Sind-Punjab Water Sharing Conflict

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Abstract
The conflict over sharing water resources among the provinces of Pakistan has serious implications for the politics and economy of Pakistan. The issue had its origin since the time of British India. However, the nature of the issue became more serious after the partition of Sub-continent as partition provided the control of rivers irrigating the areas of Pakistan to India. In this context, water treaties with India, augmented the tension between Punjab and Sind over the water sharing. Successive governments of Pakistan failed to resolve the issue. The growing demand-supply gap and climate changes are exacerbating the problem of water sharing among the provinces. Shortage of water has affected not only the Inter-Provincial relations but the agriculture, industry and power sector of Pakistan, immensely. With this theme present paper analyzes the water sharing conflict mainly between Punjab and Sind in the politics of Pakistan to comprehend its implications on the politics of the state.

Keywords: Water-Sharing Conflict, Sind-Punjab Relations, Political Implications

I. Introduction
On the issue of sharing of Indus water, both Sind as lower riparian and Punjab as upper riparian have a conflict since decades and still it is a main issue. Sind considered that weak water management has fundamentally added to the complexity of the issue (Dawn, 2 September, 2014). Rasul Bax Palijo, one prominent Sindi nationalist leader alleged Punjab for enjoying a water share even at the cost of agriculture economy of other province of Pakistan: NWFP (now Khyber Pukhtunkhawa), Sind and Balochistan (Palijo, 2011). In 1985, Syed Ghous Ali Shah a Sindi politician, threatened the secession of Sind from Pakistan if Punjab did not accept the Interim Agreement 1972 of water distribution. (Jang 1985) Ad-hoc basis sharing of Indus water (under Interim Agreement 1972) for Punjab continued to be implemented during 1980s and Water Apportionment Accord 1991, proved fail to settle the water conflict among the provinces. No serious development was observed during the governments of Benazir Bhutto and Nawaz Shrif. Even the military government of Musharraf (1999-2008) could not initiate any concrete step to resolve this long awaited issue to get political allegiance of Sind and NWFP. PPP governments’ decision in 2009 to reduce flows at Taunsa-Punjanad and stopping water storage in Terbela, has once again inflated the tension between Punjab and Sind on the distribution of Indus water (The News, 12 July, 2009). On the other side Punjab argues that after losing control of Eastern rivers under Indus Basin Water Treaty 1960, the demand of water share from Indus river to fulfill water requirements of the province is justified. Punjab claims that it has surrendered 2000 cusecs of water per day from
Chashma Jhlem Link Canal (CJLC) to Sind. Punjab government also withdrew its support to 44 MN hydro power project on the CJLC in the interest of inter-provincial harmony (Dawn, 5 March, 2010). To understand the nature of the issue, study will briefly discuss the British strategy towards modernization of irrigation system in India.

II. Historical Perspective

Long before the colonial rule, the irrigation administration and state authority were intimately connected so no serious conflict was observed on water sharing among the provinces. British inherited the canal system that was wide ranging and sophisticated and many of its technical and administrative features survived almost unchallenged during the early British period. There was no serious issue of water sharing among the provinces in British India till early 20th century. It was political consciousness and results of the First World War (1914-1918) in India that state took on a developmental rhetoric that sought out a new basis for the British government’s legitimacy. Modernization of irrigation system was perceived as a powerful instrument to place the British primacy over society (Haines, 2013, 4-10). Imran Ali also endorse this view (Ali, 1989).

British authorities started construction of several new barrages, canals and dams in Punjab and Sind to develop irrigation system and at the same time to confirm an authoritarian structure in India. It was in 1920 that Sind (although not a separate province) particularly felt threat over the river rights as lower riparian first time (Naqvi, 2012). Thus conflict over Indus water sharing between Punjab and Sind started before the independence of Pakistan. Various commissions and committees were set up by the British authorities for the apportionment of the water of Indus River between the provinces. Finally, an agreement between Punjab and Sind was signed in 1945 on the principle of equitable apportionment but it neither satisfied the Punjab nor Sind in spite of that approximately 37 million acres land received irrigation from the Indus River System in British India (Ali, 1967, 8-10).

Partition and Water Issue

The partition of the Punjab in 1947 put the headwork of the rivers Ravi and Sutlej to Indian control that made India the upper and Pakistan the lower riparian. It become major question for Pakistan, how to irrigate millions acre land that become part of West Pakistan after the partition of Punjab. West Pakistan has fertile soil but due to hot and dry climate and scanty rainfall, the irrigation from the rivers was the only source of watering for the agriculture of Pakistan.

Main rivers of Pakistan flow from India. Three Eastern rivers, the Ravi, the Beas and Sutlej enter Pakistan passing through a vast Indian territory; other three the Jehlum, the Chenab and the Indus flow from the state of Jamu and Kashmir. The water of all rivers join Indus at Punjnad in Southern Punjab and form the source of life for the bread basket, the Punjab (Ali, 316-317). During the settlement of the problems arising out of the partition of Punjab in 1947 different committees and commissions were formed. Committee B was constituted to deal the issue of water sharing, had declared that there was no question of varying the authorized share of water to which two zones, East and West Punjab and various canals were entitled. It agreed to maintain pre-partition share of the West Punjab for irrigation canals till March 1948. Recommended arrangements of the
Committee were not made documented and verbal assurance of East Punjab’s authorities was respected in this regard.

**Conflict between India and Pakistan and claim of Punjab**

India took advantage of the unsettled issue of water share and cut off the water supplies of Central Bari Doab Canal System, Depalpur Canal System (mainly irrigating the canal colonies areas) and Bahawalpur State Tributary, which resulted into a serious water dispute between India and Pakistan. A temporary agreement between India and Pakistan was signed in May 1948 to restore the water supplies to the Depalpur Canal and principal branches of Central Bari Doab Canals on cash payment. This decision deprived almost 8 percent of West Pakistan’s cultivable command area of water (Hyat, 1994, 215). It is controversial that why West Punjab government did not prepare any technical and legal solution to the issue? Why the verbal assurance of India was believed? Why the flow of Punjab’s life blood was so carelessly handled by the state authorities. It was the ‘neglect of duty, complacency and lack of common prudence’ which distorted Pakistan (Ali, 320). Both Daultana and Shaukat Hyat, Punjabi members of the delegation signed the May 1948 agreement, blamed Ghulam Mohammad, the Finance Minister and Head of Pakistani delegation for the mistreatment of the water issue with India. Shaukat Hyat and Daultana both refused to sign the agreement and suggested to refer the case to the International Court of Justice. But Ghulam Mohammad convinced them that it was an agreement between the two states in which they were just witness (Hyat, 203-204).

Through this agreement, Pakistan legally acknowledged the ownership of India on the Eastern rivers (Bengali, 2003, 166). Negotiations between India and were Pakistan failed to resolve the water issue, which led to the appeal for international arbitration.

Eugene R. Black, then President of the World Bank considered the water dispute a technical problem and took arbitration responsibilities in 1952. An Indus Basin Working Party (IBWP) consisted of Indian, Pakistani and World Banks’ representative engineers was formed to resolve the dispute. However, IBWP could not reach a comprehensive plan for the utilization of Indus water system as an economic unit (Bengali, 152-153). Pakistan demanded its water share on the basis of pre-partition formulae (equitable apportionment of water), while India was not agree with it, demanded the water of Eastern tributaries against Pakistan’s share of Western tributaries. In 1954, the World Bank representatives, proposed to divide the water resources of Indus Basin into two on the basis of political boundaries; and it envisaged no cooperative development. Pakistan was tried to provide compensation through the offer of construction of dams and Canals to direct water of Western rivers to irrigate the Eastern rivers plains. Pakistani engineers did not approve the plan at that time.

The deadlock on the World Bank’s proposal of giving right of the waters of Eastern rivers to India and Western rivers to Pakistan developed in 1954, continued for more than five years. Practically, the situation was benefiting the India. After the imposition of Martial Law in Pakistan in 1958, Ayub Khan was keenly interested in the resolution of water dispute to avoid any armed conflict with India. Extended Indian arrangements to control the flow of waters and its three times greater in size army than Pakistan were strong working threats, that compelled Ayub Khan to accept the World
Bank’s Plan which Pakistani engineers had rejected five years ago. Ayub Khan took the matter up personally. He writes in his *Friends Not Masters*:

> ...the policy is going to be mine. I shall consult you whenever I am in doubt regarding technical details, but if any one of you interferes with the policy, I shall deal with him myself (Khan, 1967, 109).

Ayub Khan constituted Indus Basin Advisory Board (IBAB) to develop a best plan to meet the water shortage, caused by the withdrawal of claims of Pakistan in favour of India on the waters of the Ravi, the Bias and Sutlej. These three Eastern rivers were irrigating 5.6 million acres of land, providing life and living to five million people (Malik, 2005, 170).

With the close involvement of the United States government and recommended plans of World Bank for water distribution between India and Pakistan, Indus Basin Water Treaty (IBWT) was signed on 19 September 1960 in Karachi. Punjab and Sind were not involved in the eventual settlement. Under IBWT two storage dams, eight inter-link canals and six barrages were constructed in Pakistan as replacement to transfer water from Western rivers to the Eastern rivers and to canal system which were then receiving their supplies from the three Eastern rivers. Herbert Feldman considered it the most significant event of Ayub Khan regime and one of his major contributions to progress the economy of Pakistan (Feldman, 1971, 45). Ayub Khan admitted that the solution was not an ideal and he had signed IBWT with the hope to resolve the Kashmir dispute with India (Dawn, 1960). But in fact accepting the Indian control on the Eastern rivers, Ayub technically lost ground to stand on the Kashmir dispute and diverted the water dispute between Sind and Punjab.

Public response on the treaty was not affirmative. There were feelings among the masses of Punjab of betrayal on the water resources of Punjab. Miss Fatima Jinnah, sister of Quaid-i-Azam Muhammad Ali Jinnah blamed that Ayub Khan had bartered away Pakistan’s waters by signing the Indus Basin Water Treaty (Gauhar, 1998, 281). The interests of the Punjab were compromised by military elites in order to normalize the relations with India (Shah, 1997, 72).

Successive military and political governments formed various committees and commissions to resolve the water sharing conflict among the provinces. Following is the discussion about the interest and policies of successive governments to settle the water sharing conflict between Punjab and Sind. It will direct us to comprehend the dynamics of the water sharing conflict between Sind and the Punjab and its implications on the politics of Pakistan.

**Allocation and Rates Committee of West Pakistan**

The dearth of water shortage led to the political tension among the regions and provinces of the West Pakistan, especially between the Punjab and the Sind. After completion of most of the civil works of the settlement plan of IBWT, situation became more complex between these two provinces (WPLAD, 1964, 46-47). In 1968, the government appointed a Water Allocation and Rates Committee of West Pakistan to resolve the issues of water management between the different regions of West Pakistan. Justice Akhtar Hussain was the Chairman of the Committee with a responsibility to find a formula of equitable water distribution of the Indus River system between different
regions of West Pakistan. Actual dispute was between Punjab and Sind. Sind urged that allocation of water resources should be according to Sind-Punjab agreement of 1945, without considering the consequences of Indus Basin Water Treaty of 1960. On the other hand, Punjab argued that Indus River System was consisted of two zones of Eastern rivers and Western rivers and what Punjab had lost as a result of IBWT, was to be provided through the river Indus (Bengali, 168). Both Sind and Punjab were not ready to compromise over their respective view points. Meanwhile One Unit was dissolved in 1970 and committee could not submit its report.

**Indus Water Committee**

New military regime of Yahya Khan, appointed a new Indus Water Committee under the headship of Justice Fazle-Akbar in October 1970, to resolve the dispute between the Provinces of West Pakistan. The members of the committee failed to reach even on a purely technical consensus and chairman himself prepared a report that did not publish due to the reservations of provinces on certain recommendations.

Punjab was alleged to exploit the water and power resources of Sind and NWFP during One Unit (1955-1970) faced reverse consequences of IBWT. Deprived of three Eastern rivers, Punjab also failed to exploit the foreign investment coming for the compensation of the waters loss of three Eastern rivers. The NWFP sucked the funds allocated for water management mostly based in NWFP and for Water and Power Development Authority (WAPDA) (White Paper, 1965, 51-60). Punjab even failed to secure its own interests pertaining to the settlement of water dispute under the shortage of water settlement plan of IBWT. Chashma Jhelum Link Canal (CJLC) was completed in 1971 to meet the requirement of Lower Sutlej Valley canals did not become functional and operational immediately.

The government of Pakistan People Party (1971-77) at the centre and in the provinces of Punjab and Sind however, could built a consensus among the provinces through negotiations to resolve this long awaited issue. PPP did not resolve the issue on permanent basis to retain the political support of Sind, home province of Bhutto. During the two seasons of crops in 1972, the condition of farmers became very miserable and irrigated area of cotton was reduced to ¼ due to shortage of water (Governor Punjab’s letter to Governor Sind, 1973, GS/B/173). Punjab government had to face serious consequences of lowering down the outcome of agricultural production in the form of a monetary loss of 550 million rupees in one year 1971-72 (Nawa-i-Waqt, 1972). Agricultural production had decreased immensely. Sugar Mills of Punjab were closed because of the non-harvest of sugarcane. There was a growing belief in the Punjab that agriculture was in the throes of a serious crisis and certain measures need to be taken to meet the water requirements, otherwise green and beautiful Punjab had to be a desert (PLAD, Vol.XI, 1972, 382). Punjab had paid a greater share for the construction of Terbela Dam to irrigate Sind and Punjab and thus justified the demand of water share (Nawa-i-Waqt, 2 March, 1973). Mustafa Khar the Governor of the Punjab had conflict with Zulfiqar Ali Bhutto on the settlement of the water share. He wanted an immediate relief for the Punjab (Khar, 2009).

**Interim Accord 1972**
The availability of water in the Indus Basin was more than its requirements in the month of July, 1972. Therefore the Punjab government negotiated with Sind government to transfer the surplus water of Indus to the lower Sutlej valley canals through CJLC. An Interim Accord was signed between Sind and Punjab to open the CJLC on July 3rd, 1972, to irrigate the lands of Southern Punjab on ad-hoc basis (PLAD, Vol.111,1972,76).

Government of the Punjab insisted on the permanent settlement of the water dispute and opening of CJLC and Trimu-Punjnad Link Canal (Ramy, 1985, 144-146). Both canals were operational for a limited period under the Interim Accord of July 1972. Government of Sind was not ready to provide water share for the two canals on permanent basis. Sind was of the view that both canals should be operational after the grant of historic allocation of water from the Indus river, and only in case of shortage of water in the Mangla Dam (Bengali,168). Punjab insisted that after the loss of three Eastern rivers, the British allocation of water for the Punjab was not sufficient to meet the agricultural requirements of the province (PLAD, Vol.XI, 1972, 382-384). Although central government of PPP assured Punjab for a judicious settlement of the issue but more than 2.5 million acre feet of water, more than a quarter of the total reservoirs of Terbela Dam was lost to the Arabian Sea in 1976.

The conflict on the formula of distribution of water, continued between Punjab and Sind during the Bhutto era and no serious effort was made by the Bhutto government to resolve this issue through the Council of Common Interests (CCI). Only one meeting of the CCI was held in December 1976 with a purpose to get political support from the Punjab for the upcoming elections of 1977. A Commission, under the headship of Chief Justice of Pakistan, Justice Anwar-ul-Haq and four Chief Justices of High Courts as members, was constituted to recommend apportionment of water between the provinces. The commission could not present the report to the assembly as the Martial Law was declared on 5 July 1977.

**Haleem Commission**

Zia government (1977-88) formed a commission under the chairmanship of justice Anwar ul Haq to find a formula of water distribution among the provinces. But the commission could not complete the task and was dissolved in 1980. Another commission was formed under the chairmanship of Justice Haleem. It recommended 37% water share each for Punjab and Sind and 12% each for the NWFP and Balochistan from the Indus River; but the report of Haleem Commission too was shelved as it did not meet the demands of the Punjab and the Sind (Talbot,1999,249). Military is considered to safeguard the interests of Punjab, avoided the issue for political purpose. The Punjab invariably asked not to press for the solution of the water issue and to display the proverbial magnanimity of the elder brother. The apportionment of Indus water and the construction of Kalabagh Dam had lack of consensus of military governors who became increasingly political and left this complicated and controversial issue unresolved (Arif, 1995, 263). Scarcity of irrigation water due to the closing of Chashma Jehlum Link Canal (CJLC) during the season of Kharif crops made the situation more complex in Punjab in May 1985. Nawaz Sharif, the Chief Minister of Punjab, refused to accept the Interim Agreement 1972 of water distribution and the alternate proposal of Federal Government to get water from Mangla (PIAD,Vol.,X,1985,1075).
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Chashma Jehlum Link Canal was closed on 9th May 1985 without consultation of Punjab Government. Southern parts of Punjab, Multan, Bahawalpur and Dera Ghazi Khan were badly affected by the closure of CJLC. The cotton crop in the Punjab was badly hit by the water scarcity which resulted in a loss of about Rs. 8500 million during 1984-85 (Morning News, 10 June, 1995). Sind government was not convinced to re-open the CJL canal and to give a drop of water to the Punjab (Jang, 7 June, 1985).

Several resolutions were passed by the members of Punjab Assembly to record the protest against the decision of Sind government on water issue. Punjab considered its right on the water of CJLC justified as it was part of Indus water project (PLAD, Vol.,111,1985,1095).

The shortage of water has damaged the economy of Pakistan. The agriculture and industrial sector of Pakistan is effected immensely. Power shortage has led to large scale load shedding in industrial sector. As a result Punjab had bore a loss of Rs.9000 million in industrial sector during 1984-1985 (Nawa-i-Waqt, 21 July, 1985). In these complex circumstances, the construction of Kalabagh Dam was inevitable to prevent wastage of water flowing to the sea. Kalabagh Dam was politicized as to serve the interests of Punjab at the cost of smaller provinces and thus became a controversial issue. Wali Khan warned the state : “in case our views are ignored we will certainly blast the Kalabagh Dam” (Dawn, 4 December, 1985). Sind and NWFP both opposed the construction of Kalabagh Dam on Indus River in the Punjab. Still there is no flexibility on the construction of Kalabagh Dam among the politicians of Sind and Khyber Pukhtunkhawa. Recent statement of Asfandyar Wali Khan that Pakistan and Kalabagh Dam cannot go together, proves the same intensity about the conflict on the part of Khyber Pukhtunkhawa as it was during 1980s (Dawn, 28 November 2014).

In spite of the fact that all Chairmen of Water and Power Development Authority (WAPDA) Ghulam Faruq, Ghulam Ishaq Khan, Shahnawaz Khan and Fazal Razaq, belonging to NWFP and A. G. Qazi from Sind, who were involved in decision making on the Kalabagh Dam did not raise any objection on the construction of Kalabagh Dam since 1953. Three heads of state (Ayub Khan, Yahya Khan and Zulfiqar Ali Bhutto), belonging to NWFP and Sind respectively, protected the interest of their home provinces, had not objected the construction of Kalabagh Dam during their reigns (PLAD, Vol.IV, 1985, 1311). The differences were sharpened among the provinces on the Indus water sharing and Zia government did not take any serious initiative to resolve this long awaited issue to maintain its authoritarianism in Pakistan.

Punjab claimed that its population being more than twice than that of Sind, its crop production four to five times more than Sind, and its canal command area much more than that of Sind (19 million acre against 12 million) rightfully deserves the allocation of a larger share of water than Sind. The non-resolution of this dispute adversely affected the inter-provincial relations, and economy in Pakistan. Punjab was deprived of 15% of its water resources every year (Jang, 13 January, 1991). The task of water apportionment of Indus river was assigned to Council of Common Interest in February 1987 which could not submit any report during Zia regime.

Water Apportionment Accord 1991
Seasonal and an ad-hoc distribution of water stored by the two reservoirs continued during 1988-1990. Water Apportionment Accord 1991 considered a good effort by the Sharif government to resolve this chronic issue. Four provinces have signed the Accord 1991 but serious differences continued especially between Punjab and Sind on the apportionment of water. Under this Accord, 37% water share was granted each for Punjab and Sind and 14% for Khyber Pakhtunkhawa and 12% for Balochistan (Water Apportionment Accord, 1991). Indus River System Authority (IRSA) was established on 10 December 1992 to regulate the balance river supplies to Sind and Punjab. Soon, Accord 1991, marred into controversy as Sind alleged Punjab for not releasing its agreed quantity of water. Even Sind was blamed for not releasing water to Balochistan. Resultantly, the Ministry of Water and Power and WAPDA reverted the allocations on the basis of historic use, rather than Accord 1991 (Hasan, 2002). Punjab had received its water share from CJLC on ad-hoc basis during the military governments and elected governments of PPP and ML Nawaz. Musharraf government (1999-2008) although, announced the construction of Kalabagh Dam but shelved it under the political pressures of the Sind and Khyber Pakhtunkhawa (Talbot, 2012, 185).

Since the completion of Terbela reservoir, there is no future development to increase storage capacity. In this perspective, Lahore high court owing to worst electricity load shedding for the past years, scarce water resources, water wastage and likewise, gave a decision of constructing Kalabagh Dam in 2012 but could not implement (Dawn, 29 November, 2012). Sind considers that the construction of Kalabagh Dam on Indus river would have adverse effects on the irrigation of Sind (Dawn, 15 June, 2014). Recently a meeting between chief engineers of Sind and Punjab over the Sind-Punjab water conflict has been convened on 4 November 2014. Interpretations of rules and some calculations are obstructing the settlement of the conflict (Dawn, 4 November, 2014). It is need of the time to address the long awaited water sharing conflict with mutual understanding, cooperation and trust of the provinces.

III. Conclusion

The successive governments of Pakistan failed to resolve the water sharing conflict between Punjab and Sind. They adopted a strategy of avoiding the solution in order to resist political pressure/opposition. It has great implications for the national politics of Pakistan. It affected the inter-provincial relations of the federation of Pakistan. Pakistan is passing through critical phase of water shortage and power crises that has affected the economy of the state directly and indirectly. Yet it has become an issue of political bargain between provinces. National and regional political parties have manipulated the water sharing conflict of the provinces for the political purposes, ignoring the fact that the agriculture economic base of the Pakistan is in bad shape today.

The disastrous flood of 2010 and 2014 have left a realization to federal government that Kalabagh Dam, Diamer Bhasha Dam and other Dams on Indus river would help to prevent such deadly catastrophes as Kalabagh Dam has the potential to store the water and avoid the wastage of water. Present government is expected to take up the issue for democratic debate in the parliament to evolve consensus of the political parties to resolve this long awaited issue, taking into account all technicalities. Government constituent bodies the CCI, WAPDA, IRSA and Provincial Irrigation
Departments can play productive role to settle the water conflict between the provinces for the stability and prosperity of Pakistan.

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