



Indus Waters Treaty

Prelims: Kishanganga and Ratle Hydro Electric Projects, Article IX of the IWT, Indus and its tributaries.

Mains: Indus Waters Treaty and associated implementation issues.

Why in News?

India has issued a notice to Pakistan seeking a review and modification of the [Indus Waters Treaty \(IWT\)](#) citing Pakistan's "intransigence" in resolving disputes over the **Kishanganga and Ratle (on Chenab River) hydropower projects**, both in Jammu and Kashmir.

- The notice was sent after the "contravention of the graded mechanism of dispute settlement envisaged by Article IX of the IWT."

What is the History of the Dispute over the Hydel Projects?

- In 2015, Pakistan asked that **a Neutral Expert should be appointed** to examine its technical objections to the Kishanganga and Ratle HEPs. But the following year, Pakistan unilaterally retracted this request, and proposed that a Court of Arbitration should adjudicate on its objections.
- In August 2016, Pakistan had approached the World Bank seeking the **constitution of a Court of Arbitration** under the relevant dispute redressal provisions of the Treaty.
- Instead of responding to Pakistan's request for a Court of Arbitration, **India moved a separate application asking for the appointment of a Neutral Expert.**
 - India had argued that Pakistan's request for a Court of Arbitration **violated the graded mechanism of dispute resolution in the Treaty.**
- In March 2022, the World Bank decided to resume the process of **appointing a Neutral Expert and a Chairman for the Court of Arbitration.**

What is Indus Waters Treaty?

- **About:**
 - India and Pakistan signed the IWT in September, 1960 after nine years of negotiations, **with the World Bank being a signatory** to the pact.
 - The treaty sets out **a mechanism for cooperation and information exchange between the two sides** on the use of the water of the Indus River and its five tributaries **Sutlej, Beas, Ravi, Jhelum, and Chenab.**

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The Indus Waters Treaty (IWT)

■ The distribution of waters of the Indus and its tributaries between India and Pakistan is governed by the Indus Water Treaty (IWT).

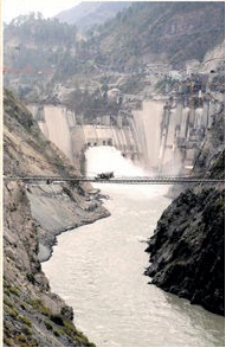
■ Was signed on Sept 19, 1960, between India, Pakistan and a representative of World Bank after nine years of negotiations.

■ Partition of India cut across the Indus river basin, which has the Indus river, plus five of its main tributaries.

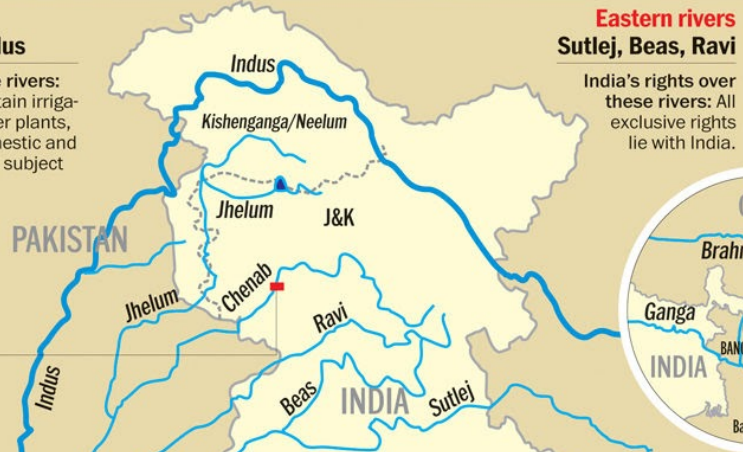
Western rivers

Chenab, Jhelum, Indus

India's rights over these rivers: Limited — can set up certain irrigation, run-of-the-river power plants, very limited storage, domestic and non-consumptive use, all subject to conditions



Baglihar dam on Chenab



Eastern rivers

Sutlej, Beas, Ravi

India's rights over these rivers: All exclusive rights lie with India.

Indus Waters Commission a success story

- Once every five years, conducts a general inspection of all rivers in parts. Total inspection tours so far: Over 100
- Regularly meets once a year. Total meetings thus far, including those for taking up Pak objections: Over 100

■ Key Provisions:

○ Water Sharing:

- The treaty prescribed **how water from the six rivers of the Indus River System would be shared between India and Pakistan.**
- It allocated the three western rivers—Indus, Chenab and Jhelum—to Pakistan for unrestricted use, barring certain non-consumptive, agricultural and domestic uses by India and the three Eastern rivers—Ravi, Beas and Sutlej—were allocated to India for unrestricted usage.
 - This means that 80% of the share of water went to Pakistan, while leaving the rest 20% of water for use by India.

○ Permanent Indus Commission:

- It also required both the countries to establish a Permanent Indus Commission constituted by permanent commissioners on both sides.
- According to the provisions **of the IWT**, the Permanent Indus Commission is required to meet at least once a year.

○ Rights over Rivers:

- While Pakistan has rights over the waters of Jhelum, Chenab and Indus, Annexure C of the IWT allows India certain agricultural uses, while Annexure D allows it to **build 'run of the river' hydropower projects**, meaning projects not requiring live storage of water.

○ Dispute Resolution Mechanism:

- The IWT provides a three-step dispute resolution mechanism under **Article IX of the Indus Waters Treaty**, under which “questions” on both sides **can be resolved at the Permanent Commission**, or can also be taken up at the inter-government level.
- In case of unresolved questions or “differences” between the countries on water-sharing, such as technical differences, either side can approach the **World Bank to appoint a Neutral Expert (NE)** to come to a decision.
 - And eventually, if either party is not satisfied with the NE's decision or in case of “disputes” in the interpretation and extent of the treaty, matters can be referred to a **Court of Arbitration.**

What is Kishanganga Hydroelectric Project?

- The Kishanganga project is located **5 km north of Bandipore in Jammu and Kashmir, India.**
- It is a run-of-the-river project that includes a **37 m tall concrete-face rock-fill dam.**
- **It requires to divert water from the Kishanganga River** through a tunnel to a power plant in the Jhelum River basin.
- It will have an installed capacity of 330 MW.
- The construction of this hydroelectric project began in 2007.
- Pakistan objected **to the project arguing that it will affect the flow of the Kishanganga River (called the Neelum River in Pakistan).**
- In 2013, The Hague's Permanent Court of Arbitration (CoA) ruled that India could **divert all the water with certain conditions.**

Way Forward

- The role of India, as a responsible upper riparian abiding by the provisions of the treaty, has been remarkable but the country is under pressure to rethink the extent to which it can remain committed to the provisions, as its overall political relations with Pakistan becomes intractable.
- IWT is often cited as an example of the possibilities of peaceful coexistence that exist despite the troubled relationship between both neighboring countries.

UPSC Civil Services Examination, Previous Year Question (PYQ)

Prelims

Q1. With reference to the Indus river system, of the following four rivers, three of them pour into one of them which joins the Indus directly. Among the following, which one is such a river that joins the Indus direct? (2021)

- (a) Chenab
- (b) Jhelum
- (c) Ravi
- (d) Sutlej

Ans: (d)

Exp:

- The Jhelum joins the Chenab near Jhang in Pakistan. The Ravi joins the Chenab near Sarai Sidhu.
- Satluj is joined by the Chenab in Pakistan. Thus, Satluj receives the collective drainage of the Ravi, Chenab and Jhelum rivers. It joins the Indus a few kilometres above Mithankot.
- **Therefore, option (d) is the correct answer.**

Q2. Consider the following pairs (2019)

	Glacier	River
1.	Bandarpunch	Yamuna
2.	Bara Shigri	Chenab
3.	Milam	Mandakini
4.	Siachen	Nubra
5.	Zemu	Manas

Which of the pairs given above are correctly matched?

- (a) 1, 2 and 4
- (b) 1, 3 and 4
- (c) 2 and 5
- (d) 3 and 5

Ans: (a)

Mains

Q. Present an account of the Indus Water Treaty and examine its ecological, economic and political implications in the context of changing bilateral relations. **(2016)**

Source: TH

PDF Refernece URL: <https://www.drishtiias.com/printpdf/indus-waters-treaty-1>

