

**MINUTES OF THE FIFTH MEETING
OF
THE JOINT COMMITTEE ON THE KOSI AND GANDAK PROJECT
(17-18 June 2010, Kathmandu)**

The fifth meeting of the Joint Committee on Kosi and Gandak Project (JCKGP) was held on 17-18 June 2010 in Kathmandu, Nepal. The Indian Team was led by Mr. Ajay Nayak, Principal Secretary, Water Resources Department, Government of Bihar, India, and the Nepalese Team was led by Mr. Anil Kumar Pokharel, Director General, Department of Irrigation (DoI), Ministry of Irrigation, Government of Nepal. The list of participants in the meeting is given in Annexure-I.

Mr. Pokharel warmly welcomed the Indian delegation. On behalf of Government of Nepal, he thanked Government of India for the effort made for restoration and maintenance of infrastructure of Kosi and Gandak Projects.

Mr. Nayak thanked the Nepalese side for the warm hospitality accorded to the Indian delegation. He expressed his satisfaction on the resolution of many pending issues relating to these two projects which are the symbol of close friendship and cooperation between the two countries. He informed that a significant amount of budgetary allocations have been made at both the central and state levels to undertake various measures to increase the efficiency and usefulness of these projects for both the countries.

Following introduction of the team members of both the sides, the Committee began discussion on the Agenda. The outcome of the discussions is as follows:

1.0 Confirmation of Minutes of the Fourth Meeting held on 2-3 May 2009

The Committee decided that since the minutes are signed by both sides, further confirmation of the minutes in the subsequent meeting is not necessary.

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2.0 Operation & Maintenance Infrastructure

2.1.0 Kosi Project

2.1.1 Security and Protection of Kosi Project Area

The committee expressed its satisfaction on the security arrangements made for the embankments during 2009 monsoon. The Nepalese side informed that similar security arrangements and patrolling would be continued for the safety of embankments lying in Nepalese side during the ensuing monsoon.

The Committee was informed that the regular meetings of the DMs and CDOs are taking place and that they have met five times during this period. They further informed the Committee that security arrangements for the Barrage as well the control room are required to be strengthened.

It was agreed that the Nepalese side would provide security checking of vehicular traffic and pedestrian movement over the barrage on both ends across the barrage in Sunsari and Saptari districts.

In view of the utmost importance of the safety of barrage and its appurtenant structure, the Committee decided that a proper security mechanism must be ensured at the Barrage. For this purpose, a security officer along with adequate security personnel would be assigned by GON. The project authority will ensure adequate lighting arrangement at and around the Barrage. Regarding fishing around the Barrage area, it was agreed that it will be in accordance with the provisions of the Revised Kosi Agreement 1966.

It was decided that the regular meetings of District Magistrate of Supaul (India) and CDOs of Sunsari and Saptari (Nepal) and the SPs of three districts along with concerned engineers would continue as decided in fourth meeting of JCKGP.

2.1.2 Operation & Maintenance of Kosi Project Area

During its fourth meeting, the Committee decided to constitute a Task Group with a mandate to prepare a map of Project area, identify the areas under vegetation and cultivation, and recommend remedial measures for improvement in the river flow. The Task Group could

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not make satisfactory progress. In view of the importance of the work, it is decided to reconstitute the Committee. The composition of the Task Group is appended in Annexure -II. The Task Group was directed to submit its report to the respective team leaders by 15th February 2011.

2.1.3 Royalty/Local levies for supply of construction materials

The Indian side raised the issue of levying of taxes at several points by the local authorities in Nepal on the construction materials used for the operation & maintenance of the Kosi Project. Nepalese side informed that collection of levy would be checked considerably from the coming fiscal year by authorizing DDC/Forest officers. It was decided that a suitable note detailing the issue may be sent to GON through the Embassy of India in Nepal to resolve the matter.

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

The committee discussed the recommendations of the High Level Expert Team (HLET) constituted by the Government of India. The Indian side informed that the short term measures as recommended by the team had already been implemented. Mid-term recommendations have mostly been implemented and remaining are being implemented. It is further noted that the physical model studies at CWPRS, Pune has been completed. The long term measures are also being implemented. Indian side offered to supply the satellite imageries and other related data to GON by e-mail.

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

With regard to the inadequate supply of water in ML10 and ML11 raised by the Nepalese side, it was agreed to jointly verify the discharge and the gauge level by the contact officers of both sides. The report on the observation would be submitted to respective Team Leaders by the end of 2010 Kharif season. However, during the Kharif season of 2010, efforts would be made to maintain full supply of water in the canal.

With regard to the maintenance of the service road of WMC, the Indian side informed that the DPR prepared for the project is in the process of approval.

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2.1.6 The Kusaha Yudhganj Road repair.

The committee noted that the repair work has been completed and decided to drop this agenda.

2.2.0 Gandak Project

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

The Committee set up in the Fourth meeting could not make progress on the issue of unauthorized occupation of Project area by the local Nepalese villagers raised by the Indian side. It was decided to reconstitute the task group (Annexure III) to identify the encroached area and evolve measures to remove the encroachment and suggest remedial measures to prevent recurrence of encroachment. The task group may meet in July/August for the above purpose.

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 Team Leader of the Indian side informed that the Gandak Canal Restoration Scheme to address this issue has been approved by the Planning Commission of India. He further informed that Gandak Canal Restoration Scheme would address all the issues relating operation and maintenance of the canals. The Nepalese side thanked for the effort made by the Government of Bihar and requested to expedite the implementation of the same. Nepalese side further requested the Indian side to provide the project documents including schedule, drawings and specification of the works covered under this project. The Indian side agreed.

The Nepalese side stated that some of the minor drains might not have been included in the Scheme. The Indian side stated that such minor works would be carried out during the implementation of the scheme.

The drainage through the Khajura Nala was discussed. The Indian side informed that adequate measures would be taken to drain the water of Khajura Nala through the Little Gandak.

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2.2.3 Water Supplied to Nepal Eastern Canal

The Indian side informed that the implementation of Gandak Canal Restoration Scheme would lead to the full supply of water to NEC. It was also decided to observe the gauge and the corresponding discharge.

2.2.4 Maintenance of Service Road and sections of MWC

The Indian side informed that the implementation of Gandak Canal Restoration Scheme would address the issue.

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

The Indian side informed that the implementation of the Gandak Canal Restoration Scheme would address the issue. Possible efforts would be made to maintain the required pond level.

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

The Indian side informed that the implementation of the approved Scheme would address the issue.

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

The Indian side informed that the implementation of Gandak Canal Restoration Scheme would address the issue.

3.0 Establishment

3.1 Salary, Allowances and facilities for the employees

The Indian side stated that the staff strength of the liaison and land acquisition offices of Kosi and Gandaki projects is not commensurate with the quantum of work and hence need to be restructured for an effective and efficient functioning of these offices.

In order to address this issue, the task Group constituted by the fourth meeting was reconstituted as appended in Annexure IV. The group is mandated to examine all issues relating to Liaison Office/Land Acquisition Office for Kosi and Gandak Projects and salaries of the staff comprehensively and submit its report by the end of November 2010. The Indian side maintained that till this exercise is completed and a decision taken by this committee on the recommendations, no further appointments are to be made against any position falling vacant as a result of superannuation etc.

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3.2 Reimbursement of Administrative Expenditures in Kosi Project.

Regarding the issue of reimbursement of NRs. 57,39,164.23 due to administrative expenditure incurred on running the Liaison Office of Kosi Project, the Nepalese side would provide the details of expenditure through the diplomatic channel.

4.0 Payments

4.1.1 Outstanding compensation of land (Kosi & Gandak Projects)

The Nepalese side stated that they had forwarded some documents related to the compensation of land eroded by the flood in the past through diplomatic channels. The Indian side noted that a reply was sent to the Government of Nepal after examining these documents. The Indian side requested that response may be expedited.

The Nepalese side informed that additional claims for the compensation have been received.

Both side agreed that all the claims concerning the issues would be examined in totality after receiving the relevant information as requested by the Government of India vide note verbale no Kat/Com/60/2009 dated 6 October 2009.

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

The Indian side informed that land tax for Kosi and Gandak Projects had been paid.

The Nepalese side stated that some land tax amount is still due. The Committee directed the Land Acquisition Officer of Kosi and Gandak from Nepal and Liaison Officer from the GOB to reconcile the accounts.

5.0 Restoration work of power canal

As the issue is no more pertinent, the Committee decided to drop it from the agenda.

6.0 Annual Action Plans for Kosi and Gandak Projects

It has been decided by the Committee to prepare and implement the annual action plan of Kosi and Gandak Projects every year as per existing practice.

The Indian side informed that an expert team of Central Water Commission had examined the status of the Gandak Barrage and the

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structures and had recommended necessary remedial measures. A copy of the report will be sent to the Nepalese side through diplomatic channel within one month.

7.0 Demands made by the Gandak Nadi Sangharsha Samiti

The Indian side stated that the short term technical issues were sorted out last year itself and that the remaining technical issues would be addressed by the Gandak Canal Restoration Scheme. The Indian side reiterated that the socio-economic issues are beyond the mandate of this Committee. Nepalese side may take up these issues at an appropriate forum.

8.0 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 access of men and material is of utmost importance. Due to the Kosi Tappu Wild Life Reserve, this is greatly hampered. They further stressed that the objectives of the Kosi Project take precedence over any other activities in the project area.

The Committee noted with concern the adverse impact of the presence of trees and other vegetation that has come up in the pond area of the Barrage leading to formation of shoals and consequently affecting the flow of the river. The Committee agreed that the project objectives take precedence over any other activities in the project area.

The Nepalese side stated that it would take up the matter with the concerned authority of the Government of Nepal.

9.0 New Items

9.1 Channelization of the Kosi river d/s of Kosi Barrage

Nepalese side raised the issue of channelization of the river d/s of Kosi barrage in front of the barrage gate nos 27 and 28 stating that it may have adverse impact on the Nepalese side.

The Indian side stated that this channel has been excavated to maintain the flow of the river in its central channel as recommended by the model test carried out by CWPRS Pune, and assured that necessary vigilance would be maintained to ensure that it does not have any adverse impact on either side.

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The Committee felt that joint monitoring of works being executed under the recommendations of KHLC and GHLSA should be done at the field level. For this purpose, necessary directions will be issued to the concerned field officers by respective Member Secretaries.

9.2 Regular and proper power supply by Surajpura Power House

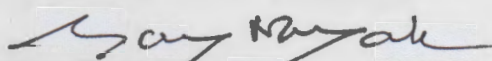
The Indian side stated that the operation of the Gandak Barrage gates is being hindered due to rapid voltage drop in the power supply from Surajpura Power House.

Nepalese side stated that they would examine the cause of sudden power drop and try to resolve it in coordination with the concerned authority.

The Committee decided to hold the next meeting by mid-January, 2011 at Patna, India.

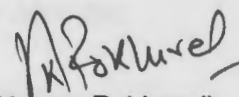
The meeting was held in a cordial and friendly atmosphere.

Signed on 18th June 2010 in Kathmandu, Nepal.



(Ajay Nayak)

Principal Secretary,
Water Resources Department
Government of Bihar, India



(Anil Kumar Pokharel)

Director General,
Department of Irrigation
Government of Nepal

**Fifth meeting of Joint Committee on
Kosi & Gandak Projects
Between Nepal & India
(17-18 JUNE 2010)**

LIST OF PARTICIPANTS (NEPAL)

1. Mr. Anil Kumar Pokharel
Director General, Dept. of Irrigation - Team Leader
2. Mr. Hira Nand Jha
Dy. Director General, DWIDP - Member
3. Mr. Pradip Raj Pande
Director, WRID, Pokhara - Member
4. Mr. Shambhu Pd. Manandhar
Officiating Director, ERID, Biratnagar - Member
5. Mr. Sanjaya Dhungel
S.D.E., Water & Energy Commission Secretariat - Member
6. Mr. Tapas Adhikari
Under Secretary, Ministry of Foreign Affairs - Member
7. Mr. Rameshwor Dangal
Under Secretary, Ministry of Home Affairs - Member
8. Mr. Amrit Shrestha
S.D.E., Ministry of Irrigation - Member
9. Mr. Bimal Sapkota
Section Officer, Ministry of Finance - Member
10. Mr. Sudhir Man Baisyat
Dy. Director General, DOI - Member Secretary

ANNEXURE - I (2/3)

SPECIAL INVITEES (JCKGP, NEPAL)

1. Mr. Shiv Kumar Sharma
Dy. Director General, DOI
2. Mr. Uttam Raj Timilsina
Dy. Director General, DOI
3. Mr. Ram Prasad Ghimire
CDO, Saptari
4. Mr. Ram Pd. Thapaliya
CDO, Sunsari
5. Mr. Tek Raj Jnawali
Asst. CDO, Nawalparasi
6. Mr. Manoj Kumar Yadav
WID Division No.7, Nawalparasi
7. Mr. Bidhya Sagar Mallik
Division Chief, Narayani Irrigation Mgmt. Division, Parsa
9. Mr. Shailendra Kr. Jha
Division Chief, Koshi Pump Chandranahar I.M.D., Saptari
10. Mr. Ashish Bhadra Khanal
S.D.E. Dept. of Irrigation
11. Mr. Ram Das Maskey
S.D.E., Koshi Gandak Unit, DOI
12. Mr. Satya Narayan Bhagat
Liaison Officer, Koshi Project, Biratnagar
13. Mr. Sadrul Alam Ansari
Land Acquisition Officer, Biratnagar

Facilitator

Mr. Madan K.C.
Computer/IT Officer, DOI

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LIST OF PARTICIPANTS (INDIA)

1. Mr. Ajay Nayak
Principal Secretary, WRD, Govt. of Bihar - Team Leader
2. Mr. M.U. Gani
Member (C), GFCC, Patna - Member
3. Mr. H.K. Jain
Counsellor (Commerce), EOI, Kathmandu - Member
4. Mr. G.L. Basak,
Chief Engineer, WRD, Darbhanga - Member
5. Mr. Radha Charan
Chief Engineer (East), U.P. Irrigation Dept., Lucknow - Member
6. Mr. Kishor Kumar
Technical Secretary to Chief Engineer, Birpur - Member
7. Mr. D.K Chaudhary
Chief Engineer, WRD, Valmikinagar - Member Secretary

Special Invitees

1. Mr. Ramesh Kumar Lal
District Magistrate, Bettiah (Bihar)
2. Mr. Kumar Ravi
District Magistrate, Supaul (Bihar)
3. Mr. Indu Bhushan Kumar
Superintending Engineer, Flood Control P. & M. Circle, WRD, Patna
4. Mr. Arun Kumar Sinha
Liaison Officer, WRD, Govt. of Bihar, Kathmandu
5. Mr. Krishna Nand Thakur
Superintending Engineer
Headworks circle, Valmikinagar

Annexure-II

Task Group for preparing map & demarcating the Project Area

Nepalese Side	Indian Side
1) Director, Eastern Regional Irrigation Directorate, Biratnagar	1) Superintending Engineer, Barrage Circle, Birpur
2) Division Chief, Sunsari Division, DoI	2) Executive Engineer, Head works Division, Birpur
3) Division Chief, Maintenance Division, Rajbiraj, DoI	3) Executive Engineer, Eastern Embankment Division, Birpur

Annexure III

**Task Group regarding unauthorized occupation of acquired land on
Gandak Project**

Nepalese Side	Indian Side
1) Director, Western Regional Irrigation Directorate, Pokhara	1) Chief Engineer, Valmikinagar, Nodal Officer
2) Chief District Officer, Nawalparasi	2) District Magistrate, Bettiah
3) Superintendent of Police, Nawalparasi	3) Superintendent of Police, Bagaha

Annexure-IV

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
<p>Kosi Project</p> <ol style="list-style-type: none"> 1) Director, Eastern Regional Irrigation Directorate, Biratnagar 2) Representative, Ministry of Irrigation (Under Secretary) 3) Chief, Kosi Gandak Unit, DoI 4) Liaison Officer, Biratnagar <p>Gandak Project</p> <ol style="list-style-type: none"> 1) Director, Western Regional Irrigation Directorate, Pokhara 2) Representative, Ministry of Irrigation (Under Secretary) 3) Chief, Kosi Gandak Unit, DoI 4) Liaison Officer, Valmikinagar 	<p>Kosi and Gandak Projects</p> <ol style="list-style-type: none"> 1) Shri Ashok Kumar Pd. Joint Secretary (Mgmt.), WRD, GOB, Patna 2) Shri Arun Kumar Sinha, Liaison Officer, GOB, Kathmandu, Nepal