

Opinion Water wars and signing of Indus Waters Treaty

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On September 19, 1960, Prime Minister Jawaharlal Nehru and Mohammad Ayub Khan, then Pakistan President, signed the historic Indus Waters Treaty (IWT) in Karachi. This was the second major pact with Pakistan since its creation, the first being the Nehru-Noon pact of October 1958 on East Pakistan (now Bangladesh).

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Water disputes between the two nations date back to Partition, starting with the contentious division of resources across the Indus river system. For instance, the Depalpur canal was given to Pakistan, while the control of the headworks (a structure at the head or diversion point of a waterway) that fed the canal, the Ferozepur Headworks, went to India.

To resolve the dispute over supply of water to the Central Bari Doab and Depalpur canals in Pakistan's West Punjab by East Punjab, Nehru and Malik Ghulam Mohammad, then Pakistan Finance Minister, signed the Inter-Dominion Accord in New Delhi on May 4, 1948. The accord stated that India would allow waters to areas in Pakistan under the Sutlej, which it had been enjoying for a long time, before its supply was gradually reduced and Pakistan made alternative arrangements. This accord too had its own bitter history.

Before signing the May 1948 pact, Pakistan was secretly trying to construct a channel upstream of Ferozepur to divert the Sutlej waters. Had this subterfuge not been detected in time, some of the Indian canals would have run dry. In protest, India started constructing the Harike Barrage in Ferozepur to ensure that waters would be available to its eastern and Bikaner canals. In response, Pakistan started building the Bambanwala-Ravi-Bedian-Dipalpur canal.

As relations between two nations worsened due to water-related issues, Pakistan proposed approaching the Security Council and the International Court of Justice — a plan rejected by India. It was at this stage in 1951 that the World Bank offered to settle the issue. By 1954, the institution was ready with a proposal on allotment of the waters of the Indus, Jhelum and Chenab, except for minor uses in Jammu and Kashmir, to Pakistan, and those of the Sutlej, Ravi and Beas to India. Though this allotment was accepted by India, Pakistan had reservations.

In the meantime, an ad-hoc transitional arrangement was signed for 1955-56 on October 31, 1955, in Washington D C by N D Gulhati, then a joint secretary to Government of India, and G Mueenuddin, OSD in Pakistan's Industries Ministry. But, the larger issue remained unresolved.

The biggest hold-up to the World Bank's proposal was the cost of replacement works, estimated to be nearly Rs 700 crore. Of that, Rs 620 crore — 60% of which was a grant — came from Australia, Canada, New Zealand, the UK, the US, West Germany and the World Bank. The rest, around Rs 83 crore, was to be given by India in 10 installments to the World Bank. The money was constituted as a separate fund, named the Indus Basin Development Fund, which was managed by the World Bank.

It was estimated that the replacement works would be completed within 10 years, starting from 1960. Pakistan was offered a three-year extension, if required, subject to a penalty of Rs 4 crore per annum. Six years after it was originally proposed, Pakistan finally agreed to sign the plan.

On the day he signed the IWT, Nehru announced that "... a very difficult and complicated problem which has troubled India and Pakistan for many years has been satisfactorily solved". Though it was signed in September 1960, the proposal was effective from April 1960 onwards.

However, the pact led to an uproar in Parliament. Weeks after his return from Karachi, Nehru clarified during a debate on the issue in Lok Sabha on November 30, 1960, "Naturally, one can always say that instead of Rs 80 crore, if we pay Rs 50 crore, we will be gainers by Rs 30 crore and if we do not pay anything at all, we will be gainers by Rs 80 crore. But we are not talking in terms of agreements, but in terms of disagreements, of continuing disagreements and taking the consequences of those disagreements. In such matters, water especially and other matters, what one gains is infinitely more than a sum that we may give now or later."

Defending the World Bank's role, he said, "(It) suggested that it might be a good thing if India and Pakistan had the advantage of associating the World Bank with it, with the expert engineers, etc., and that it might help."

Despite his assurances, leaders like Madhu Limaye, J B Kripalani, Balraj Madhok and Atal Bihari Vajpayee opposed the IWT. While Surendra Mohanty of the Gantantra Party called it a "treaty of surrender", Vajpayee, then a first-time MP from Balrampur, cautioned that "despite this treaty, no one knows that Pakistan will behave like our friend."

In May 1964, Nehru died. In August 1965, India went to war with Pakistan over territorial disputes, particularly Kashmir. A few months after the ceasefire in the 1965 war, there were demands to end the IWT. Responding in the Lok Sabha on November 10, 1965, then Irrigation Minister K L Rao said, "The breaking of the treaty at this stage is ...not at all proper having regard to this fact that this treaty is a sort of tripartite treaty and not merely between India and Pakistan."

Meanwhile, Pakistan finished constructing the Mangla Dam under the IWT's terms in 1967. As she was flying over Pakistan while on her way to Moscow, then Prime Minister Indira Gandhi sent a congratulatory message to General Ayub Khan, then Pakistan President, on the completion of the dam.

On her return to India, just like her father in the winter of 1960, Indira had to deal with an uproar in Parliament, with Opposition leaders still maintaining that the IWT "was against India's interests".

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