



UPSC & STATE PCS CURRENT AFFAIRS · UJIYARI.COM

DAILY CURRENT AFFAIRS

Chenab Hydropower Push: India Advances Projects Amid IWT Abeyance

21 May 2026

IR

ENVIRONMENT

ECONOMY

GS2

GS3

CURATED & WRITTEN BY

**Bharat Choudhary**

UPSC Educator & Content Creator

[linkedin.com/in/epicbharat](https://www.linkedin.com/in/epicbharat)**ALSO FROM THE CREATOR****BharatNotes**Free UPSC notes, MCQs, PYQ analysis. **100% Free.**bharatnotes.com →**ADVERTISE****Advertise with Ujiyari**

Reach thousands of UPSC aspirants daily.

epicbharat@gmail.com

Chenab Hydropower Push: India Advances Projects Amid IWT Abeyance

21 May 2026 · 9 min read · 3 tags

Why in News

In the week of **May 19-21, 2026**, India initiated groundwork on two new hydroelectric projects on the **Chenab river system** in Jammu and Kashmir, with a combined outlay of approximately **₹2,600 crore**, even as the **Indus Waters Treaty (IWT) of 1960 remains “in abeyance”** following India’s decision of April 23, 2025 in the aftermath of the Pahalgam terror attack. On **May 15, 2026**, the **Court of Arbitration (CoA) at The Hague** issued its supplemental award on the question of “**maximum pondage**” for the Kishanganga and Ratle projects — a ruling that **India formally rejected** on grounds that the treaty stands in abeyance and that a parallel Neutral Expert process under Michel Lino had already affirmed exclusive jurisdiction.

THE INDUS WATERS TREATY, 1960 — ANATOMY OF A SIX-DECADE COMPACT

Concluded after nearly nine years of World Bank-mediated negotiations, the **Indus Waters Treaty (IWT)** was signed at **Karachi on September 19, 1960** by **Prime Minister Jawaharlal Nehru** for India and **President Field Marshal Mohammad Ayub Khan** for Pakistan, with **W.A.B. Iliff** signing on behalf of the **International Bank for Reconstruction and Development (IBRD)** — today’s World Bank. The Bank is not a full party to the treaty but is a signatory to limited provisions, principally those relating to **dispute resolution (Article IX)** and the financing of replacement works in Pakistan.

Allocation of the Six Rivers

The treaty partitioned the six rivers of the Indus system between the two countries on a broadly territorial basis — eastern tributaries to India, western mainstem and tributaries to Pakistan.

RIVER GROUP	RIVERS	ALLOCATION	APPROXIMATE ANNUAL FLOW
Eastern Rivers	Ravi, Beas, Sutlej	India (unrestricted use)	~33 MAF
Western Rivers	Indus, Jhelum, Chenab	Pakistan (mainstem use)	~135 MAF (~80% of basin)

MAF = Million Acre Feet.

India’s Permitted Uses on Western Rivers

Under **Article III** read with **Annexures C, D and E**, India retains substantial rights on the Western rivers even though the bulk of the flow is committed to Pakistan:

- **Domestic and non-consumptive use** (navigation, fishing, recreation).
- **Agricultural use** up to a ceiling of **7,01,000 acres** of irrigated cropped area.
- **Run-of-the-river hydroelectric generation**, with Annexure D laying down detailed **design constraints** on pondage, spillway gates, freeboard, and intake elevation.
- **Storage up to 3.6 MAF** on the Western rivers — a quantum that India has historically left **largely unutilised**.

Three-Tier Dispute Resolution under Article IX

TIER	FORUM	CONSTITUTION
Tier 1	Permanent Indus Commission	One commissioner from each country; meets annually
Tier 2	Neutral Expert	Appointed by the World Bank on technical “differences”
Tier 3	Court of Arbitration	Seven-member tribunal constituted by the World Bank for legal “disputes”

The architecture envisages a graduated escalation: most issues are to be resolved by the Commission; technical differences may proceed to a Neutral Expert; and only legal questions of treaty interpretation may be referred to a Court of Arbitration.

INDIA’S ABEYANCE DECISION OF APRIL 2025

On **April 23, 2025**, the **Secretary, Ministry of Jal Shakti** formally communicated to Pakistan’s Secretary, Ministry of Water Resources that India was placing the **Indus Waters Treaty in abeyance**. The decision came one day after the **Pahalgam terror attack of April 22, 2025**, in which civilians were killed in the Baisaran meadow.

India’s Stated Position

India’s communication and subsequent official statements emphasised that the IWT was “concluded in the spirit of goodwill and friendship” recited in its preamble, and that **sustained cross-border terrorism sponsored from Pakistani soil** vitiated this foundational premise. Operationally, abeyance has meant:

- **Suspension of data-sharing** on river flows, project design particulars, and flood-season inflows.
- **Non-convening of the Permanent Indus Commission.**
- **No prior notification** of new project designs on Western rivers as previously required under Annexure D, Paragraph 9.

- **Reservation of the right** to develop full storage and irrigation entitlements without conventional treaty review.

“Abeyance” — A *Sui Generis* Status

It is important to note what the decision is *not*. India has **not formally abrogated or terminated** the treaty. “Abeyance” is not a category recognised expressly in the **Vienna Convention on the Law of Treaties (VCLT), 1969**, which India has signed but not ratified. The closest *doctrinal* anchors lie in:

- **Article 60 VCLT** — termination or suspension in response to a **material breach** by another party.
- **Article 61 VCLT** — **supervening impossibility** of performance.
- **Article 62 VCLT** — **fundamental change of circumstances** (*rebus sic stantibus*).

India has not invoked any of these articles formally. “Abeyance” is therefore an Indian designation — an **operational suspension** rather than a legal exit. Pakistan, for its part, has confined its response to political and diplomatic channels and has not approached the **International Court of Justice**, which it could not in any case do without India’s consent, given that India’s declaration under Article 36(2) of the ICJ Statute excludes disputes with Commonwealth states.

THE MAY 15, 2026 COURT OF ARBITRATION AWARD

The CoA constituted at Pakistan’s request in 2022 has been examining the **maximum pondage permissible** on Indian run-of-river projects on the Chenab and Jhelum systems, with **Kishanganga** and **Ratle** as the test cases.

What is “Pondage”?

Pondage is the **limited storage of water behind a barrage** to permit a hydroelectric plant to operate at peak load during high-demand hours, releasing water during off-peak hours. It is **distinct from “live storage”**, which permits seasonal regulation of flow. Annexure D, Paragraph 8© of the IWT caps pondage at **twice the daily Pondage required for firm power**, but the precise interpretation has been contested.

The May 15 Ruling

The CoA’s supplemental award **tilted toward Pakistan’s narrower reading** of permissible pondage, effectively constraining India’s peaking flexibility on the two projects. India’s response, conveyed through the **Ministry of External Affairs**, was a categorical rejection on two grounds:

- ① The treaty being in abeyance, India does not recognise the continuing competence of the CoA.
- ② A parallel **Neutral Expert process** under the World Bank-appointed **Michel Lino** had, in its **January 2025 award**, held that the same questions fell within the Neutral Expert’s exclusive jurisdiction — making the CoA proceedings, in India’s view, **forum-shopped and coram non iudice**.

INDIA'S CHENAB-BASIN HYDRO PORTFOLIO

The Chenab basin, with its steep gradient and high discharge, hosts the bulk of India's potential and operational run-of-river capacity on Western rivers.

PROJECT	CAPACITY (MW)	RIVER	DEVELOPER	STATUS
Salal HEP	690	Chenab	NHPC	Commissioned 1987
Baglihar (Stage I + II)	900	Chenab	JKSPDC	I – 2008; II – 2014
Dulhasti	390	Chenab	NHPC	Operational
Kishanganga	330	Kishanganga (Jhelum tributary)	NHPC	Commissioned 2018
Ratle HEP	850	Chenab	NHPC + JKSPDC JV	Under construction; target 2026-27
Pakal Dul	1,000	Marusudar (Chenab tributary)	CVPP (NHPC + JKSPDC)	Under construction
Kiru HEP	624	Chenab	CVPP	Under construction
Kwar HEP	540	Chenab	CVPP	Under construction
Sawalkot	1,856	Chenab	NHPC	DPR / clearances stage
Tulbul (Wular Barrage)	– (0.3 MAF storage)	Jhelum	J&K	In abeyance for decades

CVPP = Chenab Valley Power Projects Ltd.; JKSPDC = J&K State Power Development Corporation; NHPC = National Hydroelectric Power Corporation.

Strategic Significance

- **Untapped potential:** J&K's assessed hydro potential is ~**20,000 MW**; only about **3,500 MW (~17%)** has been harnessed.
- **Energy transition fit:** India's commitment to **500 GW of non-fossil installed capacity by 2030** under its updated NDCs makes hydropower indispensable for **peak shaving and grid balancing** as the share of variable renewables (solar + wind) grows.

- **Geopolitical signalling:** Advancing groundwork during abeyance demonstrates India’s willingness to **exercise dormant treaty entitlements** — including, potentially, the underused 3.6 MAF storage right — without seeking prior Pakistani concurrence.

PAKISTAN’S VULNERABILITY AND RESPONSE OPTIONS

Pakistan is among the world’s most **water-stressed** countries, with per-capita water availability below the absolute scarcity threshold of 1,000 m³/year on some measures. Over **90% of Pakistan’s irrigated agriculture** in Punjab and Sindh — the country’s breadbaskets — depends on the Indus system, with the **Tarbela** (on the Indus) and **Mangla** (on the Jhelum) reservoirs forming the spine of its storage.

RESPONSE AVENUE	FEASIBILITY
ICJ contentious case	Not available — no consent jurisdiction with India
UN Security Council	Symbolic; India can rely on P5 dynamics
World Bank good offices	Limited — Bank is not arbitrator
Bilateral diplomacy	Stalled in absence of broader normalisation
International media / OIC	Pressure tactic with marginal yield

ENVIRONMENTAL AND GEOTECHNICAL CONCERNS

- **Sediment load:** The Sutlej and Chenab carry among the highest sediment loads in the world; turbine erosion and reservoir desilting are recurring engineering challenges.
- **Cryosphere change:** The **Hindu Kush Himalaya (HKH) Assessment** by ICIMOD projects significant glacial mass loss this century, altering seasonality and peak discharge — with implications for both firm power and downstream flood risk.
- **Seismicity:** Most Chenab-basin sites fall in **Seismic Zones IV and V** under IS 1893; dam safety reviews under the **Dam Safety Act, 2021** assume heightened importance.
- **Biodiversity and displacement:** Submergence and tunnelling in narrow Himalayan valleys raise classical concerns of forest loss, fish-passage interruption (especially for *Schizothorax* species), and oustee rehabilitation.

UPSC RELEVANCE

- **GS Paper 2** — India and its neighbourhood (India-Pakistan relations); bilateral treaties and their suspension; international institutions (World Bank, PCA, ICJ); effect of policies and politics of other countries on India’s interests.

- **GS Paper 3** – Infrastructure: energy; conservation, environmental pollution and degradation; water security and resource management; disaster management (dam safety, seismic risk).
- **Essay / Ethics (GS4)**: Ethical dimension of weaponising shared natural resources in response to terrorism; balancing sovereign self-defence with humanitarian downstream impacts.

Facts Corner

- **IWT signed**: September 19, 1960, at Karachi.
- **Signatories**: Jawaharlal Nehru (India), Field Marshal Ayub Khan (Pakistan), W.A.B. Iliff (World Bank/IBRD).
- **Eastern rivers (to India)**: Ravi, Beas, Sutlej (~33 MAF/year).
- **Western rivers (to Pakistan)**: Indus, Jhelum, Chenab (~135 MAF/year, ~80% of basin).
- **India's permitted storage on Western rivers**: 3.6 MAF (largely unutilised).
- **India's permitted irrigation on Western rivers**: 7,01,000 acres.
- **Dispute resolution tiers (Article IX)**: Permanent Indus Commission → Neutral Expert → Court of Arbitration.
- **India's abeyance decision**: April 23, 2025 (by Secretary, Jal Shakti).
- **Pahalgam terror attack**: April 22, 2025.
- **Court of Arbitration seat**: The Hague (administered by the Permanent Court of Arbitration).
- **CoA supplemental award on pondage**: May 15, 2026 — rejected by India.
- **Neutral Expert**: Michel Lino — January 2025 award affirmed exclusive jurisdiction.
- **Kishanganga HEP**: 330 MW, NHPC, commissioned 2018.
- **Ratle HEP**: 850 MW, NHPC + JKSPDC JV, target 2026-27.
- **Pakal Dul HEP**: 1,000 MW — largest planned project in the basin (CVPP).
- **J&K assessed hydro potential**: ~20,000 MW; developed ~3,500 MW (~17%).
- **VCLT 1969 termination provisions**: Articles 60 (material breach), 61 (supervening impossibility), 62 (rebus sic stantibus).
- **India's non-fossil capacity target**: 500 GW by 2030 (updated NDCs).
- **Dam Safety Act**: 2021.

Sources: [Ministry of Jal Shakti](#), [PIB](#), [MEA](#)

[← NEWER ARTICLE](#)

[OLDER ARTICLE →](#)

India-Africa Forum Summit IV Postponed
Amid Ebola Outbreak

DRDO Completes ULPGM-V3 Trials: India's
UAV-Launched...

RELATED EDITORIALS

INDIAN EXPRESS

[The World Isn't Prepared for the Next Pandemic](#)

20 May

THE HINDU

[Watch, but Do Not Wait: On the Ebola PHEIC](#)

20 May

DOWN TO EARTH

[Between Coal, Chaos and Green Power](#)

20 May

MINT

[India, Norway Need a Sovereign Investment Corridor](#)

20 May

RELATED KEY TERMS

KEY TERM

[ACNAS](#)

Advisory Committee on National Accounts Statistics — the expert body...

KEY TERM

[Act East Policy](#)

India's strategic foreign policy framework prioritising active...

KEY TERM

[Agri-Photovoltaic](#)

A dual land-use technology that integrates elevated solar panels with...

KEY TERM

[Anti-Dumping Duty](#)

A protective tariff imposed on imports sold below their normal value...



CURATED & WRITTEN BY

Bharat Choudhary

UPSC Educator & Content Creator

[linkedin.com/in/epicbharat](https://www.linkedin.com/in/epicbharat)[Read Full Article on Ujiyari →](#)<https://ujiyari.com/daily/2026/05/21/chenab-hydropower-indus-waters-treaty-abeyance-2026/>

ALSO FROM THE CREATOR

BharatNotes

Free UPSC study platform — subject-wise notes across all 4 GS papers, Prelims MCQs, Mains answer frameworks, PYQ analysis & progress tracking. **100% Free • No Login Required.**

[Start Preparing → bharatnotes.com](http://bharatnotes.com)

📌 OPPORTUNITY

Advertise with Ujiyari

Reach **thousands of serious UPSC & State PCS aspirants** daily through our PDFs, website, and social channels.

Ideal for: Coaching institutes • EdTech platforms • Book publishers • Exam prep apps

[✉ epicbharat@gmail.com](mailto:epicbharat@gmail.com)

Write to us for rates & media kit

Free UPSC & State PCS Current Affairs · ujiyari.com · bharatnotes.com