission,
Appraisal and Acceptance of Irrigation and Multipurpose Projects, 2017**

(For Preliminary Report / Pre-Feasibility Report / Concept Note)

- Clause 3.7** Copy of PFR of any project proposed in the river basin for which no tribunal award or inter-State agreement exists, will be circulated to the co-basin States by the Project Authority. CWC will send copy of the PFR to Resident Commissioner of the party States in New Delhi.
- Clause 3.8** After circulation of the project report, the co-basin States have to furnish views/observations on the project proposal / report within 45 days of receipt of the report after which it will be presumed that the State has nothing to say.
- Clause 3.9** The timeline for completion of examination of Pre - Feasibility Report is eight (8) weeks as per the Annexure - 5.
- Clause 3.10** If deficiencies on the report as communicated by CWC/Other Central Agency are not attended by the Project Authority within two (2) months, the PFR shall be treated as sent back / returned to Project Authority and the project will be deleted from the list of projects under appraisal.

Detailed Project Report

- Clause 4.7** Copy of DPR of any project proposed in the river basin for which no tribunal award or inter-State agreement exists, will be circulated to the co-basin States by the Project Authority. CWC will send a copy of the DPR to Resident Commissioner of the party States in New Delhi.
- Clause 4.8** After circulation of the project report, the co-basin States have to furnish views/observations on the project proposal / report within 45 days of receipt of the report failing which it will be treated that the State has nothing to say.
- Clause 4.13** DPRs, not containing details as per check list will not be accepted by the System.
- Clause 4.18** All projects in the Ganga-Brahmaputra-Meghna and Indus basins would be examined from international angle in the MoWR, RD &GR. The State Governments which have borders with neighboring countries should in particular keep this in view while considering any project close to international borders right from the initial stage of investigation and planning. This applies to major as well as medium projects irrespective of the fact that a Central Design and Planning Organization exists in that State or not. Similarly inter-State aspects and implications shall be duly verified in ISM Dte., of CWC even in case of medium projects.
- Clause 4.28** If any new project has already been started by the Project Authority before acceptance by the Advisory Committee then the said project will only be

processed for inter-state aspect and will not be further considered for acceptance by the Advisory Committee and all such projects will be termed as unapproved projects.

Revised Cost Estimate

Clause 5.2 In case of major, medium and multipurpose projects which have been accorded investment clearance and where the revised estimates of the project have increased by more than 15% of the original estimates, or where there is change in scope i.e. change in projects parameters resulting in change in nature and benefits such as CCA, Storage, increase in water utilisation, installed capacity, energy generation etc., Revised Project Reports including Estimates will be furnished to CWC for examination as new major/medium schemes and the procedure for scrutiny for such revised project/estimates shall be same as outlined in the preceding chapters. Project-wise statements of excess cost over the sanctioned costs under major sub-heads and reasons thereof shall also be appended with the revised estimates.

Cluster of Minor Surface Irrigation Projects

Clause 6.1 Cluster of minor projects would be defined as those minor projects which are utilizing water from the same river/tributary/sub-tributary/water shed.

Clause 6.2 In all such cases where the planned utilisation / diversion from cluster of minor projects on the inter-State river/tributary/sub-tributary/water shed exceeds 10 MCM, Inter-State clearance needs to be mandatorily obtained by the State Govt. from CWC.

I/205852/2025(1)

File No.T-85011(11)/1/2019-ISM-2 DTE

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भारत सरकार
जल शक्ति मंत्रालय
जल संसाधन नदी विकास एवं गंगा संरक्षण विभाग
केंद्रीय जल आयोग
अंतरराष्ट्रीय मामले-2 निदेशालय

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Office Memorandum

विषय: Footnotes to the “Guidelines for submission, appraisal and acceptance of Irrigation and Multi-purpose Project 2017” for appraisal of the inter-State aspects of projects located in river basin wherein there are no valid agreements or decision of the tribunal -reg.

The undersigned is directed to refer to clause 3(i) or 3(ii) of CWC internal Guidelines issued in 1996 and Clause 3.7, 3.8, 4.7 and 4.8 of CWC “Guidelines for submission, appraisal and acceptance of Irrigation and Multi-purpose Project 2017”, which are being followed invariably by both Inter-State Matters Dtes for assessing the inter-state aspects involved in projects located in an inter-State river basin for which no tribunal award or valid inter-State agreement regarding share of the basin State is available.

2. In view of the difficulties being faced in application of above clauses in appraisal, the matter has been studied again and it has been felt appropriate to clarify above Guidelines through footnotes to bring the more clarity and understanding in general. Accordingly, the footnotes enclosed to this OM shall be deemed to be part of Guidelines for submission, appraisal and acceptance of Irrigation and Multi-purpose Project 2017 and the same are circulated herewith for kind information and further necessary action please.

यह अध्यक्ष, केन्द्रीय जल आयोग के अनुमोदन के उपरान्त जारी किया गया है।

Encl.: As above

Signed by Pawan Kumar
Nagar
Date: 21-05-2025 11:52:04
Reason: Approved
पवन कुमार नागर
उप निदेशक

I/205852/2025(1)

To :

1. Chief Engineer (PAO), CWC, Sewa Bhawan, New Delhi
2. Chief Engineer (HSO), CWC, Sewa Bhawan, New Delhi
3. Director [ISM-1/IP(N)/IP(S)], CWC, Sewa Bhawan, New Delhi
4. Director [PA(C)/ PA(N)/ PA(S)], CWC, Sewa Bhawan, New Delhi

Copy to:

1. PPS to Chairman, CWC, Sewa Bhawan, New Delhi
2. PSO to Member (WP&P), CWC, Sewa Bhawan, New Delhi
3. PS to Chief Engineer (IMO), CWC, Sewa Bhawan, New Delhi

Footnotes to the “Guidelines for submission, appraisal and acceptance of Irrigation and Multi-purpose Project 2017” for appraisal of the inter-State aspects of projects located in river basin wherein there are no valid agreements or decision of the tribunal

1. Ministry of Water Resources, River Development & Ganga Rejuvenation (MoWR, RD&GR) vide letter No. P-15011/3/2015-SPR dated 17.12.2015 has informed to the States of India about the “Guidelines for investment clearance in respect of Irrigation and Flood Control Projects”. In the said Guidelines in sub-clause B(1)(vii), following principles has been enunciated with respect to inter-State aspect.

“As a general principle any project which is located on an inter-State river or its tributary will be deemed to involve inter-State ramification and as such shall need investment clearance from this Ministry.”

By convention an inter-State river is a river which has drainage area in more than one State.

2. The CWC issued internal Guidelines in 1996 for examination of project from inter-State angle. In the clause 3(i) of the said Guidelines, there is a provision for examination of projects located in an inter-State river basin for which no tribunal award or valid inter-State agreement regarding share of the basin State is available. Further, Clause 3.7, 3.8, 4.7 and 4.8 of CWC “Guidelines for submission, appraisal and acceptance of Irrigation and Multi-purpose Project 2017”, supplement the procedure in CWC internal Guidelines in 1996 for examining the inter-State aspect involved in any preliminary/detailed project report of any water resources projects. The provision in the aforesaid Guidelines are being followed invariably by both Inter-State Matters Dtes for assessing the inter-state aspects involved in aforesaid mentioned category/project.

3. Above mentioned procedure should invariably be followed for projects located in river basin wherein there are no valid agreements or decision of the tribunal specifying the allocations of the basin States and where one or more basin States have raised some issue regarding difference with other basin States on use, distribution or control of water of such river basin/sub-basin either with Central Government or in some other inter-State forums like Zonal Councils but have not raised informal Complaint with central Government about existence of any water disputes. It is, however, felt that for projects located in river basin wherein there are no valid agreements or decision of the tribunal specifying the allocations of the basin States and where no

basin States has raised any issues regarding difference with other basin States on use, distribution or control of water of such river basin/sub-basin either with Central Government or in some other inter-State forums like Zonal Council, need for sharing the PFR/DPR with other basin States in priority projects could be dispensed with and in such situation inter-State of aspect involved in such project could be examined on the basis of provision in clause 3(i) or 3(ii) or both of these of internal Guidelines of CWC of 1996 and conveying of acceptance from inter-State angle could be considered accordingly.

4. Large river basins like Ganga ,Brahmaputra and Barak/Meghna have no overall water sharing agreements among its basin States but have inter-state agreements/international treaties in respect of certain of their tributaries among or between the concerned tributary States/Countries. For the Water Resources projects located in these basins, the concerned Dte find it difficult to examine the inter-state aspect involve in such projects as per the provision in clause 3(i) or 3(ii) or both of these of internal guidelines of CWC of 1996 and clause 3.7, 3.8, 4.7, 4.8 of CWC “Guidelines for submission, appraisal and acceptance of Irrigation and Multi-purpose Project 2017” and have often to use their discretion in selecting the States with whom such reports should be shared. For such basins like Ganga , Brahmaputra and Barak, the aforesaid provisions should therefore be applicable to only those drainage areas of the basin/sub-basins where so far there are no overall water sharing agreements and the water resources project located in such drainage basin/sub-basin area States should be shared with only the concerned basin/sub-basin States which are so far not part of any overall tributary water sharing agreements. For priority projects in these basins, clarifications as mentioned para 3 above could also be made use of.

5. DPR of ERM Water Resources projects located in an inter-State river basin for which no tribunal award or valid Inter-State agreement regarding share of the basin State is available, are at present treated as equivalent to DPR of new Water Resources Project and inter-State aspects of such projects are examined in accordance with clause 3(i) or 3(ii) of internal guidelines of CWC of 1996 read with other instructions of competent authority and provision under clause 4.7, 4.8 of CWC “Guidelines for submission, appraisal and acceptance of Irrigation and Multi-purpose Project 2017”. In ERM projects, sometimes, CCA/intensity of irrigation or both are more than the original CCA/intensity of irrigation or both. In such situation, as general proposition it is thought that normally water required for enhanced CCA/intensity of irrigation is more than that originally required. However, this may not be true for all projects and in all conditions as it is quite possible that due to application of efficient farming practices , use of canal lining, SCADA system and PDN; water requirement for enhanced CCA/intensity irrigation may be equal to or less than the water requirement for original CCA/intensity irrigation. Therefore, it is felt that before applying the aforesaid Clauses for DPR of ERM projects, final

views of concerned Irrigation Planning Dte should be considered and further action should be taken accordingly.

In view of the above, following should be deemed to be Foot Note to Clause 3.7, 3.8, 4.7 and 4.8 of CWC “Guidelines for submission, appraisal and acceptance of Irrigation and Multi-Purpose Projects, 2017”.

1. For projects located in river basin wherein there are no valid agreements or decision of the tribunal specifying the allocations of the basin States and where no basin States has raised any issues regarding difference with other basin States on use, distribution or control of water of such river basin/sub-basin either with Central Government or in some other inter-State forums like Zonal Council, need for sharing the PFR/DPR with other basin States in priority projects could be dispensed with and in such situation inter-State of aspects involved in such project could be examined on the basis of provisions in clause 3(i) or 3(ii) or both of these of internal Guidelines of CWC of 1996 and conveying of acceptance from inter-State angle could be considered accordingly.
2. For such basins like Ganga and Brahmaputra, the aforesaid provisions should therefore be applicable to only those drainage areas of the basin/sub-basins where so far there are no overall water sharing agreements and the water resources project located in such drainage basin/sub-basin area States should be shared with only the concerned basin/sub-basin States which are so far not part of any overall tributary water sharing agreements. For priority projects in these basins, clarifications as mentioned para 1 above could also be made use of.
3. In ERM projects, sometimes, CCA/intensity of irrigation or both are more than the original CCA/intensity of irrigation or both. In such situation, as general proposition it is thought that normally water required for enhanced CCA/intensity of irrigation is more than that originally required. However, this may not be true for all projects and in all conditions as it is quite possible that due to application of efficient farming practices , use of canal lining, SCADA system and PDN; water requirement for enhance CCA/intensity irrigation may be equal to or less than the water requirement for original CCA/intensity irrigation. Therefore, it is felt that before applying the aforesaid Clauses for DPR of ERM projects, final views of concerned Irrigation Planning Dte should be considered and further action should be taken accordingly.

The earth, the air, the land and the water are not an inheritance from our fore fathers but on loan from our children. So we have to handover to them at least as it was handed over to us.



MAHATMA GANDHI