

**GOVERNMENT OF INDIA
MINISTRY OF IRRIGATION & POWER**

**THE INTER STATE WATER
DISPUTES RULES, 1959**

Under Section 13 of the Inter-State Water
Disputes Act, 1956 (No. 33 1956)

(As modified up to the FEBRUARY, 1989)

New Delhi, the 23rd June, 1959

GR. 765:- In exercise of the powers conferred by Section 13 of the Inter-State Water Disputes Act, 1956(33 of 1956), the Central Government, after consultation with the State Governments hereby makes the following rules, namely;

THE INTER-STATE WATER DISPUTES RULES, 1959

1. **Short Title:** These rules may be called the Inter-State Water Disputes Rules, 1959.

2. **Definitions:** In these rules -

i) 'the Act' means the Inter-State Water Disputes Act, 1956 (33 of 1956);

ii) 'Section' means a section of the Act.

3. Form and manner in which a complaint as to any Water Dispute may be made :

(1) where the government of any State desires to refer, under Section 3, any water dispute to a Tribunal for adjudication, it shall address a letter in writing, in triplicate signed by a Secretary to the Government, to the Secretary to the Government of India, Ministry of Irrigation & Power, New Delhi, and such letter shall, unless delivered personally, sent by registered post.

(2) Such letter shall contain information on the following points, namely:

(a) the parties to the water dispute;

(b) the specific matters in dispute between them;

(c) any other matter connected with or relevant to the water dispute; and

(d) the efforts, if any, made by the parties themselves to settle the dispute.

4. Notice to parties to nominate representatives: The Tribunal shall, for the purpose of the proceedings before it, require the parties to the dispute, in the form set out in the Annexure to these rules, to nominate, within a specified time, persons to present their case before it.

5. Procedure of representatives are not nominated: Where a party to the proceedings before a Tribunal falls to nominate any representative to present its case before the Tribunal or where the representative so nominated does not appear before the Tribunal the Tribunal may decide the case in the absence of such representative.

6. Remuneration allowance or fees: (1) The time spent by the Chairman or a Member of Tribunal who is a Judge of the Supreme Court or of a High Court, shall count as actual service within the meaning of paragraph 11(b) (i) of the Part D of the second Schedule to the constitution read with Section 2 (b)(i) of the Supreme Court Judges (Conditions of Services) Act, 1958 (41 of 1958) or Section 2(1) (c) (i) of the High Court Judges (conditions of Service) Act, 1954 (28 of 1954), and accordingly he will continue to draw the remuneration as admissible to him as a Judge of the Supreme Court or of a High Court, as the case may be.

(2) where the chairman or any Member of the Tribunal retires from service as a Judge of the Supreme Court or a High Court during the term of office of such Chairman or Member, he shall be paid for the period he serves as Chairman or Member, after retirement, such salary, which, together with his pension or any other of retirement benefit shall not exceed the last pay nor by him before retirement. He shall be entitled to such allowances and other benefits except hereinafter, provided, as are admissible to serving Judges of the Supreme Court or of a High Court, as the case may be.

(3) Where the Chairman or any Members of a Tribunal retires from service as a Judge of the High Court during the term of office of such Chairman or Member, he shall be provided with unfurnished Government accommodation, if available, without payment of rent, and, in case no such accommodation is provided or he does not avail himself of the Government accommodation, he shall be paid every month an amount equal to 12 1/2 per cent of his pay inclusive of pension as House Rent Allowance.

(4) A person, being a serving Government servant appointed as an Assessor by a Tribunal, shall be paid salary equivalent to the basic pay drawn by him in his parent Department plus a deputation (duty) allowance as admissible in terms of the Ministry of Finance O.M. No. F10(24)-E.III/60 dated 4th May, 1961, as amended from time to time. He shall be entitled to draw such allowances as are admissible to him as a serving Government servant.

(5) A person, being a retired Government servant appointed as a whole-time Assessor by a Tribunal shall be paid such salary which, together with his pension and pension equivalent or any other form of retirement benefit, shall not exceed the last pay drawn by him before retirement or Rs. 8,000/- whichever is less. He shall be entitled to draw such allowances as are admissible to a serving Government servant

A person, not being serving or a retired Government servant appointed as a whole-time Assessor by a Tribunal, shall be paid such salary as may be determined keeping in view his status, experience and qualifications provided that such salary, shall

not be more than Rs. 8,000/- per manses. He shall be entitled to draw such allowances as are admissible to a serving Government servant of the first grade on such a salary.

(6) A person appointed as an Assessor on part-time basis (whether a retired Government servant or a non-official) shall be paid such remuneration on a daily basis for the actual days spent on the Tribunal's work as may be determined keeping in view his status, experiences and qualifications.

(7) An Assessor whose normal place of residence is not at the head-quarters of the Tribunal shall be paid traveling allowance from the place of his residence to the headquarters of the Tribunal and back for attending the Tribunal's work at the rate admissible to a Government servant of the first grade.

7. **Appointment of officers of the Tribunal, and their terms and conditions of services:** The Central Government may, in consultation with the Chairman of the Tribunal, appoint on such terms and conditions as it may determine officers for the Tribunals

8. **Expenditure to be borne by the Central Government:** All administrative expenditure of the Tribunal; and its office, shall be initially borne by the Central Government, but will later on be adjusted in accordance with, the decision of the Tribunal as laid down in sub-section (3) of Section 9.

9. **Headquarters of the Tribunal:** The Central Government may, by notification in the official Gazette, fix the headquarters of the Tribunal at such place as it deems fit.

Annexure

(See rule 4)

To

The Secretary to the Government of

Whereas a water dispute has arisen between the Government of _____ and _____ viz _____ (copy enclosed).

And whereas I have been appointed as Chairman of the Tribunal constituted by the Government of India under Section 4 of the Inter-State Water Disputes Act. 1956 (33 of 1956), in respect of the said water dispute:

Now, therefore, you are hereby required to intimate to me not later than the _____ name (s) and addresses) of the person(s) whom the Government of _____ have nominated as its representative(s).

If no such nomination is received by me on or before the aforesaid date, the case may be decided in the absence of any representative of the State Government.

Chairman of the Tribunal

Date _____