



## Permanent Indus Commission Meeting

**For Prelims:** Permanent Indus Commission, Indus Waters Treaty, 1960, Indus and its tributaries.

**For Mains:** Indus Waters Treaty and associated implementation issues, History of Indus Waters Treaty and its effects on India-Pakistan Relations, India-Pakistan Relations.

### Why in News?

The **117<sup>th</sup> Meeting of Permanent Indus Commission (PIC)** between India and Pakistan was held.

- Earlier, the [Central government has decided to adopt a new criterion](#) for selecting members of the **Bhakra Beas Management Board (BBMB)**.

### What are the Highlights of the Meeting?

- Both sides **discussed the exchange of hydrological and flood data** during which the **Indian side underscored that all its projects are fully compliant with the provisions** of the [Indus Waters Treaty](#).
- The issue of the Fazilka drain was also discussed and Pakistan assured that all necessary action will continue to be taken to ensure the free flow of **Fazilka drain into the river Sutlej**.
  - Fazilka drain is one of 22 drains and water bodies, where untreated water of **Malwa district (Punjab, India)** is discharged.
  - The **drain is closed at the borderline of countries**, leading to stagnation in the shape of ponds and deterioration of quality of groundwater in the border area.
- Technical discussions were held **regarding ongoing projects** including [Pakal Dul, Kiru and Lower Kalnai](#).
  - The **Pakal Dul Hydro Electric Project (1000 MW)** is proposed on **river Marusudar, a tributary of Chenab river** in the Union Territory of Jammu & Kashmir.
  - **Kiru Hydro Electric Project (624 MW)** is proposed on **River Chenab**, located in Kishtwar district of Jammu & Kashmir.
  - **Lower Kalnai project is a hydroelectric power project** in the Doda and Kishtwar districts of Jammu and Kashmir.
- The Indian side explicitly **conveyed that as an upper riparian State**, India has been providing information on extraordinary discharges of water from reservoirs and flood flows every year, as mandated under the treaty.

### What is the History of the Indus Waters Treaty?

- The Indus river **basin has six rivers- Indus, Jhelum, Chenab, Ravi, Beas and Sutlej**, originating from Tibet and **flowing through the Himalayan ranges** to enter Pakistan, ending in the south of Karachi.
- In 1947, the **line of partition, aside from delineating geographical boundaries** for India and Pakistan, also cut the **Indus river system** into two.
  - **Both the sides were dependent on water from the Indus river basin** to keep their

irrigation infrastructure functional and therefore, equitable distribution was needed.

- Initially, the **Inter-dominion accord of May, 1948 was adopted**, where both countries, after meeting for a conference, decided that **India would supply water to Pakistan** in exchange for an annual payment made by the latter.
  - This **agreement however, soon disintegrated as both the countries** could not agree upon its common interpretations.
- In 1951**, in the **backdrop of the water-sharing dispute**, both the **countries applied to the World Bank** for funding of their respective irrigation projects on Indus and its tributaries, which is when the World Bank offered to mediate the conflict.
- Finally in 1960, after nearly a decade of fact-finding, negotiation, proposals by the World Bank and amendments to them, an agreement was reached between the two countries, and the Indus Waters Treaty (IWT) was signed by former Prime Minister Jawaharlal Nehru and then President of Pakistan, Ayub Khan.

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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).

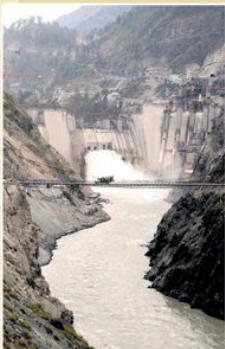
■ Was signed on Sept 19, 1960, between India, Pakistan and a representative of World Bank after eight years of negotiations.

■ 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

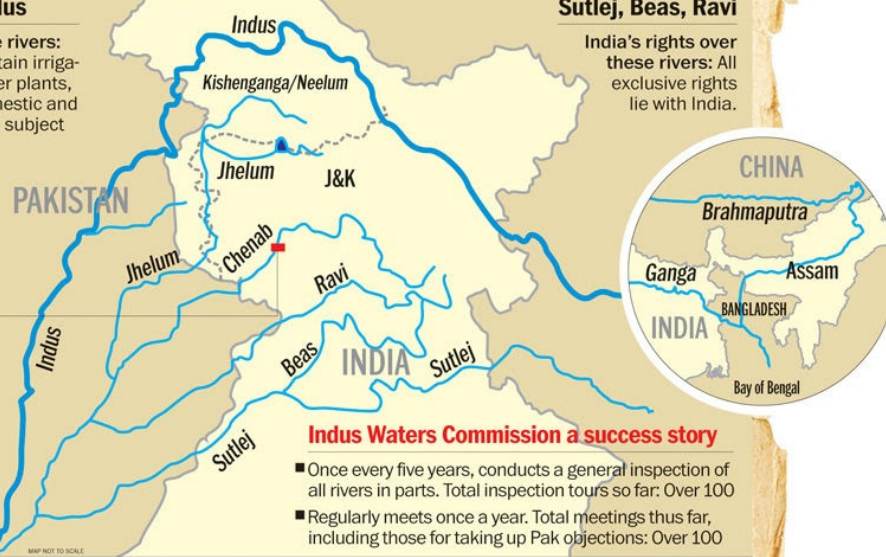


Baglihar dam on Chenab

### 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

## What are Some of its Key Provisions?

### ■ Sharing Water:

- 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 or about 135 Million Acre Feet (MAF) went to Pakistan**, while leaving the **rest 33 MAF or 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.

### ■ 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.

- **Design Specifications:**
  - It also **provides certain design specifications** which India has to follow while developing such projects.
- **Raising Objections:**
  - The treaty also **allows Pakistan to raise objections over such projects being built by India**, if it does not find them to be compliant with the specifications.
  - India has to **share information on the project design or alterations** made to it with Pakistan, which is required to respond with objections, if any, within three months of receipt.
  - Besides, **India is allowed to have a minimum storage level** on the western rivers – meaning it can store up to 3.75 MAF of water for conservation and flood storage purposes.
- **Dispute Resolution Mechanism:**
  - The **IWT also provides a three step dispute resolution mechanism**, 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 about Geopolitical Conflicts?

- In recent years, the Indus Water Treaty **has been brought up a couple of times during geopolitical tension** between India and Pakistan.
- In the aftermath of the **attack on J&K’s Uri army camp** in 2016, India said that **“Blood and water cannot flow simultaneously,”** soon after which, the **Permanent Indus Commission talks were suspended for that year** by the Indian side, which also at one point threatened to walk out of the treaty.
- Again in 2019, when the **suicide attack was carried out in Pulwama, killing 40 CRPF personnel**, India had for the first time threatened to cut off water supply to Pakistan from the Indus River System.
- Later it was clarified that **restricting Pakistan’s supply would be in violation of the IWT**, and required consideration of the Centre’s top officials.
  - IWT **does not have a unilateral exit provision**, and is supposed to remain in force unless both the countries ratify another mutually agreed pact.

## What is the Permanent Indus Commission?

- It is a **bilateral commission of officials from India and Pakistan**, created to implement and manage goals of the [Indus Waters Treaty, 1960](#).
- The Commission, according to the treaty, **shall meet regularly at least once a year**, alternately in India and Pakistan.
- The functions of the Commission include:
  - To **study** and report to the two Governments on any problem relating to the development of the waters of the rivers.
  - To solve disputes arising over water sharing.
  - To arrange technical visits to projects’ sites and critical river head works.
  - To undertake, once in every five years, a general tour of inspection of the Rivers for ascertaining the facts.
  - To take necessary steps for the implementation of the provisions of the treaty.

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