

# **Review needed on Krishna Water Tribunal Award on Alamatti Dam to save the Farmers**

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## **Calculations on backwater curve and dam break analysis:**

Computer calculations on the damaging impacts of raising Alamatti Dam indicate the potential to kill lakhs of people of Maharashtra, Karnataka and Andhra Pradesh. The backwater levels get built up during the monsoon depressions and cyclones upstream of the dam so that the backwater afflux causes devastating floods in Sangli, Kolhapur and Satara districts of Maharashtra as had happened during August 2005 causing Rs.600 crores loss. Such Flood havoc drowns many thousands of villagers and kills lakhs of cattle and human populations in the western Maharashtra. Since Alamatti dam will experience not only earthquakes due to its location on a seismic zone but also faces sudden release of flash floods amounting to 3 to 4 lakhs cusecs from dams like Koyna and Warna which are located on treacherous seismic grounds.

## **Dams in Andhra Pradesh may also collapse:**

For ensuring the safety of their dams the engineers are forced to make sudden discharges of river waters which coupled with extreme floods consequent to extreme and prolonged depressions and cyclones caused by global warming effects will inevitably cause Alamatti and Narayanapur Dam breaks sometime or the other and the consequential floods will cause terrible inundation of hundreds of villages downstream of the dam in Telangana of Andhra Pradesh.

## **Karnataka Minister Requests Union Government to Save Dams:**

Infact in 2000 the Karnataka Minister for Irrigation Mr.Patil consulted his expert chief engineers like Angade and Capt. Raja Rao who had experience over Alamatti project and they stated that because of the Koyna dam releases Hippargi, Alamatti and Narayanapur dams in Karnataka may collapse and as a consequence the dams in Andhra Pradesh like Jurala, Srisailam and Nagarjuna Sagar and Prakasam barrage may also face problems of collapse. Hence the Karnataka Irrigation Minister sent a strong letter to the Union Government to consider these life and death problems seriously and take necessary measures to ensure safety of the dams in Karnataka and Andhra Pradesh.

## **Apathy of states to furnish data to Krishna Water Tribunal on dam break analysis and backwater curves due to Alamatti Dam:**

It is stated in the Tribunal report covered under 639 and 640 that no material has been brought to the notice of the tribunal that Andhra Pradesh has taken any serious action against the replies furnished by Karnataka to the objections raised by AP in June 2007 and the replies given by Karnataka in July 2007 and it clearly indicates that AP states was not serious in taking up the follow up action against the Alamatti dam. The Brijesh Tribunal stated on page 638 of the report that the statement of the witness of the AP state is not relevant and that the averments in the complaint made by AP state are only of a general nature and vague and the arguments made by Andhra Pradesh are not substantiated by producing evidential papers such as dam break analysis , disaster management, risk analysis and the consequential loss of life to people, cattle population and losses to crops and properties and thereby AP state failed to provide that by increasing the height of the Alamatti dam there will be a substantial injury to the people of Andhra Pradesh.

### **Environmental Considerations for Determining Height of Dams:**

The Advocate of Karnataka Mr.Nariman played his cards very intelligently and forcefully and argued that no riparian state can be given veto power against the utilisation of a river water by another state like Karnataka which has both the water and as well as the resources to build a dam of the size of their liking and Andhra Pradesh miserably failed to point out that the considerations for determining the height of a dam and the storage behind it have to be based upon the guidelines furnished by the Indian Standards Institutions standards and the guidelines formulated by the Central Water Commission and International Commission on Large Dams which clearly establish that the size of storage and height of the dam have to be necessarily based upon the hazard potential of the proposed construction, and there are regulations which governed the environmental clearance for such projects by presenting environmental impact analysis reports, dam break analysis, risk analysis, Emergency Action Plans and Environmental management Plans and also the cost benefit analysis.

### **Ap did not provide Dam Break Analysis Reports for different heights of Alamatti Dam as per Environmental Protection Act:**

If only AP state has taken into consideration the published records of October 1996 by the Department of Civil Engineering of Andhra University on dam break analysis, the Supreme Court and also the Brijesh Kumar Tribunal could have taken this as evidence to refuse to increase the height of the Alamatti dam as demanded by the Karnataka state. Unfortunately the Principal Secretaries for Irrigation of Andhra Pradesh being specialists in fields other than hydrology, hydraulic structures and environmental impact analysis of river valley projects they are not competent enough to guide the engineers who normally preferred to work and advise the advocate in tune with the desires, thinking and attitude of the secretaries to the Government who exercise limitless powers over the subordinate engineering officials.

### **Maharashtra failed to give backwater afflux for open channel flow conditions as required to prove the impacts of inundation:**

Similarly even the case of Maharashtra the Principal Secretaries to Irrigation controlled the thinking and actions of the engineering experts who miserably failed to present computer model simulation calculations on back water afflux relevant to open channel flow models as made by me and my colleagues who are the concerned experts in the field. Thus even when the comptroller and Auditor General of Maharashtra faulted the Maharashtra state Government for failing to insist on Karnataka to release 6 lakh cusecs from Alamatti dam to avoid submersion of lands in Sangli and Kolhapur districts of Western Maharashtra and even when the Karnataka Government refused to oblige even when the Prime Minister requested them to avoid drowning the Maharashtra region Karnataka merely said that even at the release of 3 to 4 lakhs cusecs more than 60 villages in Karnataka were flooded and if they were to release 6 lakh cusecs from Alamatti as demanded by them more than 600 villages in Karnataka will be drowned even when the Full Reservoir Level of Alamatti dam is 519.6meters .

Even the Maharashtra state Government, Secretaries, Engineers, Experts and Advocates who represented the state before the Brijesh Kumar Tribunal they also did not answer the question posed by the tribunal as to what is the nature of magnitude and injury likely to be suffered by Maharashtra in case the Alamatti dam height is increased. Further the tribunal asked them to furnish papers with evidence about the problems of submersion unfortunately the Maharashtra Government and the Karnataka Government used their experts and also the services of a consulting firm M/s Tojo Vikas International (Pvt) Ltd. Who made studies on a very trivial problem of backwater afflux due to sedimentation in the foreshore area of Alamatti reservoir and they never presented any mathematical calculations on backwater afflux based upon open channel flow which is the more important and relevant record of evidence needed by the tribunal to arrive at a legally valid decision on the issue of either reducing the height of Alamatti dam or increasing it further as demanded by Karnataka.

**Tribunal was placed in Catch-22 Situation on Environmental Aspects of Alamatti Dam and the Decision was not balanced:**

The Advocated employed by Karnataka is not only highly intelligent but also a very good manager who presented the facts in such a twisted way that it will benefit only Karnataka state while being detrimental to Maharashtra and Andhra Pradesh state and its millions of farmers who will be adversely effected. (See pages 627 to 640) Thus by dereliction of duty of the concerned officers employed by both Maharashtra and Andhra Pradesh state Government the Krishna water Tribunal has been indirectly forced to come to wrong conclusion on increasing the height of the Alamatti dam and hence their order is illegal because even when both the state Government officials opted to refuse presentation of scientific and technical evidence the judges could have taken into consideration the interests of millions of farmers and forced the Government officials to come forward with proven scientific and technical evidence to save the national economy and protect the environmental assets of the nation.

But this irresponsibility among the officials and, engineers at the state and central government levels should be understood by the common people and such improper

actions of the officials jeopardising public interests should be resisted by public response by demanding positive action to save lives of lakhs of people, cattle population and fertile agricultural lands from avoidable disasters promoted by indifferent officials who are not accountable to the public. Even the Central government officials have abetted with these environmental crimes by violating the Environmental laws and by furnishing unscientific reports on issues of life and death to the people

### **Arguments before Supreme Court were Unhelpful to the Public:**

some of the examples of irresponsibility is evident by the relevant Questions asked by the supreme court judges and the judges of the Brajesh Kumar tribunal members and the failure of the officials to answer the questions forcing the judges to take wrong decisions based on improper data furnished by Karnataka that resulted in adverse and most harmful effects to farmers of Telengana and Maharashtra. Karnataka and AP States filed suits in 1997 in the Supreme Court invoking its original jurisdiction under Article 131 of the constitution about the issues regarding Alamatti dam which is a matter under the jurisdiction of the Bachawat Tribunal and it is considered by a full bench of 5 judges. Karnataka objected to Andhra Pradesh using surplus water of Krishna and wanted an injunction against Telugu Ganga, Srisailem Right and Left Bank canals, Bhima lift and Pulichintala projects. AP State argued that the suit under Article 131 of the constitution is not maintainable as it is barred under Sec 11 of the Water Disputes Act 1956 in view of the mandated under Article 262 of the constitution and Central Government supported AP State view. Then the court framed 13 issues they find out if they can grant relief. Alamatti dam height became the central issue because AP State stated that it is allotted only 160 TMC but Karnataka wants to raise the dam upto 524 meters . Although AP state agreed for FRL 519.60 meters to use 173 TMC under Upper Krishna project but Karnataka argued that water allocation by the Bachawat Tribunal is enblock and not project wise or subbasin wise and that Karnataka indicated in the report of 1970 for 520meters high Alamatti dam for power general which is a non-consumptive use and hence the water will be released into the river after power generation and hence there will be delay in the arrival of water by about 2 months or so into Andhra Pradesh. For giving injunction the Court wanted AP state to establish that the Krishna water was allocated project wise in upper Krishna project but the proof was not furnished. The Supreme Court observed that a reading of the plaint as a whole it appears that the plaintiff AP state had not made any grievance for having a dam at Alamatti upto FRL 519.6meters although Karnataka wanted for 524 meters

The mass media as a responsible partner of the Fourth estate must create awareness among all people because Eternal vigilance is the price we have to pay for sustainable democracy and a welfare state as envisaged by Mahatma gandhi and Mrs.indira gandhi as per Art.51A[g] of the constitution of India

<http://tshivajirao.blogspot.com/2011/01/almathi-dam-hazardous.html>  
[http://tshivajirao.blogspot.com/2011/02/alamatti-back-water-curve-at\\_4653.htm](http://tshivajirao.blogspot.com/2011/02/alamatti-back-water-curve-at_4653.htm)  
<http://tshivajirao.blogspot.com/2011/02/alamatti-dam-break-analysis-latest.html>  
<http://tshivajirao.blogspot.com/2011/02/alamatti-back-water-curve-at.html>

### **States must present Scientific Data before the Krishna Tribunal:**

Maharashtra state must act immediately to stop Devastation of Sangli, Kolhapur and Satara districts from getting flooded frequently due to increasing levels of back waters consequent to the proposed increase of the height of Alamatti dam from the present full reservoir Level of 519.6 meters to 524.26 meters as accepted by the Brijesh Kumar tribunal on Krishna waters dispute in December,2010.in fact the Controller and Auditor general in his report for 2006 faulted Maharashtra state for failing to make Karnataka state to release six lakhs cusecs floods from Alamatti dam in August,2005 to save the lives of hundreds of people and lakhs of hectares of cropped lands from inundation caused by the back waters getting accumulated in Sangli region due to the obstruction placed over the normal flow regime of Krishna river in the form of Alamatti dam which transformed the normal flood levels into abnormal and devastating floods. Sangli region continuously suffered the disastrous consequences for about ten days because the Karnataka state refused to release the six lakhs cusecs flood waters from Alamatti dam under the plea that even with normal flood release sixty villages were affected and by releasing six lakhs cusecs six hundred villages in Karnataka region will be inundated. Even the prime ministers intervention to save Sangli from floods did not produce the desired results. Karnataka argued that Koyna was releasing four lakhs cusecs of flood waters and the other dams in Maharashtra were adding to the flood waters in Alamatti reservoir and there are severe limitations to the Karnataka state which has to store the required water for the benefit of the farmers who anticipate that if they empty Alamatti, they may not get sufficient water from Maharashtra or the deficiency in normal rainfall. Koyna dam is located in a highly seismic locality and whenever there are tremors, the engineers will be forced to release huge quantities of waters to save the dam from developing cracks and collapse. In fact Karnataka state feared that such releases from upper dams in Maharashtra may result in serious safety problems to dams in Karnataka and also the Jurala, Srisailam, Nagarjuna sagar dams in Andhra Pradesh including the Prakasam barrage and so the Karnataka irrigation minister consulted their experts and sent a request to union government to devise measures to ensure safety of all dams in Krishna river basin in Karnataka and Andhra Pradesh.

### **Brijesh Kumar Tribunal Award can still be reviewed:**

As legal experts, the Brijesh kumar tribunal members are within their bounds if they restrict their duty to study the water availability in the river basin and make equitable distribution of water based on the Reasonable demands of the basin states of Maharashtra, Karnataka and Andhra Pradesh. Unfortunately the bureaucrats, advocates and technical experts employed by both the Maharashtra and Andhra Pradesh states miserably failed to make the Dam break Analysis report, disaster management report and Emergency Action plans for the increased height of Alamatti dam as per regulations under the Environmental protection act,1986 and never made the Back water levels computations to enlighten the Tribunal members on the devastating impacts of increasing the height of Alamatti dam over the lives of millions of people, cattle populations and agricultural lands in Maharashtra due to back water levels and in Andhra Pradesh due to a maximum credible accident caused by extreme floods, earthquakes,

construction defects or human failures like opening of all the flood gates at Srisailem dam during the devastating October ,2009 floods in Krishna river. At least the Maharashtra state Government officials ,engineers and advocates must create awareness about these critical problems so that the Ministers ,legislators and Members of parliament will get a chance to work in public interests as envisaged by the Indian constitution and Mahatma Gandhi, the father of the Nation

Prime Minister must hold a special meeting with experts from both Andhra Pradesh, Karnataka and Maharashtra states who are retired and are working independently as honorary consultants to get their technical suggestions to protect the interests of farmers of the three basin states.