

**MINUTES OF THE FOURTH MEETING
OF
THE JOINT COMMITTEE ON THE KOSI AND GANDAK PROJECT**

(2-3 May 2009, Patna)

The fourth meeting of the Joint Committee on Kosi and Gandak Project (JCKGP) was held on 2-3 May 2009 at Patna. The Indian Team was led by Mr. Ajay Nayak, Principal Secretary, Water Resources Department, Government of Bihar, and the Nepalese Team was led by Mr. Madhu Sudan Paudel, Director General, Department of Irrigation, Government of Nepal. The list of participants in the meeting is given in Annexure-I.

Mr Devi Rajak, Engineer-in-Chief, WRD, Government of Bihar welcomed the Nepalese delegation and highlighted that Kosi and Gandak projects were symbols of close friendship and cooperation between India and Nepal. He expressed hope that the deliberations of the Committee would contribute to more efficient operation and maintenance of these Projects.

Mr Madhu Sudan Paudel, the Nepalese Team Leader expressed his gratitude to the Indian side for the warm welcome extended to his team members and for hosting the meeting.

Following introduction of the team members of both the sides, the committee discussed and adopted the Agenda. The item wise discussion and decisions are as follows :

1.0 Confirmation of Minutes of the Third Meeting held on 5-6 June 2006

The Minutes of the 3rd Meeting of the Joint Committee on Kosi and Gandak Projects were confirmed.

2.0.0 Operation & Maintenance (O&M) of infrastructure

2.1.0 Kosi Project

2.1.1 Security and Protection of Kosi Project Area

The Indian side appreciated the enhanced co-operation from the Government of Nepal on security issues in the recent months and requested for the continuance of the same level of co-operation in future as well.

The Nepalese side assured that adequate security and safety measures in the project area would be ensured. To institutionalise this

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arrangement, it was decided that District Magistrate of Supaul (India) and CDOs of Sunsari and Saptari (Nepal) and the SPs of three districts along with concerned engineers would meet on a monthly basis between the months of June to October and as and when required in the subsequent months to review the situation and take necessary measures. They would send a report of their meeting to the respective Team Leaders.

2.1.2 Operation & Maintenance of Kosi Project Area

The Indian side stated that encroachment of embankments and the areas adjoining the Kosi Barrage and unauthorised cultivation in the pond area still continued. The Indian side explained that river morphology was changing due to dense growth of vegetation & trees in the pond area which induced siltation and resulted in the formation of shoals, change of river course, etc. The Committee decided to constitute a Task Group with a mandate to prepare a site map of Project area, identify the areas under vegetation and cultivation, and recommend remedial measures for improvement in the river flow. The composition of the Task Group is appended as Annexure -II. The joint report would be submitted to respective Team Leaders by 31st August 2009.

2.1.3 Royalty/Local levies for supply of construction materials

The Indian side raised the issue of multi-point levying of taxes by the local authorities in Nepal on the construction materials used for the operation & maintenance of the Kosi Project.

The Nepalese side stated that necessary action has been initiated by the Government of Nepal in this regard. The Indian side requested it to be expedited and completed preferably before the next meeting of the JCKGP.

2.1.4 Erosion of Flood Embankments on Upstream as well as Downstream sides of Kosi Barrage

The Nepalese side recalled the decision taken at the 1st meeting of JCKGP to form a Sub-Committee to report on the present status of the project vis-a-vis its original plans and designs. The Indian side stated that this had been overtaken by the setting up of a High Level Expert Team (HLET) by the Government of India, which has submitted its report on short, medium and long term measures. It was also informed that the HLET recommendations on short term measures were under execution and the works would be completed before the onset of the monsoon season. It was further informed that steps had been taken for undertaking physical model studies at CWPRS,

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Pune and the study report is expected before the next JCKGP meeting. A copy of the HLET report was handed over to the Nepalese side.

2.1.5 Operation of gates in Western Main Canal for supplying water to Kosi Western Main Canal of Nepal and maintaining full supply level in the canal

The Indian side informed that all the gates of the Western Kosi Main Canal have been repaired and made operational. Also, desiltation of canal has been completed and that full supply level is being maintained.

The Nepalese side informed that two offtakes, ML10 & ML11 were not getting adequate discharge and their gauge levels needed to be verified.

It was decided that the contact officers of both the sides (as decided in the 3rd meeting) would take observations regarding discharge and gauge levels and send their joint report to the respective Team Leaders within three months.

The Nepalese side reiterated their concern regarding regular maintenance of the service road of WMC. The indian side informed that action has been initiated for its repair.

2.1.6 The Kusaha Yudhganj Road repair.

The Indian side informed that the Kusaha – Yudhaganj road, which was badly damaged during the breach of Kosi Eastern Afflux Bund in August 2008, is being repaired and the work is scheduled to be completed by end of May 2009.

2.2 Gandak Project

2.2.1 Unauthorised occupation of acquired lands of the Project by local villagers

The Indian side raised the issue of unauthorised occupation of Project area by the local Nepalese villagers. It was observed that the encroachment was further expanding. The Nepalese side stated that the encroachments are not hindering the access and movement of Project Authorities. Notwithstanding, they are seized of the matter and are in touch with the administration.

The Indian side observed that though the encroachments are currently not obstructing the movement, they may pose severe hindrance in carrying

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out the maintenance and restoration works of canal and embankment including emergency works.

The Committee decided to set-up a mechanism, consisting of CDO & SP of Nawalparasi (Nepal) and the Chief Engineer, Walmikinagar to identify and remove encroachments and suggest suitable land use to prevent re-occurrence of encroachment.

2.2.2 Drainage problem on the Main Western Canal (MWC) of Gandak Project in Nepalese territory and the problem of frequent cuttings of MWC banks by the local villagers

The Indian side informed that the measures for solution of the drainage problems under this item have been included in the DPR for Nepal Benefit Scheme – Gandak Project, which is under process of approval.

Regarding the issue of disposal of debris and sludge in MWC at RD 16.08 by Korla Sugar Mills of Nepal, as raised in previous meetings by the Indian side, both sides noted that currently no such problem existed.

The Indian side raised the issue of frequent cutting of canal banks by local people. The Nepalese side underscored that this happened due to inundation problem caused by non-functioning of the drainage system. It was agreed that such issues should be communicated through proper channel.

2.2.3 Water Supplied to Nepal Eastern Canal

The Nepalese side stated that the Eastern Canal has not been receiving the agreed discharge of 850 cusecs. As per the decision made in the 3rd meeting of JCKGP, the joint observation was made to measure the discharge on 24th February 2007 and it was observed to be 633 cusecs only. The copy of the report was handed over to the Indian side. The Indian side agreed to recalibrate the structure.

Regarding erosion threat of the Urea river to the NEC and issues relating railway bridge, it was agreed to discuss the report of the Contact Officer in the next meeting of the committee.

2.2.4 Maintenance of Service Road and sections of MWC

The Indian side informed that the maintenance of service road and Main Western Canal has already been carried out. The major repair of service road has been included in the scheme for Nepal Benefit works, which is in the process of approval. On the request of Nepalese side, a copy of the salient

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features of the Nepal Benefit Scheme – Gandak Project was handed over to the Nepalese side.

2.2.5 Maintenance of Design Pond level at 362 ft at Head Regulator of Nepal Western Canal

The Nepalese side expressed that the pond levels were not maintained at 362 ft. during the monsoon season, due to which they were not getting adequate water in the NWC.

The Indian side responded that during monsoon season when river is in spate beyond 3.00 lacs cusecs, the barrage gates are kept open in accordance with the barrage regulation manual. This is necessary to prevent entry of silt into the canals and for the protection of the barrage gates and its appurtenants. However, effort would be made to maintain the pond level at 362 ft when river flow is below 3.00 lacs cusecs.

The Nepalese side stressed that the agreed discharge in the canal should be made available.

It was decided that the sub-committee already existing for the purpose would look into the matter during the flood season of 2009 and report to the JCKGP.

2.2.6 Maintenance of Full Supply Level and Full Supply Discharge of Main Western Canal

The Nepalese side stated that the Piperpati distributary off-taking from MWC was not receiving the agreed discharge of 44 cusecs due to non-maintenance of full supply level in the MWC.

The Indian side attributed the problem to the heavy siltation in the distributary. The Indian side informed that the DPR for Nepal Benefit Works which includes provisions for repair of lining in the MWC, desiltation of the canal bed, special repair of the dwarf gate at RD 24.45 for its proper operation, and construction of an additional feeder canal to Piparpati distributary at RD 24.45 of MWC, would improve water availability in the Piparpati distributary, is under consideration of Government of India and will be undertaken after its approval.

2.2.7 Control over discharge laden with silt through the Nala adjoining the Power House by Nepal

Both sides noted that the Sub-Committee constituted in the last meeting to look into the problem of discharge of silt laden water from the Nala adjoining the Surajpura Power House into MWC could not submit its report.

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The Committee directed the Sub-Committee to meet immediately and submit its report by June 2009 to the Team Leaders of both sides.

3.0 Establishment

3.1 Salary, Allowances and facilities for the employees

The Indian side informed that the issue of fixation of pay scales of Liaison Officer and Land Acquisition Officer of Kosi Project and Liaison cum Land Acquisition Officer, Gandak, raised by the Nepalese side during the last meeting has since been resolved. However, the Indian side believed that since there was no land acquisition, there is no rationale for continuing with Land Acquisition offices. Indian side stated that there would be no further appointments in the Land Acquisition Offices and the posts will be deemed to be abolished when the incumbent retires.

The Nepalese side raised the issue of disparity between the salaries of Liaison officer/ Land Acquisition officer and other staff of these offices.

The Committee decided to setup a task group whose composition is appended at Annexure -III. The group is mandated to examine all issues relating to Liaison Office/Land Acquisition Office for Kosi and Gandak Projects comprehensively and submit its report by 31st July 2009.

3.2 Reimbursement of Administrative Expenditures in Kosi Project.

Regarding the issue of reimbursement of Rs. 57,39,164.23 due to administrative expenditure incurred on running the Liaison Office of Kosi Project, it was noted that relevant records are not available. However, the Nepalese side mentioned that the same were submitted by the concerned Liaison Officers to the respective Governments,

Both sides will attempt to trace these records and discuss this issue further at the next meeting of the committee.

4.0 Payments

4.1.1 Outstanding compensation of land (Kosi & Gandak Projects)

The Nepalese side raised the issue of compensation of 1516 Bighas of land eroded during the year 1961-64 in Kosi Project, which already has been jointly verified, to be compensated at the rate of Rs. 27200/Bigha on immediate basis. Nepalese side also informed that joint verification of 4400 Bighas of land eroded during the year 1965-68 in Kosi Project has been completed and it comes to about 3948 Bighas. They further claimed

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compensation of another 2226 Bighas of land, which could not be done in the past.

The Indian side assured that, to begin with, compensation of those claims which have been jointly verified will be expeditiously dealt with. A copy of such joint verification of records may be made available to the Government of India through diplomatic channels.

In so far as the remaining claims of compensation, the Indian side requested the Nepalese side to direct the concerned Land Acquisition Officer, Government of Nepal to prepare a detailed proposal supported by village map showing piece of land of the claimants indicating boundary of the project area with relevant documents like Lal Purja, etc. The Indian side will examine the claim after getting complete information.

4.1.2 Payment of land tax due (Kosi and Gandak Projects)

The Nepalese side stated that the land tax for Kosi and Gandak Projects was still due.

The Committee decided that the records of land tax of the Kosi Project would be verified by the concerned offices of GOB. The Liaison Officer, Government of Bihar at Kathmandu will follow up the process for early settlement.

5.0 Restoration work of power canal

The Nepalese side stated that they would inform the status at the next meeting.

6.0 New Items

6.1 Annual Action Plans for Kosi and Gandak Projects

As per the fresh mandate given to JCKGP, it has been empowered by JCWR in its 3rd meeting to identify the issues and formulate annual action/perspective plans, with full financial and functional authority. In this context, the Committee decided as follows :-

- (i) Empower Principal Secretaries of Government of Uttar Pradesh and Bihar to take up schemes/projects which do not figure in recommendations of KHLC/GHLSC, in so far as annual measures are concerned. The perspective plans to be taken will be formulated and will be provided to Government of Nepal every year. The Government of Nepal too can bring similar issues to the notice of

Indian Embassy so that further action can be taken by respective States along similar lines, if not considered by KHLC/GHLSC.

- (ii) Since the status of Gandak Barrage and its appurtenant structures have not been looked into for a long time, the Committee decided to request the Government of India to constitute an expert team of Central Water Commission to examine the status of Barrage and its structures and recommend necessary remedial measures and to submit report to this Committee preferably within three months.

6.2 Demands made by the Gandak Nadi Sangharsha Samiti

The Indian side stated that as far as the technical issues are concerned, these have been taken up and are being implemented. The Indian side felt that the Socio-economic issues are beyond the mandate of this committee. Nepalese side may take up these issues at the appropriate forum.

6.3 Problem due to Kosi Wild Life Tappu Area

The Indian side stated that for maintenance of the Barrage and Afflux Bund including flood fighting measures, easy accessibility for the movement of men and material is of utmost importance. Due to the Kosi Tappu Wild Life Reserve, this is greatly hampered.

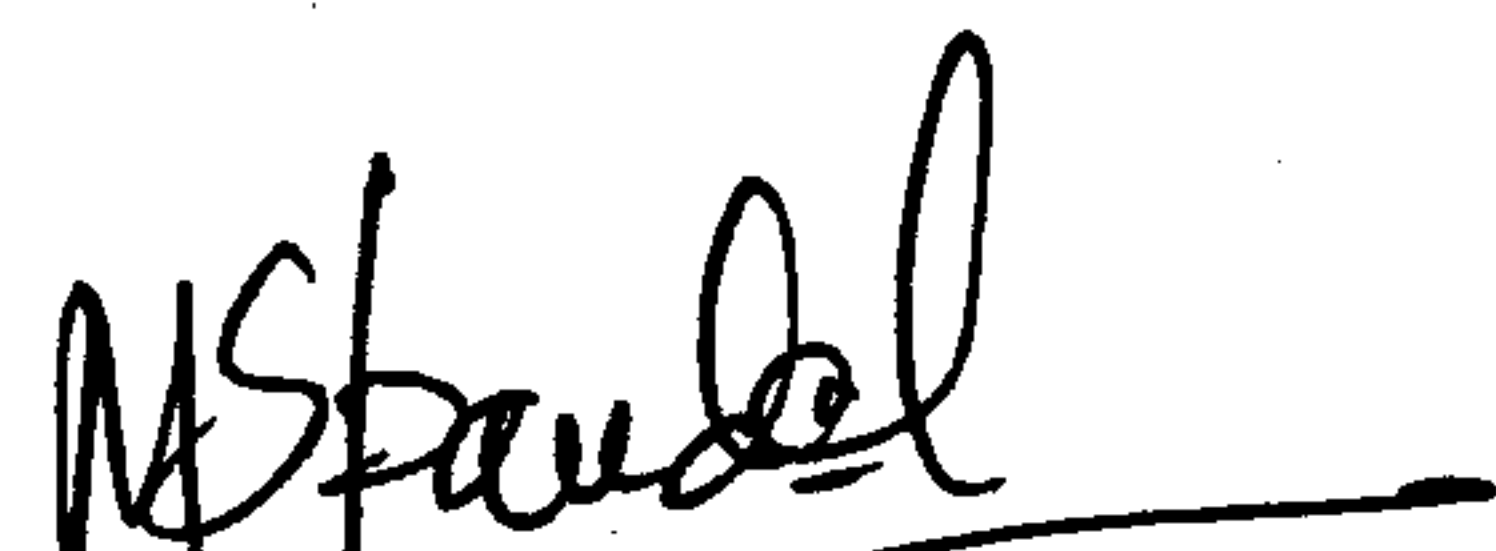
The Nepalese side stated that the matter was discussed in the 4th meeting of JCWR and is under active consideration of the Government of Nepal.

The meeting was held in a cordial atmosphere.

Signed on 3rd May 2009 at Patna (Bihar).



(Ajay Nayak)
Principal Secretary,
Water Resources Department
Government of Bihar



(Madhu Sudan Paudel)
Director General,
Department of Irrigation
Government of Nepal

ANNEXURE-I

**4TH MEETING
OF
THE JOINT COMMITTEE ON KOSI GANDAK PROJECTS BETWEEN INDIA & NEPAL**

**LIST OF PARTICIPANTS
NEPALESE SIDE**

- | | | | |
|-----|--|---|------------------|
| 1. | Mr. Madhu Sudan Paudel
Director General, Department of Irrigation | : | Team Leader |
| 2. | Mr. Gautam Rajkarnikar
S D E., Water and Energy Commission Secretariat | : | Member |
| 3. | Mr. Mathura Dangol
Superintending Engineer, Ministry of Water Resources | : | Member |
| 4. | Mr. Prakash Kumar Suvedi
Under Secretary, Ministry of Foreign Affairs | : | Member |
| 5. | Mr. Thir Bahadur G. C.,
Under Secretary, Ministry of Home | : | Member |
| 6. | Mr. Kamal Prasad Regmi
Director, ERID., Biratnagar | : | Member |
| 7. | Mr. Pradip Raj Pande
Director, WRID, Pokhra | : | Member |
| 8. | Mr. Ishwori Prasad Aryal
Representative, Ministry of Finance | : | Member |
| 9. | Mr. Hiranand Jha
Dy. Director General, DWIDP | : | Member |
| 10. | Mr. Sudhir Man Baisyat
Dy. Director General, DOI | : | Member Secretary |

INVITEES

- | | | | |
|----|--|---|-----------------|
| 1. | Mr. Ram Bilas Raya, CDO, Saptari | : | Special Invitee |
| 2. | Mr. Hari Krishna Upadhaya, CDO, Sunsari | : | Special Invitee |
| 3. | Mr. Bal Krishna Panthi, CDO, Nawalparasi | : | Special Invitee |
| 4. | Mr. Madhav Belbase, SDE, DOI | : | Special Invitee |
| 5. | Mr. Vijay Shanker Mishra, SDE, DOI | : | Special Invitee |

INDIAN SIDE

- | | | | |
|----|--|---|------------------|
| 1. | Mr. Ajay Nayak,
Principal Secretary, WRD, Government of Bihar | : | Team Leader |
| 2. | Mr. C. G. Rao, Joint Secretary (North-II),
Ministry of External Affairs | : | Member |
| 3. | Mr. Devi Rajak, Engineer-in-Chief, WRD, GOB | : | Member |
| 4. | Mr. M. U. Ghani, Member, GFCC., Patna | : | Member |
| 5. | Mr. H. K. Jain,
Counsellor (Commerce) Embassy of India, Kathmandu | : | Member |
| 6. | Mr. Prakash Das, Chief Engineer, WRD, Birpur, | : | Member |
| 7. | Mr. G. L. Basak, Chief Engineer, Darbhanga | : | Member |
| 8. | Mr. R. Rajak, Chief Engineer, WRD, Valmikinagar | : | Member Secretary |
| 9. | Mr. P. C. Mishra, Superintending Engineer, Representative:
Govt. of UP | : | Member |

SPECIAL INVITEE

1. Mr. Dilip Kumar, District Magistrate, W. Champaran
2. Mr. Arun Kumar Sinha, Liaison Officer, GOB, Kathmandu

OTHERS

1. Mr. Dharendra Kumar, Chief Engineer, Monitoring, Patna
2. Mr. O P Ambarkar, Joint Secretary, WRD, GOB
3. Mr. S A Kabir, Superintending Engineer, GOB
4. Mr. K N Thakur, Superintending Engineer, GOB
5. Mr. Nawal Kishore, Superintending Engineer, GOB
6. Mr. H. K. Ram, Superintending Engineer, GOB
7. Mr. Indu Bhushan Kumar, Dy. Secretary, WRD, GOB
8. Mr. Ramesh Kumar, Executive Engineer, GOB
9. Mr. Awadhesh Kumar Jha, Executive Engineer, GOB
10. Mr. A. K. Singh, Executive Engineer, Govt. of UP
11. Mr. Rabindra Kumar Shanker, Under Secretary, WRD, GOB

Annexure-II

Task Group for preparing map & demarcating the Project Area

Nepalese Side	Indian Side
1) Division Chief, Sunsari Division, Sunsari	1) Executive Engineer, Headworks Divn, Birpur
2) Division Chief, Maintenance Division, Rajbiraj	2) Executive Engineer, Eastern Embankment Division, Birpur

Annexure-III

Task Group for reviewing the accountability and Responsibility and other establishment issues related to Liaison office and Land Acquisition offices of Kosi & Gandak Projects.

Nepalese Side	Indian Side
Kosi Project 1) Director, Eastern Regional Directorate 2) Chief Kosi Gandak Unit DOI 3) Liaison Officer, Biratnagar	1) Shri Indu Bhushan Kumar, Deputy Secretary, WRD, GOB, Patna. 2) Shri Arun Kumar Sinha, Liaison Officer, GOB, Kathmandu (Nepal)
Gandak Project 1) Director, Western Regional Directorate 2) Chief Kosi Gandak Unit DOI 3) Liaison Officer, Valmikinagar	

PROVISIONS UNDER NEPAL BENEFIT SCHEME – 2009

1. Components under Nepal Benefit Scheme :

As per agreement between Nepal land India on Gandak Project the following components of the project comes under Nepal Benefit Scheme for which Bihar has to take action for their construction, repair and maintenance etc. on behalf of Government of India.

- i) Main Western Canal in Nepal (19 KM) and its service road
(Under Main Western Canal Division, Valmikinagar)
- ii) Don Branch Canal (93.75 KM) and its service road :
(Under Done Canal Division Ramnagar).
- iii) Right Afflux Bundh of Barrage and its auxiliary bund and roads.
(Under Headworks Division, Valmikinagar)

2. The main works provided under Nepal Benefit Scheme - 2009

- i) **M.W.C : Main Western Canal : (Under MWC Division, Valmikinagar)**
 - a) Construction of Pucca Service Road 19 KM
 - b) Desilting of Canal Beds
 - c) Repair and restoration of lining
 - d) Solution to water inundation along canal
 - e) Repair of existing bridges and construction of some new bridges
 - f) Construction of bathing ghats in Canal
 - g) Mechanical works like repair of radial gate at hydel power project at Surajpura
- ii) **Don Branch Canal (under Don Canal Division, Ramnagar)**
 - a) Desilting of canal beds and strengthening of canal banks including protection work and lining in selective reaches
 - b) Construction of Pucca road on the service road - 93.75 KM
 - c) Improvement of CD Works including repair of structures, clearance of vents and leading channel land other necessary protection works
 - d) Repair of structures
 - e) Mechanical works like repair of gates at different locations
- iii) **Right Afflux Bundh etc. of Barrage (Under Head works Division, Valmikinagar)**
 - a) Construction of two numbers of SLR Bridges on Tatia Khola Marginal Bundh
 - b) Construction of bathing Ghat in Right Afflux Bundh
 - c) Construction of bathing Ghat in Vaishnav Tola Bundh
 - d) Construction of Pucca Road on Embankments of Guide Bundh. Afflux and Tatia Khola Marginal Bundh.