

RTI MATTER

F. No. 12015/293/2017 – RTI (CA.IV)
 Government of India/ भारत सरकार
 Cabinet Secretariat/ मंत्रिमण्डल सचिवालय
 Rashtrapati Bhawan/ राष्ट्रपति भवन

New Delhi, the 23rd August, 2017

Office Memorandum

Subject: Information sought under RTI Act, 2005.

Please find enclosed a copy of an RTI application of Shri K.S.Radhakrishnan, R/o Sri Chaitanya Avenue, Chennai-600 041 dated 09.08.2017 on the subject mentioned above.

2. Since the subject matter of the information sought by Shri Radhakrishnan is closely related to M/o Water Resources, River Development and Ganga Rejuvenation, the instant RTI application of Shri Radhakrishnan is hereby transferred to MoWR, RD & GR under Section 6(3) of RTI Act for action as deemed appropriate.



(K.J.Sibichan)

CPIO & Under Secretary to the Govt. of India
 Tel: 23014224

Encl : As above.

To

✓ Central Public Information Officer,
 M/o Water Resources, River Development and Ganga Rejuvenation

Copy for information to:

Shri K.S.Radhakrishnan, R/o 4/359, Sri Chaitanya Avenue, Anna Salai,
 Palavakkam, Chennai-600 041



(K.J.Sibichan)

CPIO & Under Secretary to the Govt. of India

F-12015/293/2017-RTI
K. S. RADHAKRISHNAN ¹

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 Spokesperson, DMIC

4/359, Sri Chaitanya Avenue,
 Anna Salai, Palayaklam, Chennai - 600 041.

09.08.2017

17826 (APPLICATION UNDER SECTION 6 OF RIGHT TO INFORMATION)

To

The Central Public Information Officer
 Under Secretary (RTI)
 Hon'ble the Prime Minister's Office
 South Block, New Delhi 110 001

Shri. Kishore Bandyopadhyay
 Under Secretary/Central Public Information Officer
 Cabinet Secretariat, Rashtrapati Bhavan
 New Delhi 110 004

The Central Public Information Officer
 Under Secretary (coord)
 Room No. 401C
 Ministry of Water Resources, RD & GR
 Shram Sakthi Bhavan
 Rafi Marg, New Delhi 110 001

Dear Sirs,

The issue of Nationalizing all Rivers in our Country and interlinking all the Rivers (ILR) and in particular the rivers in the Southern Peninsula namely Ganga, Mahanadhi, Krishna, Cauvery, Vaigai, Tamarabharani and Neyyar in southern tip of Cape Kumari is being live for the past several decades and the petitioner has shed his tireless work for the past 30 year to get very immaculate and most important as well as sacred order from Hon'ble Supreme Court of India for the benefit of the Nation and its People.



(RTI)
 10/08/17
 11/08/17
 Sr. B.P.S.
 CPIO (S.R.)
 CPIO (RD & GR)
 14/08/17

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The said 3 Judges Bench (Hon'ble Justice Mr. S.H.Kapadia, Chief Justice of Supreme Court, Hon'ble Justice A.K.Patnaik and Hon'ble Justice Swatanter Kumar) passed order in my Writ Petition (C) 668/2002 on the file of Supreme Court of India giving big open to implement the Union of India's and Ministry of Water Resources' Principle of interlinking rivers for the betterment of People of India and for better economy growth to the Nation on the whole. The entire idea and master mind of interlinking Rivers emerged from the think tankers of NDA government to deal with the paradoxical situation of flood in one part of our Nation and killing draught in the other part of our Nation at the same time. Hence I would like to seek some information regarding the admissibility of Policy of Interlinking of Rivers and how far the Union of India and particularly Ministry of Water Resources have moved forward to achieve your admitted and agreed Principle of interlinking Rivers. Therefore, on the basis of the order of the Hon'ble Supreme Court (2012 (4) SCC- page 51) I hereby seek proper and correct response/information from your Ministry /Office is concerned for the following queries hereunder:

Queries

1. Do the Union of India and Ministry of Water Resources have drawn plan of interlinking of rivers viz., Ganga, Mahanadhi, Krishna, Cauvery, Vaigai, Tamarabharani and Neyyar in southern tip of Cape Kumari?
2. Do the Union of India and Ministry of Water Resources have drawn plan of interlinking Peninsular Rivers with Deccan plateau? If so what is the status of the same?
3. How many rivers are west bound flowing into Arabian Sea? What is quantum of average water flowing into Arabian Sea per year in Kerala State?

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4. What is the status of the interlinking of rivers viz., Achan kovil-Pamba (Kerala Rivers - with Vaippar, Tamil Nadu)?
5. Why the Ministry of Water Resources failed to allot sufficient funds to complete the underway project of interlinking rivers viz., Tamarabarani River-Karumeni River - Nambi River in Tamil Nadu State?
6. When do the Ministry of Water Resources will complete te above said underway project in Tamil Nadu?
7. What is the status of FR, DPR of interlinking rivers of Cauvery - Kundar and Pennar?
8. What is the status of National Perspective Plan (NPP) formulated in 1980 by the Ministry of Irrigation and Central Water Commission?
9. What is the status of accepting to formulate High Powered Task Force (HPTF) by the Attorney General for India in Supreme Court and the same was recorded in the order dated 31.10.2002?
10. As per the order dated 08.04.2005 of Supreme Court wherein directed the UNION OF INDIA place all records of Feasibility Reports (FR) intending linking rivers on website and the same shall be easily available in the government website which is to be more interactive for People to submit their response. Does the UNION OF INDIA comply the same and what is the status of the said website and whether still any FRs available in the said Website?
11. As per the affidavits of UNION OF INDIA dated 25.10.2002, 05.05.2003 & 24.12.2003 filed in this case before the Hon'ble Supreme Court stating that the stand of UNION OF INDIA consider the networking of rivers with great seriousness even after 1972 Rao committee Report and to that surveys and studies were underway. Further the 1980 National Perspective Plan (NPP) of the erstwhile Ministry of Irrigation, presently Ministry for Water Resources envisaged

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inter-basin transfer from water surplus to water deficit areas. It would have direct benefits like irrigation of 35 million hectares, full exploitation of existing irrigation projects of 140 Mah, Power generation of 34 million kilowatt, besides indirect benefits like flood control and controlling damages during flood, Navigation, Water supply regularly, Fisheries, Pollution Control, Recreation facilities, Generating various employment and infrastructure and Socio-economic development, etc. With regard to these, Ministry of Environment and Forests, UNION OF INDIA had given some clearances and some of its clearance were refused.

(A) What are projects are given clearances by Ministry of Environment and Forests as on date as per your affidavits?

(B) Kindly produce details of which are not given clearances by MEF?

(C) Whether UNION OF INDIA/Ministry of Water Resources have taken any further steps to get clearances of all proposed interlinking of rivers projects?

12. The Supreme Court observed that the scheme of interlinking of rivers and Detailed Project Reports were expected to be completed by Dec.2006. However, from the record, it appears that these DPRs have not been completed even till today and it is under review by different groups and authorities.

(A) Whether the UNION OF INDIA prepared DPR for all interlinking of Rivers?

(B) Have the UNION OF INDIA completed DPRs as on today?

(C) How many DPRs are ready?

(D) How many of DPRs are incomplete?



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13. The Supreme Court observed it that the National Water Development Agency (NWDA) was to begin the DPR for the first link i.e., the Ken-Betwa Project which itself was expected to take 30 months time. In this, the DPR has now been prepared, however the implementation is yet to begin.

(A) Despite this order passed in 2012, what is the status of this project as on date?

(B) Whether UNION OF INDIA got all clearances to begin this interlinking project?

14. The Supreme Court observed that the Standing Committee of the Parliament on Water Resources submitted its report in the year 2004-2005 has commented that for the purpose of preparation of DPR for Ken-Betwa link and Paarbati-Kalisindh-Chambal link projects, a sum of Rs.14 cr. was earmarked out of the total Rs.35 cr. allocated for NWDA. Further the Standing Committee had been constrained to observe that though the Feasibility Report of the Ken-Betwa link was completed in Nov.1996, the project is still at a nascent state. The Standing Committee observed that if the Ministry of Water Resources, UNION OF INDIA had set frame for finalization of issues like this, the precious time of eight years would not have lost. The project still rests at that stage, though DPR has been prepared for this link alone, no link project has reached the implementation stage.

(A) Whether the UNION OF INDIA serious in implements the Ken-Betwa? (B) What is the present status of this Ken-Betwa project?

15. The report of National Council for Applied Economic Research (NCAERT) of the year 2003-04 clearly opines that interlinking of river projects will prove fruitful for the Nation as a whole and would serve a greater purpose by allowing higher returns from the agricultural sector for the benefit of the entire Country. And also it states the Industry

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service sectors would grow 7.3%GDP. Importantly the expertise body pointed out a very important facet of interlinking of rivers would result in reduction of some diseases due to the supply of safe drinking water and thus serve greater purpose for humanity.

(A) Despite the NCEAERT report gives clear picture of benefits of Interlinking of Rivers, What is the present status on this aspect?

(B) Whether the UNION OF INDIA and Ministry of Water Resources have plan of taking forward the principally agreed Interlinking of Rivers still?

(C) Whether the UNION OF INDIA and Ministry of Water Sources would take forward to implement the healthy drinking water to those deprived citizens of India within short time frame?

16. The Hon'ble Supreme Court observed in this order in Para 47 that ".....such implementation (interlinking of Rivers) would help advancement of India's GDP and bring greater wealth and prosperity to the Nation as a whole. Besides, actual benefits accruing to the common man, the UNION OF INDIA also gets benefit from definite possibility of saving the States from drought on the one hand and floods on the other hand. This project when it becomes reality, the same will provide immeasurable benefits. WE see no reason as to why the UNION OF INDIA should not take appropriate and timely interest in the execution of this project, particularly when?, but the various affidavits of the Central and State Governments affirmed that Governments are very keen to implement this project with great sincerity and effectiveness.

(A) While the Supreme Court emphasized the importance and requirement of interlinking of rivers, as to why UNION OF INDIA keep delay this project so much time?



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(B) While the UNION OF INDIA file its swearing affidavits affirming that UNION OF INDIA have very sincere to implement the interlinking of rivers, But reality UNION OF INDIA has not implemented any one interlinking of rivers project, so it is not amount to contempt of the Court?

17. The report of National Commission for Review of the Working of the Constitution (NCRWC) 2002 dealt with another important facet of river interlinking i.e., Sharing of river waters. Explaining the doctrine of river sharing, it described Doctrine of Riparian Rights, Doctrine of Prior Appropriation, Territorial Integrity Theory, Doctrine of Territorial Sovereignty, English Common Law Principal of Riparian Right, Helsinki Accord principles, Doctrine of Community Interest, Doctrine of Equitable Apportionment along with relative economic and social needs of interested States, volume of stream and its uses and land not watered were other relevant considerations.

(A) Despite the NCRWC reports gives very clear views of benefits and rights over sharing water, as to Why the UNION OF INDIA and Ministry of Water Resources have not implemented interlinking of Rivers?

(B) Is it not the sole duty and responsibility of the Ministry of Water Resources to implement the entire project thru UNION OF INDIA?

(C) What are the efforts or steps have so far taken by either UNION OF INDIA or Ministry of Water Resources to consider the NCRWC Report of the year 2002?

18. The Hon'ble Supreme Court directed UNION OF INDIA and particularly the Ministry of Water Resources, Government of India to forthwith constitute a Committee to be called a "SPECIAL COMMITTEE FOR INTER-LINKING OF RIVERS" (in short COMMITTEE) in this order dated 27.02.2012.



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(A) Have the Union of India or Ministry of Water Resources of Government of India constituted the said COMMITTEE as directed by the Hon'ble Supreme Court?

(B) When was the Committee constituted?

(C) If it is constituted, provide the list of its Members, their capacities and their names with phone numbers?

(D) If it is constituted does it have any permanent Office premises is given?

(E) How many times the Committee met for discussion so far?

(F) As per the said Supreme Court Order, the Committee should have submitted its bi-annual report to the Cabinet of the Union of India. Did the Committee submit any such report to the Cabinet? And How many reports so far it is submitted?

(G) Whether the Committee has constituted any sub-committee? If so what are sub-committees?

Yours Sincerely


K.S. RADHAKRISHNAN
Advocate & Spokesperson, DMK
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Encl: Postal order for sum Rs 10/-