

The Cauvery Water (Implementation of The Order Of 1991 And All Subsequent Related Orders Of The Tribunal) Scheme, 1998

UNION OF INDIA

India

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Rule

THE-CAUVERY-WATER-IMPLEMENTATION-OF-THE-ORDER-OF-1991-of 1998

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The Cauvery Water (Implementation of The Order Of 1991 And All Subsequent Related Orders Of The Tribunal) Scheme, 1998Published vide Notification Gazette of India, Part 2, Section 3(ii), dated 11th August, 1998 (w.e.f. 11th August, 1998).

1977.

S.O. 675(E), dated 11th August, 1998. - Whereas the Central Government in exercise of the powers conferred by Sec. 4 of the Inter-State Water Disputes Act, 1956 (33 of 1956) (hereinafter referred to as the said Act) had constituted, by the notification of the Government of India in the Ministry of Water Resources No. S.O.437(E) dated the 2nd June, 1990, the Cauvery Water Disputes Tribunal (hereinafter referred to as the Tribunal) to adjudicate upon the water dispute regarding the inter-State river Cauvery.And whereas the Tribunal has given an Order on the 25th June, 1991 in Civil Miscellaneous Petition Nos. 4, 5 and 9 of 1990 (hereinafter referred to as "the interim Order") and forwarded the same to the Central Government for necessary action.And whereas, the interim Order of the Tribunal was published in the Gazette of India by the Central Government as required by Sec. 6 of the said Act vide notification of the Government of India in the Ministry of Water Resources No S.O. 840(E), dated the 10th December, 1991, whereupon the said Order became binding on the parties to the dispute,And whereas the Central Government has decided to frame a Scheme for giving effect to the interim Order of the Tribunal dated 25th June, 1991 and all its related subsequent orders.Now, therefore, in exercise of powers conferred by sub-section (1) of Sec. 6A of the said Act, the Central Government hereby frames the following Scheme to give effect to the

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implementation of the said Orders of the Tribunal namely:

1.

(1) This Scheme may be called the Cauvery Water (Implementation of the Order of 1991 and all Subsequent related Orders of the Tribunal) Scheme, 1998. (2) It shall come into force on the date of its publication in the Official Gazette

2. Constitution of the cauvery river authority:

(1) There shall be an Authority under this scheme to be known as the Cauvery River Authority (hereinafter referred to as the Authority). (2) The Authority shall consist of the following :

- (a) Prime Minister of India Chairperson
- (b) Chief Minister of Karnataka Member
- (c) Chief Minister of Kerala Member
- (d) Chief Minister of Tamil Nadu Member
- (e) Chief Minister of Pondicherry Member

(3) The Secretary incharge of the Ministry of the Central Government dealing with water resources shall be the Secretary of the Authority

3. Powers and functions of the authority

(1) The role of the Authority shall be to give effect to the implementation of the interim order dated 25th June, 1991 of the Tribunal and all its related subsequent orders. (2) The Authority shall frame rules and regulations for the conduct of its business. (3) The Authority may convene meetings and when necessary.

4. Monitoring committee

Under the Authority, there shall be a Monitoring Committee with the following composition:

- (a) Secretary incharge of the Ministry of Central Government dealing with water resources Chairman
- (b) The Chief Secretaries to the Governments of Karnataka, Kerala, Tamil Nadu and the Union Territory of Pondicherry Members
- (c) Chairman, Central Water Commission Member
- (d) One officer each, not below the rank of a Chief Engineer, to represent the States of Karnataka, Kerala and Tamil Nadu and the Union Territory of Pondicherry to be nominated by the respective State Governments or the Union territory administration Members
- (e) Chief Engineer, Central Water Commission Member-Secretary

5. Role and functions of the monitoring committee

(1)The role of the Monitoring Committee will be to render assistance to the Authority to enable it to take decisions on issues under consideration.(2)The Monitoring Committee shall assist the Authority in collecting information and data.(3)The Monitoring Committee shall assist the Authority in monitoring the implementation of the decisions of the Authority. In case, any difficulty arises in implementation, the Monitoring Committee shall report the position to the Authority.(4)The Monitoring Committee shall assist the Authority in setting up a well designed hydro meteorological network in Cauvery basin along with a modern communication system for transmission of data and a computer based control room for data processing to determine the hydrological conditions.

6. Meetings of the monitoring committee

The Monitoring Committee shall meet at least once in three months but it may meet as often as necessary.

7. Headquarters of the authority

The Headquarters of the Authority shall be at New Delhi.

8. Financial provisions

(1)All the capital and revenue expenditure required to be incurred by the Authority shall be borne by the Central Government initially till the issue of sharing of cost among the party States or the Union territory is either decided by them through mutual discussions or till the Tribunal takes a decision on the above matter.(2)The accounts of the Authority shall be maintained and audited in such manner as may be provided in rules made by the Central Government, in consultation with the Comptroller and Auditor General of India, in this behalf.By Order and in the Name of the President of India