

TRACTATENBLAD

VAN HET

KONINKRIJK DER NEDERLANDEN

JAARGANG 1960 Nr. 3

A. TITEL

*Notawisseling tussen de Nederlandse Regering en de Regering van
India betreffende financiële en technische hulp bij de ontzilting
van gronden langs de kust van Saurashtra;
New Delhi, 19 maart/27 april 1959*

B. TEKST

Nr. I

AMBASSADE
DER NEDERLANDEN

New Delhi, March 19, 1959

Your Excellency,

I have the honour, under instructions from the Government of the Netherlands, to enclose herewith the text of a memorandum, concerning the rendering of technical and financial assistance to India in order to accelerate the desalinization of the saline soils along the coast of Saurashtra. This text has been mutually agreed upon and duly signed by the heads of the delegations from the Government of the Netherlands and the Government of India during their negotiations at New Delhi on February 16 and 17, 1959.

2. For the relevant texts I may be permitted to refer to the annexes joined to this letter.

3. I have been instructed by the Netherlands Government to suggest that the provisions agreed upon be applied provisionally as from the date of receipt of Your Excellency's reply confirming the approval of the Indian Government of the text joined to this letter. These provisions will formally enter into force on the date of receipt by the Government of India of a notification on behalf of the Netherlands Government that the necessary parliamentary procedure has been observed.

4. Being aware of the magnitude of the salinization problem for India on the one hand and fully confident of a successful result of the present project on the other, I venture to add the wish that the Government of India may decide to apply the experience in accelerated desalinization of soils to other areas.

Please accept, Your Excellency, the assurances of my highest consideration.

(Sd.) H. A. HELB
Netherlands Ambassador

*His Excellency the Prime Minister of India,
Shri Jawaharlal Nehru,
Government of India,
New Delhi.*

Nr. II

MINISTRY OF EXTERNAL AFFAIRS
NEW DELHI

27th April, 1959

Your Excellency,

Your letter No. 2053 of March 19, 1959 states as follows:

(Zoals in Nr. I)

2. I wish to convey to Your Excellency the concurrence of the Government of India to the suggestion that "the provisions agreed upon be applied as from the date of receipt" of my present letter by Your Excellency. I also confirm that the provisions will formally enter into force from "the date of receipt by the Government of India of a notification on behalf of the Netherlands Government that the necessary parliamentary procedure has been observed".

Please accept, Your Excellency, the assurances of my highest consideration.

(Sd.) JAWAHARLAL NEHRU

*His Excellency
Mr H. A. Helb,
Royal Netherlands Ambassador,
The Netherlands Embassy,
New Delhi.*

Memorandum

Negotiations have been held between officials of the Netherlands and India about technical and financial assistance to India in order to accelerate the desalinization of the saline soils along the coast of Saurashtra.

The arrangements agreed upon are stated below:

The Government of India and the Government of the State of Bombay have included the Bhal Reclamation Scheme in the Saurashtra Peninsula in the budgetary plans of the Second Five Year Plan.

The Government of the Netherlands, desiring to further the aims and objectives of this Scheme, are prepared to render technical and financial assistance to India in order to accelerate the desalinization of the saline soils along the coast of Saurashtra, making use of the special experience gained in the Netherlands in this field, and with a view to increasing the productivity of these soils, thus contributing to the economic development of India and in particular to the rise in the standard of living of the population in that region.

Desirous to co-operate in carrying out this programme the Government of the Netherlands and the Government of India agree that their respective responsibilities will be governed by the following provisions.

Chapter A

1. The Government of the Netherlands are willing to carry out the construction of a pilot polder on the basis of the "Report on Investigations and Plan of Bhal Reclamation Scheme", presented in December 1957 by the "Netherlands Engineering Consultants", hereafter to be referred to as NEDECO, containing a masterplan for an area characteristic of the coastal region of Saurashtra and a detailed plan for a pilot polder covering a small part of that area, taking into account the Joint Statement of August 9, 1958, signed by representatives of NEDECO and the Public Works Department of the Government of the State of Bombay.
2. The Government of the Netherlands are further prepared to provide technical assistance for the management and for the running of the pilot polder as well as for carrying out tests and measurements for following the stages of desalinization, simultaneously exploring the merits of various applicable methods during the initial period after the construction of the pilot polder.
3. The Government of the Netherlands are also prepared to defray the cost of the construction of the pilot polder referred to in paragraph 1 as well as the costs of the activities referred to in paragraph 2.

4. The Netherlands Government will entrust the actual execution of all the aforementioned activities to NEDECO.
5. The Governments of India and of the State of Bombay accept the offer of the technical and financial assistance of the Netherlands Government and are prepared to make available on their part all the technical and financial resources required for a successful execution of the co-ordinated programme for the Bhal Reclamation Scheme.

Chapter B

6. The Contracting Parties agree that the work on the pilot polder will start as soon as possible in 1959 and they will take all possible steps to complete its construction in 1960. The Contracting Parties intend to bring the pilot polder progressively under cultivation in the course of a few years in order to bring the Netherlands assistance to an end in 1963.
- 7a. The Contracting Parties agree, with a view to the efficient and timely execution of the programme, to charge NEDECO with the responsibility of directing the operations mentioned in paragraphs 1 and 2, in close co-operation with the appropriate Indian authorities.
- b. In order to ensure the proper progress of the project in 1959 and following years (as defined in accordance with the plan of operations of NEDECO), the Governments of India and the State of Bombay will make all necessary arrangements and will provide the funds for the timely possession of so much of the site as may be required to commence and proceed with the construction of the works, including way-leaves required in connection with access to the site.
- 8a. The Governments of India and of the State of Bombay, willing to facilitate as much as possible the implementation of the financial and technical assistance provided by the Netherlands, agree to enact at an early stage the necessary public measures and to take all private measures for the administration of the pilot polder as a vital contribution to the full success of the project.
- b. The Government of the State of Bombay are prepared, as from the financial year 1959, to establish a Co-ordination Committee consisting of representatives of the Public Works, Agriculture, Revenues, Community Development, Civil Administration and Co-operation Departments, a representative of NEDECO taking part in the activities of this Committee in an advisory capacity.
- c. This Co-ordination Committee will be given sufficient status to prepare for the development of the reclaimed pilot polder, for

the settlement of farmers on the reclaimed land, to organize in general the social and economic conditions for this area and to organize further the research required for all these objectives.

Chapter C

9. The Governments of India and of the State of Bombay will provide for payment of import and export duties as well as for clearance from customs in respect of the equipment and all other goods in connection with the Scheme. Furthermore, the experts — other than Indian citizens — assigned to the project under this Memorandum will enjoy the normal facilities, including exemption from Indian income-tax, admissible to the Colombo Plan Experts.
10. The Contracting Parties agree to consult together on a basis of mutual understanding about any difficulty with regard to the implementation and operation of the Scheme, which cannot be solved by the representatives of NEDECO and the officials of the State of Bombay.
11. The Contracting Parties agree that, if extraordinary and unforeseen circumstances causing a substantial financial increase should arise during the execution of the project, it might be necessary for each of them to consider to what extent the original responsibilities under the Scheme should be redefined.

The provisions agreed upon will, as far as the Netherlands are concerned, be applied provisionally immediately after the exchange of Letters of Understanding between the Netherlands and India. These provisions will formally enter into force on the date of receipt by the Government of India of a notification on behalf of the Netherlands Government that the necessary Parliamentary procedure has been observed.

The Agreement obtained will be formalised by an exchange of Letters of Understanding through Diplomatic Channels.

(Sd.) D. W. R. LOS

For the Netherlands Delegation

(Sd.) K. R. DAMLE

Secretary to the Govt. of India
Ministry of Food & Agri (Deptt. of Agri)
For the Indian Delegation

New Delhi,
17th February, 1959.

D. GOEDKEURING

De in de nota's vervatte overeenkomst behoeft ingevolge artikel 60, lid 2, der Grondwet de goedkeuring der Staten-Generaal, alvorens in werking te kunnen treden.

G. INWERKINGTREDING

De bepalingen van de overeenkomst worden ingevolge punt 3 van de nota's voorlopig toegepast van 30 april 1959 af en zullen definitief in werking treden op de dag waarop de Regering van India door de Nederlandse Regering in kennis wordt gesteld van de verkregen parlementaire goedkeuring.

Wat het Koninkrijk der Nederlanden betreft, geldt de overeenkomst alleen voor Nederland.

Uitgegeven de *twaaftde* januari 1960.

De Minister van Buitenlandse Zaken a.i.,

J. DE QUAY.