

OFFICE MEMORANDUM

Subject: Constitution of Supervisory Committee on Mullaperiyar Dam to implement the Judgement dated 7th May, 2014 of Hon'ble Supreme Court- reg.

In compliance to the Hon'ble Supreme Court Judgement dated 7.5.2014 in the matter of in Original Suit No. 3 of 2006 in the case of State of Tamil Nadu Vs. State of Kerala & Anr. on Mullaperiyar Dam issue, a three member Supervisory Committee with the following composition is constituted:

- (a) Chief Engineer, Dam Safety Organisation (DSO), Central Water Commission (CWC), Chairman ex-officio (Shri L.A.V. Nathan, Chief Engineer, DSO (CWC))
- (b) Principal Secretary, Public Works Department, State Government of Tamil Nadu, Member ex-officio (Dr. M. Sai Kumar, Principal Secretary, State Government of Tamil Nadu)
- (c) Additional Chief Secretary, Water Resources Department, Government of Kerala, Member ex-officio (Shri. V.J. Kurian, Additional Chief Secretary, Government of Kerala)

This Committee has been constituted on the basis of the nominations received from the Central Water Commission (CWC) and the State Governments concerned.

2. POWERS AND FUNCTIONS OF THE COMMITTEE AS LAID DOWN BY HON'BLE COURT ARE:-

- i) The Committee shall supervise the restoration of FRL in the Mullaperiyar Dam to the elevation of 142 ft.
- ii) The Committee shall inspect the dam periodically, more particularly, immediately before the monsoon and during the monsoon and keep close watch on its safety and recommend measures which are necessary. Such measures shall be carried out by Tamil Nadu.
- iii) The Committee shall be free to take appropriate steps and issue necessary directions to the two States – Tamil Nadu and Kerala – or any of them if so required for the safety of the Mullaperiyar Dam in an emergent situation. Such directions shall be obeyed by all concerned.
- iv) The Committee shall permit Tamil Nadu to carry out further precautionary measures that may become necessary upon its periodic inspection of the dam in accordance with the guidelines of the Central Water Commission and Dam Safety Organization.

3. MEETINGS OF THE COMMITTEE:

- (i) The Committee shall meet as and when necessary. The Committee shall follow its own procedure while conducting the Meeting.

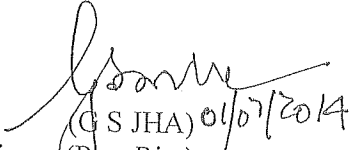
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- (ii) Decision shall ordinarily be by consensus. If no consensus is reached, the decision may be left to the Chairperson.
4. SUPPORT AND INFORMATION TO THE COMMITTEE:
- a) All the reports of the Expert bodies as well as the status reports whichever were filed, before the Hon'ble Supreme Court during the pendency of Original Suit No. 3 of 2006, shall be made available to the Committee for its use.
 - b) Governments of Tamil Nadu and Kerala shall provide necessary support and information to enable the Committee to implement the directions contained in the Order dated 7.5.2014 of the Hon'ble Supreme Court.
 - c) All data required/as decided for the smooth functioning of the Committee from the respective member States shall be made available to the Committee as per format, frequency and mode of transmission as may be decided by the Committee. In case of emergent situation, all data/inputs as desired by Chairman/Head. of Office shall be made available by member States/CWC on urgent basis.
 - d) The Committee may seek help from CWC and/or any other State/ Central Agencies to undertake its assigned functions.
5. CONDUCT OF BUSINESS: The Committee shall follow its own procedure for conducting of its business.
6. OFFICE OF THE COMMITTEE: The Supervisory Committee will have its office at Dam Site/Thekkady, Kerala which shall be provided by the State Government of Kerala.
7. FINANCIAL PROVISIONS:
- a. Tamil Nadu shall bear the entire expenditure of the Committee.
 - b. Government of Tamil Nadu will work out the modalities for booking expenses of the Committee in consultation with CWC and Government of Kerala.
 - c. Salaries of the Officer/representative of CWC and Government of Kerala shall be charged under their respective Office/Budgetary Heads.
 - d. The expenditure made on travelling expenses, rent receipts and office use items/requirements for discharging duties of the Committee will be borne by State Government of Tamil Nadu.
 - e. Other expenses by officials will be borne by the respective Government office, as per their entitlement under relevant rules.

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- f. Accounts of the Committee shall be maintained and audited in such manner as may be notified by the Central Government, in consultation with the Comptroller and Auditor General of India, in this behalf.


(G S JHA) 01/07/2014
Commissioner (Pen. Riv.)
Tel. 011-23382256 (office)

To

1. Chairman, Central Water Commission, Sewa Bhavan, R.K. Puram, New Delhi.
2. Dr. M. Sai Kumar, Principal Secretary, Public Works Department, Government of Tamil Nadu, Chennai.
3. Shri. V.J. Kurian, Additional Chief Secretary, Water Resources Department, Government of Kerala, Thiruvanthapuram.

Copy for favour of information to:

- a) PS to Hon'ble Minister (WR, RD & GR), Ministry of Water Resources, River Development and Ganga Rejuvenation
- b) PS to MoS (WR, RD & GR) Ministry of Water Resources, River Development and Ganga Rejuvenation
- c) Sr.PPS to Secretary (WR) Ministry of Water Resources, River Development and Ganga Rejuvenation
- d) PS to Additional Secretary, Ministry of Water Resources, River Development and Ganga Rejuvenation
- e) PS to JS(PP), Ministry of Water Resources, River Development and Ganga Rejuvenation
- f) PS to JS&FA, Ministry of Water Resources, River Development and Ganga Rejuvenation
- ✓g) NIC, MOWR, RD & GR with a request to upload this order on the Ministry's website
- h) Guard File.