# Contents

Preface	xiii
Introduction	1
Chapter 1	
Indus Rivers and Plains, Canal Building, and	13
Sindh-Punjab Water Dispute	
A) The Indus Rivers	14
B) The Indus Plain	20
C) Canal Building before the British	22
D) British and the Canal System	24
E) Origins of Sindh-Punjab Water Dispute	26
Chapter 2	
Genesis of the Dispute	39
A) Radcliffe Award and its Background	39
B) Motives behind the Award	45
C) Standstill Agreement and the Aftermath	61
D) May 1948 Joint Statement and its Validity	71
Chapter 3	
World Bank: The Honest Broker?	100
A) The Lilienthal Proposal and its Background	100
B) Parties' Interests in the Negotiations	103
C) Bank's Initiative and Start of Negotiations	108
D) Bank Cuts the Gordian Knot	116
E) Analysis of Pakistan's Claim to the Eastern Rivers	125
F) Bank Dictates: Smoking Gun Evidence	133
G) Crossing the Rubicon	137

CONTENTS

H)	Towards a Water Treaty	149
I)	Appraisal of Ayub Khan's Role	158
T)		1.00

J) Bank's Motive to Side with India 163

## Chapter 4

Terms of the Treaty	186
A) Uniqueness of the Treaty	186
B) Safeguards for Pakistan and India	188
C) Permanent Indus Commission	193
D) Conflict Resolution Procedure	194
E) Territorial Scope of the Treaty	202
F) Miscellaneous Provisions	207

### Chapter 5

		A • T	
Treaty in Action-I		215	
A>	Sal	al Dam	215
	a)	History of the Dispute	215
	b)	Pakistan's Objections and India's Rebuttal	217
	c)	The Settlement	220
B)	Wı	Illar Barrage/Tulbul Navigational Project	221
	<b>a</b> )	History of the Dispute	222
	b)	Arguments of the Parties and their Critique	225
<b>C</b> )	Bag	glihar Dam	229
	a)	History of the Dispute	230
	b)	Did Pakistan Seize the World Bank Belatedly?	237
	c)	Appointment of the Neutral Expert	240
	d)	Pakistan's Objections	242
	e)	Point Counter Point	245
		i) India's Arguments	245
		ii) Pakistan's Arguments	247
	f)	Neutral Expert's Determination and its Critique	250
	g)	Why Did Pakistan Lose the Case?	257
	h)	Allegation of Stealing Pakistan's Water	270

### Chapter 6

Treaty	v in Action-II	281
A)	Kishenganga Dam	281
	a) History of the Dispute	281
	b) Point Counter Point	283
	i) Pakistan's Arguments	283
	ii) India's Arguments	288
	c) Partial Award and Court's Reasoning	294
	d) Final Award and Court's Reasoning	300
	e) Critique of the Award	304
B	Nimoo Bazgo and Chutak Dams	311
	a) Basic Facts	311
	b) India Claims Carbon Credits	312
	c) Controversy about Jamaat Ali Shah	313
$\left  \mathbf{C} \right\rangle$	Restructuring Governmental Water-Related Machinery	318

### Chapter 7

Treaty and Climate Change	
A) Is Climate Change Real?	334
B) South Asia and Climate Change	344
C) Climate Change and Indus Rivers	347

#### Chapter 8

355
358
364
369
371
375
381
382
382
384
3

	iii) Tanakpur Agreement	385
	iv) Mahakali Treaty	386
	b) Bangladesh	388
	i) Farakka Barrage Agreement	388
	ii) Teesta River Dispute	396
Conc	lusion	410
Biblic	ography	438
	Official Documents	438
	a) General	438
	b) World Bank-Related Documents	441
B)	Books and Reports	443
<b>C</b> )	Periodical Literature	452
D)	Newspaper Articles	457
E)	Case Law	464
	a) General	464
	b) Baglihar and Kishenganga	465
F)	Pakistan's TV Talk Shows (Available on the Internet)	466
G)	Interviews or Correspondence with Water Experts	466
Appe	ndix 1: Inter-Dominion Agreement	468
Appe	ndix 2: Text of Indus Waters Treaty	470
Apper	ndix 3: Details of Projects by India on Western Rivers	516
A)	River Chenab	516
	a) Commissioned Projects	516
	b) Location	518
	c) Under Active Consideration and Power Potential	519
	d) Locations of Possible Diversions	520
B)	River Jhelum	521
	a) Commissioned Projects	521
	b) Location	522
	c) Power Potential	523

$\mathbf{C}$	River Indus	531
	a) Commissioned/Under Construction Projects	531
	b) Location	532
	c) Power Potential	533
D)	Rivers Common with Afghanistan	535
	a) Common Rivers in Khyber Pakhtunkhwa	535
	b) Common Rivers in Balochistan	536
	c) Average Annual Inflows	537
	d) Location Map of Ongoing/Proposed Projects	538
	by Pakistan	
	e) Projects in Afghanistan	539
E)	Wullar Barrage and Storage Project/Tulbul	540
	Navigation Project	
	a) Location	540
F)	Baglihar HEP	541
	a) Location	541
	b) Salient Features	542
G)	Kishenganga Hydroelectric Plant	543
	a) Kishenganga Hydroelectric Plant on River Neelum	543
	b) Composite Map of Kishenganga, Wullar, LJHP,	544
	URI-I, and URI-II	
Apper	ndix 4: Western Rivers Inflow at Rim-Stations (MAF)	545

Index

xi