

**AGREEMENT BETWEEN THE GOVERNMENT OF THE
PEOPLE'S REPUBLIC OF BANGLADESH AND THE GOVERNMENT
OF THE REPUBLIC OF INDIA ON SHARING
OF THE GANGES WATERS AT
FARAKKA AND ON AUGMENTING
ITS FLOWS**

THE GOVERNMENT OF THE PEOPLE'S REPUBLIC OF BANGLADESH AND THE GOVERNMENT OF THE REPUBLIC OF INDIA,

DETERMINED to promote and strengthen their relations of friendship and good neighbourliness,

INSPIRED by the common desire of promoting the well-being of their peoples,

BEING desirous of sharing by mutual agreement the waters of the international rivers flowing through the territories of the two countries and of making the optimum utilisation of the water resources of their region by joint efforts,

RECOGNISING that the need of making an interim arrangement for sharing of the Ganges waters at Farakka in a spirit of mutual accommodation and the need for a solution of the long-term problem of augmenting the flows of the Ganges are in the mutual interests of the peoples of the two countries,

BEING desirous of finding a fair solution of the question before them, without affecting the rights and entitlements of either country other than those covered by this Agreement, or establishing any general principles of law or precedent,

HAVE AGREED AS FOLLOWS:

A. Arrangements for sharing of the Waters of the Ganges at Farakka.

ARTICLE I

The quantum of waters agreed to be released by India to Bangladesh will be at Farakka.

ARTICLE II

- (i) The sharing between Bangladesh and India of the Ganges waters at Farakka from the 1st January to the 31st May every year will be with reference to the quantum shown in column 2 of the Schedule annexed hereto which is based on 75 percent availability calculated from the recorded flows of the Ganges at Farakka from 1948 to 1973.
- (ii) India shall release to Bangladesh waters by 10-day periods in quantum shown in column 4 of the Schedule:

Provided that if the actual availability at Farakka of the Ganges waters during a 10-day period is higher or lower than the quantum shown in column 2 of the Schedule it shall be shared in the proportion applicable to that period;

Provided further that if during a particular 10-day period, the Ganges flows at Farakka come down to such a level that the share of Bangladesh is lower than 80 percent of the value shown in column 4, the release of waters to Bangladesh during that 10-day period shall not fall below 80 percent of the value shown in column 4.

ARTICLE III

The waters released to Bangladesh at Farakka under Article I shall not be reduced below Farakka except for reasonable uses of waters, not exceeding 200 cusecs, by India between Farakka and the point on the Ganges where both its banks are in Bangladesh.

ARTICLE IV

A Committee consisting of the representatives nominated by the two Governments (hereinafter called the Joint Committee) shall be constituted. The Joint Committee shall set up suitable teams at Farakka and Hardinge Bridge to observe and record at Farakka the daily flows below Farakka Barrage and in the Feeder Canal, as well as at Hardinge Bridge.

ARTICLE V

The Joint Committee shall decide its own procedure and method of functioning.

ARTICLE VI

The Joint Committee shall submit to the two Governments all data collected by it and shall also submit a yearly report to both the Governments.

ARTICLE VII

The Joint Committee shall be responsible for implementing the arrangements contained in this part of the Agreement and examining any difficulty arising out of the implementation of the above arrangements and of the operation of Farakka Barrage. Any difference or dispute arising in this regard, if not resolved by the Joint Committee, shall be referred to a panel of an equal number of Bangladeshi and Indian experts nominated by the two Governments. If the difference or dispute still remains unresolved, it shall be referred to the two Governments which shall meet urgently at the appropriate level to resolve it by mutual discussion and failing that by such other arrangement as they may mutually agree upon.

B. Long-Term Arrangements

ARTICLE VIII

The two Governments recognise the need to cooperate with each other in finding a solution to the long-term problem of augmenting the flows of the Ganges during the dry season.

ARTICLE IX

The Indo-Bangladesh Joint Rivers Commission established by the two Governments in 1972

shall carry out investigation and study of schemes relating to the augmentation of the dry season flows of the Ganges, proposed or to be proposed by either Government with a view to finding a solution which is economical and feasible. It shall submit its recommendations to the two Governments within a period of three years.

ARTICLE X

The two Governments shall consider and agree upon a scheme or schemes, taking into account the recommendations of the Joint Rivers Commission, and take necessary measures to implement it or them as speedily as possible.

ARTICLE XI

Any difficulty, difference or dispute arising from or with regard to this part of the Agreement, if not resolved by the Joint Rivers Commission, shall be referred to the two Governments which shall meet urgently at the appropriate level to resolve it by mutual discussion.

C. Review and Duration

ARTICLE XII

The provisions of this Agreement will be implemented by both parties in good faith. During the period for which the Agreement continues to be in force in accordance with Article XV of the Agreement, the quantum of waters agreed to be released to Bangladesh at Farakka in accordance with this Agreement shall not be reduced.

ARTICLE XIII

The Agreement will be reviewed by the two Governments at the expiry of three years from the date of coming into force of this Agreement. Further reviews shall take place six months before the expiry of this Agreement or as may be agreed upon between the two Governments.

ARTICLE XIV

The review or reviews referred to in Article XIII shall entail consideration of the working, impact, implementation and progress of the arrangements contained in parts A and B of this Agreement.

ARTICLE XV

This Agreement shall enter into force upon signature and shall remain in force for a period of 5 years from the date of its coming into force. It may be extended further for a specified period by mutual agreement in the light of the review or reviews referred to in Article XIII.

IN WITNESS WHEREOF the undersigned, being duly authorised thereto by the respective Governments, have signed this Agreement.

Done in duplicate at Dacca on the 5th November, 1977 in the Bengali, Hindi and English languages. In the event of any conflict between the texts, the English text shall prevail.

Sd/-

REAR ADMIRAL MUSHARRAF HUSAIN KHAN,
*Chief of Naval Staff and
Member, President's Council of Advisers
in-charge of the Ministry of Communications,
Flood Control, Water Resources and Power,
Government of the People's Republic of
Bangladesh.*

FOR THE GOVERNMENT OF THE PEOPLE'S
REPUBLIC OF BANGLADESH.

Sd/-

SURJIT SINGH BARNALA

*Minister for Agriculture and
Irrigation, Government of the
Republic of India.*

FOR THE GOVERNMENT OF
THE REPUBLIC OF INDIA.

SCHEDULE

[Vide Article II (i)]

Sharing of waters at Farakka between the 1st January and the 31st May every year

Period	Flows reaching Farakka (based on 75% availability from observed data (1948-73))	Withdrawal by India at Farakka	Release to Bangladesh
1	2	3	4
	Cusecs	Cusecs	Cusecs
January	1—10	98,500	40,000
	11—20	89,750	38,500
	21—31	82,500	35,000
February	1—10	79,250	33,000
	11—20	74,000	31,500
	21—28/29	70,000	30,750
March	1—10	65,250	26,750
	11—20	63,500	25,500
	21—31	61,000	25,000
April	1—10	59,000	24,000
	11—20	55,500	20,750
	21—30	55,000	20,500
May	1—10	56,500	21,500
	11—20	59,250	24,000
	21—31	65,500	26,750