

**No. 794**

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**INDIA  
and  
PAKISTAN**

**Inter-Dominion Agreement on the canal water dispute  
between East and West Punjab. Signed at New Delhi,  
on 4 May 1948**

*Official text : English.*

*Registered by India on 10 May 1950.*

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**INDE  
et  
PAKISTAN**

**Accord intergouvernemental relatif au différend entre le  
Pendjab occidental et le Pendjab oriental au sujet des  
eaux de certains canaux. Signé à New-Delhi, le 4 mai 1948**

*Texte officiel anglais.*

*Enregistré par l'Inde le 10 mai 1950.*

**No. 794. INTER-DOMINION AGREEMENT<sup>1</sup>, BETWEEN THE GOVERNMENT OF INDIA AND THE GOVERNMENT OF PAKISTAN, ON THE CANAL WATER DISPUTE BETWEEN EAST AND WEST PUNJAB. SIGNED AT NEW DELHI, ON 4 MAY 1948**

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A dispute has arisen between the East and West Punjab Governments regarding the supply by East Punjab of water to the Central Bari Doab and the Depalpur canals in West Punjab. The contention of the East Punjab Government is that under the Punjab Partition (Apportionment of Assets and Liabilities) Order, 1947, and the Arbitral Award the proprietary rights in the waters of the rivers in East Punjab vest wholly in the East Punjab Government and that the West Punjab Government cannot claim any share of these waters as a right. The West Punjab Government disputes this contention, its view being that the point has conclusively been decided in its favour by implication by the Arbitral Award and that in accordance with international law and equity, West Punjab has a right to the waters of the East Punjab rivers.

2. The East Punjab Government has revived the flow of water into these canals on certain conditions of which two are disputed by West Punjab. One, which arises out of the contention in paragraph 1, is the right to the levy of seigniorage charges for water and the other is the question of the capital cost of the Madhopur Head Works and carrier channels to be taken into account.

3. The East and West Punjab Governments are anxious that this question should be settled in a spirit of goodwill and friendship. Without prejudice to its legal rights in the matter the East Punjab Government has assured the West Punjab Government that it has no intention suddenly to withhold water from West Punjab without giving it time to tap alternative sources. The West Punjab Government on its part recognises the natural anxiety of the East Punjab Government to discharge the obligations

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<sup>1</sup> Came into force on 4 May 1948 by signature.

to develop areas where water is scarce and which were under-developed in relation to parts of West Punjab.

4. Apart, therefore, from the question of law involved, the Governments are anxious to approach the problem in a practical spirit on the basis of the East Punjab Government progressively diminishing its supply to these canals in order to give reasonable time to enable the West Punjab Government to tap alternative sources.

5. The West Punjab Government has agreed to deposit immediately in the Reserve Bank such *ad hoc* sum as may be specified by the Prime Minister of India. Out of this sum, that Government agrees to the immediate transfer to East Punjab Government of sums over which there is no dispute.

6. After an examination by each party of the legal issues, of the method of estimating the cost of water to be supplied by the East Punjab Government and of the technical survey of water resources and the means of using them for supply to these canals, the two Governments agree that further meetings between their representatives should take place.

7. The Dominion Governments of India and Pakistan accept the above terms and express the hope that a friendly solution will be reached.

(Signed)

JAWAHARLAL NEHRU  
SWARAN SINGH  
N. V. GADGIL

New Delhi  
May 4, 1948

(Signed)

GHULAM MOHD.  
SHAUKAT HYAT KHAN  
MUMTAZ DAULTANA