



DR. PRAMOD SAWANT
CHIEF MINISTER, GOA

No. 1-1-2019/CM/242

Dated : 25/10/2019

Dear Shri Prakash-ji

Greetings from the State of Goa.

1. I would like to bring to your urgent attention the news that approval from environmental considerations has been granted by Ministry of Forest, Environment and Climate change for the diversion of Mahadayi waters to Malaprabha basin, through a project known as Kalasa Bhanduri, alleged for drinking water purposes, by the State of Karnataka. This news was widely reported in print media and also electronic media and has shocked the citizens of the State of Goa. In this context I would like to invite your kind attention to the following.
2. Mahadayi river is the lifeline of Goa and the Mahadayi basin constitutes almost half of the territory of the State. There are five wild life sanctuaries and one bird sanctuary within the Mahadayi basin. The Mahadayi basin area is ecologically fragile and a hotspot of bio-diversity.
3. The Mahadayi Water Disputes Tribunal, which was adjudicating the disputes between the states of Goa, Karnataka, and Maharashtra for sharing of the waters of the Mahadayi basin, has given its award on 14.08.2018. However, Section 5(3) of the ISWD Act allows the parties to seek

clarifications from the Tribunal regarding the Award. Accordingly, certain clarifications have been sought from the Tribunal by all the three parties, and also by the Union Ministry for WR, RD and GR. The Tribunal is yet to provide the clarifications.

4. Further, all the States have challenged various portions of the Award before the Hon'ble Supreme Court, by filing Special Leave Petitions in Supreme Court. The matter is presently *sub-judice* in the Apex Court.
5. The Union Government is yet to notify the Award given by Mahadayi Water Disputes Tribunal.
6. Clause X of the Award provides that any project in Karnataka can be taken up only after the State of Karnataka prepares revised DPR for the proposed use; the revised DPR of the diversion scheme at Kalasa Dam site is appraised by the Central Agencies and is duly cleared; all mandatory clearances are obtained as per law; and the revised DPR is duly approved either by the Mahadayi Water Management Authority or the Union Government.
7. The said Mahadayi Water Management Authority is yet to be constituted by the Union Government. If the State of Karnataka has prepared the revised DPR and has obtained approval for the same from the Union Government, the said DPR has not been shared with the state of Goa.

8. It seems vide their letter No. J-12611/2019-IA(R) dated 17th Oct 2019, the Ministry of Environment, Forests & Climate Change has conveyed to the State of Karnataka that the Kalsa-Bhanduri project being a drinking water project, does not need environmental clearance. It is not understood on what basis the Ministry reached this conclusion, that the said project is purely a drinking water project. The pleadings of the State of Karnataka and also the evidence produce by their witnesses before the Tribunal, clearly indicate that one of the purposes of this project is to augment irrigation in the Malaprabha project command.
9. Further the State of Karnataka has not modified their DPR and the size of their structures on line of directives of Award given by the Mahadayi Water Disputes Tribunal.
10. In the light of above, I request you to direct Ministry of Environment, Forests & Climate Change to immediately withdraw the letter No. J-12611/2019-IA(R) dated 17th Oct 2019. It would also be in right perspective if team of your Ministry conducts a visit to the site along with representatives of basin states to inspect and get a first hand information of the actions of the State of Karnataka of actually diverting waters of Mahadayi basin to Malaprabha basin in contravention of even the directives of the Tribunal. I also request you to direct the Ministry to not entertain any further request from the State of Karnataka for any kind of clearance for a project in the Mahadayi basin, whether the Environmental Clearance, forest clearance, wild life clearance, etc. till the disputes are

finally resolved by the Apex Court, the clarifications as sought are given by the Tribunal and the Award is notified by Union Government and made operative.

With regards,

Yours sincerely,



(Dr. Pramod Sawant)

**To,
Shri. Prakash Javadekar,
Union Minister for Environment, Forests & Climate Change,
Ministry of Environment, Forests & Climate Change,
Shastri Bhawan,
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