



**TATHASTU**  
Institute of Civil Services

# **DAILY CURRENT AFFAIRS**



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53/1, Upper Ground Floor, Bada Bazar Road, Old Rajinder Nagar, New Delhi -110060

[www.tathastuics.com](http://www.tathastuics.com)

9560300770, 9560300554

[enquiry@tathastuics.com](mailto:enquiry@tathastuics.com)



S.NO.	TOPIC
1.	SUTLEJ-YAMUNA LINK CANAL
2.	UNIFORM ANTI-TERRORISM STRUCTURE UNDER NIA

## SUTLEJ-YAMUNA LINK CANAL

SOURCE: [TH](#)

### WHY IN NEWS?

SC has directed the Centre to conduct a survey of land allocated for the canal's construction; Punjab Cabinet says State has no water to share.

### SYL ISSUE:

#### SYL CANAL PROPOSAL:

- The Sulej Yamuna Link Canal (SYL Canal) is a proposed canal project spanning 211 kilometres, designed to connect the Sulej and Yamuna rivers.
- The concept for this canal was formulated in 1966 when Haryana was established as a separate state from Punjab. Of the total length, 121 km of the canal was planned in Punjab, with the remaining 90 km falling within Haryana.

#### PROJECT PROGRESS:

- Haryana successfully completed the canal construction within its territory by June 1980. However, construction in Punjab faced disruptions due to protests within the state, despite commencing in 1982.

#### KEY EVENTS:

- In 1982, the then Prime Minister Indira Gandhi inaugurated the SYL Canal project with a groundbreaking ceremony in Kapoori village, Patiala district.
- In July 1985, an accord was signed between Prime Minister Rajiv Gandhi and the Akali Dal chief to establish a new tribunal for assessing the water-sharing matter.
- In 1996, Haryana approached the Supreme Court, seeking directives for Punjab to complete the SYL Canal.
- In both 2002 and 2004, the Supreme Court instructed Punjab to finish the canal construction within its territory.
- In 2004, the Punjab State Assembly passed the Punjab Termination of Agreements Act, which terminated its water-sharing agreements.
- The President referred the 2004 Act to the Supreme Court for its opinion under Article 143(1) of the Constitution. The court declared the 2004 law as "unconstitutional."

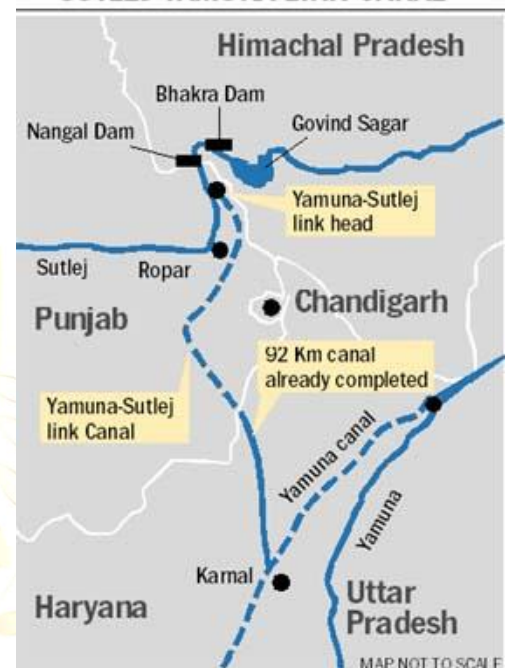
#### SUPREME COURT'S VERDICT ON THE 2004 ACT:

- The Supreme Court invalidated the Punjab Termination of Water Agreements Act, 2004, which unilaterally allowed Punjab to cease sharing Ravi and Beas River waters with other states.
- Since then, the SYL Canal issue has remained a contentious matter between Haryana and Punjab.

#### RECENT DEVELOPMENTS:

- **PUNJAB CABINET'S STAND:** Punjab's cabinet expressed that the state lacks extra water to share with Haryana, making the construction of the SYL canal irrelevant. They emphasized the need for reassessing water availability following international standards.

### SUTLEJ-YAMUNA LINK CANAL





- **GROUNDWATER SITUATION:** Punjab pointed out that 76.5% of its blocks (117 out of 153) have over-exploited groundwater, exceeding 100% extraction. In contrast, Haryana has 61.5% over-exploited blocks (88 out of 143).
- **HARYANA'S REQUEST:** Haryana's Chief Minister urged Punjab to adhere to the Supreme Court's directives regarding the SYL canal construction.

STATE	ARGUMENTS
PUNJAB	<ul style="list-style-type: none"><li>▪ Drying of the state: A state government study found that many areas in Punjab may go dry after 2029.</li><li>▪ Over-exploitation of groundwater for irrigation to fill granaries of the Centre by growing wheat and paddy.</li><li>▪ Water in about 79% of the state's area is over-exploited.</li></ul>
HARYANA	<ul style="list-style-type: none"><li>▪ Water for irrigation: Haryana has been staking claim to the Ravi-Beas waters through the SYL Canal on the plea that providing water for irrigation was a tough task for the state.</li><li>▪ Drinking water problem in southern parts where underground water had depleted up to 1700 feet.</li><li>▪ Contribution to the central food pool and being denied its rightful share in the water as assessed by a tribunal.</li></ul>

#### MECHANISM FOR RESOLVING INTER-STATE RIVER WATER DISPUTES:

- The resolution of water disputes between states is governed by the **Inter-State River Water Disputes Act, 1956.**
- Under this act, if a state government requests intervention in a water dispute and the central government determines that negotiations won't resolve it, a Water Disputes Tribunal is established to adjudicate the matter.
- In 2002, the act was amended to incorporate key recommendations from the **Sarkaria Commission.** The amendments introduced a one-year timeline for setting up the water disputes tribunal and a three-year timeline for reaching a decision.

#### ACTIVE RIVER WATER DISPUTE TRIBUNALS IN INDIA

- Krishna Water Disputes Tribunal II (2004): Covers Karnataka, Telangana, Andhra Pradesh, and Maharashtra.
- Mahanadi Water Disputes Tribunal (2018): Involves Odisha and Chhattisgarh.
- Mahadayi Water Disputes Tribunal (2010): Pertains to Goa, Karnataka, and Maharashtra.
- Ravi & Beas Water Tribunal (1986): Addresses the concerns of Punjab, Haryana, and Rajasthan.
- Vansadhara Water Disputes Tribunal (2010): Concerns Andhra Pradesh and Odisha.

#### CHALLENGES WITH INTERSTATE WATER DISPUTE TRIBUNALS:

1. **Lengthy Proceedings:** Interstate water dispute tribunals often face protracted proceedings and significant delays in resolving disputes.
2. **Example of Delay:** For instance, in the case of the Godavari water dispute, the request was initiated in 1962, but the tribunal was constituted in 1968. The final award was issued in 1979 and published in the Gazette in 1980.
3. **Cauvery Water Dispute:** The Cauvery Water Disputes Tribunal, established in 1990, issued its final award only in 2007.
4. **Lack of Transparency:** The institutional framework and guidelines governing these proceedings can be opaque, and ensuring compliance can be challenging.



5. **Legal Recourse:** Although the tribunal's award is considered final and beyond the jurisdiction of courts, states can still approach the Supreme Court under Article 136 (Special Leave Petition) or Article 32 by linking the issue with the violation of Article 21 (Right to Life).
6. **Limited Composition:** These tribunals often lack multidisciplinary composition, typically consisting of individuals solely from the judiciary.

#### WAY FORWARD:

1. **Compliance with Court Orders:** Ensure that both states comply with the orders and decisions of the Supreme Court regarding the SYL Canal issue.
2. **Water Conservation Measures:** Promote water conservation and efficient water management practices in both states to reduce the dependence on inter-state water resources.
3. **Redefine Water Allocation:** Reevaluate and redefine the allocation of water resources based on current needs, considering the changing groundwater and surface water levels.

#### CONSTITUTIONAL PROVISIONS FOR RIVER WATER SHARING IN INDIA

- ❖ **State Subject - Entry 17:** Water-related matters, such as water supplies, irrigation, canals, drainage, embankments, water storage, and water power, are under the jurisdiction of the states. This is in accordance with Entry 17 of the State List. However, this authority is subject to the provisions of Entry 56 in List 1.
- ❖ **Union List - Entry 56:** Entry 56 in the Union List empowers the Union Government to regulate and develop inter-state rivers and river valleys.
- ❖ **Article 262:** Article 262 of the Constitution grants Parliament the authority to pass laws for the adjudication of disputes or complaints related to the use, distribution, or control of waters within inter-state rivers or river valleys.
- ❖ **Article 143(1):** Under Article 143(1), the President has the power to seek the opinion of the Supreme Court on a question of law or fact that has arisen or is likely to arise, and is of such public importance that obtaining the Supreme Court's opinion is deemed expedient. The Supreme Court, after due consideration, provides its opinion to the President.



## UNIFORM ANTI-TERRORISM STRUCTURE UNDER NIA

SOURCE: [TH](#)

### WHY IN NEWS?

The Union Home minister emphasized the need for a consistent counter-terrorism framework to be established under the National Investigation Agency (NIA) in all states, alongside a resolute approach.

### KEY RECOMMENDATIONS:

1. Standardizing the hierarchy, structure, and investigation procedures of anti-terrorism agencies in every state is crucial to enhance coordination between Central and State agencies.
2. Both Central and State agencies should employ multidimensional approaches and utilize Artificial Intelligence-based techniques to effectively combat terrorism by harnessing databases.

### LEGISLATIVE MEASURES TO COMBAT TERRORISM:

1. **Unlawful Activities (Prevention) Act, 1967:** This law empowers law enforcement agencies to take action against individuals and organizations involved in unlawful activities, including terrorism.
2. **Terrorist and Disruptive Activities (Prevention) Act, 1987:** TADA, introduced in 1987, imposed stringent measures specifically targeting terrorism. However, it generated controversy and lapsed in 1995.
3. **Prevention of Terrorism Act, 2002:** In response to rising terrorism, POTA was enacted in 2002, granting law enforcement agencies broader powers. It was repealed in 2004 due to concerns about human rights violations.
4. **The National Investigation Agency Act, 2008:** Established in 2008, the NIA operates at the central level and focuses on counter-terrorism activities.
5. **Anti-Hijacking Act, 2016:** This law was passed recently to prevent aircraft hijackings.

### LAW ENFORCEMENT AGENCIES

1. **National Investigation Agency (NIA):** Established in 2009 under the NIA Act of 2008, NIA conducts investigations related to terrorism with national implications, collaborating closely with other central and state agencies.
2. **Intelligence Bureau (IB):** IB is India's intelligence agency, responsible for collecting and analysing intelligence related to terrorism and sharing it with law enforcement agencies.
3. **Research and Analysis Wing (RAW):** RAW, founded in 1968, primarily focuses on gathering external intelligence to identify potential threats.
4. **Police Forces:** State-level Special Task Forces (STFs) and central paramilitary forces like CRPF, BSF, and CISF actively participate in counter-terrorism operations, coordinating their efforts.
5. **Financial Intelligence Unit (FIU-IND):** Operating under the Ministry of Finance, FIU-IND collects information on suspicious financial transactions, investigates money laundering cases, and traces the funding sources of terrorist organizations.

### CHALLENGES IN COUNTERING TERRORISM:

#### TERROR FUNDING:

- Limited understanding of Money Laundering/Terror Funding (ML/TF) threats and risks.
- Inadequate identification, assessment, and mitigation of ML/FT risks.

#### OUTDATED DATA ANALYTICS:

- Conventional risk assessment tools lack the capability to analyse large-scale data, restricting the potential for correlations and in-depth risk analysis.

#### OTHER FACTORS:



- Insufficient coordination among international organizations and the burden of complex legislations.
- Weaknesses in national regulatory frameworks.
- Informal cross-border asset transfers and movements.
- High implementation costs of the risk-based approach for private non-state actors, both financial and non-financial institutions.

**WAY FORWARD:**

**COUNTER TERROR FINANCING:**

- Effective, sustained efforts to counter terror financing are crucial in combating terrorism.

**COOPERATION:**

- Coordination of normative efforts at the UN should involve collaboration with entities like the FATF and the Egmont Group.
- International cooperation and coordinated actions against terrorists, their sponsors, and support structures are vital to defeat terrorism.

**TRANSPARENCY:**

- Ensuring the Security Council sanctions regime functions effectively and transparently, without being compromised for political reasons.

**COMPREHENSIVE CONVENTION ON INTERNATIONAL TERRORISM (CCIT):**

- CCIT aims to establish a universal terrorism definition for adoption by all UN General Assembly members in their criminal laws.
- It seeks to ban all terrorist groups, prosecute terrorists under special laws, and make cross-border terrorism an extraditable offense worldwide.
- India proposed a draft CCIT document at the UN in 1986, but its adoption by the UNGA is pending.





## **NATIONAL INVESTIGATION AGENCY (NIA):**

### **ABOUT NIA:**

- NIA is a federal agency of the Indian government tasked with investigating and prosecuting crimes related to terrorism, insurgency, and national security.
- Federal agencies typically have jurisdiction over matters that impact the entire nation, rather than individual states or provinces.
- Established in 2009 following the 2008 Mumbai terrorist attacks, it operates under the Ministry of Home Affairs.
- The National Investigation Agency (Amendment) Act, 2019, amends the NIA Act, 2008.
- NIA has the authority to take over investigations of terrorism-related cases from state police forces and other agencies. It can also investigate cases across state boundaries without state government permission.

### **FUNCTIONS:**

- Collecting, analyzing, and disseminating intelligence concerning terrorism and national security.
- Coordinating with law enforcement agencies nationally and internationally on terrorism and national security matters.
- Conducting capacity-building programs for law enforcement agencies and stakeholders.

### **INVESTIGATION:**

NIA initiates investigations in several ways:

- State governments can refer scheduled offense cases to the Central government for NIA investigation under Section 6 of the NIA Act 2008.
- The Central government can direct NIA to investigate a scheduled offense, whether within or outside India.
- For prosecuting accused under the UAPA and certain scheduled offenses, NIA seeks the Central government's sanction.
- There's a specialized cell for Left Wing Extremism (LWE) cases related to terror financing.
- During investigations of scheduled offenses, NIA can also probe connected offenses.
- Cases are presented before the NIA Special Court after investigation.

### **CHANGES UNDER NIA (AMENDMENT) ACT 2019:**

#### **Offenses Outside India:**

- NIA can now investigate crimes committed outside India, following international treaties and involved countries' laws.
- The Central Government can instruct NIA to investigate such cases under its jurisdiction.

#### **Widened Scope of the Law:**

- NIA can investigate crimes listed in the Schedule of the NIA Act.
- The Schedule originally included offenses like The Atomic Energy Act, 1962, The Unlawful Activities (Prevention) Act, 1967, and The Anti-Hijacking Act, 1982.
- The amendment allows NIA to investigate cases related to human trafficking, counterfeit currency, prohibited arms, cyber-terrorism, and crimes under the Explosive Substances Act, 1908.

#### **Special Courts:**

- Special Courts, designated under the 2008 Act, try cases under the Act.
- The 2019 amendment permits the central government to designate Sessions Courts as Special Courts for trying Scheduled Offenses.
- The Chief Justice of the relevant High Court must be consulted before designation.
- State governments can also designate Sessions Courts as Special Courts for trying scheduled offenses.