

## Mullaperiyar: TN not bothered about safety of 111 years old dam

The Water Resource minister of Kerala has urged the Tamil Nadu govt to give up its demand for increasing the water level in the 111 year old dam (built by British Engineer Colonel John Penny Quick, possibly the oldest dam of its size in Asia) from 136 ft to 142 ft (original designed water level was 152 ft and designed storage 15 700 mcft). After a visit to the dam site on Aug 6, he said that there was enough evidence to show that the dam was getting weaker by the day, causing concern to the 30 lakh people living in Idukki, Kottayam, Ernakulam, Pathanamthitta and Alappuzha. If Mullaperiyar dam fails, it would also pose threat to a number of downstream dams in Kerala, including the Idukki dam. Minister has also sought hike in the lease amount on water being used by TN, as TN earned Rs 17 crore from cultivation using the irrigation water from the dam. Under the agreement, the lease amount of Rs 30 acre is subject to revision every 30 years.

The Supreme Court had earlier in Feb '06 rejected the Kerala govt's review petition against the court's verdict allowing raising of the water level in the dam to 142 ft after taking certain steps. Kerala is now considering filing a curative petition. Kerala water resources minister suggested that one option could be construct a new dam in place of the old dam. This was also the LDF promise in Kerala during the recent assembly elections. Following an all party delegation from Kerala meeting the Prime Minister on Aug 31, the PMO is reported to be trying to solve the 25 year old dispute between TN & Kerala. A lease agreement valid for 999 years was signed between the Maharajah of Travancore and the British ruled Madras govt on Oct 29, 1886.

The live storage at 152 ft height is 10 600 mcft as the dead storage at 104 ft is 5100 mcft. After power generation, water let out into a small river called Vairavanar near Bodi in Theni district, which joins the Vaigai river to irrigate 1.5 lakh acres of first crop and 60 000 acres of second crop in the Cumbum valley and Periyar-Vaigai region. A decision was taken in 1979 to reduce the water storage behind the dam (managed by TN) to 136 ft following concerns of safety of the dam. At 136 ft, the irrigation potential is 70 000 acres.

**Kerala Dam Safety Authority** Kerala govt would seek the services of constitutional experts to handle the case filed by the Tamil Nadu questioning the validity the Kerala Irrigation and Water Conservation (Amendment) Act 2006, passed by the Kerala Assembly earlier this year. Under the Act, decisions on dam safety and adjusting the water level in the dams were vested with the Dam Safety Authority. Members of the Kerala Dam Safety Authority (KDSA) have advised reduction of the water level to 136 ft. The Kerala Dam Safety Authority would discuss all options including decommissioning of the dam. Members of the Kerala Dam Safety Authority, after an inspection of the dam on Aug 20, decided to have a 10 day joint inspection along with TN officials. It has been decided to ask all three parties involved in the earlier inspection - the Water Resource Dept, the Centre for Earth Science Studies and the Kerala State Electricity Board to prepare separate reports for further discussion. TN had decided not to allow Kerala officials to monitor the dam continuously for ten days. Kerala retaliated by saying that the dam was on Kerala land given on 999 year lease to TN and TN's decision to deny permission to Kerala officials to inspect the dam could lead to Kerala considering other options including cancellation of lease. Kerala minister said that invalidation of the lease was possible under section 108 (m) of the Transfer of Property Act. Kerala govt has put the TN govt on notice after Kerala officials were refused permission to inspect the dam by TN govt.

TN has filed a suit in the Supreme Court, demanding that the Kerala Act of 2006 should be declared illegal and unenforceable. It said that the dam was important for irrigation in 0.8 lakh ha in TN districts of Theni, Dindigul, Madurai, Virudhanagar, Sivaganga and Ramanathapuram.

Meanwhile, two members of the KDSA belonging to the opposition parties resigned from the Authority so that state govt can present a strong position on the issue. Former water resources minister of Kerala, while writing to the Kerala CM about the resignations, said that he wanted the state govt to exercise its powers under the sections 57, 58, 62(a), 62(b) and 68 of the amended Irrigation and Water Conservation Act. The act has provisions to include dams that are above 40 years old under scheduled dams and decommission them if necessary. The law had declared 22 old dams as scheduled dams.

**Dam in weak zone** Centre for Earth Science Studies in their study have earlier reported that the dam is in the weak zone and there are possibilities of earth quakes of magnitude higher than six in Richter scale. According to a study commissioned by the govt, the dam will not withstand an earthquake of such magnitude with its epicentre nearby. On Aug 18 there was a tremor of 2.1 on the Richter scale with its epicentre 17 km from the dam site. On Aug 20 the govt asked the Dam Safety Authority to visit the dam site in 48 hours to assess the condition of the dam after the earth quake.

After a visit to the dam on Sept 2, the Kerala Revenue minister announced that a disaster management plan will be made involving the gram panchayats, non govt organisations and others. On Sept 15, Kerala Forest minister

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suggested that an Environment Impact Assessment of increasing water level behind the dam to 142 ft should be done as the increased water level would submerge over 600 ha of Periyar Tiger Reserve.

An all party meeting in TN on Oct 23 suggested that talks on the issue can held with Kerala under center's leadership if Kerala agrees to increase the water level behind the Dam. Kerala CM on Oct 24 rejected any condition for talks.

SANDRP