WHAT CAUVERY MEANS TO TAMIL NADU

Elucidation by the Chief Minister
in the Legislature

SUPPLEMENT
to
TAMIL ARASU
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CAUVERY RIVER WATERS DISPUTES WITH MYSORE.

INTRODUCTION.

The perennial Cauvery, immortalised both in history and literature, has, ever, been synonymous with the prosperity of Tamil Nadu. But, alas, the Cauvery runs the risk of not being perennial any more, facing, as it does, the imminent danger of being choked off at the upper reaches owing to the unilateral action of the Mysore Government in proceeding with the execution of the Hemavathy, Kabini, Harangi, Swarnavathi and other reservoir projects on the tributaries of the Cauvery, in flagrant violation of the Agreements of 1892 and 1924. From the hot haste with which these projects are being executed by the Mysore Government without the approval of the Government of India, it would appear as if the writ of the Central Government does not run in Mysore State. If these reservoir projects are allowed to be completed without reference to and regulation by the mutual rights and obligations of both Tamil Nadu and Mysore as guaranteed in 1892 and 1924, the Green Revolution in Tamil Nadu would have become a lay and a legend, lost in oblivion and the granary districts of Tiruchirappalli and Thanjavur would have turned arid, with famine stalking through the land.

It is the acute awareness of this impending tragedy that has rallied the people of Tamil Nadu under one banner. All parties regardless of political persuasion, and all avenues of public opinion, regardless of allegiance, now, stand united to protect Tamil Nadu from this, the most serious ever threat to the very existence of our State. It is this dedication to duty that the dynamic Chief Minister of Tamil Nadu, Thiru M. Karunanidhi reflects ; it is the indomitable will of the 4 crores of Tamilians, determined to make any sacrifice to protect their immemorial rights in the use of the Cauvery waters, that he relays but without rancour.

The people of Tamil Nadu harbour no ill-will, whatsoever, towards the people of Mysore who are but their brethren and comrades-in-arms in the grand march towards national solidarity and the attainment of economic prosperity and social justice. All that Tamil Nadu wants is that the Inter-State Agreements of 1892 and 1924, so

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solemnly entered into between herself and Mysore, should not be flagrantly flouted and the Government of Mysore should not ride rough shod over the prescriptive, lower riparian rights of the ryots of Tamil Nadu, fortified by twenty centuries of customary user dating back to King Kari Kala Chola of fragrant memory.

Origin and flow of the Cauvery.

The river Cauvery ranks as the fourth largest river in the country. The river, 804 Kms. in length, has its origin in Coorg and traverses 321 Kms. in Tamil Nadu before joining the sea at Kaveripoompattinam—the famed Poompuhar of hoary history. The Hemavathy, the Lokabhavani, the Harangi all join up with the Cauvery in the northern region of Mysore State. History has it that though these rivers have had their individual existence up to the point of their joining with the Cauvery, these merged their identity to become the Cauvery after the confluence. Both Mysore and Tamil Nadu, being the " gifts " of the Cauvery with upper and lower riparian rights and obligations, it was but natural that these should be delimited and defined-which was, exactly, what was done through the Inter-State agreements of 1892 and 1924.

The agreements and after.

" It was these very mutually-concluded agreements that we at stake at this crucial hour" stated the Chief Minister of Tamil Nad while introducing the resolution on the Cauvery waters dispute o the floor of the Legislative Assembly on 8th July 1971.

"The prime purpose of these two agreements", said the Ch Minister was that the functioning of the Krishnarajasagar Da should not, in any way, affect adversely the irrigation interests the Cauvery delta. Secondly, even if the Mysore Governmen were to construct dams without affecting our irrigation facilities for an ayacut of 3 lakhs and one thousand acres under the Mettu Dam, the Government of Mysore can do so only after obtaining the prior concurrence of Tamil Nadu. Therefore, the core and essence of the Agreements is that the Government of Mysore should not construct any dam without consultation with and the prior concurrence of Tamil Nadu, after furnishing the latter full and complete details of any proposed dam. The very object of this precaution was to ensure that the limit-flows guaranteed to Tamil Nadu would not be affected in any way. But an alarming situatio has, now, arisen with Mysore undertaking the construction of dar

unilaterally, without the concurrence of Tamil Nadu and clearance by the Government of India. This has its origin in 1964 with the proposal of Mysore to construct the Hemavathy dam, for which the foundation stone was later laid in 1968 by the Chief Minister of Mysore. As soon as the Government of Tamil Nadu received information about this, they not only protested against the construction but also impressed upon the Central Government, as early as in 1968, to intervene immediately in the matter and help in evolving an appropriate, agreed solution. In deference to our request, the Central Government informed us in December 1968 that they have instructed the Mysore Government not to proceed with the construction of the Hemavathy Dam until a settlement could be reached with Tamil Nadu in this regard.

In the meantime, the Government of Mysore obtained technical clearance for the construction of a small dam across the river Kabini at an estimated cost of Rs. 2½ crores, which has, since, swelled up to Rs. 25 crores. The Kabini dam is, now, under construction. Mysore has also taken up schemes for the construction of dams across the Swarnavathi and the Harangi, both tributaries of the Cauvery.

The scheme for the construction of a dam across the Harangi, which runs mostly through the erstwhile State of Coorg, has an element of irony about it. When Coorg proposed, in 1943, to construct a much smaller a dam across the Lakshmanathirtha, a sister-tributary of the Cauvery, the Government of Mysore not only protested against the scheme on the plea that the lower riparian irrigation interests of Mysore would be adversely affected but also requested the then Government of Madras to register its protest too. As a result of this protest, the then British Government immediately intervened and prevented the State of Coorg from constructing the proposed dam. With this background, My should have been the last to propose a dam, much bigger proposed dam over the Lakshmanathirtha, across the same Coorg area, though, now, a part of M on the same footing, that Tamil Nadu is tion of dams across the Hemavathy the Swarnavathi without refe

Tamil Nadu by the Agreements of 1892 and 1924. Tamil Nadu is not objecting to the construction of the dams as such. All that Tamil Nadu wants is that if Mysore wants to construct dams, let that State furnish Tamil Nadu with full and complete details about them so that it can be ensured that the limit-flows guaranteed to us are not adversely affected. But, what is the position today ? Full and complete details of the schemes have not been given to Tamil Nadu in accordance with the agreements. Neither the prior concurrence of the Government of Tamil Nadu nor the technical clearance of Government of India has been obtained by Mysore which is, however, proceeding with the construction of the dams unilaterally.

In regard to the river Harangi, Mysore states that it is a non-scheduled river and that it does not find a place in the Agreement. This only reinforces our contention. While Mysore claims that it does not have to give full and complete details of the Harangi scheme, as the river is a non-scheduled stream, does it not, then, admit unwittingly though, that they have to give full and complete details regarding the irrigation schemes on scheduled streams ? This Mysore has not done. The Government of Tamil Nadu have been protesting against the construction of these dams, ever since Thiru Veerendra Patil, the Chief Minister of Mysore State, laid the foundation stone for the Hemavathi in 1968 without furnishing Tamil Nadu full and complete details of these schemes, without having any discussions with the Government of Tamil Nadu and without obtaining the prior approval of the Union Government.

Fully alive to the cardinal consideration that the Cauvery dispute is not a party issue but a question of principles and policy on which all parties are united, I had convened an all party conference on 14th June 1971 to take stock of the serious situation ...sed by Mysore, unilaterally, proceeding with the projects and ...oriness on the part of the Government of India in referring ... a Tribunal, to be constituted under the Inter-State ... of 1956, as requested by the Government of ... as February 1970. Of the important ...ce, the first was that all-party protest ...mil Nadu on 27th June 1970

to protest against the dilatoriness of the Government of India in referring the dispute to the Tribunal. The second was that Members of Parliament representing Tamil Nadu should meet the Prime Minister Thirumathi Indira Gandhi at New Delhi, explain to her the tragedy that would engulf Tamil Nadu if the Mysore schemes were to be implemented and hand over to her a representation requesting the Government of India to direct the Government of Mysore to desist from continuing the construction of the dams, pending reference of the matter to the Tribunal. The third decision was to the effect that the matter be considered by the State Assembly and the Council and copies of their resolutions sent to the Prime Minister. In line with these decisions, vigorous all-party meetings were held all over Tamil Nadu, when leaders of all parties participated. As a follow-up, the Members of Parliament representing Tamil Nadu met the Prime Minister on 2nd July 1971 at New Delhi, and handed her a memorandum, setting out the case of Tamil Nadu and requesting justice".

The Chief Minister, then moved the following resolution before the Legislative Assembly for acceptance :

"This House views, with serious concern, the unilateral action of the Government of Mysore in proceeding with the execution of Hemavathi, Kabini, Harangi, Swarnavathi, and other reservoir projects on the tributaries of the Cauvery in Mysore, in flagrant violation of all provisions of the agreements of 1892 and 1924 between Tamil Nadu and Mysore and without proper prior intimation of project details to and the prior concurrence of the Government of Tamil Nadu and without the prior approval of the Government of India, much to the detriment of our national solidarity.

This House, being aware that even though the Government of Tamil Nadu, had, in the face of the serious threat posed to the lower riparian irrigation interests of this State, requested Government of India, as early as February 1970, to Cauvery dispute to a Tribunal, duly constituted u State Water Disputes Act, 1956, expresses its inordinate delay on the part of the Go timely decision on this vital matte prescriptive irrigation right

This House very much apprehends that any further delay on the part of the Government of India would have the unfortunate and undesirable effect of helping the Government of Mysore to go ahead and complete the projects, thereby, placing the immemorial, irrigation interests of Tamil Nadu in serious jeopardy.

This House, under all these grave circumstances, urges the Government of India to render justice by constituting a Tribunal under the Inter-State Water Disputes Act, 1956 and referring the Cauvery dispute thereto, in the interests of all the parties concerned, for adjudication, as already requested by the Tamil Nadu Government and instruct the Government of Mysore not to proceed with the Projects, unilaterally taken on hand, till the Tribunal examines and gives its decision on the dispute."

The debate on the Cauvery issue in the Assembly brought out, in a touching manner, the singleness of purpose, and the complete identity of views animating the Members regardless of their party persuasions and platforms. In fact, some of the Members felt that the Government of Tamil Nadu could even have been more aggressive in their approach and attitude to the problem while many complimented the Government of Tamil Nadu on their moderation and patience.

Taking note of the Members' strong sentiments on the disconcerting attitude of the Government of Mysore in going ahead with their Projects, unilaterally, and the disappointing dilatoriness on the part of the Government of India in referring the Cauvery dispute to a Tribunal, the Chief Minister of Tamil Nadu, stated, by way of reply to the Assembly discussions on the resolution, as follows :—

"Of the Members who spoke both on behalf of the Government and the other opposition parties, some have said that the Government have not been aggressive enough in their approach to the ...n. These observations, I am sure, will stand us in good ...suading the Central Government to see our just point

...teemed Assembly as well as the other ...n evincing a keen interest in this ...have been anxious that this

problem should not create the slightest bitterness between the people of Mysore and Tamil Nadu. But the Government of Mysore have, unfortunately, not evinced the same interest, not shown the same consideration which we have taken pains to cultivate, nor have extended the same goodwill and moderation which we have shown. Dr. Hande, the leader of the Swatantra Party pointed out, for instance, that an effigy of the Chief Minister of Tamil Nadu had been burnt in Mysore. This was also referred to by the Communist Leader, Thiru K. T. K. Thangamany. But I do not, however, feel sorry or dejected over the effigy of the Tamil Nadu Chief Minister being burnt in Mysore. I am only sorry that some people have thought it worthwhile to give importance to this news item and allege that I have followed an Anti-Mysore policy. It is not as if our stand or stance is anti-Mysore—it is just a plea for justice. In fact, I shall be failing in my duty if I do not take this opportunity to assure the people of Mysore on my behalf and on behalf of all the parties in this august body that we are not against the people of Mysore at all.

Some of the Members have pointed out that eighteen months have elapsed since our request for the constitution of a tribunal was made, a meeting of all party leaders has been held to discuss the Cauvery waters issue, Parliament Members have taken out a procession as a token of our protest, and presented a memorandum to the Prime Minister and, presently, a resolution on this issue would be passed by the Assembly and sent to the Government of India and posed the question whether there should not be a deadline for the Government of India taking action in the matter. My answer is that we will send the resolution passed in our Assembly as well as the Council, abstracts of the speeches of the members as also a copy of my speeches. I would like to state in this Assembly that if the Government of India do not sent a reply within 15 days, then we shall again convene an all party meeting. I would, then, be prepared to take the lead in whatever agitation we are to launch.

Dr. Hande had occasion to observe that while Mysore had contended that the Mahajan Commission's Report in regard to the border between Mysore and Maharashtra should be accepted, the same Mysore has not accepted our demand for the reference of the Cauvery waters issue to a Tribunal. When I had been to Delhi a year

and three months ago, all the Members of Parliament from Mysore met me. Their object was to enlist my support for Mysore in getting the Mahajan Report accepted. They asked me whether it would be fair if the award of the Mahajan Commission were not to be implemented. I, then, told them that neither opposition to the award of the Commission nor any violation of agreements would be in consonance with the principles of justice. They understood that I was referring, by implication, to the violation of the agreements of 1892 and 1924 by Mysore and laughed in good humour. We have got as much right to demand the constitution of a Tribunal in order to work out a fair and acceptable solution, as Mysore has to press the Central Government for the acceptance of the Mahajan Report.

The stand of the Mysore Government has been only too clear and obvious ever since 1943. When the Lakshmanathirtha Project was contemplated by the then Coorg State, Mysore opposed it. Mysore even asked us to raise our voice against the construction of the dam. Now that Mysore and Coorg have merged, Mysore is proceeding with the Harangi Project which is detrimental to the interests of Tamil Nadu. Mysore had submitted a Project Report on the Hemavathi Project to the Government of India in 1964, wherein are so many statements which are favourable to us. Dr. Hande asked why the Government of Mysore should fight shy of the constitution of a Tribunal. Well, perhaps, it is because of the above consideration. For instance, there is a specific statement in the report that "It is not possible to utilise the entire quantity of water, as the Hemavathi river is a scheduled river governed by the Cauvery Agreement of 1924 between Mysore and Madras". Not only that, there is another important and categorical admission. "The project does not affect inter-State interests. The project is designed, keeping in view the 1924 agreement of Madras and Mysore Governments. The Project comes under the purview of the 1924 agreement". It is clearly stated in the report that the Hemavathi Project should conform to the 1924 agreement and that the Project should be constructed without affecting the limit-flows allowed and assured to Tamil Nadu by the limitation flows Rules and Regulation. Not only that, when the Irrigation Engineers of Tamil Nadu and Mysore met under the Chairmanship of Thiru T. P. Anand of the Central Water and Power Commission,

the minutes drawn up in connection with the meeting categorically mentions that the Chief Engineer, Mysore explained that the Mysore Government were fully prepared to honour the 1924 agreement and that the limit-flows guaranteed therein would not be affected, in any way, by the Hemavathy project. The Chairman of the meeting had also, specifically, set out that the examination of the Project report would be done by the Central Water and Power Commission and that the contribution of the Hemavathy river in the impoundable quantity will be determined from the available inflow-data from 1940–41 onwards, consistent with the conditions of the 1924 agreement. Suitable proportion factors will have to be fixed by joint gaugings between Mysore and Madras. Rules of regulation should also be framed by the two Governments in due course.

We have, thus, a good case in our favour. That is why, perhaps, the Government of Mysore are resisting the constitution of a Tribunal and, what is worse, have proceeded with laying the foundation for the Hemavathy project in 1968, without obtaining the prior concurrence of the Tamil Nadu Government and the approval of the Central Government. Till 1967, the Government of Mysore have been stating that they have been observing the 1924 agreement and that dams would be constructed without affecting the rights of anyone. At that time, the then Government of Tamil Nadu did not view this issue from a political angle. Thiru Veerendra Patil was the Chief Minister at that time. He belonged to the Congress party. In spite of that, the D.M.K. Government convened a conference of all political parties and made efforts to approach this problem cautiously and find a solution for the issue, without affecting the relations between the two States. Negotiations were held. Subsequently, after laying the foundation for the Hemavathy dam in 1968, Thiru Veerendra Patil, Chief Minister while speaking in the Mysore Legislative Assembly, stated that Mysore Government would not honour the 1924 agreement, the very agreement which was given a due place of honour till 1968. The purview of the 1924 agreement had been highlighted and accepted in their own Hemavathy project report in 1964. It had been accepted by the Chief Engineer of Mysore before the Chairman

of the Central Water and Power Commission as recently as 1967. But, then, came the repudiation of the agreement by the Chief Minister of Mysore.

The Tamil Nadu Government, which was shocked by this statement, had no other alternative but to address the Central Government and seek their intervention and help. The Government of India also informed us that they have addressed the Mysore Government, asking them to stop the construction of the dams until an amicable settlement could be reached through negotiations. But, alas, the Mysore Government continued to act in contravention of the orders issued by the Central Government. When the Chief Ministers of Mysore and Kerala and I met in conference in the presence of Thiru K. L. Rao, Union Minister, Thiru Veerendra Patil, the Chief Minister of Mysore would not give any assurance that his Government would abide by the limit-flows assured to us according to the Agreement and that care would be taken to see that the limit-flows are not affected adversely in any way. I have reiterated this not only in this House but also during my address at the All Party Leaders' meeting. Thirumathi Anandanayaki had complained that our stopping with getting an assurance only about our limit-flows might be a mere Pyrrhic victory as Mysore could, if it so chose, come out with the explanation that there had not been adequate rains in any particular year to send down the guaranteed limit-flows to Tamil Nadu and asserted that we should lay our claims to all the surplus waters of the Cauvery system. But I am afraid this fear is unfounded. Mysore is no Sahara nor are we in a place far off the scene. There will always be our Engineer at Krishnarajasagar. It is on this safe and secure basis that we have insisted on a guarantee of our limit-flows. We have stated, in unequivocal terms, that we cannot give consent to the construction of any dam, if our limit-flows are to be adversely affected. Several members made the point that the Central Government is delaying the matter with an eye on the ensuing elections in Mysore. That may or may not be a correct assessment. But I do wish to draw attention to the fact that when the mid-term elections were held, the Prime Minister, had, during her visit to Bangalore, stated that the Cauvery dispute would have to be referred to a Tribunal and this did not stand

in the way of the New Congress achieving a thumping victory at the polls. When it is so, I am not able to understand why the Central Government should be fighting shy of a reference to the Tribunal.

References are made about the statement of Thiru C. Subramaniam. Thiru C. Subramaniam has said that the issue would be considered only after the elections. I do not consider this statement as made on behalf of the Prime Minister. Thiru C. Subramaniam has only said that after the elections are over and elected representatives assume office, this issue could be discussed with them and a settlement reached. I do not accept this point of view nor, I am sure, do the all-Party Leaders.

Thiru Hande has said that this issue should be approached without any party bias. I entirely agree with him. In fact, an embarrassing position may well crystallise as follows :—

If the New Congress were to succeed at the polls and form the Government in Mysore, it might defy the Central Government and proceed with the execution of the projects while the Government of Tamil Nadu, ruled by the D.M.K. could be holding out its hand of co-operation to the Government of India for an early solution of the problem. In fact, an intriguing and embarrassing position has, already, arisen in the sense that though there is President's Rule in Mysore, the orders of the Central Government are not being honoured by their own Government ! It is situations like this that shake our faith in the bona fides of some who profess faith in national solidarity.

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Thiru Ponnappa Nadar and others spoke that we must launch a giant agitation without in any way, impairing the basic unity of India. He has sounded this note of caution lest any agitation sponsored by the D.M.K. should culminate in the secession of Tamil Nadu. There can, however, be no basis for that fear at all. True, we had advocated secession previously but today, it is we who abide by the rules and regulations of the Central Government, though pleading for decentralisation and apportionment of powers between the Centre and the States whereas it is Mysore which is defying the Centre. We have, of course, constituted the Rajamannar Committee for making recommendations as to the best

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manner in which powers could be allocated and shared as between the Centre and the States but we still have the good sense to acknowledge that this Government would abide by the powers invested with the Central Government under the laws in force at present. As I had occasion to point out, earlier, we waited for nearly 1½ years for securing the Central Government's clearance for the Veeranam Project, even though it did not affect the interests of any other State. We did not embark on this project in any hasty manner simply on the ground that it is a uni-State project. In fact, when I was informed of the fact that the permission of the Central Government was necessary for clearing the weeds and shrubs that had grown round this very Fort St. George, we sought necessary permission from the Centre, to clear these and not stopping there, actually, showed the concerned Deputy Minister of the Government of India, the state of affairs before clearing the weeds and shrubs, which have, now, been replaced by a gorgeous garden which adorns the Fort precincts today. This would only go to show the extreme extent to which we go to obey the Central Government and carry out their orders. But what is the position in Mysore ? The Hemavathy, Kabini, Harangi and Swarnavathy dams are being constructed at an estimated cost of Rs. 30 crores and amazingly enough, this is being done under Governor's rule. If such is the sad state of affairs, what will become of our national unity and solidarity ?

We cannot afford to forget at this juncture, that we have our own sad and sore experience in the matter. Our Palar river which, once, used to flow full, and boast of 9 lakhs of trees on its fringes at Ranipet, does not do so any more, what with the indiscriminate construction of anicuts in Mysore State. It is just one silvery stretch of sand. Such may, well, be the lurking, fate of the Cauvery, if the Mysore Government were to be permitted to complete the construction of all its dams without rules of regulation and guarantee of our limit flows.

The Cauvery has been the pet of our Muse, with many paens of praise showered on her. Ilango Adigal, the illustrious author of the Silappathikkaram praises the Cauvery-maiden thus :

" Hail thee, Oh Cauvery
Clad in a robe so beauteous
Of fragrant flowers in a layer
As colourful as made of gems,
Accompanied on either side
By soft-winged bees in battalions,
Which play endless musical notes,
And with dark blue eyes of the glittering fish,
You gently glide in all elegance ! "
..... "

If the Mysore Government were to complete the dams, we may, no longer, hear the endless musical notes of the soft winged bees nor inhale the sweet scent of those fragrant flowers. I only wish that th Prime Minister, who has so much solicitude for the refugees from Bangla Desh and has appealed to the conscience of the International Community on their behalf, has the same feelings for the people of Tamil Nadu who may become refugees in their own State, if Mysore were to have her whimsical way over the Cauvery.

Thiru Kovai Chezhian and Thiru Ganapathy of the D.M.K. spoke of their readiness to make any sacrifice and spare no effort for the sake of the just rights of Tamil Nadu.

Thiru Rama Aranganna1 pointed out that the Cauvery problem was no ordinary issue as the very prosperity of Tamil Nadu was at stake. Thiru Perumal has described the situation as alarming. Thirumathi Ananthanayagi wondered whether the Government of India does not approach the problems of Tamil Nadu with pre-conceived prejudice.

I take these statements as only reflecting the depth of feeling and the mood of dire disappointment of this House. The Cauvery waters dispute is only an issue between the Government of Tamil Nadu and the Government of Mysore, not one between the peoples of these two States. Within the Tamil Nadu State, the Cauvery issue is above party allegiances and alignments. We have prayed

for intervention by the Centre to stay the unilateral execution of the projects by the Government of Mysore whereas the Government of India are postponing consideration of this vital issue. There, is, therefore, a depressing state of affairs now, where the sentiments of the people of Tamil Nadu have not been understood or given due weight by the Centre.

I do hope that the Government of India do not misgauge or misjudge the depth of feelings of Tamil Nadu on this all important issue. It is not as if only Mysore can be intransigent. Even if we do not have schemes of the magnitude of those in Mysore, we can, if it comes to that, proceed with some of our comparatively smaller schemes without awaiting clearance from the Centre. If we are patient and procedural, it is because we are particular that national solidarity should not be sacrificed and national integration imperilled. If we have been moderate, it is not because we are mild but because we believe in unity and inter-State amity. I am sure the people of Mysore would never entertain hard feelings against the people of Tamil Nadu if the background of the Cauvery issue is explained to them in its proper perspective with reference to the provisions of the Agreements of 1892 and 1924, and how the Government of Mysore are morally and legally bound to respect them, which have been accepted in their own Hemavathy project report prepared in 1964, and will abide by the agreements, if no political dimensions are added to the problem. We propose to send resolution passed by the Assembly and the Council to Delhi shortly together with excerpts from the speeches of the members. I do hope that the Union Minister Thiru K. L. Rao, other Union Ministers as well as the Union Ministers representing Mysore will ponder will bestow their due consideration to this burning issue without postponing consideration of the problem, any further. I am even, now, fondly hoping that a favourable reply would be received from the Government of India, any moment referring the dispute to the Tribunal.

I have only this appeal to make to the Government of India—please do not mistake our moderation for mildness and our patience for passiveness. We do hope that the Government of India will give a sound, wise and urgent decision in the matter.

IN THE LEGISLATIVE COUNCIL.

After the resolution, moved on the Cauvery issue, was passed, unanimously, in the Legislative Assembly on 8th July 1971, the matter went up for discussion in the Legislative Council on 9th July 1971 when the Chief Minister highlighted the crux of the issue with the following words :

"We do not stand in the way of Mysore constructing reservoirs. We are only particular that the reservoirs, constructed there, should not, in any way, affect adversely the limit-flows due to Tamil Nadu. Some have misconstrued our stand and wondered why Tamil Nadu was objecting to the construction of dams in Mysore and whether this was ethical or equitable. Some newspapers in other States have also not understood the problem in its proper perspective and have come out with leading articles that Mysore is well within its rights to construct dams across the Cauvery since the origin of the Cauvery is in Mysore. I am totally surprised by all this. Tamilians knew how to utilise the waters of this river even two thousand years ago. It was Karikalan, the great Chola King, who constructed the Grand Anicut and constructed a net work of canals and channels to provide for irrigation purposes. Mysore did not even think about the construction of dams in those days. But just for this reason, we do not say that Mysore should not construct any reservoir across the Cauvery. We have made our stand clear time and again that we do not object to the dams being constructed across the Cauvery but only state these should be constructed after prior consultation and our concurrence, as per the provisions of the Inter-State agreements and after getting the technical clearance of the Government of India. Till 1967, Mysore has been observing the provisions of these agreements. Mysore had not forgotten to refer to the 1924 Agreement in their " Hemavathi Reservoir Project" submitted by them to the Government of India in 1964. It is specifically set out in that report that " even though such an amount of water is available, it is not possible to utilise the entire quantity as the Hemavathi river is a scheduled one governed by the river agreement of 1924 between Mysore and Madras ". Mysore added an even more positive angle to the above when they, categorically, spelt out in that report that the project does not affect the utilisation of Inter-State interests. The Project is designed, keeping in view the 1924 agreement of Mysore and Madras States. The project comes under the purview of the 1924 agreement.

The relationship between the peoples of Tamil Nadu and Karnataka is nothing new and spans many a bygone century. The Cauvery is a vital link which symbolises the strong bonds between the two States. The Government of Tamil Nadu are very anxious that this fraternal friendship, fortified by Time, should not break over the Cauvery waters issue. Only with this object in view, we are adopting a patient approach, though, we are, today, witnessing the sad spectacle of the writ of the Central Government being flouted in Mysore under Governor's rule. I have pointed out, in the beginning, that we are bearing all this just for the sake of national solidarity. The Members of the Opposition in the Assembly referred to our patience and moderation in dealing with the Cauvery issue. I had occasion to point out in the Assembly, in this connection, that whatever the nature of the action to be taken by us, it should not place the nation's unity in jeopardy. But, then, did not Subramania Bharathi pose the question in one of his poems—would one ever sell one's eyes and purchase a painting ? Would it be correct to save the solidarity of India at the expense of Tamil Nadu ? I do not state this to imply that the unity of India should be done away with. But the Central Government should also ponder over the fact whether it is proper to prop up and preserve national unity by ruining Tamil Nadu. Let those leaders at the Centre point out whether we have put forward any demands, over and above what are guaranteed to us under the agreements. Do we say that the Hemavathi, Kabini, Harangi and Swarnavathi irrigation projects should not be executed ? All that we say is that Mysore can carry out these irrigation projects, after satisfying us that our rights stand protected. We only request Mysore to abide by the clauses of the agreements so that the Cauvery Delta would not be affected by these projects. That is why we demand that the issue be referred to a Tribunal. Mysore refuses to have the dispute referred to a Tribunal, which fact, itself, would go to show that they do not have justice on their side. Let the people of Mysore come forward with their views on this matter. We will ask them why the agreements concluded long ago should be violated. Do the people of Mysore want the rich fields of Tamil Nadu to become arid and the empty stomachs of Tamilians to ache with hunger ? Certainly not. The political leaders of Mysore owe a duty to educate their people about the actual state of affairs.

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But, unfortunately, the situation there is just to the contrary. If only the political leaders of Mysore, in general, and that of the New Congress, in particular, come forward to explain the actual terms of the agreements to the people, there will be room for considering the Cauvery issue in a dispassionate manner amidst the right atmosphere in Mysore. The Union Minister for Planning, Thiru C. Subramaniam, observed, while meeting the Press at Madras, that the dialogue over the Cauvery issue could be resumed after the elected representatives take over the administration in Mysore State.

As I have had occasion to point out yesterday, on the floor of the Assembly, this is not a correct argument. It was while elected representatives were in power in Tamil Nadu as well as in Mysore State that our demand that the issue be referred to a Tribunal was made. Even if a majority is required among the parties to the dispute as a condition precedent to reference to the Tribunal, we have it in the sense that both Tamil Nadu and Kerala are in favour of reference. Only Mysore is against such reference. Incidentally, as the Leader of the Opposition pointed out, has the Centre given the assurance to Tamil Nadu that until such time as elected representatives take over the administration in Mysore State, the construction of these dams will be stayed ? Have the Government of Mysore been directed to stop construction ? It is, actually, easy to issue such a direction as Mysore is now under Governor's rule. There is no Ministry there to refuse to obey the orders of the Centre. No—the people of Tamil Nadu cannot be duped that way—Hon'ble Member Thiru Abdul Wahab said that the leaders of all parties should go to Delhi and stage a hunger-strike for a day. What is there ? We can stage a hunger-strike not for a day, but for an indefinite period. He suggested that a hartal be observed.—There is no difficulty about this, either—The people of Tamil Nadu are prepared for any sacrifice. It is not, however, for me to announce in advance the steps that would have to be taken by Government. As the Leader of the Opposition and some of the members have suggested, we will, certainly, examine whether we can move the Supreme Court to make the Government of India refer the dispute to a Tribunal to be constituted under the Inter-State Water Disputes Act of 1956".

The resolution on the Cauvery issue was, then, passed unanimously by the Legislative Council.

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