

Water Governance in

INDIA

Problems and prospects

Turbulence in India's Water Sector

- There is broad consensus that India's water sector is facing serious challenges in almost every theme. The Water Establishment too accepts this fact generally.
- Most analyses talk about specific themes and how to deal with them.
- There is less significant body of analyses about state of water governance in India and our unique challenges and opportunities.

This presentation is put together at a short notice without enough time to do justice to the subject at hand.

Key Challenges

Groups like ours are ***infamous*** for coming out with long charge sheets concerning India's Water Sector! However there is broad consensus about the following challenges:

- **Groundwater Governance:** Millions of users, depleting levels, deteriorating quality, access to reliable and affordable electricity
- **Large Surface Irrigation Projects:** exaggerated obituaries apart, its still mainstay in terms of expenditure, but dud for at least two decades in adding fresh areas u/irrigation
- **Key Environment Management Challenges:** Rivers, forests, biodiversity, flood plains, watersheds, little effort to understand ecosystem level ramifications
- **Water Pollution:** the problems are increasing, no solution in sight, we generally do not seem to have a clue what to do.
- **Floods and Droughts:** increasing frequency & extent, annual damages
- **Equity and Distribution**
- **Corruption** contractor-engineer-bureaucrat-politician nexus (e.g. recent events in Mah)
- **Water Supply and Sanitation:** Urban (increasing demands from longer distances, sewage treatment gap, destruction of LWS, little RWH/ GWR), Rural (issues of quality, equity, basic access for needs n livelihoods)
- **Food Production:** Cropping patterns, equity, distribution

The list can be longer...

Challenges of water governance for each of these issues could be different, but related.

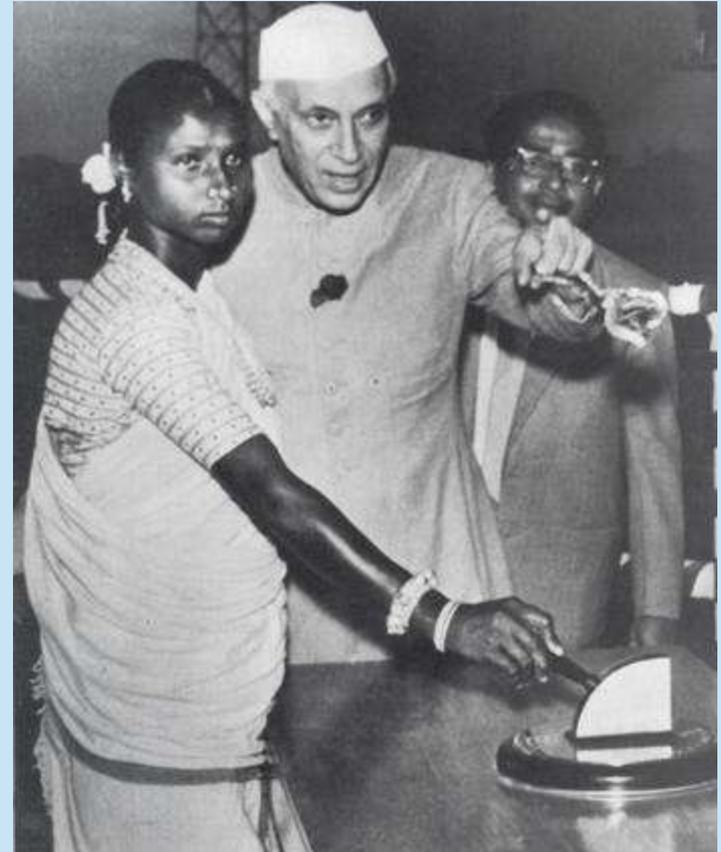
Elements of Water Governance

Governance is what a government does, to steer, relates to decisions that define expectations, grant power, or verify performance. It is expected to reflect the system: Democracy in India.

- **Constitutional provisions:** At Centre and State level
- **Legal Framework:** At Centre and State, pre and post colonial
- **Institutional Mechanism:** Key institutions and their functioning, history; capacity to learn, innovate, develop themselves and the sector
- **Planning and decision making processes**
- **Democratic elements** in the process including transparency, accountability, decisive participation of the people on ground
- How **institutes of democracy** deal with the sector (parliament, bureaucracy, judiciary, media, civil society, academia)

Historic Context

- **The pre colonial situation**
- **The colonial legacy**
- **Post independence era:** Big opportunity to make a break from the past: How far did we succeed?
- **The LPG (post 1991) era:** changing demand patterns, unresponsive supply projects
- **The Climate Change era:** Another opportunity for a break: A wasted opportunity again (see the state of NAPCC/ NWM) ?



Above: Budhni Mejhan switching the Panchet Dam of DVC. The Dam is now significantly silted and Budhni was driven to isolation

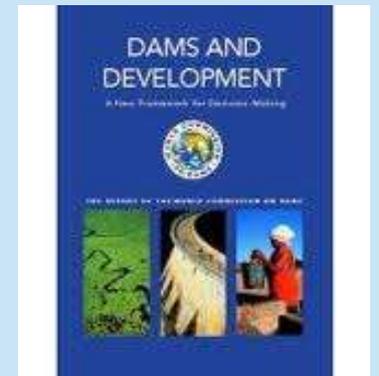
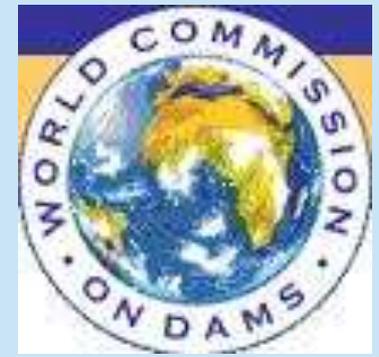
Water Governance and management in other countries

Noteworthy Aspects:

- **USA:** Environmental governance, USGS, groundwater banking/ accounting, Clean Water Act (40th Anniversary), Ecological River Management, free flowing rivers, dam decommissioning
- **China:** Much higher crop yields, coping with the size of population and growth of economy.
- **Europe:** Successful Trans boundary Rivers management, Water Framework Directive linking Environment and Water Governance
- **Netherlands:** Ecological Flood Management
- **Nepal:** Developing and Encouraging of micro hydro plants for remote areas
- **Bangladesh:** Efforts Coastal Disaster Management?



- **Helsinki Rules, 1992:** Europe now (in 2012) inviting other nations to join?
- **UN Treaty on Non Navigation Use of Water, 1997:** On brink of being effective with 35 required ratifications like to be in place?
- **WCD Report on Dams and Development, 2000:** India participates in the process but “rejects” the outcome
- **Others:** UNEP, UNDP, UN Water, Ramsar, CBD, IPCC, UNFCCC, climate and water adaptation: big scope, little impact?
- Nov 2011 saw an International Conference pre Rio+20 on how there is a nexus between water, food and energy security, that was useful, though they forgot the fourth leg: environment!!



Need to look within: India's unique context

- **More than outside, possibly we need to look within:** Context of water, society and environment in India is unique, diverse, complex and there is very little similarity with respect to any other country in the world.
- We have been meandering along, managing somehow, somewhat like our *jugad* style, but its doubtful we will be able to prolong this for long.
- The intensity and complexity of the challenges is increasing manifold.
- Climate change will make it much worse along with increasing urbanization, industrialization (*TPS & breweries are being closed down in Mah as early as in Nov this year*), pollution, per capita demands, wasteful, luxury consumption are all going up.
- Issue of multiple agencies will remain, that is not the problem, problem is thinking in exclusive & non-interacting silos, lack of coordination between agencies in a transparent, participatory way.
- **We seem to have too much faith in technology, infrastructure, funds, funding agencies, *and we seem to lack faith in people, in democracy....***

Reforms from establishment in last few decades

- **From MWR/ CWC:** RBM (in namesake), CAD (implementation?), P(!)IM, WUA (remember Briscoe's Big Bang approach in AP?), AIBP, National Projects, ILR, NWDA
- **From Rural Dev/ MEF/ MoA:** Watershed Development
- **From MoEF:** Environment Management (EIA, EAC, PH. This process has been somewhat of a driver, though so much more needs to be done), Water Pollution Control (ineffective SPCB/ CPCB), National River Conservation Plan (beginning with GAP, current PM had no time for a single meeting of the authority he chaired), WQAA
- **States:** Regulatory Authority (Mah, result of WB push), AP GW management, HP env flows, fisheries
- **Power:** Segregation of rural and agriculture grids (started in Guj, now spreading to other states)
- **Judiciary:** CGWA
- Some non starters: 73rd, 74th amendments, PESA, FRA
- **Planning Com:** 12th Plan reforms: Will it go far?

Is there credible evidence of effectiveness of these measures?

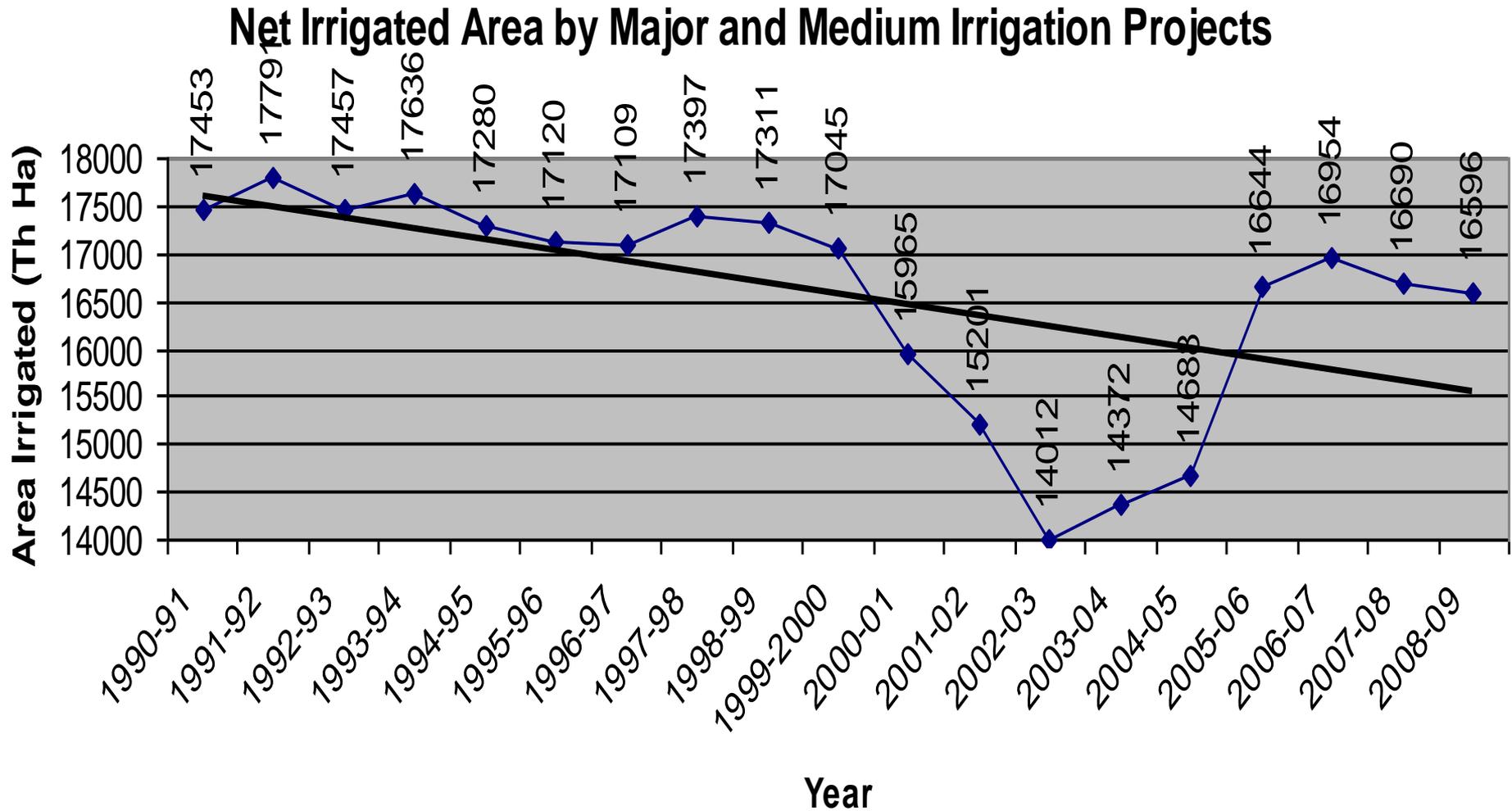
Other non-solutions in the guise of Management

- **Tribunals to solve inter state water problems:** What about intra state problems that are cropping up? E.g. Godavari-Krishna basin in Mah /AP.
- **Big dams not delivering:** Maharashtra as a laboratory for India
- **Inter linking of rivers with promises to solve drought and flood “problems”**
- **BIG hydro in North East and Himalayas**
- **CDM for Hydro under the UNFCCC**
- **Water Privatisation and market based reforms:** Forced without any consultations: they did not address the key issues, led at worst/ disastrous consequences and at best have been ineffective where tried out

World Bank, ADB, DFID or other donors have not been able to offer a single effective innovation after their ‘active’ involvement for decades.



In 17 years between 1991-92 to 2008-09, after spending over Rs 180000 crores on big irrigation projects, there is decline of over 1.1 M ha in canal irrigated areas



Fundamental reforms are yet to come..

- Most basic water data is top secret
- Basic documents related to *public purpose projects* secret
- No reliable statistics about basic aspects like are irrigated or water is allocation for a specific area or purpose.
- No credible performance appraisal
- No role for concerned people/ communities in planning or decision making, monitoring or operation.
- No clearly defined mechanisms for water allocations or accountability (examples: Mah, Orissa).
- Current consumption and growth patterns are not sustainable: This is not acknowledged/ addressed.

Central Water Commission hydrocrazy: A microcosm of IWRD?

- **Historic antecedents**
- **Massive bureaucracy, supposed to be top technical body, but also deeply involved in data gathering & management, monitoring, decision making, regulation, research, development, lobbying, dispute resolution, project preparation, dam safety, climate change, consultancy, international issues, you name it, they do it!**
- **Most non transparent, hates accountability, does not recognise need for participatory process, independent oversight, learning lessons, performance evaluation**
- **Nehru put it on pedestal without any checks or balances. He realised that mistake by 1958, but after that he seemed to have little time, inclination or will to correct the situation.**
- **ok this may sound a bit uncharitable, but let us face it, cwc has remained a holy cow**

Question is *How* and not *What*

- Fundamental reforms are yet to come, yet to be attempted in water sector in India. There could be debate as to what is fundamental or top priority, but the real question is “**How** is any such thing going to happen?”
- If we look at the history of functioning of MoWR, CWC and other Water establishment institutes, there seem absolutely no effort at any fundamental reform, not even an effort to learn from the past experience. So there is very little hope from them
- They can come either because of major movements akin to Jan Lokpal.
- *Or if the political establishment gets the will.*

When the will is not willing...

- In last 65 years, the only time where there was some hope for a 'Nixon Moment' of India (Nixon has been credited with some of the fundamental changes of USA including NEP Act, Federal Water Pollution Control Act, Clean Water Act, Clean Air Act, setting up EP Agency) was the first couple of years of Rajiv's PM period.
- This is when NWP came, when SSP Clearance was stalled, when he made the famous statement about big irrigation projects not helping, when the seeds of Ganga Action Plan were sown, EPA was passed, MoEF became a ministry... but it was not to be...by early 1987 he was politically weak, the status quoists prevailed...
- Such a moment seems likely in near future but us hope I am wrong
- ***At the same time, there are many successful innovative reforms happening outside the establishment...***

Innovations Outside the Establishment-I

MICRO ideas with MACRO Possibilities

- **Well recharging** and check dam movement in Gujarat
- **Arvari** River Parliament/ TBS work
- Baba Sinchewala group cleaning up the **Kali Bein** river
- Exemplary **village watershed development**/ local water systems: Several examples across India
- **TWHS**/ LWHS/ RWH: came from outside (thanks also to CSE), even now mostly lip service by govt.
- Innovative grazing land management: **Chauka system** of Laporlia
- **SRI/ SWI/ SSI/ SCI**: Now adopted by a number of state govts
- **Environment flows**: establishment is catching up at precariously slow pace
- **IWP/ WRIS**: potential far from utilised
- **RTI/ MGNREGA**: Came from outside, govt adopted it

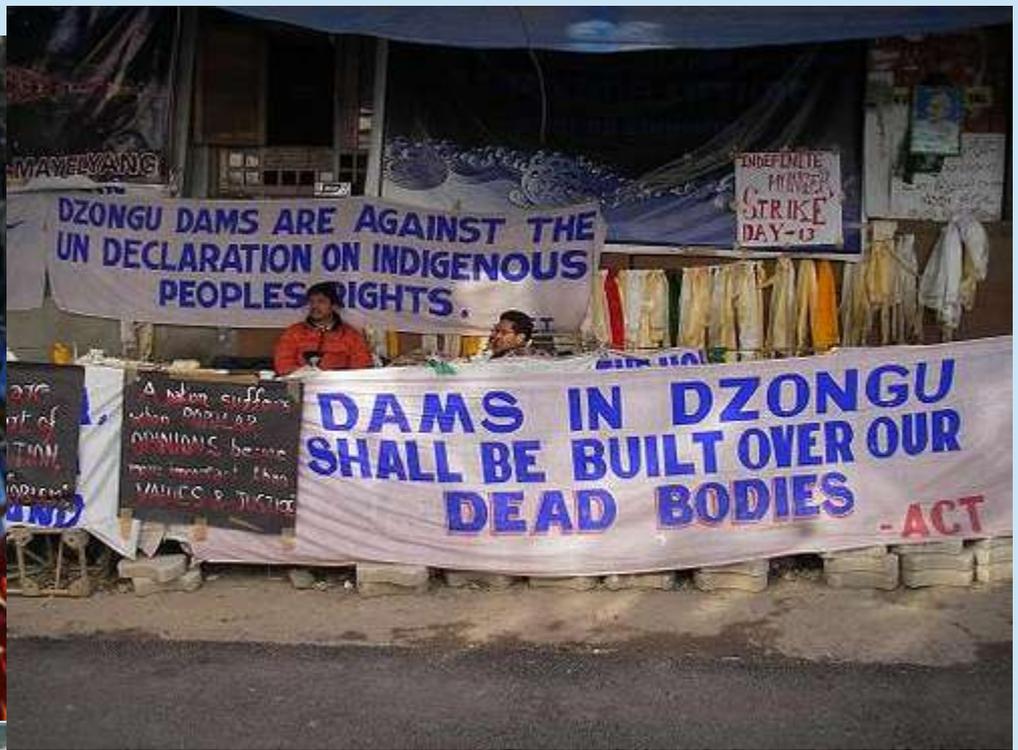


Innovations outside the establishment-II

Bigger ideas:

- **Narmada Andolan:** Fountain head of agitation that had many ideas and repercussions.
- **Chipko:** community driven mountain conservation
- **Movement against destructive dams, hydro projects:** this fire will only spread and intensify...
- **Assam: Downstream impact of hydro projects**
- **Ganga Movement:** To protect a river.
- **Cumulative Impacts**, carrying capacity, river basin level assessments: no serious attempt yet.
- **Right to Water** for domestic needs and livelihoods as fundamental right (existed in the first Draft of NWP 2012, dropped now)
- The pressure from various groups has led the Govt to accept some of them in the revised draft water policy 2012

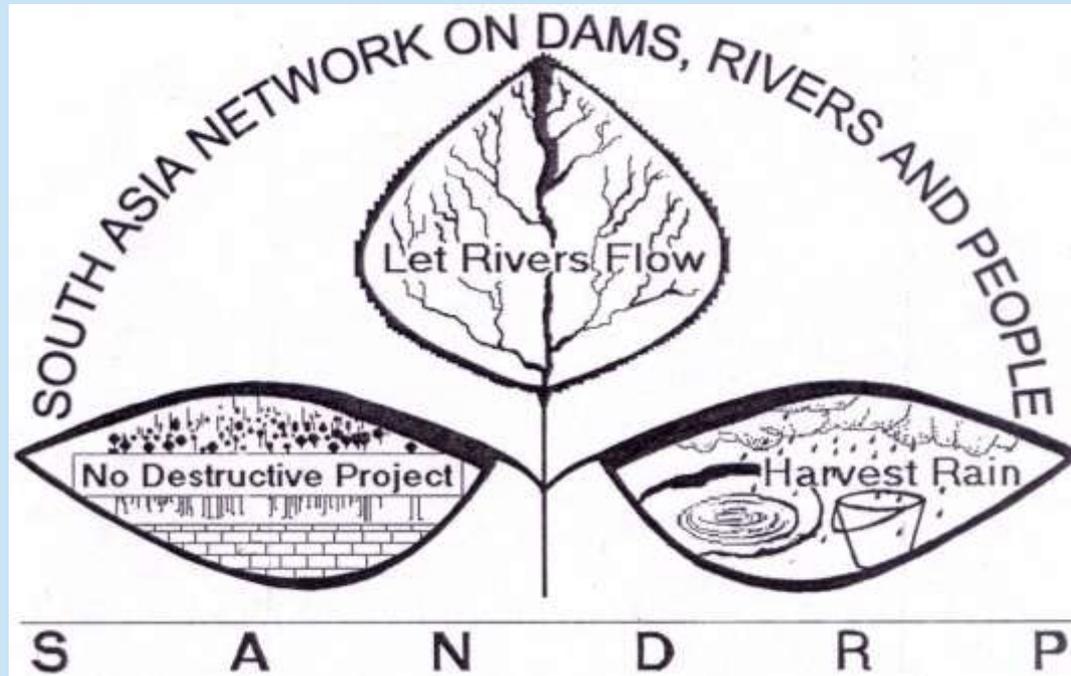
Not really macro, big ticket reforms? Why? The govt refused to adopt the innovations indicated by most of the success/ efforts.



Where do we go from here?

- How to build on innovation that may come from outside the establishment ?
- How to upscale and mainstream it?
- How can we achieve bottom up governance that will also allow breathing and growing space for innovations?
- There is acute absence of independent think tanks critically analysing governance and taking firm, unambiguous positions. This programme is also playing key role in this, it has always been big learning for me.
- This audience may be skeptic about the marches, the occupations, the urgent demands for change, **PUBLIC ACTION** in short, *but that is what is required...may be ₂₁ in a much larger dose!*

THANK YOU



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IWMI Tata Annual Partners Meeting, Anand (Gujarat)