Water Issues between Nepal, India & Bangladesh

A Review of Literature

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A small but rapidly expanding field is the one of ‘environmental security.’ According to this thesis a scarcity of natural resources can lead to conflicts and violence. Particularly in developing countries which face a shortage of resources, or are unable to tap their natural resources to the best of their abilities due to lack of funds or relevant technology, this scarcity can have security implications and these security implications can lead to regional instability and security issues. One such resource that has the potential to lead to a crisis in South Asia is water or, the lack of it. Water issues in South Asia are especially threatening because the political equation between a numbers of the countries in the region is highly volatile, be it India–Pakistan, India-Bangladesh or India-Nepal. Moreover, water disputes are not a recent phenomena; Israel and Palestine have traditionally fought over water, there have been conflicts over the Tigris and the Euphrates. Water problems have also occurred between the US and Canada and the US and Mexico.

Keeping this concept in mind, the paper is going to analyze the various water issues between the neighbouring countries of India, particularly water issues between India and Bangladesh and between India and Nepal. This will be done through an examination of literature on the same, to assess whether these issues really pose a threat in terms of India’s national security or the regional security of South Asia. The paper will attempt to highlight the areas where substantial work on water issues has already been conducted. Following that, the paper will propose areas where there is inadequate literature on the issues. Between India and Bangladesh and India and Nepal, for instance, there are limited scholarly reports on the water issues, except for newspaper and magazine reports.

After a thorough examination of the available literature on water issues between the above mentioned countries, it is observed that there is an acute lack of scholarly work on issues pertaining to water issues in South Asia. Most of the work available is in the form of newspaper articles. Additionally, the available reports do not provide an objective assessment of water issues. A bulk of the reports and articles tend to be biased to the country of publication and this results in the creation of a body of information, which is fed in a biased fashion to the public, and creates negative perceptions of the other country in the public opinion. Lastly, it is observed that water problems in South Asia are essentially the result of the lack of a political consensus among the various countries which transforms the smallest issues into intractable ones.

I

POLITICAL DEFICIT AMONG THE COUNTRIES IN SOUTH ASIA

According to most of the articles and reports on water issues in South Asia, the major problem seems to be the political
deficit between the countries which hampers a resolution of even minor water issues between the two. In his seminal work on water issues, Ramaswamy Iyer elucidates how the problem with water issues is not that water issues complicate political issues (that rarely occurs), but that complicated political issues make the smallest water issues between countries, intractable.

For instance, in the India- Bangladesh relationship, it is the issue of illegal immigrants, Chakma refugees, insurgency operations, border demarcation issues, trade balance etc that make any resolution of the water issues harder. India demands a resolution to these problems before broaching the water issues. The two nations signed two treaties in 1977 and 1996 and two Memorandums of Understanding (MOU) in 1983 and 1985 to share Ganges water and to find out long-term solution by augmenting lean season Ganges flow. However, considering the general situation of distrust between the two countries, it is hard to rely on the longevity of the treaty.

The issue of illegal migrants particularly complicates matters between the two countries. According to an article by Sarfaraz Alam, the migration to India continues even today, unabated. The early movement was limited mainly to the border states of Assam, Tripura and West Bengal but now it has moved to even far off states like Tamil Nadu, Maharashtra, Gujarat, Rajasthan and Delhi. It is reported that are approximately 20 million illegal Bangladeshis living in various parts of India. This has led to destabilizing political, social, economic, ethnic and communal tension. There are no exact figures of the illegal immigrants but since the 1970s over 2 million Bangladeshis have immigrated to India, and settled mostly in the Indian sates of West Bengal and Assam. This in turn has resulted in ethnic conflicts between the indigenous inhabitants of the place and the refugees. In Assam, more than 4000 people were killed in such a native-migrant conflict in the early 1980s and such tensions continue till date. This illegal immigration acts as a critical irritant between the two countries and obstructs a political deal on the various problems.

An example of this deficit was also the dispute over the Ganga between India and Bangladesh. The Ganga dispute was magnified by a complete lack of appreciation of the other side’s point of view. India tended to regard the Ganga as essentially an Indian river and it also viewed it as an important source of water for meeting the water needs in different parts of the country from the West to the South. It also failed to appreciate the reduction in water supplies caused by the reduced flow in the Ganga. This was matched by Bangladesh’s failure to recognize the needs of the upstream populations, matched by a refusal to explore new avenues of meeting its water needs, along with the omnipresent fear of the bigger and more powerful country, India.

In a report by the Asia Society, it is mentioned that India and Bangladesh

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have fought over the sharing of the Ganges River since right after India’s independence. In 1951, India decided to construct the Farakka barrage, about 11 miles from the Bangladesh border, in order to divert water from the Ganges to Hooghly River (in India). The barrage started operation in 1975 and helped in improving India’s navigability and port access and provided irrigation and drinking water to adjacent Indian states. However, according to Bangladesh, this has resulted in an increasing control over the Ganges River’s water flow into Bangladesh.5 Bangladesh also complains that its territory gets flooded during the monsoons because of the release of the excess waters by India.6 With regards to the Farakka barrage, Bangladesh has signed two water sharing treaties so far, the most recent one in 1996, to manage the water between the two countries during the dry season. However, this agreement has not been adequate in the extreme drought situations and it also has limited provisions for improvements. 7

According to a report by Datta at the Institute for Defence Studies and Analyses(IDSA), New Delhi, the Tipaimukh dam is an equally worrying concern for Bangladesh. Bangladesh feels that the dam would again affect the quantity of water that comes in Bangladesh.8

Teesta is another highly emotive subject between the two countries. The two countries have been trying to negotiate a deal on the same but Bangladesh expects India to release 3000 cusecs of water per day during the lean season and that might not be easily agreed to by India. At the latest meet of the JRC, Bangladesh presented an “interim agreement” on the Teesta to India and India has agreed to propose a deal on the same, in a timely fashion but there has been limited progress on the same, thus far.9

Similarly, water issues between India and Nepal have been affected to a major extent by a lack of appreciation of the other side’s perspective. Water issues between India and Nepal are affected to a considerable extent, by the bilateral relations between the two. In an article by Medha Bisht of the IDSA, the Kosi Agreement has not gone off very smoothly between the two countries. India and Nepal signed the Kosi agreement in 1954 to regulate the flow of the river and ensure flood management. A barrage straddling the India-Nepal border was to be constructed for this purpose, and embankments were to be raised on either side of the river.10 At the same time, the project was also to be utilized for power generation and irrigation purposes. There have been various disputes over this agreement fuelled by floods in the Kosi region. In April 2008, there was a devastating flood in the Kosi

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Basin, which displaced 30 lakh people in India and around 50,000 people in Nepal. Both the sides blame each other for failing to prevent such a massive disaster. According to Nepal, this was the result of India’s neglect in maintaining the upkeep of the embankments of the barrage. The Nepalese government holds India responsible for a breach of the embankment.11

In the same article she states that India and Nepal have also disputed over the issue of compensation of the Kosi dam. India was supposed to provide compensation for the land acquired in Nepal and for any damages done during the construction of the barrage. It was also responsible for the design, construction and operation of the project. Nepal alleges that it did not get a fair deal in terms of the benefits of the barrage. In Nepal, the barrage benefited only 29000 acres in Nepal whereas it has the capacity to irrigate 1.5 million acres. Nepal also complained about the submergence of territory and the accompanying displacement of people and India did not provide any compensation for this. Moreover, Nepal considered India’s construction as an encroachment on Nepal’s territorial sovereignty.12

The Kosi barrage was essentially built to prevent flooding in the plains of Bihar. This flooding is caused by the very nature of rivers like Kosi, Gandak, Bagmati etc, which originate in Nepal. These rivers carry a very high sediment load with them which causes the flooding. India tried to ameliorate the situation by sending its engineers there but Nepal refused to let them enter and attributed it to the rocky bilateral relations. This is evident of the fact that water relations between India and Nepal are also determined ultimately by the political equation between the two. The two countries will have to make a sustained effort to improve their relations, in order to avoid any major water quibbles. The problem of the Kosi River is its high level of sedimentation and embankments have proven to be ineffective to tackle the sedimentation. The only option in this case is storage tanks and these cannot be set up without the cooperation of Nepal.13

According to a report in the South Asian Journal, Nepal, being an upper riparian, has a different relationship with India and faces many problems in constructing its dams due to opposition by the lower riparian and has serious doubts about the projects proposed by India. Nepal’s mistrust, beside other factors, has been reinforced by what it perceives to be various unequal treaties -- starting from Sharada Dam construction (1927), 1950 Treaty and Letters of Exchange of 1950 and 1965, Koshi Agreement (1954), Gandak Agreement (1959), Tanakpur Agreement (1991) and the Mahakali Treaty (1996). Since 400 million people live in the Ganges, Brahmaputra and Meghna region, India needs Nepal to meet its energy needs and for management of water.14

India and Nepal have traditionally disagreed over the interpretation of the Sugauli Treaty signed in 1816 between the British East India Company and Nepal, which delimited the boundary along the Maha Kali River in Nepal. The dispute

intensified on 1997 when Nepal was planning to consider a treaty on hydroelectric development of the river. India and Nepal differ as to which stream constitutes the source of the river. Nepal regards the Limpiyadhura as the source; India claims the Lipu Lekh. The dispute between India and Nepal might seem minor but it gains strategic importance, because the disputed area lies near the Sino-Indian border.  

II
ENVIRONMENTAL CONCERNS

Another bone of contention, between the countries has been the nature of hydroelectric projects and the devastation they inflict upon the environment. According to the report by Datta of IDSA, Bangladesh complains that the Farraka barrage has caused massive environmental destruction in the country. The diversion of the Ganges River has affected fishing and navigation in Bangladesh, bought unwanted salt deposits into farmland. It has also had a negative impact on agricultural and industrial production. This has had a direct impact on the Bangladeshis, who depend on the Ganges River for their sustenance. 

One of the most serious consequences of India’s continuing search for irrigation water is expected to be the further drying out of the Sunderbans, the world’s largest coastal forest, a world heritage site shared by India and Bangladesh and vital for fish. "The forest needs fresh water to survive. Because of the Farrakka dam fresh water is not reaching there and the rivers are silting up rapidly." 

Similarly, there are groups of people in Nepal who have expressed their displeasure at the submergence of their territory and the resultant displacement caused by the Kosi barrage. To add to this, there are complaints of inadequate compensation by the Indian side that was, under the agreement, responsible for providing compensation for the land acquired in Nepal as well as all damages done in the course of the construction of the barrage. India’s control and management of the barrage was also considered as an infringement on Nepal’s territorial sovereignty.

Another area of dispute between the two countries has been the Mahakali Treaty. In 1996, the then Nepalese PM Sher Bahadur Deuba and the then Indian PM, PV Narshima Rao signed the Mahakali treaty for the joint development of the Mahakali River in Delhi. The main tenet of the treaty was the Pancheshwor Project, which would produce 6000MW of hydropower by 2002. The major benefits of the treaty would be irrigating agricultural land in India and Nepal and flood control management in both the countries. According to an article in one of Nepal’s dailies, Nepal considers this treaty as flawed, lacking clear provision of what constitutes Nepal’s water rights. It specifies that Nepal would get 4 percent

of the water supply, but does not specify the amount of water that India would get. According to Nepal, to assume that India would get 96 percent is highly flawed.20

III
ASYMMETRY OF SIZE AND RESOURCES

According to a report on Indo-Bangladesh relations, by Tufts University, the fault lies with India. Being a bigger power, economically, militarily and politically, India has ignored a sustainable solution to the water problem. The lack of progress on the issue, compounded by a number of drought years, has only sharpened the cliff between the countries in South Asia. For instance in Bangladesh, there is a sense of anger and helplessness, and public opinion is also tilting against India.21 The Indian government, by providing assurances to the Bangladeshi government can really mitigate fears in the latter of the upper riparian controlling the flow of water coming into their country.

Ramaswamy Iyer, in his book on water issue, states that the concept of environmental security has a serious implication on India and Bangladesh relations. This is determined by the fact that Bangladesh, a water-abundant country faces seasonal shortages and being the lower riparian, its sense of security is imminent. Compounded by the size and population of the upper riparian, India, the situation has the potential to cause insecurity and friction between the two countries. India and Bangladesh have 54 shared common rivers but they have only one water sharing treaty, the Ganga Water Sharing Treaty of 1996, which solved the most contentious issue, of the sharing of the waters of the River Ganga, between the two countries. Treaties or agreements are still required on some of the other rivers like Teesta, Muhuri, Manu, Gumti, Khowai, Brahmputra, Dharla and Dudh Kumar. Teesta, in particular, is developing as another thorn in the mud between the two countries.22

IV
CLASSIFICATION OF INFORMATION

According to Iyer, one of the biggest problems was that even though the Ganga Treaty was signed, it still has shortcomings and one of the biggest of them was the classification of information. All the information regarding flows and releases was kept secret. According to him, one of the key aspects of the Ganges River dispute is the lack of reliable data in terms of river flow rates and water utilization, as well as the precise impact and damage of the Farakka withdrawal. Given the general atmosphere of distrust between the two countries, there is very little sharing of data and available data are often not reliable. The Indian government does not have one common database on the Ganges River dispute, that any governmental agency can use and thus, data dissemination within the respective governments is not coordinated and systematic.23

20 “Indo-Nepal Mahakali Treaty has not been properly ratified.” ekantipur.com. 8 December 2009.


V

ABSENCE OF AN INSTITUTIONALIZED STRUCTURE

The situation is further compounded by the lack of an Institutionalized Initiative. Currently, between India and Bangladesh, the only joint structure for water planning is the Joint Rivers Commission, but this body does not possess the independent power to formulate and implement solutions. Water planning is not coordinated across all government sectors within India and Bangladesh. The entity that is responsible for overseeing any water issues between the two countries, the JRC, is considered to be without much strength, as its powers are ultimately determined by the political leaders of the two countries. They cannot take any major decisions without consulting with the higher political authorities in their countries. There should be a joint collaborative effort between the countries that would increase transparency of information flows and also abet the resolution of the various water issues.

Similarly, there is limited cooperation between India and Nepal. Since 400 million people live in the Ganges, Brahmaputra and Meghna region, India needs Nepal to meet its energy needs and for management of water.

One of the ways that this mistrust can be combated is by increasing cooperation on water issues through an institutionalized set-up and increasing and enhancing information flows between the two countries. Joint mechanisms could also be evolved for better water management. This cooperation can create a mutually desirable situation for both the countries. Nepal has a huge power potential of 84,000MW and this can be utilized by India for meeting its growing energy demands. In return, India could provide Nepal with a market for its hydro power.

VI

DOMESTIC POLITICS

Another problem is the sharp polarization of domestic politics in the various countries. In Bangladesh, the Awami League will have to create space for a concerted effort with the opposition in any solution to the water issues. This was evidenced when the Ganga Treaty was signed. The BNP had accused the government of compromising Bangladesh's sovereignty. It was also said that the treaty was too favorable to India and some have critiqued India's performance according to the treaty. Similarly in India, members of the BJP, the Congress and the CPI (M) raised doubts about the treaty. It was said that the treaty was not too favorable to India. There were allegations of the treaty ignoring the interests of the state of west


Bengal, which uses the Ganges water to flush the Hooghly River to keep the Calcutta port navigable.  

Unless, domestic politics are resolved and all parties realize the importance of cooperation on water, within the country, bilateral cooperation on water will be difficult to achieve.

VII

CONCLUSIONS

There is no systematic and well researched work on water issues in South Asia, which is a glaring discrepancy considering that this is an issue that seriously impacts most of the countries in South Asia. It is even starker to notice a complete absence of a comparative study of the bilateral water relations of a set of countries with the bilateral relations of another set of countries. The only work that addresses this issue is the book by Ramaswamy Iyer, which deals with water issues in South Asia. His book comprises a delineation of water issues in different regions of South Asia and also proffers recommendations for improving water problems in South Asia by encouraging collaboration and cooperation.

The published work on water issues, in South Asia, is mostly in the form of newspaper articles and reports and there is a noticeable absence of scholarly work on the same. There are almost no journal articles and the newspaper articles also tend to be biased, depending on the place of publication. Articles that are written in Nepali and Bangladeshi dailies tend to portray India as the country that is stealing water and this might be the result of the basic insecurity and asymmetry that the countries feel in comparison to India. The newspaper articles tend to be published mostly in local or regional newspapers and that is reflective of the audience that is aware of these issues between the countries.

A review of the written work on water in South Asia reveals that this region is highly prone to water related crises. This is perpetuated by the fact that the region is largely agrarian and it is also water scarce. The situation is compounded by volatile relations between the countries in the region.

There seems to be a lack of written work on water conservation in South Asia which is very a glaring discrepancy, considering the fact that there is so much wastage of water.

An important point that comes out very clearly in the published work is that water issues in the region are really a product of the political relations in the region. If the relations between the countries would have been better, water issues would not have been so intractable. This is a very good indicator of the way that the countries in the region need to work on ameliorating their political relations, in an effort to improve the water problems. The reports also invariably emphasize the need for cooperation among the countries and increasing the flows of information between the nations, measures which could be taken without much effort by the nations.

Cooperation among the countries can play a two pronged role. It carries a real potential of resolving various water issues between the countries and in the process also enhancing relations between the countries. There are various ways that the nations could collaborate. One way of doing that would be developing joint water management solutions, which would introduce a stake for every country and hence make it more desirable to

resolve the issue at hand. There could be cooperation on development of information sharing mechanisms, disaster preparation and maintenance of a specific quality of water in the region.²⁷

India along with the smaller countries must think of creating new avenues for cooperation. In a report on the Indus Waters Treaty, Suba Chandran talks about a collaborative effort between India, Pakistan, Nepal, Bangladesh and China, to study the Himalayan glaciers as they are the source from where the rivers affecting all these countries, originate.

To make joint water management more effective, it would be helpful to include people from different strata of society as it could help in minimizing risks that could adversely affect the lives of common people in the long term. Multi-stakeholders here would be the private sector, the state government, representatives of civil society and experts on dams who take into account the ecological and social aspects.²⁸

India is in a delicate position because it is the middle riparian between Nepal and Bangladesh, and it wants to avoid accusations of it being a big bully in the region. In the case of India and Bangladesh, the issue has not been the scarcity of water leading to conflict but the lack of political will on both sides that has proved a detriment in resolving the sharing of resources. In their case, if there had been no political intransigence, the issue might never have escalated the way it historically has.²⁹

It seems like when it comes to water problems, more often than not, the problem is the lack of a political consensus. This consensus can be marred by many problems that the two counties are dealing with. Even though, water in itself has the potential to present critical problems between countries; at this point, it might be more helpful to situate the water issue within the entire spectrum of bilateral ties of the countries. Since water issues have not escalated to an unmanageable level, there is a way that these problems can be tackled. This can be done by treating the water problems independently and also be dealing with other issues between the countries.

At the end of the day, it is undeniable that water issues between India and Bangladesh or between India and Nepal are not significant enough to cause any serious concern for either of the countries. The problem however, assumes gargantuan proportions if it is placed within the context of the region of South Asia that is facing water shortage, that is agrarian and that will continue to face increasing demands on energy and water with the rapid growth in industrialization. Add to this, volatile relations between countries like India and Pakistan and India and Nepal and the situation assumes the potential to create a major destabilizing crisis in the region.

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