

**FARAKKA DISPUTE : THE BONE OF CONTENTION
BETWEEN INDIA AND BANGLADESH**

*Dissertation submitted to the Jawaharlal Nehru University
in partial fulfilment of the requirements
for the award of the degree of*

MASTER OF PHILOSOPHY

Submitted by

SANCHITA DASGUPTA

CENTRE FOR POLITICAL STUDIES
SCHOOL OF SOCIAL SCIENCES
JAWAHARLAL NEHRU UNIVERSITY
NEW DELHI - 110067

INDIA

1995

To

Maa, Baba
Baby and Ranabir
and
Didi
Nandita



जवाहरलाल नेहरू विश्वविद्यालय
JAWAHARLAL NEHRU UNIVERSITY
NEW DELHI-110067

CENTRE FOR POLITICAL STUDIES
SCHOOL OF SOCIAL SCIENCES

21 July 1995

CERTIFICATE

Certified that the dissertation entitled "FARAKKA DISPUTE:
THE BONE OF CONTENTION BETWEEN INDIA AND BANGLADESH" submitted
by Ms. Sanchita Das Gupta in partial fulfilment for the award
of the degree of Master of Philosophy (M.Phil) of this
University is her original work and may be placed before the
examiners for evaluation. This dissertation has not been
submitted for the award of any other degree of this or any
other University to the best of our knowledge.

(PROFESSOR KIRAN SAXENA)
CHAIRPERSON

(PROFESSOR ASHWINI KUMAR RAY)
SUPERVISOR

**CHAIRPERSON
CENTRE FOR POLITICAL STUDIES,
SCHOOL OF SOCIAL SCIENCES-II,
JAWAHARLAL NEHRU UNIVERSITY,
NEW DELHI-110067,**

CONTENTS

	<u>Pages</u>
<i>PREFACE</i>	
<i>ACKNOWLEDGEMENTS</i>	
INTRODUCTION	1-19
CHAPTER I	20-37
DECLINE OF THE CALCUTTA PORT AND THE FARAKKA DISPUTE IN HISTORICAL PERSPECTIVE	
CHAPTER II	38-59
SHARING OF THE GANGA WATERS: OUTCOME OF THE NEGOTIATIONS	
CHAPTER III	60-74
THE IMPACT OF GOVERNMENTAL CHANGES	
CHAPTER IV	75-92
THE LEGAL ASPECT OF THE DISPUTE AND THE ROLE OF THE UN, SAARC AND THE FOREIGN POWERS	
CONCLUSION	93-98
BIBLIOGRAPHY	99-103
APPENDICES	
Appendix I	i
Appendix II	ii-iv

PREFACE

Disputes on the sharing of the waters of an international river have traditionally been surcharged with politics. Yet politics of the better kind imbued with enlightened self interest can overcome difficulties and bring about a settlement. But the Indo-Bangladeshi river water dispute is yet to reach an amicable settlement.

The Ganga is a perennially flowing river is divided into two arms nearly 40 kms below Farakka after crossing UP and Bihar in India. The left arm is called Padma and flows eastward into Bangladesh and the right arm called Bhagirathi continues to flow to south in West Bengal. The Indian government planned to construct the Farakka barrage to divert minimum water from the Ganga so as to open up the Bhagirathi which suffered from high salinity, heavy silting for low water level and to free Calcutta port from the threat of extinction.

The water sharing issue remains a highly emotive issue in Bangladesh rendering it a convenient rallying point for anti-Indian forces in Bangladesh politics. This is not so in India still the Indian government could not afford to sacrifice her national interest to gain confidence of her neighbour. Both India and Bangladesh for their own political interest and stability of the South Asian region should sincerely work for resolving the Farakka Dispute.

The continuing conflict over the Ganges water allocation stands in the way of a better Indo-Bangladesh relation. The study examines the problems from its genesis to the present stalemate situation. Water is very important for human existence. But the Farakka dispute is yet to witness any solution. In this study an attempt has been made to involve a wide spectrum of concerns such as techno-economic, political, geographical as well as legal issues. Each of the above is inter-related so the study attempts to survey all the aspects as far as possible.

The introductory chapter deals with a wide range of ideas like the importance of the Ganga, the dependence of India and Bangladesh on the Ganga water and the genesis of the Farakka dispute in nutshell.

Chapter I deals with the importance of the Calcutta port which is the only riverine port in India and facing problems because of the low water level in Bhagirathi-Hooghly. The growing decline of the Calcutta port threatens the economy of the eastern India as well as of Nepal and Bhutan. For its own economic interest India constructed Farakka barrage and also for the security of the Calcutta port. So the Indian Government cannot afford to offer Bangladesh all that it might be inclined to claim.

Chapter II deals with the account of the ministerial as well as the secretarial level meetings on the sharing of the Ganga waters which are yet to bear any fruitful result.

With the change of the political leaderships in India and Bangladesh, the nature of Indo-Bangladesh relations also changes. Chapter III is an attempt to analyse this aspect. At times there is a more positive approach towards solving the dispute and at times it is far from so.

Chapter IV deals with legal aspect of the Farakka dispute. The international law should be made more comprehensive with regard to the river water issue and should be accepted by the riparian states. The UN is supposed to be a platform to discuss international dispute but it is yet to prove its credibility in solving Farakka dispute which it thinks should be solved bilaterally by India and Bangladesh.

In the concluding chapter an effort has been made to analyse the nature of the dispute along with suggestions to solve it.

ACKNOWLEDGEMENTS

The prolonged deadlock between India and Bangladesh on the sharing of the waters of the Ganga provides a good illustration of the erratic course of a river water dispute. It is a singular piece of luck for me to have Professor Ashwini Kumar Ray as my supervisor who inspired me to work on the Farakka dispute which is the major irritant between India and Bangladesh. Professor Ray gave me free access whenever I was in difficulty on any aspect of my dissertation in spite of his multifarious preoccupations. Formal expression of gratitude are not enough for what I really owe to him.

I wish to thank another eminent personality Dr. Khurshida Begum of Jahangirnagar University, Dhaka for her valuable comments and suggestions.

I am specially indebted to the staff members of the JNU Library (New Delhi), Central Secretariat, Library (New Delhi), Bangladesh High Commission Library (Calcutta).

I owe special thanks to Mr. T.M. Varghese for typing my dissertation in record time.

I am grateful to Mr. D.K. Das Gupta, Dr. Vinod Agrawal and Mrs. Mamta Agrawal for their interest and encouragement in my studies.

In addition to them I owe special thanks to all my friends in JNU who are numerous to write by name.

Last but not the least, no words of appreciation are sufficient to express my gratitude to my parents for their active encouragement and moral support and my sister Nandita who is always there with me to share my joy and sorrow.

Sanchita Dasgupta
SANCHITA DAS GUPTA

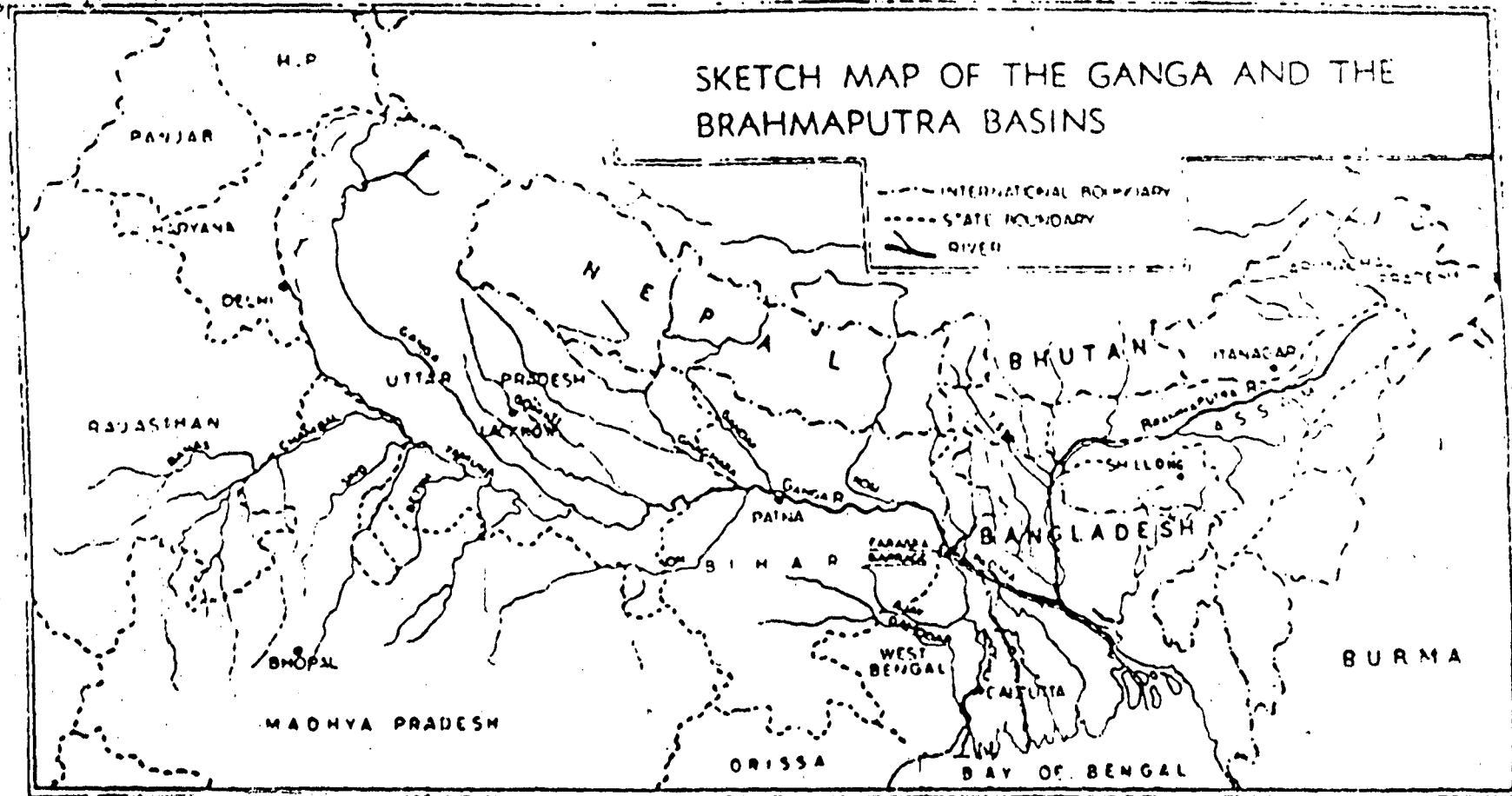


Fig - I

INTRODUCTION

Says the Mahabharata:

To repeat the name of Ganga brings purity, to see her secures prosperity, to bathe in or drink her waters saves seven generations of our race.... There is no place of pilgrimage like the Ganga....

The Ganga, we are told, descended from heaven. For a thousand years a devout prince stood with his hands upraised, praying for water to enable him to make the funeral oblations for the ashes of his 60,000 kinsmen. Finally when the waters of the Ganga were released from heaven and the river reached the earth, the prince mounted his chariot and drove towards the spot where the ashes of his kinsmen lay.¹

The Ganga is a perennially flowing international river having its drainage basin spread over China (Tibet), India, Nepal and Bangladesh. Rising at an elevation of about 23,000 feet in Gangotri in the Uttarkashi district of India on the southern slope and traversing from the north and northwest of India to the east and southeast direction fertilises a vast tract of land of its basin area.

A number of tributaries originating in the Himalaya of China, Nepal and India join the Ganges from the left (north). These include the Ram Ganga, Gomti, Gandak, Karnali (Ghaghra), Kosi and Bagmati. The Yamuna rising from the Himalaya near the head waters of the Ganges flows along a course roughly parallel

1 Ruskin Bond, 'Petals on the Ganga' *Indian and Foreign Review* 15th February, 1987, p.19.

to that of the Ganges to join it from the right (south) below Allahabad.

The Ganga, a snow-fed Himalayan river and heavily laden with detritus flows sluggishly west to east through the central-southern part of the middle Ganga plain. In the Eastern UP plain while the Ganga receives the Saryupar waters through the Ghaghara joining it west of Patna (near Chhapra) most of the water of the Ganga-Ghaghara Doab east are received directly through independent large and small tributaries, the Gomti, the Chhoti Saryu, the Mangai, the Besu and the Gangi in the Gomti-Ghaghara interfluvium while the Varuna is the only important stream in the Gomti-Ganga interfluvium.

The drainage system of the lower Ganga plain is constituted by the tributaries and distributaries of the Ganga and the Brahmaputra, along with some insignificant systems (the Kasai, the Subarnarekha etc.), discharging into the Bay of Bengal and draining the south-west part of the region. Conspicuously enough the Padma and the Bhagirathi, both distributaries of the Ganga, delimit the areas prone to the action of the distributaries within the fork and that of the tributaries outside it. A host of streams, such as the Mahananda, the Karotoya, the Tista, the Sankosh etc. descend from the Himalaya and rush to their main streams almost parallel, a pattern common to the Himalayan rivers east of the Kosi. The north west opening forks common to the systems west of the Kosi are insignificant in these basins, though both the

groups are similar in their flow, siltation and east west oscillation characteristics of the channels. The river Bhagirathi-Hooghly in which the port of Calcutta is situated branches off from the right (south bank of the Ganges) a short distance above the point of entry of the Ganges into Bangladesh. After crossing the Indo-Bangladesh border, the Ganges forms the boundary of the two countries for a distance of about 80 miles. Then it flows for another 70 miles wholly through Bangladesh before it joins the river Brahmaputra-Jamuna at Goalundo. Further down at Chandpur their combined course (known as the Padma) meets the river Meghna before flowing into the Bay of Bengal. Since the Himalayan rivers traverse through poorly consolidated sedimentary rocks affected by folds, faults and thrusts, there is greater erosion and removal of silt. Landslide debris also add to the river sediment. Due to high gradient and tremendous velocity these rivers are highly erosive. The eroded material (pebbles, cobbles and boulders) act as excellent cutting tools to carve out deep gorges which have ben steepened by periodic uplifts. Headward erosion has also been active and this has resulted in what is known as river piracy.

The historical and geographical proximity of Bangladesh with India makes the "India factor" an important variable in the making of foreign policy of Bangladesh. Bangladesh governmental leaders from Sheikh Mujibur Rahman to Begum Khaleda Zia have never failed to emphasize the maintenance of

friendly relations with India. The Indians too have time and again expressed similar sentiments. It has been argued that there are two options that a weak country may pursue, vis-a-vis a strong neighbour in its region. One is what Erling Bjol, has described "pilot fish" behaviour i.e., keeping close to the shark to avoid being eaten.² This option might be adopted at the bilateral level. The other is a multilateral option that a weak state might adopt. In this case the weaker state tries to make herself as difficult as possible for the larger state to overcome. This Bangladesh has been trying to do by getting herself involved into as many as international networks as possible to distance itself from India and raise the political costs of involvement.

The present state of relationship between India and Bangladesh is a relationship of sunshine and clouds, sometimes a little more sunshine than clouds often more clouds than sunshine. The clouds are in the minds of the people who run the affairs of the countries. It is almost a national conviction in Bangladesh that India most uncaringly denies them their legitimate share of the waters of the Ganga from the Farakka Barrage. And when there is too much water in the Farakka dam India opens up the gates and huge stretches of land in Bangladesh are submerged in floods. In dry winter the areas of Bangladesh around Hardinge Bridge are parched and cracked

2 Erling Bjol, "The Small State in International Politics", in August Schou and Arne Alave Brundtland, eds., *Small States in International Relations* (Stockholm, 1971).

like a famine-stricken land cruelly starved of water. Bangladeshis from the government official to the academic to the farmer join in a national cry for more water when it comes to the bilateral relations between Bangladesh and India.

The cry does not determine policy. For development Bangladesh must work with India. It has no other neighbour that can help in development. The sharing of Ganga waters is the major irritant in Indo-Bangladesh relations. The Bangladeshi politicians have been able to derive some mileage out of exploiting what is a very emotive issue, the Indian government on the other hand had probably felt that being the upper riparian it can adopt a rigid stance.

DEPENDENCE OF INDIA ON THE GANGES

Jawaharlal Nehru described the river Ganga as "...the story of the Ganga from her source to sea, from old times to new is the story of India's civilisation and culture."³ He also said that the Ganga especially is the river of India, beloved of her people round which are intertwined her racial memories, her hopes and fears. She has been a symbol of India's age long culture and civilisation.

The Ganga basin has by far the largest gross sown area of nearly 58 million ha. The Gangetic basin has approximately one third of the cultivated area north of the river and the balance south of the river. The percentage of gross cultivated area to

3 J.L.Nehru, *The Discovery of India*

cultivable area is high being about 95 percent. Only a third of this area is irrigated the rest being only rain fed.

For India the Ganges waters have several uses in a vast area. However, her main concern have been the Calcutta port. Due to siltation in the river bed, there has been a gradual shifting in the course of the Ganges which resulted in the scarcity of waters in the Calcutta port.

DEPENDENCE OF BANGLADESH ON THE GANGES

Nearly thirty million people or one-third of the total population of Bangladesh depends on the Ganga. The river water is used for many purposes like it provides drinking water, sustains the soil and supports agriculture, maintains fish life, forests and fauna, serves as the main artery of communication and checks the intrusion of saline water from the Bay of Bengal. The water maintains the environment and ecology of the region and constitute the main potential for future development. The Ganges river system serves about thirty seven percent of the total area of Bangladesh.

India is making renewed efforts to resolve her differences with Bangladesh, the eastern neighbour she had helped to liberate from Pakistan in December 1971. The major stumbling block in the way of good neighbourly relations between them has been the question of sharing the waters of the Ganges at Farakka, 20 km from the border where India commissioned a massive barrage in 1975.

It is true that over the past centuries because of the low density of population and the somewhat rudimentary character of their eco system, the inhabitants of the Ganges basin area hardly felt the need for any large scale economic utilization of its water. But in recent years, the situation has totally changed and the uses of the Ganges water are no longer limited to non-economic or small scale economic activities. The manifold uses to which its water has been put have made it an integral part of the daily life of its riparians.

Both the riparians are developing agricultural countries where enormous population increases have placed extraordinary great pressure on the limited available arable land. As a consequence the urgency of bringing arid lands under cultivation to feed increasing mouths has become paramount.⁴ Unless an additional supply of water can be assured, arid lands cannot be brought under cultivation. In fact there are two dimensions to the problem of sharing Ganga water, one, the international issue of long term optimal sharing of the (seasonally) scarce water among the arid and semi-arid states and two, the international issue that is showing signs of attaining the dubious distinction of being the perennial bone of contention with our neighbour Bangladesh.

GENESIS OF THE DISPUTE

The birth of Pakistan in 1947 as a separate political entity triggered the problem of the sharing of the river waters

4 *Foreign Affairs Record*, vol.23, August 1977.

between India and Pakistan. Both the sharing of the Indus and Pakistan. Both the sharing of the Indus and the Ganges generated a lot of controversy. The dispute over the Ganges began after India started preliminary planning for the Farakka barrage in 1951. Pakistan objected to it as it would have affected the flow of the Ganges waters in to East Pakistan.⁵ India believed that there would not be scarcity of waters in East Pakistan as sufficient waters were available in the Ganges.⁶ The issue remained unresolved. In 1957 Pakistan suggested to seek the advisory and technical services of a UN body to which India did not agree. Pakistan also suggested for United States advise and raised the Ganges water issue at the International Water and Peace Conference held at Washington in 1967 and Afro-Asian Legal Consultative Committee meeting in 1968.⁷ In July it was agreed by the two countries to discharge a certain amount of waters into East Pakistan from Farakka.

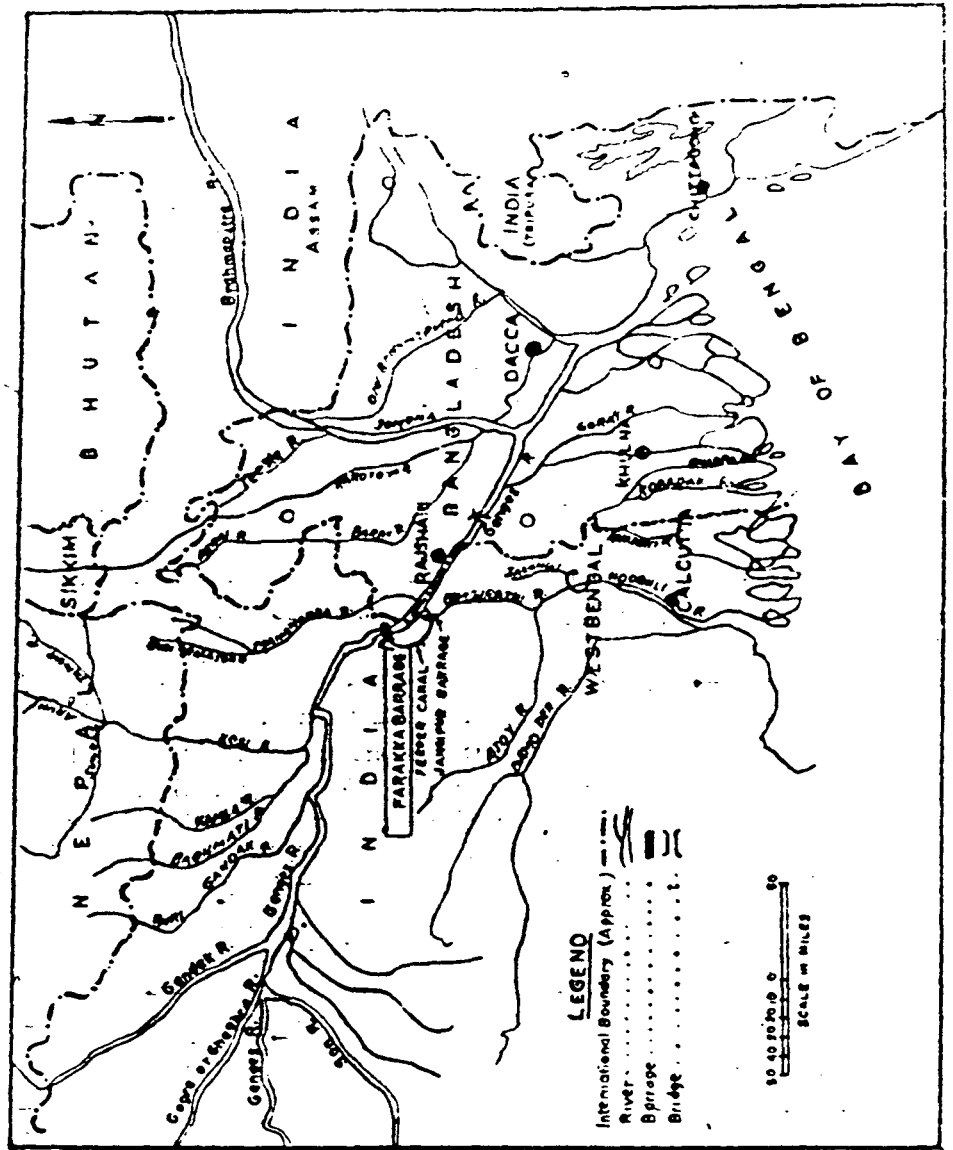
While both the countries succeeded in settling the Indus issues the Ganges water's issue remained unresolved. It is in fact doubtful if Pakistan was sincere about resolving the water problems of East Pakistan. India too was reluctant and did not

5 Chandrika J.Gulati, *Bangladesh Liberalism to Fundamentalism* (New Delhi, 1988), p.112.

6 Kuldeep Singh, *India and Bangladesh* (New Delhi, 1983), p.79.

7 R.K.Dixit, "Indo-Pakistan talks on Farakka Barrage and Related Matter", *Indian Journal of International Law*, vol.9, 1969, p.21.

Figure II Location of the Farakka Barrage



want Pakistan's influence in the implementation of the Farakka project.

1. What is Farakka?

The Farakka barrage that took more than a decade to build became operational on April 21, 1975 after an agreement with Dacca (before the coup) for its running on a short-term basis.

The 2,244 metre long barrage with 109 bays diverts waters from the Ganges into the Hooghly river to flush out silt and make it easier for hundreds of ships that call at Calcutta port every year. A feeder canal, 151 metres wide and six metres deep takes off from the right bank of Farakka and then tails off into the Bhagirathi river on the down stream near Jangipur town, 39 km away. Atop the Farakka barrage is a road cum rail bridge, which was opened to link Calcutta with North Bengal and the eastern Indian state of Assam.⁸

2. Additional Benefits from Farakka

It will reduce the frequency and intensity of great tidal waves which move up the Hooghly and affect ships going up to down from Calcutta. It will reduce the content of salt in the water at Calcutta and thus improve it for drinking and use in factories.

3. Why India has taken up the Farakka Project

The port of Calcutta which is situated on the banks of Hooghly (126 miles away from the sea) is India's premier port serving the needs of a vast hinterland extending over the

8 "Welcome Breakthrough", *Financial Express*, 22 April 1975.

states of Assam, Bihar, Madhya Pradesh, Orissa, Sikkim and UP and it also serves the land locked Himalayan kingdoms of Bhutan and Nepal.⁹ In not too distant past, Calcutta port, serving the highly industrialised areas of the country, was the most important amongst the major ports. Now it ranks fifth amongst the major ports in India as it used to handle about 50 percent of the country's sea-borne trade. There has been regular decline in the sea-going vessels visiting the port. This is not only because of the growing size of the vessels but mainly due to the navigational hazards of Hooghly.

The Hooghly near Calcutta and down stream was suffering from four main problems high salinity, heavy silting, poor navigability due to 16 sand bars, 5 or 6 sharp bends and 100 or so sunken ships and an increasing frequency and intensity of tidal bores with the lowering of the water level. Ten million tonnes of silt enters the river every year from the sea with the high tide. The monsoon flood in the Hooghly flushes 6 million tonnes back to the sea leaving behind an accumulating balance of 4 million tonnes every year which is slowly but regularly choking the river section. Massive dredging operations had been undertaken time to time to keep the shipping channel clear but the silt continues unabated.

As the Hooghly received water from the Ganges only during three months of the flood season, Farakka barrage was designed to divert waters from the Padma to save the port and ensure

9 "Farakka Issue", *Link*, 29 February 1976, p.17.

drinking water supply for the city of seven million inhabitants. The purpose of the Farakka barrage is to divert minimum of water from the Ganga so as to open up the Bhagirathi and free Calcutta port from the present threat of extinction.

The sticking point for Indo-Bangladesh negotiations is how water from the Ganges is to be shared during the three dry season months (March, April and May). During the rest of the year there is more than sufficient water for India to divert some of it without depriving Bangladesh, but during the dry season the average minimum discharge below Farakka is estimated at only 55,000 cusecs (cubic feet per second).

In the event, sporadic border incidents, tensions over the sharing of Ganga waters, the claims and counter claims over the newly emerged Bay-islands etc. emerged as the major areas of mutual contention between the two countries. India maintained that operation of Farakka Barrage was essential to maintain a steady flow to flush out Hooghly river and supply fresh water to Calcutta. It was also concerned about the threat to Calcutta and Haldia ports through stagnation and excessive salination, as also its own needs of irrigation in UP and Bihar. Bangladesh on its part contended that withdrawal of waters by India during the dry (lean) season left insufficient water for the former. Over the years, diversion of water had, it maintained, led to steady rise in the salinity content of rivers, threatening both agriculture and forestry in the

affected areas. The navigability of its rivers had also been, it was added, reduced considerably.

Even though several short-term agreements were signed over the years between the two countries, sharing of Ganga waters continued to remain an irritant in Indo-Bangladesh relations. At one stage, Bangladesh also sought to internationalize the issue by taking the matter to the UN charging India with unilaterally diverting the Ganga waters. It warned that unless the issue was solved expeditiously, it could lead to conflict, affecting the peace and tranquillity of the whole region. India maintained that any discussion of the issue in an international forum would only complicate matters and stall bilateral negotiations between India and Bangladesh. India has added that the solution of the problem lies in the augmentation of water flow in the Ganga.

It is clear that the attempts made by the two countries towards resolving the water crisis has not been fruit bearing from a long term perspective. On the contrary it has complicated the whole issue. Let us try to understand the major problems and constraints involved in this water tangle.

1. The water diplomacy is a sensitive issue. The co-basin countries require a shared confidence in order to utilise river waters on a mutually advantageous basis. But unfortunately the mistrust and misunderstanding has loomed large in inter-state relations in South Asia. It is a fact that India has a dominant position in South Asia. The Indo-centric nature of

the region has created ambiguities in power relations between India and the smaller states. Bangladesh has believed that it may not seek equal benefits regarding the sharing of river waters through bilateral negotiations with India. The big power-small power complex has given rise to a peculiar type of fear psychosis in the minds of the smaller states, and their problems seem to be of protecting their national interests.

2. The domestic and foreign policy compulsions of the ruling elite of Bangladesh has led to the politicisation of river waters. The issue of sharing river waters has been related to India's so-called hegemony and domination, whenever it has been deemed necessary by the ruling elite to divert public opinion, to aggravate popular sentiments, to gain support of the masses or when they are under pressure from opposition political forces within the country. It may be noted that the military regimes of Bangladesh have often tried to create an external issue to mobilise internal political support, of which river waters has been quite prominent.¹⁰ This kind of perception has naturally prevented them from adopting a cooperative attitude over the issue of sharing the Ganges waters.

3. There have been differences regarding the approaches to cooperation between the riparian countries. While India has strictly adhered to a bilateral approach, Bangladesh has not been consistent in its approach. On the one hand she has

10 Nondita Bhatnagar, "Development of Water Resources in South Asia", in Bhabani Sengupta, ed., *Regional Cooperation and Development in South Asia*, 1986, p.59.

entered into bilateral negotiation with India, and on the other hand advocated trilateral negotiations by demanding Nepal's inclusion, and at the same time attempting to follow a multilateral approach. In fact, Bangladesh' insistence upon trilateral or multilateral approach has been based upon her perceived fear of Indian hegemonism which has in actually delayed an amicable solution to the problem.

4. The divergent and contradictory proposals put forward by the two countries have also resulted into delays in working out a permanent solution to the Ganges water dispute. India's proposal of the Ganga-Brahmaputra link canal has not been acceptable to Bangladesh while India does not accept the Bangladeshi proposal of constructing storage dams in India and Nepal. Both seem to have adopted a blind attitude towards each others proposal instead of studying the proposal with an open mind and working out a commonly acceptable solution.

5. Bangladesh's attempts to internationalise the issue of water resource have proved to be counter-productive. The ruling elite of Bangladesh has tried to raise this issue at international forums, according to their own requirement and convenience. It has only proved to be a delaying tactics India has believed that internationalisation of the problem has been done at the expense of her interest and it would encourage external involvement in the region.

6. The international law provides some regulations regarding upper-lower riparian conflict. But they have serious

limitations and lack of clarity.¹¹ From the legal point of view three issues are pertinent for Bangladesh in the case of sharing the Gange waters:

- (1) Is the upper riparian country (India) entitled to withdraw water according to her own needs?
- (2) Is the lower riparian (Bangladesh) can insist upon natural flow of waters regardless the needs of the upper riparian?
- (3) Can the lower riparian object to water resources development plans of the upper riparian?

From the point of view of Bangladesh these objectives would be legal and justified but international law does not protect them unless these are accepted and ratified by the concerned parties under a separate agreement. Even when Bangladesh raised this issue in UNO it was suggested to resolve the problem through bilateral negotiations. It is also believed that Bangladesh has not been able to make a strong legal case in her favour.¹²

7. There has also been the problem of illegal withdrawal of waters of the Ganges in the Indian territory. According to a report, about 350 schemes in UP alone had been unlawfully drawing 20,000 cusecs of water from the Ganges. Similar has been the position in Bihar. This has certainly affected the flow of the Ganges in the lower riparian region. None of the

11 Surjeet Man Singh, *India's Search for Power* (New Delhi, 1984), p.22.

12 *The Bangladesh Times*, 23 August 1989.

governments in India has taken any step to check this illegal withdrawal of waters.

8. With the establishment of South Asian Association for Regional Cooperation (SAARC) it has been advocated by the smaller states of the region to bring the issue of sharing of river waters within the purview of SAARC.¹³ But it seems that so long as the sharing of river waters remains a contentious issue and is related with politics, SAARC too may not be able to play any significant rôle. In its present form SAARC is hardly expected to resolve complicated water disputes.

The other areas of mutual tensions between India and Bangladesh centred around the Chakma problem and issue of cross-border migration. The Chakma problem had a fall out on Indo-Bangladesh relations as the growing hostile policies of the Government of Bangladesh forced thousands of Chakmas to take refuge in India.

Although Indo-Bangladesh relations have over the years been subjected to a fair share of ups and downs, efforts have been made by both sides to keep inflamed passions under leash so that tensions do not go beyond manageable levels.

The transfer of Tin Bigha to Bangladesh almost on the eve of Begum Zia's visit gave a positive push to Indo-Bangladesh relations. It went a long way in soothing Bangladesh's resentment of India's insensitivity to its concerns in taking

13 Sunil Kumar Munsi, "Rivers of Dispute, How SAARC Can Help", *Indian Express*, 17 January 1989.

almost fifteen years to honour its obligations under the 1974 accord. On 26 June 1992, the Tin Bigha corridor-leased to Bangladesh for 999 years opened to enable Bangladeshi citizens to travel to the mainland Bangladesh.

On the issue of Ganga water sharing, India agreed to a "short-term arrangement" to provide more water in the lean season to meet Dhaka's immediate needs to help defuse continuing tensions over the vexing issue. The two leaders also agreed to draw up a "comprehensive and permanent" plan to resolve the water sharing issue.

In the long term, India however wants to take up the river water question in a more comprehensive manner taking into account the other rivers in the region as Teesta and Brahmaputra for a lasting solution. Bangladesh remains disinclined to such a long-term comprehensive arrangement insisting on dealing separately with the major river systems. It has also opposed India's proposal of the Brahmaputra link canal to augment the flow of Ganga waters. Bangladesh contends that such a canal would inundate thousands of acres of its land, uprooting sizeable sections of its population, the cost of which remains clearly unacceptable to it.

Now the ground reality is that the Ganges water have immense value for both India and Bangladesh. Actually Bangladesh being the most downstream riparian of the Ganga-

Brahmaputra river systems has many disadvantages.¹⁴ Bangladesh is facing problems of siltation, agricultural production. Siltation and salinity increased which affected forests of Sundarban, serious ecological disturbances. Bangladesh believes that the construction of the Farakka barrage has been the root cause of all problems. Now the question is, is sufficient waters are available in the Ganges at Farakka particularly during dry season, so that a permanent solution of the problem can be found out? If not then alternative sources have to be found out. It should be borne in mind that the Ganges have a long flow within the Indian territory. Much of the water is drawn in between by the upper riparian states of UP and Bihar. It is believed that the water level in the Ganges may go down in future due to its further utilisation in India and Nepal. Permanent solution of the problem lies in the interbasin transfer of water. The problem can only be solved by augmenting water.

In conclusion it can be said that the legacy of a shared heritage and close geographical proximity have given rise to a complex and delicate relationship which at once binds and distances the two countries. The two neighbouring countries should live in peace and cooperation and for their own interests they should solve their problems bilaterally and for the security and stability of the South Asian region the

14 Amjad Hossain Khan, "Water and Bangladesh: The Development Challenges", *Holiday*, 5 March 1993.

leaders of both the countries should show political will and sincerely work for resolving the Ganga water dispute.

CHAPTER I

DECLINE OF THE CALCUTTA PORT

AND THE FARAKKA DISPUTE IN HISTORICAL PERSPECTIVE

DECLINE OF THE CALCUTTA PORT

The partition of the country had given rise to two major water disputes; utilisation of the waters of the Indus and its tributaries in the West and of the Ganga waters in the east. The problem in the West was solved to a large extent in favour of Pakistan by India's generosity. Compared to this generous attitude to India, Pakistan did nothing to help India in solving its problem of silting of the river Bhagirathi¹ which threatened the very existence of the Calcutta port. All meetings between the two countries ended in a deadlock so that 24 years later when the erstwhile East Pakistan became independent Bangladesh, the problem was as new as it was at the time of partition except that the deterioration of the Calcutta port had further increased through the years.

The Calcutta port which observed its 125th anniversary in 1994 is India's premier port serving the needs of a vast hinterland extending over the states of Assam, Bihar, Madhya Pradesh, Orissa, Sikkim and Uttar Pradesh. The port also serves the land locked Himalayan kingdoms of Bhutan and Nepal.²

1 *Deccan Herald*, 13 May 1979.

2 "Farakka Issue", *Link*, 29 February 1976, p.29.

Till independence, Calcutta had been the largest port in the country and even in 1964-65, had handled 11 million tonnes of cargo. But the situation deteriorated. From the table given below one can easily make out the declining importance of the Calcutta port as compared to other major ports of India in terms of the cargo handled.

Table-1


Total Cargo Handled by Different Indian Ports
(in million tonnes)

Years	Calcutta	Bombay	Vizag	Madras
1970-71	5.80	14.37	8.73	6.72
1975-76	5.40	16.65	8.55	7.88
1980-81	3.84	16.98	10.12	10.38
1981-82	4.27	19.40	10.99	11.41
1983-84	4.38	23.89	9.88	12.84
1984-85	3.90	26.94	11.08	14.13
1985-86	3.78	24.31	15.91	18.15
1986-87	3.90	25.08	15.04	19.78
1987-88	3.82	29.57	15.37	22.82
1988-89	4.12	29.34	20.37	23.86
1989-90	4.10	27.75	21.12	23.94
1992-93	17.13*	24.90	22.67	23.95
1993-94	10.15*	17.15	16.12	16.80

Note: *Cargo handled by Haldia port also included.

Source: Basic Port Statistics of India (1970-94), GOI, Ministry of Surface Transport, New Delhi.

The story of the Calcutta port is not complete without the tale of the Hooghly, famous for its bars, bends and tidal bores. Calcutta is unique in that it is the only major riverine port in India. It is situated 231 km inwards of the

DISS
327.17
D2607 Fa

TH5392



TH-5392

river from the sand heads, the point where the river meets the Bay of Bengal. This is one of the longest pilotage distances in the world. The British pilots in the nineteenth century said that if a mariner could pilot the Hooghly navigation channel, he could manoeuvre any sea lane in the world.³

No other port in the world maintains a 126 mile long navigation channel a costly exercise which demands high expertise. The amount of silt the port lifts is colossal; Rs.80 crore a year is spent on dredging alone.

Calcutta port had started suffering from insufficiency of water from the Ganga was observed over a century ago. Sir Arthur Cotton, an eminent engineer remarked in 1853 that additional water should be thrown into the Hooghly and kept flowing down it.

The draught problem has always bedevilled Calcutta, and the Farakka barrage was conceived as a permanent solution to this. It was determined at the time of construction of the barrage that a discharge of 40,000 cusecs - the minimum required to maintain the navigability of the Hooghly - during the summer months would be possible, but Calcutta has never received its requirements. In the lean months, the maximum discharge did not exceed 20,000 cusecs. Though there was some improvement in the upper reaches, new problems have arisen in the navigable channel since the mid 1980s.

3 *Frontline*, 10 February 1995, p.95.

Despite constant dredging, ships were finding it increasingly difficult to make the 200 km journey up the Hooghly from the sea to Calcutta port. Once the ships made it in 34 hours now it was taking them over 60 hours as night shipping was stopped because of tidal bores and the lowering of the river's draught.

A PROJECT TO SAVE CALCUTTA PORT

The Calcutta port has been in existence from time immemorial. Mention of this port has been made by many historians like Periplus, Fa-hien and others in the past.

The port of Calcutta serves a large area of hinterland which is rich in natural resources. Nearly 50 percent of the exports of the country is shipped from this port. About the business in the post-independence period, the Government of India says: "The port handled only 7.5 million tonnes of traffic in 1974-75 against 11 million tonnes in 1964-65. This decline took place despite the rapid industrialisation of the hinterland since India's independence in 1947 and increased traffic at other major Indian ports.⁴ The position of the Calcutta port started declining "...during the decade beginning from 1950-51, the import cargo handled by the Port of Calcutta increased from a little over 3 million tonnes, while during the same period, the traffic handled by the Bombay port almost doubled... The volume of export cargo handled by the Calcutta

4 Khurshida Begum, *Tension Over Farakka: A Techno Political Tangle in South Asia* (Dhaka, 1987), p.120.

port has remained static at about 4.5 million tonnes as against more than 100 percent increase in the case of Bombay and more than 300 percent in the case of Madras.⁵

Moreover the political atmosphere should be taken into consideration. In the beginning of the 70s West Bengal faced instability because of the naxal movement that had an adverse effect on the economy of the state. Many preferred Bombay to Calcutta for economic activities.

The Committee on the State of the River Hooghly (1854), Mr.L.F.Vernon Harcourt (1896), the Stevenson-Moore Committee (1916-19), Sir William Willcocks, an eminent engineer from Egypt (1928-30), Mr.T.M.Oag (1939), Mr.W.A.Webster, Chief Engineer of the Calcutta port (1946), Sir Claude Inglis (1946), the Expert Committee on the River Hooghly (1952), Sir S.C.Mazumdar (1953), among others, have examined the problems facing the port of Calcutta as a result of the deterioration of the river Bhagirathi-Hooghly. Each one has, in its own time, come to the conclusion that it was necessary to take positive steps to improve the head water supply of the Hooghly on which depended the very existence of Calcutta. This could be done by building a permanent barrage across the Ganga and diverting some of the Ganga waters to resuscitate the Bhagirathi.

Dr.I.Walter Hensen who carried out the most comprehensive exam of this problem in his, "A Review of the Problem of the

5 Bengal Chamber of Commerce and Industry 1887-1962 (Calcutta, 1962).

Port of Calcutta, the Hooghly and the Bhagirathi", has stated, "It has been established that long term interconnected changes have taken place in the Bhagirathi and Lower Hooghly which have worked unfavourably on the development of the tides, the capacity of the Bhagirathi and the Hooghly, salinity, bores and the like. This development is steady and apparently uncontrollable.

ARE THERE ANY ALTERNATIVES?

The alternative methods which may be thought capable of counteracting the deterioration in navigable depths are:

dredging the bars and crossing;

dredging the off take of the Bhagirathi river

training works;

providing controlled and silt free upland

supplies.

The disadvantage of dredging is the temporariness of its effect, because even with continuous dredging the root cause of deterioration cannot be removed. Dredging of the bars and crossing in the Hooghly has already reached its limit, and there no place ashore where the enormous quantity of sand to be dredged [about 2.83 million cu m (100 million in ft.)] could be dumped permanently year after year. Both dredging practice and model experiments have emphasized the impracticability of finding dumping grounds from where the dredged material does not find its way back to the navigation track.

Any attempt to keep the Bhagirathi head active for prolonged supplies by dredging can at the best give only partial and temporary success, as the condition of the head depends in the main on the disposition of the course of the river Ganga and the consequential effects on the off take of the Bhagirathi prohibit any dependence on this alternative.

River training works have been found on the Hooghly to have very localised effects. Moreover, model experiments have shown that it is financially prohibitive to have satisfactory training works for each and every bar and crossing, particularly where the ebb and flood channels vary widely. Furthermore, with the long term sanding super imposed over the seasonal deteriorations, river training works cannot without upland supplies, be even locally effective for any considerable period of time.

The fourth method, namely, the controlled diversion of the upland discharge into the Bhagirathi with the construction of a barrage and other ancillary structures is the only practicable and lasting solution of the problem. The water so diverted will be comparatively free of sand and silt. With a controlled upland discharge, a prolongation of the freshet period and the evening out of sharp and sudden freshet peaks, which cause heavy sand movements and bank erosions in the Bhagirathi-Hooghly can be achieved. This scheme would counter act both the principal factors responsible for deterioration namely shortening of the direction of flow from the Ganga to

the Bhagirathi and the excess entry of silt and sand movement in waves in the Bhagirathi with the sudden on rush of freshet or spasmodic peaks and troughs in the upland discharge hydrography.⁶

The Hooghly is unpredictable and the main reason for its geo-morphological changes is a persistent imbalance between the upland discharge and the daily tidal influx from the sea. Since early this century, there has been some talk of the need for additional discharge of fresh water into the river from the uplands.

Moreover the Calcutta Metropolitan Development Authority's Rs.40 crore water supply schemes for greater Calcutta on which crores have already been spent, would be a non-starter without sufficient water being made available to the Hooghly. The high salinity of the water has made the Hooghly insanitary even for bathing. The salinity of the Hooghly water at the Palta pumping point normally exceeds 2,400 parts per million (PPM) in the March-May period, whereas the acceptable salinity for the city is below 250 PPM.⁷

The crux of the problem continues to be the water sharing arrangement during the January to May dry season when the Ganga's downstream flow into Bangladesh drops to 55,000 cusecs below Farakka. Since Dhaka has started referring to its

6 S.C.Mazumdar, "Ganga Barrage and the Bhagirathi Hooghly River Problems", *Farakka: A Gordian Knot* (Calcutta: Ishika, 1986), p.59.

7 *Economic and Political Weekly*, 29 March 1975.

"historic claim" of exactly this amount, it has expressed dissatisfaction with all the agreements, including the last one which expired in 1988 which promised an allocation of not less than 34,500 cusecs. India, however entertains serious doubts about this "historic claim" not the least because Bangladesh's thirst for water has steadily gone up. It was for 3500 cusecs in 1960 when the bilateral talks were first held rising to 49,000 cusecs in 1968. There have also been occasions notably in 1988, when Bangladesh has accused India of deliberately causing floods by releasing excess water or melting the Himalayan glaciers. India's reply has been that Bangladesh's problem is mostly of too much and not too little water.

Table-2

Average Monthly Discharge of the Major Rivers
(a) Pre-Farakka: MAF (b) Post Farakka: MAF

Month	Ganges (Hardinge Bridge)		Brahmaputra (Bahadurabad)	
	a	b	a	b
January	6.76	1750	11.28	4930
February	5.32	1350	8.45	4230
March	5.02	1080	10.23	4800
April	4.32	1150	14.34	7510
May	4.28	1500	34.41	15290
June	9.06	3370	68.28	30350
July	38.81	19800	95.73	46180
August	81.54	40120	97.96	43190
September	77.70	39500	76.28	38050
October	37.45	16550	47.68	23640
November	14.94	5730	22.02	10740
December	9.11	2900	14.63	6880

Source: Haroun Er.Rashid, *Geography of Bangladesh*,
(Dhaka: UPL, 1991).

In a report to Parliament in January 1975, the Public Accounts Committee recalled the Central Government's assurances that the Calcutta port would not be allowed to deteriorate. In order that the Calcutta port might live and serve the country, the committee said a minimum of 40,000 cusecs - the optimum capacity of Farakka would be necessary.

The Farakka barrage that took more than a decade to build became operational on April 21, 1975 after an agreement with Dacca (before the coup) for its running on a short term bases.

The project was approved in 1960 and work on its began between 1963 and 1964. By June 1971, the works on the main Farakka and the Jangipur barrages were completed. The rail bridge over the barrage was opened to traffic that year and the road bridge by its side was completed in February 1972.

The barrage was formally dedicated to the nation by the Indian Agriculture and Irrigation Minister, Mr. Jagjivan Ram on May 21, 1975. At the Farakka dedication ceremony, Bangladesh was represented by the co-chairman of the Joint River Commission, Mr. B.M. Abbas. He described Farakka as a "prelude to further understanding between the two countries."⁸

By the year 2000 the water requirements of Bangladesh from the Ganges river in the dry season (November to May), have been estimated to be 42 MAF (million acre feet). During the same period India's requirements have been estimated to be 150 MAF and for Nepal the requirement in the dry season is estimated at

8 *India Backgrounders*, 5 April 1976, p.2.

30 MAF. The total annual flow of the Ganges (along the existing diversions upstream) is about 372 MAF, but of this less than 15 percent or about 56 MAF is available during the dry season. Therefore, the stream flow available for irrigation during the period November to May in the Ganges basin is only about 25 percent of the total 222 MAF required in the three countries.⁹

THE ADVERSE EFFECTS OF FARAKKA BARRAGE TO BANGLADESH

A third of Bangladesh agriculture is faced with a serious threat due to scarcity of water. This year in 1994 all high power pumps under the Ganges Kapetakha project became inoperative as the water level fell, and crops worth crore taka were destroyed. Increase in salinity and decrease of humidity threatens 50 lakh acres of land. Between 1976 and 1992, Bangladesh lost 500 crore taka every year.

Lack of water has harmed pisciculture a major prop of the Bangladesh economy, with the catch of sweet water fish dropping drastically. In 1991, sweet water pisciculture yielded only 1.85 lakh tonnes of fish, a drop of over one lakh tonnes compared to the 1970s.

Industries in Bangladesh, particularly in the southern parts are on the brink of disaster. Numerous jute mills, the Goalpara power supply centre and the Khulna Paper Mill are now facing the spectre of closure. Total loss: 100 crore taka.

9 *South Asia Journal*, vol.1, no.3, 1988, p.21.

Since Farakka began, Bangladesh has lost nearly 33 percent of its river basin. Crores are being spent to maintain the navigability of the river and shift ferry terminals.

Desertification has also started. Rehman says Jessore, Kushia, Khulna, Faridpur and Rajshahi districts are now gradually becoming arid and regions temperatures have shown an increase in the summer months and a marked decrease in winter. Environmental scientists say excessive or irregular rains have stunted the growth of trees in Bangladesh and that by 2010 AD, the entire northern region may become a desert.¹⁰

After the birth of Bangladesh in December 1971, it was decided in March 1972 to set up the Indo-Bangladesh joint Rivers Commission (JRC) to utilise the river waters common to the two countries on a cooperative basis. But the JRC could not resolve the divergent stands taken by India and Bangladesh when the talks got deadlocked and the urgency of commissioning of the Farakka barrage was felt, Sheikh Mujibar Rahman accepted India's suggestion for talks at the political level. Subsequently after two rounds of ministerial level talks, an agreement, which was valid only for the lean season of 1975, was signed in April of that year. It allowed the release of waters into the Farakka barrage feeder canal starting with 11,000 cusecs and going up in stages to 16,000 cusecs from 21 April to 31 May 1975. In the meantime, Bangladesh has started claiming that the agreement on sharing the Ganga waters should

10 *Onlooker*, 15 February 1994, p.2.

cover the whole year. It maintained that the dry season is not just for two months, i.e., from mid March to mid May, but it starts from November and goes on to June. As a concession to Bangladesh the seven month dry season has been divided into 21 ten day periods. The most critical of these is from 21 April to 30 April when the Ganga waters flow reduces to a minimum 55,000 cusecs. It is estimated that India needs 40,000 cusecs for the feeder canal at Farakka barrage. Experts estimate that between 8,000 cusecs and 11,000 cusecs are added between Farakka in India and Hardinge Bridge in Bangladesh through the natural process of seepage from underground sources into the river. At one point of time India expressed its readiness to share the flow equally. This would have given Bangladesh at least 27,000 cusecs from what is available at Farakka in addition to natural seepage. But Bangladesh insisted on being given more. Moreover, Bangladesh has also insisted that India should not proceed with new irrigation or hydro-electric projects on the upper levels of the Ganga without its concurrence.

The main thrust of Bangladesh arguments is that it would be politically difficult to accept anything less than 40,000 cusecs after India diverts waters to the feeder canal because during the regime of Sheikh Mujib it was agreed that India would not withdraw more than 16,000 cusecs during the dry season. On the other hand, India maintained that the agreement was on an experimental basis and its requirements is much

higher than just 16,000 cusecs. However, it is believed that India has agreed to draw a quantity of water ranging between 20,000 cusecs and 24,000 cusecs for the Farakka barrage. This was a major concession India was believed to have made to Bangladesh.¹¹

WEST BENGAL'S CLAIM

In a rare display of unity, West Bengal politicians - Left Front, Congress and Janata - are closing ranks to oppose what a Calcutta newspaper calls New Delhi's "sell out of West Bengal's interests" over the controversial Farakka barrage and feeder canal. While stressing that the dispute with Bangladesh would have to be amicably resolved to the satisfaction of both countries, Chitta Basu emphasised that any reduction in the diversion to the Hooghly-Bhagirathi system would be totally unacceptable. "If this happens, Calcutta will die and if Calcutta dies, the rest of India also cannot live" he added as it can affect the economic survival of about ten eastern and north eastern states.¹²

Suspicious hardened during Jagjivan Ram's Calcutta visit at the end of August when he argued that the dry season flow in the Ganga was only 55,000 cusecs and that Bangladesh could not be expected to be satisfied with only 15,000 cusecs of water after Farakka's withdrawal of 40,000 cusecs. This was a direct reversal of India's earlier stand.

11 *Strategic Analysis*, 6 September 1977, p.15.

12 *Economic and Political Weekly*, 17 September 1977, p.15.

West Bengal politicians are not unsympathetic to Bangladesh's problems. Their resentment is directed against New Delhi for having either misled the public all these years or now knuckled down under pressure. It was assumed in Calcutta that India agreed not to harbour Bangladeshi refugees, especially guerilla leaders like the notorious 'Tiger of Tangail', Qader Siddiqui, who are opposed to the present regime. In return, Bangladesh would endorse India's water claims.

That this is not so has come as a shock. But the main concern is with the future of Calcutta Draught in the port is rapidly declining and annual traffic handled over the last decade has shrunk from about 15 million tonnes to 7.5 million tonnes. The harbour is unable to accommodate oil tankers, container vessels and the larger ocean going vessels. Timely and effective dredging operations might have helped the position earlier but as a study team of the International Association of Ports and Harbours pointed out some years ago, Calcutta has been criminally negligent in its use of 10 dredgers. They worked only 6788 hours in a year when in the team's opinion, the fleet could have put in 20,000 hours on the basis of a single eight hour shift per day. But it is also recognised now that silting in the sluggish Hooghly has progressed too far for dredging alone to keep the port open. Only regular flushing of the river can do that.

West Bengal has also complained in the past of schemes higher up along the Ganga that reduced the discharge at Farakka. At one point of time the unequal distribution of the Ganga waters resulted in a long march to the barrage by a large number of people from Bangladesh under the leadership of the veteran politician, Maulana Bhasani. Anti-Indian feelings based on the campaign that India was depriving Bangladesh of her rightful share of Ganga waters reached down to the grassroots level. It was a common experience to hear even a villager blaming India for lack of water in the streams and rivers of Bangladesh.

The Ganga water issue evoked little or no concern on this side of the border except among the intelligentsia. One thing was clear. The Ganga waters were meant to improve navigability. At no point was it meant to improve irrigation or help the common man in West Bengal or any part of India. The West Bengal government was included only as an observer in the JRC and that too, many years after it was set up.

West Bengal's concern was expressed mainly through the Chief Minister who tried to convince the Prime Minister that any discussion or agreement should not sacrifice the interests of the state. The West Bengal government was also vocal in demanding anti-erosion measures along the Ganga.¹³

The Indian project is named "Project for the preservation of the port of Calcutta". But Bangladesh is of the opinion

13 *The Statesman* (Calcutta), 2 March 1994.

that international experts do not consider that the supply of fresh water to the Hooghly can solve the problem of silting of the river.

The views of two renowned experts, Dr. A.T. Ippen, Professor of Hydraulic and Director of Hydrodynamic Laboratory at the Massachusetts Institute of Technology and Mr. C.F. Wicker a Hydraulic Engineer with long experience of tidal estuaries were of the opinion that the diversion of fresh water into the Hooghly river would not contribute to the solution of, but was likely to accentuate, the serious shoaling problems in that river and that the dredging requirements for channel maintenance would be as high or even higher following the diversion of more fresh water into the Hooghly.

According to the Indian side regarding the upland flow necessary to maintain the navigability of the Bhagirathi-Hooghly river, Dr. J.J. Dronkers, Chief of Hydraulic Research, Government of the Netherlands and Consultant to RAND Corporation, USA working as the experts for India, opined in 1968, "the lower limit would be $1150 \text{ m}^3/\text{sec}$, i.e., 40,606 cfs." Experiments in 1976-77 with full discharge of 40,000 cfs proved that a draft of 26 ft. in the Hooghly could be maintained throughout the year with the recommended flow. Comparative statistics has been quoted to support the India view point.

By the simple application of the rule of proportion, the share of Ganga waters for Bangladesh having only 0.73 percent of the total catchment area of the Ganga, works out only to 365

cfs, out of the lean period flow of 50,000 cfs at Farakka point. But arithmetic does not and should not work always in such cases. Beyond this lies the basic fact of human need.¹⁴

14 Badal Sen, "The Ganga Whirlpool", in Sunil Sen Sarma, ed., *Farakka: A Gordian Knot* (Calcutta, 1986), p.119.

CHAPTER II

SHARING OF THE GANGA WATERS: OUTCOME OF THE NEGOTIATIONS

With the emergence in 1947 of two independent states in the erstwhile British India, namely the present India and Pakistan prior to 1971, the conflicts of interest on river water uses assumed political dimensions of international character. After the emergence of Bangladesh as an independent nation in 1971, the governments of India and Bangladesh decided to develop the waters of the rivers common to both the countries on a cooperative basis. In order to advise the two governments on the mode of development and associated problems of appropriation of common waters, in March 1972 both the governments issued a common statute for establishing the Joint Rivers Commission to study the problem and to make joint recommendations to the two governments as to how these waters might be optimally developed and appropriated by either country for their mutual benefit.

Water development was given priority as indicated in Article 6 of the Indo-Bangladesh Friendship Treaty of 19 March 1972, in which the two governments agreed to make joint studies and take joint action in the fields of flood control and irrigation.¹

¹ *Bangladesh Documents*, Ministry of External Affairs, Government of India, vol.I, 1971, p.81.

Ministerial level talks on Farakka began in April 1972 between Khondakar Mushtaq Ahmed, Bangladesh Minister for Water and Power and Dr. K.L.Rao, the Indian Minister for Irrigation and Power but after an initial discussion, the Ganges issue was left to be settled by the two Prime Ministers.

In July 1973 both the countries agreed to work out a "mutually acceptable solution" of the problem. India assured Bangladesh that the Farakka barrage will not increase flood intensity of the river Padma.² According to the directives contained in the declaration of the Prime Ministers the Commission was vested with the task of conducting a techno-economic feasibility study for a suitable scheme for augmenting the Ganges dry season flow and of submitting a report with recommendation on the study to the two governments.

The Indo-Bangladesh Joint Rivers Commission was constituted under a statute signed on 24 November 1972. The Commission had however started functioning in June 1972 on the basis of an adhoc statute which was later finalized.

Under the statute, each of the two governments appoints a chairman and three members, who ordinarily hold office for three years. Of these, two are to be engineers. Each government may also appoint such experts and advisers as it desires. The chairmanship of the Commission is held annually in turn by Bangladesh and India, which the other country's chairman functions as the co-chairman.

2 *Asian Recorder*, vol.19, no.19, 7-13 May 1973, p.29.

The Commission is assigned the following main functions:

- (a) To maintain liaison between the participating countries in order to ensure the most effective joint efforts in maximising the benefits from river systems common to both the countries.
- (b) To formulate flood control works and to recommend implementation of joint projects;
- (c) To formulate detailed proposals on advance flood warnings, flood forecasting and cyclone warnings;
- (d) To study flood control and irrigation projects so that the water resources of the region can be utilized on an equitable basis for the mutual benefit of the people of the two countries.
- (e) To formulate proposals for carrying out co-ordinated research on problems of flood control affecting both the countries.³

In the beginning, the Commission concerned itself only with major flood control and water utilisation problems and customarily requested the local district magistrates and deputy commissioners from the two sides to sort out minor problems. Later it made long extensive inspections and settled a large number of pending problems on flood control, anti-erosion and drainage works on boundary rivers.

3 Natural Resources/Water series No.10; International Rivers - The Experience of Bangladesh, Ministry of Power, Water Resources and Flood Control, Bangladesh, 1983, p.361.

Ministerial level talks on Farakka began in April 1972 between Khondakar Mushtaq Ahmed, Bangladesh Minister for Water and Power and Dr.K.L.Rao, the Indian Minister for Irrigation and Power but after an initial discussion, the Ganges issue was left to be settled by the two Prime Ministers. In the next two ministerial level meeting (1973 and 1974) the Farakka issue figured prominently. India was at that time interested in commissioning the barrage. the joint communique, issued at the end of Indian Foreign Minister Sardar Swaran Singh's visit to Dhaka in February 1974 stated that a "mutually acceptable solution will be arrived at before the Farakka barrage is commissioned. This stipulation was reiterated in the joint communique of 16th May 1974 following the visit to India by Sheikh Mujibur Rahman. Paragraph 18 of the communique stated:

1. The Farakka Barrage project was to be commissioned before the end of 1974.
2. There might not be enough water to meet the needs of Calcutta's port and the full requirements of Bangladesh during the minimum flow periods of the Ganges.
3. The fair weather flow in the lean months would have to be augmented through the best use of the rivers in the region.
4. The JRC should study and make the recommendations on the means of augmentation. These facts make it clear that Sheikh Mujibur Rahman was under tremendous pressure from

India. By agreeing to the commissioning of the barrage before 1974, he made India's position stronger because this meant that the previous agreement to come to a mutually agreeable solution before the commissioning of the barrage was now not needed.

During the last two years of his rule Mujib was confronted with growing anti-Indian feelings among the people of Bangladesh. The merit of close Indo-Bangladesh relations and Bangladesh's weak position vis-a-vis India was challenged by some sections of the politicians, aware population in Bangladesh. Anti-Indian feelings grew and India was blamed for everything that went wrong in Bangladesh. Smuggling across the border, disputes over the maritime boundary and over Farakka figured prominently and anti-Mujib demonstrations turned into anti-Indian protest.

Bilateral relations between Indian and Bangladesh were adversely affected following the change of government in Dhaka in August 1975. It was assumed that Bangladesh would be able to tackle its gigantic economic problems after emerging from India's orbit.

The Indo-Bangladesh relationship plummeted to a new low and Bangladesh was naturally concerned. Dhaka was aware of the geopolitical compulsion demanding the avoidance of hostility and confrontation with India, without, of course sacrificing the vital interests of the country.

INTERIM AGREEMENT ON FARAKKA

India and Bangladesh signed a short term agreement on utilization of the Ganga waters following which the Farakka barrage was commissioned on 21 April 1975 on an experimental basis. The agreement came at the end of three day negotiations between the Agriculture Minister, Jagjivan Ram and his counterpart from Bangladesh Abdur Rab Serniabat.

Under the agreement signed in Dacca, India was allowed to draw up to a specified volume of water for its feeder canal for the benefit of Calcutta port. The daily withdrawal ranged between 11,000 cusecs in the last ten days of May 1975. The remaining flow of water went to Bangladesh.

Table 1

Withdrawal of Water from the Ganges by India
During April and May 1975

Month	Ten day period (dates)	Withdrawal (cusecs)
April 1975	21 to 30	11,000
May 1975	1 to 10	12,000
	11 to 20	15,000
	21 to 31	16,000

Source: S.S.Bindra, *Indo-Bangladesh Relations*, Deep and Deep Publications, 1982, p.82.

It was further agreed that the joint teams consisting of experts of the two countries would observe at the appropriate places in both the countries the effects of the Farakka withdrawal in Bangladesh on Hooghly river. A joint team was also to be stationed at Farakka to record the discharges into the feeder and the remaining flow for Bangladesh. The teams

had to submit their report to the governments for consideration.⁴

The agreement had lacked many things. Firstly, the release of 11,000 cusecs progressively to be increased to 16,000 cusecs by the end of May. But the Calcutta port needs 40,000 cusecs of water throughout the year, including the lean months, which was necessary to flush the heavily silted up Hooghly. Secondly it was a short term solution. Neither side has said anything about the time limit. It would have been better if some time limit should have been fixed. Thirdly, during the lean season heavy withdrawals would reduce the share of the Padma in Bangladesh.

Soon after the assassination of Sheikh Mujibur Rehman in August 1975, the Bangladesh government started maligning India at every opportunity, accusing it of tapping all the waters of the Ganga. The Farakka issue which had received enough publicity through controlled press and other media became the kingpin in the relations between India and Bangladesh. Highlighting the dispute was natural for the new rulers of Bangladesh and they adopted the same tactics which were earlier employed by the Pakistan government and had been avoided by the Government of Sheikh Mujibur Rehman. As far as consultations with Bangladesh on the withdrawal of water at Farakka were concerned it related only to the lean period as the problem

4 *Indian and Foreign Review*, vol.12, no.14, 1 May 1975, p.12.

during the rest of the months was not that of scarcity of water but of overflow and flooding.

India has always recognised Bangladesh's need for water during the lean months for irrigation, fishing, and navigation. It has time and again stated that it had no wish to harm the legitimate interests of Bangladesh in anyway. The Farakka Barrage was dedicated to the nation on 21 May 1975. From May 1975 to the beginning of February 1976, Bangladesh did not raise any objection to withdrawal of the Ganga water. But suddenly a campaign has been started against Indian withdrawal of the surplus water.⁵

WHITE PAPER ON FARAKKA BY BANGLADESH

The Government of Bangladesh issued a white paper on the Ganga waters dispute in the second week of September 1976. It said that a grave crisis has arisen for Bangladesh on account of India's unilateral action in diverting the waters of the Ganga at Farakka. Bangladesh has made all possible efforts to solve the dispute with India in a spirit of friendliness and good neighbourly relations. It alleged that India had kept on stalling even the discussion of the substantive issue.

THE 1977 AGREEMENT

The March 1977 Indian general election in which the Janata coalition supplanted Mrs. Gandhi's Congress Party also rescued Bangladesh from its nadir of powerlessness. A limited verbal

5 "Farakka Issue", *Link*, vol.17, no.29, 29 February 1976, p.17.

understanding probably laid down that in the period of lowest Ganges flow the water should be shared five-eighths to Bangladesh three-eighths to India. Six months of bargaining followed to fill in the details of the agreement, but on the 30th September 1977, the Ganges Waters Treaty was initiated in Delhi.

On 5 November 1977 India and Bangladesh arrived at a comprehensive long term and short term agreement on the sharing of the Ganga waters. It was signed by the Indian Agriculture and Irrigation Minister, Surjit Singh Barnala and Advisor to the Bangladesh President on Flood Control and Irrigation, Rear Admiral Musharraf Husain Khan.

The agreement contained fifteen articles. The quantum of waters agreed to be released by India to Bangladesh would be at Farakka. During the five months (January to May) the flow of the Ganga is estimated to range between 55,000 and 98,500 cusecs, the lowest being the flow at the leanest period of 21 to 30 April and the highest during the first ten days of January.

The Treaty resolved the dispute over sharing the existing flow in the dry season. But it did not resolve the related dispute, which had been in existence since 1973, when the two governments started discussing ways of increasing the dry season flow in the Ganges. In article 10, the Treaty says, "The two governments shall consider and agree upon a scheme or schemes - and take the necessary measures to implement it or

them". This clause provided something of an escape route, allowing the difficult choice of engineering projects with subcontinental significance to be put off for the time being.

From 55,000 cusecs during 21 to 30 April, the flow increases and reaches the figure of 65,500 cusecs. During the last ten days period of the five month term India will then get 26,750 cusecs and Bangladesh 38,750 cusecs.

The quantum of allocation of water during the lean period from January to May, had been fixed on the basis of 75 percent availability calculated from the recorded flows of the Ganga at regular intervals of three years from 1948 to 1973.

The water released to Bangladesh at Farakka shall not be reduced below Farakka except for reasonable uses of waters, not exceeding 200 cusecs by India between Farakka and the point on the Ganga where both its banks are in Bangladesh.

Table 2

Sharing of Waters at Farakka between
1 January and 31 May

Period	Flows reaching Farakka*	Withdrawal by India at Farakka	Release to Bangladesh
January			
1-10	98,500	40,000	58,500
11-20	89,750	38,500	51,250
21-31	82,500	35,000	47,500
February			
1-10	79,250	33,000	46,250
11-20	74,000	31,500	42,500
21-28/29	70,000	30,750	39,250
March			
1-10	65,250	26,750	38,500
11-20	63,500	25,500	38,000
21-31	61,000	25,000	36,000
April			
1-10	59,000	24,000	35,000
11-20	55,500	20,750	34,750
21-30	55,000	20,500	34,500
May			
1-10	56,500	21,500	35,000
11-21	59,250	24,700	35,250
21-31	65,500	26,750	38,750

Source: B.M. Abbas, *Ganges Water Dispute*, UPL, Dhaka, 1982, p.101.

The agreement received mixed reaction in India. Regarding the reaction in the press it can be said that some good points of the agreement were duly praised and some weaknesses were also pointed out. At this point much depended on Dacca's response to New Delhi's gestures so far, the latter, despite various compulsions, has shown a commendable spirit of accommodation. It was Bangladesh's

turn to demonstrate that it was equally earnest and sincere in strengthening its ties with its neighbours.

The impression was inescapable that in its desire to solve the most important dispute with our neighbours the Janata government has reversed the official position held by India all these years by accepting a minority share of the discharge of water from Farakka, this had resulted from its consistent stand that the Ganga was an international river. Even the Radcliff Award of 1947 gave the Farakka region to India despite its Muslim majority because of the position of Ganga. Obviously India has gone into the whole question on the principle who has the greater need. Bangladesh tantrums in international forums was in sharp contrast to Indian approach.⁶

Jayanta Kumar Ray, an Indian scholar on the subject was critical of the diversion of water for even in the leanest days.⁷ He regarded Government of India's approach to this issue as one of "more illusion than realism". He asserted that it was difficult to imagine that Bangladesh would be so deeply moved by India's act of sacrifice, underlined in the 1977 pact as to cooperate with India in formulating a long term solution.⁸

6 *Hindustan Times*, 10 October 1977.

7 S.S.Bindra, *op.cit.*, p.106.

8 J.K.Ray, "The Farakka Agreement", *International Studies*, vol.17, no.2, April-June 1978, p.240.

The agreement also drew sharp and critical reactions from most of the political parties in West Bengal. The Chief Minister Jyoti Basu had no doubt that the agreement would be harmful for Calcutta.

There is no doubt that the West Bengal government press and intelligentsia were very critical about the agreement. Atal Behari Vajpayee, the then External Affairs Minister of India had also provided an answer to India's signing of the agreement. He said that India concluded the agreement, in order to honour the following commitments made by the previous government.

Firstly in 1974 the Government of India agreed not to commission the Farakka Barrage without the consent of Bangladesh. Secondly, during the lean season of 1975, India had confined to the withdrawal of water between 11,000 and 16,000 cusecs. He further said that 40,000 cusecs was India's maximum demand. In the leanest season when the flow came down to 55,000 cusecs, withdrawal of 40,000 cusecs, would leave only 15,000 cusecs for Bangladesh "and no body in the world would possibly appreciate this".⁹

As far as the 1977 Agreement is concerned there is a need to revise it because it has been established that the agreement was signed without keeping in mind the experts' opinion and without consulting the Government of West Bengal.

9 *The Statesman*, October 2, 1977.

The sharing of Ganga water has been a persistent point of discord between India and Bangladesh. No solution has been possible because of the absence of honest efforts. Prior to 1977 agreement Bangladesh reverberated with demands from almost every walk of life to compel India to supply the entire water requirement of the Ganga basin within Bangladesh. Different governments which came to power in Bangladesh used the issue as a political weapon.

At one point this resulted in a long march to the barrage by a large number of people from Bangladesh under the leadership of the veteran politician, Maulana Bhasani. Anti-Indian feelings based on the campaign that India was depriving Bangladesh of her rightful share of Ganga waters reached down to the grass roots level. It was a common experience to hear even a villager blaming India for lack of water in the streams and rivers of Bangladesh.

By comparison, the Ganga waters issue evoked little or no concern on this side of the border except among the intelligentsia. One thing was clear. The Ganga waters were meant to improve navigability. At no point was it meant to improve irrigation or help the common man in West Bengal or any part of India. The West Bengal Government was included only as an observer in the Joint Rivers Commission and that too, many years after it was set up.

West Bengal's concern was expressed mainly through the Chief Minister who tried to convince the Prime Minister that

any discussion or agreement should not sacrifice the interests of the state. The West Bengal government was also vocal in demanding anti-erosion measures along the Ganga.

The erosion problem has added another dimension to the problem. The B.S.F. and the Government of West Bengal drew New Delhi's attention to the fact that spurs and embankments constructed on the Padma had changed the river's course, eroding land alongside the Ganga in India. The loss of land according to the B.S.F. was causing boundary problems because "char" land was appearing mid stream. This land was being used by Bangladesh farmers to till and raise crops.

On March 25, 1978 India and Bangladesh exchanged their respective proposals on augmentation of the dry season Ganges flow for consideration by the Commission. According to *Bangladesh Times* (March 3, 1978) the basic hypothesis of the Bangladesh proposal is that there is enough water in the Ganga basin itself.¹⁰

Bangladesh suggests 12 prospective sites for storage dams with a capacity to conserve approximately 50 MAF of water. These sites are on the three major Nepali rivers Karnali, Sapt Gandaki and Sapt Kosi. This storage potential can increase the dry season flow of the Ganges from 55,000 cusecs at Farakka to 130,000 cusecs.

India on the other hand proposed a 200 mile Ganga-Brahmaputra canal which would start from Dhubri point of the

10 *Bangladesh Times*, March 3, 1978.

Brahmaputra and run for about 200 miles to reach the Ganga at a point. Two reservoirs are proposed to be initially on the Dihang and the Subansiri in Arunachal Pradesh, which contribute the maximum flood flow of the Brahmaputra. They will also generate power. There will be a barrage across the Brahmaputra at Goalpara. The entire project is estimated to cost around Rs.5,900 crores.¹¹

The merits of a Brahmaputra-Ganga canal are obvious. For one thing, the Brahmaputra starts rising two months before the lean period of the Ganga flows. In April and May when the Ganga flows are at their lowest, the Brahmaputra carries about 200,000 and 500,000 cusecs respectively. The flow of this gigantic but untapped river seldom falls below 130,000 cusecs. Much of it goes waste. A plan for an integrated development of the Ganga-Brahmaputra basin would life the problem above the arid statistics of the flows during the dry season to something of incalculable benefit to India, Bangladesh, Nepal, Bhutan and Sikkim. It would be unrealistic however to ignore the reality that such a plan can be worked out only in a certain political framework even as it can be totally wrecked by politics of a different sort.

India has rightly stressed the undesirability of including any international agency like the World Bank, at the very outset. Its distaste for mediation is no secret. But bilateralism can work only if the dialogue shows promise.

11 *Financial Express*, 3 July 1978.

There are signs of restiveness on the part of Bangladesh on this score. It has tried reportedly to secure Nepal's support for its proposal for storage dams as the Indo-Nepal border.

It is only to be hoped that even self-interest would require Nepal to give the fullest consideration to the Indian view point. Where water resources are concerned Nepal's involvement with India is extensive. The beginnings were made with Kosi and Gandak projects. Complaints are now heard that the two projects yielded only marginal benefits to Nepal and that the dam sites were too close to the border to have given wide irrigation facilities to that country. But this has not prevented further cooperation. The Nepalese rivers generally flow from north to south and this makes the cooperation between India and Nepal inevitable. The Trishuli project came up with Indian assistance. This silting of this river led to the Denighat project which too has Indian support. The Pancheshwar project will benefit both UP and Nepal. Then there is the Rapti project which has Indian collaboration.

The upgraded Indo-Bangladesh JRC which met on April 21, 1978 examined the proposals submitted by the two governments for augmentation of the flow of the Ganga during the dry season.

The commission which was at official level was upgraded to ministerial level during the visit to Delhi of the Bangladeshi President Ziaur Rahman.

India's proposals handed over to Mr. B.M.Abbas, Bangladesh President's adviser on water resources by the Indian High Commissioner, Mr. K.P.S.Menon, envisages a canal linking the Brahmaputra to the Ganga with two storage dams on Dihand and Subansiri tributaries of the Brahmaputra and a barrage across the river at Goalpara.

Apart from augmenting the flow in the Ganga and generating about 10 million kilowatt of power. The Brahmaputra diversion scheme will help reduce the flood level in Bangladesh by about one to one and a half metres and provide irrigation to about a million on the right bank of the river in that country.¹²

The Bangladesh government on the other hand has proposed building of a series of reservoirs in the upper reaches of the Ganga system either in India or Nepal or in both countries.

India however feels that augmentation of all available storages in Nepal and India would not be adequate to meet even a part of the needs of India in the Ganga basin which is predominantly dependent on agriculture and is one of the poorest areas of the country.

THE INDO-BANGLADESH MEMORANDUM OF

12 *Deccan Chronicle* (Hyderabad), 17 April 1978.

UNDERSTANDING OF OCTOBER 1982

A three-day talks was held in New Delhi between the Prime Minister of India and the Chief Martial Law Administrator of Bangladesh from 6 to 8 October 1982 when the latter visited India. At the end of the talks, a joint communique was issued where both sides decided not to extend the 1977 interim agreement but to initiate fresh attempts towards achieving a permanent solution through a joint study. However, the 1982 arrangement also ended in a similar vein on 31 May 1984 after implementing the short-term arrangement in the absence of a long term scheme for augmenting the Ganges dry season flow. All rounds of talks of the JRC within the ambit of the 1982 Memorandum of Understanding were utterly unsuccessful in selecting a long-term plan.¹³

THE INDO-BANGLADESH MEMORANDUM OF UNDERSTANDING OF NOVEMBER 1985

During the Commonwealth summit in mid-October 1985, the President of Bangladesh and the Prime Minister of India met in the Bahamas. As a step to remove their major irritants, they agreed to conclude an agreement on the sharing of the Ganges dry season flow.¹⁴ Accordingly, a formal talk between the Irrigation Ministers of both countries held in New Delhi from 18 to 22 November 1985. The two ministers signed a Memorandum of understanding on 22 November 1985 on

13 *The Bangladesh Observer*, 23 February 1984.

14 *Holiday* (Dhaka), 1 and 7 November 1985, p.1.

the sharing of the Ganges dry season flow for the next three dry seasons (1986-88) as a short-term solution with built-in provisions for finding out a scheme or schemes for augmenting the Ganges dry season flow as a long-term solution.¹⁵

The 1985 accord is not strictly a comprehensive one providing both short and long-term arrangements. Like other previous agreements on the Ganges, it is also an interim agreement on the sharing of the Ganges dry season flow available at Farakka along with exploratory steps to augment that flow and to optimally utilize other common river resources. The accord does not prescribe any definite scheme or schemes for a long-term arrangement which is yet to be worked out through the proposed joint study.

At a crowded Press conference in Dhaka on June 25, 1995 the Indian Foreign Secretary Salman Haider stressed the need for permanently solving the Farakka issue. He said India recognised the importance of Ganges water-sharing as it was a sensitive issue. "We are committed to finding out a permanent solution." He said, adding there was no scope for misunderstanding on the issue. He called for joint monitoring of the water flow. He did not mention the amount of water released, but said several thousands of cusecs go unrecorded. He said his very presence testifies to the sincerity India attached to the issue. Meanwhile the Bangladesh Foreign Secretary, Farooq Sobhan said that the

15 *The Bangladesh Times*, 23, 25 and 28 November 1985.

strong anti-India feeling across his country was due to the absence of a solution to the Ganges water sharing dispute. The Indian Foreign Secretary according to diplomatic sources told the Bangladeshi side that in view of the wide spread tirade against India on the Farakka issue the Indian people have got the feeling that "no matter whatever help you give to Bangladesh, it will continue to blame India".¹⁶

The most important hurdle is that attention has all along been focussed on the limited question of augmenting the Ganga's flow. While this is no doubt important, it is only one aspect of the broader question of the utilisation of the eastern rivers. If these huge river systems can be harnessed, enormous benefits will accrue to the whole region. The Indian solution has the merit that it does take into account this latter feature whereas the Bangladesh idea of building reservoirs in Nepal only solves the lean season flow problem. The idea also suffers from another important weakness namely that Nepal may not be able to resist the political pressures that will develop when the reservoirs, if built, displace thousands of people. The environmentalists too may have some reservations which will further muddy the waters.¹⁷ It is possible that India feels that it would be better to resolve the problem bilaterally rather than get involved in an acrimonious debate with two of its neighbours

16 *The Hindustan Times* (New Delhi), 26 June 1995.

17 *Financial Express* (Bombay), 4 April 1984.

rather than just one. Indeed the clue to the solution probably lies in treating the issue as essentially diplomatic rather than technical. If India is indeed serious about building the canal, it might perhaps look at the pros and cons of educating Bangladesh's public opinion. The key thing to recognise is that the matter cannot be solved by experts sitting at conferences. All things considered, the Indian effort should be directed for the next few years at removing the misconception that now prevails in Bangladesh. This is a task for diplomats, not for engineers who will be required only later.

CHAPTER III

THE IMPACT OF GOVERNMENTAL CHANGES

The emergence of Bangladesh as a free nation based on the principles of socialism, democracy, nationalism and secularism heralds a new vista in the fields of economic, political and cultural cooperation between Indian and Bangladesh. This possibility is confirmed in the Peace and Friendship Treaty signed in March 1972. India's political stand on the issue of Bangladesh liberation struggle and her subsequent cooperation with the government of that country to rebuild her have automatically put India at the high esteem of the people and the government of Bangladesh.

The most important external factor for Bangladesh's foreign policy and diplomacy is its big neighbourhood. Dictates of geopolitics have rendered Bangladesh literally India locked.¹ India is a powerful state in the South Asian region. For the foreign policy and diplomacy of the small countries like Bhutan, Nepal, Sri Lanka and Bangladesh, India is an important external variable.

There are three policy options to Bangladesh for India, a policy of intransigence, a policy of indifference or a policy

1 Iftekharuzzaman, "The India Doctrine: Relevance for Bangladesh," n.33, p.18. For details see Kabir and Hassan (ed.) *Issues and Challenges Facing Bangladesh Foreign Policy* (Dhaka: Bangladesh Society of International Studies), 1989.

of accommodation.² A policy of intransigence is not feasible considering the capabilities of both the countries and the vulnerability of Bangladesh to India. A policy of indifference towards India is not a sane policy because Bangladesh has so many problems with India to be solved. Only the policy of accommodation is a proper policy, because India's cooperation is necessary for development and prosperity of Bangladesh.

The ups and downs of the dispute follow the change of the political systems of the two countries. These changes, no doubt bring about the change in that section of the government which takes decision.³ These changes which result in the change of policy or mood or temperament of the policy makers, are to be taken as important variables. Changes in the concerned political systems are both of evolutionary and revolutionary nature. In neither case, the temperament of the whole body of the people is affected. Hopes and aspirations and the desire for the emancipations of the oppressed people of one political system may change the policy formulation of other countries. In case of Indo-Bangladesh relationship this had happened in 1971 which had its profound impact on the later course of development of the Ganga water problem. The foreign policy which has so far influenced the Ganga dispute underwent

2 Shaukat Hassan, *The India Factor in the Foreign Policy of Bangladesh* in *ibid*, p.53.

3 Khurshida Begum, *Tension over the Farakka Barrage: A Techno Political Tangle in South Asia*, Dhaka, UPL, 1987, p.228.

changes due to wars, coups, changes in the international objectives and strategies of nations, changes in mode of diplomacy.

Farakka is a complex, issue, made worse by neglecting to treat it for years at the political level. A major problem appears to be that neither country has been able to perceive any urgency in the situation and both have found the continuance of the status quo useful for different reasons. Bangladesh politicians have been able to derive some mileage out of exploiting what is a very emotive issue and the successive military rulers have never been secure enough to push through an agreement that could lay them open to a charge of betrayal.⁴ The Indian government, on the other hand has probably felt that being the upper riparian it can adopt a rigid stance, even though the problems of silting in Bhaginathi-Hooghly are becoming worse year by year. It is possible though not very probable, that it also views the eventual solution of the problem as something that can be used as bargaining chip at a later date on some other issue. Whatever the reason, it has shown a curious lack of flexibility which only supports the impression that it is in no hurry.

Farakka is an issue which the engineers or geologists-cum geographers by themselves cannot settle. It needs a political approach at the highest level. There was a possibility of such an approach in 1972 when Mujib was riding the crest of the

4 *Financial Express* (Bombay), 4 April 1984.

euphoria over liberation, when the clouds of misunderstanding had not blurred the view between Dhaka and New Delhi.⁵

In 1971 Mujib government came to power in Bangladesh and the Indira government was in power in India. For a number of reasons,⁶ these two governments had been politically on good terms. The conclusion and termination of the 1975 interim agreement took place during the Mujib regime. In spite of the occurrence of a number of unfriendly acts,⁷ the two governments had been able to maintain their friendly relationship. Apparently they also maintained a mutual understanding concerning the Ganges water allocation. The Mujib government adopted a non-aligned foreign policy. But contrary to this policy, Mujib was very closely allied with the Indo-Russian axis. Indeed Mujib himself was regarded as the closest friend and best political ally of India.

In 1975, Bangladesh went through a number of coup d'etats - the coup of the junior officers of the army on August 15 in which Mujib was assassinated and Khondkar Mushtaq Ahmed was

5 Nikhil Chakravarty, "Bangladesh", in U.S. Bajpai (ed.), *India and its Neighbours*, Lancer International, New Delhi, 1986, p.54.

6 Mujib and his party, the Awami League had been struggling for a fully autonomous East Pakistan and it was alleged that the politics and ideology of Mujib and his party were pro-Indian and that he used to receive help from India. Moreover India played a major role in the creation of Bangladesh.

7 T. Maniruzzaman, "Bangladesh in 1976: Struggle for Survival as an Independent State", *Asian Survey*, vol.17 (1977), pp.191-92.

brought to power. K.M. Ahmed⁸ reigned from 15 August 1975 to 2 November 1975, the coup of Khaled Musharraf on November 3 in which Mushtaq was toppled from power, and finally the army mutiny on November 7 in which Musharraf was killed and General Ziaur Rahman⁹ was installed as the defacto leader of the military regime. Abdus Sattar¹⁰ ruled from 31st May 1981 to 24 March 1982. Lieutenant General Hossain Mohammad Ershad¹¹ was in power from 24th March 1982 to 4th December 1990 and Begum Khalida Zia from 1991 till now. The chief characteristic of all these governments except Sattar and Begum Zia were that they had come to power through unconstitutional and illegitimate means.

-
- 8 K.M. Ahmad was a senior rightist leader of the Awami League. He was the controversial foreign minister of the provincial government. He was a cabinet minister of the over-thrown Mujib regime.
- 9 Ziaur Rahman was a national hero of independence war. After 15th August coup, he was appointed chief of the Army staff. He was assassinated by armed forces in an attempted coup on the night of 31st May 1981 in Chittagong.
- 10 Justice Abdus Sattar was the Vice President of Ziaur Rahman. After his assassination he took over as the acting President. He became an elected President on 5 November 1981 and was removed by Ershad in a bloodless coup on 24 March 1982.
- 11 Lt. General H.M. Ershad was the Chief of the Army Staff since Zia's time. He came to power on 24 March 1982 by disposing of the elected President Sattar in a bloodless coup. He was a repatriated army officer. He remained in power for the longest period and was forced to resign on December 4, 1990 by the united agitation by all the opposition parties.

Mushtaque's regime though short lived was still very important because it gave a new direction to the foreign policy and diplomacy of Bangladesh. He expressed his commitment to the new direction when he said that "we shall endeavour to establish relations with those countries with whom our direct relationship has not hitherto been established."¹² Pro-Indian and Pro-Soviet orientations of Mujib's diplomacy which he himself was slowly modifying were shunned completely and pro-Islamic, pro-West and pro-Chinese tilt in the foreign policy and diplomacy of Bangladesh began in his regime.

The rapid succession of coups and counter coups and the uprising in the army made the political analysts skeptical about the survival of the regime, but Ziaur Rahman surprised the political observers both at home and abroad by continuing to stay in power for over five years.

Though Ziaur Rahman was fairly successful in consolidating his power and maintaining his regime the more difficult task of establishing a stable political system eluded him. Similar to other military rulers, Ziaur Rahman tried to legitimize his regime by "civilianizing" and "democratizing" his rule, and similar to other such regimes Zia's too remained essentially a personal rule. But Zia adopted active diplomacy to pursue his foreign policy objectives. He diversified and improved relations with all countries important for his foreign policy objectives.

¹² *Bangladesh Observer* (Dhaka), 15 September 1975.

The relationship between India and Bangladesh began to improve when Mrs. Gandhi's government was swept out of power in March 1977 and the Janata government headed by Morarji Desai was installed. Desai gave full cooperation to the Zia regime to tackle insurgency against Bangladesh and withdrew India's covert support of the guerilla activities across the border. There was a qualitative change and improved trends in Indo-Bangladesh relations. A summit level meeting between the two leaders took place in London in June 1977 during the Common Wealth Summit Conference.

The 1977 agreement on the allocation of the Ganga water between India and Bangladesh failed to satisfy both sides fully. As the agreement was not a long term solution but it did go a long way to cementing India-Bangladesh relationship. There were however, protests from West Bengal and many Indians regarded the accord of 1977 as sacrificing India's interests for the sake of a good relationship with Bangladesh which they thought was not possible in the foreseeable future. One observer raised the pertinent question of whether "the government of India should sacrifice national interests and aim merely at correct relations."¹³

The return of the Congress government in 1980 somewhat changed the complex Indo-Bangladesh relationship. Mrs. Gandhi's return to power did not totally reverse the positive

13 Jayanta Kumar Ray, "The Farakka Agreement", *International Studies*, vol.17, no.1, January-March 1978, p.33.

trends but it certainly put a damper on bilateral relations. She had criticised the Janata Government for its alleged sacrifice of India's national interests over the Farakka agreement and when she returned to power she was determined to "rectify" the situation. Talks to review the 1977 agreement were held in Dhaka on 5-7 November 1980 and 7-9 January 1981, but they failed to produce an agreed alternative scheme. The Bangladesh government officially rejected India's link canal plan at the January meeting. Thus it became impossible to produce any recommendations for a long term solution within the specified three year period and left the matter to be settled at a high political level."

In May 1981, President Ziaur Rahman was assassinated. The Farakka dispute was thus left unresolved by yet another regime in Bangladesh. The Zia regime had tried to defend the national interests of Bangladesh and in the process had antagonized Mrs. Gandhi.

President H.M. Ershad came to power in a bloodless coup on 24 March 1982. Dhaka's major concern in 1982 was its dealings with India. The Indo-Bangladesh relationship was far from satisfactory. President Ershad's regime is characterised by his cautious and sedate approach in dealing with India and its disputes with Bangladesh. He tried to improve the relationship without taking any provocative posture. Ershad followed 3 basic guidelines of foreign policy determined by Ziaur Rahman

in his diplomacy.¹⁴ Firstly the diplomacy of Bangladesh should seek to maintain excellent relations with its giant neighbour India, no excuse should be given to it for interference in the internal affairs of Bangladesh. Secondly, the basis for relationship with other nations should be the perceived need of foreign economic assistance not ideology. Thirdly close political and economic relations should be maintained with neighbouring, Asian countries particularly China and Muslim states to reduce dependence upon India.¹⁵

During the Ershad Gandhi summit Farakka figured prominently. In a joint communique both leaders reiterated the need for friendly and good neighbourly relations between the two countries for the sake of the well-being of the people. According to the communique, they had discussed the actual working of the 1977 Farakka agreement which was due to expire on 4th November 1982 and had come to the conclusion that "it had not provided a satisfactory and durable solution." A Memorandum of Understanding providing an interim arrangement for 18 months was signed on 7th October 1982.

Bangladesh's stand was cautious and in view of India's sensitivity on third party involvement. Ershad did not try to involve Nepal nor did he want to rush making the problem

14 Md. Tajuddin, Bangladesh Diplomacy in the Post Mujib Era, Ph.D thesis submitted to the Jawaharlal Nehru University, New Delhi, 1993, p.51.

15 Alex Buffing, "Bangladesh in Search of Stability," *World Today* (London), vol.39, no.78, July-August 19---, p.301.

insoluble by internationalizing it. No steps were taken on the issue until July 1985 when Mrs. Gandhi was assassinated and Rajiv Gandhi took over the administration who wanted personally to solve the outstanding issue.

The second MOU was signed in November 1985, extending the Ganges Water Treaty from 3 to 5 years, and a Joint Committee of Experts was set up to find ways and means to augment the water flow. It expired in December 1988. No permanent solution has yet been found and the Farakka issue continues to plague Indo-Bangladesh relations as bitterly as ever.

In the meantime, during 1985 the dispute over Farakka was further complicated by the soon - to be - completed dam on Teesta river in North Bengal, a waterway shared by both countries. Bangladesh insisted on having a water sharing arrangement, without which all its entire northern districts would be threatened with virtual desertification.

Bangladesh suffered from the catastrophic floods of August and September 1988 that were so devastating that 3/4th of the country went under water President Ershad describing the flood as a "catastrophe of unprecedented dimensions" and at the same time "a man-made curse" appealed for international assistance.¹⁶ Bangladesh refused to accept any assistance from India. India became annoyed at Dhaka's return of helicopters sent to help flood victims and Ershad's attempt to internationalise the water management issued by bringing in to

16 *The Pioneer* (New Delhi), 30 November 1993.

the U.N., the Commonwealth, and the SAARC ended in deteriorating the relationship further.

Soon after the flood and when tensions began to recede, President Ershad on his own initiative flew to New Delhi but India refused to extend the 1985 water sharing agreement and at the same time insisted that Bangladesh should accept her 1978 proposal of building the link canal. The Farakka water sharing agreement of 1985 lapsed in November 1988.

President Ershad had proved to be an excellent tight-rope walker of Bangladesh politics. In India the crux of the National Front government's foreign policy perceptions is peaceful coexistence. The idiom has changed from confrontation to dialogue, from conflict to cooperation. Immediately after his election victory V.P. Singh said restoration of friendly relations with neighbours would be of immediate concern to his government. V.P. Singh government took charge at a time when momentous changes were taking place on the international stage. The two superpowers in the new found spirit of detente, were busy untying the knots of the cold war, especially in Eastern Europe.

With Bangladesh ruffled feathers over several long-standing issues which Mr. I.K. Gujral (the External Affairs Minister of the National Front Government) called 'difficulties' and to which his Bangladeshi counterpart referred to as 'irritants' have been expeditiously removed, bringing the tenor of relations between the two countries to

normalacy. During the visit of Gujral to Dhaka in February in 1990 the decision to reopen the Singhabal-Rohanpur rail link, brought satisfaction to both sides. More than the economic content of the reopening of the railway line, the psychological impact of a system of communication was tremendous.

Similarly the decision to resuscitate the joint river commission along with reassuring statements on Hindu property in Bangladesh, the Chakma refugees and the Tin Bigha corridor have become symbols of increasing confidence in bilateral relations. Why has this sudden change of perception come about? It was due to the fact that relations between countries of South Asia must be tuned in all their aspects to the central thrust of global change. Secondly international pressure on General Ershad not to get into a conflictual situation with India provided the other ground rule that led to this sudden improvement of relations with Dhaka. Finally Gujral's dictum that Indian territory would not be used for action aimed against Bangladesh provided the much needed reassurance to Dhaka.¹⁷

The fall of Ershad in 1990 cleared the decks for the first elections in the country after almost 17 years.¹⁸ Democracy returned to Bangladesh in 1991 under the leadership of Begum Khalida Zia. The major task that Begum Zia faced on taking

17 Abha Dixit, "India and her Neighbours: Mixed Success", *Link*, August 12, 1990, p.21

18 Kalim Bahadur, "Bangladesh's Transition to Democracy", *Link*, 6 October 1991, p.17

over the reins of the government was to consolidate the newly won democratic freedom and to dismantle the authoritarian structures. The economic situation was too daunting and could not be tackled unless the democratic political system stabilised and had secured popular legitimacy. Begum Zia agreed to resolve the age-old water conflict. Under the agreement a "comprehensive and permanent plan would be chalked out to construct a canal which would pass through Bangladesh's territory linking Brahmaputra and Ganga rivers. India has agreed to slightly increase the flow of the Ganga waters during the dry season.

Continuous domestic political upheavals in both the countries with the burgeoning of Islamic ideals in Bangladesh and rising Hindu fundamentalism in India have not helped to find a solution. To counter Awami League's fresh attempt of political agitation Begum Zia has internationalised the Ganga's water issue again by further limiting the probability of success of bilateral negotiation. This move of Begum Zia is to bring the Farakka imbroglio back into focus in a bid to boost the Bangladesh National Party's falling popularity ratings.

In the wake of evolving intra-regional world order, the U.S. has accepted, India's legitimate dominant role in South Asia. The U.S. made it evident by giving its consent for IPKF operation in Sri Lanka and the handling of the coup in the Maldives. On the other hand Bangladesh under the aegis of

B.N.P. is heavily tilted in favour of America. This provides a common ground for the two countries to come closer. Under such a circumstance there will be a perceptible dilution of anti-India stand built by Begum Zia for electoral harvest.¹⁹

Begum Zia and Narasimha Rao met a number of times but their meetings failed to bring about any fruitful solution to the age old water dispute. Narasimha Rao government is keen to find a political solution to the situation. Experts in Calcutta are however worried that the Indian government might move towards a solution without proper groundwork.²⁰ In August 1992 India and Bangladesh agreed to form a secretary level Joint Committee of Experts (JCE) to work for an equitable, long term and comprehensive arrangement for sharing the waters of the Ganges, Teesta and other major common rivers.

Bangladesh is a nation still in the making. Two decades since it came into being through the trauma of a genocide by Pakistan and the war of liberation, the country has still to establish a tradition of governance that could become acceptable to its people as a point of reference.

The assassination of two Presidents - in office and a third sent to prison facing multiple charges of corruption, personal aggrandisement, nepotism in the span of just first twenty years of its existence - do not make a good reading for

19 Syed Ali Mujtaba, "Begum Khaleda's forthcoming visit to New Delhi", *Link*, 10 May 1992, p.29.

20 Amitava Mukherjee, "Barrage of Bitterness", *Onlooker*, 15 February 1994, p.22.

the average man in the street whether inside or outside the country.²¹

The leaders of the Bangladesh government are today very keen to promote the just interest of the Islamic ummah. The process has encouraged several others to review international situation through the prism of religion often verging on bigotry.

An excellent opportunity for this has been provided by the protagonists of constructing a Ram Mandir in Ayodhya by demolishing the Babri Masjid there. The adversary stance towards India has thus come into focus again.

21 Saral Patra, "Bangladesh: Two Decades After", *Link*, 22 December 1991, p.24.

CHAPTER IV
THE LEGAL ASPECT OF THE DISPUTE AND THE ROLE
OF THE UN, THE SAARC AND THE FOREIGN POWERS

THE LEGAL ASPECT

The Ganges has been playing a momentous role in the economic development of both India and Bangladesh and has a potential for future development. Improved technology now enables both countries to harness the Ganges water in many new and different ways. The increasing rate of the utilization of the Ganges water is indeed in progress with the result that there is an increased demand for its water. The most important irritant in the Indo-Bangladesh relations is the allocation of the Ganga waters during the dry season Bangladesh accused India of unilateral withdrawal paying no heed to the former's interest while India sticks to the point within her territory she is free to divert water according to her own needs and 40,000 cusecs of water is needed for the functioning of the Calcutta port. Let us now probe into the claims and counter claims made by both the countries and provisions of international law in this regard.

A Bangladesh newspaper had suggested recourse to the Barcelona Convention relating to the use of waters of international rivers. This convention, India says is not applicable in this case as she, well within her rights, had denounced it in 1957. In any case, even under the Barcelona

Convention, treaties or arrangements are prerequisites for treating any river as an international one. The lower riparian state Bangladesh cannot veto India's right over the use of the Ganges waters within its own territory.

These claims and counter claims have never been tested or argued before any international judicial tribunal. The issue which needs to be settled here is whether the basin states have absolute or limited territorial sovereignty over the section of an international river under their territorial control.

The absolute territorial sovereignty of a state means that there is no legally organized human authority except and above that state which is competent to regulate its affairs. This supremacy of a state allows it to exercise supreme power over all components of its territory. It is impossible for any external power to be lawfully exerted therein and any interference must be treated as illegal. By virtue of this principle, the portions of the Ganges within the territories of India and Bangladesh would be deemed to have the same status as their national rivers and should be treated no differently from the other components of their territories.

Any legal argument levelled in support of a claim to absolute territorial sovereignty over the Ganges would seem to be based on the so-called 'Harmon Doctrine' of absolute territorial sovereignty over international rivers. In 1895, the concept crystallized into the 'Harmon Doctrine' named after Mr. Judson Harmon, the then Attorney-General of the U.S. He

made a classic statement with regard to the water allocation of the Rio Grande river between the U.S. and Mexico. He was asked to give his opinion on the international responsibility of the US for injuries suffered by Mexican farmers as a result of diversion of the Rio Grande water for irrigation in the U.S. He argued from the premise of the territorial jurisdiction of the sovereign state and reached that the US had unrestricted sovereignty over the Rio Grande within its territory and that "the rules, principles and precedents of international law impose no liability or obligations upon the U.S. to share the water with Mexico or pay damages for injury in Mexico caused by the diversions of water in the U.S."¹

The 'Harmon Doctrine' therefore prescribes that there is no duty in international law on any riparian state to restrain to use of water from an international river within its territory to accommodate the needs of co-riparian states. Jurisdiction and control of a riparian state over the segment of an international river wholly within its territory is exclusive. The recognition of any other principle would be entirely irreconcilable with the sovereignty of a state over its national dominion.

Dr. Gieseke used similar arguments when he told the Edinburgh Conference of the of the International Law

1 Rafiqul Islam, *The Ganges Water Dispute: Its International Legal Aspects* (Dhaka, UPL, 1987), p.12.

Association of the Austrian claim to sovereignty in the Rissbach river dispute with Bavaria.

The Helsinki Rules on the Uses of the Waters of International Rivers, drawn up by a Committee of the International Law Association in 1966, provide certain factors have to be taken into consideration in determining the equitable share of international river waters.

According to the Helsinki Rules, the following factors have to be taken into consideration in determining the equitable share of international river waters.

Article V: (1) what is a reasonable and equitable share within the meaning of Article IV is to be determined in the light of all the relevant factors in each particular case.

(2) Relevant factors which are to be considered included but are not limited to:

- (a) the geography of the basin, including in particular the extent of the drainage area in the territory of each basin state.
- (b) the hydrology of the basin, including in particular the contribution of water by each basin state.
- (c) the climate affecting the basin;
- (d) the past utilisation of the waters of the basin, including in particular existing utilisation;
- (e) the economic and social needs of each basin state;
- (f) the population dependent on the waters of the basin in each basin state;

- (g) the comparative costs of alternative means of satisfying the economic and social needs of each basin state;
- (h) the availability of other resources;
- (i) the avoidance of unnecessary waste in the utilisation of waters of the basin;
- (j) the practicability of compensation to one or more of the co-basin states as a means of adjusting conflicts among uses; and
- (k) the degree to which the needs of a basin state may be satisfied, without causing substantial injury to a co-basin state.

(3) The weight to be given to each factor is to be determined by its importance in comparison with that of other relevant factors. In determining what is a reasonable and equitable share, all relevant factors are to be considered together and a conclusion reached on the basis of the whole.²

If the Helsinki Rules are invoked in the case of Ganges waters, India says she will have the right to use practically the whole of the available flow, as the Ganges is mainly an Indian river with less than two percent of its flow being contributed by Bangladesh.

Out of its total length of 2177 km it flows 2036 km in India, 750,000 sq. km. of its total catchment area of 943,500

2 Report of the International Law Commission: Twenty-eighth Session, 1976, pp.384-5.

sq.km falls in India. Of 67.6 million hectares of the river's cultivable area 61.6 million hectares are on the Indian side.

By the simple application of the rule of proportion the share of Ganga waters for Bangladesh having only 0.73 percent of the catchment area of the Ganga in both the countries works out only to 365 cfs, out of the lean period flow of 50,000 cfs at Farakka point. But arithmetic does not and should not work always in such cases. Beyond this lies the basic fact of human need. No criteria have so far been laid down and accepted, but some guidelines were provided by the International Law Association in 1966 and its 52nd meeting at Helsinki.

Table 1

S.No.	Particulars	Area (in million acres) in	
		India	Bangladesh
1.	Geographical area	191	6.1
2.	Total cultivable area	140	4.9
3.	Uncultivated & fallow land	32.5	0.2
4.	Net area sown	107.5	4.7
5.	Area sown more than once	17.8	1.3
6.	Total cropped area	125.3	6.0
7.	Cropped area as percent of cultivable land	89.5	122.5
8.	Average rainfall	20.50"	50-100"
9.	Population (million)	810	12
10.	Density of population per sq. mile (approx.)	6400	1280
11.	Length of river & tributaries (in miles)	500	130
12.	Catchment area (in sq.miles)	30,000	2,200

Source: Badal Sen, "The Ganga Whirlpool", *Frontier*, May 10, 1982, p.6.

By a majority of the provisions of the Helsinki Rules, the share of water demanded by India is a bid to save the port of Calcutta and to reduce the salinity of the Bhagirathi Hooghly waters seems justified. But there must be cooperation so that substantial injury is not caused to a co-basin state. And to this end viable solution is imperative.

There are ambiguities in the present case, identified in three broad spheres - technical, control of information and use of the dispute to further political ends.³ The last one is not easy to resolve as arguments and factors are manipulated to serve it. But it is necessary to bring to light the objective situation.

The potentiality of the Ganga and Brahmaputra river basins has been estimated jointly about 800 million acre feet of annual run-off. Of this, about 75 percent is contributed during the five monsoon months, normally from June to October. Though it would not do to calculate straightaway the lean period potentiality (November to May) by the above proportionality, which comes to about 200 million acre feet, the discharge figures observed at different parts of the rivers do indicate a similar quantum available during different parts of the season.

It is obvious that water availability of the areas is a seasonal phenomenon, and is fixed in time and space. Further,

3 Ben Crow, "Sharing the Ganga", *Frontier*, vol.12, 1979, p.4.

deficiency may result from year to year through failure of the monsoon. Natural changes in the river regime during the last century at and around Bhagirathi off-take point from the Ganga resulted in critical depletion of the upland flow through the Bhagirathi, accentuating the problem of Calcutta port.

Water excess period is a year is invariably associated with wide-scale flooding in both the basins in both countries. These figures too are revealing. In India, about 5 percent of the areas within the Brahmaputra and Ganga basins are annually flooded, in Bangladesh it happens to be about 36 percent of the entire country's geographical area in the years of worst floods.⁴ In terms of monetary loss the figures for India for these two basins come to about Rs.380 million annually, and for Bangladesh, the loss due to annual floods (including the Meghna basin) is of the order of 700 million Taka.⁵

The joint declaration of May 1974 has two clauses on the Farakka. The first of them clause 17 opens thus: The two Prime Ministers took note of the fact that the Farakka Barrage would be commissioned before the end of 1974. Then taking note of the fact that during the "periods of minimum flow in the Ganga, there might not be enough water to meet the needs of Calcutta port and of Bangladesh, the two Prime Ministers entrusted the

4 Badal Sen, "The Ganga Whirlpool", *Frontier*, May 10, 1982, p.6.

5 Rafidul Islam Khan, "Conservation of Water Resources of Bangladesh", Bangladesh Geological Society, Conference Issue, 1975.

Joint River Commission to find ways and means to augment the water supply.

But since it will take some years to give effect to the recommendation of the JRC clause 18 says, "In the meantime the two sides expressed their determination that before the Farakka project is commissioned they would arrive at mutually acceptable allocation of the water available during the periods of minimum flow in the Ganga."

Neither in its meaning nor in its spirit does this declaration bind India to obtain Bangladesh's prior concurrence for withdrawing water from the Farakka. Clause 17 is categorical in its assertion about commissioning the Farakka project and no condition is attached to this declaration clause 18 which is now being interpreted as having put a condition. It only speaks of the determination of both the parties, then having the friendliest of relations to arrive at a mutually acceptable allocation of water before the project is put into operation.

FARAKKA AND THE UN

When Bangladesh's demand to stop unilateral withdrawal of water by India was not given importance by the latter, the former decided to raise the issue in the international forums. Thus the problem once again got enmeshed in controversies.

Bangladesh requested the inclusion of a supplementary item in the agenda of the 31st Session of the General Assembly which began in New York on 21 September 1976 to discuss the situation

arising out of the unilateral withdrawal of the Ganges water at Farakka. Bangladesh justified the admissibility of the Farakka issue under Article 14 as well as Articles 10, 11, 13 and 35 of the charter relating to the General Assembly's power and competence and emphasised the implications of the dispute for regional peace and security.

India opposed the inclusion of the item in the agenda primarily on the ground that it was essentially a bilateral issue and any attempt to internationalize it would only complicate the situation, delay solution and worsen relations between the two countries. India also maintained that the question of water usage was a legal and technical problem which did not lend itself to political discussion. In the past, the General Assembly had interpreted Article 14 in a narrow sense to include such bilateral issues. If this approach was now changed, it would establish a precedent and open a 'flood-gate'. The UN referred the matter back to the two countries at the initiative of the non-aligned countries. It is again for Bangladesh to decide whether it would resolve the problem through bilateral negotiations or play politics by taking the issue at forthcoming General Assembly session.

Ultimately through the efforts of the non-aligned nations a consensus resolution was passed at the Special Political Committee, later adopted by the General Assembly which stated that "both parties agreed that the situation called for a quick

solution and to that end have decided to meet at Dacca at the ministerial level negotiation."

Apart from UN Bangladesh tried to raise the issue of the Ganges waters at different international forums such as 32nd meeting of the Economic and Social Commission for Asia and the Pacific, Seventh Islamic Foreign Ministers' Conference at Islamabad, Summit Conference of the Non-aligned countries at Colombo and ultimately at the 31st Session of the UN General Assembly. Bangladesh argued that India's action was not only a violation of rules and regulations but it also involved economic, security and humanitarian issues.⁶ India firmly viewed it as a bilateral issue and considered the Bangladesh's action as an obstacle to the amicable resolution of the problem.

While applying pressure on India through international forums, the Bangladesh government has been improving relations with other countries particularly China to counteract the dependence on India. China has officially condemned the Indian attitude towards Bangladesh on the Ganges river water when the negotiations began in Dacca in pursuance of the UN statement, the Indian side merely repeated its earlier position that the diversion of a major portion of the Ganges water at Farakka was essentially for flushing out the Hooghly river. Prime Minister Begum Khaleda Zia has already raised the issue in the UN General Assembly. There is little possibility that she will

6 *Asian Recorder*, no.30, p.10.

accept the Indian proposal of a link canal. Certainly Narasimha Rao is in a difficult position as far as placating Bangladesh is concerned as any package deal means sacrificing the Calcutta port.

Formal discussion of the Farakka issue in the General Committee or the Special Political Committee was the only visible sign of its consideration in the General Assembly. Steering such a totally new item which directly affected only two countries obviously required a great deal of briefing, lobbying. During the course of the UN session only the Islamic Group decided to consider Bangladesh's proposal favourably and sympathetically. Many of them notably Pakistan, Turkey, Egypt and Iran voiced their support, but there was no unified group position. From the very beginning the UK declined to take any part in the matter. The Asian group was not approached as such as both Bangladesh and India belonged to it. Their reaction was not indifference but "running away".⁷ This unwillingness to take sides applied in some degree to most countries, particularly the developing countries.

The matter was not raised within the Non-aligned group because technically it would not take a position on a dispute between two member states. The establishment of South Asian Association for Regional Cooperation ushered in the era of a better cooperation between the South Asian countries by solving

7 B.M.Abbas, *The Ganges Water Dispute*, UPL, Dhaka, 1982, p.61.

the long standing conflicts that stand in the way of better cooperation. But SAARC itself has not dealt directly with the water issues. In its present form SAARC is hardly expected to resolve the complicated water disputes. But it would be unjust to see SAARC's position as an indifferent regional actor as far as the Ganga water dispute is concerned. It has been making progress subtly in other fields - like exchange of experts of technological information among the countries in the region.

The Indo-Bangladesh relation is mendable and could be mended if there could be a give and take at the political level. The question has not been raised at SAARC summit in Dhaka because SAARC is not the forum to discuss bilateral matters. Friendship can never be one sided. The key word in any relationship is reciprocity. The joint meeting of water experts has already been held 178 times and produced no result.

Dhaka will be mistaken if it believes that by internationalising the Farakka dispute it would get more than what is legally its due. It knows that available flow in the Ganga river is not adequate to meet the needs of both countries and its legal share will grossly fall short of what it requires. Her effort to add a human rights dimension to the water dispute shortly before Pakistan's planned move to sponsor a resolution to censure India for alleged violation of human rights in Kashmir will not be missed by observers.

Bangladesh's decision to raise the Ganga waters dispute with India at the UN follows the familiar patten of some others

in South Asia trying to internationalise bilateral issues. The move was bound to be seen as such and therefore, not a matter to be ignored. Inevitably, India reacted by issuing a statement through its High Commission in Dhaka to accuse Bangladesh of "playing politics" over the bilateral river water dispute.⁸ In her address to the UN General Assembly on October 2, 1993 Begum Khaleda Zia raised the Farakka issue and alleged that the Farakka barrage has caused desertification of much of Bangladesh and has hampered navigability of its rivers. She also lamented that fish and animal resources in her country are on the verge of extinction.

What she said is surprising. Dhaka needs to explain how after 24 years of "desertification" Bangladesh could still double its production to record a harvest of 19 million tonnes. It needs also to convince the world about the grim threat to its fish since it undertook considerable effort to make India agree to import 5000 tonnes of hilsa.

According to Dr. Khurshida Begum the raising of the Ganga water issue at the UN by Begum Khaleda Zia on 30 September 1993 reflected certain things. firstly it revealed that now it became difficult for India and Bangladesh to solve the issue bilaterally so the latter needs an international platform and the most vital and disturbing fact is that normally the head of the government of one country raises any issue against another country in the international forum only when the situation is

8 *Hindustan Times*, 16 October 1993.

alarming like when a war-like situation is prevailing. So from Begum Zia's gesture the prevalence of such a situation is evident.⁹

ROLE OF THE FOREIGN POWERS

The birth of Bangladesh as a nation was implied in the very nature of Pakistan as it came into existence in 1947. In 1971 Bangladesh liberation war India became involved in what was an internal matter for Pakistan on account of millions of refugees seeking shelter in this country and putting a tremendous strain on her economy and social life. The more India tried to internationalise the problem, the more some of the major powers tried to give it the shape of Indo-Pakistan conflict.

By the middle of 1970 there was a clear indication of establishing closer relations with China by the American President Nixon. In 1972 India signed Indo-Soviet Friendship Treaty with erstwhile Soviet Union. If the Bangladesh's struggle for freedom was complicated by international factors, the final emergence of Bangladesh as an independent state was facilitated by the trend of global politics. If US and China had not moved closer to each other, clearly against the Soviet Union, and if the US had not make it very clear that in case a war between India and Pakistan broke out over the Bangladesh issue and China intervened on behalf of Pakistan, she would not come over to the support of India, the Indo-Soviet treaty would

9 *Paribarta* (Dhaka), March 1994, p.12.

either not have materialised at the time that it did or not been followed in all its logical implications.

India's policies regarding the Bangladesh liberation war were crystal clear. India made it very clear from the very beginning that her military objectives were limited to (a) the liberation of Bangladesh and (b) holding back the Pakistani armies on the Western front.¹⁰ India did not want to acquire a single inch of territory for herself. India wanted to declare ceasefire as soon as her two objectives had been attained.

India would like to rebuild the bridges with China and US destroyed by them and not by India, in her own national interest and in conformity with the policy of non-alignment to which she is deeply committed. India wanted to maintain friendly relations with China and US. India has excellent relations with the Soviet Union but fully realises that if China and US continued with their policies of hostility to her she would have no option but to depend more on the Soviet Union, which she clearly would not like to do.

China is likely to support Pakistan as long as she is hostile to India and she will continue to remain hostile to India as long as the latter is in intimate relationship with the Soviet Union. It is, in fact, a vicious circle.

In the entire Bangladesh episode, the policy of alignments has received a rude rebuff and the policy of non-alignment has

10 *South Asian Studies*, 1972-74, p.237.

been vindicated. The US-China efforts at coming closer proved as ineffective as Pakistan's alliance with the United States and friendship with China. On the other hand, India's policy of non-alignment was vindicated step by step. As time has passed it has become more and more clear that all the steps taken by India in this long-drawn struggle, were taken by her at her own initiative. The Soviet Union concurred with them but did not initiate them. This has, incidentally, also proved that the international political system in the early seventies shows much greater inter-linkage and homogeneity than ever in the past, in the sense that (1) the super powers now find it necessary to depend to a greater extent on middle-range powers (U.S.-China, USSR-India relationships, (2) the middle-range powers on small powers (China-Pakistan, India-Bangladesh relationships) and that (3) the smallest powers today (take the case of Bangladesh) not only can deeply influence but severely retard (as in the case of the United States) or greatly facilitate (as in the case of the Soviet Union) plans and policies of the mightiest ones.¹¹

RELATIONS OF BANGLADESH WITH USA

As for the USA her hostility towards liberation of Bangladesh was well understood by the leadership, USA came forward to her help after the 1975 coup to help her in salvaging her economy and protecting her political independence

11 S.P. Varma, "Bangladesh and Role of Major Powers: Emerging International System", *South Asian Studies*, 1972-74, p.243.

from what they termed as threat from Indo-Soviet axis. USA accepted India's leadership in South Asian region in India's role in the Sri Lankan crisis and in tackling the coup in Maldives.

RELATIONS OF BANGLADESH WITH SOVIET UNION

The erstwhile Soviet Union was sympathetic to the cause of national liberation in Bangladesh. After independence the relations between the two countries grew on the basis of friendship and cooperation. The Soviet Union helped Bangladesh with economic aid to rehabilitate the country's shattered economy.

Though Bangladesh was declared as Islamic country but her problems with Pakistan despite euphoric assertions in the name of Islamic solidarity remain unresolved. At the international level Bangladesh always played a low key role as she is heavily dependent on foreign economic aid.

CONCLUSION

The conflict of interest among states on various international levels are a common phenomenon in international life. The struggle to minimize struggle has become a prime concern of the world community. It is therefore not surprising that mutual coexistence of neighbours sometimes engenders problems between them. But it is imperative that they should seek solutions in a spirit of understanding and cooperation. The peaceful resolution of the Ganga water dispute as in many other conflicts in the world arena depends on the mutual recognition of needs and a cooperative endeavour to find a solution which most closely meets them.¹

The Ganges has been playing a momentous role in the economic development of both India and Bangladesh and has a potential for future development. The once ample water of the Ganges is no longer adequate without development, to satisfy the rapidly growing demands being made. The bonds of solidarity in the form of actual cooperation between the two states is therefore imperative to develop the Ganges dry season flow.

Both countries must have a desire to develop a workable solution, recognizing at the outset that there will be a need for compromise. Neither India nor Bangladesh would obtain what

M.Rafiqul Islam, *The Ganges Water Dispute: Its International and Legal Aspects* (Dhaka, UPL, July 1981), p.3.

they want but would have to give up something. This is indeed the essence of any compromise. There must be a willingness to abide by any compromise. There must be a willingness to abide by any arrangement that will be worked out.

A permanent solution to the Ganga water dispute is of paramount significance to the Indo-Bangladesh relationship and to the entire Indian subcontinent. Negotiations between India and Pakistan failed mainly due to political hostilities between them. With the emergence of Bangladesh and its initial friendly relations with India, the situation became favourable. However, it must be conceded that the political solution in the region is volatile. The two countries are in complete agreement about a long term arrangement but irreconcilably differ on how it should be done.

The points of dispute between India and Bangladesh are of two categories (1) those rousing passions temporarily such as the storm over the New Moore island and the barbed-wire fencing on the Assam border (2) those with long range implication such as Farakka dispute and sanctuary for insurgent groups in the north-east India.

These disputes are at the root of converting the brotherly type relations of the two countries into merely friendly ones. The first step considered in the strengthening of the relations of the two countries was the signing of the Indo-Bangladesh Treaty of Peace, Cooperation and Friendship in March 1972. It was in fact a guarantee from India to Bangladesh that the

latter should not worry about anything as India does not want anything as a compensation for the role it played in the liberation struggle of Bangladesh. Indian army withdrawal from the territory of Bangladesh was a rare instance in the history and proved the contention that India had not at all desired in grabbing an inch of its territory. But the pro-Pakistan and other anti-social elements did not like the brotherly relations of the countries and started fomenting trouble by launching an anti-Indian propaganda during Sheikh Mujibur Rahman era. They accused the Indian Government for its interference in the internal affairs of Bangladesh and branded the government of Sheikh Mujib as a puppet in the Indian hands.

The murder of Sheikh Mujib was followed by a number of bloody coups in Bangladesh. An era of political instability started in Bangladesh and Indo-Bangladesh relations reached on a very low key. The interesting phenomenon was that the Government controlled media and privately owned press both joined hands in spreading the anti Indian message.² The objectives behind the anti-Indian propaganda was to divert the attention of the people of Bangladesh from adverse political and economic situation.

Both India and Bangladesh should live in peace and cooperation. It is in their interest that they should solve

2 S.S.Bindra, *Indo-Bangladesh Relations*, New Delhi, Deep and Deep Publications, 1982, p.131.

their problems bilaterally. The issue of Farakka needs more attention because of its complication and technical nature.

From time immemorial man has been emotionally attached to water. Hence there is bound to be conflict in its use among individuals, groups of individuals, states of a country and between countries. So far no clear cut directions or conventions have emerged to deal with water disputes. Some principles have been laid down by the International Law Association in 1966. The inherent difficulties in dealing with water disputes are in fixing (i) the quantity of water (ii) allocation between conflicting states and (iii) regulation of implementation of the decisions.³

Both India and Bangladesh are indeed in due need of water in increased quantities for irrigation for boosting up agricultural production. There is no evidence to connect the Farakka Barrage scheme and India's intention of domination. India's policy was to put pressure on Bangladesh to make it concede to its link canal proposal. Bangladesh experiences the major burden of interference not from India but from multinational corporations or the donor countries who need Bangladesh for their business.⁴

3 K.L.Rao, *India's Water Wealth: Its Assessment, Use and Projections*, New Delhi, Orient Longman, 1979, p.209.

4 R.Sobhan, *The Crisis of External Dependence, the Political Economy of Foreign Aid to Bangladesh*, Dhaka, UPL, 1982, p.151.

The crux of the sharing of Ganga water problem to a large extent lies in the systematic theft of water in the upstream, particularly in Bihar and UP. Unless Kulaks stop sealing water causing increasingly smaller flow down the stream neither side will get the stipulated water at Farakka. Even if Nepal allows a few reservoirs in its Terai region (which may not materialise because of eviction problems) to regulate dozens of odd tributaries, things will not improve much for Bangladesh or for that matter Calcutta port. The problem of clandestine lift irrigation will remain and the authorities in Delhi are not in a position to antagonise the rising Kulaks. But the World Bank's involvement in any form, be it reservoirs in Nepal or something else in augmentation of the Ganga flow is dangerous. The Americans have long been trying to get access to the Ganga, the lifeline of India and during the East Pakistan days they almost did it - but once in, they will simply make it a part of their bigger strategic plan in the sub-continent.⁵

Both India and Bangladesh should try honestly to solve the age old Farakka dispute. There are possibilities of resolving the Farakka dispute taking into consideration the experiences of river disputes which have been resolved or are in the process of being resolved. Those are appended at the end of the dissertation. There is no agreement between India and Bangladesh on sharing Ganga waters since 1987. A new treaty has to be signed in the shortest possible time giving

5 *Mainstream*, 14 August 1986, p.3.

Bangladesh a little more than what it can legitimately claim. It will not be water, precious water, scarce water given away. It will be an investment in development of Bangladesh and in India's own future. India as a regional power should not hesitate to go a little further than the mid way in extending the hand of friendship and cooperation. Once India does this, how Bangladesh reciprocates remains to be seen. The decision makers of both the countries should realise that a friendly, harmonious and good neighbourly relations between India and Bangladesh are needed in the larger interest of the people of the two countries as well as in the interest of peace and stability in the region.

SELECT BIBLIOGRAPHY

PRIMARY SOURCES

Agreement Between the Government of the Republic of India and the Government of the People's Republic of Bangladesh on Sharing of Ganges Water at Farakka and on Augmenting its Flows, 5 November 1977.

Ministry of Irrigation, *Updated Indian Proposal for Augmenting the Dry Season Flows of the Ganga at Farakka*, New Delhi, March 1978.

Ministry of Power, Water Resources and Flood Control, *Updated Bangladesh Proposal for the Augmentation of the Ganges*, December 1983.

White Paper on the Ganges Water Dispute, September 1976.

Books

Abbas, B.M., *The Ganges Water Dispute* (Dhaka, University Press Limited, 1982).

Bajpai, U.S., *India and Her Neighbours* (New Delhi, Lancer International, 1986).

Bindra, S.S., *Indo-Bangladesh Relations* (New Delhi, Deep and Deep Publications, 1982).

Chakravarty, S.R. (ed.), *Foreign Policy of Bangladesh* (New Delhi, Har-Anand Publications, 1994).

----- and Narain, Virendra, *Bangladesh*, 3 volumes (New Delhi, South Asian Publishers, 1988).

Chowdhury, Dilara, *Bangladesh and the South Asian International System* (Dhaka, Academic Publishers, 1992).

Crow, Ben, *The Politics and Technology of Sharing the Ganges* (University of Edinburgh).

Fadia, Babulal, *Pressure Groups in Indian Politics* (New Delhi, Radiant Publishers, 1980).

Islam, M.Rafiqul, *The Ganges Water Dispute: Its International Legal Aspects* (Dhaka, University Press Limited, 1987).

- Kabir, M.G. and Shaukat Hassan (eds.), *Issues and Challenges Facing - Bangladesh Foreign Policy* (Dhaka, Bangladesh Society of International Studies, 1989).
- Kalam, Abul and Ahmad, Muzaffar, *Bangladesh Foreign Relations - Changes and Directions* (Dhaka, University Press Limited, 1989).
- Khan, Zillur Rahman, *Martial Law to Martial Law - Leadership Crisis in Bangladesh* (Dhaka, University Press Limited, 1984).
- Khurshida, Begum, *Tension Over the Farakka Barrage - A Techno-political Tangle in South Asia* (Dhaka, University Press Limited, 1987).
- Rao, K.L., *India's Water Wealth - Its Assessment, Uses and Projections* (New Delhi, Orient Longman Limited, 1989).
- Sengupta, Bhabani, *Regional Cooperation and Development in South Asia* (New Delhi, South Asian Publishers, 1986).
- Sen, Sarma Sunil (ed.), *Farakka a Gordian Knot: Problems on Sharing Ganga Waters* (Calcutta: Ishika, 1986).
- Vajpayee, Atal B., *New Dimensions of India's Foreign Policy* (New Delhi, Vision Books, 1979).

Articles

- Ahmed, Bashir, "Sharing of River Waters in South Asia", *Regional Studies*, Spring 1985.
- Bahadur, Kalim, "Bangladesh: Transition to Democracy", *Link*, October 6, 1991.
- Basu, Timir, "Calcutta Note Book", *Frontier*, August 18, 1979.
- Chakrabarty, S.R., "Bangladesh Problems and Prospects", *South Asian Studies*, January 1, 1973.
- Crow, Ben, "Troubled Waters", *Frontier*, May 29, 1982.
- Dasgupta, Prabhat, "Farakka: P.M.'s Defence Doesn't Hold Water", *New Age*, December 25, 1977.
- Habib, Haroon, "Stalemate in Dhaka", *Frontline*, May 5, 1995.

- Hussain, M. Basheer, "The Law of Interstate Rivers in India: Principles of Equitable Apportionment of River Waters", *Indian Journal of International Law*, 1977.
- Inderjeet, "Farakka Project - Facts and Fiction", *Indian and Foreign Review*, March 15, 1976.
- India, "Bangladesh and Farakka Dispute in Nutshell", *India Backgrounders*, vol.1, no.1, April 5, 1976.
- Jain, Girilal, "India and Its Neighbour", *World Focus*, November-December 1985.
- Khurshida, Begum, "Binishchit Farakka, Bipluta Ganga O Bisshrinkhal Bangladesher Kutniti", *Paribarta (Dhaka)*, March 1994.
- Majlis, Daud, "Talks Meet a Watery Grave," *Far Eastern Economic Review*, March 4, 1977.
- Maniruzzaman, M.M., "Floods in Bangladesh: A Case for Regional Cooperation", *South Asia Journal*, vol.13, July-December 1989.
- Mehrotra, O.N., "Indo-Bangladesh Talks on Sharing of the Ganga Waters", *Strategic Analysis*, September 6, 1977.
- Mishra, K.P., "The Farakka Accord", *The World Today*, February 1978.
- "Muddied Waters", *Economic and Political Weekly*, September 17, 1977.
- Mukherjee, Amitava, "Barrage of Bitterness", *Onlooker*, February 15, 1994.
- Mukhopadhyay, Asim, "River of Contention", *The Economic and Political Weekly*, vol.13, no.43-44, 28 October 1978.
- Mujtaba, Syed Ali, "Begum Khaleda's Forthcoming Visit to New Delhi", *Link*, May 10, 1992.
- Narain, Virendra, "Bangladesh and the Changing International Context - An analysis of Perceptions", *South Asian Studies*, vol.7, no.2, July 1972.
- Noorani, A.G., "The Ganga Waters Question", *Financial Express*, July 3, 1978.
- Patra, Saral, "Bangladesh: Two Decades After", *Link*, December 22, 1991.

- Patranabis, Tushar Ranjan, "Farakka Project: Calcutta Port's Fate in the Balance", *Economic and Political Weekly*, 29 March 1975.
- "Port of Entry, Calcutta, and Maritime Trade", *Frontline*, February 10, 1995.
- Pradhan, Bansidhar, "Indo-Bangla Ties: Silver Linings on the Horizon", *Link*, June 7, 1992.
- Ramaswami, V., "Apportionment of Waters of the River Narmada", *Journal of the Indian Law Institute*, vol.20, no.3, July-September 1978.
- Ray, J.K. in S.S.Bindra's "Farakka Barrage Agreement", *Punjab Journal of Politics*, vol.4, no.1, January-June 1980.
- Rob, Md.Abdur, "Flood Hazards in Bangladesh: Nature, Causes and Control", *Asian Profile*, vol.18, no.4, August 1990.
- Sen, Badal, "The Farakka Rigmarole", *Frontier*, November 20, 1982.
- , "The Ganga Whirlpool", *Frontier*, May 10, 1982.
- Shibusawa, A.H., "Cooperation in Water Resources Development in South Aisa: Need for a Fresh Approach", *South Asia Journal*, vol.1, no.3, 1988.
- Sinha, Anirban, "Calcutta Port: A Victim of Political Indecision-I", *Frontier*, December 4, 1976.
- Vaishnav, T.D., "Indo-Bangladesh Accord on Farakka: Background and Implications", *Socialist India*, June 14, 1975.
- Varma, S.P., "Bangladesh and Role of Major Powers, Emerging International Political System", *South Asian Studies*, 1972-74.

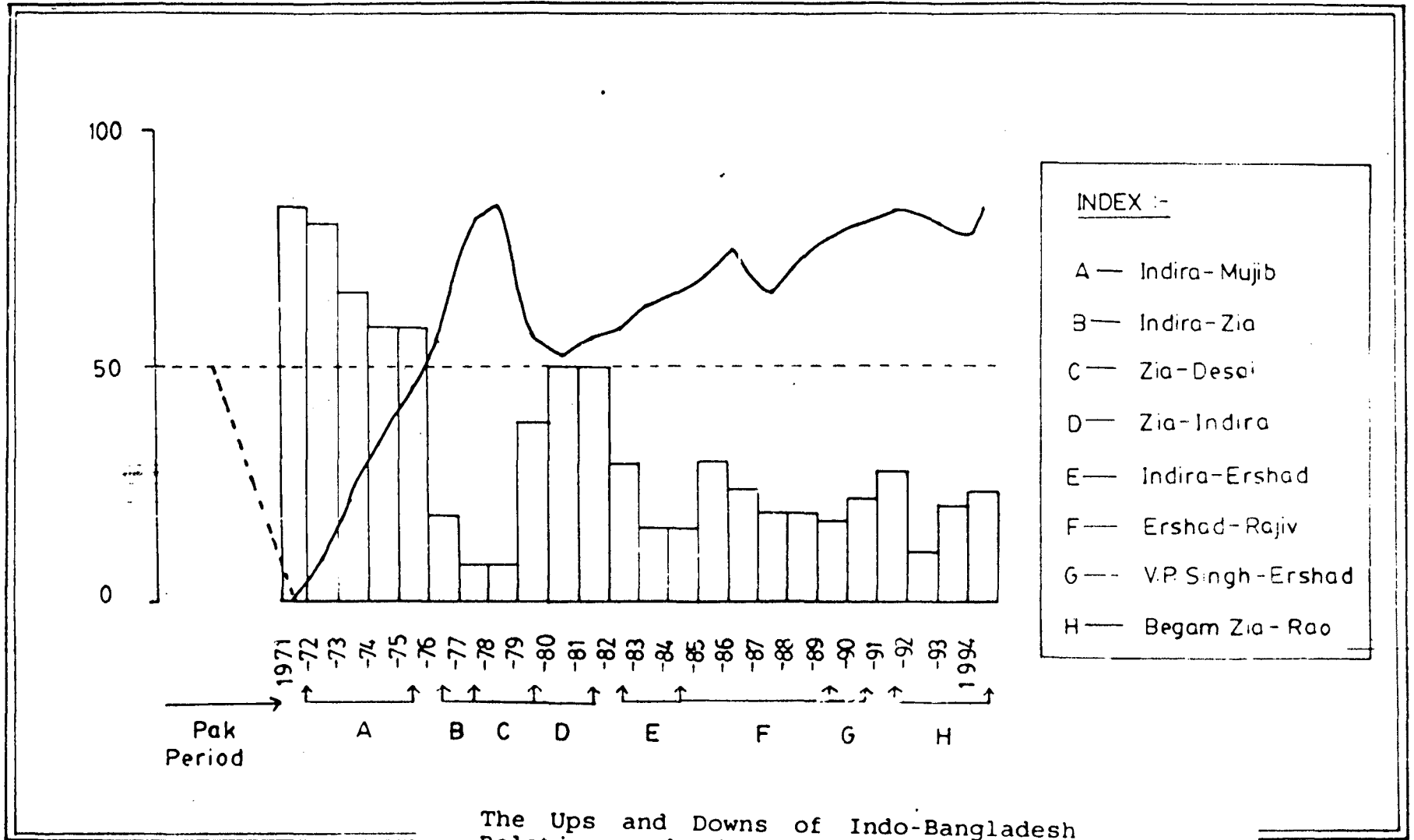
Newspapers

Amrita Bazar Patrika (Calcutta)

Bangladesh Observer (Dhaka)

Financial Express (Bombay)

Hindustan Times (New Delhi)
Hindu (Madras)
Holiday (Bangladesh)
Indian Express (New Delhi)
Ittefaq (Bangladesh)
The Pioneer (New Delhi)
The Statesman (New Delhi, Calcutta)
The Telegraph (Calcutta)
Times of India (New Delhi)



The Ups and Downs of Indo-Bangladesh Relation and the Gravity of Farakka Tension.

Source: Khurshida Begum, Tension over the Farakka Barrage: A Techno-Political Tangle in South Asia, Dhaka, UPL, 1987, p.234.

Appendix I

The vertical line of the scale is to point out different stages of Indo-Bangladesh relation of which point = 100 indicates the maximum friendship level. Point 50 is to indicate "normal" relation. No hard definition of normal is meant here. It can be viewed as a relation justifiable between two political systems. The horizontal line indicates the time space. The curve is to point out the gravity level of the Ganga dispute which is to be viewed from the opposite directions of different stages of relation which means point 100 is the maximum tension level and point 0 is no concern at all.

This projection reveals that at a higher friendship stage of relation the gravity of tension over the Farakka Barrage remains at lower level and vice versa. At normal relation stage the gravity tends to be normal. The other important point is in course of time the tension has risen upward and in the last 10 years the tension remains at a higher stage of normal point.

Years 1975 and 1981 indicate political instability in Bangladesh and year 1990 indicates political instability in both India and Bangladesh following fall of the National Front Government in India and the ouster of President Ershad in Bangladesh.

Source : Khursida Begum, Tension one Farakka Barrage: A Techno political tangle in South Asia, UPL, Dhaka, 1987, p.234.

Appendix II

SOME OTHER RIVER DISPUTES

THE INDUS BASIN

Disputes between the Sind and Punjab states of British India over the allocation of water from the Indus basin began long before partition. When India was partitioned the boundary line went through the Punjab leaving the upper reaches of the Beas, Sutlej and Ravi in India with the lower reaches in Pakistan. A serious dispute arose between India and Pakistan over the water of Indus. The dispute was solved by the creation and execution of the Indus Development Plan, a remarkable exhibition of engineering imagination and international cooperation.

The Indus Basin is some 200 miles wide and 800 miles long. About 50 million people live in the basin largely on land irrigated from the river. At the time of partition about 5 million acres were irrigated in India and 20 million acres in Pakistan. Approximately 72 million acre feet annually were being used for irrigation out of 120 million acre feet estimated as the potential average quantity of water available for the purpose. After protracted negotiations by the World Bank with the two governments, the waters of the three eastern rivers were allocated to India and the waters of the other three to Pakistan.

The agreement freed each country from dependence on the continued flow of vital water from the other country, and enabled both to use their water freely according to their own plans. Pakistan was compensated for the loss of the water of the eastern rivers that formerly entered Pakistan but was allocated to India under the plan by the construction of a series of canals to take water from the rivers to the eastern lands. India in turn paid for a part of the new replacement link canals as compensation for the additional water from the eastern rivers. The World Bank advanced loans for a substantial part of the countries to provide the other money needed. India agreed not to diminish the supply of water to Pakistan during a 10 year transition period.

Under the Bank's aegis a consortium was formed of Australia, Canada, the Federal Republic of Germany, New Zealand, the UK and the US. These nations along with India, Pakistan and the World Bank signed an agreement establishing the "Indus Basin Development Fund" providing the equivalent of 894 million dollars in commitments for the construction of the necessary works in Pakistan. The Governments of India and Pakistan joined by the Bank signed an international water

treaty on September 19, 1960 setting out the agreement between them for the development of the Indus Basin. In the treaty the Bank undertook responsibilities that were key to the successful negotiation of the agreement and execution of the project it was to receive and hold the contributions and pay them out under its normal procedures for work done. It was also to supervise the technical work of the project. The project was completed ahead of schedule.

The Indus Basin Treaty fell short in many respects, probably because, the frayed tempers at the time precluded application of a broader perspective. It may sound pessimistic but the fact remains that Indo-Pakistan disputes offer no other solution except partitioning of resources rather than an equitable apportionment of assets. Although the cooperative spirit displayed by the governments of India and Pakistan was the motivating force it will not be an exaggeration to suggest that the Indus Basin Treaty became a reality due to the active involvement of an international agency, the World Bank was a co-signatory to the main treaty.

The Treaty allocated the waters of Sutlej, Beas, and Ravi to India for its restricted use except for a transition period during which India would continue supplies to Pakistan. India was also allowed to draw water from the Indus, Jhelum and Chenab for irrigation existing areas and to develop a further 700,000 acres of irrigation from these rivers, subject to certain conditions. India was to let flow the rest of the waters of these rivers for use by Pakistan.

There are many interstate river water disputes within India which are yet to be solved.

THE NARMADA TANGLE

The Narmada tangles involving Madhya Pradesh, Maharashtra, Gujarat and to some extent, Rajasthan was also practically resolved and work on the proposed dam projects had begun but an agitation by the people who disliked being uprooted from their homes and the intervention of ecologists has created complications. The dam will provide irrigation water to Gujarat.

The construction of Sutlej-Yamuna link canal figured prominently in the Rajiv-Longowal accord. While the Haryana part of the canal has been completed, the construction of the part in Punjab is held up for some reason. There is also the old Telugu-Ganga imbroglio. The proposal of linking the Cauvery with Ganga for water availability in the South, opening of river transport between North and South and to supplement existing means of transport. The completion of this project must seem to be a distant dream.

DISCORD OVER RAVI-BEAS WATERS

The dispute over the sharing of the Ravi-Beas waters which is many years old and has by now become a prestige issue. The central government's decision is itself now being questioned by the Punjab after an interval of over two years.

Following the failures of the two state governments to settle their differences on this question, it had been referred to the Centre. The Centre decided that the total quantum of water available - 7.2 million acre feet (MAF) should be shared equally, 3.5 MAF each by Punjab and Haryana - with a small quantity going to neighbours. At that time both states, being under Congress rule, the dispute was regarded as settled, though Punjab was sore at what it considered to an unduly generous share conceded to Haryana. It was alleged that the pressure exercised by Bansi Lal, the then Defence Minister, had been responsible for this discrimination.

On August 13, however, Zail Singh, former Chief Minister of Punjab claimed that it was incorrect to describe the decision as an 'award' as Haryana leaders were doing since he had never agreed to any Central arbitration though in all the months since March 1976 when the Centre announced its verdict, he had kept quiet on this aspect. He also claims that Punjab never agreed to construct in the state a 110 km. long channel to let the water flow down to Haryana. Punjab in fact has not dug even a kilometre of the channel nor is there any indication that it will do so. Meanwhile Haryana has spent crores of rupees constructing its own part of the canal network, and unless Punjab constructs the channel link, the semi-parched lands in Haryana cannot get the long-awaited Ravi-Beas waters.

Reactions of the governments of Punjab, Haryana and Rajasthan over Eradi Commission recommendations on water dispute.

The then Minister of Water Resources, B.Shankaranand stated that the Ravi and Beas Water Tribunal was set up to verify and adjudicate the following matters:

1. The farmers of Punjab, Haryana and Rajasthan will continue to get water no less than what they were using from the Ravi-Beas system as on 1.7.1985. Waters used for consumptive purposes will also remain unaffected Quantum of usage claimed shall be verified by the Tribunal.
2. The claim of Punjab and Haryana regarding the shares in then remaining waters will be adjudicated by the Tribunal.