

## The Treaty

The Indus System of Rivers comprises three Eastern Rivers (the Sutlej, the Beas and the Ravi) and three Western Rivers (the Indus, the Jhelum and the Chenab).

The average annual flow of the Rivers of Indus System is as under:

Eastern Rivers	Western Rivers	TOTAL
41 BCM ( 33 MAF)	166 BCM (135 MAF)	207 BCM (168 MAF)

Under the Treaty, the waters of the Eastern Rivers stand allocated to India and those of Western Rivers largely to Pakistan.

The Treaty fixes and delimits the rights and obligations of India and Pakistan in relation to each other, concerning the use of the waters of the Indus System of Rivers.

The Treaty comprises of a Preamble and following 12 Articles and 8 Annexure:

Article I	DEFINITIONS
Article II	PROVISIONS REGARDING EASTERN RIVERS
Article III	PROVISIONS REGARDING WESTERN RIVERS
Article IV	PROVISIONS REGARDING EASTERN RIVERS AND WESTERN RIVERS
Article V	FINANCIAL PROVISIONS
Article VI	EXCHANGE OF DATA
Article VII	FUTURE CO-OPERATION
Article VIII	PERMANENT INDUS COMMISSION
Article IX	SETTLEMENT OF DIFFERENCES AND DISPUTES
Article X	EMERGENCY PROVISIONS
Article XI	GENERAL PROVISIONS
Article XII	FINAL PROVISIONS
Annexure A	EXCHANGE OF NOTES BETWEEN GOVERNMENT OF INDIA AND GOVERNMENT OF PAKISTAN
Annexure B	AGRICULTURAL USE BY PAKISTAN FROM CERTAIN TRIBUTARIES OF THE RAVI
Annexure C	AGRICULTURAL USE BY INDIA FROM THE WESTERN RIVERS

Annexure D	GENERATION OF HYDRO-ELECTRIC POWER BY INDIA ON THE WESTERN RIVERS
Annexure E	STORAGE OF WATERS BY INDIA ON THE WESTERN RIVERS
Annexure F	NEUTRAL EXPERT
Annexure G	COURT OF ARBITRATION
Annexure H	TRANSITIONAL ARRANGEMENTS

Of the above, Article V relates to contributions to be made by India towards the cost of replacement works to be constructed by Pakistan for drawing water from the Western Rivers in lieu of water supplies for irrigation canals in Pakistan which on 15th August, 1947 were dependent on water supplies from the Eastern Rivers. Since India has already made its contribution amounting to Pounds Sterling 62,060,000 to the World Bank, this Article is no more valid. Similarly, Annexure H relating to Transitional Period during which Pakistan was supposed to complete its replacement works besides receiving the waters of the Eastern Rivers in accordance with the provisions of the Annexure H, is no more valid as Transition period was only upto 31st March, 1970 or if extended, upto 31st March, 1973 only.

### **Agriculture use permitted to India from Western Rivers**

Over and above 6.42 lakh acres being irrigated by India from the Western Rivers on the Effective Date i.e. 1.4.1960 and the permissible withdrawals from the Ranbir and Pratap Canals, India is entitled to irrigate additional irrigated cropped area (ICA) as per details given below: -

Name of the river	The Indus	The Jhelum	The Chenab	TOTAL
ICA in acres	70,000	4,00,000	2,31,000	7,01,000

A restriction has however been put on India that until India can release water from the conservation storage as defined in Annexure E of the Treaty, the new areas developed by withdrawals from river flow shall not exceed the following: -

Name of the river	The Indus	The Jhelum	The Chenab	TOTAL
ICA in acres	70,000	1,50,000	50,000	2,70,000

## Storage Permitted to India on Western Rivers

In accordance with the Indus Waters Treaty, the aggregate storage capacity of all single purpose and Multi-purpose reservoirs which may be constructed by India after Effective Date shall not exceed the following: -

River System (1) (2)		Conservation Storage Capacity		Flood Storage Capacity (M.A.F.) (5)
		General Storage Capacity (M.A.F.) (3)	Power Storage Capacity (M.A.F.) (4)	
(a)	The Indus	0.25	0.15	Nil
(b)	The Jhelum (excluding the Jhelum Main)	0.50	0.25	0.75
(c)	The Jhelum Main	Nil	Nil	As provided in Paragraph 9 of Annexure E to the Treaty
(d)	The Chenab (excluding the Chenab Main)	0.50	0.60	Nil
(e)	The Chenab Main	Nil	0.60	Nil

Provided that

- (i) the storage specified in Column (3) above may be used for any purpose whatever, including the generation of electric energy;
- (ii) the storage specified in Column (4) above may also be put to Non-Consumptive Use (other than flood protection or flood control) or to Domestic Use;
- (iii) India shall have the option to increase the Power Storage Capacity specified against item (d) above by making a reduction by an equal amount in the Power Storage Capacity specified against items (b) or (e) above.

## Permanent Indus Commission

Article VIII of the Indus Waters Treaty provides for constitution of Permanent Indus Commission. In accordance with the Treaty both India and Pakistan have each created a post of Commissioner for Indus Waters. The two Commissioners together constitute the Permanent Indus Commission whose purpose is to establish and maintain co-operative arrangements for

the implementation of the Treaty, to promote co-operation between the Parties in the development of the waters of the Rivers and to settle promptly any question arising between the Parties. Unless either Government decides to take up any particular question directly with the other Government, each Commissioner will be representative of his Government for all matters arising out of the Treaty and will serve as a regular channel of communication in all matters relating to implementation of the Treaty.

The Commission is also required to undertake periodical inspection of the Rivers for ascertaining the facts connected with the various developments and works on the Rivers. 106 visits have so far been undertaken, the last being in March, 2007.

The Commission has also to meet regularly at least once a year, alternately in India and Pakistan and to submit to the Govt. of India and Govt. of Pakistan, before the first of June of every year, a report on its works for the year ended on the preceding 31st March, and may submit to the two Governments other reports at such times as may be considered necessary. The Commission may also meet when requested by either Commissioner. So far, 99 meetings of the Permanent Indus Commission have been held. The last meeting was held in New Delhi during May/ June, 2007.

### **Data being supplied to Pakistan**

In fulfillment of the obligations of Indus Waters Treaty, India has supplied the requisite data of 29 Hydel Projects including Small Plants, Run-of-River Plants and a Storage Work to Pakistan. Every month, the data with respect to the flows in and utilization of the waters of the rivers of Indus Basin are being exchanged. Also every year before 30th November, India furnishes to Pakistan the data of Irrigated Cropped Area (ICA) from the Western Rivers.

As per the provisions of the Indus Waters Treaty, flood flows of rivers the Ravi, the Sutlej, the Beas, the Jammu Tawi, the Chenab and the Jhelum were being transmitted to Pakistan through telegram since 1962. Broadcasting of flood flows of rivers the Ravi, the Jammu Tawi and the Chenab are also being done since 1974. Subsequently on the request of Pakistan, the Commissioners for Indus Waters of India and Pakistan agreed in 1989 to communicate the flood flows of rivers the Ravi and the Sutlej to Pakistan on telephone and on river Chenab & Jammu Tawi by telegram & Radio Broadcast during the period 1<sup>st</sup> July to 10<sup>th</sup> October every year. A control room is operated round the clock in the Indus Wing for the above purpose. From the year 2006 on request of Pakistan communication of flood flow information by telegram has been replaced by telephone. No cost is being charged to Pakistan for communication of flood flow even though the Treaty provides for the same. This is purely a goodwill gesture from our country towards Pakistan in response to the request made by Pakistan on humanitarian ground.

## Achievements

### On Eastern Rivers

With Bhakra Nangal, Pong, Pandoh and Ranjit Sagar reservoirs already completed, envisaged storage reservoirs for harnessing 33 MAF of Eastern Rivers are available. Also against 17480 MW hydro electric potential (installed capacity) on the Eastern Rivers, projects having about 7299 MW installed capacity have already been completed and projects having 4411 MW installed capacity are in different stages of construction.

### On Western Rivers

Since India has not built any Conservation Storage on Western Rivers, India can develop irrigation by withdrawals from river flow only within the restricted area of 2,70,000 acres over and above the area as on effective date. India could irrigate an area of 8,08,231 acres against permissible of 9,12,477 acres during the year 2005-06 as per details given below:

Basin	I.C.A. as on the effective date (Acre)	Additional ICA permissible(Acre)	Net ICA permissible (Acre)	Total I.C.A. achieved in 2005-2006 (Acre)
Indus	42,179	70,000	1,12,179	51,256
Jhelum	5,17,909	1,50,000	6,67,909	6,49,625
Chenab	82,389	50,000	1,32,389	1,07,350
Total	6,42,477		9,12,477	8,08,231

Also against identified 18653 MW of Installed capacities from Western Rivers, projects having installed capacity of about 1,865 MW have already been completed and projects having installed capacity of about 1,223 MW are in different stages of construction.