

**PRESS RELEASE**

Text of the D.O. letter dated 1.2.2017 of **Thiru O. Panneerselvam**, Hon'ble Chief Minister of Tamil Nadu to **Shri Narendra Modi**, Hon'ble Prime Minister of India, New Delhi.

I write to bring to your immediate attention yet another instance in which Kerala has attempted to violate the Final Order of the Cauvery Water Disputes Tribunal, seriously jeopardizing the rights of the lower riparian State of Tamil Nadu and affecting the livelihood of the farmers dependent on the waters of the Cauvery river and its tributaries like Bhavani and Amaravathy. The latest instance of attempts to violate the Tribunal's Final Order is the Government of Kerala's proposal to construct a reservoir at Pattisserry across the river Pambar, a tributary of the river Amaravathy, which in turn is a main tributary of the river Cauvery. This has caused great concern and anxiety among the people of Tamil Nadu dependent on waters of the Cauvery Basin including the Amaravathy for irrigation and drinking water supply.

I have been informed that the Government of Kerala has commenced the earthwork for laying the foundation for construction of a Dam across the river Pambar at Pattisserry. The construction materials to lay concrete for the foundation of the Dam are also kept ready at the site. We apprehend that the construction work would proceed in full swing and once the permanent structure comes up, Tamil Nadu's lower riparian rights would be irretrievably compromised.

I wish to bring to your kind notice that the Government of Tamil Nadu had filed an Interlocutory Application (I.A.No.2 of 2014) on 28.11.2014 in the Hon'ble Supreme Court to restrain the Government of Kerala from proceeding with the construction of a Dam across the river Pambar at Pattisserry which is within the Cauvery basin and to maintain status quo and also not to proceed with the execution of any project, until the Cauvery Management Board is constituted and without the specific consent of the Government of Tamil Nadu. This I.A. is pending in the Hon'ble Supreme Court.

I had in my letter dated 12.12.2014 addressed to you, enclosed the unanimous resolution passed by the Tamil Nadu Legislative Assembly, among others, urging the Government of India to advise the Government of Kerala not to execute any work for the construction of a Dam across the river Pambar at Pattisserry and also that no scheme should be taken up by the Government of Kerala till the Cauvery Management Board is constituted and the concurrence of the Government of Tamil Nadu is obtained.

As you are aware, the States of Karnataka and Kerala have filed Special Leave Petitions (now Civil Appeals) before the Hon'ble Supreme Court against the Final Order of the Tribunal. The State of Tamil Nadu has also filed a Special Leave Petition in the Hon'ble Supreme Court on certain aspects of the Final Order of the Tribunal. The Hon'ble Supreme

Court in its Judgement dated 9.12.2016, has held that the Civil Appeals are maintainable. Subsequently, the Hon'ble Supreme Court by its Order dated 4.1.2017, has fixed the hearing of these Civil Appeals on 7.2.2017 and will continue to hear them on a day to day basis. Further, the Cauvery Management Board has not yet been constituted by the Government of India for the effective implementation of the Final Order of the Tribunal. Therefore, the entire matter is sub-judice before the Hon'ble Supreme Court.

This unilateral action of the Government of Kerala in having commenced the work for the construction of a Dam across the river Pambar at Pattisserry without obtaining the prior concurrence of the Government of Tamil Nadu will affect the natural flow of the river Pambar and consequently the river Amaravathy which in turn will diminish the flows to Tamil Nadu. Therefore, the Government of Tamil Nadu conveys its strong objection to the unilateral commencement of work for construction of a Dam by Kerala across the river Pambar at Pattisserry without obtaining the prior concurrence of Tamil Nadu.

I request you to kindly instruct the Ministry of Water Resources, River Development and Ganga Rejuvenation to immediately advise the Government of Kerala to forthwith stop the work of construction of a Dam across the river Pambar at Pattisserry. The Government of Kerala may also be advised not to take up any project or works in the Cauvery Basin of Kerala without obtaining the prior concurrence of the Government of Tamil Nadu and until the Cauvery Management Board and the Cauvery Water Regulation Committee are constituted and the judicial references are finally settled.

I kindly urge you to take immediate action in this matter.

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