

**Minutes of the Third Meeting of Nepal-India Joint Committee on Water Resources (JCWR) held on 29 September-1 October 2008
Kathmandu, Nepal**

The third meeting of the Nepal-India Joint Committee on Water Resources (JCWR) was held in Kathmandu on 29 September-1 October 2008. The Nepalese delegation was headed by Mr. S. P. Koirala, Secretary, Ministry of Water Resources (MOWR), Government of Nepal and the Indian delegation was headed by Mr. U.N. Panjiyar, Secretary, Ministry of Water Resources, Government of India. The lists of the Nepalese and Indian delegates are in Annex I & Annex II respectively.

1. The Leader of the Nepalese delegation, in his opening remarks, welcomed the Indian delegates and expressed hope that the meeting would be useful to resolve the pending issues and pave the way both to mitigate the flood problems along Nepal India border and enhance bilateral cooperation in water sector for the prosperity of peoples of the two countries. Referring to the Joint Press Statement given by the Prime Ministers of Nepal and India at the end of the recent official visit of Rt. Honourable Mr. Pushpa Kamal Dahal 'Prachanda', Prime Minister of Nepal to India, he emphasized the need of enhanced cooperation between the two countries in all socio economic sectors and water sector in particular. He appreciated the keenness of the Government of India due to which the third JCWR meeting could be possible within short time following the official visit of the Prime Minister of Nepal.

2. Highlighting the multi-dimensional inter-government as well as age old people-to-people ties between the two countries, the Nepalese team leader also recalled recent participation of Indian investors to develop some of the hydropower projects in Nepal. He expressed his confidence that all the bilateral water related issues could be solved through dialogue.

3. The leader of the Indian delegation expressed his gratitude for the excellent hospitality extended by the Government of Federal Democratic Republic of Nepal to his delegation. He complimented the Government and people of Nepal for successful holding of CA elections and Nepal's historic transition to a Federal Democratic Republic. He stated that during the recent visit of the PM of Nepal to India, both the countries recognized the need to inject a new dynamism into bilateral relations in tune with the realities of the time. The two sides recognized the importance of cooperation on water related issues, both in the immediate term, in the wake of devastation caused by Kosi river floods, in the medium term as well as in the long term. It was agreed to reactivate the existing bilateral mechanisms, including the long awaited meeting of Joint Committee on Water Resources. It was also agreed to evolve a three tier mechanism at the level of Ministers, Secretaries and Technical experts. The Government of India has committed to developing the Naumure HEP and this

meeting would provide an opportunity to discuss ways and means on how to move it forward.

4. The JCWR delegates also visited the Koshi afflux bund breach site and Chatra area of Sapta Koshi River on 30 September 2008 and took note of the progress of the rehabilitation work.

5. After deliberations on the items of agenda, which is in Annex-III, the following conclusions and decisions were made.

I. Review of Progress on Matters agreed upon in 2nd JCWR meeting

6. The JCWR reviewed the activities and progress made by various committees and sub-committees under it since last meeting on 7-8 October 2004. The committee noted that some of the committees and sub-committees met more frequently and made significant progress, whereas the performance of other committees and sub-committees needed improvement.

II. Mahakali Treaty:

a. Pancheshwar Multipurpose Project

7. The Pancheshwar Multipurpose Project was identified as a priority project and the JCWR reviewed the current status of discussions on issues related to location of re-regulating dam, unit size and installed capacity of the power plants, assessment of project benefits in terms of irrigation and power to India and Nepal and sharing of the project cost by the two sides.

8. The JCWR decided to set up a Pancheshwar Development Authority [PDA] at the earliest in accordance with Article 10 of the Mahakali Treaty for the development, execution and operation of the Pancheshwar Multipurpose Project. The composition of the PDA is attached at Annex-IV.

b. Release of irrigation water for Chandani Dodhara Area

9. The JCWR decided to discuss this matter further at its next meeting.

c. Sill level of the Head Regulator for Nepal at Tanakpur barrage

10. The JCWR was apprised with the outcome of joint inspection undertaken by the two sides in March 2005.

11. The Nepalese side reiterated that the sill elevation of the Head Regulator, for releasing water from the Tanakpur barrage to Nepal under Article 4 of the Mahakali Treaty, be lowered to 241.5 m.

12. The Indian side assured the Nepalese side that the pond level at the Tanakpur Barrage would be maintained at EL 246.7 m by the project authority at all times, as this was also required to operate the power plant, and would in turn allow flow of committed discharge of water from Tanakpur Barrage through the existing regulator.

13. The JCWR decided to direct the concerned authorities to commence the construction of the 1.2 km of canal in the Indian territory to match with the corresponding level of the ongoing Mahakali III canal works in the Nepalese territory, so that canal system could be operationalized.

d. Tanakpur-Mahendra Nagar Link Road

14. The Indian side brought to the notice of the JCWR that the DPR was in the process of revision due to change in standards and specifications of the link road and the revision would be completed by February 2009. The link road project will be taken up for implementation after the DPR is finalized.

III. Koshi afflux bund breach and related matters

15. The Nepalese side requested for early closure of the breach as the local population is still not able to return to their homes due to flooding. The Indian side informed that all efforts are being made by the project engineers to plug the breach. The work on excavation of pilot channels to divert the Koshi water flow from eastern bank to its original course had been started. Flow of water through the breached portion of embankment was expected to be stopped by middle of December 2008 and the afflux bund would be restored to its original section by the end of March 2009. The Indian side requested the Nepalese side to provide all requisite assistance and security to the field staff. A high level technical team from India is scheduled to visit Nepal for follow up and discussion with the Nepalese side in the first week of November 2008.

16. The JCWR noted the need for and decided to empower the joint committee on Koshi and Gandak project with financial and functional authority to identify the issues, formulate and approve annual action plans and oversee their implementation. The JCWR also decided that this committee would meet twice a year in the months of October/November in Patna and May/June in Kathmandu respectively. The composition of the empowered Joint Committee on Koshi and Gandak projects is enclosed at Annex- V.

IV. Sapta Koshi High Dam Multipurpose Project including Sun Koshi Storage cum Diversion Scheme

17. The JCWR decided to extend the tenure of JPO by one year beyond the presently allocated deadline of December 2008. The JCWR also directed the JTE and JPO to finalize the work plan with distinct intermediate milestones for remaining works so as to enable the concerned agencies to monitor work progress. On the necessity of improved security felt by the JCWR, the Nepalese side assured the committee that security at the investigation work sites would be ensured.

V. Issues related to Gandak Project

18. The Nepalese side informed the JCWR about the dilapidated condition of Main Gandak Western Canal (MGWC), flood control structures on right bank of Gandak River in Nepalese territory and inundation problem in between Nepal Gandak Western Canal (NGWC) and MGWC.

19. The issues related to Gandak Project including maintenance of canal system, inundation and flood embankments were discussed. The JCWR decided to enhance the efficacy of the institutional mechanism by empowering the JCKGP to deal effectively with the problems associated with the Gandak Project and undertake necessary works for maintenance of MGWC, flood control structures and solution of drainage problems.

VI. Inundation problems due to Mahali Sagar, Laxmanpur barrage and Kalkalwa bund, and Rasiawal Khurd-Lotan bund

20. On the concern expressed by the Nepalese side that new structure was being constructed at Mahali Sagar, the Indian side stated that the work had been stopped. The JCWR decided to make a joint field visit within one month and resolve the problem accordingly.

21. The Indian side handed over a detailed proposal to the Nepalese side in respect of providing an unregulated passage to Gandheli and Sotia nals through Kalkalwa Bund and conveyed its readiness to implement the same. The Nepalese side will send its comments by the end of October 2008. The JCWR decided to initiate the implementation of the earlier decisions taken in this regard to construct embankments along the Rapti River in **India and** Nepal.

22. On the inundation problem due to Rasiawal Khurd-Lotan bund, the JCWR decided that a possibility of extending the embankments along the banks of Kunra (Dano) River in the Indian territory to the nearest high ground in Nepal be examined and implemented.

VII. Review of Activities of various water and power related bilateral committees

23. The JCWR reviewed the activities of various water and power related bilateral committees and the efficacy of these bilateral mechanisms. Both sides agreed to strengthen the bilateral mechanisms to expedite the decision making process and the implementation of the decisions undertaken at the institutional interactions.

24. The JCWR decided to recommend a three-tier bilateral mechanism as detailed below:

a. Joint Ministerial level Commission on Water Resources:

25. A Joint Ministerial Commission on Water Resources [JMCWR] to be headed by Ministers of Water Resources of India and Nepal would address bilateral cooperation on water resources. The proposed commission would have representation from both governments and would meet annually. The composition of the proposed commission is attached at Annex-VI.

b. Joint Committee on Water Resources:

26. The existing Joint Committee on Water Resources (JCWR) headed by the Secretaries, Water Resources would continue to review the work of various technical/expert groups set up for planning and implementation of water resources project as well as the work of the Joint Standing Technical Committee. It would also ensure expeditious implementation of the decisions taken at the Ministerial Commission on Water Resources and apprise the respective governments on such matters. The JCWR would meet twice a year, once preceding the meeting of JMCWR and for the second time after a gap of about six months.

c. Joint Standing Technical Committee:

27. The JCWR reviewed the progress of work / tasks assigned to various bilateral committees related to specific projects, flood forecasting, flood management and inundation problems, operation and maintenance of existing projects – Koshi and Gandak projects. It was decided that the project-specific committees like Joint Group of Experts on Pancheshwar and Joint Team of Experts on Sapta Kosi High Dam Project including other projects would continue till such time as Project-specific development authorities are put in place. The Joint Committee on Koshi and Gandak Project would be empowered, as elaborated under Agenda Item 3, and would work under the oversight of a Joint Standing Technical Committee (JSTC). The JSTC will be coordinating all existing committees and subcommittees under the JCWR. The transformation of the

existing institutional mechanism into new mechanism will be discussed at the next meeting of JCWR. The Joint-Standing Technical Committee would meet every quarter. The composition of JSTC is given in Annex VII.

VIII. West Rapti Multipurpose (Naumure) Project

28. The Indian side informed that the Government of India had renewed its commitment to implement the Naumure Hydroelectric Project under grant assistance. The Nepalese side stated that their approach was to maximize irrigation potential in the Rapti river basin and to utilize a part of flow in Kapilvastu District by making necessary storage reservoirs at Naumure and Bhalubhang and that they had, based on data available with them, shared a proposal with Indian side in this regard. The Indian side agreed to look into the project details prepared by GON and to undertake a Pre-feasibility study. The Pre-feasibility report would be completed within the next three months, subject to availability of hydrological data and topographical details to be furnished by the Nepalese side within a month.

IX. Any Other Issues

a. Embankment on Mechi River

29. The JCWR reviewed the proposals under consideration in the Standing Committee on Inundation Problems for construction of embankments along the Mechi river. The JCWR directed that the flood protection works required along river Mechi in West Bengal and Bihar in India and in Nepal for expeditious execution may be examined by the proposed Joint Standing Technical Committee, taking into account the need for embankments along the Mechi river in its entirety.

The next meeting of the JCWR shall be held at Varanasi in February 2009.

The meeting was held in a cordial atmosphere.

Signed on 1 October 2008 in Kathmandu.

S.P. Koirala
Secretary
Ministry of Water Resources
Government of Nepal

U.N. Panjiyar
Secretary
Ministry of Water Resources
Government of India

LIST OF DELEGATES - NEPAL

1. Mr. Shanker Prasad Koirala
Secretary, Ministry of Water Resources - Team Leader
2. Mr. Rajendra Kishore Kshetri
Joint Secretary, Water & Energy Commission Secretariat - Member
3. Mr. Suresh Raj Uprety
Joint Secretary, Water & Energy Commission Secretariat - Member
4. Mr. Shital Babu Regmee
Joint Secretary, Ministry of Water Resources - Member
5. Mr. Anup Kumar Upadhyay
Joint Secretary, Ministry of Water Resources - Member
6. Mr. Madhusudan Paudel
Director General, Department of Irrigation - Member
7. Mr. Sriranjana Lacoul
Director General, Department of Electricity Development - Member
8. Mr. Shyam Prasad Rajbhandari
Act. Director General,
Department of Water Induced Disaster Prevention - Member
9. Dr. Keshav Sharma
Deputy Director General,
Department of Hydrology and Meteorology - Member
10. Mr. Anil Kumar Pokhrel
Deputy Director General, Department of Irrigation - Member
11. Mr. Khom Raj Dahal
Deputy Director General,
Department of Water Induced Disaster Prevention - Member
12. Mr. Arjun Kumar Karki
Managing Director, Nepal Electricity Authority - Member

13. Mr. Prakash Kumar Suvedi
Under Secretary, Ministry of Foreign Affairs - Member
14. Mr. Keshab Dhoj Adhikari
Senior Divisional Engineer, Ministry of Water Resources - Member

Special Invitees:

15. Mr. Sudhir Baisyat
Deputy Director General, Department of Irrigation
16. Mr. Shiv Kumar Sharma
Director, Mid Western Development Region, Department of Irrigation
17. Mr. Dilli Bahadur Singh
Project Manager, Pancheswor Project
18. Mr. Mathura Dangol
Superintending Engineer, Ministry of Water Resources
19. Mr. Surendra Mananda Bajracharya
Project Manager, Saptakoshi Multipurpose Project
20. Mr. Subarna Lal Shrestha
Senior Divisional Engineer, Saptakoshi Multipurpose Project
21. Mr. Sanjay Dhungel
Senior Divisional Engineer, Water & Energy Commission Secretariat (WECS)
22. Mr. Shashi Bahadur Bista
Senior Divisional Engineer, Department of Water Induced Disaster Prevention
23. Mr. Govinda Paudel
Senior Divisional Engineer, Ministry of Water Resources
24. Mr. Sher Singh Bhat
Director, Nepal Electricity Authority
25. Mr. Rajeswar Man Sulpya
Director, Nepal Electricity Authority
26. Mr. Basudev Aryal
Section Officer, Ground Water Development Board

LIST OF DELEGATES - INDIA

1. Mr. Umesh Narayan Panjiar
Secretary, Ministry of Water Resources - Team Leader
2. Mr. A. K. Bajaj
Chairman, Central Water Commission - Member
3. Mr. R. C. Jha
Chairman, Ganga Flood Control Commission - Member
4. Mr. Gurdial Singh
Member [Hydro], Central Electricity Authority - Member
5. Mr. Manjeet Singh
Principal Secretary, Irrigation Department,
Government of Uttar Pradesh - Member
6. Mrs. Preeti Saran
Joint Secretary [North], Ministry of External Affairs,
New Delhi - Member
7. Mr. Shatrughan Singh
Secretary, Energy Department,
Government of Uttarakhand - Member
8. Mr. Ajay Nayak
Commissioner & Secretary, Water Resources Department,
Government of Bihar - Member
9. Mr. S. P. Kakran
Commissioner [Ganga], Ministry of Water Resources,
New Delhi - Member
10. Mr. B.R. Saraf
GM, National Hydro Power Corporation,
Faridabad - Member

Special Invitees:

11. Shri Rakesh Sood
Ambassador, Embassy of India,
Kathmandu
12. Shri Alok K. Sinha
DCM, Embassy of India,
Kathmandu
13. Shri T. K. Mitra
Secretary, I&WD,
Government of West Bengal
14. Shri Harsh K. Jain
Counsellor (Com), Embassy of Indian,
Kathmandu
15. Shir A.S.P. Sinha
Sr. Joint Commissioner (Ganga), Ministry of Water Resources,
New Delhi

Annex III

1. Discussion on draft agenda, finalization and adoption
2. Review of the progress on matters agreed upon in 2nd JCWR meeting
3. Mahakali Treaty
 - a. Pancheshwar Multipurpose Project and Pancheshwar Development Authority
 - b. Release of irrigation water for Chandani Dodhara area
 - c. Sill level of head regulator (for Nepal) and Tanakpur
 - d. Tanakpur-Mahendranagar Link Road
4. Koshi afflux bund breach and related matters
5. Sapta Koshi High Dam Multipurpose Project including Sunkosi-Kamala Diversion cum storage project
6. Issues related to Gandak Project
7. Inundation problems due to Laxmanpur barrage and Kalkalwa bund, Rasiawal Khurd-Lotan bund and Mahali Sagar
8. Review of the activities of various water and power related bilateral committees
9. West Rapti Multipurpose (Naumure) Project
10. Setting up Joint Ministerial Level Commission on Water Resources
11. Any other Issues:-
 - a) Bank protection works along Mechi River

PANCHESHWAR DEVELOPMENT AUTHORITY (PDA)

Nepalese Side		Indian Side
1. Secretary, MoWR, Government of Nepal	Co-Chairman	Secretary, MoWR, GoI
2. Joint Secretary, Ministry of Water Resources	Member	Commissioner (Ganga), MoWR
3. Joint Secretary, Ministry of Foreign Affairs	Member	Joint Secretary (North), MEA
4. Director General, Department of Electricity Development	Member	Joint Secretary (Hydro), MoP
5. Joint Secretary, Ministry of Finance	Member	JS & FA, MoWR
6. Director General, Department of Irrigation	Member	Principal Secretary (Energy), Govt. of Uttarakhand
7. Project Manager, Pancheswar Multipurpose Project	Member Secretary	Chief Executive Officer, PMP
8. Ambassador of Nepal to India	Special Invitee	Ambassador of India to Nepal
9. Joint Secretary, Water and Energy Commission Secretariat	Special Invitee	Principal Advisor (WR), Planning Commission
10. Director General, Department of Survey	Special Invitee	Principal Secretary/ Secretary (WR), Govt. of UP

JOINT COMMITTEE ON KOSHI AND GANDAK PROJECTS (JCKGP)

Nepalese Side		Indian Side
1. Director General, Department of Irrigation	Team Leader	Principal Secretary/ Secretary (WRD) Govt. of Bihar
2. Representative, Water and Energy Commission Secretariat	Member	Secretary or his nominee (not below the rank of Additional Secretary, Govt. of UP
3. Representative, Ministry of Water Resources	Member	Member, GFCC
4. Representative, Ministry of Foreign Affairs	Member	Representative of MEA, GoI
5. Representative, Ministry of Home	Member	Representative of Embassy of India in Nepal
6. Director, Eastern Regional Irrigation Directorate	Member	Engineer-in-Chief, WRD, Govt. of Bihar
7. Director, Western Regional Irrigation Directorate	Member	Engineer-in-Chief, Irrigation, Govt. of UP
8. Representative, Ministry of Finance	Member	Chief Engineer, Birpur, Govt. of Bihar
9. Deputy Director General, DWIDP	Member	Chief Engineer, Valmikinagar, Govt. of Bihar
10. Deputy Director General, Department of Irrigation	Member Secretary	Chief Engineer, Motihari, Govt. of Bihar
11. CDO, Saptari	Special Invitee	District Magistrate, Bettia, Bihar
12. CDO, Sunsari	Special Invitee	District Magistrate, Supaul, Bihar
13. CDO, Navalparasi	Special Invitee	District Magistrate, Maharajganj, UP
-	Special Invitee	Liaison Officer, Govt. of Bihar, Kathmandu

NEPAL INDIA MINISTERIAL COMMISSION ON WATER RESOURCES

Nepalese Side		Indian Side
1. Minister, Ministry of Water Resources	Co-Chairman	Minister ,MoWR, GoI
2. Member (Water Recourses), National Planning Commission	Member	Minister of State, MoWR, GoI
3. Secretary, Ministry of Water Resources	Member	Minister (WR), Govt. of Bihar
4. Secretary, Water and Energy Commission Secretariat	Member	Minister (Irrigation), Govt. of UP
5. Joint Secretary, Ministry of Water Resources	Member	Minister (Irrigation), Govt. of Uttarakhand
6. Joint Secretary, Ministry of Foreign Affairs	Member	Minister (I&WD), Government of West Bengal
7. Joint Secretary, Ministry of Finance	Member	Secretary, MoWR, GoI
8. Joint Secretary, National Planning Commission Secretariat	Member	Ambassador of India to Nepal
9. Joint Secretary, Ministry of Home	Member	Chairman, CWC, GoI
10. Director General, Department of Irrigation	Member	Chairman, CEA, GoI
11. Director General, Department of Water Induced Disaster Prevention	Member	Chairman, GFCC
12. Director General, Department of Electricity Development	Member	Joint Secretary, MEA, GoI
-	Member	Joint Secretary, MOP, GoI
13. Joint Secretary, Water and Energy Commission Secretariat	Member Secretary	Commissioner, Ganga, MOWR
14. Managing Director, Nepal Electricity Authority	Special Invitee	Member (RM), CWC
-	Special Invitee	Secretary, WRD, Govt. of Bihar
-	Special Invitee	Principal Secretary (Irrigation), Govt. of UP
-	Special Invitee	Secretary (Energy), Govt. of Uttarakhand
-	Special Invitee	Secretary (I&WD), Govt. of West Bengal

JOINT STANDING TECHNICAL COMMITTEE

Nepalese Side		Indian Side
1. Joint Secretary, Ministry of Water Resources	Co-Chairman	Chairman, GFCC, MoWR
2. Joint Secretary, Water and Energy Commission Secretariat	Member	Commissioner, Ganga, MoWR
3. Director General, Department of Water Induced Disaster Prevention	Member	Joint Secretary (Hydro), MoP
4. Director General, Department of Irrigation	Member	Representative from CWC
5. Director General, Department of Electricity Development	Member	Representative from CEA
6. Deputy Director General, Department of Water Induced Disaster Prevention	Member	Director (North), MEA
7. Representative, Ministry of Foreign Affairs	Member	Representative from Embassy of India in Kathmandu
8. SDE, Water and Energy Commission Secretariat	Member	Representative from Govt. of UP
9. Managing Director, Nepal Electricity Authority	Member	Representative from Govt. of Bihar
10. Project Manager, Saptakoshi High Dam Multi Purpose Project	Member	Representative from Govt. of West Bengal
11. Project Manager, Pancheshwor Multipurpose Project	Member	Representative from Govt. of Uttarakhand
12. SDE, Ministry of Water Resources	Member Secretary	Sr. Joint Commissioner, MoWR

