

**Minutes of the Third Meeting of the Joint Committee on the
Kosi and Gandak Projects
(5-6 June, 2006)**

The Third Meeting of the Joint Committee on the Kosi and Gandak Projects (JCKGP) was held on 5-6 June 2006 in Kathmandu. The Nepalese delegation was led by Mr. Uma Kant Jha, Director General, Department of Irrigation, Government of Nepal and the Indian delegation was led by Mr. Devi Rajak, Engineer-in-Chief, Water Resources Department, Government of Bihar, Patna. The list of delegates is given in Annexure-I.

Mr. Uma Kant Jha, Chairman, Nepalese side, while welcoming the Indian delegates expressed hope that the meeting would be able to resolve the outstanding issues of both the Projects and also the new issues, if any, such that the Projects would run efficiently for the benefits of the citizens of both the countries.

Mr. Devi Rajak, Chairman, Indian side expressed thanks to the Nepalese side for the warm welcome extended to his team members and for hosting the meeting. He expressed the hope that the Committee would work for the common benefits of both the countries. He noted that the decisions of the last meeting were in the process of implementation.

Following introduction of the team members of both sides, the Committee discussed and finalized the agenda for the meeting. The item wise discussion and decisions are listed below:

1.0.0 Confirmation of minutes of the second meeting held on 6-7 December 2004.

The minutes of the second JCKGP meeting was confirmed.

2.0.0 Operation and maintenance (O&M) of infrastructure

2.1.0 Kosi Project

2.1.1 Security and Protection of Kosi Project area

The Indian side drew attention to the continuing incidents of unauthorised fishing in the Kosi barrage area, theft of materials from the barrage and its associated structures like spurs and bed bars, etc., and encroachment of Bhardah Colony facilities. The Indian side requested maintenance of adequate security arrangements at barrage including provision of manned security checkpoint on the custom side also. The Indian side also sought enforcement of speed limit of 20 km per hour on the barrage. The Nepalese side assured that it would take up the matter with the concerned authorities in Nepal. The Committee agreed that speed breakers inside the Kosi barrage area, if required, would be constructed by the Indian side to enforce the speed limit.

2.1.2 Operation and Maintenance of Kosi Project area

The Indian side stated that encroachment of embankment and areas adjoining the Kosi barrage and unauthorised cultivation in acquired land in the pond area were taking place. The Nepalese side stated that the matter would be taken up with the concerned authorities to remove encroachment. The Committee agreed that the progress in this issue would be

reviewed periodically. The Indian side stated that the local forest authority had erected a barbed wire barrier on the eastern afflux bund disrupting movement of Indian project officials. The Nepalese side said that it would take up the matter with the concerned authorities in Nepal and resolve the problem as soon as possible.

2.1.3 Royalty/ Custom duty, etc., for supply of construction materials

The Indian side stated that there was a case of multi point levying by the local authorities on the construction materials used for Kosi Project maintenance specifically at Chakarghatti, Madhubani and Kusha. The Nepalese side assured that this matter would be taken up with the concerned authorities.

2.1.4 Erosion of flood embankments on upstream as well as downstream sides of the Kosi Barrage

The Committee had noted in both the previous meetings that the embankments on the upstream and downstream sides of the Kosi barrage were being eroded such that the present status of the Project needed to be checked in comparison with the original plans and drawings. A Sub-Committee was formed in the first meeting of JCKGP to look into the matter and submit a report by October 2005, however the Sub-Committee could not meet. Both sides made changes in the composition of the Sub-Committee and it was agreed that its meeting would take place in Birpur (India)/Biratnagar (Nepal) and submit a report to the Committee. The composition of the revised Sub-Committee has been given in Annexure-II.

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 Nepalese side stated that the gates were old and required maintenance. Discussions on this and other matters related to the reliable supply of irrigation water revealed that the problems could be identified and solutions be initiated at the contact officer level. It was decided that the Nepalese contact officer would prepare a report on the problems with elaborate description and sketches and possible measures to restore them and send it to the Indian counterpart, with copies to the Team Leader of both sides.

The Nepalese side also drew attention of the Indian side on the deteriorating condition of the service road. The Indian side assured that the service road would be properly repaired and maintained.

2.1.6 The Kusha-Yudhaganj road repair

The Indian side has been making extensive use of the Kusha-Yudhaganj road in carrying out repair works along the Kosi embankment, which has led to deterioration of the condition of this road. The Nepalese side stated that the road should be repaired and maintained. The Indian side assured that the road would be repaired and maintained.

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2.2 Gandak Project

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

The Indian side stated that there was an increasing trend of encroachment by local people upon the acquired land. The Nepalese side assured that the problem would be taken up with the concern authority in Nepal to remove encroachment.

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

The Nepalese side stated that the natural drainage of the area, which is towards the Little Gandak, is being impeded by MWC and NWGC. The matter was discussed in detail and it was decided to find a suitable solution jointly by Sub-Committee for improving the drainage of the area concerned. The composition of Sub-Committee is given in Annexure III.

The Indian side raised the issue of disposal of debris and sludge in MWC by Koria Sugar Mills at RD 16.08 and the resulting choking of drains and other environmental hazards. The Nepalese side said that it would take up the matter with the concerned authorities to prevent such activity.

2.2.3 Water supplied to Nepal Eastern Canal

The Nepalese side stated that the Nepal Eastern Canal has not been receiving the agreed discharge of 850 cusecs. This issue was raised in the previous meetings also and it was decided in the second meeting of the Committee to jointly verify the discharge using current meters, which, however, could not be carried out. The Indian side stated that the agreed discharge was being supplied. Both the sides agreed that the concerned contact officers would meet and jointly verify the discharge using current meters. It was also agreed that the contact officers would meet and jointly assess the erosion threat of the Urea River to the NEC and adequacy of waterway in the railway bridge by the first week of August 2006. It was also decided that the contact officers would submit the joint report on the findings and recommendations to the Committee Team Leaders.

2.2.4 Maintenance of Service Road and sections of MWC

The Nepalese side informed that the service road on the MWC was in need of repair. The Indian side stated that the service road was maintained and would be maintained regularly in the future.

2.2.5 Maintenance of Design Pond Level at the Head Regulator of Nepal Western Canal

The Nepalese side stated that the pond level of RL 362.00 ft. was not always maintained at the Gandak barrage. The Indian side stated that, except on rare occasions, the design pond level was maintained. The Nepalese side stated that its main concern was to receive the agreed discharge of 300 cusecs in NWC. Both sides agreed that the contact officers would take regular readings of the pond level jointly. The Sub-Committee formed as stipulated in Annexure-III will look at these readings, make field visits and recommend appropriate measures to the Committee Team Leaders to ensure that the agreed discharge of 300 cusecs is supplied.

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2.2.6 Maintenance of full supply level and full supply discharge of Main Western Canal

The Nepalese side stated that the Piparpati distributary offtaking from MWC was not receiving the agreed discharge of 44 cusecs due to non maintenance of full supply level in MWC. The Indian side stated that low discharge was due to siltation of Piparpati distributary. The Committee decided that the Sub-Committee as given in Annexure III would look into the matter and report to the Committee.

2.2.7 Power Tariff for supply of electricity to Treveni Bazaar and other villages in Nepal adjoining the Main Canal.

The issue has been referred to the Indo-Nepal Power Exchange Committee in the second meeting, hence dropped.

2.2.8 Control over discharge laden with silt through the nala adjoining the power house by Nepal

The Indian side stated that silt laden water from the nala adjoining the power house was discharged into MWC and causing danger to it. The Nepalese side stated that this was due to drainage problems in the area and could be resolved by taking steps for better drainage. The committee agreed that the issue would be investigated by the Sub-Committee as constituted in Annexure-III.

2.2.9 Custom duty (Bhansar) on construction materials

The Indian side stated that despite the provision for the exemption of custom duty on import of construction materials for use in maintenance, problems still existed in its smooth implementation. The Nepalese side informed that custom duty had been continuously exempted. However, prior information on such import is required for the timely processing of exemption of duties for the goods to be imported under the provision.

3.0 Establishment

3.1 Salary, allowances and facilities for employees

The Nepalese side stated that the Liaison Officer and Land Acquisition Officer of the Kosi Project and the Liaison cum Land Acquisition Officer of the Gandak Project have not received their salaries, though salary scale has already been proposed to the Indian side by the Nepalese side. In addition, the Nepalese side stated that the junior staff stationed in Valmikinagar of Gandak Project have also not received their salaries. The Indian side said that necessary arrangements had already been made and that the junior staff in the Gandak Project would be receiving their salary soon. However, with regard to the salary of the Liaison and Acquisition officers, the Indian side stated that the basis for fixation of the salary scale with the details of calculations taking into consideration the economic price index of Nepal Rastra Bank would be required. It was agreed that the Nepalese side would provide these details to the GOB Liaison Office in Kathmandu for expediting the salary fixation and payment by the Indian side.

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The Indian side stated that there was an on going exercise to rationalise staff in the Water Resource Department in Government of Bihar. The Indian side proposed that the Committee should examine the staffing pattern at the two Liaison Offices with a view of rationalisation of the staff at these two offices, keeping in view the current needs. The Nepalese side said that it would respond at the next meeting of JCKGP.

3.2 Staff quarter, vehicles and administrative expenditure

The committee discussed the issue and decided to drop the item.

3.3 Reimbursement of administrative expenditure in Kosi Project

The Nepalese side stated that the reimbursement of Rs. 57,39,164.23 due to administrative expenditure incurred on running the Liaison Office of Kosi Project was still pending. The Indian side stated that the documents were very old and their verification would require some more time. The Indian side further stated that the verification would be completed as early as possible.

4.0 Payments

4.1.1 Outstanding compensation of land (Kosi & Gandak Project)

The Nepalese side stated that the compensation rate for the 1,516 bigahas of land, which was eroded in 1961-64 in the Kosi Project had been recently decided and a letter regarding the rate and amount of compensation had been sent to the GOB Liaison Office in Kathmandu. The Indian side was requested to make the compensation amount available as soon as possible. The Indian side requested for the details and the basis of fixation of land compensation rates and the Nepalese side agreed that the details would be made available. The Nepalese side stated that the verification of 4,400 bigahas of land in the Kosi Project eroded in 1965-68 is yet to be completed. The Committee decided that the concerned officials of both countries as decided in the second meeting would meet and recommend measures to resolve the issue and report to the Committee Team Leaders as soon as possible.

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

The Nepalese side stated that the land tax for the Kosi and Gandak Projects was still due. The Indian side informed that the verification of land tax for Gandak Project had already been completed for the period from 1989-90 to 2005-06 and that for Kosi Project was being carried out and payments for both the Projects would be made as soon as possible.

4.2 Flood control & compensation for the damaged crops

This issue was discussed and it was decided to drop the item.

5. Lease of land

This issue was discussed and it was decided to drop the item.

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6. Exemption of custom duty

This issue was discussed and it was decided to drop the item.

7. Restoration work of power canal

The Indian side informed that the restoration of the Kosi Power Canal had already been completed, whereas provision for restoration of Gandak Power Canal had been made.

Both sides reiterated the commitment to hold the meeting of the Committee on a regular basis. It was decided that the fourth meeting of the Committee would be held in India in December 2006 for which the date and venue would be decided through diplomatic channel.

The meeting was held in a cordial and warm atmosphere.

Done at Department of Irrigation, Lalitpur, Nepal on June 06, 2006.

Uma Kant Jha
June 6, 2006

(Uma Kant Jha)
Director General
Department of Irrigation
Government of Nepal

Devi Rajak
06/06/2006

(Devi Rajak)
Engineer-in-Chief
WRD, Government of Bihar
India

**MEMBERS OF 3rd MEETING
OF
THE JOINT COMMITTEE ON KOSI-GANDAK PROJECTS BETWEEN NEPAL & INDIA**

NEPALESE SIDE

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|---|------------------|
| 1. Mr. Umakant Jha
Director General, Department of Irrigation | Chairman |
| 2. Mr. Ajaya Kumar Pokharel
Deputy Director General, Department of Irrigation | Member Secretary |
| 3. Mr. Arjun Kumar Karki
Director, WRID, Pokhara | Member |
| 4. Mr. Khom Raj Dahal
Director, ERID, Biratnagar | Member |
| 5. Under Secretary, Representative of MOFA
Represented by Mr. Suresh Adhikari
Section Officer, MOFA | Member |
| 6. Mr. Keshab Dhoj Adhikari
SDE, Representative of MOWR | Member |
| 7. Mr. Naveen Mangal Joshi
SDE, Representative of WECS | Member |

Special Invitee

1. Mr. Shyam P. Rajbhandari
Deputy Director General, Department of Irrigation
2. Mr. Mahesh B. Pradhan
SDE, Kosi Gandak Unit, DOI
3. Mr. Ram C. Mahato
Division Chief, Kosi Pump Chandranahar IMD No. 2, Rajbiraj, Saptari
4. Mr. Sugambar Yadav
Division Chief, WID Division no. 7, Semari, Nawalparasi
5. Mr. Basistha Raj Adhikari
SDE, DOI
6. Mr. Sashi B. Bisht
Engineer, Kosi Gandak Unit
7. Mr. Mohan Prasad Sangraula
Engineer, Narayani IMD No. 5, Birgunj, Parsa

INDIAN SIDE

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|--|-------------------|
| 1. Mr. Devi Rajak
Engineer-In-Chief, WRD, GOB, Patna | Chairman |
| 2. Chief Engineer, Gandak, Gorakhpur, UP
Represented by Mr. Narsingh
SE, Gandak, Gorakhpur, UP | Member |
| 3. Mr. L.P. Singh
Director, GFCC, Patna | Member |
| 4. Mr. Javed Ashraf
Representative of Embassy of India, Kathmandu | Member |
| 5. Mr. D.K. Singh
Chief Engineer, WRD, Valmikinagar | Member-secretary |
| 6. Chief Engineer, WRD, Birpur
Represented by Mr. Rajesh Kumar
SE, Barrage circle, Birpur | Permanent invitee |

Special Invitee

1. Mr. A.K. Sinha
Liasion Officer, WRD, Govt. of Bihar

MEMBERS OF SUB-COMMITTEE ON KOSI PROJECT**Members from Nepal**

1	Director	Eastern Regional Irrigation Directorate, Biratnagar	Team Leader
2	Division Chief	Irrigation Development Division No. 4, Saptari	Member
3	Division Chief	Irrigation Development Division No. 2, Sunsari	Member
4	Division Chief	Kosi Pump Chandranahar Irrigation Management Div. No.2, Saptari	Member
5	Representative	Department of Irrigation	Member

Members from India

1	Chief Engineer	Water Resources Department, Govt. of Bihar, Birpur	Team Leader
2	Superintending Engineer	Barrage Circle, Birpur	Co-ordinator
3	Executive Engineer	Head Works Division, Birpur	Member
4	Executive Engineer	Eastern Embankment Division, Birpur	Member
5	Director	GFCC, Patna	Member

MEMBERS OF SUB-COMMITTEE ON GANDAK PROJECT

Members form Nepal

1	Director	Western Regional Irrigation Directorate	Co-ordinator
2	SDE	MOWR, Nepal	Member
3	SDE	Department of Irrigation, Kosi Gandak Unit	Member
4	Division Chief	Western Region Irrigation Development Division No. 7	Member

Members from India

1.	Chief Engineer	Water Resources Department, GOB, Valmikinagar	Co-ordinator
2.	Superintending Engineer	Barrage Circle, Valmikinagar	Member
3.	Executive Engineer	Head Works Division, WRD, Valmikinagar	Member
4.	Director	GFCC, Patna	Member
5.	Superintending Engineer	Gandak Irrigation Circle 2, Gorakhpur	Member
6.	Executive Engineer	Irrigation Division No. 2, Maharajganj	Member

Terms of Reference of the Sub-Committee

1. The Sub-Committee shall study and recommend the measures to ensure the delivery of agreed quantity of water for the Nepal Gandak Main Western Canal.
2. The Sub-Committee shall study and recommend the measures to ensure the delivery of agreed quantity of water for the Piparpati distributary.
3. The Sub-Committee shall look into the solutions to flooding/ inundation due to Main Western Canal.
4. The Sub-Committee shall study and recommend the measures to control the discharge loaded with silt through the nala adjoining the power house by Nepal.