CHAPTER - III

THE FARAKKA ISSUE AND ITS SUBSEQUENT DEVELOPMENT

(56)
The Farakka Barrage dispute caused a tense relation between India and Pakistan before the emergence of Bangladesh. It has been, now, generating tension between India and Bangladesh also. Before 1971, several attempts were made to settle the issue without success.

After 1971, an understanding was reached on this issue between India and Bangladesh. The Farakka agreement stood as a mark of good relations between India and Mujib's Bangladesh. But now it has been a cause of tense relations with the advent of Zia-ur-Rahman's regime. After Zia also it has remained a burning issue between the two countries.

PAST HISTORY: A British Engineer, Sir Arthur Cotton had suggested in 1853 that a barrage should be built across the Ganges to prevent the Hooghly river from silting up at Farakka, a village in the Murshidabad district of Bengal.

Thus, we see that such a project was forseen more than a Century ago. Proposing the construction of a barrage across the Ganges at Rajmahal, near a village called Farrage, in 1853, Sir Arthur Cotton said: "If additional waters thrown into the Hooghly and kept flowing down it during the dry season, such an additional scour might just make the difference of preventing the Hooghly from silting up." 1


(Contd. .....58)
Besides Sir Arthur Cotton in 1853, Stevenson Moore Committee (1919), Sir William Willcocks (1930), T.M. Oag (1939) and A. Webster (1946), Dr. Walter Hansan in (1957) endorsed the opinion. They suggested that the main objective of the Farakka Barrage Project was to provide the regulated Upland discharges into the Bhagirathi Hooghly system in order to bring about improvement in the navigability of the Hooghly for the preservation of the port of Calcutta. When the British left the Sub-continent in 1947 after partition, India was given the Control of the headworks of the Hooghly. To do so, Sir Cyril Redcliff, Chairman of the Bengal Boundary Commission had to give Murshidabad district, where the Muslims were in a majority, to India and compensated Pakistan with Khulna district where Hindus were predominant.

Eversince India was partitioned on its eastern side, with East Bengal becoming East Pakistan in 1947, relations between India and this eastern wing of Pakistan, regarding Farakka, stood as a great problem. Under the partition arrangement, the Chairman of the Bengal Boundary Commission, Sir Cyril Redcliff awarded Muslim majority Murshidabad district in Bengal to India, so that it retained Control of Calcutta Port's lifelines. In 1951, India announced its decisions to construct a barrage at Farakka which was protested by Pakistan Government on the ground that it would interfere with the flow of the Ganges Waters into its eastern wing (now Bangladesh). So, Pakistan suggested reference of the Ganga Waters issue to the United Nations or to third party arbitration. Thus the beginnings of the Farakka dispute started between India & Pakistan.

(Contd. .... 59)
In 1953, India suggested co-operation in the exploitation of the eastern region. After two years, Pakistan accepted the Indian suggestion and so India started sending regular flood warning to East Pakistan. In 1960, the Indian Government proposed to construct a barrage at Farakka to save the Calcutta port. In the next year, the Nehru-Ayub Agreement was concluded for the exchange of technical data relating to the water needs of the region. In 1963, India began the construction of the 2,244 metre long barrage with 109 bays at Farakka to divert the Ganges Water to the Hooghly.\(^1\)

This Farakka Barrage project with the exception of the feeder canal was completed in 1969 at the cost of Rs. 280 Crores. It is located about 16 Km. north of Bangladesh.\(^2\) This project was designed to abstract upto 40,000 cusecs of water from the Ganga at a point just before it leaves West Bengal to enter Bangladesh. In July, 1970, at the tenth-round of Indo-Pakistan talks, India agreed to make Farakka the point of Water-supply to the Eastern Wing of Pakistan.

**THE FARAKKA ISSUE AFTER THE EMERGENCE OF BANGLADESH:**

In 16th December, 1971, following the birth of Bangladesh, this matter was again discussed in a friendly atmosphere between India and Bangladesh at several meetings.

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1. India Backgrounder, Weekly References, Service, Index, (1975-76) Vol. 1 No. 1 April, 5, 1976.


(Contd. .....60)
At a meeting of March, 1972 the two Countries agreed to set up a Joint River Commission (JRC) to work out long-term schemes of Cooperation based on optimum water utilization between the two countries. However, when the Govt. of India failed to complete the proposed Farakka Barrage, discussion was held in Lok Sabha on the issue. The JRC meetings also were not able to find an agreeable solution on the sharing of the Ganga Waters. On 16th May, 1974, Indira-Mujib Joint Declaration expressed its determination to reach an agreement on sharing of waters. On April 18, 1975, India and Bangladesh signed an agreement on the running of Farakka Barrage during the lean season and three days later. On April 21, the Farakka Barrage was commissioned after an agreement with Dacca running on a short term basis.

A feeder canal, 151 meters wide and 6 metres deep, takes off from the right bank of Farakka and then flows into the Bhagirathi river on the down stream side near Jangipur town, 39 Km away was also proposed. The Feeder Canal is one of the large and difficult constructions in the world having a bed width greater than even the International Suez Canal in Egypt. The work on the canal was started in 1965. There is a smaller barrage across the Bhagirathi at Jangipur. It is 213 metres long and consists of 15 bay. Four navigation locks facilitate navigation along the Ganges and in the feeder canal. The canal formed by digging 57 million cubic metres of earth is wider than the Suez at its base. 1

1. India Backgrounder - Vol I No. 1 April, 5, 1975.
The Rail-cum-Road bridge over the Farakka Barrage, was opened in 1971 to link Calcutta with North Bengal and Eastern Indian State of Assam. Two Road-cum-Rail bridges and three road bridges were provided across the feeder canal to maintain communications between the two sides of the canal.

The purpose of the 26 mile long canal is to take off from the barrage in order to supplement the waters of Bhagirathi at lower point. This would make the current of water strong enough to flush off the silt and keep the Calcutta Port clear and thus arrest the deterioration that threatened the existence of the port and would also result in the supply of fresh water to Calcutta. It would even reduce the frequency and intensity of great tidal waves which move up the Hooghly and affect ships going up and down from Calcutta, and it would improve navigation up the Ganges and reduce flood hazards in the Catchment area of the River as well.

However, the Pakistan Government at first opposed the proposed plan but later it agreed. Pakistan Government's refusal was that the construction of the barrage at Farakka was a threat to her security and would also jeopardize the irrigation projects of East Pakistan.

1. India Backgrounder - Vol. I No. I ; April 55 1975;
2. Indo-Bangladesh Relations, S.S. Bindra, Deep and Deep Publication; P. 70;
3. Ibid.
This barrage was dedicated to the nation by the then Indian Agriculture and Irrigation Minister Mr. Jagjivan Ram on May 21, 1973. At the Farakka dedication ceremony, Bangladesh was represented by the Co-Chairman of the JRC, Mr. B.M. Abdus. In the dedication ceremony he described Farakka as a "Prelude to further understanding between the two Countries".  

NECESSITY OF THE FARAKKA BARRAGE:

The port of Calcutta is situated on the Lower Hooghly at a distance of 126 miles from the Sea. The navigation conditions of the Lower Hooghly are progressively deteriorating and many famous engineers for a very long time had been thinking how best to check this tendency. Calcutta 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.

The main object of the Farakka Barrage Project is to provide regulated upland discharges into the Bhagirathí-Hooghly system in order to bring about improvement in the navigability of the Hooghly for the preservation of the Port of Calcutta.

Before the Farakka was commissioned, the Hooghly near Calcutta and down stream was suffering from four main problems:

(1) High Salinity, (2) Heavy Silting, (3) Poor navigability due to 16 sand bars, five or six sharp bends and 100 or so Sunken Ships and (4) An increasing frequency and intensity of tidal bores with the lowering of the water-level.

Currents from the Bay of Bengal brought in about 12 million tonnes of silt every year. While the monsoon discharge flushed out seven million tonnes, a net accumulation of five million tonnes was left on the river bed every year. This was steadily choking up the river. In the fifties, it had draught (depth) of 7.8 metres at high tides, by 1975 it had come down to 6.6 metres.

To clear the choked up river, constant dredging that cost 75 million rupees annually was needed. Ships were finding it increasingly difficult to make the 200 Km journey upward from the sea to the Calcutta Port. Once the ships made it in 36 hours, now it was taking them over 60 hours. On night shipping was stopped because of tidal bores and the lowering of the draught of the river.

As the Hooghly received water from the Ganges only during three months of the flood season, Farakka Barrage was designated to divert waters from the Padma to save the port and ensure drinking water supply for the City of seven million inhabitants.

(Contd. .....64)
The Gauge River was originally flowing till four centuries back along Bhagirathi-Hooghly and due to being silted up at the mouth of Bhagirathi, Ganga is now flowing through Padma, which used to be a minor branch of the Ganga. The flow of Bhagirathi is, now therefore, confined to a small discharge and this too for a maximum of 60 days in a year at the time of highest floods in the Ganges.

So, the necessity for a barrage across the Ganges to ensure augmentation of head-waters had been thus accepted and even during the partition of India, this fact played a large part in fixing the boundaries between India and East Pakistan (now Bangladesh) in this region.

Such a barrage might help in developing irrigation project of East Pakistan also (now Bangladesh). Bangladesh is full of rivers. The main communication there is only boat communication. It is completely Agricultural-land. 80% of the people depend on agriculture though there are no major Irrigation projects. Agriculture needs proper water-supply for its development. This Farakka Barrage and the Feeder canal instead of hampering would help in their irrigation-projects to develop her agriculture.

Even, prior to the proposed Scheme, East Pakistan (now Bangladesh) suffered much from floods. The Farakka Barrage and the Feeder Canal would have helped East Pakistan in their Agriculture, Communication and could have ensured certain protection from floods.
It has already been mentioned above that Sir Arthur Cotton suggested, a century and a half back, the construction of a barrage on the Ganga at Rajmahal. Twenty years back, Govt. of India constituted a committee under the Chairmanship of Shri Man Singh to examine the matters relating to the improvement of head-water-supply of the river Hooghly. Later on, the subject was further studied by a group of engineers including Dr. Hensen of Germany. Hydraulic model studies had also been employed. It was argued that the main reason of deterioration was the absence of adequate and continuous flow in Bhagirathi due to siltation of the river at the off-take point from the Ganga.¹

The only question that remained was with regard to the quantum of water that should be let down and its duration. Shri Man Singh's Expert Committee Report on the river Hooghly and the improvement of its head water-supply submitted in October, 1952, fixed the discharge of the feeder canal from Ganga at 20,000 cusecs (Page 56 of the Report). It was further observed:

1. Lok Sabha Debates,
   August, 16, 1972;
   PP. 319 - 320.

(Contd. .... 66)
"Different opinions have been expressed regarding the quantity of water which should be introduced into the Hooghly. That there is an optimum quantity cannot be gain said. Larger quantities will tend to erode the banks, bring down a heavy charge of silt which would tend to create difficulties in the tidal reaches, while too little would not reinforce the off current in the tidal reaches to the extent which would enable it to carry back the silt brought up by the tidal inflow. Smallness of the scale of the models made it difficult for the Research Station at Khadak Vasla to determine the minimum dry whether discharge required to maintain the river in regime".  

The Hydraulics Study Department prepared a report on the Calcutta Port in 1957 and suggested that in the monsoon season considerable volumes of sand are brought down to the various bars and crossing in the Hooghly and with the increase in the monsoon flows, practical only with the sharp peaks, the river channel established by dredging during the dry season is disturbed. Thus from time to time to save the Calcutta Port and the construction of Feeder canal and Barrage was going on. Further studies were carried out and finally the Ganga Barrage Project Report was prepared in 1959. The cost was estimated at Rs. 56.40 crores. When the Project came up for approval, Planning Commission observed as under:—

1. Lok Sabha Debates. August 16, 1972. PP 319-320;
2. Indo-Bangladesh Relation; S.S. Bindra; P. 69.

(Contd. ..... 67)
"The Planning Commission had accepted the Project as being necessity for the preservation of the Port of Calcutta besides its other benefits, on the basis of general consensus of technical opinion that the scheme was technically sound, even inspite of the full suspension of the withdrawals in the periods during March-May.¹

The Farakka Barrage across the Ganga and the Feeder Canal to carry the waters to Bhagirathi and other ancillary works were sanctioned by the Govt. of India in April, 1960. It took the note of the various viewpoint with regard to duration of head discharge and made provision for the operation cycle of moderated discharges at Khulna as follows:

<table>
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<tr>
<th>PERIOD</th>
<th>PROPOSED FLOW AT KHULNA (CUsecs)</th>
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<tbody>
<tr>
<td>January to 15th March</td>
<td>- 40,000 to 20,000.</td>
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<tr>
<td>15th March to 15th May</td>
<td>- Upto 20,000 (as available).</td>
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<tr>
<td>15th May to 20th June</td>
<td>- 20,000 to 40,000.</td>
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<td>20th June to 30th June</td>
<td>- 40,000 to 60,000.</td>
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<tr>
<td>July to September</td>
<td>- Steady rise from 60,000 upto say 140,000 and to 80,000 towards the end of September.</td>
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<tr>
<td>October</td>
<td>- 80,000 to 40,000.</td>
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<td>November</td>
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<tr>
<td>December</td>
<td>- 40,000.</td>
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¹ Lok Sabha Debates; P. 320; August 16, 1972.
It was also further observed that "The suggested operational programme, based on the available hydrological data, will have to be further examined and improved with the help of more data that will be subsequently collected and will be tested at the Central Water and Power Research Station, Poone, for the optimum effects on the bars and crossings in the Lower Hooghly."

In March 1961, the then Prime Minister of India, Nehru and the then President of Pakistan Ayub Khan after the discussion on it reached an agreement on exchanging of technical data relating to the water needs of the region. And in 1963, India began construction of the 2,244 metre long barrage at Farakka to divert the Ganges water to the Hooghly. But the Pakistan Govt. from 1961 repeatedly suggested on holding Ministerial conference. In response to it, the Government of India said that Ministerial Conference could only be held after the exchange of data regarding the project. According to Indian Government, as the Ganges is a big river with available water, so even after the use of water by India for the Farakka Barrage, adequate water would be available to Pakistan for reasonable and practicable irrigation projects contemplated by Pakistan.

Following the Tashkant Declaration by India and Pakistan, the problem came up once again.

1. Lok Sabha Debates; 16 August, 1972.
In the ministerial-level discussion of February, 1966, Pakistan proposed an agenda which included the Farakka Barrage also. The then Foreign Minister of Pakistan Sharifuddin Pirzada declared on 15th July, 1967 in the National Assembly that India's approach to the Farakka Barrage issue had been contrary to International law and practice. He pointed out that the waters of the river Ganga should be equitably shared by the two countries on the basis of genuine needs and in accordance with International law. In response to a question he further stated the following adverse effects of the barrage. ¹

1) The project will reduce East Pakistan's supply of water and deprive it of its share of water and further development.

2) The Ganga-Kobadak Scheme which was intended to irrigate two million acres of land in Kushtia, Jessore and Khulna districts of East Pakistan and work on which had already reached on an advanced stage, would be jeopardised.

3) The moisture content of the soil immediately after the monsoon season, which was vital for maturing summer crops, would be reduced drastically due to the lowering of the existing water-level. This would cause deterioration of agricultural conditions.

¹ Indo-Bangladesh Relation; PP. 70-71; S.S. Bindra, 1982.
(b) Indo-Pak Relations, Tashkent to Simla Agreement; S.S. Bindra, 1981.

(Contd. ..... 70)
4) Navigation of the Ganga and its Spill Channels specially the Gauri-Madhumati beach would be seriously affected.

5) The barrage would cause serious flood hazards to East Pakistan. India would be able to pour (obliged) into East Pakistan the flood discharge of the Ganga (about 10,000,000 Cusecs) which used to spill into Bhagirathi-Hooghly from the Ganga during the flood months.

6) India proposes to take silt free water to the Hooghly. This would mean that more silt would be discharged in East Pakistan, causing a rise in the river-bed and consequently an increase in the flood height. The existing flood-problem would thus be increased (accentuated).

7) The reduction of water-flow would seriously affect the Coastal areas of Khulna and Barisal. In that way the saline water-limit would creep up further and affect agriculture and the quality of water-supply in Urban and industrial town of Khulna.1

The talks to solve the barrage issue were held in the second week of May, 1968 in Delhi. In the talks, the visiting delegation had expressed their apprehensions about the diversion of the Ganga Water into the Bhagmati commonly known as Hooghly.

The Indian experts reiterated their case by producing data and charts to prove that the diversion of the Ganga-Water was necessary to save Calcutta Port which was handling 50 percent of the Country's export. They also explained how the barrage would help East Pakistan to meet the recurring flood menace. It was decided that Pakistani engineers would visit Farakka. Pakistan also consented to Indian Engineers inspecting their Ganga-Jabalia Project lower down the Ganga in East Pakistan, which it was claimed was being planned to irrigate three and half million acres of land.\(^1\) India rejected the Pakistani delegation's suggestion that good-offices of a third-party like the World Bank should be used to resolve their differences over the utilization of the Waters of the Eastern rivers.\(^2\) The talks finally concluded on 26 May without the signing of an agreement mainly because of the Pakistani insistence on adjudication by a third party.\(^3\) The Indian Express wrote in an editorial that -

The Pakistani delegation's clear purpose was to create a stalemate and then the press for a ministerial-level meeting to resolve it. Pakistan has been keen to raise the issue to the political plan in order to internationalise it and invite third party intervention as in the case of distribution of the Indus water.\(^4\)

\(^1\) Indo-Pak Relations, S.S. Bindra, 1981.
\(^2\) Ibid.
\(^3\) Ibid.
\(^4\) Ibid.
The Patriot was of the opinion that Pakistan would cite the wreckage of the Delhi talks as proof that step by step approach to solve Indo-Pak differences was not workable. Its political purpose would become clear in the next few days when a spurt of hostile propaganda would be launched against India.¹ The search-light suggested that the dispute should be taken away from the legal and political level on purely scientific and technical basis.²

Talks on the Farakka were held again in the month of December. The five-day Indo-Pakistani Secretary-level talks ended in New Delhi on 19 December, 1963 and yielded no results that could warrant outcome of the talks was an indication by the Pakistani-side of its willingness to provide Certain essential data which it had withheld so far.³ The Patriot wrote: "The New Delhi talks have at least made it clear that an agreement is possible if a balanced approach is adopted on the basis of actual possible data."⁴ The Hindy said, "further progress would be possible only if Pakistan would be able to resist the temptation to use the issue as another propaganda stick to beat India with".⁵

1. Indo-Pak Relations - S.S. Bindra, 1981
2. Ibid.
3. Ibid.
4. Ibid., p. 191.
5. Ibid.

(Contd. ....73)
From 1951 to 1970 July, experts of the two Countries met ten times, including five times at the level of Secretaries of Ministries. But all these meetings failed to produce any good result. Because Pakistan was demanding apportioning of the Ganga and India willing to consider only the "reasonable water requirements" of what was then East Pakistan.

India and Pakistan did not agree on the quantum of waters to be shared, they agreed that Farakka would be the point of water-supply to Dacca. They also agreed in principle to constitution of a two-member body to ensure delivering of agreed supplies.

In the following year, the issue was overshadowed by the political turmoil in East Pakistan that led to the birth of an independent Bangladesh on December 16, 1971.

It is to be noted here that before the emergence of Bangladesh (Prior East Pakistan), the Government of India repeatedly told Pakistan that in the real sense of the term, Farakka Barrage and the Feeder Canal would not affect the irrigation scheme of East Pakistan. From the metrological point of view, it is true that Bangladesh is a land of mighty rivers and every river has some strong qualities. But it had no drainage system which affected the agriculture of Bangladesh. It is an agricultural land and jute is the main crop of Bangladesh. Actually, Bangladesh had never faced water-crisis. It had plenty of waters but it faced how to drain it away. The mighty Brahmaputra runs through Bangladesh which carries plenty of water throughout the year.

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With an annual rainfall varying from 55 to 100 inches and large areas inundated for a good part of the year, the problem of the region was essentially one of drainage and flood control. Areas of Bangladesh were cultivated to an intensity of over 120 percent without any irrigation.¹

The river Ganga, rising from the Himalayas flows through the Indian provinces of Uttar Pradesh, Bihar and Bengal and it then enters into Bangladesh. Among its several tributaries from the North and the rivers Gandak and Kosi which are rising from Nepal. For several miles, the Ganga forms the frontier between Bangladesh and India. By turning to the south-east, it meets the Brahmaputra almost in the centre of Bangladesh. The total length of the Ganga is 2,177 Km. out of it 2,036 Km. flows through the Indian territory. Its total catchment area is 9,43,500 Sq.Km. Out of it, 7,50,000 Sq. Km. falls in India. Also 61.6 million hectares of the river’s cultivable area of 67.6 million hectares is on the Indian soil.²

Moreover, about 40 percent of the Indian population lives in the Ganga basin and is dependent on the river and its tributaries. The waters of the Ganga pass through some arid and semi-arid and drought stricken areas in Bihar, Madhya Pradesh, Rajasthan, Uttar Pradesh and West Bengal States. There is no other source of surface water-supply available in the area with annual rainfall ranging between 35 and 100 Cms.³

¹R.K. Dixit, “Indo-Pakistan talks on Farakka Barrage and Related matters”; Indian Journal of International Law; Vol. 9, 1969; P.219
²S.S. Bindra, Indo Bangladesh Relation; P.71;

(Contd. .....75)
The Ganga covers about 2,036 Km. of its flow through India with a catchment area of over 7.5 million Sq.Km. of territory against about 141 Km. of flow through Bangladesh with some 5,600 Sq. Km. of Catchment territory. The Psychological disposition of the river indisputably marks out India to be its preponderant user, a factor which guided the Radcliffe award on boundary demarcation between the two countries in the late forties.

From the above, we come to conclusion that the river Ganga covers 90 percent of Indian territory. And in inclusion with India-Bangladesh boundary more than 98.50 percent of its length lies in the Indian territory. The contribution of Bangladesh to Ganga water was less than half percent. Through about 40 percent of the entire population of India i.e. 210 million people reside in the Ganga Basin, yet of the total cultivated area of 169 million acres only 15 million acres had irrigation facilities in the Ganga Basin in India by way of major and medium irrigation projects.

LEGAL ASPECTS OF THE FARAKKA PROJECT

If we examine it from the logical point of view, we find it that India was under no obligation to sacrifice its interest in the utilization of Ganga water in favour of Bangladesh. The Barcelena convention related to the use of water of International rivers. But according to India, this convention was not applicable in this case because in 1957, India denounced it.

1. R.K. Dixit; "Indo-Pakistan Talks on Farakka Barrage and Related matters"

In any case, even under the Barcelena Convention treaties or agreements are prerequisite for tracing any river as an International one. The lower-riparian state of Bangladesh cannot veto India's right over the use of the Ganga waters within its own territory.

The Helsinki Rules on the use of Waters of International Rivers, drawn up by a Committee of the International Law Association (ILA) in 1966, provided for distribution on the basis of factors like: (a) Geography of the basin; (b) hydrology of the basin; (c) the Climate; (d) its past utilization; (e) economic and social needs of each basin state; (f) availability of other resources and (g) the degree to which the needs of a basin state may be satisfied without causing substantial injury to a co-basin state.  

1. (a) India Backgrounder, 1975-76; Weekly References Service India;

(b) Indo-Bangladesh Relation, 1982; PP. 72-73; S.S. Bindra.
Since 1954, the International Law Association (ILA) through its Committee had been studying on the uses of waters of International Rivers which submitted its report in 1966 after twelve years of study. The rules regarding the uses of International Rivers popularly known as Helsinki Rules, 1966, was the result of effort of some eminent experts in this field. According to Helsinki Rules each basin state was entitled within its territory to a reasonable and equitable share in the beneficial uses of the water of an international drainage basin (Article IV). From this point of view, India's case was fully justified.

If the Helsinki Rules are invoked in the case of Ganges water, India would have the right to use practically the whole of the available flow, as the Ganga is mainly an Indian river with only less than two percent of its flow in Bangladesh.

From the above discussion, it appears that India should not sacrifice her interest in the utilization of Ganges-water in favour of Bangladesh. In the real sense of the term, the Ganga is an Indian river. Agriculture is her backbone. Nearly fifty percent of her total population live in the Ganga basin and they are dependent on the Ganga-river and its tributaries. East Pakistan (now Bangladesh) cannot demand priority on the Ganges. Truely speaking, the Farakka barrage and the feeder canal never hamper in the development of East Pakistan (Now Bangladesh). Rather it will help in her agriculture. Like India, Bangladesh is an agricultural country and nearly 80 percent of her total population depend upon agriculture. But Bangladesh never faced water-crisis for her agriculture as it is a land of rivers. It is a question of utilising the waters of these rivers for the development of agriculture, power and navigation.

1. Indo-Bangladesh Relations, S.S. Bindra, PP. 72-73.

(Contd. .... 78)
While pleading Indian case in the Special Political Committee of the General Assembly relating to Ganga-Waters, J.S. Mehta said that his Country's views regarding the utilization of waters of an international river or drainage basin are similar to those which are held by the large majority of states all over the world. When a river crosses more than one country, in its passage to the sea, each country is entitled within its territory to a reasonable and equitable share of the waters of the rivers. The quantum of that share has to be determined by taking into account the relevant factors, namely the geography and hydrology of the basin; the economic and social needs of the population dependent on those waters, the availability of other resources, the existing utilization, the avoidance of unnecessary water, etc. Such riparian state, in the exercise of sovereignty over its territory and autonomy in determining its water policy has the right to plan and set out the priorities of use of the water to which it is entitled. The reasonable and equitable share of water may be used by each riparian state either for irrigation and other agricultural purposes or for industry for for other beneficial uses including the protection of its economy. It is well acknowledged the world over that no particular use of water has inherent priority over another. The existing reasonable use of water by a riparian state should be taken into account when another co-riparian state decides to utilise its own share of the water to which it is entitled. In this way, there will be no clash between the use of water by all riparians, and they can make optimum utilization of water of the river.

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Nor is it necessary that a particular use should be subject to prior consent by the other co-riparian. There is no law imposing such an obligation and there can be no impediment to Country's beneficial economic development. India has always subscribed to the view that each riparian state has a reasonable and equitable shares in the waters of an International river or drainage basin.1

However, it is to be noted here that the proposed plan of India did not have adverse effect on Bangladesh. Regarding this issue, several talks were held between India and Pakistan and later on (after 1971) between India and Bangladesh. India never neglected the demand of Bangladesh. From the various experiments, it established that 40,000 cusecs of water was required to achieve the purpose which would still have adequate flow of water to meet the reasonable present and foreseeable requirement of water of Bangladesh.2

1. (a) Indo-Bangladesh Relations, 1982; S.S. Bindra, PP. 73-74.

(b) Statement by J.S. Mehta in the Special Political Committee of the General Assembly (see Indian Journal of International Law, Vol. XVI, No. 4, 1976, P.- 525.

2. (a) Statement by J.S. Mehta, in the Special Political Committee of the General Assembly, P. 523.

(b) S.S. Bindra, PP. 73-74.

(Contd. .....80)
India is to some extent liberal to Bangladesh as India felt that during the lean season due to the reduction in the quantum of river flow, Bangladesh might have some adverse effects. However, to allow the water resources simply to be drained into the sea without its beneficial use would not be justified. The effects of change in river flow have to be scientifically assessed with a view to taking remedial measure.

The importance and necessity of the Farakka Barrage and the feeder canal for both India and Bangladesh cannot be denied. Moreover, India wanted to save the famous Calcutta Port for better communication, business, etc.

**INDO-PAKISTAN EFFORTS TO SOLVE THE ISSUE:**

The Farakka dispute is not a new dispute with Bangladesh. Actually it is a very old problem since the division of the Indian Sub-continent in 1947. The main dispute hotted up then when India planned to construct in 1951 a barrage at Farakka across the Ganga. By constructing this barrage, India wanted to save the main Indian Calcutta Port from silting and on the other side it would help the irrigation project of East Pakistan (now Bangladesh).

1. a) J.S. Mehta's Statement;
   b) S.S. Bindra, 1982;
   Indo-Bangladesh Relation, P. 74.

(Contd. ..... 81)
But the Govt. of Pakistan did not see its good effects and on the contrary, thought it would hamper agriculture of East Pakistan. So, from the very beginning Pakistan opposed the Indian proposal.

The meetings spanning the period from 1951 to 1971, between India and Pakistani experts and statesman were held, but they did not result in any solution. In the Commonwealth Prime Minister's Conference, which was held in London 1961, the then Indian Prime Minister Nehru and the then Pakistan's President Ayub Khan discussed this problem. Nehru assured him of a reasonable settlement of the problem and told that the matter should be first referred to technical experts. In response to it, Ayub Khan wrote to Nehru for a Ministerial-level conference to discuss the issue. In the same year, in July Pakistan Minister for Rehabilitation, Lt. Gen. K.M. Sheikh met in a meeting with the Prime Minister of India and discussed the issue. However, the suggestion was again repeated in mid 1962, in May, 1963 and in June 1965. But the Govt. of India suggested that after exchanging data regarding the project, Ministerial level conference would be held. It was maintained that the Ganga was carrying enough water. Even after the use by India for the Farakka Barrage, adequate water would be available to Pakistan for reasonable and practicable irrigation projects contemplated by Pakistan.

1. Indo-Bangladesh Relations; P-75, Hindustan Times, 17 July, 1961;
3. Foreign Affairs Record, Vol. VIII, No. 9, Sept. 1962; Pt. 203-4;
The problem came up once again after the Tashkent Declaration was made between India and Pakistan. The proposed agenda which Pakistan presented for the Ministerial-level talks in February, 1966, included Farakka Barrage also. It was item No. IV in the proposed agenda which India rejected. Because if India agreed to the proposal, then India's trouble would be increased instead of solving the problem and it would be on the other hand helpful to Pakistan.

From the beginning of the problem, we see that the Government of Pakistan tried to internationalise the issue. At the International water for peace conference which was held in Washington in May, 1967, 92 Countries took part and at that conference, Pakistan raised the issue. Again the then Pakistan Foreign Minister Shariful Pirzada declared on 15 July, 1967 in the National Assembly that India's approach to the Farakka barrage issue was contrary to the international law and practice.

However, we see that the government of Pakistan by any means tried to indict India. Pakistan again raised the problem in the Afro-Asian Legal Consultative Committee meeting which was held in Bangkok in 1968. Under Article III of the Committee discussed the issue. But the government of India did not agree with the proposal. The Govt. of Pakistan tried to internationalise the problem and was not interested in finding an agreeable solution.

2. Ibid.

(Contd. ..... 83)
The bilateral talks on solving the barrage issue were held in the second week of May, 1968 in New Delhi. In the talks, the visiting delegation expressed their apprehension about the diversion of the Ganga Water into the Bhagirathi commonly known as Hooghly. India, by producing the data and charts proved that 50 percent of the Country's export was depending on the Calcutta Port. So, India must have the Calcutta Port. It also explained how the barrage would help East Pakistan to meet the recurring flood menace. Later, it was decided that the Pakistani engineers would visit Farakka. Pakistan also agreed to the inspection of Ganga-Kobadak Project by Indian Engineers, which was claimed was being planned to irrigate three and a half million acres of land. India rejected the Pakistani delegation's suggestion to resolve their differences over the utilization of the water of the eastern rivers. The talks finally concluded on 26 May without the signing of an agreement mainly because of the Pakistani insistence on adjudication by a third party.

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1. Indo-Bangladesh Relation, 1982; P. 76; S.S. Bindra.
2. Hindustan Times, 17 May, 1968;
3. Times of India, 27 May, 1968;

(Contd. .....84)
The government of Pakistan always tried to internationalize the issue and needed third party intervention. With such an attitude and stand, Pakistan did not like to solve the problem amicably. She rather, blamed India for the failure of the talks. Pakistan considered Indus-Water and Farakka Barrage issues to be of the same nature. The two disputes were never identical and, therefore, not comparable.

If we consider the length of the Ganga, it cannot be entirely an "International River". The Government of Pakistan alleged that India's claim to the Ganga as the Indian River was "False and against International Law". Pakistan as Lower riparian state has a right to share the water of the Ganga.\(^1\)

The Secretary-level talks between the two countries held on Dec. 1968 also failed. The Assam Tribune in commenting on the talks said that the most regrettable feature of the whole question was that Pakistan was making a political issue of the problem. It was purely a techno-economic question and unless the approach was made on that basis and with an objective in mind a solution would be difficult to arrive at.\(^2\)

From 1969-70, several rounds of talks were held between the two countries but they failed to arrive at an agreement. However, the Farakka Barrage Project was completed in 1969 at the Cost of Rs. 280 Crores which is located about 16 Km. north of East Pakistan (now Bangladesh).

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1. Indian Express; 29 November, 1968;
The domestic policy of Pakistan at that time was not favourable which was responsible for the failure of talks held between 1969-70. During that period, President Ayub Khan stepped down and Yahya Khan assumed power.

The Farakka Dispute was directly connected with East Pakistan, but during that period also East Pakistan launched a movement for their autonomy. The government of Pakistan, through the talks on the issue, falsely showed their good-interest to East Pakistan and used them as a counter measure of the autonomy movement.

It is true that India and Pakistan could not reach an agreement on the Farakka Barrage Dispute from 1951 to 1970. However, they agreed that Farakka would be the point of water-supply to Dacca. They also agreed in principle to constitute a two-member body to ensure delivery of agreed supplies.

However, in the following year, the issue was overshadowed by the political turmoil in East Pakistan that led to the birth of Independent Bangladesh in December, 1971.

**POST BANGLA DEVELOPMENTS:**

After the emergence of Bangladesh, it was felt that the Farakka issue would be solved amicably. In the liberation-struggle of Bangladesh, India directly helped the Bangladesh people and she first recognised Bangladesh as a sovereign Country. Naturally a very cordial relation developed between India and Mujib’s Bangladesh. But this did not last long.

(Contd. .... 86)
B.K. Abbas, Adviser to the Prime Minister of Bangladesh on Flood-Control, Irrigation and Power visited New Delhi on 17 January 1972. During his visit, he said that: "a new vista has opened up for free and frank discussion between Bangladesh and India on the Ganga and Brahmaputra river system."

Sharing of Ganga-River water was one of the subjects discussed by the Bangladesh Foreign Minister Mr. Abdul Samed Sidd, during his first visit to India, less than a month after Bangladesh came into being. This showed how the new Bangladesh Government interested in solving the problem.

The treaty of Friendship, cooperation and peace was concluded on 19 March, 1972 between the two countries after the visit of the then Indian Prime Minister Mrs. Indira Gandhi. Article IV of the Treaty said: "the high contracting parties further agree to make a joint studies and take joint action in the field of flood-control, river-basin development and the development of hydro-electric power and irrigation".

It was felt that the ever-lasting problem regarding the Farakka Barrage Dispute now would be solved amicably with the new Government of Bangladesh. Following this 19th March, 1972 Joint Declaration, among other things, they also agreed to set up of a JRC, a common power grid and flood-Control and flood warning measures. The formal statutes relating to the JRC were signed in Dacca on Nov. 24, 1972.

1. India, 18 January 1972.

(Contd. .... 17)
Relevant portion of the March, Declaration says:—
"To establish a JRC comprising experts of both the countries on a permanent basis to carry out comprehensive survey of the river-systems shared by the two countries, formulate projects concerning both countries in the field of flood-control and to implement them."

"Experts of the two countries are directed to formulate detailed proposals on advance flood-warnings, flood forecasting, study of flood-control and irrigation projects on the major-river systems and examine the feasibility of linking the power grids of Bangladesh with adjoining areas of India so that water-resources of the region can be utilised on an equitable basis for the mutual benefit of the people of the two countries".¹

After signing the statutes the meetings of the JRC started in Dacca on 28 March, 1973 which lasted for three days. This meeting discussed on the term plan for the development of the water resources of the Ganga, the Brahmaputra and the Meghna river systems in the eastern region of the Sub-continent. However, in that meeting both the countries decided to co-relate their plans and tried to evolve a coordinated approach of the three major-river systems.

To discuss this Farakka problem a two-day ministerial-level conference was held in New Delhi from 16 to 18 July, 1973 which was the first conference of this type since the liberation of Bangladesh.

1. (a) India Backgrounder, April 5, 1976.
After the two-day conference the delegates of the two countries reiterated that "matters concerning the development of certain rivers which are common to both countries would be settled through mutual discussions with a view to ensuring benefit to the people of both the countries. It was decided that the matters for the development of the common-river system should be settled through mutual discussion for mutual benefit.

India assured Bangladesh that the feeder canal and the Jangipur Barrage would be so operated that the Bhagirathi would continue to receive during the monsoon period as much water or or before or more if possible to prevent floods in Bangladesh. India also assured that Farakka Barrage Project would not increase the flood intensity of the Padma in Bangladesh.

Immediately after the ministerial-meeting, Indo-Bangladesh joint-river commission concluded its three-day session on 21 July, 1973 recommending relevant studies for irrigation and power development in the Brahmaputra and the Ganga rivers.

After this discussion, Pakistan minister Khandakar Ahmed happily said on 26th July that Pakistani rulers never sincerely tried to solve the Farakka issue. No doubt, Farakka problem is a legacy of the past.

(Contd. ... 9)
For the time being, India decided to suspend the commissioning of the Farakka barrage until a solution acceptable to both sides was worked out. Further, at the instance of a joint-conference, she assured to maintain and if possible to increase the flow of waters into the Bhagirathi during the monsoon to prevent floods in Bangladesh through release of excess water.

Upto 1974, the commission considered a large number of problems. After discussing at length, the approach to long-term planning for development of water-resources of the Ganga, the Brahmaputra and the Meghna river-systems in the eastern region, the commission decided to co-relate the plans of the two countries and try to evolve a coordinated approach for harnessing the waters.

It undertook aerial and hydrographic surveys of the Ganges from Farakka in India to Geori in Bangladesh, over a distance of 190 Km. It dealt with eight specific projects relating to flood-control measures in both Bangladesh and adjoining areas in India. It also considered problems located in the country, like that of erosion at Sirajganj in Bangladesh or that of drainage in Agartala town in the Indian State of Tripura.

The then Indian External Affairs Minister Swaran Singh's visit to Bangladesh in the mid of February, 1974, showed that the two countries would work for the benefit of the common people of both the countries. It was also declared that a "mutually acceptable solution would be arrived at before the Farakka barrage was commissioned."

(Cont'd. .....90)
As the JRC could not reach an agreement on the allocation of the Ganges water, the issue was taken up at the highest-level during the visit of Bangladesh Prime Minister Sheikh Mujibur Rahman, to New Delhi on 12 May, 1974. After the five-day discussions on the sharing of the Ganga-water, they reached on an understanding about the steps to resolve the Farakka barrage issue. It was also decided that the Farakka Barrage would be commissioned before the end of 1974.

The two Prime Ministers signed a joint declaration on May 16, 1974 expressing their determination to arrive at a mutually acceptable allocation of the waters and directed the JRC to study how to augment the fair water flow of the Ganges.

It is to be noted here that on the Farakka Barrage Project, the two Prime Ministers agreed that a JRC would be set up to make suitable recommendations to meet the water requirements of both the countries. In the context, it was recognised that the fair water flow of the Ganga would have to be augmented in the lean months. They also recognised that during the periods of minimum flow in the Ganges, there might not be enough water to meet the needs of the Calcutta Port and full requirements of Bangladesh, and, therefore, the fact that the flow of the Ganges in the lean months, would have to be augmented to meet the requirements of the two countries remained.

(Contd. .......91)
DACCA AGREEMENT ON FARAKKA PROJECT:

The JRC met four times till March, 1973 but it reported its failure to reach an agreement. The matter was then taken up at the political-level. The then Indian Agriculture Minister Mr. Jagjivan Ram visited Bangladesh. After three days talk between Jagjivan Ram and Mr. Abdur Rab Serniabat of Bangladesh, the two countries signed a short term agreement on the utilization of the Ganges waters on April 18, 1975.

Three days later, Rs. 130 Crores Farakka Barrage was commissioned on an experimental basis, following a short-term agreement on utilization of the Ganga Waters signed between India and Bangladesh under the Dacca Agreement. India was allowed to draw a specific volume of water for its feeder canal for the benefit of the Calcutta Port during the lean period of 1975.

Different volumes of water to be drawn in lean period will be as shown below:

<table>
<thead>
<tr>
<th>Period</th>
<th>Volume</th>
</tr>
</thead>
<tbody>
<tr>
<td>April 21 - 30</td>
<td>11,000 Cusecs.</td>
</tr>
<tr>
<td>May 1 - 10</td>
<td>12,000 Cusecs.</td>
</tr>
<tr>
<td>May 11 - 20</td>
<td>15,000 Cusecs.</td>
</tr>
<tr>
<td>May 21 - 31</td>
<td>16,000 Cusecs.</td>
</tr>
</tbody>
</table>

(Contd. ..... 92)
The remaining flow of water went to Bangladesh. Under the agreement, a joint team consisting of experts of both the countries should observe at the appropriate place in both the countries the effects of the agreed withdrawals at Farakka in Bangladesh and on the Hooghly river for the benefit of the Calcutta Port. A joint team was also stationed at Farakka to record the discharges into the feeder canal and the remaining flows for Bangladesh. The team also had to submit their report to both the Governments for consideration.

The Farakka Barrage was commissioned on April 21, 1975. From that period to the beginning of February 1976, Bangladesh did not raise any objection to withdrawal of the Ganga water. But suddenly a campaign was started against Indian withdrawal of the surplus water.

Making a statement in the Lok Sabha on April 21, 1975, the Agriculture Minister Mr. Jagjivan Ram said that since the feeder canal would be running for the first time after the agreement, discharges would have to be gradually increased so that measures could be taken to remove any deficiencies that might be noticed.

1. (a) India Backgrounder; (1975-76); Vol. I No. 1, April 5, 1976; (b) India and Foreign Review, Vol. XIII No. 14, 1 May, 1975, P. 12; (c) S.S. Bindra, Indo-Bangladesh Relations, 1982; Pp. 42-53.
Mr. Jagjivan Ram described the Dacca Agreement as a "break-through" and set "an outstanding example of mutual understanding and accommodation" of the two neighbouring countries in the development of the waters of an International River.¹

However, to flush the silt, it needs adequate quantity of water. But Dacca agreement did not provide for the release of adequate water to the Calcutta Port. The agreement could not solve the Farakka issue as it was provisional and for a short-time. According to the agreement, the joint-teams were to collect data and submit report in proper time. But they fail to do so.

THE FARAKKA ISSUE AFTER THE ASSASSINATION OF SHEIKH MUJIBUR RAHMAN:

After the assassination of Sheikh Mujibur Rahman on August 15, 1975 and the military coup that followed in Dacca, the dispute again assumed serious proportions.

On 15 January, 1976, dispute over Farakka arose again with the "Unilateral withdrawal" of water by India at Farakka. Every opportunity was utilized by the Bangladesh Government in maligning India. Bangladesh complained to India that withdrawals of Ganga-water were having adverse effects on the rivers and economy of Bangladesh. The successor of Mujibur Rahman adopted the same attitude and tactics as those of Pakistan in the past to obstruct any durable solution to the Farakka issue.

¹ Lok Sabha Debates, Vol. II, No. 37, 21 April, 1975, Col.235.
India expressed surprise and pain at the renewed thrusts of anti-Indian propaganda in Bangladesh press and other media or publicity. She categorically denied the allegation that behind this, there were some straybands of miscreants in a small part of a district of Bangladesh.¹

A document prepared by Bangladesh Water Development Board says: "Due to continued heavy upstream withdrawal in India, the following adverse consequences are already noticed in Bangladesh creating a situation of crisis and alarm because the critical period has been advanced due to artificial creation of low flow conditions in the Ganga:

a) The river level and the discharge of the Ganges have already gone below the ever-minimum recorded observations for the corresponding period.

b) The river-condition has deteriorated through heavy shoal formations and the condition is expected to worsen further. This will drastically reduce the capacity of the river to discharge the flood flow and even normal flood flow would cause disaster for Bangladesh.

c) The efficiency of the Ganges-Kobadak irrigation pump is already adversely affected and would worsen further resulting the closure of the operation of the pumps.

d) Concentration of salinity in the Khulna area has already increased abnormally by the three to four times and has penetrated further inland. The operation of some industrial units has been affected and continuance of such withdrawal will result in the closure of some of them.¹

Still more adverse affects in the spheres of agriculture, fishery, forestry, navigation, domestic and environmental condition, etc. were listed by Bangladesh.

Bangladesh, however, dropped its demand for stoppage of withdrawal of water at Farakka in a note sent to India on March, 17. But it kept up its insistence that any talks on the issue should cover allocation of water not only during the lean season but for the whole year.

Virtually there have not existed any adverse effects in either country from the operation of the feeder canal with its optimum capacity (40,000 cusecs) since June, 1975. Rather it has benefited not only the Calcutta Port but also Bangladesh itself by diverting some waters which otherwise would have caused flood in that country.²


2. (a) Indo-Bangladesh Relations, P. 84, S.S. Bindra, 1962;
On 11 February, 1976, India sent an official proposal to Dacca for discussion on the lean months discharges from Farakka. But, even before replying to the Indian note, Official spokesman in Dacca began presenting a distorted picture of the situation in the local press. A Dacca spokesman remarked that holding discussions or meetings on the issue would be "meaningless unless India stops unilateral withdrawal of the Ganga water at Farakka as the adverse effects on the river condition would continue and the economy of Bangladesh would be gravely jeopardised". 1

India cautioned Bangladesh on February 18, 1976 that the responsibility for any failure to reach agreement on sharing of the Ganga waters would rest with the latter if the reports of the decision of the Bangladesh Government to reject India's offer for holding talks without precondition were correct. The formal offer of talks was made by India on February 11. Bangladesh had not so far responded, but its spokesman said on February 14, at Dacca that discussions would be meaningless unless India stopped withdrawal of the Ganga water at Farakka.

An Indian Official spokesman charged Dacca with raising "extraneous issues" by suggesting that the proposed talks be not confined to the lean season.

2. (a) Indo-Bangladesh Relations, S.S. Bindra, Page 85, 1962;
   (b) Bangladesh Observer, 15 February, 1976.
The Indian External Affairs Minister Mr. Y.B. Chavan in a statement in Parliament on March 9, 1976, said that "An Agreement was concluded at Dacca on 18 April, 1975 between the Governments of India and Bangladesh, which provided for the operation of the Parakka Barrage and the running of the feeder canal during the lean season last year pending further discussion regarding allocation of the lean season flows of the Ganges between the two countries in terms of the Joint Declaration of the then Prime Minister of India and Bangladesh on 18 May, 1974. He also said that they had "drawn attention of the Government of Bangladesh to the fact that discussions regarding allocations of the Ganges waters had always been confined to the lean season from about mid-March to Mid-May for the obvious reason that during the remainder of the year, the water flows are plentiful." According to the best information and experts assessment available with the Government of India" Mr. Chavan said, "any withdrawal of waters of Ganges in Bangladesh or in India ought not to have any adverse consequences for either country because of the abundance of water throughout the year, except for the lean season of mid-March to Mid-May".

Indian Officials claims that "much of the water that flows into Bangladesh runs wastefully to sea. Not only wastefully, but often destructively because of extensive flooding."

1. Lok Sabha Debates, Sixth Session (Fifth Series); Vol. LVIII, No. 1 - 10.

(Contd. .....98)
On May 14, 1976, India took all necessary measures to deal with the threatened march by the Bangladesh leader Maulana Bhasani and his followers to Farakka.

However, India has always recognised the Bangladesh's need for water during the lean months for irrigation, fishing and navigation.

Even after withdrawal of 40,000 cusecs of water at Farakka Bangladesh would get about 25,000 cusecs through the remaining flow, regeneration at Hardinge Bridge about 160 Km. down stream at Padma and contributions from North Bangladesh rivers. India considers this more than adequate to meet Bangladesh's needs.

Seven districts of Bangladesh, viz. Barisal, Faragul, Khulna, Kushtia, Jessore, Palana and Rajshahi - Bangladesh says, have been adversely affected even with the annual rainfall ranging from 135 to 250 Cms. The problem there is generally how to drain away the excess water. The waters drained out by the Brahmaputra and Meghna rivers can flood the entire country to a depth of nine metres.

It is to be noted here that according to the Agreement made on the 18 April, 1975, the water released was as follows:

- Between April 21-30 = 11,000 Cusecs;
- Between May 1-10 = 12,000 Cusecs;
- Between May 11-20 = 15,000 Cusecs; and
- Between May 21-31 = 16,000 Cusecs.

But it is admitted by all that to remove the salinity and siltage, to make the Calcutta Port navigable, the minimum requirement is 40,000 Cusecs of water during the lean period.

(Contd. . . . . . .99)
This was arranged in the subsequent negotiation. It was assured that the JRC would keep a watch on the effects of the release of waters. The Public Accounts Committee report says: "If for any reason, the discharge of an adequate volume of water estimated by the experts at 40,000 cusecs and repeatedly assured by the authorities does not happen, the Committee fears that it will be a grievous blow not only to the Calcutta Port but to the entire economy of the wide, populous and productive region abutting on it, as also imperil Haldia's enormous potentialities."¹

However Bangladesh always thought that there would be adverse effects on Bangladesh for the Farakka Barrage. Actually Bangladesh need not feel the necessity of the Farakka Barrage. In the words of Adviser of Flood Control and Irrigation to the President of Bangladesh it is clearly indicated thus: "Combination of copious rainfall, mighty rivers and groundwater resources create one of the world's greatest natural system" in Bangladesh. Even the World Bank too, after a study in 1973 reported that the country (Bangladesh) had enough ground-water resources to meet its needs for the next ten years.

But a sort of false and misleading campaign has been carried on in Bangladesh press and papers about the Farakka Barrage—that it would have adverse effects on Bangladesh and Bangladesh Government.

But India charged Bangladesh with mounting a press campaign about adverse effects of the Farakka which it said was not there in India. She also protested against the "wilful and flagrant violation of the understanding between the two countries on hostile propaganda".

¹. Lok Sabha Debates (Sixteenth Session) Fifth Series, Vol. LVII, No. 1-10, No. 2 March 9, 1976; P. 123-30. (Confl. .... 100)
"The hue and cry presently being raised in the press, after a lapse of nine months, points to objectives other than those related to the use of the Ganga Waters at Farakka during the lean months", an Indian official Spokesman said on February 18, 1976.

Meanwhile, newspapers in Bangladesh continued to write about the problems posed by the operation of the Farakka Barrage. 

India renewed on March 12, 1976 its invitation to the Bangladesh government for talks aimed at an understanding on the sharing of the Ganga waters during the two-month lean season from mid-March to Mid-May.

On March 19, 1976, Bangladesh government had sent a reply to India's note of March 12. But the Dacca note did not stipulate the stoppage of water released by India at Farakka as a precondition for talks but raised some extraneous issue for the first time. These related to a demand by Dacca to discuss allocation of Ganga Waters at Farakka not only during the two months of meagre flow but throughout the year.

In response to Indian Government's proposal, Bangladesh government on March 25, told that the problem could be solved only through bilateral discussions with India. The Bangladesh government actually wanted the problem to be an international issue, raising the issue at International forums, like the conference on water Management in Dacca and also by resorting to an intense anti-Indian Campaign in the foreign press.

   India, Bangladesh and Farakka Dispute.

(Contd. .....101)
However, India liked to keep its previous friendship with Bangladesh. As a gesture of friendship, India decided on March 27 that India had unilaterally decided to effect a reduction in the withdrawal of waters at Farakka as a "gesture of good will". (This would result in more water flowing to Bangladesh). A Government press note said: "India's sincere efforts to reach an agreement with Bangladesh on the sharing of the Ganges waters during the lean season have unfortunately not evoked a positive response so far. Meanwhile the lean season has set in. As a measure of friendship towards Bangladesh, India still decided to effect a reduction of withdrawals at Farakka in the Bhagirathi-Hooghly river-system thus releasing more water for flow into Bangladesh.

However, India wanted to discuss and solve the problem in a friendly atmosphere on March 25, 1976 with Bangladesh Government in response to Indian proposal of 20 March, 1976 disclosed a letter without any contention. But the Indian Government in a note made a point by point refutation of the various unreasonable demands made by the Bangladesh note of March 25, 1976.

The Government of India on March 28, released its reply to the Bangladesh Government letter of March 25, in which it suggested that a joint team of experts should investigate the Bangladeshi complaint about the adverse effects of India's utilising Ganges waters.

The 25 March note of Bangladesh had reasserted its new demand for a month-wise allocation of the Ganga waters throughout the year including the period of monsoon abundance and floods.

(Contd. ..... 102)
In reply to Lok Sabha Debate on April, 8 on his Ministry's Budget, India's External Affairs Minister Y.B. Chavan urged Bangladesh to respond to India in a mood of cooperation and give up attempts to internationalise the Farakka issue.

A Spokesman of the External Affairs Ministry of India said on April 26 that Bangladesh had agreed to hold technical-level talks to exchange information and data and to assess the alleged effects in Bangladesh of the operation of the Farakka barrage feeder canal. Accordingly a five-member Indian delegation led by C.C. Patel, Additional Secretary in the Department of Irrigation, arrived Dacca on April, 27 for technical talks and thus the first round of talks between the two countries was held in Dacca from April 27 to 2 May, 1976. Again the second round of talks was held in Calcutta on 6 May, 1976. to 11 May, 1976. During Indian delegation's visit to Dacca during its second round of talks both the countries agreed to it that the two teams of both the countries would jointly observe the effects of the Farakka Barrage and its feeder canal at Haldia and Farakka. 1

FARAKKA "PEACE MARCH":

Even as the technical level talks were being held, 66-year-old Maulana Abdul Hamid Khan Bhashani, the Awami Party Leader threatened to lead a march to "Demolish Farakka".

The Indian Prime Minister, Indira Gandhi wrote a letter to Maulana Bhashani on May 4, 1976 saying that she believed that the statements were made in the heat of the moment. She told "does any Bangladeshi genuinely believe that India, which had withdrawn her military force from Bangladesh with unprecedented speed, could harbour hostile intentions towards her neighbours?" She wrote in her reply that between the two neighbouring countries, sometimes any problems might arise. But these could be solved by mutual understanding and cooperation between them. Again she told that "it is difficult to imagine that a person who fought shoulder to shoulder with us in the struggle against the colonial rule and subsequently shared the sorrows and sacrifices of Bangladesh's own liberation, should now have so seriously misunderstood and even questioned our sincerity of purpose". However, it is to be noted here that Indira Gandhi sought to solve this issue through mutual cooperation and understanding. "We can harm each other by pursuing the path of confrontation and mis-understanding".

Maulana Bhashani wrote back on May 9 that the "solution should be permanent and comprehensive" and appealed to Mrs. Gandhi to "personally intervene and workout a solution yourself which could be acceptable to 80 million Bangladeshis".
Inspite of Indira Gandhi's assurance, he did not abandon his party plan to launch agitational methods against India. The Government of India took a "serious view of Maulana Bhashani's threatened march on 16 May across the border to demolish "Farakka" and appealed to the Bangladesh Government to ensure against violation of the Indo-Bangladesh border. The Bangladesh High Commissioner Shamsur Rahman was called to the Indian Foreign Office and instructions were issued to the B.S.F. to keep a watch over the 2,240 Km. borders.

The Farakka Peace march started from Rajshahi on 16 May. Addressing at Rajshahi Madrassa ground on that day, Maulana Bhashani said that the aim of the march was to draw the attention of the people of India to the just demand of Bangladesh on the sharing of Ganga waters. The march ended on May 17 at Sibajani, about five Km. from the Indian Border at Malda. Various newspapers commented on the Bhashani's peace march to Farakka and also advised both the countries to resume talk in a friendly and peaceful atmosphere. It is to be noted here that India always (from the very beginning) tried to solve the issue instead of indulging in hostility and confrontation. But the Bangladesh Government did not agree on it.

2(a) Political Events Annual, 1976, P. 142.
(b) Indo-Bangladesh Relations, S.S. Bindra, P. 88, 1982.
Next month (June, 1976) India sent a high level Goodwill delegation to Bangladesh under the leadership of Parthasarathi, Chairman of the Policy Planning Committee of the External Affairs Ministry, which stayed at Dacca from 18 June to 22 June, 1976. They spent much of time discussing the Farakka issue and came to conclusion describing the talks as "extremely useful" understanding each other's point of view. The leader of the Bangladesh team, Rear Admiral Mosharraf Hossain Khan, then Deputy Chief Martial Law Administrator was also satisfied with the talk and said "we are happy over the friendly gesture of our neighbour".

Various newspapers in Bangladesh meanwhile wrote about the problem posed by the operation of the Farakka barrage. But only one newspaper for the first time wrote a favourable editorial after the Indo-Bangladesh talks in June, 1976.

The Bangladesh language newspaper "Sangbad" of Dacca appreciated the friendly attitude of the Indian delegation.

But another influential daily of Bangladesh charged India with "Indecision" and "dragging its feet" while commenting on the Dacca talks which again ended without an agreement on Farakka.

In a note on July 30, India requested strengthening of direct negotiation. But Bangladesh choose to take the issue to an International Forum.

(Contd. ..... 106)
The Government of India received on August 7 a reply to its notes of July 30. In it Bangladesh Government formally invited India for further talks on the Farakka issue.

The Deputy Minister for External Affairs, Bipinpal Das said in Lok Sabha on August 12 that Bangladesh now wanted to raise the question of sharing the Ganga Waters for the whole year instead of only during the lean season as agreed in 1975, agreement between the two countries. Next day he told Rajya Sabha that Bangladesh had not agreed to a detailed study of the effects of withdrawal of waters from Farakka on irrigation, navigation and salinity in Bangladesh and navigability of Calcutta Port. On August 18, 1976, the then Bangladesh President Abu Sadat Mahammad Sayem raised it at the Non-aligned summit in Colombo. He said at the conference that as the Ganga was an International River, the rational use of sharing of its water could not be treated as a bilateral problem.

The foreign ministers of Islamic countries met a few days later and they stressed the need for equitable sharing of the Ganges waters and suggested talks between India and Bangladesh for a satisfactory solution.

On August 25, 1976, Bangladesh in a note expressed readiness to hold talks with India, but wished these to be confined to its own proposal for discussing ways of increasing the dry season flow of the Ganga for meeting the needs of the two countries.
In response to it, India renewed its invitation for talks and the two sides met in New Delhi from September 7 to 10. The three-day Indo-Bangladesh talks on the Farakka issue ended without an agreement as Bangladesh turned down India's proposals which aimed at "an amicable and equitable solutions" of the waters problem on short term and long term basis. On 18 September, India and Bangladesh signed in Calcutta maps and documents on the demarcation of boundary between the two countries. Bangladesh also wanted to take a third country in solving the problem.

**FARAKKA IN WORLD FORUMS**

Meanwhile, Bangladesh sought to take the issue to the United Nations on August 28 by requesting its inclusion in the supplementary agenda of the U.N., General Assembly, which was scheduled to meet on September 27, 1976. By letters dated 21 and 26 August and 8 September, 1976 addressing to the Secretary General, Bangladesh requested the inclusion in the agenda of the General Assembly's thirty first session of an item, "situation arising out of unilateral withdrawal of Ganga Waters at Farakka". It also said that the failure to resolve the issue "expeditiously and satisfactorily" carried with it "the potential threat of conflict affecting peace and security in the area and the region as a whole". However, Bangladesh authorities sought inclusion of the issue in the Supplementary Agenda of the forthcoming U.N. General Assembly Session, beginning on Sept. 21.

(Contd. ..... 108)
An Indian Official Spokesman in New Delhi commented on a New York report that the move to internationalise the issue was "unfortunate and regrettable". The spokesman again said that India remained confident that such problems were amenable to constructive solution.

On August 29, 1976, China had advised Bangladesh that Dacca "has no reasons to fear the consequences of the Farakka Barrage". Chinese water experts clearly stated that Bangladesh had enough water resources and the solution "lies in a planned storage of the water and its proper distribution".

THREE-POINT BANGLADESH PLAN:

Bangladesh put forwarded on Sept. 14 a three-point formula to break the deadlock with India over the sharing of Ganga waters. The formula included normal flow of the Ganga below the Farakka Barrage, working out an interim arrangement and the inclusion of Nepal, the third country through which the Ganga flowed, in future negotiations.

India was ready for further talks. In this regard, the Indian Union Agriculture and Irrigation Minister, Jagjivan Ram regretted Dacca's attempts to internationalise the question and believed that there were some countries which might be encouraging Bangladesh in this regard.

(Contd. ..... 109)
Without ascribing any reasons, Bangladesh changed on September 9, the title of its item on the Ganges question for inclusion in the General Assembly agenda. In a letter to the Secretary General, the Bangladesh ambassador, Kheaja Mohammed Kaisir proposed that the item should now read "situation arising out of the unilateral withdrawal of the Ganges water at Farakka". The item earlier read: "The question of unilateral diversion of waters of the international river Ganges, in Contravention of all international laws and regulations and traditional usages and in violation of solemn pledges of the use of such water."

Addressing a Press conference, the then Deputy Union Minister for External Affairs, Bipin Pal Das said in Guwahati on September 13 that India had kept the doors open for bilaterally threshing out a lasting solution to the Ganga Water issue with Bangladesh. He reiterated the need for a bilateral solution of the issue and regretted the move for internationalisation of the outstanding issues.

FARAKKA ON AGENDA:

After hearing of both India and Bangladesh, the Steering Committee of the General Assembly, approved on September 22, without much discussion the inclusion of all the 124 items proposed in the General Assembly's agenda including Bangladesh's item on Ganga waters. The question was referred to the special political Committee. Speaking before the committee, India's permanent representatives, Rithi Jee, said: "The Ganges water issue by its very nature can be solved best through bilateral negotiations in a spirit of mutual understanding and cooperation.

(Contd. ...110)
India also believes that any attempt to discuss it in any international forum will complicate the situation, delay bilateral negotiations and may result in worsening the relations between the two countries. The promotion of general welfare and friendly relations among nations cannot be served by their confrontation in the U.N. India wishes Bangladesh well and seeks nothing but good neighbourly relations, friendship and cooperation on the basis of equality and mutual respect for each other's Sovereignty".  

**OPINION OF OTHER COUNTRIES:**

On this issue, East Germany, France and the Soviet Union intervened little and they appeared to reflect the General recognition by the delegates that Farakka was a bilateral and technical problem.

The West Bengal Minister of Irrigation and Power, Baraket Choudhury met on October 20, the Ambassadors of Mauritius, Cuba, Singapore, Senegal, Indonesia at U.N. to explain the basic position of India on the Farakka question and stressed that India was not adopting any adamant posture and wanted a bilateral settlement.

On returning from the U.N. General Assembly, on October 17, the Minister for External Affairs, Y.B. Chavan said that U.S. Secretary of State, Henry Kissinger, and the British Prime Minister, James Collaghan said that Farakka was a bilateral issue. The Arab Countries also shared this view.

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1. Political Events Annual, 1976;
   India Background Service (1977-78);

(Contd. ... 111)
The Islamic bloc in the U.N. turned down the Bangladesh request to raise the Farakka issue in the Islamic Conference held in the United Nations on October, 28. Egypt, Iraq and Iran representatives strongly protested against the Bangladesh proposal and they advised her to settle the issue bilaterally with India.

Addressing the U.N. General Assembly on October 4, 1976, the Minister for External Affairs of India, Y.B. Chavan regretted that Bangladesh had chosen to bring before the Assembly certain misconceived allegations concerning the equitable sharing of the Ganga waters. "The discussion of this question in the United Nations will only serve to complicate the situation and come in the way of bilateral negotiation", he said. "In the final analysis, it is necessary for the parties directly involved to sit together and negotiate practical and reasonable solutions to their mutual benefits," Chavan said. That was consistent with article 2 of the U.N. Charter.

The U.N. Special Political Committee, which took up the issue on October 20, put off its consideration till mid-November, following an appeal by Australia, Senegal and Sri Lanka that the parties to the dispute be given some more time to resolve their differences without the Committee's interference.
In a rejoinder to a Bangladesh representatives who charged that India attempted to avoid "legal liability" for the damages caused by the withdrawal of waters from Farakka, Brahmananda Panda, the member of Parliament from Orissa and member of the Indian delegation to U.N. told, the Bangladesh Government on November 2 that the only practical way to safeguard both countries against mutual injury was "to share the waters equitably until additional resources of waters are made available".

On November 8, intervening the U.N. Economic Committee deliberations, N.P. Jain, Official members of the Indian delegation said that in the situations created by seasonal and monsoon vagaries, there was no other way but to share water shortage by neighbouring countries taking into account "mutual needs and requirements".

The Political Committee met again on November 15, 1976, the leader of the Bangladesh delegation, Rear Admiral M.H. Khan, repeated the charge of "Unilateral diversion of the Ganges Waters" and urged U.N. involvement to settle the issue. He said while Bangladesh had no alternative but to participate in "sterile" negotiations. India went ahead with planning, execution and operation of the Farakka Barrage.

(Contd. ..... 113)
In response, the Indian Foreign Secretary, Jagat S. Mehta said, there was no magic solution to the Farakka issue and it could be solved speedily only on a bilateral basis and not by internationalisation. "Unfortunately, a drastic change of the climate of operation between the two countries took place after August, 1975. Because from the political change in Bangladesh in August, 1975, the present government reached the point to politicalise and internationalise the Farakka issue and hostile propaganda against India both at home and abroad, he said.

It should be noted here that Calcutta is an important port for 13 states of India as well as of the neighbouring countries of Nepal and Bhutan. By constructing the barrage near Farakka, truly speaking both the countries could be helpful by not affecting each other. India intended to reach agreement with Bangladesh on withdrawals in 1976. As a gesture of friendship, India voluntarily reduced the intake of water of the feeder canal which facilitated more water to Bangladesh.

Bangladesh, on the other hand in response to it, said that it was not less dependent on the river. It serves an area of about 50,000 square Km. with a population of 25 million in nine of the 19 districts of Bangladesh. The river irrigates 37 percent of the geographical area, 38 percent of the total cultivable area and 36 percent of the cropping intensity in Bangladesh.1

During the dry season from November to May, the available flow from the Ganges was only 15 percent of its total annual flow. To reduce that flow would not only affect irrigation in Bangladesh but would also affect the entire ecological balance of the area.

On November 26, 1976, the U.N. General Assembly adopted without discussion, a consensus statement on the Ganga water question as recommended by the special Political Committee. The Assembly President, H.S. Amarsingha of Sri Lanka also announced the decision of India and Bangladesh to resume bilateral talks at the ministerial-level about "Farakka Issue" at Dacca.

Three days later, the dates for the talks were announced and the two sides met in Dacca on December 6 to 8. But this meeting could not reach an agreement. So both sides decided to meet later. The leader of Indian delegation, Jagjivan Ram told newsmen the discussions had progressed to "a large extent".

It was announced on December 25 that the talks would be resumed only on January 14.

After a two-day meeting in Dacca, on January 14 to 15, 1977, the sixth round of talks again adjourned to be resumed in New Delhi on January 21-22. The New Delhi meeting, too ended in failure although Jagjivan Ram had said at the end of the earlier round: "We have covered much ground".

(Contd. ..... 115)
JANATA GOVERNMENT'S EFFORTS TO TACKLE THE ISSUE.

In the meantime, in India, political situation changed and the Janata Party came to power after the March, 1977 mid-term elections. The new Government of India decided to strengthen its relation with its immediate neighbour. India understood well that without its solution, the relations between India and Bangladesh could not become cordial as India desired. So, without loss of time, negotiations started on the barrage issue and made fresh efforts to arrive at an over-all settlement.¹

The Farakka issue was again touched upon during the Non-aligned Bureau meeting in New Delhi from April 6 to 12, 1977 between Prof. Mohd. Shamsul Hoque, Adviser on Foreign-Affairs to the Bangladesh President and the leaders of the new Indian Government. The new External Affairs Minister, Atal Behari Vajpayee, hoped that friendly relations between them would become "more cordial and intense" and they would be able to solve all problems by mutual discussion.

Farakka talks again resumed in Dacca on April 15, 1977. Sri Jagjivan Ram, then Defence Minister leading the Indian delegation. An understanding was reached on 18 April, 1977. India and Bangladesh met again in New Delhi on May 6, 1977. In this ninth meeting between the officials of India and Bangladesh on the sharing of Ganga waters in terms of the understanding reached last month in Dacca began in New Delhi.

The Ministry of External Affairs in a press release said: "The purpose of these talks will be to negotiate and finalise an agreement between the two countries encompassing both long-term solutions to the problem and incorporating the procedures and modalities for giving effect to the understanding between the two countries in Dacca recently".

B.M. Abbas, Advisor to the President on Flood Control, Irrigation and Power led the Bangladesh team. The talks ended on 11 May after covering considerable grounds on various aspects for a long term solution. A steady flow of sufficient quantity of water during the lean summer months to the Hooghly was considered by India to be vital for saving the ports of Calcutta and Haldia from silting.¹

The Second rounds of official talks between Bangladesh and India on sharing the Ganges Waters at Farakka and augmentation of its dry season flow was held at Dacca from 28 July to 6 August, 1977. The leader of the Indian delegation was Foreign Secretary Jagat Mehta and Bangladesh delegation led by B.M. Abbas.

¹. The Statesman, 12 May, 1977, S.S. Bindra, P.P. 100. (Contd. .......117)
On September 29, 1977, India and Bangladesh signed in New Delhi a Comprehensive agreement on the sharing of the Ganga Waters at Farakka. This agreement ended a dispute between the two countries that had been protracted since 1962, when India started construction of the Farakka Barrage at a cost of Rs. 1.560 million. On Nov. 5, India and Bangladesh signed Farakka agreement in Dacca which resolved a 23-year old issue between India and Bangladesh in the presence of heads of Diplomatic mission.

The Farakka agreement was signed between Indian Agriculture and Irrigation Minister, Surjit Singh Barnala and Advisor to the Bangladesh President at Flood Control and Irrigation, Rear-Admiral Musharaf Hussain Khan.

The Farakka Agreement raises serious issues in two crucial areas of national and international affairs:

1. decision-making by India's Central (Union) Government;
2. relation between the Central and Provincial Governments.

However, this agreement provided for short-term and long-term solutions of the complex problem. In the preamble of the agreement, it was stated that both the countries were determined to promote and strengthen their relations between them. The agreement stipulated that it would remain in force for a period of three years and provided for review after three years and every six months thereafter. The agreement was valid for 5 years.

(Contd. ..... 118)
The flow of the water would be shared between January 1 and May 31 (the five lean months of the year). It also committed the two Governments to workout a scheme for augmentation of the flow of the Ganges during the dry season. It further provided that during the leanest period—April 21 to April 30, the sharing of water would be in the ratio of 62.5 percent and 37.5 percent respectively between Bangladesh and India.

The Agreement providing for short-term and long-term solutions of a complex problem which had defied solution for more than 23 years, had been installed on the night of September 29/30 at the end of protracted negotiations between Governments of India and Bangladesh at various levels.

While the short-term aspects of the agreement fixed the quantum of Water from the flow of Ganges at Farakka for the two sides during the five months period from January to May every year, it committed the two Governments to workout an economical and feasible scheme for augmentation of the flow of the Ganges during the dry season.

The agreement contained fifteen articles. The quantum of waters agreed to be released by India to Bangladesh would be at Farakka. The share of Ganga Waters for India from mid-March to Mid-May varies from 20,500 to 25,500 Cusecs, whereas for Bangladesh the share varies from 34,500 to 38,000 cusecs.

(Contd. .... 119)
During the five months (January to May), the flow of the Ganges is estimated to range between 5,000 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.

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 months terms, 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 was fixed on the basis of 75 percent availability calculated from the recorded flows of the Ganges at regular intervals of three years from 1948 to 1973.¹

Another short term of the Farakka Agreement was that below Farakka, India would be able to draw small quantities of water for local use.

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¹ Indian and Foreign Review, Vol. XV, No.3, 15 Nov., 1977; PP. 6-7;
The following table showed the sharing of Waters at Farakka between 1 January and 31 May every year under the Nov. 1977 Agreement.

<table>
<thead>
<tr>
<th>PERIOD</th>
<th>Flows reaching Farakka (based on 75% availability from observed data 1948-73) (Cusecs)</th>
<th>Withdrawal by India at Farakka (Cusecs)</th>
<th>Release to Bangladesh (Cusecs)</th>
</tr>
</thead>
<tbody>
<tr>
<td>JANUARY</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>1 - 10</td>
<td>98,500</td>
<td>40,000</td>
<td>58,500</td>
</tr>
<tr>
<td>11 - 20</td>
<td>89,750</td>
<td>38,500</td>
<td>51,250</td>
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<tr>
<td>21 - 31</td>
<td>82,500</td>
<td>35,000</td>
<td>47,500</td>
</tr>
<tr>
<td>FEBRUARY</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>1 - 10</td>
<td>79,250</td>
<td>33,000</td>
<td>46,250</td>
</tr>
<tr>
<td>11 - 20</td>
<td>74,000</td>
<td>31,500</td>
<td>42,500</td>
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<tr>
<td>21 - 28/29</td>
<td>70,000</td>
<td>30,750</td>
<td>39,250</td>
</tr>
<tr>
<td>MARCH</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>1 - 10</td>
<td>65,250</td>
<td>26,750</td>
<td>38,500</td>
</tr>
<tr>
<td>11 - 20</td>
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<td>25,500</td>
<td>38,000</td>
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<td>21 - 31</td>
<td>61,000</td>
<td>25,000</td>
<td>36,000</td>
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<tr>
<td>APRIL</td>
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<tr>
<td>1 - 10</td>
<td>59,000</td>
<td>24,000</td>
<td>35,000</td>
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<td>11 - 20</td>
<td>55,500</td>
<td>20,750</td>
<td>34,750</td>
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<tr>
<td>21 - 30</td>
<td>55,000</td>
<td>20,500</td>
<td>34,500</td>
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<tr>
<td>MAY</td>
<td></td>
<td></td>
<td></td>
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<tr>
<td>1 - 10</td>
<td>56,500</td>
<td>21,500</td>
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</tr>
<tr>
<td>11 - 20</td>
<td>59,250</td>
<td>24,700</td>
<td>35,250</td>
</tr>
<tr>
<td>21 - 31</td>
<td>65,500</td>
<td>26,750</td>
<td>38,750</td>
</tr>
</tbody>
</table>

The above table shows that the five months from January to May have been segmented by the Farakka Agreement into fifteen periods of ten days each. We see that during the period 21-30 April, Bangladesh will get 34,500 cusecs and India 20,500 cusecs out of an anticipated least flow of 55,000 cusecs. Difficulty may arise if the anticipated total flow falls further. In such a situation, India would release as much as guaranteed to Bangladesh. Thus Bangladesh always gains predominant control over the sharing of the Ganga waters.

(Contd. ...... 121)
On the long-term solutions, the two Governments recognised themselves to augment the flow of the Ganges during the dry season. The JRC which established in 1972, shall carry out the investigations and study the schemes relating to this matter.

The Indian Prime Minister, Morarji Desai, in a statement in the Lok Sabha on 14 November, 1977 said that "with the signing of this Agreement and its simultaneous entry into force, a major problem which had bedevilled relations between the two countries and vitiated the political atmosphere in the sub-continent for over 25 years has been resolved".¹ 

Prime Minister Desai again stated that India was seeking to ensure that by not reducing the flows available for flushing the Hooghly below a reasonable limit, arrangements were made at the same time for augmenting the flows in order to adequately meet India's Upstream and down-stream requirements. From the Bangladesh side, it was argued that they had to protect the existing consumptive uses and avoid adverse effects on the country's ecology and economy in the future. They further contended that in order to preserve the ecological balance the entire flow of 55,000 cusecs during the leanest period of the dry season should be maintained uninterrupted.²

2. Ibid.

(Contd. ...... 122)
He further stated that the negotiations involved not only the sharing of waters between the two countries - nor only augmentation of its flows but also the political imperative of improving relations with our closest neighbour, which is an acid test of the effectiveness and credibility of our entire foreign-policy and for that matter of the principles which India has always advocated should guide relations among nations. ¹

"In the agreement, the two governments have not only agreed to study all available long-term proposals, but they have also set a time limit of three years to complete such a study. The agreement, India hoped, would not only lead to a solution of the long-term problems of augmenting the flow of the Ganga, but would also pave the way for the optimum utilization of the water resources of the region as a whole", Desai said.² Intervening in a debate on the Farakka issue in the Rajya Sabha, Mr. Desai wanted to know the position of critics of his Government when its predecessor agreed in 1974 with Bangladesh to remain satisfied with only 11,000 to 16,000 cusecs during the entire dry season.³

2. Ibid. Col. 303 - 304;

(Contd. ..... 123).
The approach and spirit which have made this agreement possible should, if applied to the larger spectrum of India's relation with Bangladesh, lead to an ever-widening cooperation between the two countries, both in bilateral and multilateral forums. This should also contribute to the furtherance of India's objectives of promoting peace and development in the sub-continent and of working together towards a better world order, Mr. Desai remarked. 

A Committee consisting of the representatives nominated by the two Governments therein after called the joint Committee, shall be constituted. The joint Committee (JC) shall set up suitable teams at Farakka and Hardinge Bridge to observe and record at Farakka and the daily flows below Farakka Barrage and in the Feeder Canal, as well as Hardinge Bridge. The JC shall decide its own procedure and method of functioning and shall submit to the Government of India and Bangladesh all data collected by it and shall also submit a Yearly Report to both the Governments.

1. Lok Sabha Debates;
   Vol. VII, No. 1;
   Nov. 14, 1977;
   Col. 305.

(Contd. .)
Admiral Khan, who signed the agreement on behalf of the Bangladesh Government described it "historic". Surjit Singh Barnala said that it was India's hope that the two Governments would approach the task of further cementing their relations in the same spirit and the agreement would be harbinger of ever-widening cooperation between the two countries.\(^1\) India's External Affairs Minister, Atal Behari Vajpayee, sought to defend the Farakka Agreement with reference to an agreement between Sheikh Mujibur Rahman and Indira Gandhi.\(^2\) However, in the case of the 1977 Farakka Agreement, India received mixed reaction. Amrit Bazar Patrika wrote that Vajpayee's Government proved that the predecessor's commitment was not binding upon itself; for the November 1977 agreement fixes minimum withdrawal by India at 20,500 cusecs and not 11,000 or 16,000.\(^3\) The Mujib-Indira Agreement was a provisional agreement. Hence the constraint was not a permanent one.\(^4\) Vajpayee tried to justify the 1977 Ganga pact by advancing the queer plea that 40,000 cusecs represented India's "maximum demand".\(^5\) However, Atal Behari Vajpayee in supporting the Ganga Pact told that "it is unconvincing to claim 40,000 cusecs as India's share when during the leanest 10-day period from 21-30 April 55,000 cusecs is still the total quantity available for both the Countries.\(^6\)

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2. Speech in the Lok Sabha; The Statesman, Calcutta 16 December, 1977;
3. Amrit Bazar Patrika, 9 Nov. 1977; "Cause for Concern";
4. Guha, N.4 Also see the editorial."The Accord of Discord",
Amrit Bazar Patrika, 1 Dec. 1977;
5. Amrit Bazar Patrika, 3 November, 1977;

(Contd. .....125)
The Financial wrote that the one redeeming feature of the short term accord was that it ended a long standing acrimonious dispute between India and Bangladesh and that was not a small achievement if taken into mind the tortuous course, the negotiations have taken place in the past. But at the same time, it admitted that the accord was not at all that beneficial to India. In fact, New Delhi has given more than half way not only to mollify Dacca but also to ensure that a settlement was reached. 1

Jayanta Kumar Roy, an Indian Scholar on the subject was of the view that; India's Central Political leadership had, by means of the November, 1977 agreement on Ganga Water, cast away the advantage bequeathed by the British. Moreover, in an attempt to justify this agreement, India's Central leaders had resorted to misleading statements which could not reflect much interest on their part in saving the Calcutta port. 2

Again he stated that the recommendations of the experts too, had been disregarded by the Govt. of India and it had not cared to inform the public of any valid reasons for doing so. 3 He again stated that these rivers system had the potential of covering the whole of waters by the Farakka Agreement appears to be strongly inequitable.

3. Ibid.
In the leanest 10 days (21-30 April) India is to get 20,500 Cusecs and Bangladesh 34,500 Cusecs. In the first 10 days (1-10 January) with the highest flow, India is to receive 40,000 Cusecs and Bangladesh 58,500 Cusecs. He criticised this division of waters.¹ He was of the opinion that one of the essential qualities in a politician as a decision-maker was the ability to grasp the importance of certain national problems.² He further stated that the 1977 Farakka Pact had been signed without proper consultations with the Government of West Bengal.³ Thus, he was of the view that it was possible to suggest a number of reasons as to why the Government of India's approach to this matter seemed to reflect "more illusion than realism".⁴

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² J.K. Roy, P. 237.
³ Ibid.
⁴ Ibid.
The Agreement on the sharing of the Ganges waters at Farakka led to sharp critical reaction among most political parties in West Bengal. Dr. Kanai Bhattacharyya said that the Agreement represented India's policy of appeasement which might not appease Bangladesh in the long run. Mr. Kashi Kanta Moitra, Janata Party leader and Mr. Bishwanath Mukherjee, C.P.I. leader expressed disappointment at the agreement. Mr. Moitra asked: "What was the point then of spending over Rs. 150 Crores on the Farakka Barrage Project? He feared that the Haldia port complex would also be threatened. 1

According to the agreement, the Calcutta port needs minimum 40,000 cusecs of water whereas the agreement provided for the port less than 40,000 cusecs. A.B. Vajpayee said in the Lok Sabha, "trust begets trust". 2 It is to be noted here that the 1977 Farakka Agreement could not escape criticism.


(Contd. ..... 128)
In fact, this is not a new phenomena. The Central Government not only now but also in the early years of post-independence neglected the Calcutta port. The Government of West Bengal liked to have the Farakka Barrage Project included in the First Five Year Plan. But the Central Government's negligence to the West Bengal Government was so much that even in the Second Five Year Plan also it was not included.

As late as 1960, the Union Government prepared the project on Farakka. The actual work on the project commenced in 1963 but for two or three years, the authorities did not carry out the work so seriously. In this context the Lok Sabha Estimate Committee observed: "Although the importance of the project was realised long ago, it was delayed for a long time. The Committee is constrained to observe that this delay, apart from resulting in loss of hundreds of crores and increase in cost, has deprived the country from (sic) the anticipated benefits of the project". Government of India ignored even the advice of the experts. And on the other hand, it made heavy concessions to the Government of Bangladesh. The Indian Foreign experts also made mistakes as it determined minimum flow only at 40,000 cusecs which was not sufficient for the Calcutta Port.

2. India, Lok Sabha, Estimate Committee (1969-70), Farakka Barrage Project (New Delhi: Lok Sabha Secretariat, 1970); PP. 5, 6 & 7.

(Contd. ..... 129)
After the conclusion of the interim Farakka pact, the P.M. Morarji Desai hinted the leaders of West Bengal that irregular schemes would be replaced by deep tube wells, which augmented the availability of Ganga Waters at Farakka. Desai, however, defended the Agreement in the Lok Sabha on 14 November, 1977.

In his last speech, Mr. Desai said that the Farakka problem has been a national issue in Bangladesh transcending political parties and groups. All the political parties and groups in Bangladesh have been united in demanding larger shares and a speedy settlement of the dispute. In India also, the Farakka problem must be seen as a non-partisan national issue. He again said that his Government had signed the agreement respecting the commitment made by the previous Government.

In the Lok Sabha on 15 December, 1977, the agreement faced severe criticism. Mr. Samar Guha drew the attention of the House on the statement made by the P.M. Desai on 14 November regarding the agreement. He was of the view that the Government since January, 1977 did not consult any hydrological expert and the Government ignored the advice of the experts that 40,000 cusecs of water was needed to save the Calcutta port. He also criticised the Indian Government's attitude towards Bangladesh Government on the commissioning of the Farakka Barrage Project. However, this House severally criticised the agreement from various points of view.

1. Amit Bazar Patrika, 30 Sept., 1977;
2. Lok Sabha Debates, Vol. VII, No. 1, 14 Nov., 1977; Col. 305;

(Contd. ..... 130)
Morarji Desai's statement also reflected that India had made a large number of concessions in reaching the agreement with Bangladesh. If we examine the Janata Government's foreign policy, we find that this Government tried its best to establish friendly relations with all its neighbours. This agreement was the result of Janata Government's attitude. After assuming office, the External Affairs Minister, A.B. Vajpayee paid official visit to Nepal, Burma, Afghanistan, Japan, Yugoslavia and Bhutan. Not only that next year he visited Pakistan and made an agreement on Salal Hydro Electric Project. He also visited China.

It is to be noted here that this agreement of Nov. 5, 1977, is an improvement over the Interim Agreement which Indira Gandhi's Government had signed with Sheikh Mujibur Rahman's Government in April, 1975. According to the term of the Interim Agreement, the withdrawal of water during the lean period (21-30 April) would be only 11,000 to 16,000 cusecs of water and it was to be gradually increased in succeeding weeks. We find from the Interim Agreement that the Government of India had more concessions towards Bangladesh. The Interim Agreement was concluded between the two countries as a gesture of good will. The November 5, 1977 agreement revealed that the contracting parties of the agreement provide for more flow to Calcutta Port as well as friendly relation between them. Of course, without augmentation of Ganga flow, to provide for India's requirement of optimum flow of water (viz. 40,000 cusecs) was not possible. Mrs. Gandhi, coming to power in 1981, openly criticised the short-term agreement. Her Government said that the sharing of waters was not proper rather it was harmful for the Calcutta port.

(Contd. .....131)
After the 1977 agreement, the pressure of functions of the JRC increased as it was asked to work on the long-term solution of the dispute. It was true that both the Governments tried their best to maintain most cordial relations through the concluded 1977 Farakka Pact.

However, after signing this agreement, the Bangladesh President Ziaur Rahman visited India on 19 December, 1977 and after the end of the visit, a joint communique noted that the concluded agreement between the two countries paved the way for wider cooperation and regarded this agreement as one of "historic significance". A notable feature of the agreement was the decision by both parties to treat the issue and the implementation of the agreement as a bilateral one. Any differences between them would be resolved bilaterally. It had been made possible by the spirit of mutual accommodation shown by the two leaders. The communique said that they attached importance to a speedy solution of the long-term problem of augmenting the flow of the Ganga "which was essential for adequately meeting the requirements of the two country. They recognized that the agreement had paved the way for "optimum utilization of the water resources of the region as a whole". At their talks, the two sides attached the highest priority to implementation of the long-term measures indicated in the agreement. The agreement requires the two to complete preliminary studies within three years. Upgrading of the JRC could in this extent be a blessing, for it would mean speedier decision than might have been possible at the officials' level.¹

The two countries have various proposals before them for augmentation of the Ganga waters. The most discussed, of course, was the Brahmaputra-Gangalink-up project which would involve a colossal outlay and which had been on the anvil for long. There were some other alternative proposals which the joint Commission was expected to examine in depth.1

The 14th meeting of the JRC was held in Dacca on 21 to 23 January, 1978. The Agriculture and Irrigation Minister of India Surjit Singh Barnala led the Indian delegation. After discussion, they had decided that both the countries should make full use of launching a new-phase of fruitful activities which would be beneficial to both the countries.


(Contd. .......138)
The fifteenth meeting of the Indo-Bangladesh JRC was held in New Delhi from 5 to 11 July, 1978. This meeting discussed the augmentation of the dry season flow of the Ganga and border rivers problems. The JRC had decided to set up a joint committee for working out an agreement on the sharing of the Teesta water after examining the availability and requirement of water by each country. It discussed the three major items, augmentation of the dry weather flow of the Ganga, the Teesta and border rivers. Regarding the Teesta water, the JRC considered the report of the official-level committee and set up a Joint Committee of the Commission for the purpose of working out an agreement on sharing of the Teesta water, after examining the availability of water by each country and how this requirement could be met. According to the Joint Communiqué, the Commission agreed that the joint inspection would be carried out soon.\textsuperscript{1}

After fifteenth meeting of the JRC, India had submitted a composite multi-purpose project for augmenting the flow of the Ganga at Farakka. The Minister of Agriculture and Irrigation, Mr. S.N. Harnala told the Lok Sabha on 7 August, 1978 that India's proposal envisaged integrated development of the Ganga-Brahmaputra-Meghna System and transfer of the surplus waters of the Brahmaputra to the Ganga link canal. Moreover, the construction of three storage dams on the Sihang, the Subansiri and the Barak rivers had also been proposed as a measure of depending on the water requirements, at the appropriate stage. The Indian proposal would also provide benefits accruing from flood-control, irrigation and hydro-power generation to both the countries.\textsuperscript{2}

\textsuperscript{1}(a) India and foreign Review; Vol.15, 1977, No.1; 15 July, 1978; P.7; (b) Foreign Affairs Record; Vol. XXIV, No. 1; December 1978; P.353.
\textsuperscript{2} Indian and Foreign Review; 15th August, 1978; P. 9.
After the end of the 16th meetings of the JUC it decided to set up a joint-committee for working out an agreement on the sharing of the Teesta water after examining the availability and requirement of water by each country. This meeting held in Dacca on 6 December, 1978 discussed three major items, augmentation of the dry weather flow, the Teesta water and the border rivers.¹

The Indian Prime Minister, Morarji Desai visited Bangladesh from April 16 to 19, 1979. He was accompanied by Sri A.B. Vajpayee, the Minister for External Affairs. The Joint Communique was issued after his visit and they were able to carry the discussion on the Ganga water at Farakka much further. Both sides agreed that the attempts should be made to secure optimum utilization of the waters not only of Ganga but also of other waters available in common to both the countries. They also agreed that the JRC should set up a local machinery to resolve problems of local nature such as construction of spurs on the rivers leading to erosion of banks. Moreover, they also took further steps to reach an agreement on sharing of waters of River Teesta and undertook further studies on the problem arising out of its great river basin of the Ganga-Brahmaputra-Barak. Sri Desai was of the view that they would succeed in removing some of the more difficult irritants in the relationship between the two countries.²

¹. Indian Economic Diary, 1979, January 1-7, P. 7147;
². Lok Sabha Debates, Vol. 25, 1979; No. 36-40; (17 Session) No. 40, April, 19, 1979; PP. 202-205.

(Contd. ....135)
This visit helped them to cover "a very wide range of bilateral subjects and also to exchange views on the regional and international situation". P.M. Desai did not mince words in pointing out that in seeking a solution to the problem of river waters, the two countries should first study their "own conditions and circumstances before burning to other countries for their help and assistance".2

The 17th meeting of the JRC was held on Nov. 20, 1979 at Dacca. Mr. Brah Prakash, Minister for Agriculture and Irrigation after attending the three-day meeting, it was decided that spurs built by either country across Muhuri river on Tripura - Bangladesh border, which deflect the course of the river, would be demolished. He further told newsman that a committee of the JRC would visit the spurs on November, 30 and decide which of them maintained the course of the river and which deflected it.3

1. Lok Sabha Debates, Vol. 25, 1979; No. 36-40 (17 Session); No. 40, April, 19, 1979; PP. 202 - 205.
2. The Statesman (ed), "A useful visit", April, 1979;
After the mid-term election in India in the last part of 1979, there was change of government in India and the critics of 1977 agreement again became active and they hoped that under the new Government something would be done to save the Calcutta Port. Just after assuming Office, the new Union Energy and Irrigation Minister, A.B.A. Ghani Khan Choudhury immediately called for the papers relating to the Farakka Agreement. Choudhury in an interview in Calcutta on 16th January, 1980, said that he would like to see if there was anything in the agreement that could be construed to be pre-judicial to the interest of the Calcutta had to suffer for the sake of other country's favour. Further it was decided that a note on the issue would be submitted to Mrs. Indira Gandhi before the Bangladesh President Zia-ur-Rahman's visit to India. When President Zia visited New Delhi in January, 1980, he said before emplaning for Dacca on 22 January that the problems pending before his country and India would be solved "through bilateral talks".

1. Indo-Bangladesh Relation, S.S. Bindra, PP. 116-117; 1982;
3. Foreign Affairs Record, Vol. XXVI, No. 1, January, 1980; r. 4;

(Contd. ..... 137)
The eighteenth meeting of the JRC was held in New Delhi from 27 to 29 February, 1980. This meeting exposed the differences which the two Governments had regarding the agreement. At the New Delhi meeting, both sides seemed to have restated their known positions without making any effort to evolve an acceptable solution. The Indian delegation made it clear that any solution which did not take into account this country's fundamental interests, particularly those of the upper riparian States, would not be practicable. India had been emphasising the need to take up schemes to augment the flow of the Ganga Waters in the dry season in view of the damage caused to Calcutta Port owing to inadequate water flow. In connection with the project of linking the Brahmaputra with the Ganga, Bangladesh wanted Nepal to be brought in a party. 1

Kazi Anwar-ul-Hoque, Water Resources and Flood Control Minister of Bangladesh reiterated that his country wanted a revision of the 1977 agreement on augmentation of the Ganga flow. He recalled his Country's proposal to augment the dry season flows of the Ganga by building shortage dams in Nepal as an alternative to the Indian suggestion for a Ganga-Brahmaputra-link canal. He further suggested that the two countries should jointly approach Nepal to seek its cooperation in the study of the Bangladesh proposal and said that the Indian proposal for a Ganga-Brahmaputra link "will be a serious interference with the ecology which nature has developed in million of years. 2

1. Data India; Feb. 11-17, 1980;

(Contd.....138)
"Hindustan Times" said on February 29, 1980, "India feels that the Ganga waters agreement signed in 1977 has worked against the interest of this Country". India made some concession to Bangladesh in the hope that Bangladesh would be sympathetic. It was expected in the 1977 agreement that within three years after signing it, the JRC would be able to find a mutually acceptable solution to augment the flow, but it failed to do it. So, Ghani Khan Choudhury indicated that his Country liked to have a fresh formula for the sharing of the Ganga waters.

India and Bangladesh failed to reach an agreement on augmenting the flow of the Ganga Waters at the three-day meeting of the JRC. The main cause of it was that India did not like the inclusion of Nepal as wanted by Bangladesh. The Indian Government was of the view that if necessary, Nepal should be approached. Bangladesh insisted that Nepal should be associated with the JRC deliberations as a pre-condition for taking up the study of the scheme.

Instead of cooperating with India in making the agreement in right-earnest, Bangladesh has persisted in a negative and dilatory attitude. "Dacca's strategy was transparent and self-defeating. For its insistence on involving a third Country, Nepal, in an essentially bilateral problem was bound to encounter strong resistance from this Country."

1. Hindustan Times; 29 February, 1980;
2. Times of India; 28 February, 1980;
3. Ibid.; 29 February, 1980;
4. Indo-Bangladesh Relation, 1982; S.S. Bindra; P. 185;
5. Times of India (Ed); "A virtual Washout", 1 March, 1980.

(Contd. .... 139)
When Mrs. Gandhi returned to power, she promised the electorate to review the 1977 agreement which was distinctly "disadvantageous" to India. The P.M. Mrs. Gandhi said in an interview on April 27, 1980 that the 1977 agreement with Bangladesh on the Ganga waters was not in India's interest and it had to be looked into afresh. She remarked that "the agreement had been made in "a slipped manner", while not going into the details of the agreement. She was aware of the inadequate inflow of water in the Ganga in the summer and the silting of Calcutta Port.\footnote{An External Affairs Ministry spokesman on 3 March, 1980 said that any attempt to "distort" the Farakka accord would threaten the future of the interim agreement. The Spokesman was obviously referring to the "one sided" view of the recent meetings of the JRC given by the leader of Bangladesh delegation on his return to Dacca. Bangladesh wanted to revert to adhoc arrangements on water sharing, pushing the search for a long term accord into the Background. The Spokesman said, such an approach could only lead to numerous problems in implementation and operation of projects on either side. Whether it is augmentation of the Ganga's flow or sharing of Teesta waters, "the true meaning and the significance of the agreement must not be distorted, or else the future of this agreement might be jeopardised", he said adding that the agreement afterall was only of a temporary nature.\footnote{\textit{Foreign Affairs Record, Vol. XXVI, No. 3; March, 1980; Fr. 55-56; Data India, Feb. 11-17; 1980.}}
On 4 April, 1980, Bangladesh and India signed an agreement in Dacca to the effect that the long-term solution of the sharing of Ganga Waters and augmentation of its flow during the "lean period" at a "high political level". The Indian delegation led by Rao Birendra Singh, Indian Minister for Agriculture and Kazi Anwarul Hoque, Bangladesh Minister for Power and Water Resources. The joint report, signed as an agreement while acknowledging the failure of the JRC, however, "reiterates the great importance of finding a long-term solution" to the vexed problem of sharing Ganga waters and augmentations of its flow in the lean period of summer month.

The resumed 18th meeting of the JRC ended in New Delhi on April 26 to 28 without any agreement. No progress could be made at the Delhi meeting because the Bangladesh delegation led by Deputy Prime Minister Jamaluddin Ahmed refused even to consider the Indian Scheme for a long-term solution to the problem of diminishing flows into the Ganga-system. The Bangladesh stand was that the possibility of augmenting the flow should be examined independently of any scheme to link Ganga with any other river system. India contended that the only way to increase the availability of water in the Ganga is to link it with the Brahmaputra. Indian delegation leader A.B.A. Ghani Khan Choudhury pointed out that a Ganga-Brahmaputra link would serve the multiple purposes of irrigation, flood and navigation.

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1) The Assam Tribune 5 April, 1980;
2) Data India, 1980; April 28- May 4;
3) Indo-Bangladesh Relations, 1982, S.S. Bindra; PP. 119-120.

(Contd. ....... 141)
CALCUTTA PORTS PROBLEM:

He further said on the opening of the meeting that the damage suffered by Calcutta Port as a result of low-level of the Ganga in a single season was so heavy that the benefits achieved in the last four years were likely to come to naught. The damage could be made good only by letting 40,000 cusecs flow through the Bhagirathi–Hooghly throughout the year. And it could be possible only through a long-term Scheme to increase the flow of the Ganges.¹

BANGLADESH'S ECONOMY:

Replay Mr. Ahmed, the Bangladesh delegation leader spoke of his country's heavy dependence on the Ganga which served about 37% of the total area in which a third of the population lived. He said that the flow of the Ganga in Bangladesh this year had reached on "alarming low level" and had affected the economic condition of the people. Again he repeated that the Bangla proposal for building storage reservoirs in Nepal would not only increase the flow of the Ganga during the dry seasons but also bring benefits in flood-control, hydel power, irrigation, drainage, navigation and maintenance of river channels.²

¹ Data India, 1980; April 28-May 4; Indo-Bangladesh Relation, 1982; pp. 119-120; ² Ibid. 120.

(Contd. .... 142)
BRAHMAPUTRA CANAL: The Brahmaputra-Ganga link Canal proposed by India would in addition to ensuring a minimum flow of 40,000 cusecs to Calcutta Port year round, provide to an irrigation to an estimated 10 million acres each in India and Bangladesh. This was expressed by "Indian Express" in April 2?, 1980. The World Bank considered the proposal to be a practical and reasonable scheme. This link Canal would involve the construction of a barrage on the Brahmaputra at Jogighopa with a lined gravity canal of 100,000 cusecs capacity falling into the Ganga at Farakka. This project can create 10 million KW capacity of hydral power generation.1

One more meeting (19th meeting) of JRC ended in Dacca without any agreement on the sharing of the Ganga. The Indian Irrigation Minister and delegation leader Keder Pandey agreed with his Bangladesh Counter part Kazi Anwar-ul-Hoque that discussions at a higher level were required. Mr. Pandey agreed with his Bangladesh Counter part Kazi Mr. Pandey told that JRC meetings at Dacca on July 9 that the 1977 Farakka Agreement was unacceptable to India. The formula had burdened India with "disproportionate sacrifices". The unprecedented drought of the last season brought out clearly the utter inadequacy of the arising flows for meeting "Our requirement of water".2

1. Data India, 1980; April 28 - May 4, 1980;
2. Foreign Affairs Record; Vol. XVI, No. 7; July, 1980;
3. Data India, 1980, July 7-13, 1980;
4. Indian Express (Ed), "Farakka Frustration", 14 July, 1980;
5. The Statesman (Ed) "Dead lock over Farakka", 15 July, 1980;
6. Asian Recorder, 1980, Sept. 2 - 8;

(Contd. ..... 143)
The 20th meeting of the JRC also failed to arrive at an agreement regarding the water issue. A joint press release issued after the talks of 20th meeting of the JRC, noted that the question was discussed at "a high political level" when the Indian External Affairs Minister visited Dacca and that "it was expected that the discussion at this level would continue".¹

The 21st meeting of the JRC was held in Dacca in the first week of November, 1980. Indian Irrigation Minister Mr. Kedar Pandey led the Indian delegation. After the three days' discussion, it was said that the talks covered "good grounds" towards a permanent solution.² Both sides decided also to hold talks in New Delhi to continue the review of the November 1977 agreement on sharing of the Ganga waters. In Dacca, Bangladesh Power and Water Resources Minister, Kazi Anwarul Hogue told reporter that a joint statement could not be issued as the discussion would be continued till the last of November, 1980. However in New Delhi talks, both the countries failed to complete the review of the Farakka Agreement. A review after three years had been laid down in the 1977 Agreement. In his opening speech of the meeting of November 5, 1980, Mr. Pandey strongly pleaded for a long-term agreement on the sharing of Ganga Waters between the two countries.

¹. (a) Data India, 1980, Sept. 1 - 7, 1980; (b) Foreign Affairs Record, Vol. XVI, No. 9, Sept., 1980, P. 187-93;
². (a) Indian Express, 8 November, 1980; (b) Data India, November, 3-9, 1980;

(Contd. ...... 144)
He said, India had agreed to make a "short term sacrifice" in the expectation that a suitable long-term agreement that would protect the interests of Calcutta and Haldia Port and also those of Bangladesh would be reached. He further said, "unfortunately the JRC had failed to discharge its mandate" of submitting its recommendations on an economical and feasible scheme for the augmentation of the dry season flow of the Ganga at Farakka.

GANGA-BRAHMAPUTRA LINK CANAL PROPOSAL REJECTED:

An English Language Weekly reported on January 18, 1981 that Bangladesh officially rejected the Gange-Brahmaputra link canal proposal of India. In the concluding part of the review report, Bangladesh stated that the link canal proposal "is legally unjustifiable, technically impracticable, economically and ecologically disastrous" and that it was untenable and above all unnecessary. The report said that the link canal scheme in its human and sociological consequences would be one "impinging on the fundamental right of the people of Bangladesh".1

It further said that Bangladesh told India that it considered the 320 km. Ganga-Brahmaputra link Canal, 128 km. or which could cut across Bangladesh, defied credibility in respect of immensity of the project, engineering feasibility, Cost, requirement of time, man-power and energy.2

   The Indian Express, Calcutta;
   (Contd. ...... 145)
The Indo-Bangladesh talks on Ganga waters were adjourned on January 9, 1981 without the review of the 1977 agreement. The two sides delegations set aside the mandate contained in the agreement. Both the delegations of Rao Birendra Singh of India and Kazi Anwarul Hoque of Bangladesh claimed that "a lot of ground" had been covered "in the talks but refused to elaborate what specially was achieved. India took strong exceptions to adverse comments expressed by the Bangladesh Government on January 9, 1981.

On 4 April, 1981, the JRC decided to refer the issue of sharing of the Ganga waters to the respective Governments for a solution "at the highest and political level" The agreement was signed after the end of a three-day meeting between the Indian Agricultural Minister Birendra Singh and Bangladesh Power and Water Resources Minister in Dacca. The meeting reviewed the 1977 agreement. There arose differences of opinion regarding the impact of the sharing arrangements.1 The Indian High Commissioner, Muchkund Dubey, was of the view that "our overall relations and efforts to resolve outstanding issues through mutual discussions" should continue. Meanwhile, India rejected Bangladesh's demand that it should not operate the Farakka barrage without a new treaty.

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3. Date India, 27 July to 2 August, 1981, P. 364;

(Contd. ... 146)
In the meantime political atmosphere changed in Bangladesh following the assassination of President Ziaur Rahman on May 30, 1981 in a coup.

The new President of Bangladesh Abdus Sattar advocated a "regional" approach to the problem. The Bangladesh Irrigation Ministry organised a symposium in Dacca at which Bangladesh officials expressed views whose sole object appeared to repudiate the basis of negotiations so far held with India on the Ganga Water dispute. The Bangladesh President Mr. Abdus Sattar called for meaningful cooperation among South Asian Countries for separate and comprehensive development of each International River basin of the area. The symposium recommended the setting up of two separate bodies, one to tackle the problem of the Ganga of which, Bangladesh, India and Nepal would be members and the other for the Brahmaputra which would include representatives of Bangladesh, India, Bhutan and China. It is also likely that Bangladesh would question the mutual validity of the 1977 agreement on the ground that it did not provide for the accession of another riparian, Nepal when the issue was discussed with India on the political level. The shift in Dacca's stand on the issue was indicative of a toughened attitude of the new regime in Bangladesh to its relations to New Delhi.


(Contd. ..... 147)
SUBSEQUENT DEVELOPMENTS IN H.K. ERSAD'S TIME:

India's relation with Bangladesh continued to be shaky without any solution being found with this major issue i.e. sharing of the Farakka Barrage water. The JRC which was set up on March 19, 1972, also could not find out any agreeable solution of this problem. The concluded Interim Agreement on Farakka in 1975 between Indira Gandhi and Sheikh Mujibur Rahman also could not solve the Farakka Barrage issue though to some extent it was successful. Another concluded agreement on 5 November, 1977 between two new rulers of both the countries, Indian Prime Minister Morarji Desai and Bangladesh President Gen. Ziaur Rahman had to face severe criticism from both sides. During Zia's rule, this problem had been most irritant between the two countries. After the assassination of Ziaur Rahman on 30 May, 1981, this problem again created tension between the two countries.

In 1980, election in India, Indira Gandhi again came in power and she and her Government openly criticised the 1977 Farakka Agreement on several grounds.

(Contd. ..... 148)
On 30 July, 1981, Indian Government expressed concern over the successive press statements by the Bangladesh Government on the Farakka Barrage Water and said these "might not be conducive to the gamut of Indo-Bangladesh relations. Besides, India has rejected Bangladesh's demand that it should not operate the Farakka barrage without a new treaty. However, various discussions regarding the Farakka Barrage Water were held between the two Countries without any agreed proposal.

Even, the Ganga Water issue raised in the Nairobi Conference on May 18, 1982, when Bangladesh reiterated "environmental and ecological problem" faced by it due to diversions of water at upstreams during dry seasons and described India's condemnation of its statement on the issue as irrelevant and uncalled for".1

The Indian External Affairs Minister, Sri Nara Simha Rao visited Bangladesh from May 22 to 24, 1982 for the first time after the new military regime of Lt. Gen. Ershad came to power. Sri Rao led the Nine-member Indian delegation and after the end of the discussions on various issues, both sides agreed to intensify efforts to expeditiously find a mutually acceptable solution to the problems of sharing the waters of Ganga at Farakka and augmentation of its flows. For the purpose of solving the problems of the sharing of Ganga Water at Farakka, the issued joint statement said that both sides agreed to meet frequently and approach the matter in a spirit of good will, cordiality and good neighbourliness:

1. The Assam Tribune, May 19, 1982;
2. The Assam Tribune, May 24, 1982

(Contd. ....119)
It is true that after so many rounds of discussions on the Farakka Barrage Problem between the two countries since 1972 and also having best information and expert assessment available with the Government of India, on withdrawal of the waters of the Ganga in Bangladesh or in India, a proper solution should have been found without causing any adverse consequences for either country. It was possible mainly because of the abundance of water throughout the year except for the lean season from Mid-March to Mid-May. According to expert opinion, there could be no adverse affect at all on Bangladesh due to the drawing of water during the lean season.

However, several rounds of discussion were held in Dacca and New Delhi on the Farakka Problem during Lt. Gen. H.M. Ershad regime. India and Bangladesh proposal for the augmentation of the flow of the Ganga water at Farakka during the dry season was further discussed on February, 14, 1983 at the 26th meeting of the Indo-Bangladesh JRC in New Delhi. Mr. A.Z.M. Obaidullah Khan led the Bangladesh delegation. He was also the co-chairman of the Commission. He talked with the Indian Minister of Irrigation Sri Ram Niwas Mirdha. This meeting discussed the job of finalising pre-feasibility studies of the two proposals for augmentation under the Indo-Bangladesh memorandum of understanding signed in 1982 between Indian P.M., Indira Gandhi and Bangladesh President Gen. Ershad.¹


(Contd. ......150)
This meeting discussed the problem and exchanged their views in detail on the expert committee's report on the issue. The Indian Union Minister of State for Irrigation, Sri Ram Niwas Mirdha visited Dacca on July 17, 1983 to meet the JRC with the Indian proposal for linking Ganga with the Brahmaputra through a canal, which would result in abundance of water at Farakka. Even on Nov. 26, 1983, Lt. Gen. Ershad said in an interview to Delhi Door Darshan that India and Bangladesh were nearer to a solution over the Ganga Water. He hoped that solution to the various issues between the two countries would be "found soon" specially the Ganga Waters and the disputed Tin Bigha territory. But during the Indira Gandhi regime in India, the Farakka Barrage issue could not find out any amicable solution between the two countries although efforts were made on this issue. When in India Rajib Gandhi came to power, he made an effort to solve the Farakka Problem. On October, 18, 1985, India and Bangladesh have reached an understanding on the question of sharing the Ganga Waters at Farakka. The agreement was reached between P.M. Rajiv Gandhi and Bangladesh President H.M. Ershad. Under the agreement, Irrigation Ministers of both the countries signed a memorandum of understanding for sharing the waters for a three year period commencing from the dry season of 1986 similar with that of the 1982 memorandum of understanding.

1. The Assam Tribune, Nov. 27, 1983. (Contd. ...... 151)
The purpose of this meeting would be to identify alternatives for the sharing of the water resources to mutual benefit, including a long-term scheme for augmenting the flow of the Ganga at Farakka. They also agreed to have a joint study.

(N.B. This agreement was concluded at Nassau, The Bahamas) at the Commonwealth Summit.¹

However, the Farakka problem has been still persisting without a lasting resolution for both the Countries till now. Without proper cooperation and political will from both sides, this problem could not be solved in the near future also inspite of the efforts made from both sides. The Farakka Issue, which came to have a serious impact on the Indo-Bangladesh relations during Ziaur Rahman's era, would continue to remain as a major irritant for Rajiv Gandhi and Ershad at present unless a permanent solution could be thrashed out.

¹. The Assam Tribune, October, 19, 1985.