LIVING ON THE WATERS OF GANDAK: A STRUGGLE OF THE LOCALS FOR THE EXISTENCE IN THE GANDAK AREA

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Abstract

It is perceived in Nepal that the provisions in the existing Gandak Treaty, signed between Nepal and India on 4 December, 1959, are neither reasonable nor implemented as per the treaty, thereby resulting in continuous problems of inundation, flooding and erosion which had led to a rise in a local movement in the Project area.

The study tries to look into the Local Movement in the Project area and the demands of the local people. Besides pointing out the main issues for the emergence of the local movement such as water logging and inundation, unequal Treaty and its implementation and so on, the paper also portrays the major actors involved and the process of mobilization of the people in the movement. It also attempts to highlight the outcomes of the movement and concludes that though the movement was able in signing the 21 Points Demand Agreement, however, it was not able to bring any changes in the Gandak Treaty.

Keywords: Trans-boundary issues, Gandak, Nepal, India, Local movement

1. Background

Nepal is a landlocked country surrounded on the south, east and west by India and on the north by Tibet (a region of China), and comprising an area of 147,181 km². There are about 6000 rivers and rivulets in Nepal. Most of the rivers originate from the Himalayan range within Nepal, while some originate from the Tibetan Plateau; all these rivers drain southwards to the Ganges in Northern India and ultimately into the Bay of Bengal (Upreti, 2006).

Nepal’s water resource development dates back to the Exchange of letters of 1920 with the then British Government in India regarding the construction and operation of Sarada Barrage Project. Another water resource project involving Indo-Nepal co-operation was the Koshi Project Agreement in 1954. The Gandak Project Agreement (1959) is the third agreement between Nepal and India with respect to water resources development.

The Gandaki River, also called the Narayani in Nepal and Gandak in India, originates in the Himalayas near the Nepal-Tibet border and drains the central mountains of Nepal. After crossing the Nepalese border near Tribeni Bazar, it enters India, where after running a course of about 250 km; it joins the Ganges River near Patna, in the State of Bihar (Salman and Uprety, 2002). The Gandak Treaty was signed between Government of Nepal (GON) and Government of India (GOI) on 4 December, 1959 with the purpose of using the waters of Gandak River and its tributaries, primarily for irrigation and also hydropower for India and Nepal. As per the treaty, Gandak barrage was constructed on the border at Bhaiselotan to regulate the flow of water for irrigation.
The Gandak Project consists of construction of a barrage, canal head regulators and other appurtenant works about 1,000 feet below the existing Tribeni canal head regulator. The Project also involves the construction of canal systems for the purposes of irrigation and development of power for India and Nepal (Salman and Uprety, 2002). A total of three canals on either side of the barrage viz Main Eastern Canal (MEC), Main Western Canal (MWC) to serve India and Nepal Western Canal (NWC) to serve in Nepal only were constructed. The Treaty also specified that the Project was being built by and at the cost of the GOI. The treaty allowed India to purchase and occupy land in Nepalese territory for the purpose of investigation, construction and maintenance of the Project.

Under the aegis of the project, irrigation and drainage networks were developed to provide irrigation facilities to India and Nepal. With the development of these irrigation infrastructures problems related to inundation and land erosion have been encountered in the project area of Nawalparasi district in Nepal (Mishra and Mishra, 2008). Local people from the Gandak region in the Terai of southern Nepal and members of the Gandak Nadee Niyantan Sangharsa Samiti (Gandak River Control Struggle Committee), Nawalparasi had held a strike between 24 May and 26 June, 2008. The activists proposed 21 Points of demands that they wish the respective Governments of Nepal and India to consider (Siwakoti, 2009). The demands were regarding various problems concerning inundation, drainage, soil erosion, maintenance of structures and compensation.

2. The Gandak Treaty

The Gandak Treaty was signed between the GON and the GOI on 4 December, 1959 with the purpose of using the waters of Gandak River and its tributaries, primarily for irrigation and power. As per the Treaty, a barrage was built at the Gandak River near Bhaisalotan to regulate the flow of water mainly for irrigation purpose. Two canals take off from either side of the barrage. The MWC passes through 19 km in Nepal before entering the Indian Territory. Another canal referred to as the NWC takes off from the western side of the barrage. Similarly, the MEC lies in Indian Territory but one of its branches called Don Branch Canal reaches the Indo-Nepal border. The Don Canal’s sub-branch in Nepal, with the 850 cusecs canal capacity, has a length of 78 km passing through the districts of Parsa, Bara and Rautahat called as the Nepal Eastern Canal (NEC). The Project further involves construction of a power house in Nepalese territory by utilizing the head drop in the MWC to generate 15 MW of power. Unlike the other water treaties between GON and GOI, the tenure of the Gandak Treaty has not been specified in the Agreement.

The Agreement consists of 13 Clauses and 26 Sub-clauses which focus on different provisions such as land acquisition and compensation, ownership and maintenance, communication, irrigation, sovereignty and jurisdiction, arbitration and so on (The Gandak Treaty, 1959).

3. Local Movement in Gandak Project (May, 2008)

The siphons constructed under the Gandak project to transfer water from the rivers across the MWC started to wreak havoc due to the lack of maintenance and timely cleaning of these siphons by the Water Resource Department, State Government of Bihar. Every year the local people in the project area suffer with the problem of inundation and water logging. The grievances of the local people were not addressed by the concerned authorities despite repeated lodging of complaints. Thereafter in 2006, the local populace adversely affected by the Gandak project formed Gandak Nadee Niyantan Sangharsa Samiti (GNNSS), a struggle committee that gave them a platform and as a vehicle through which, their
People of the Gandak region in the Terai of Southern Nepal and members of the GNNSS – Nawalparasi held a 34 days long strike from 24 May 2008 to 26 June 2008. The activists proposed 21 Points of demand regarding the Gandak project that they wish for the GON and GOI to consider. The venue of the strike was located in the MWC. As the strike started when the MWC was closed for annual maintenance no water was released into the main canal.

**Box 1: Demands of Gandak Nadee Nyantran Sangharsh Samittee, Nawalparasi**

1. The silt ejector located between Gandak Barrage and Raninagar causes loss of agricultural land due to bank cutting. Therefore a channel should be constructed from the above mentioned silt ejector tail to 'A gap' tail.

2. Along and concrete embankment should be constructed on the river side of 'A gap' dam's tail.

3. "B gap" dam of Gandak Barrage should be made more than 2 meter higher and 4 meter wide.

4. Second new and concrete embankment should be made from "A gap" dam till "B gap" dam's river coast.

5. One bridge with siphon should be constructed on the Dhobaha stream of Guthi-Prasauni Village Development Committee (VDC).

6. 44 cusec water for Piparpati-Prasauni branch should be given without any debate and obstruction.

7. Cemented soling of the damaged inner embankment of the main Western Indian Canal should be done considering the accident in near future.

8. The width of the Raninagar Bridge and of 32 R.D's Belatari Bridge in the Indian main Western Canal should be made double in size.

9. Bridges must be constructed on the following places in the Indian main western canal.
   a) Kudia VDC, ward-6 of Gudaria. (no. of bridge 1)
   b) Suryapura, ward-9 of Tangikat. (no. of bridge 1)
   c) Guthi Suryapura, ward-5. (no. of bridge 1; one kilometer below the powerhouse)

10. The embankment of central dam of Gandak barrage Trivenidham, which was heavily damaged by the 6, 29,050 cusecs of water on 23rd July 2002 should be made stronger and concrete.

11. Third new embankment should be constructed alongside the river on the historical Gajendra mokshadham (situated above the holy Trivenidham) till Trivenidham.

12. Considering the land erosion caused by the river, another fourth embankment should be constructed keeping the tail of "B gap" dam on the river side of the Paklihawa VDC till the Indian border.
13. Compensation must be provided for the land erosion caused by the Gandak River in Kudiya, Triveni Susta, Narsahi and Paklihawa VDCs.

14. After the construction of the MWC (according to the treaty) direct release of the water from the river of Singhha and Raipura has diverted which resulted in the storage of water in Paklihawa, Narsahi, Rupaliya, Pratappur, Somani, Khertawa, Guthi Suryapura, Bedauli and Bhujhawa VDCs and transformed all above villages into semi flooded land. So, we demand the permanent management for the release of water from the river and demand the proper compensation of the flooded region from the time of construction of Gandak barrage till date.

15. Pitched road alongside the canal, the MWC and the bridge over it should be immediately repaired within a reasonable time period. Slope alongside the road on the bridge must be made much longer considering the accidents happened in the past.

16. Due to the collection of water after the construction of Gandak barrage in the region, it has started to contaminate the drinking water and became a perennial breeding place for the mosquitoes. So, we demand the facility of proper drinking water all over the project area and also the permanent center for the control of malarial fever.

17. After the construction of the Gandak project, the ecosystem has been impacted. Contaminated water of the land has affected the health of people, children and women. Therefore one "Gandak hospital" must be constructed in the central region of Kudia VDC ward no. 4.

18. Usually, Gandak project region is prone to flood and has affected the economic condition of the farmer due to which they are not able to provide higher education to their children. So, scholarship must be provided to 10 students for master degree and 5 scholarships for the medical and engineering students.

19. Two lane pitch road should be constructed from Gandak barrage to Triveni Gajendra moksha dham.

20. The work related with providing irrigation to Nepalese land must be done according to the Treaty done earlier.

21. All the work done inside the Nepalese territory of the Indian Gandak Canal should be done by the Nepalese license holder contractor.

(Source: Indreni Forum for Social Development Brochure)

3.1 Emergence of Local Movement in Gandak Project

The Gandak Treaty stated that India would construct barrages, irrigation canals and head regulators for the common benefits of the both countries. Instead of the promised common benefits of increased irrigation and power to both the countries, the canals have rained tragedy upon the locals of the project area as many a failed dam story can attest (WAFED, 2008). A number of issues and problems were identified that had led to emergence of the movement. They are categorized as:
3.1.1 Water Logging and Inundation

A number of drainage siphons at different chainage such as 6, 16, 24, and 43 RD (Reduced Distance) were constructed in the MWC (within Nepalese territory) to pass the local rivers. Out of these four siphons, only three are in operation as siphon at chainage 43 was completely damaged. But these siphons get choked during monsoon in absence of clear waterway downstream. The choking of the siphons occurs through debris and silting of the canal upstream and downstream of the siphon with every incident of flooding. The downstream drain siltation, coupled with untimely desiltation results in acute water logging problems in the area. Due to which, every year many VDCs as Jamuniya, Paklihawa, Kudia, Bhujahawa, Thulo Khairatawa, Guthi Suryapura, Bedauli, Guthi Parsauni, Narasahi, Tribeni Susta, Rupauliya, Pratappur and Somani are inundated and transformed into semi flooded land causing massive loss of crops, land and other properties. In this regard, the Ministry of Irrigation, GON conducted a survey of the affected villages and had reported that 13 VDCs have suffered the losses to the extent damage of crops worth Nepali Rupees 2,646,086,692.26, damage to land worth Rs. 189,445,935.00 and damage to property worth Rs. 109,560,456.00 totaling to Nepali Rs. 2,936,093,083.26 (Mishra, 2010).

3.1.2 Unequal Treaty

The people of the affected region perceive that they have been cheated in the sharing of waters and are deprived of the benefits that they actually should have received. The Treaty has mentioned the description of irrigation facilities to be provided to Nepal from the Project, but the Treaty says nothing about irrigation benefits to India from the project. According to Poudel (2002), the Gandak project irrigates a total of 1,850,320 ha in India (Western UP canal: 930,000; Tirhut Canal: 680,000; Tribeni Canal: 165,000; Ghoda Sahan Branch Canal: 52,000 and the Don Canal in India: 23,520), in contrast, only 46,900 ha of Nepalese land received the Gandak waters (12,500 ha in Nawalparasi; 34,400 in Parsa, Bara and Rautahat).

Nepal is able to irrigate very small area with the water from the Gandak Project compared to India despite the fact that it occupies a huge portion of the whole basin. While the Gandak Water irrigates a huge land mass (1,850,520 ha) in Uttar Pradesh and Bihar, Nepal could irrigate only 46,900 ha of her land, which is a humble 2.5% of what India irrigates (Pun, 2007). India clearly
needed irrigation water. Nepal had neither the capital nor the skill to take an active role in harnessing the river. So, India, in the Indian view, did the sensible and honorable thing in agreeing to take full responsibility and give Nepal both water and power at no cost. No consideration appears to have been given to the fact that India was taking from a sovereign state the water on which its future depended (Mihaly, 1965).

 Clause 9 of the Treaty (1959) set out a schedule for the release of the water from the barrage on both eastern and western canals for India. In the critical dry months (February, March and April), India appropriated through the schedule almost all of the available Gandak waters. In fact, during the lean month of March, while the schedule stipulates 273 cumecs, the Gandak water available at Narayanghat in Nepal is only 264 cumecs (Pun, 2007). This schedule, therefore, secured almost the entire flow of the river during dry periods for the project. This clause was however amended in 1964. With this Amendment of the Treaty, Nepal was able in deleting the schedule of the supply of water in canals, but at the same time Nepal also failed in preventing India from inserting another detrimental Clause of Trans-valley Water Use (Pun, 2007). The amended version of the Treaty of 1964 does not allow Nepal to transfer the water from the Gandak Basin to another basin during lean season. This has also been a reason for the emergence of the movement.

3.1.3 Lack of implementation of the Treaty

During the implementation of the project, matters relating to benefits have not been delivered as outlined in the Treaty. This has also been an issue for the emergence of the movement. The locals complain that water is not available for irrigation as agreed in the Treaty to Nepal.

Irrigation

Nepal is still not receiving the amount of water for irrigation as was stipulated in the Treaty. In the NWC, Nepal does not get the promised 300 cusecs of Gandak waters due to non-maintenance of design pond level at the head regulator (Pun, 2007). In case of Don Branch Canal (Pradhan, 2009), the Indian side (State Government of Bihar) never placed the 850 cusecs of water as per the agreement into the Nepalese canal system with the bulk use of water already in their system. The actual average supply has been only 56%. Even 30 years later in 2006, India and Nepal have been perennially discussing over whether Nepal gets the agreed 850 cusecs or not in Don Branch Canal (Pun, 2007). The latest Joint-record by the two sides shows that so far, the maximum delivery has been only 633 cusecs in Don Branch Canal (Upadhyay, 2012).

This issue has been raised in several meetings of Joint Committee on Koshi and Gandak Projects (JCKGP) and Nepal-India Joint Committee on Water Resources (JCWR). Even in the recent meeting of JCKGP held on 17-18 February 2011, the issue regarding the maintenance of designed pond level, maintenance of full supply level of the MWC and water supplied to NEC were discussed. Despite such discussions in many meetings, Nepal is still not getting the stipulated quantity of water in the canals.

Navigation

As per the treaty, a navigation lock was constructed in the Gandak Barrage for facilitating river traffic across the barrage. Despite the availability of the infrastructure and possibilities for navigation, it was
never practiced. There are some problems in the design and location of the navigation lock itself. The study observed that the width of the lock and the curve of the by-pass canal between the upstream and downstream locks would pose some problems (IIDS, 1994). The study further illustrates that the location of sediment exclusion structure right along the bank - a short distance from the downstream lock has caused sediment to be deposited in front of the lock entrance. Therefore, it can be said that the provision in the Agreement on navigation has been simply decorative.

3.1.4 Lack of Maintenance of the Structures

According to the Gandak Treaty (Clause 2 and 6), GOI is responsible for the maintenance, cleaning and siphoning of the barrage. However, it was reported from the key informant interview that in the last 20 years GOI had not performed this duty seriously and sincerely. The embankment between the barrage and Trivenidham (upstream of barrage) breached by 6,29,050 cusecs (though designed for 8 lakh cusecs) of water on 23 July 2002 due to the lack of proper maintenance. The breaching of this right bank flooded the nearby VDCs causing heavy loss of properties. Nepalese people have been victimized by this severe negligence which in result triggered the movement.

Downstream of the barrage, A-gap, B-gap, Link bund and Nepal bund (embankments) were constructed to guide the flow and protect the village along the right bank of the river. But these bunds have not been properly maintained. As a result the land submergence and erosion is severe along these bunds covering Tribeni Susta, Kudiya, Narsahi, Guthi Prasauni, Suryapura and Paklihawa VDCs. This situation could result in the loss of lives and properties in the event of the bunds being washed out.

3.1.5 Compensation

After the construction of the MWC (according to the treaty) direct release of the water from the river has been diverted which resulted in the collection of water in Paklihawa, Narsahi, Rupaliya, Pratappur, Somani, Khertawa, Guthi Suryapura, Bedauli and Bhujhawa VDCs and transformed all the above villages into semi flooded land thus damaging cultivable land. The affected people have not received any compensation for the loss they have suffered. Similarly, embankment between the barrage and Trivenidham (upstream of barrage), which was heavily damaged on 23 July 2002 resulted in massive loss of land and properties in different VDCs (mainly Tribeni Susta, Rupauliya, Pratappur and Kudiya), but here too the victims have not been compensated.

3.1.6 Risk of Breaching of MWC Banks

The service road and lining of the MWC in the Nepalese territory are completely damaged in most of the reaches. In addition, the outer slopes of the canal banks are eroded thus increasing the possibility of breaching. This issue was also raised in previous meetings of JCKGP, where the representatives from India (Engineer-in-Chief, Water Resource Department, Government of Bihar and team) had committed to carry out these repairs as and when required, however no action has been observed in this regard (Mishra and Mishra, 2008).

3.1.7 Health Problems

Due to high seepage through the banks of the MWC and inadequate water way for local drains, water logging is common in the area. According to focus group discussion, due to the storage of water after the construction of Gandak barrage in the region, it has started to contaminate the drinking water and...
also became a perennial breeding place for mosquitoes leading to incidence of malarial fever among the dwellers. This issue was also raised in the 21 point demands of the movement.

3.2 Key Actors Involved in the Movement

Figure 2: Diagrammatic representation of the key actors involved in the movement

Gandak Nadee Niyantar Sangha Sanghara Samiti (GNNSS) established in 2006 and Indreni Forum for Social Development (IFSD) established in 1986, were among the two most important actors in the movement. GNNSS consists of the members who are affected by the Gandak project, and is involved in mobilizing people towards their water rights. The IFSD empowers and supports the Struggle Committee for the mobilization of people and resources. Besides these two organizations, Water & Energy Users’ Federation-Nepal (WAFED), Himalayan & Peninsular Hydro-Ecological Network (HYPHEN), Campaign Service Center Nawalparasi, Ramgram Dalit Utthan Samaj, National Land Rights Concern Group (NLRCG) and various other organizations had also expressed their solidarity for the movement. Funds to support the movement were collected through the different organization that supported the movement as well as from the locals.

3.3 Mobilization of People and Resources in the Movement

Though the people were aware of the problems of inundation and water logging since the inception of the MWC, lack of a proper platform hindered them from raising their voice. In this regard, GNNSS formed provided a podium for the affected people. This organization is supported and mobilized by IFSD, an organization built for the empowerment of the people in Nawalparasi district. Through the help of these organizations the people and resources were mobilized for the movement in following ways:
3.3.1 Alliance Building

An alliance was built for the campaign by coordinating with other concerned groups (Koshi, Mahakali, Khundalotan, Mahalisagar, Lakshmanpur and other related groups). Several workshops were conducted with the participation of many stakeholders. Some of the programs include: The program on “the Gandak Treaty; Mahalisagar and Rasiwal Khundalotan Embankment” held in Butwal (2004), Program on “Mitigation of the Impacts caused by Barrages and Embankments” held in Bhairahawa (2005) and others. Similarly, coordination and interaction programs with the stakeholders were also carried out.

3.3.2 Conducting Trainings and Rallies

IFSD organized different trainings for the members of GNNSS as well as the group facilitators of the reflect center regarding the water rights and the Gandak Treaty. The leaders of the GNNSS along with the support of IFSD conducted local rallies in the affected VDCs bringing all the affected people together to demand their rights. Many locals joined the rallies and the main slogan of the rally was to fulfill their 21 points demand. Furthermore, leaflets, brochures and printed informative materials related to Gandak were distributed among the locals and concerned people.

3.4 Outcomes of the Movement

The 34 days long strike in the Gandak Barrage was successful in signing the 21 Points Demand Agreement between the local government bodies of Nepal and India. On 16 June, 2008 GON sent an official letter to Indian Embassy to address the problems caused by the Gandak project. This helped initiate a dialogue between the stake holders. Following up, a talk was organized on 22 June 2008 between delegates from UP Irrigation Department and the members of GNNSS which helped pave paths for the signing of the 21 Points Demand Agreement on 26 June 2008 in Balmikinagar, India. The Liaison Officer, Division Chief and Senior Divisional Engineer of the Nawalparasi Irrigation Division and the member of the GNNSS were the signatories from Nepal. Similarly, from India, the Chief of Water Resource Department (in Balmikinagar Bihar, India) and his team of four members were the signatories. However, there were no officials from the Central Government Level as a signatory to the Agreement.

In the Agreement, the demands of the locals were considered and the Indian representatives agreed to conduct the necessary actions. The demands include: initiating immediate measures to control the flow of the river, building dams at different places to tame the overflow and compensating the local people who have been suffering from continuous flooding. In this regard, the outcomes of the Movement can be broadly classified under following categories:

3.4.1 Issues and Demands of the Locals Discussed at the National Level Meetings

After the local movement, the issues and demands raised by the locals were discussed in the Joint Committee on Koshi and Gandak Projects (JCKGP) and Nepal-India Joint Committee on Water Resources (JCWR) meetings. From Indian side the JCKGP meeting is leaded by the Engineer-in –Chief, Water Resource Department, Government of Bihar and JCWR meeting is leaded by the Secretary, Ministry of Water Resources, GOI. In the third JCWR Meeting held in September 2008 in Kathmandu, just after the Local Movement, it was 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 MWC, flood control structures and solution of drainage
problems. Though the Meeting directly did not mention about the 21 Points Demands of the locals, it however highlighted the major issues related to Gandak Project including maintenance of canal system, inundation and flood embankments.

Similarly, in the JCKGP meeting held in Patna on 23 May, 2009, the demand of the GNNSS were discussed. Indian representatives stated that the technical issues have been taken up and are being implemented. Similarly, in fourth JCWR meeting held in March 2009 in Delhi, the issue related to the demands of the local people for maintenance and rehabilitation of MWC and flood control structures were discussed. The Indian side stated that short term measures had already been implemented. The Detailed Project Report (DPR) for special repair works on Gandak MWC was prepared and the implementation of the works would commence soon. This was further discussed in the fifth meeting of JCWR held on 20 November 2009 in Pokhara (Nepal), where Indian representatives stated that the draft DPR prepared by Bihar Government for rehabilitation works of Gandak barrage and canal system was under examination. Additionally, the issue of compensation was also raised in the meeting where it was stated that the details of the compensation of the land and crop of the affected people had been sent to the Indian side through diplomatic channels. Thus, the movement was successful in bringing the issue at national level between two governments.

Moreover, the Nepal Benefit Scheme (NBS) was prepared as a result of the local movement in Gandak Project. The GOI had prepared the NBS in 2009 under which various works related to the maintenance and rehabilitation of MWC and flood control structures was proposed. The works under this scheme was scheduled to be completed by 2012. In the sixth meeting of JCKGP held on February 2011 in Rajgir (India), the Indian side (Engineer-in-Chief, Water Resource Department, Government of Bihar and team) conveyed that the relevant demands made by GNNSS have been addressed under the Nepal Benefit Scheme. The NBS was also discussed in the Sixth Meeting of JCWR held on 24 November 2011 in New Delhi (India). In the Meeting, it was mentioned that the work under NBS may be delayed by few months but major works related to flood control have been completed. In the latest meeting of JCWR held on 24 January 2013 in Kathmandu (Nepal), the progress made on the NBS was discussed and the Indian side (Secretary, Ministry of Water Resources, GOI and team) reported that the works under the NBS would be completed by June 2013.

3.4.2 Implementation of the 21 Points Demand Agreement

Some works have been completed and some have been initiated by the Water Resource Department, Government of Bihar as per the agreed 21 demands of the local people. Amongst the 21 Points Demand, 9 Points have been executed till date (October, 2012). As per the Demand Point 1, to reduce the velocity of the River flow porcupine technology (prismatic type permeable structure, comprises of six beams made of RCC, which are joined with the help of iron nuts and bolts) has been adopted. Similarly, the tail of the A-gap has been extended additionally by 50 m as demanded in Point 2. For Demand Point 3, an understanding has been reached to develop channels in necessary locations and to blacktop the embankment to ease transportation. Also, the portion over B-gap, Link bund and Nepal bund has been blacktopped. In regard to Point 4, porcupine has been placed in different places and a 2.4 km long new embankment between A-gap and B-gap has been constructed. However, additional spurs are yet to be developed in this embankment. To fulfill the demand regarding Point 6, a new canal of 60 cusecs capacity has been constructed in Kudiya VDC. As per the Demand Point 15, the damaged bridges in MWC have been repaired and work concerning black topping of 19.05 km road is in its last phase of completion. Similarly, 2.5 km of road from Tribeni to Mokshya Dham and 500 m of road in Tribeni bazar

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have been black topped as demanded in Point 19. Eventually, for Demand Point 21, both the sides have agreed to include Nepalese Contractors according to Indian regulations in all works done inside Nepalese territory regarding Gandak Project.

Similarly, out of the 21 Points Demand, 5 Points are in the process of execution till date (October, 2012). Eventually, there are 5 Points yet to be executed among the 21 Points of demand. In regard to the compensation for the damage of land and crops demanded under Point 13 and 14, Ministry of Foreign Affairs (Nepal) had officially dispatched letter to Indian Embassy on 23 August 2012 mentioning the detailed assessment of the compensation for the damage. The issue about the compensation was discussed frequently in JCKGP and JCWR meetings. Even in the first meeting of JMCWR held on 15 February 2012 in New Delhi (India), a directive to look into the matter of compensation for land and damage of crops was provided. But it is not encouraging to mention that the GOI has now dropped this issue. As recorded in the recent meeting of JCWR held on 24-25 January 2013 in Kathmandu (Nepal), the Indian side (Engineer-in –Chief, Water Resource Department, Government of Bihar and team) stated that the issue was dropped in the third meeting of JCKGP, and hence this matter regarding the compensation for crop damage should be treated as closed. However, no reason has been given and GON is silent on why it was dropped.

The GNNSS and IFSD were continuously involved in the Gandak issues even after the strike was over. The locals in collaboration with GNNSS held a rally to the District Administration Office of Nawalparasi on 22 September, 2009 for implementing the agreed 21 Points Demands. In addition to it, the GNNSS also conducted a press meeting on March 13, 2010 to pressurize GOI for implementing the agreement. Similarly, a Water talk was also organized on 20 April, 2010 in Kathmandu between the stakeholders of Koshi, Gandaki and Mahakali region where the IFSD showed its active participation. Besides, they are still organizing various awareness programs on water rights in the Gandak area.

4. Conclusion

The treaty has many provisions which not only deprives Nepal from having mutual benefits through the Project but also limits the country from using its own resource. Moreover, there is the lack of proper implementation of the treaty due to which Nepal is deprived of even the little benefits that it should actually be gaining as per the Treaty.

The 34 days strike in the Gandak Barrage was successful in forcing the local government bodies of Nepal and India to sign the 21 Points Demand. The Movement was able to draw the attention of both the governments towards the issues in Gandak area. After the movement, the issues and demands raised by the locals were discussed in many JCKGP and JCWR meetings. The Nepal Benefit Scheme was prepared as a result of the local movement under which various works related to the maintenance and rehabilitation of MWC and flood control structures were proposed. Some works have been initiated from Indian side as per the agreed 21 Points Demand of the local people. The movement was thus able to pressurize GOI to perform their duty regarding the project maintenance and flood control. To conclude, though the movement was successful in signing the 21 Points Demand Agreement, it was however not able to bring any changes in the Gandak Treaty.

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