**Historical background of Indus Water Treaty Between India and Pakistan.**

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**Abstract**

*Indus water treaty is the agreement signed by Pakistan and India in 1960 to solve the water issue that was started after the partition. For some time the treaty was followed by both the parties in full spirit but due to some weak points and shortcomings India started violating the treaty. Still the treaty is in operation but only for lower riparian. Pakistan cannot bind India to follow because of flaws within the treaty. The paper is an attempt to highlight the violation of treaty by India also the shortcomings and defects in Indus water treaty which India is always cashing at every point as it wishes..*

**Historical background**

Prominent British poet of twentieth century, W.H Auden once said, “thousands have lived without love not one without water”.

Water is the true wealth in a dry land, without it the land is worthless or nearly so. And if you control water, you control the land that depends upon it. Water is considered as the basic need of life. Civilizations developed near water, which supported them for stay and develop like the Indus Valley civilization developed near Indus River. Indus river system is being used by not only by the present day people, but it was developed before the 19th century and was then organized by the British during their rule in subcontinent.

In ancient times there was no conflict on water because of low population and plenty of water reservoirs, but with the increase in population and use of water, a threat alarmed in the eyes of lower riparian. Initially the struggle was started between Punjab and Sindh before partition as Punjab was upper riparian and Sindh was suspicious about their water share. Sindh was afraid that Punjab will use and stop water flow and will established their right over Indus water and may encroach upon Sindh’s part of water. Initially this dispute was between provinces and was not so crucial but after partition of sub-continent that issue arose and required international involvement for solution.

Pakistan faced the water issue from the day one, when India, the upper riparian blocked the flow of water to Pakistan from Farooz Pur headwork. India got the authority of the headworks of all rivers present in subcontinent viz Indus river, Chenab river, Bias river, Jehlem river, Sutlej and Ravi due to unjust demarcation of boundaries by Red Chilf between India and Pakistan. Chief engineers from India and Pakistan signed an agreement on 20th of December 1947, under which Pakistan could use water of Indus basin till Rabbi Crop, which ended on March 31, 1948. On April 1st India blocked the water flow to Dipulpur canal and upper Bari doab canal. The act was highly criticized by the people of Pakistan and a rumor arose among the people that India is going to convert Pakistan into a desert. Resolving the issue Pakistan sent a delegation to India where on May 4th 1948 an agreement was signed known as Delhi Agreement. Under said agreement, Pakistan has to pay for the continuous supply of water for only agricultural purpose and not for construction of dams until it manages an alternate source.

On June 16, 1949, a notice was sent by government of Pakistan to Indian Prime Minister Jawhar Lal Nehru regarding a conference “equitable apportionment of all common water” and suggested the world arbitration court to take part in the issue and bring it into their jurisdiction. But India was against the involvement of a third party. In the same year David Lilienthal, former chairman of Tennessean Valley Authority and US atomic energy commission, visited Indus basin and invited World Bank to take some interest in solving water disputes between the two rival countries.

In 1951, president of world band, Eugene Black arranged a meeting between Liaqat Ali Khan, the then prime minister of Pakistan, and India Prime Minister Jawahar Lall Nehru in Washington. In the meeting both finally agreed that neither side will reduce the flow of water without any appropriate reason.

From 1952 to 1960 a series of meetings were held for resolving the said issue, initially India was against the involvement of a third party so it took eight long years and at last in 1960 the famous Indus Water Treaty was signed by Indian prime minister Jawhar lall Nehru, field marshal Ayub khan the then president of Pakistan and W.A .B Illif president of World Bank in September 19th, 1960 in Karachi.

On 19th September 1960, with the help of World Bank, the long undissolved issue between India and Pakistan was resolved under the famous treaty know as Indus Basin Treaty (Sindh Tass agreement) in Karachi. Indus water treaty is divided into three parts, part one consists of preamble, part two contains 12 articles and part three comprising of Annexures from A to H.

**Significance of the Treaty**

Following are some of significance of Indus water treaty

1. The long conflict over water between Pakistan and India was solved and each nation became independent of the other state in apportioning its own share of water.
2. The Indus water treaty was a step toward confidence building measurement.
3. The treaty gives opportunity to each state to use the water according to their sweet will, they can construct dams, plants and can adjust according to their own choice.
4. Water war between Pakistan and India started immediate after the partition came to an end in 1960 because of the agreement.
5. For future prospects, permanent commission was founded to resolve the issues.