

REGULATION OF BIODIVERSITY

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WITH THE PASSAGE of the Biological Diversity Bill 2002 by both Houses of Parliament, the legislative infrastructure is now in place for a sustainable use of India's bio-resources that would aid conservation and simultaneously provide remuneration to local communities for protecting species and developing traditional knowledge. But the risk is there, as in all laws that give the Government additional powers, that the new rules and regulations will be used to harass rather than benefit the very communities which are to be served by the new legislation.

India is home to 8 per cent of the recorded species in the world and is the first country of "mega" diversity to have enacted legislation that will govern extraction and use of biological resources. India's law will be consistent with the 1992 U.N. Convention on Biological Diversity, which laid down the international framework for conservation, sustainable development and equitable sharing of benefits from the utilisation of genetic resources. The Indian legislation will provide the instruments for prevention of bio-piracy and simultaneously encourage domestic use of bio-resources. These will be in the hands of a three-tiered structure of organisations. Bio-piracy, which is the development by foreign companies of commercial products using local resources or traditional knowledge without providing any remuneration, is to be prevented by the new National Biodiversity Authority. Any foreign institution or individual which wants to use Indian genetic resources for commercial development or even for research will have to first obtain permission from the NBA, which will be the apex organisation overseeing the regulation of India's genetic resources. The NBA will also have to first approve the commercial utilisation of any intellectual property that may arise from the development of native genetic resources. Indian organisations and citizens engaged in similar development of genetic resources will not be governed by these restrictions, but they will have to work with the State Biodiversity Boards. At the

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grassroots will be the Biodiversity Management Committees that will be responsible for preparing inventories of species in the area and administering the sharing of benefits flowing from the use of local resources. These benefits will be provided to individuals and groups of people from the Biodiversity Funds that will be created at the national, state and local levels and will be financed by the payments made for the use of genetic resources.

Environment
The proposed institutional structure is appropriate for sustainable use of India's bio-resources, but the first question is if the mechanisms will function properly. For instance, through what channels will payments be made to the communities which have so far protected the genetic resources? How will the communities which are to receive these benefits be identified? How will traditional knowledge be "protected" as visualised in the Bill? While these are some important questions governing implementation, the biggest concern must be that the new rules for conservation do not become instruments for a denial of customary rights. Parallels already exist for such abuse of the rules and regulations on conservation. In the name of forest protection, local communities are often denied access to the forests. In the same manner, the new regulatory powers that the Central and State Governments will now have for protection and conservation of bio-resources can be used to prevent local communities from harvesting local genetic resources. The question is if the lessons from forest management practices have been learnt. Another set of issues that will arise in the future is the consistency between India's biodiversity legislation and the World Trade Organisation's agreement on Trade Related aspects of Intellectual Property Rights (TRIPS). This is part of a larger issue of consistency between the CBD and TRIPS, since the CBD explicitly calls for payment to local communities and traditional knowledge while the WTO agreement does not recognise the rights of local communities to any returns from the commercial development of bio-resources.

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Environmental history: need for objectivity

By Aniket Alam

NEW DELHI, DEC. 8. Is "Environmental History" merely the documenting of the "sinking of the Titanic" where attention is focussed on the "dark chapters" of human-nature interaction, asked Richard Grove, Professor, University of Sussex, at the concluding session of an international conference on the environmental history of Asia here on Saturday.

Looking at many of the over 70 papers presented by scholars from all parts of the world at this four-day conference organised jointly by the University of Sussex and Jawaharlal Nehru University (JNU), it would seem that writing the history of the environment dovetails into chronicles of the adverse impact humans make on the environment.

In the case of India, environmental history concentrates only on the effect of colonialism on the environment.

Forests have been the favourite "hunting ground" of environmental historians, who have searched and found evidence of the massive destruction to nature and livelihood caused by British commercial forestry in India.

Environmental history has therefore emerged as a critique of colonialism and, often by extension, of the modern way of life.

It is the big industries, commercial agriculture, urban pollution and distance from nature which have been the turf of environmental history.

But as some participants argued that there are dangers in "romanticising the past".

Along with a critique of the modern has to emerge an objective assessment of traditional practices.

It would not do to merely lampoon the present and glorify the past. It would be erroneous to label the past as necessarily conservationist.

If earlier attempts at writing environmental history were largely confined to accounts of commercial forestry and destruction of nature, the present conference saw research moving deeper into the forests looking for the wildlife, rivers, lakes and irrigation and at agricultural practices and many other aspects of the daily interaction of human beings with nature.

Papers ranged from studies on specific rivers, deltas, irrigation systems to animals which face extinction; from studying diseases and

sanitation to comparative accounts of government policies and state ideologies. From the local to the global.

What happens to this large body of knowledge and volumes of information generated about the environment?

Some participants felt that much of this may land in the laps of private companies which would use it only to maximise their profits.

Others feared that in these days of patents and WTO, unearthing the environmental history would only lead to it getting labelled, patented and imprisoned from the common people.

But this knowledge would also feed public debate and become a resource for people all over the world to reclaim their common natural heritage, argued others.

As Deepak Kumar, professor, JNU, said while welcoming the participants, the idea behind the conference was to bring together researchers from different disciplines and regions so that a richer understanding of the responsibility and role of writing environmental history emerges.

U.N. meet to discuss disposal of e-wastes

By Our Special Correspondent

NEW DELHI, DEC. 8. After the e-revolution of the past two decades, the world is now faced with the problem of disposal of e-wastes.

The issue has assumed such a proportion that a meeting of Environment Ministers from across the world has been convened under the aegis of the United Nations to formulate a global response to it.

The United Nations Information Centre here said that representatives of the electronics industry would also be attending the meeting, which is being organised as part of the sixth conference of parties to the Basel Convention on the Transboundary Movement of Hazardous Wastes and Their Disposal being held in Geneva from December 9-13.

The meet would be preceded by a ceremony where top officials of nine leading mobile phone manufacturers will announce their intention to form a partnership with the Basel Convention on a plan for environmentally sound management of end-of-life mobile phones.

The COP of the Basel Convention would also consider approval of a new set of technical guidelines on the handling and disposal of plastic wastes, biomedical and healthcare wastes, lead-acid batteries and dismantling of ships.

The other issues on the agenda include a discussion of efforts to combat illegal trade in hazardous wastes, a decision to establish a mechanism for compliance and implementation and the development of regional centres as the main instruments of the Convention to assist in

building capacity in member-governments.

The conference will include a high-level segment attended by Ministers and heads of delegations during the final two days. About 600 participants are expected.

The Basel Convention was adopted by the international community in March 1989.

It regulates the movement of hazardous wastes and obliges its member countries to ensure that such wastes are managed and disposed of in an environmentally sound manner.

Governments are expected to minimise the quantities that are transported, to treat and dispose off wastes as close as possible to where they were generated, and to minimise the generation of hazardous waste at source.

In a pre-conference statement, Klaus Toepfer, Executive Director of the United Nations Environment Programme, under whose auspices the Convention was negotiated and adopted, noted that with some 150 million tonnes of hazardous wastes produced every year, the industrial world needed to accelerate its investments in cleaner production technologies and processes that can reduce wastes.

"The Governments and industry must work together to improve recycling systems and treatment plants. In all cases, poorer countries and communities must not be forced to shoulder the burdens of our industrial economy by being on the receiving end of hazardous wastes that they did not create," he added.

From India, a high-level delegation led by the Union Environment Minister, T.R. Baalu, is expected to attend the conference.

Planting a law

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Protect your own biodiversity (b) n

Global norms on protecting and commercially exploiting biodiversity are contradictory and likely to remain so for a while. The need, therefore, for developing countries to come up with homegrown legislation is paramount. More so given the aggressive nature of private multinational biotechnology business. It is a telling comment on the quality of our political and legislative practice that the biodiversity bill languished in the Lok Sabha for two years before it passed recently. There were no substantive objections or informed debates. If the Rajya Sabha does not delay the bill, some domestic sense in biodiversity regulation will hopefully replace the international confusion. Trade Related Intellectual Property Rights (TRIPs) allows exclusive exploitation of biodiversity by patent holders. The Convention on Biodiversity (CBD) recognises countries have rights over biodiversity and traditional knowledge within their borders. The International Union on the Protection of New Varieties of Plants (UPOV) protects plant breeders above everything. Even a backbencher Indian MP should see that the three global accords do not gel and, therefore, countries rich in biodiversity, like India, but poor in legal frameworks can be taken for a ride by well-paid scientists and lawyers.

Both foreign and domestic companies are allowed to exploit biodiversity and the faster the regulatory bodies are functional the better it is because there will be plenty for them to do. India has already become a favoured destination for Western pharmaceutical companies seeking affordable bulk research. Plus, the domestic pharmaceutical industry is in good health and increasingly focusing on primary research. One area of potentially bitter conflict has been wisely avoided in the bill, which lets practitioners of Indian systems of medicine carry on as before. Countries like India must not allow traditional knowledge bases to disappear because, if nothing else, they offer an alternative to "modernity" that the West does not have, and indeed some Westerners now regret not having.

Environment
HD-15

Wildfires surround Sydney

SYDNEY, DEC. 6. Sparks and ash rained down on Australia's most populous city on Friday after walls of flame jumped a river and roads and raced toward its suburbs. Authorities said two elderly men died in the wildfire crisis and at least 19 homes were destroyed during the past two days. Some 79 fires burned across New South Wales state, blackening about 173,000 acres of forest and scrubland.

The sky over Sydney was shrouded in smoke, and the state's top firefighter predicted that the crisis would only intensify. More than 4,500 firefighters, many of them volunteers and some from other parts of Australia, beat back flames with the help of water-bombing aircraft. Residents tried to safeguard homes with buckets and hoses. Catherine Bourne and



An Australian policewoman communicates through protective masks as the police assist residents affected by bushfires in the northern Sydney suburb of Berowra, on Friday. — Reuters

her three children returned to their home on Sydney's outskirts on Friday morning before

having to flee again as fires broke out. "It's sort of freakish. One minute it's nothing and the

next minute it's ferocious," she said. "I just saw flames. I grabbed the kids, put them in the car and went."

Police suspect some fires were deliberately started.

An 18-year-old student appeared in a court on arson charges on Friday and was remanded in custody until Jan. 31. He faces a maximum 14-year prison sentence if convicted.

Other fires might have been started by cigarette butts tossed out of cars, fire officials said.

Flames crossed a major highway and a river north of Sydney and swept into rugged forests that lead to its northern suburbs.

Water bombing helicopters kept some fires in check as they lapped at the back yards of homes. — AP

GM Controversy as Keen as Mustard



GM mustard is good for India because it will increase productivity in edible oil

Paresh Verma
Director Research,
Proagro Seed Co Pvt Ltd

India imports almost a third of its entire edible oil requirement, costing the national exchequer Rs 12,000 crore annually. Our country's self-reliance in edible oil can only come through increased productivity in crops such as mustard, the second most important oilseed crop in India. Unsurprisingly, the recent mid-term economic review called for increased government encouragement to enhance production of oilseeds and pulses in which India currently has huge deficits.

Hybrids, which have been used in other agricultural crops to increase yield, have not been commercially viable in mustard to date, because of the several biological limitations associated with the naturally occurring systems of hybridisation in mustard. Consequently, mustard productivity in India has remained stagnated at only one t/ha over the last two decades. Proagro's genetically engineered hybridisation system in mustard will overcome these limitations and will enable breeders to develop high yielding mustard hybrids.

GM mustard has been extensively tested for its food, feed and environmental safety in government-accredited independent laboratories and in-house trials in India, undertaken using protocols approved by government expert committee(s). These studies have established that the introduced proteins do not alter the nutritional properties of the mustard plants including leaves. Further, there are no known toxic effects associated to these introduced proteins in mammalian systems. Also, our testing has established that these proteins do not demonstrate any allergenic potential.

The introduced genes do not make the mustard plants any more or less competitive than the non-transgenic conventional counterparts, and do not alter the interaction of the mustard plant with its environment. Therefore, there is no threat to the conventional mustard varieties which might receive pollen from GM mustard. There is very limited possibility of pollen transfer from mustard (a highly self-pollinating crop species) to canola. However, canola accounts for only one per cent of total oilseed area in India (rape and mustard) of which very little actually overlaps with the mustard area. Further, food, feed and environment safety of this technology in canola has been well-established and results of these studies are publicly available on the Internet.

The agronomic advantage of the three

experimental GM mustard hybrids developed has been evaluated in 69 field trials conducted in five states over four years. In these trials, the hybrids have given a 20 per cent advantage in seed yield and 25 per cent advantage in oil yield over the best conventional varieties, which were used as checks in the trials.

Farmers in Canada and the US have been growing GM canola hybrids since 1997. The technology has achieved approvals in all the 15 EU countries, Australia, New Zealand, and Japan, approved to be safe for food in these countries. This lends support to the findings of the various food safety studies conducted in India which have also established the food safety of GM mustard.

There is a global debate on the introduction of GM crops based on ideological grounds. However, any apprehensions related to the safety and introduction of GM crops should be alleviated in the face of extensive scientific data. Research in the field of transgenics is unarguably the most strictly regulated research in agriculture. Projects can reach the level of potential commercialisation only when the relevant scientific data has been thoroughly scrutinised and assessed by experts, instilling greater confidence among the public about the safety of GM technologies.

Agricultural farming itself is an intervention of man which has most dramatically altered the Earth's naturally occurring ecosystems. Biodiversity has been greatly threatened by conventional plant breeding. It is estimated that out of the 7,000 crop species cultivated globally, only 30 account for 90 per cent of calorie intake. As plant breeders have selected the best genetic stocks to improve cultivars, the genetic diversity in all major crops has continued to narrow. The techniques of genetic modification will have no further influence on this. The benefit of GM technology to Indian mustard farmers cannot be ignored since most of them do not have an alternative option to mustard, and increased vertical productivity is their only hope. With India having committed itself to the opening up of its markets in another two years' time, such yield-enhancing technologies will give Indian farmers a level playing field when they start competing with their global counterparts.

Finally, it is not a question of choosing one or the other. Both GM and non-GM crops should coexist to give the farmers and consumers a real choice. This should also be reflected in the acceptance of each other's views. An open, frank and exhaustive debate can only be useful. It is also very important to actively involve the ultimate beneficiary, the farmer, in these debates. But in the end, we must have the courage to accept or reject a GM technology based only on exhaustive scientific merits and data.



Genetically modified mustard is not adequately tested but a pliant GEAC does not object

Suman Sahai
Convenor,
Gene Campaign

To ensure that Indian farmers get the best possible seeds, any variety approved for their use must be thoroughly tested by the best institutions under the best possible conditions. This does not seem to be the case with Proagro's controversial GM mustard variety. The safety of Proagro's mustard is in question. Safety tests for the GM mustard as human food and as animal feed were conducted by Proagro itself, by feeding seeds and leaves of the transgenic plant to pigeons and rabbits. The company reportedly supplied both the samples to be tested and the controls against which the samples had to be tested — these tests were not conducted in government laboratories which are open to scrutiny, but in private institutions (FIPAT, Chennai, and Sriram Institute, Delhi). Even here, there was no involvement of scientists from the national agricultural system. Yet, the safety data were accepted by the Genetic Engineering Approval Committee (GEAC).

Equally questionable is the manner in which the field trials were done for Proagro's GM mustard. The Aventis/Proagro hybrids have not gone through the prescribed procedure of the All India Coordinated Crop trials as crop varieties in India are required to do. In India, all varieties have to undergo rigorous testing in all zones at 40-50 locations and a variety is only notified after this process is completed, a process which lasts over three years. The Aventis/Proagro mustard has been tested by the Indian Council of Agricultural Research (ICAR) for only one season, in just four locations, in a total of three zones only.

Curiously enough, like in the food and feed safety tests, it is Proagro itself which has supplied the bulk of the data on field performance to the GEAC, on the basis of tests it has done itself on its own trial variety. The clear-cut conflict of interest — the industry providing the data on which its performance will be judged — does not seem to disturb the GEAC. In a deplorable departure from ethical practice, the GEAC is not unduly worried about the potential for Proagro to manipulate the data both on its field performance and on human and animal safety tests. It has trustingly accepted what Proagro has supplied.

So glaring has been the pro-industry bias of the GEAC, that the ICAR's director-general has been constrained to criticise it. He said that GM mustard data are insuffi-

cient to justify commercial release and that additional tests would have to be done, specially since most of the data provided to the GEAC have been generated by the company itself. He also said that "no exceptions can be made in the case of Proagro", implying that this had indeed been the case.

Why is the GEAC insisting that Proagro would not be required to conduct any additional tests? When the decision on release of the mustard variety was deferred, the GEAC had categorically stated that the committee would only review the old data and not ask Proagro for any new data.

Why this unseemly rush in giving clearance to Aventis' mustard despite several outstanding and unresolved questions? More so since some Indian labs are on the threshold of releasing high performance non-GM hybrid mustard varieties. Promising hybrid mustard varieties are being developed in the Indian Agricultural Research Institute, Delhi, in Punjab Agricultural University, Ludhiana, and in Haryana Agricultural University, Hissar. All three labs are two to three years away from releasing non-GM mustard varieties with far better performance than the Aventis variety being pushed by the government.

This great desire to see the Proagro mustard variety through at all costs, has alarmed some NGOs sufficiently to petition the Chief Vigilance Commissioner to investigate the conduct of India's scientific and regulatory agencies, particularly the GEAC. The known proclivity of the multinational sector to buy influence in governments and decision-making bodies and the complete lack of transparency in the functioning of the GEAC has fuelled suspicions of corruption and irregularities.

It continues to remain a matter of concern that the GEAC resolutely refuses to respond to requests from the NGO community seeking information on the results of field trials of both Bt cotton and GM mustard. Despite several letters requesting information about the results of field trials of transgenic varieties, A M Gokhale, chairman, GEAC, has not responded. This seems to suggest that the GEAC is hiding unpleasant truths that cannot withstand public scrutiny. In addition to the results of test data, Gene Campaign has also been demanding that in the interests of transparency and credibility, independent experts must be allowed to visit test sites and evaluate the performance of GM crops.

If India is to develop as a leading agricultural country capable of absorbing and implementing new technologies, then the scientific and regulatory agencies will have to demonstrate far greater maturity and sensitivity to public concerns than they have been doing so far. Secrecy is unacceptable. Information on Proagro's mu and every other GM variety considered for release will have to satisfy all health, environmental and economic criteria, to the satisfaction of the

**TIMES
SAMVAD**

India completes its share of global rice genome project

TIMES NEWS NETWORK

New Delhi: India has completed its share of phase-II of the ambitious international project to map the entire genome sequence of a rice variety, a venture with many exciting implications for both academics and citizens.

Each molecule of rice has 12 pairs of chromosomes, whose characteristics and linking are decided by the DNA in its genes. The structure and code language between these genes, some 400 million 'letters', is sought to be mapped by this project.

"A genome sequence is like a street directory," explains Nagendra Kumar Singh, principal scientist at the Indian Agricultural Research Institute (IARI) here, who led the team of 20-odd researchers in a three-year toil on half the job allotted to India; another team of 20-odd did another half at Delhi University's south campus under Akhilesh Tyagi of the department of plant molecular biology.

The ambitious effort was actually begun by transnational firms, Monsanto and Syngenta, separately and in that order. The governments became concerned at the possibility of private enterprise succeeding where states could not and then patenting the results. So, in 1998, an International Rice Genome Sequencing Project (IRGSP) was formed by five countries, with the declared intent of mapping the rice genome and making the results public.

India was a late entrant. In fact, Indian

hesitation led to its missing the first two world efforts at genome mapping—first the Human Genome Project and then another to map that of a plant weed. After others began the project, concerned Indian scientists pressed for money to join and, in 2000, the Planning Commission approved a Rs 50-crore grant. The two transnationals, seeing there would be no point in going alone, made their own results available to the IRGSP. This enabled the original target of finishing phase-II by 2005 to be brought forward by three years.

Japan is the IRGSP coordinator and the deadline was November 30. India and everyone has managed to keep to the schedule. But there are still some gaps, to be completed in another three-odd years, in phase-III. These are gaps in intervals between certain linkages—around four each for each of the two Indian teams. "The initial progress is fast; it gets much harder as you proceed," says Mr Singh. "Taking it from a 95 per cent accuracy to one of 99.999 is very tough."

Tokyo will make the official announcement on December 18 of the completion of phase-II and the 'fine-tuning' and completion of the phase-III standard. The potential benefits are exciting: if you can read the gene sequencing for drought-resistance, disease-resistance and so on in the map, and how these vary among the 50,000 genes identified in rice in the world, and their mutations, the implications are breathtaking. There's a new world of knowledge out there.

GM mustard

By N. Gopal Raj

Environment

GENETICALLY MODIFIED (GM) crops are one of those topics which arouses great passion, with the protagonists unwilling to see any merit in the others' arguments. Those favouring the growing ability to directly modify genes see it as a logical extension, provided by new scientific knowledge, of the breeding process which humans have employed for centuries to advantage in agriculture. The ability to operate at the genetic level gives unparalleled flexibility in introducing new and beneficial traits, making the land more productive and reducing the use of harmful chemicals, they argue. But those opposing GM crops see it as a Frankenstein invention, a further and potentially more dangerous example of humanity's technical prowess overtaking its ability to use technology wisely.

In India, the Union Government's Genetic Engineering Approval Committee (GEAC), under the Department of Environment, Forests and Wildlife, has the final say on whether or not a GM crop can be released for commercial cultivation. Earlier this year, cotton, engineered for resistance to insect pests, became the country's first GM crop to be cleared for commercial cultivation. Now the GEAC must decide whether to allow release of India's first GM food crop, mustard.

The Delhi-based Proagro Seed Company, now part of the multinational Bayer CropScience, has genetically modified the Indian oilseed mustard (*brassica juncea*) for male sterility. As mustard is capable of self-pollination, such male sterile lines are required to create high-yielding hybrids. Once the two parental lines are crossed, male fertility has to be restored in their hybrid progeny or else no mustard seeds will be produced.

To achieve this, a bacterial gene called 'barnase' is introduced into one parental line to stop pollen production. The other parental line is also genetically modified with another bacterial gene called 'barstar' that blocks the action of the barnase gene. Their progeny with both barnase and barstar genes will be hybrids which are male fertile and therefore capable

of normal seed production. In order to tell which plants have been genetically modified, the artificially introduced DNA also includes a marker gene (yet another bacterial gene called 'bar') which makes these plants capable of tolerating the herbicide, glufosinate.

Although Proagro's GM mustard is the one nearing commercial release, a group at the University of Delhi South Campus too is developing a similar sort of GM mustard. When the GEAC met in early November, it

develop better hybrid cultivars" while the purpose behind the University of Delhi South Campus' similar sort of GM mustard is given as "to generate herbicide tolerant plants".

Major agrochemical companies have developed GM crops which are tolerant to the herbicides they make. Bayer sells the glufosinate herbicide (under the Liberty and Basta names), as well as GM crops which can withstand this herbicide. But Proagro denies that its GM mustard is intended for this purpose. Basta was not regis-

Thorny issues surround the use of the marker gene providing herbicide tolerance. Is that gene there only as a marker or is herbicide tolerance the driving motivation for developing this GM crop?

decided to defer a decision on Proagro's GM mustard by a few weeks.

In the case of the Proagro mustard, one issue is its performance. According to the company, limited field trials were carried out in five north Indian States over four years between 1997-98 and 2001-02. This was followed by 41 largescale trials carried out by the company in 2001-02. Proagro says eight largescale trials were also done by the Indian Council of Agricultural Research during 2001-02, four of which were to test for agronomic characters and the other four for bio-safety.

The company claims that its GM mustard hybrids give at least 20 per cent more seed and oil, providing farmers an additional income of Rs. 3,500 to Rs. 4,500 per hectare. But ICAR officials say that their field trials do not show this GM mustard as having significantly superior performance. "In any case, the data from a single season is insufficient to assess agronomic performance," one of them told *The Hindu*.

Thorny issues surround the use of the marker gene providing herbicide tolerance. Is that gene there only as a marker or is herbicide tolerance the driving motivation for developing this GM crop? After all, herbicide tolerant crops accounted for over 80 per cent of the worldwide area under GM crops in 2000. A table from the Department of Biotechnology lists Proagro's GM mustard as intended "to

tered for use with any of the agronomic crops in India, points out Alok Kumar, the company's manager for Biotechnology Regulatory Affairs.

At a time of concern over pollution, toxicity to animals and persistence of herbicides or their residues, herbicides such as glufosinate were useful for weed control, being highly effective at low dosage, safe for animals and rapidly degraded in the soil, points out a paper published in the journal *Current Science* by Deepak Pentel and his research group at the University of Delhi South Campus. However, as such herbicides were not selective, they could only be used in conjunction with transgenic crops resistant to them. Such herbicides would allow no-till or low-till agriculture, conserving moisture, noted the paper.

There are concerns, too, about whether the bar gene for herbicide tolerance could spread. A report earlier this year from *English Nature*, the British Government's advisers on the environment, suggested that canola (closely related to Indian mustard) which was resistant to three herbicides, including Liberty, emerged in just two years as a result of cross-pollination.

It was currently impossible to prevent gene flow between sexually compatible species in the same area, observed Allison Snow, a plant ecologist at Ohio State University in the U.S, in a recent article in the journal

Nature Biotechnology. A transgene for herbicide resistance could spread, but this would only be a problem if the herbicide was very important for controlling weedy populations of the wild relatives, she told *The Hindu*.

There were not many wild relatives of the Indian mustard to which the gene could be passed on and these grew in isolated areas, such as in the Northeast, according to K. R. Shivanina, former head of the Department of Botany at Delhi University, who has studied the mustard family. The risk was that wind and insects could carry pollen from the GM mustard and pollinate neighbouring non-GM mustard varieties, he points out. Farmers should not then face a situation, as had happened abroad, of being required to pay license fees because their plants now contained these genes.

Proagro had conducted pollen flow studies in the presence of bee hives six times over three consecutive years, according to Dr. Alok Kumar. The pooled data indicated that the pollen did not travel more than 35 metres and the extent of pollen flow was only 0.019 per cent. As required by the GEAC, the company had studied pollen flow in 2001-02, without beehives. The study showed that pollen from the transgenic plants travelled a maximum of 10 metres. Pollen flow studies carried out by the ICAR during 2001-02 showed that transgenic pollen spread up to 50 metres in three locations and travelled up to 75 metres at a fourth location. But the maximum pollen flow was observed at 10 metres, beyond which it decreased, adds Dr. Alok Kumar. Even if the bar gene were to spread, plants carrying this gene would still be vulnerable to any non-glufosinate herbicide, he points out.

Couldn't the whole problem be avoided by excising the marker gene after genetic transformation or having it separate out in subsequent generations? Retaining the herbicide tolerance marker gene was essential when male sterility was the trait being introduced, says Dr. Deepak Pentel. His research group has demonstrated the feasibility of molecular excision of the marker gene in both cotton and mustard.

Mustard Mess

Over the past few weeks, the minuscule mustard has found itself at the centre of a sharply divided debate. The tug-of-war between the multinational seed company ProAgro, which is promoting its genetically modified mustard seeds here, and the government of India's Genetic Engineering Approval Committee (GEAC), remains inconclusive, what with the GEAC deferring its decision on whether or not to permit commercial cultivation of GM mustard. ProAgro is sore — the deferral means it cannot commercially market its seeds before 2004. The company claims that initially, the GEAC was to assess only issues of health, environment and safety. Now, however, it has expanded its ambit to include agronomic performance, like yields. The company claims it has invested a whopping Rs 5 crore over eight years on the project already; it had, on its own, conducted 69 large-scale field trials spread out geographically. The GEAC's position is that it has to follow certain pre-set procedures before giving clearance to GM crops and this includes both agronomic performance and bio-safety "with sufficient data to be generated before the final nod".

It's clear that tossing the ball into each other's courts is not going to solve the problem. ProAgro is understandably anxious to get ahead with sales and marketing since it has invested a lot of time, money and energy on the GM mustard project. Worse, the GM mustard seeds are tailor-made for India — hence there is unlikely to be sufficient demand for it outside the country. Indian officialdom does seem to have dragged its feet a bit on the issue, regardless of whether genetically modified sarson is good or bad for us. The Indian Council for Agricultural Research has conducted field trials of its own but they're too few and far between — just four in all, insufficient to provide conclusive results. While the anti-GM lobby and anxious citizens might be secretly relieved at the GEAC's slow response, the plain fact is that it shows us in poor professional light. If official parallel trial facilities are not in place, why wait for so many years before saying so? Ideology and scientific parameters are two entirely different things: If we don't want GM crops, then we'd better keep them out like the EU has done, unashamedly. If, on the other hand, we want to take an independent decision, then it's time we put our testing mechanism in place.

Biological Diversity Bill passed

Statesman News Service

NEW DELHI, Dec. 2. — Government approval will soon be mandatory before obtaining any form of Intellectual Property Rights on an invention based on a biological resource from India or on a traditional knowledge.

The Lok Sabha today passed the Biological Diversity Bill 2000 by a voice vote, to promote conservation and sustainable use of biological resources through control of access to and equitable sharing of the benefits arising out of the use of biological resources in India. The Bill will now go to the Rajya Sabha.

Piloting the Bill, environment minister Mr TR Baalu said India was one of the most diverse countries, accounting for 7-8 per cent of the world's flora and fauna.

The Bill paves the way for a three-tier structure (including an apex National Biodiversity Authority at Chennai) to ensure proper conservation and use of biological resources. NBA's approval will have to be sought before obtaining any IPR for inventions based on traditional Indian knowledge on biological resources. The NBA will also deal with all cases of access by foreigners.

The Bill seeks to establish State Bio-diversity Boards and Bio-diversity Management Committees to regulate access to India's diverse plant and animal resources.

BMCs will maintain registers of local knowledge and

resources and will be consulted by NBA before it allows for use of any resources within their jurisdiction.

The Bill, however, provides that Hakims, Vaidis and practitioners of other Indian systems of medicine are exempt from intimating the SBBs. Similarly, Indian citizens and companies are allowed free access to use biological resources within India for research but if the findings of such research are to be transferred to foreign individuals or firms, NBA approval will have to be fought.

Opposition members, however, were critical of the manner in which the Bill was presented to the House for its vague and at times confusing language.

Some members even questioned the purpose of the Bill saying it was bound to hit the interests of the country since it favoured "multinationals".

The minister, however, allayed fears saying the government was planning to provide adequate safeguards against any misuse of the law by multinational companies or others.

Steps, he said, will be taken to enhance capacity at the village level through the BMCs to ensure that empowerment of the people. Mr Baalu said the provisions of the Bill primarily addressed issues concerning access to genetic resources and associated knowledge by foreign individuals, institutions or companies.

3 DEC 2002

THE STATESMAN

✓ Tables Turned ^{Or-12}

This is a new one on environmentalists. The Haryana government has come up with a hitherto unheard of piece of environmental logic — excessive mining is good for the water table. The reference is to the Supreme Court banning mining in the delicate Aravalli hill range that extends from Haryana all the way to Rajasthan. Experts are unanimous that destructive mining has led to the exposure of groundwater tables which have collected into pools in the valleys of the range. The Haryana government, on the other hand, appears to find such water bodies picturesque and useful. In actual fact, exposed groundwater can become contaminated and unfit for human consumption. Another bizarre claim of the government is that the mining pits which now scar the range are actually helpful in catching rainwater. We have consistently argued in these columns that official India does not think in the long-term, indeed, it rarely even thinks in the short-term. What better example of this than these absurd justifications to prolong mining in the region. The fragile ecological system of the Aravalli range has already been disturbed and can never be restored to its former pristine state. However, after the court ban, there is evidence that groundwater tables have recharged in the chronically water scarce area.

The argument that shutting the mines will result in many workers losing their jobs is a valid one as is the fact that the transport industry in the area will suffer. However, this should have occurred to officials who permitted rampant mining in violation of environmental guidelines. Even now, their response has not been to realise the wisdom of the court order and make alternative arrangements for the workers, but to turn a blind eye to clandestine mining in the area at night. The repercussions of shrinking groundwater levels will visit themselves not only on the states housing the Aravalli range. The ridge is also a rainwater catchment area for Delhi. With the urban development ministry's new proposals enlarging the scope for building in Delhi, the water-deficient Capital is bound to face much greater shortages. None of this is news; these facts have already been well-documented by environmentalists. But as always, there has been no attempt to work out a compromise like designating certain areas as open to mining and placing a limit so that groundwater tables are not touched. It is this policy of going for bust that has caused so many of our ecological woes. And what is worse, we have learnt no lessons from past errors.

2 DEC 2002

THE TIMES OF INDIA

Govindan
HDP

Centre puts off CRA meet

BY 11

By Our Special Correspondent

NEW DELHI, NOV. 29. The Centre postponed the Cauvery River Authority (CRA) meeting scheduled for today to work out an amicable solution for distress sharing of the Cauvery waters this season between Karnataka and Tamil Nadu.

Sources said a fresh date for the meeting would be announced later. It is likely to be in the third week of December.

The meeting was put off as the Tamil Nadu Chief Minister, Jayalalithaa, dropped out virtually at the last minute due to "indisposition". She deputed her Finance Minister, C. Ponnaiyan, to represent her, along with the Irrigation Minister, O. Paneerselvam. But since the Kerala Chief Minister, A.K. Antony, also decided to stay away, the quorum for the meeting was not complete and it was deferred.

At least three of the four Chief Minister-members of the CRA are required for holding the meeting. The CRA is chaired by

the Prime Minister with the Chief Ministers of Tamil Nadu, Karnataka, Pondicherry and Kerala as members. The Chief Ministers of Karnataka and Pondicherry, S.M. Krishna and N. Rangaswamy, had arrived here for the meeting.

Mr. Krishna met the Prime Minister but declined to divulge the details of the meeting to

presspersons later. He said the Cauvery issue was not discussed as by then the news of Ms. Jayalalithaa's inability to attend the meeting had come. Mr. Vajpayee was scheduled to meet Ms. Jayalalithaa also separately before the CRA.

Asked whether he believed Ms. Jayalalithaa's absence was "deliberate", Mr. Krishna said,

"No; no. I wouldn't be so uncharitable as to say so. I wouldn't know. I wouldn't comment on that." He was looking forward to an amicable solution and had, in fact, written at least four times to the Prime Minister to convene the meeting. He would now seek legal opinion. The matter was coming up in the Supreme Court on December 5. Mr. Krishna said two sets of formulations needed to be considered. One, the Supreme Court had said that the CRA should meet at the earliest. Second, the spirit of the court's directive to the CRA was to consider the report of the Cauvery Monitoring Committee, which visited the two States.

Asked if an "amicable solution" would be to scale down the deficit in the water release by Karnataka, he said, "Amicable would be taking into account the requirements of both Tamil Nadu and Karnataka. It is a fact that this year is the worst drought year and we were hoping all sides would appreciate that."

Jayalalithaa 'indisposed', cancels trip to New Delhi

By Our Special Correspondent

CHENNAI, NOV. 29. The Tamil Nadu Chief Minister, Jayalalithaa, did not go to New Delhi today to attend the Cauvery River Authority (CRA) meeting as she was "indisposed". Instead, she deputed the Finance Minister, C. Ponnaiyan, who was in New Delhi, to attend the meeting on her behalf.

The cancellation of her trip — conveyed to the Indian Airlines authorities at the Chennai airport at the eleventh hour — caught "unawares" several of her Cabinet colleagues and AIADMK MLAs, besides senior police officials. The flight, scheduled to take off at 9.55 a.m., left at 10.20 a.m. as the message of cancellation came only at 9.30 a.m.

The Pondicherry Chief Minister, N. Rangaswamy, left for New Delhi by the same flight.

THE HINDU

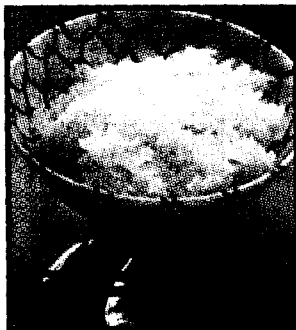
30 NOV 2002

New strain of rice created from bacteria genes

Washington
26 NOVEMBER

USING sugar-making genes from a common bacterium, biologists have created a strain of rice that is more resistant to drought, cold and salt water, perhaps enabling farmers to grow it in places that have been impossible.

In a study in the proceedings of the National Academy of Sciences, scientists at Cornell University report that they fused two genes from the e. Coli bac-



GRAIN STAND

terium and placed them into a common variety of rice.

The genes added a sugar, called trehalose, to the rice plant and made it more hardy, said Ajay K. Garg, a Cornell researcher and first author of the study. The genes are active only in the rice plant's stem and leaves and do not appear in the grain, he said.

Garg said trehalose is found in small amounts in many types of plants, insects, fungi and bacteria, but it is a major component in the growth of plants that can survive long periods of drought and then spring back vigorously once water has been restored.

The addition of the trehalose had the same effect on the rice plant, he said.

"We can withhold water for 10 days and the plant seems to die," said Garg. "But when water is added, it is restored."

Normal rice plants would be beyond recovery after 10 days without water, he said.

Garg said experiments also showed the transgenic rice plant is about twice as resistant to salt water and will withstand temperatures about 10 degrees lower than other rice plants. — AP

27 NOV 2002

The Economic Times

Cauvery meet fails to reconcile differences over distress sharing

By Gargi Parsai

26/11
HD-11
NEW DELHI, NOV. 25. The official-level Cauvery Monitoring Committee meeting today failed to resolve the differences between Karnataka and Tamil Nadu over the distress sharing of Cauvery waters in the last two months as per an order of the Supreme Court and the Cauvery River Authority (CRA). Both the States disputed the quantum of water released by Karnataka to Tamil Nadu and even whether the measuring gauge should be at Biligundlu or at the Mettur reservoir in Tamil Nadu.

The Central Water Commission (CWC), however, uses Mettur as the measuring station as per the interim order of the Cauvery Water Disputes Tribunal and subsequently, the Supreme Court and the CRA. In fact, one of the major points of the meeting was to reconcile the data of shortfall in releases by Karnataka. The Centre put out a figure, to which both the States disagreed. The meeting took into account the deficiency in rainfall in the South-West monsoon and the IMD forecast for rainfall during the current North-East monsoon in Tamil Nadu.

At the end of the three-hour meeting, the Secretary, Ministry of Water Resources, A.K.

Goswami, said today's meeting was primarily to firm up and reconsider the facts given by Karnataka and Tamil Nadu. No decision was intended to be taken, he added.

The meeting was attended by the Karnataka Chief Secretary, A. Ravindra, the Tamil Nadu Chief Secretary, Sukaveneshvar, and the Pondicherry Chief Secretary, Padmanabhan. Kerala was represented by its Chief Engineer, Sasi.

During the meeting, Pondicherry also raised the issue of it not getting its proportionate share from Tamil Nadu, which was discounted by the latter. The CRA had ordered that Tamil Nadu should make proportionate releases of Cauvery water to Pondicherry. Under the interim award, Tamil Nadu should get 205 tmcft in a water year and release 6 tmcft to Pondicherry.

A report on the outcome of the meeting would be sent to the Prime Minister, Atal Behari Vajpayee, who is the Chairman of the Cauvery River Authority, which is scheduled to meet here on November 29. The Chief Ministers of the four riparian States are members of the CRA.

While taking into consideration whether Karnataka had implemented the order, the CRA would also take into account the defi-

ciency in releases of water by Karnataka. A contempt suit filed by Tamil Nadu against the Karnataka Chief Minister, S.M. Krishna, for non-compliance is coming up for hearing early next month.

Sources said that during the meeting, Tamil Nadu stated the deficit in the water released by Karnataka, which was contested by Karnataka. Tamil Nadu wanted the deficit to be made good by Karnataka as per the SC order. According to Tamil Nadu, the shortfall in releases was 23.18 tmcft as on November 20 as per the CRA's formula.

Both the States disputed the storage levels in the four reservoirs in Karnataka, as well as in Mettur reservoir in Tamil Nadu. They disagreed on the water requirement for the standing crops. Tamil Nadu stated that it required 70 tmcft water till February for its standing "samba" crop, to which Karnataka said that the requirement was not more than 40 tmcft.

Karnataka has been asked by the CRA to release 9000 cusecs of Cauvery water into Mettur per day for September and October under a distress formula. From November 7, it can reduce the releases to ensure compliance of the interim order of the tribunal which accounts for weekly releases.

THE HINDU

26 NOV 2002

19-10
23/11

THE SINKING OF PRESTIGE

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VAST TRACTS OF Spain's spotless and beautiful shoreline have been ravaged by the wave of pollution from Prestige, the oil tanker that sunk off the country's coast. The fact that the oil slick has blackened over 300 kilometres of coastline, killed seabirds, suffocated fish and put thousands of fishermen out of work is bad enough. The devastation caused by the oil spill will take many months and considerable sums of money to clean up. But what is really worrying is the fear that the worst is far from over. Concerns that the potential exists for a disaster on a scale that is even greater than Exxon Valdez — the ill-fated oil tanker that blighted the Alaskan coast — stem from the fact that the bulk of the Prestige's cargo still lies trapped within its sunken frame. It is impossible to arrive at exact estimates, but it is believed that anything between 80 and 90 per cent of the total fuel oil on board (77,000 tonnes) still remains at the bottom of the Atlantic. This has raised the obvious question. Will the sunken oil, about twice the quantity of that which escaped from the Exxon Valdez, eventually leak? The impact of this on a country, which is engaged in an enormous task of shoreline clean-up while its fish-farmers scramble to salvage their harvests of cockles, mussels and clams, would be truly horrific.

The good news is that, although there is no saying for certain, the chances of this happening appear somewhat unlikely now. No extra fuel leak has been detected since the Prestige broke apart and sunk a few days ago. This has raised hopes that the prediction of some experts, who said the oil would solidify because it lies some 14,000 feet down and in very cold waters, was thankfully correct. The depth of the shipwreck, however, has raised doubts about whether the oil can be salvaged. Although the technology for removing oil from sunken ships is old and proven — which basically consists of a robot submarine with a suction hose — it has never been used to empty a ship that lies as deep as the Prestige. As for further devastation of the Spanish coastline from existing slicks, the threat is

real but there is hope it may be contained by a few factors. For one, the Prestige sank a distant 130 miles off the country's coast and high winds could break up remaining oil slicks before they reach land. The fact that fuel oil in the Prestige was of a light type and the possibility of bacteria helping to disperse it more quickly have also added to hopes that further problems will be limited. The Spanish Government's reassurance that an Exxon Valdez-style disaster will not recur could be based on such facts. One large slick that Portugal was monitoring and was threatened by has dispersed in the rough seas but others continue to threaten the Spanish coast.

But the damage already suffered is bad enough and is bound to generate a debate on stricter controls on vessels carrying hydrocarbon products. The Exxon Valdez disaster had underlined the importance of using only double-hulled vessels and of introducing surprise and intrusive inspections to ensure their seaworthiness. An international agreement banning single-hulled tankers is in force but the period for phasing them out stretches until 2015. The Prestige was a 26-year-old single hulled ship and it will be no surprise if the disaster pushes Governments to advance the deadline for phasing out such vessels. Un-seaworthy oil tankers escape monitoring by being registered in countries where safety laws are relatively lax. The prevention of environmental disasters such as the one caused by the sinking of the Prestige — a Greek-owned vessel registered in the Bahamas and bound from Latvia to Singapore — will depend on globally applicable rules and regulations that are strictly enforced. It was only three years ago that an oil spill from the tanker Erika, another single-hulled vessel, polluted some 250 miles of the French coastline. Many European leaders have already called for tougher regulations and the Prestige disaster may provide the impetus towards framing and implementing measures to check such accidents, which have the potential to ruin both the environment and the economy.

THE HINDO

23 NOV 2002

CENTRE TRYING TO BLAME STATES: SONIA

Inter-linking of rivers, only solution to drought: PM

By Gargi Parsai

NEW DELHI, NOV. 20. The Prime Minister, Atal Behari Vajpayee, today said the Centre proposes to take up the scheme for inter-linking of rivers on a "war footing" as a long-term, permanent solution to the recurring problem of drought.

Intervening in a debate in the Lok Sabha on the Congress-sponsored adjournment motion on drought, Mr. Vajpayee said resources and political will would not be lacking for such a massive problem. What was needed was spending the money in a proper manner.

In the end, the Government received an endorsement to its proposal when as an addenda to her speech on the motion, the Opposition leader, Sonia Gandhi, said, "...and I forgot to mention, we welcome the Government's proposal for linking of river waters."

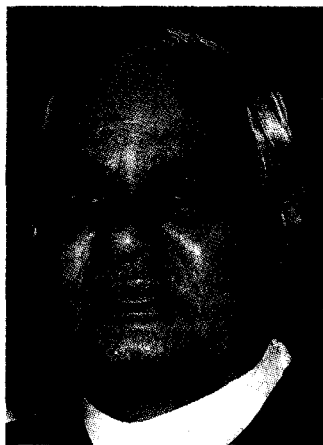
Minutes before, Mr. Vajpayee had said he would soon convene an all-party meeting to seek consensus for the scheme.

The Prime Minister asserted that there was no political discrimination in providing drought relief.

He said the Centre would provide Rs.10,000 crores to the drought-hit States under the food-for-work programme, of which Rs. 5000 crores would be a cash component for employment schemes.

Seeking cooperation of the States, he said the situation should not be politicised. "We have inherited a system which has weaknesses."

On the conclusion of the



A. B. Vajpayee

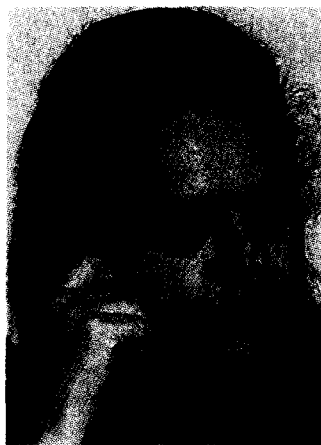
eight-hour debate, the motion was defeated by voice vote with the Opposition not pressing for a division.

Earlier Ms. Gandhi sought a Drought Management Code, loan and interest waiver for the drought-affected States, an all-party meeting to galvanise implementation, a special meeting of the National Development Council to discuss drought, expansion of "Antodaya Anna Yojna" and food-for-work schemes and revamping of the Public Distribution System.

She also sought objectivity and transparency in the disbursement of funds from the National Calamity Contingency Fund.

She said in raising the drought issue her party's intention was not to politicise the situation but to raise the "weaknesses and inadequacies" in the management of the calamity. She said the Government should take their criticism as "constructive criticism."

She had not spoken for the



Sonia Gandhi

Congress-ruled States alone but for all affected by drought.

Ms. Gandhi said, "this debate had placed a major responsibility on the Government. We will play our part but a major responsibility is of the Centre."

She however, continued her defence of the Congress-ruled States of Madhya Pradesh and Rajasthan from where starvation deaths had been reported and sought to know from the Government how much of the funding provided under the Centrally-sponsored schemes had been in relation to drought.

She charged the Centre with shifting responsibility for mismanagement of drought on the States.

She said the reported starvation deaths in the two Congress-ruled States had been from malnutrition and illness.

In his reply, the Agriculture Minister, Ajit Singh, asserted there was no discrimination in the distribution of drought relief.

He admitted there was pressure from the States for a larger share of relief and funds but the disbursement was in accordance with the norms laid by the 11th Finance Commission with the consent of the State Chief Ministers.

He said contrary to "propaganda," the Special Task Force on drought had met six times since it was constituted in July.

The Task Force had agreed to the recommendation of the Inter-Ministerial Group in toto in releasing Rs. 2000 crores to the drought-affected States.

He urged the States to tone up implementation of central schemes and drought relief as "the Centre has no machinery for implementation which must be done by States."

He said in this context he had suggested formation of a district level committee for implementation and monitoring but not many States had done that.

Earlier, the Food Minister, Sharad Yadav, and the Rural Development Minister, Shanta Kumar, intervened to provide statistics on various Central Government schemes and provision of foodgrains to point out non-utilisation of funds by States and poor lifting by even drought-hit States such as Rajasthan respectively.

The debate saw members take up a lot of regional drought issues and at times the discussion slipped into sparring between members on opposite sides on Cauvery, Rajasthan and Madhya Pradesh starvation deaths and Andhra Pradesh rice scam.

THE HINDU

21 NOV 2002

Seven menacing oil slicks threaten Spanish coastal areas

ADRIAN CROFT

Arteixo (Spain), Nov. 20 (Reuters): Seven oil slicks menaced the coast of northwest Spain today, threatening to wash ashore where hundreds of kilometres of unspoilt beach and marshland have already been covered with thick, pungent fuel oil from the sunken tanker *Prestige*.

Spanish officials also put a price tag of 42 million euros

(\$42.05 million) on the cost of rehabilitating 90 tar-stained beaches that will take about six months to clean up in the wake of what could become one of the world's worst oil spills.

Environment minister Jaime Matas came to this small seaside town to assess the damage from the 243-metre tanker that snapped in two and sank to the bottom of the Atlantic yesterday, six days after getting into trouble in a storm.

The 26-year-old, Bahamas-flagged *Prestige* took an estimated 60,000 tonnes of viscous fuel oil to the sea floor some 130 nautical miles off the coast, where ocean is about 3.6 km deep.

The total volume of 77,000 tonnes on board was twice the amount that gushed from the *Exxon Valdez*, which ran aground in Alaska in 1989 to set a benchmark for oil spills.

"I think you can see it all around. This is a disaster,"

Matas said tip-toeing across oil-soaked Barranan Beach where sailors in overalls shovelled black goo, looking like a road crew paving a new highway.

Hard hit were some of the creeks and marshes, where oil penetrated far enough inland to coat grasses and wooden fence posts with what appeared like a fresh coat of black paint.

And more of the oil, whose petrol-like stench sticks to clothes and fills the air along the

coast, was on the way. Carlos del Almo, environment chief for the Galicia regional government, told reporters at the same beach the next wave of oil "will close in on the same area where we are now".

Of the seven known oil slicks, officials said one was two miles from shore, two were 40 miles away and four had formed where the *Prestige* went down. No sizes were given.

Officials previously said a 75-mile slick was following the ship

before it sank. Apparently that broke up into smaller ones.

So far 240 tonnes had been scraped off the coast of Galicia, and 120 tonnes were sucked up at sea. In the wake of the disaster, a political storm has broken out over why such tankers, lacking modern double hulls, are still allowed to ply Europe's waters.

French President Jacques Chirac, one of the most vocal critics, told ministers the situation in Spain was so serious that

it was imperative the European Union, and France itself, speed up implementation of the extra safety measures agreed after the Maltese tanker *Erika* split in two off France in 1999.

Some experts hope the toxic mass in the tanks of the *Prestige* will harden due to frigid temperatures and high pressure in the ocean depths. But others called that optimistic, saying much of the oil potentially could resurface.

environment

11

7-4

Tanners must shift: CM

Switzerland SF KOLKATA 21/11

Statesman News Service

KOLKATA, Nov. 20. — In an indication that all is not well with the Bantala leather complex, the chief minister today said he was "not happy with Mr Dalmiya's role in the entire matter".

But faced with a Supreme Court directive, he is still advising the tanners to move to Bantala.

Speaking at the inauguration of Lexpo at Maidan today, Mr Buddhadeb Bhattacharjee said tannery owners must shift. He gave his assurance that infrastructure will be provided as soon as possible.

"I know there is lack of infrastructure but we have

to follow the Supreme Court's order. Water and power connections will be provided soon."

"The state government is not against the tannery workers" but if the tanners don't shift to Bantala, it will deal a body blow to the state leather industry, he said.

The plan is to bring tanneries, manufacturing, training and research under one umbrella, Mr Bhattacharjee said.

"We have expertise but our leather industry needs to be modernised. We are having discussions with the Tata group to set up an advanced training institute", Mr Bhattacharjee announced.

Mr Bansagopal Chaudhury, minister for small

scale and cottage industries said: "We are trying to develop the leather industry. We need the support of Indian Leather Technologists

... if the tanners

don't shift to

Bantala, it will

deal a body

blow to the

state leather

industry'

Association".

Dalmyia under fire

The state minister Mr Nandagopal Bhattacharya today said Mr

Jagmohan Dalmyia is "hatching a conspiracy to defame the state government."

The minister alleged that Mr Dalmyia has failed to carry out 19 conditions specified by the Supreme Court to be implemented at the Bantala leather complex.

Mr Bhattacharya said: "Mr Dalmyia is trying to shift the leather industry to other states. I being a senior Cabinet minister and part of the government, will protest this move."

He said CPI-backed tannery workers' union will stage a demonstration in front of Mr Dalmyia's residence. The date has not been fixed. Asked whether he would participate in the rally, the minister said: "If the union invites

me I will gladly join them." He said millions of workers will lose their job if the tanneries are closed. Mr Nandagopal Bhattacharya had justified his stand on Monday when he joined the protesting workers.

He later claimed that had it not been for him, the workers would not have lifted the road blockade.

He said he will speak to Mr Bhattacharjee and Mr Nirupam Sen over this issue as workers are the worst

sufferers. He said though tannery owners want to shift to Bantala, electric connection is absent and tanners have to carry out construction by hiring generators.

He alleged that the effluent treatment plant at the com-

Tanker sinks, raises worst oil spill spectre

ADRIAN CROFT

Caion (Spain), Nov. 19 (Reuters): A tanker laden with 70,000 tonnes of fuel oil split and sank off northwest Spain today, triggering what environmental activists said could become one of the world's worst oil spills.

"I can confirm that the *Prestige* has sunk. The fore section sank at 1515 GMT," said Lars Walder, a spokesman for the Dutch salvage company Smit Salvage, whose tugs earlier towed the vessel out to sea in the hope of protecting the coast.

The stern section sank hours earlier. Salvage crews had battled to keep afloat the battered bow section of the *Prestige*, 130 miles off the coast in Atlantic waters 3,600 metres deep.

Experts said the ship's tanks might crack upon hitting the sea floor, implode from the pressure or eventually rust through.

Walder said it might be possible to pump the remaining oil from the tanks, but the depth of the sea and the bad weather would make any such operation extremely difficult.

The tanker was carrying twice as much oil as the *Exxon*



An oil-covered duck is cleaned at a wildlife recovery centre in La Coruna, Spain. (Reuters)

Valdez was when it ran aground in Alaska in 1989, causing a spill that devastated a stretch of pristine wilderness.

Spanish officials said the Bahamian-flagged *Prestige* spilled 5,000 to 6,000 tonnes of its load when the vessel broke apart, adding to the 5,000 tonne spill

that had left a 17 km oil slick in the ship's wake as it was pulled out to sea.

The oil has blackened the rugged coastline of Galicia, thrown 1,000 Spanish fishermen out of work and coated sea birds.

One of Europe's richest fisheries — habitat for such delicacies as goose barnacles and lobster — was under threat as the wind blew more oil from the sinking ship towards the coast.

"If the oil tanker loses all its oil... if all that escapes from the hull, then this is a disaster which is going to have twice the effect of the *Exxon Valdez*, which is one of the worst that we have known," Christopher Hails, the World Wildlife Fund International's programme director, said from Switzerland.

Toxic chemicals in the oil threaten to have "more insidious and longer-term effects" on the ecosystem than the immediate physical damage to marine life, Hails said. While the *Exxon Valdez* spilled crude oil, the *Prestige* was carrying fuel oil, more harmful to wildlife.

Hails said as much oil as possible should be transferred from the ship's tanks.

THE TELEGRAPH

20 NOV 2002

Gr-14 Sarson da Saga ^{Spin}

The jury is still out on the issue of transgenic mustard: After its initial approval, the Genetic Engineering Approval Committee (GEAC) has now deferred its decision on commercial cultivation of genetically modified mustard in the country. However, welcome as the deferral is, it will be entirely wasted if it is not utilised to address the issues raised by genetic modification of crops, including the manner in which decisions on their marketing are being taken. The GEAC's approval for transgenic *sarson* cultivation was based on the clean chit given by GM seed producer ProAgro Seeds. The company had furnished the committee with results of lab and field tests it conducted in India, but without government participation. ProAgro reportedly supplied both the samples and controls for the tests, severely compromising the credibility of the results. Unsurprisingly, the Indian Council for Agricultural Research has expressed its reservations on flagging off GM mustard; this possibly prompted the GEAC to review its earlier stand.

Unlike GM cotton, GM mustard is a food crop. So any impact it might have on public health due to unknown risks might be far more serious than in the case of GM cotton. In fact, GM or Bt cotton was cleared for cultivation by the GEAC last year amidst similar confusion and indecisiveness. Yet Bt cotton-seed sellers' claims of saving poor farmers from high pesticide expenses seem to have come a cropper. Bt cotton was marketed as bollworm-resistant and hence was to yield much more per acre than non-Bt cotton. The logic was that it would save farmers from being driven to suicide. Field reality, however, was hardly rosy: Bt cotton, farmers found, did not deter the Indian bollworm; they still had to use expensive pesticides and the crop turned out to be monstrously water-intensive. Moreover, GM seeds cost more than the desi variety. Meanwhile, the Indian Agricultural Research Institute is developing high-yielding hybrid (non-GM) mustard varieties which it claims would be far better suited to local conditions and more people-friendly than ProAgro's transgenic *sarson*. Claims made by pro-GM lobbies that GM crops alone can stave off world hunger are also debatable: Our own experience points to faulty distribution rather than inadequate foodstock. But undeniably, frontier technology will perforce play a central role in agriculture worldwide — all the more reason why bio-tech applications should be predicated more on public safety and development rather than on exploitative and short-term business interests.

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THE TIMES OF INDIA

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19 NOV 2002

SC pulls up Jaya over letter to PM

Our Political Bureau
NEW DELHI 15 NOVEMBER

AFTER providing some relief to Tamil Nadu chief minister J. Jayalalitha in her battle to force Karnataka to release the Cauvery river water, the Supreme Court brought her back to the ground on Friday when it expressed its severe disapproval over the contents and language of a letter written by her to Prime Minister A. B. Vajpayee.

In her letter written on November 5, Ms Jayalalitha had criticised the working of the Cauvery River Authority (CRA). "The people of Tamil Nadu will

lose their faith in everyone of the members of the Authority, including the Prime Minister, if the CRA does not function properly for the purpose for which it was created," she wrote.

The Supreme Court made it clear that it found the letter in bad taste, forcing Ms Jayalalitha's counsel, Mr K.K. Venugopal, to beat a hasty retreat and observe that it would be withdrawn in four days. A double-judge bench comprising Justice Y.K. Sabharwal and Justice Arijit Pasayat expressed in no uncertain terms their displeasure over the language of the letter and said a chief minister of a state, while writing

cised by the person who is the chief minister of a state," the bench observed, while asking the state to take damage control measures within four days.

Accusing the CRA, headed by the Prime Minister, of having a tilt towards Karnataka, Ms Jayalalitha, in her letter, stated that "it is the deep anguish of the people of Tamil Nadu as well as all right thinking persons in India, that the CRA has not discharged its duties properly in exercising its powers vested under the Act as well as under the Constitution."

When Mr Venugopal said that the letter might have been written due to personal anguish, the

bench retorted: "These are not personal matters that accusations of such types are made. We want to bring to your notice that personal anguish does not matter in cases of such nature. It is unfortunate that a sort of lack of faith has been communicated in that letter against the CRA in general and the Prime Minister of the country in particular," the judges added.

Realising that his client was on slippery wicket, Mr Venugopal sought to retrieve the situation by saying that the state had full faith in the PM and the CRA. He said the chief minister would "soon" write a letter to the PM withdrawing the insinuations.



VAJPAYEE & JAYA : WRONG MOVE

letters to the Prime Minister, should exercise "some restraint."

"We were distressed to read the contents of the November 5, 2002 letter written by the chief minister of Tamil Nadu to the Prime Minister," they pointed out. "It's a matter of distress. You have to have faith in somebody. Some restraint has to be exer-

16/11

CAUTION

Withdraw 'insinuations' against PM, Supreme Court tells Jayalalithaa

By J. Venkatesan

NEW DELHI, NOV. 15. The Supreme Court today took exception to certain portions of the Tamil Nadu Chief Minister, Jayalalithaa's letter to the Prime Minister, Atal Behari Vajpayee, on November 5 on convening a meeting of the Cauvery River Authority (CRA) and asked her to withdraw the "insinuations" within four days by writing a letter to Mr. Vajpayee.

A Bench, comprising Justice Y.K. Sabharwal and Justice Arijit Pasayat, also said that in her (fresh) letter, Ms. Jayalalithaa must express full confidence in the CRA, in general, and the Prime Minister, in particular, and request him to convene a CRA meeting.

When the Bench wanted to know from senior counsel for Tamil Nadu, K.K. Venugopal, whether the Chief Minister had written the letter on the advice of the counsel, he said "it might have been written out of personal anguish".

The Bench observed that it was not a personal matter that accusations of all types could be made. "We want to bring to your notice that personal anguish does not matter in cases of this nature". The judges said: "it is a matter of distress. You have to have faith in somebody and some restraint has to be exercised by the person, who is the Chief Minister of a State".

"We understand that only because of exchange of such letters, the meeting of the CRA could not be convened," they added. The Bench wanted to know from counsel whether Tamil Nadu had faith in the CRA or not. "If not, we will deal with the matter differently," the Bench said. Mr. Venugopal said the State and the Chief Minister had full faith in the CRA and the Prime Minister.

Counsel told the Bench that "we will convey the sentiments expressed by the court to her and added that the Chief Minister will soon send a letter to the Prime Minister withdrawing the

insinuations and expressing confidence in the authority".

The Bench seems to have taken exception to the portion of the letter written by Ms. Jayalalithaa accusing the CRA of "not discharging its functions and duties properly" and there was a "tilt towards Karnataka". She had also said that "the people of Tamil Nadu will lose their faith in everyone of the members of the CRA, including the Prime Minister, if the CRA doesn't function properly for the purpose for which it was created".

When the Bench told the Solicitor-General, Kirit Raval, that "the Union Government was partly responsible for the exchange of letters that took place as the CRA meeting could not be convened", he said the CRA had to function in a proper atmosphere. "When people express no faith in it, it becomes difficult to proceed with the matter," he added and said "instead of exchange of water between the two states, there was only exchange of letters". "We

were distressed to read the contents of the November 5 letter written by the Tamil Nadu Chief Minister to the Prime Minister. It is unfortunate that a sort of lack of faith has been communicated in that letter against the CRA, in general, and the Prime Minister of the country, in particular."

Referring to Mr. Venugopal's submissions, the Bench said that "let Tamil Nadu do its part (of writing a fresh letter to the Prime Minister withdrawing the "insinuations") within four days so that we would have a definite information about convening of the CRA meeting by the next date of hearing".

The Bench also asked Tamil Nadu to respond to the affidavit filed by Karnataka informing that it had released 15.42 tmcft of water from November 1 to 14.

Meanwhile, the Bench directed the Solicitor-General to take instructions and find out the date on which CRA would meet and posted the case for further hearing on November 22.

New evidence on gas tragedy

minimum
4-5
Statesman News Service

BHOPAL, Nov. 14. — New documents have recently come to light indicating how Union Carbide Corporation used “unproven technology” in its Bhopal pesticide plant’s most hazardous Sevin/MIC units and made “under-investment” there in the run-up to the Bhopal gas tragedy.

These documents were released by the Bhopal Group for Information and Action (BGIA), a survivors’ body, today. The BGIA called them a “blueprint of the disaster”.

About 27 tons of lethal gas had leaked out of the now-defunct UCC plant’s MIC unit in December 1984, which killed thousands and wounded lakhs, many critically, in Bhopal.

By deciding to reduce the investment in the Sevin/MIC units from \$28-m to \$20-m as indicated by the documents, the UCC tried to bypass the then applicable FERA regulations in order to retain its majority stakes in the company in

charge of the Bhopal plant, Union Carbide India Ltd, its Indian subsidiary, BGIA leader Mr Satinath Sarangi charged. He said cost-cutting was carried out through imposing “unproven technology” on the plant.

Mr Warren Anderson, UCC chief in 1984 and prime accused, was in the committee which authorised investment cuts in the plant in 1973, Mr Sarangi said. The documents would prove crucial for prosecuting and extraditing Mr Anderson to India to stand trial in the criminal case against him and the UCC. Pending criminal charges against the UCC and Mr Anderson should also be upgraded in light of this evidence, he said.

The documents indicate that the UCC and Mr Anderson deliberately demonstrated reckless indifference to human life in the design, location, and safety mechanisms of their Bhopal plant despite knowing their possible devastating consequences, claimed Mr Sarangi.

98-6 The cotton club 14/11

9/11/11
Bt cotton harvest is heartening, when will other farmers join the party?

IT'S a tale of two crops, but the dynamics are the same. Eight months after the government cleared genetically modified cotton seeds for commercial plantation, the first pickings have been heartening. Farmers in Warangal, who lost much of their crop last year and witnessed yet another spate of suicides, say Bt cotton yield is 20-30 per cent higher than that delivered by hybrid seeds. Inputs are more expensive, they report, at Rs 1600 for 450 grams of seed — as compared to Rs 300 for hybrid varieties. But, overall, the balance is still healthy, given lower pesticide requirements against the dreaded boll worm and increased yields. These are early days, but a break from what had become a chronic cycle of pest attacks, indebtedness and suicide is finally in sight. Is there any hope, then, that cultivators of other crops too could share these hopes for higher yields and reduced vulnerability to pests/weeds?

They could, indeed, but only if the mechanism in place for clearance of new seeds is made more transparent and speedy. Take the current confusion over plantation of GM mustard. India already grows a fifth of the world's mustard, but production stagnated more

than a decade ago while futurists say it must quadruple in coming years to meet projected requirements. Last week the government withheld clearance for commercial use of GM mustard seeds, and old fears of Frankenstein crops were trotted out yet again. Biotechnology is not an exact science, and any new GM crop comes festooned with what-ifs. What if the bacterial genes spliced into the seed provoke allergic reactions in consumers? What if cross-pollination occurs, herbicide resistance is transferred to weedy relatives and superweeds are produced? What if pesticide resistance wears out? What if we are headed for a monocultural nightmare?

Not one of these worries, unfortunately, can be conclusively set aside. But possible problems must, on a case-by-case basis, be weighed against known benefits. An estimated 60 million hectares worldwide is given over to GM crops — cotton, potato, maize, soya, etc. India, dependent as it is on agriculture and given the need for higher rural income to kickstart the second generation of reforms, must get its act together for speedier and more focused field trials. Or we may as well junk our Jai Kisan pledge.

1 4 NOV 2002

INDIAN EXPRESS

49-10
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MUSTARD MATTERS

Government ✓

FACED WITH THE task of deciding whether to accord commercial approval for genetically modified (GM) mustard developed by the multinational Proagro Seeds, the Union Environment Ministry has responded in a familiar way: by deferring the decision. The Genetic Engineering Approval Committee (GEAC), the highest regulatory body when it comes to matters relating to biotechnology, has declared it needs more time to analyse and interpret the data provided by the seed company before arriving at a final decision. Over a year ago, the GEAC held back approval for Mahyco-Monsanto's Bt cotton, only to grant it a whole eight months later. The similarities between the two cases, however, end here. While Mahyco was asked to repeat large-scale field trials for another year so that the Bt cotton crops could be assessed on certain parameters, Proagro has not been asked to furnish additional data. The GEAC's official statement following the deferral is delightfully vague. All it suggests is that the body wants a closer look at GM mustard, including its pollination impact on related and unrelated plant species.

The gap between deferral and approval in the case of Bt cotton was not merely a widespread but also an eventful eight months. It was a period during which illegal or unregulated Bt cotton seeds, manufactured by a relatively small Ahmedabad-based seed company, were identified as having been planted extensively in Gujarat and elsewhere — a situation which exposed the shortcomings of a regulatory system which takes possibly longer than necessary to approve legally introduced GM products but totally incapable of preventing the spread of illegal ones. With respect to deferring environmental clearance for GM mustard, it is important to note that there is a whole of a difference between asking for more time to study data and asking for more data to be provided. As a result, there is a widespread feeling that another GEAC meeting is likely to be convened shortly to reconsider the mustard decision; some news reports suggest that the decision has been deferred by only two or three

weeks.

The regulatory apparatus for GM products must function in a manner that is thorough and rigorous. But it must also work in a style which is transparent and which infuses public confidence. Secrecy and infighting among Ministries attended the process for granting Bt cotton approval, the latter directly responsible for holding up approval for the pest-resistant variety that has proved extremely popular with cotton farmers. This time too, the vague and general statement explaining why the decision on GM mustard has been deferred leaves the room open for suspicion about both the aims and the efficiency of the regulatory system. In the long run, India will have to clarify its attitude towards transgenic crops, or even biotechnology as a whole. The official policy of promoting what is recognised as a sunrise industry is often at odds with a regulatory apparatus, which is unhelpful, and functions with neither the necessary speed nor transparency.

Proagro's mustard, which offers an estimated 25 per cent advantage over the so-called national 'check' varieties, has undergone different stages of testing since the company acquired the seeds from Belgium and backcrossed them on an Indian variety about seven years ago. The so-called barnase-barstar genetic engineering technology is neither new nor untried; Proagro's parent company Aventis has deployed it successfully, particularly in Canada, for developing hybrids of canola (which is closely related to the mustard family.) GM mustard is India's first transgenic food crop to come up for approval and therefore any decision the GEAC takes will be a defining one for Indian agriculture. In a global environment where the spread of GM crops is increasing sharply and where countries such as China have made rapid strides in both the development and use of this technology, this country must adopt a clear and unambiguous attitude towards it. As even the UNDP has acknowledged, the potential of this technology to increase food security and alleviate hunger cannot be ignored any longer.

Centre may announce policy on disaster mitigation

STATESMAN NEWS SERVICE

BHUBANESWAR, Nov. 10.

The Centre is likely to announce a policy focussing on disaster preparedness and mitigation, said Prof VK Sharma, representative of National Disaster Management Centre, New Delhi. The present focus of the government is on relief and rehabilitation.

Addressing a national convention on Voluntary Action and Disaster Management here today, Prof Sharma said a committee on disaster management had submitted a set of recommendations to the Centre.

The new policy on disaster preparedness and mitigation

will be based on these recommendations. Prof Sharma said at least 10 per cent funds should be spent on disaster preparedness.

Prof Manu Kulkarni, a disaster management expert from IIM Bangalore, said: "If terrorism can be covered under insurance, why not natural disasters."

Prof Sharma said an international conference on insurance's role in disaster management would be held in Delhi soon.

He said India was "highly vulnerable" to disasters, natural and man-made.

More than 85 per cent area of the country is vulnerable to seismic activities and 28 per cent is prone to drought. The

country is becoming more vulnerable to disasters because of inadequate rainfall, population explosion, rise in the number of poor people and also those living in urban areas and lack of environment awareness.

Prof Sharma said NGOs were concentrating only on one aspect. Its time a holistic approach was adopted and a "multiple hazard disaster management plans" were formulated.

Mr Dipankar Dasgupta, another expert on disaster management, said the "vulnerability aspect" should form part of the disaster management plan.

People, he said, shouldn't react to disasters in isolation, but in groups.

THE STATESMAN

11 NOV 2001

Greens force mustard red light

MONOBINA GUPTA
AND RAJA GHOSHAL

New Delhi, Nov. 7: The Centre has postponed a decision on allowing the cultivation of genetically modified mustard that supporters claim could boost yields and opponents say could be a recipe for environment and health hazards.

Pro-Agro Seeds India, a unit of pharmaceutical and seeds multinational Aventis, today made a presentation before the Genetic Engineering Approval Committee, a screening body made of several ministries and research institutions, seeking permission to grow the genetically altered mustard.

However, in the face of protests by environmentalists outside, the members of the

committee sought time to analyse and interpret data, particularly relating to biological and human health aspects.

"The talks were inconclusive because some members wanted more data and information on some of the issues," said A.M. Gokhale, chairperson of the committee. Gokhale added that discussions would continue in the next meeting which is likely to take place in two to four weeks.

In a path-breaking decision in April, the government had allowed the production of genetically modified cotton hybrids, raising the possibility of permission for other transgenic crops. But sceptics pointed out that unlike cotton, mustard is an edible commodity consumed widely in India — the

fourth largest producer of the seed in the world.

Critics of the new variety said the mustard is genetically altered to make it resistant to a herbicide called glufosinate, which is also marketed by Pro-Agro. When glufosinate is sprayed on a field, all weeds and plants except the herbicide-proof mustard will perish. The absence of weed will help increase the yield.

Paresh Verma, director of research for Pro-Agro, said the company's data indicated that transgenic mustard could lead to a 25 per cent increase in both seed and oil. But environmentalists grouped under Greenpeace said the modified mustard will encourage the use of more herbicides, which in turn will raise the risk of toxicity in the oil. The

herbicide-resistant genes could turn weeds into super-weeds that will be more difficult to control. This will require greater use of the herbicide.

A fear expressed by environmentalists is that the modified mustard could make consumers resistant to Kanamycin, an antibiotic. It could trigger allergic responses in the absence of exhaustive evaluation of its side effects in India.

But Pro-Agro, based on the outskirts of Delhi, said it has carried out seven years of trials in the mustard-growing states of Gujarat, Rajasthan, Madhya Pradesh, Uttar Pradesh and Haryana.

The trials looked at "food and feed safety, environmental safety and bio-safety of the mustard seeds", Pro-Agro's Verma said.

8 NOV 2012

THE TELEGRAPH

Genetic panel to meet on hybrid mustard seeds

Aloke Tikku in New Delhi

518 9/11
Nov. 6. — Will your dinner next year be cooked in oil extracted from genetically modified mustard seeds? The Genetic Engineering Approval Committee will meet tomorrow to discuss the possibility but an official suggested it was "quite possible" the decision could be put off for a later date.

The official said the committee would consider the data generated during field trials of genetically modified mustard seeds and if dissatisfied, could seek another set of large-scale field trials. "It is quite possible that the committee may, on examination of the data, feel that some more trials are required," the official said.

It is the kind of a situation that Proagro PGS (India), the company that has developed the high yield

variety of mustard seed by tinkering with its genes, would be trying to argue against when it makes its presentation before the GEAC. A company official said the results of the exhaustive multi-location trials and large-scale trials conducted over the last four years had been satisfactory.

The official said while hybrids were developed for various crops like corn, jowar and bajra to raise their yield, it had not been possible to do the same for mustard using the traditional technology.

Proagro had been able to overcome this problem by using a specific application that tinkers with its genes to develop the high yielding hybrid variety that has been tested for its safety, in terms of the environment and the consumer. The company said the hybrid seed would enhance productivity by about 25 per cent.

Karnataka talks tough, but keeps taps open

Bangalore: Quickly retracting a statement that it had suspended the release of Cauvery waters to Tamil Nadu, Karnataka on Monday maintained that it had not stopped the release and was ensuring the flow of 9,000 cusecs to the neighbouring state until November 6, as directed by the supreme court.

"Release of water from the Krishnaraja Sagar (KRS) reservoir has not been stopped and we are maintaining the release of 9,000 cusecs to ensure that that much flows at Mettur," minister for information Kagodu Thimmappa said hours after announcing the suspension of the water release.

Earlier, Mr Thimmappa, while briefing the press about Monday's cabinet meeting, had stated that the release of water had been suspended since the inflow between the the KRS and Mettur in Tamil Nadu was higher than 9,000 cusecs.

Karnataka began releasing water to Tamil Nadu in accordance with the supreme court's November 1 directive to ensure the flow of 9,000 cusecs of water daily until November 6.

The court had also asked Karnataka to ensure an inflow of 6,000 cusecs from Novem-

ber 7 to 15, the day it would hear the two contempt petitions filed by Tamil Nadu against Karnataka.

The cabinet also decided to request Prime Minister Atal Bihari Vajpayee to convene a meeting of the Cauvery River Authority, of which he is the chairman, at an early date.

The supreme court had on November 1, while deferring the hearing of the contempt of court petitions against chief minister S.M. Krishna and others to November 15, suggested that Mr Vajpayee convene the CRA meeting to resolve the water-sharing dispute.

Mr Krishna had tendered an unconditional apology before the supreme court on November 1 and assured that the state would comply with its order on the release of water.

Earlier, former prime minister H.D. Deve Gowda on Monday said that only the Prime Minister could defuse the Cauvery crisis between Karnataka and Tamil Nadu by taking a reasonable decision based on facts.

Speaking to reporters in Bangalore, Mr Gowda urged Mr Vajpayee to convene an emergency meeting of the CRA, take a fresh look at the situation and act appropriately.

5 NOV 2002

CHIPKO PROTESTS-II

Environment Remains The Core Issue

By RAM KUMAR BHAKAT

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Though the Chipko movement emerged out of protests against rampant deforestation in the Himalayas, the agitation later influenced the environmental debate by putting people at the centre of the whole issue. It went beyond the immediate goal of saving trees to confront the complex interlinkages between environment and development.

Chipko redirected the future course of environmental concern and brought rural development to the fore. After establishing its pre-eminence, the forest department in the hills allowed the claims of other interest groups, including the forest mafia, to supersede those of the local people.

Projects

The hill people accused the ministry of environment and forests of speedily approving large-scale projects such as dams and hydro-electric power plants supported by powerful coalitions and lobbies in the state government but ignoring small-scale development projects that did not carry similar political clout. Women residing in the Nanda Devi Reserve fringes criticised the government for having deprived them of access to an area they once had.

By the late eighties, regional political groups like Uttarakhand Kranti Dal started an agitation during which some trees were reported to have been felled in and around Ranikhet in defiance of forest laws. They declared their wishes to clear forest areas on behalf of any community or village intending to start (re)development work. The pressure group argued that such acts were the only means of forcing the governments, both at the national and state levels, to accede to their demand for a separate hill state of Uttarakhand. And this became a campaign issue, perhaps for the first time, during the elections in November 1989 in the centre and the state.

In the early 1990s, the ecological content of the Chipko movement had been overtaken by the Dal's political agenda for statehood. Interestingly, along with this agitation, several Uttarakhand Sangharsh Vahini (a pro-Left students group) activists who at one time supported the Chipko movement felled thousands of trees throughout Garhwal and Kumaon during their 1989-90 Ped Kato Andolan, a movement to cut trees to counter delays in environmental

ko and its antithesis the Ped Kato Andolan, have an overlapping issue: the right of the local people to decide how they should manage their local resource base. Surprisingly, many of the leaders of the tree-felling movement were associated with the Uttarakhand movement seeking a new hill state.

Around this time debates were afloat on continuation of the Chipko and Tehri movements. The local people considered them largely idealistic but not much

more effective in solving the immediate socio-economic problems. During the Prime Ministership of Nehru, PC Joshi, a CPI member, had appealed for the creation of a separate hill state; but subsequently his request was rejected. The Uttarakhand Kranti Dal was formed in 1979, and its representatives met Indira Gandhi to place their demand for a new state. The UKD set up successful candidates in the legislative elections of 1980 and 1985. While the demand of the UKD was not



more effective in solving the immediate socio-economic problems.

And it is in this context that the revival of Uttarakhand movement was seen as a long-term remedy to the basic problems of the people. A separate statehood was considered more urgent than establishing a harmonious relationship with nature.

Uniqueness

Throughout India's independent history there had been demands that the Uttarakhand consisting of eight hill districts (Almora, Chamoli, Dehra Dun, Nainital, Pauri Garhwal, Pithor-gargh, Tehri Garhwal and Uttarakashi) of Uttar Pradesh should be recognised as a separate state. These demands were largely based on the region's geographical uniqueness from the rest of Uttar Pradesh, its historical separation and a post-Independence discussion on internal colonialism, primarily in relation to the forests. The issue started to garner

rejection outright, the only concession made by the UP government was to create a new state agency — the Hill Development Agency — for the better development of the hills. But the agency's development work revolved around some limited areas and that too in cities and towns, giving less attention to the rural hinterland.

As a result, the regional political groups and elected village and bloc leaders started pointing to the undesirable trends which they condemned as the "plains-oriented mentality of administration". They repeatedly used these arguments as their agenda but every time their cry was unheard and unresolved.

These people later heaved a sigh of relief when the BJP supported the issue during the 1991 and 1993 elections in UP.

In July-August of 1994, the eight hill districts of Uttarakhand once again witnessed the popular massive upsurge which was unprecedented in the history of the struggle for a separate hill state. This upheaval was a fallout of the UP government's new reservation

of all government employment and education would be reserved for the Other Backward Communities. People apprehended that the new policy would accrue maximum benefits to the OBC's of the hills, taking away whatever little job opportunities were available for the educated youth of the general category. Uttarakhand with an overwhelming majority of high caste Hindus quickly reacted to this and soon the entire hill witnessed a spontaneous massive upsurge, reminiscent of the Chipko kind.

Agitation

In subsequent years, the struggle for statehood continued unabated. In November 2000, the long agitation finally managed to carve out a niche for itself in the form of a new but renamed state of Uttaranchal.

The BJP at the Centre has played on regional sentiments in changing the name from Uttarakhand (northern region) to Uttaranchal (northern province) thus distinguishing itself from other regional political parties which had been arguing for Uttarakhand.

A leading part in the Uttarakhand movement was played by the youth and by students. In the agitation of 1994, girls of Garhwal University called their group the "Gaura Devi Dal", invoking the memory of the brave women from Reni village (a Chipko battlefield where women participated en masse) who successfully chased away the axemen. The students thus helped Chipko to return to where it originally belonged. Herein lies the essence of Chipko activism in reclaiming regional autonomy.

History speaks in favour of small states. The creation of Haryana and Himachal Pradesh is a case in point. It is too early to make any comment on Uttarakhand. According to a report published in a recent issue of *Economic and Political Weekly*, while 50 per cent people of the present Uttar Pradesh are in support of the creation of Uttaranchal, an overwhelming 84 per cent people of Uttaranchal are either satisfied or very satisfied with the creation of the new state.

Yet people have to wait for the coming years to judge whether the statehood is good or bad. But if one were to look at the core issue which affects the quality of life for the majority of the population of Uttaranchal, it will be environment, as it always was.

India have strong legal... opinion before allowing the bid... "Our party has no... for the hills... that 27 per cent

(Concluded)

Atmospheric changes will turn cities into 'heat islands'

WARNING-WEATHER CAN BE BAD FOR YOUR HEALTH

Call it an act of retaliation. Humans have given the Earth a fever that is steadily rising, and the planet is striking back. Burgeoning insect populations could bring dengue, encephalitis and malaria closer to our doorsteps. A warmer Bay of Bengal might unleash a nasty surprise just as it did about a decade ago when a new epidemic form of cholera surfaced in eastern India. And changes in the atmosphere could exacerbate respiratory illnesses as well as turn cities into 'urban heat islands' that pose health hazards to inhabitants.

Global warming will raise sea levels, melt glaciers and shrink crop yields. But the changes in climate also portend dramatic impacts on human health. Climate change could alter patterns of infectious diseases — transmitted by insect bites and acquired through contact with rodents and contaminated water. Scientists predict that extreme weather events will also take an indirect toll on human health.

Several hundred delegates from around the world converged in New Delhi last week for the UN conference on climate change in yet another attempt to find ways to tackle the biggest man-made threat to the environment: global warming. They negotiated behind closed doors for nine days in sessions that stretched into the nights, seeking strategies to mitigate climate change, but emerging now and then to pop in Indian delicacies at the Food Plaza. As one foreign delegate ordering bland chicken and rice said, "You can't negotiate an empty stomach."

The conference resulted in the Delhi Declaration, a document that highlights the need for efforts to help developing countries adapt to the effects of climate change. But scientists say that even if all countries were to miraculously achieve the impossible feat of stopping all emissions of carbon dioxide and other greenhouse gases that trap heat from the sun, some climate consequences are inevitable. Carbon dioxide already pumped into the atmosphere will remain there for decades to come. "No matter what we do today, the world is committed to some levels of climate change," said Dr Rajendra Pachauri, director of the Tata Energy Research Institute, New Delhi, who was, earlier this year, elected chairman of the Intergovernmental Panel on Climate Change (IPCC), a UN agency tracking climate change and its impacts.

Although climate change is expected to occur over several decades, glimpses of how changing weather patterns can influence human health have already been visible around the world through the 1990s.

After a century-long lull, a cholera epidemic struck Peru and rapidly spread to other South American countries in 1991, a year marked by unusually warm ocean waters in the eastern Pacific, the weather phenomenon called El Niño. A meningitis epidemic struck western Africa after a spell of hot and dry weather. Hantavirus, a life-threatening lung disease, caused by contact with the droppings of rodents, surfaced in the US after extreme weather events. A new strain of cholera with the potential to cause widespread epidemics emerged in eastern India in the early 1990s after heavy rains.

The third assessment report of the IPCC released last year predicts that greenhouse gas emissions will raise average global temperatures by 1.4° C to 5.8° C by the year 2100. This change is expected to influence weather patterns, water resources and vegetation. The developing countries are the most vulnerable. "South Asia has more negatives stacked up against it than most other regions of the world," said Dr Martin Parry, a British scientist, and co-chairman of an IPCC working group evaluating the impacts of climate change.

In a warmer world, disease-carrying creatures such as mosquitoes, rodents, and ticks, could expand their range of habitats. The changes in climate could also induce the persistence of pollen and fungi that promote more asthma and allergic disorders. Studies indicate that the number of deaths from heat waves around the world could double by the year 2050 AD. On warm summer days, the temperatures in a city could be 2 to 8 degrees higher than the surrounding areas. A 1° C to 2° C rise in temperature could mean direct heat-related deaths and illnesses, affecting the elderly and the already sick. Air pollution and high humidity in cities could amplify effects of heat. A study by US scientists indicates that high air pollution can trigger heart attacks within hours of exposure.

Warmer temperatures and flooding from excess rainfall could increase contamination of drinking water, leading to epidemics of diarrhoea and dysentery. Studies at the National Institute of Cholera and Infectious Diseases (NICED), Calcutta, reveal that changing



ON THE EBB

With a 6000-km long coastline, agriculture dependent on rainfall, and — like other developing countries — little capacity for adapting to climate change impacts, India is considered particularly vulnerable to the consequences of climate change. There are still uncertainties about impacts because all research studies to simulate weather conditions decades into the future are based on computer models that still cannot predict climate changes on district-level scales. But here are some projected impacts of climate change on India:

- ◆ **HOTTING UP:** India is likely to become warmer with the average temperature change in the range of 2.3° C to 4.7° C. Rainfall will increase at some places and decrease at others.
- ◆ **MONEY TALK:** Economic losses from a one-metre sea-level rise would range from Rs 2,280 billion in Mumbai to Rs 3 billion in Balasore.
- ◆ **RISING TIDE:** The sea level rise may inundate several hundred square kilometres of agricultural land in Orissa and West Bengal.
- ◆ **DEARTH OF FOOD:** A 0.5° C rise in winter temperature may lead to a 10 per cent drop in wheat production in India's bread-basket states of Haryana, Punjab and Uttar Pradesh.

Malaria, cholera, dengue. That is only the tip of the iceberg. India will soon turn into a cesspool of disease as climatic variations become the order of the day. G.S. Mudur reports

weather patterns can increase incidence of diarrhoeal diseases. "Cholera is a disease we'll have to watch out for as the climate changes," said Sujit Bhattacharya, director of the National Institute of Cholera and Enteric Diseases, New Delhi. Cholera bacteria remain hidden in sea water during cholera-free periods, living in tiny sea algae called zooplankton. "Any increase in algal population

after high rainfall could push the germs back into the human food chain," said Bhattacharya.

Among mosquito-borne infections, dengue "rivals malaria in its scope and distribution," said Sam Rawlins, an entomologist at the Caribbean Epidemiology Centre in Trinidad. Since the 1950s, when dengue was restricted to southeast Asia, it has spread from India, Pakistan,

Sri Lanka to Africa, and Central and North America.

Rawlins is investigating the reasons for the increased incidence of dengue in their region. The studies point to a strong connection between climate and dengue. As average temperatures in the Caribbean have crept up slightly, so too have cases of dengue fever.

India has long been experiencing changing patterns of infectious diseases. Malaria and Japanese encephalitis, for instance, have spread into new territories. But there is no evidence yet that these changing scenarios are actually climate related. Indeed, communicable disease experts believe human activities have been key factors affecting the spread of malaria and Japanese encephalitis. "But they could claim fresh territory as climate changes," said a scientist at the National Institute of Communicable Diseases.

The forecasts of lung illness from an emission-laden atmosphere does not surprise most Indian researchers. Certainly not Shaileendra Nath Gaur, head of respiratory medicine at the Vallabhai Patel Chest Institute, New Delhi. A study by Gaur has revealed that the incidence of asthma has shot up in the Delhi region from 2 per cent in the mid-1970s to 10 per cent in the late 1990s.

But not all agree with the generalised predictions contained in the IPCC report. "The impact of climate change on the spread of diseases might be exaggerated," said Dr Pradeep Das, director of Vector Control Research Centre, Pondicherry. "At this point in time, human activities are primarily responsible for the proliferation of insects and associated diseases," said Das.

Long-term malaria epidemiologists in India also reason that while climate change has the potential to change disease patterns, many other factors influence the actual incidence of a disease in a region. They range from local vegetation to human population density to human activities. "The right way to predict malaria will be through district level analysis of the impact of climate change," said Ramesh Dhiman, deputy director of the Malaria Research Centre, New Delhi.

Dhiman at the MRC and Bhattacharya at the NICED in Calcutta have launched long-term studies to track how climate change might influence the diseases. But, environmental groups are worried that the international debate on how to reduce greenhouse gas emissions is not really hotting up. "The temperature rise and the increased risk of disease has become inevitable for the moment."

IN SEARCH OF PLANET GREEN

As the nine-day UN conference on climate change concluded in New Delhi on Friday, India and other developing countries managed to resist intense pressure from the European Union (EU) to at least start discussing plans to cut their own greenhouse gas emissions. "This was the most contentious issue," said Priyadarshi Shukla, from the IIM, Ahmedabad, a member of the Indian delegation. The industrialised countries are the world's largest polluters and equity demands that they act first to reduce emissions.

The Kyoto Protocol, hammered out in 1997, sets legally binding targets for industrialised countries to cut their emissions — collectively, at least 5 per cent by 2012. But it will become binding only when countries representing 55 per cent of emissions have ratified it. The US has decided not to ratify the Kyoto Protocol declaring it would harm its economic interests. Instead, the US has launched a greenhouse gas reduction programme that seeks to exploit clean energy technologies, renewable energy sources, and financial aid to cut greenhouse gas emissions in developing countries. Despite the US walkout, the world hopes that the Protocol will come into force in 2003 after Russia has signed it.

The Delhi Declaration that emerged from the conference makes no mention of commitments by the developing countries. However, in line with what the Indian delegation had set out to do, the Declaration emphasises the need for urgent attention to capacity building and adaptation for the developing countries. But consensus documents signed by 180 governments can't satisfy everyone. "The EU is frightened that time is running out," said Jesper Gundermann, senior advisor in the Danish Environmental Protection Agency. "Experience shows that real action starts many years after negotiations begin. We want discussions on how soon developing countries could begin reducing their emissions," Gundermann said.

But the strongest criticism of the conference emerged from environmental groups which claimed that the conference was marked by a lack of urgency to tackle climate change. The initial Kyoto targets call for only 5 per cent cuts in emissions. "Without deeper and faster reductions beyond the 2012 period, we will continue to see climate change impacts," said Steve Sawyer, climate policy director, Greenpeace. "The industrialised countries need to work towards far more deeper cuts, and the developing countries need to look for ways to achieve sustainable development without legally binding emission reduction targets," said Sawyer. Environmental groups accused the US and Saudi Arabia of attempting to polarise the world with the EU and the developing countries on two sides. "They managed to convince the developing countries that any mention of emission cuts were code words for legally binding targets," said Sawyer.

The real progress at the Delhi conference was in the technical area of working out the rules to put into action the Clean Development Mechanism, a system that allows developed countries to



WBSEB

WEST BENGAL STATE ELECTRICITY BOARD

NOTICE TO CONSUMERS

Sub: Fuel Surcharge adjustment in respect of supply of power to the consumers for the period from April, 1999 to March, 2000.

As per advice of the Power Department, Govt. of West Bengal fuel surcharge was claimed on provisional basis from the consumers @ 50 Paise/Kwh during the period from April, 1999 to March, 2000.

Actual fuel surcharge payable by the consumers for the period from April, 1999 to March, 2000 has now been approved at 59 Paise/Kwh by the Power Department, Govt. of West Bengal.

Hence, balance amount of fuel surcharge @ 9 Paise/Kwh is recoverable from all consumers covered under metered supply including CESC Limited under Rate G(c) and excluding Singur-Haripal RE Co-operative Society Ltd. under Rate S(e) on account of supply of power from April, 1999 to March, 2000 and the same shall be recovered in 24 (twenty four) instalments commencing from the energy bill to be preferred to the consumers in December, 2002 and onwards.

Actual fuel surcharge payable by Singur-Haripal RE Co-operative Society Ltd. for the period from April, 1999 to March, 2000 as approved by the Power Department, Govt. of West Bengal works out at 39.35 Paise/Kwh against 33.35 Paise/Kwh realised provisionally during the corresponding period. Balance amount of fuel surcharge @ 6 Paise/Kwh will be recovered in 24 (twenty four) instalments through the energy bill to be preferred from December, 2002 and onwards.

Amount of fuel surcharge to be recovered further from the consumers covered under unmetered supply in 24 (twenty four) instalments from December, 2002 in the context of finalisation of actual fuel surcharge by the Power Department, Govt. of West Bengal and the monthly instalment therefore are given below:

Rate C(b)	Additional Fixed charge for 1999-2000 (Rs)	Monthly Instalment (Rs)			
Unmetered supply to STW and submersible Pump	I. In the district of Coochbehar, Jalpaiguri and Darjeeling				
	i) STW between 3 HP and 5 HP	Rs 540.00 / Rs 22.50			
	ii) STW converted into submersible Pump	Rs 810.00 / Rs 33.75			
	II. For other districts				
Pump	i) STW between 3 HP & 5 HP	Rs 702.00 / Rs 29.25			
	ii) STW converted into submersible Pump	Rs 972.00 / Rs 40.50			
Rate D (Public Lighting)	Additional Fuel Surcharge payable for 1999-2000 (Paise) 8.10 / Watt	Monthly instalment (Paise) 0.3375 / Watt			
MCB consumers under Domestic Category.	Capacity	Addl. FSC for 1999-2000 (Rs)	Addl. Elec. Duty for 1999-2000 (Rs)	Monthly instalment (Rs)	
				Addl. FSC (Rs)	Addl. Elec. Duty (Rs)
	2 Amp	54.00	1.35	2.25	0.06
	4 Amp	108.00	5.40	4.50	0.23
	6 Amp	162.00	12.15	6.75	0.51

Developing countries score a point at climate meet

HO-1
By ~~T. R. Baalu~~ T. R. Baalu

NEW DELHI, NOV. 1. Putting aside their internal differences, the developing world today succeeded in resisting the intense pressures from the developed countries to also take up some commitments to solve the problem of climate change.

The success was reflected in the 'Delhi Declaration' that was adopted at the end of the United Nations Conference on Climate Change here. The developing countries unitedly rejected attempts to include in the document at least some words that legally bind them to take measures to help cut down on the levels of greenhouse gas (GHG) emissions into the atmosphere.

Instead, it emphatically reiterated the principle of common but differentiated responsibilities of the countries in meeting the challenges of climate change, taking into account their priorities, objectives and socio-economic circumstances.

During the 10 days of the conference, as also during the negotiations on the document, the developed world had been insisting on some more commitments. At some point, there were apprehensions that they may succeed in their endeavour through a split in the unity of the developing world. It was feared that small island nations, which were the most vulnerable to the adverse impact of climate change in the form of a rise in the sea level, might back the demands of the developing countries. But, at the end, they threw in

their lot with the rest of the developing world.

The Delhi Declaration is also noteworthy for its emphasis on the need for the United States, Russia and other developed countries, which are yet to ratify the Kyoto Protocol on reduction of GHG emissions, to do so at the earliest. While the U.S., which emits the maximum quantum of the gases, has been refusing to ratify the Protocol on the ground that doing so would harm its economy and, consequently, that of the world as a whole, Russia has been dilly-dallying on the issue of ratification.

At the World Summit on Sustainable Development held at Johannesburg two months ago, it had sent out signals that it would ratify the Protocol soon. But, since then, it seems to have changed tack and, a few days ago, indicated that it was not in a hurry to do so.

The document is also noteworthy for its emphasis on the need to promote renewable energy sources. The European Union as a bloc had been stressing on this aspect as a means to cut down on the GHG emissions.

Thanking the over 170 countries, which attended the meet, for coming out with a "balanced" Delhi Declaration, the Union Environment Minister and president of the conference, T.R. Baalu, expressed the hope that it would mark a new approach to the issue of climate change.

All are winners, says Baalu: Page 13

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'Progress in climate talks more important'

By R.K. Radhakrishnan

Amritha

NEW DELHI, OCT. 31. Progress in the climate talks is more important than securing a Delhi Declaration, the Union Environment Minister and president of the climate conference, T.R. Baalu, said here today.

Talking to *The Hindu*, Mr. Baalu said there were many who held the view that for the successful conclusion of the talks there needed to be a declaration. "But I am not unduly worried about producing a declaration. I am more concerned about reversing what is happening (to the climate) today," he said at the venue at the eighth Conference of Parties (CoP-8) to the United Nations Framework Convention on Climate Change (UNFCCC).

Stressing the consensus aspect, which he had been talking about since day one, Mr. Baalu said that if there was no consensus on the amendments — which could be suggested to the revised draft of the Delhi Declaration — then there was no need for a declaration. "It has to be realised that I am not looking to create history. I am looking for progress based on commonly shared concerns," he added before countries adjourned to discuss the revised draft.

The CoP-8 president prepared a fresh declaration based on the views of the Ministers and delegates. He made it clear that as "CoP president, he did not take stands for or against any group or any country".

Meanwhile, Harlan Watson, head of the United States delegation, clarified that his country had not brought any pressure on India to exclude or include any provisions.

Paula Dobriansky reiterated that the U.S. would not ratify the Kyoto Protocol, as it would adversely affect the country's economy. This also meant that a ripple effect would affect many other economies too. Stressing on bilateralism, she

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said the U.S. was actively involved internationally in programmes for protection of the environment, particularly by assisting the developing countries with regard to technology, energy and forest conservation.

The German Federal Minister, Jurgen Tritten, refuted the U.S. argument on Kyoto Protocol and said that economies would suffer more from the adverse effects of climate change. Hence, it was necessary to bring the Kyoto Protocol into force. The developed countries were responsible for 80 per cent of atmospheric concentrations of greenhouse gases and they had to share a higher responsibility for protecting the environment.

The general view that emerged at the end of the ministerial plenary session was that climate change significantly impacts economic development and, hence, the concerns should be addressed in the context of promoting sustainable development. Many developing countries observed that adaptation to adverse effects of climate change had to be accorded priority and necessary actions taken to increase their institutional and financial capabilities to cope up with the ill-effects of climate change.

Steve Sawyer, Greenpeace climate policy director, said that as a matter of basic fairness and equity it was the developed countries that must act first. Central to this is the implementation of the Kyoto Protocol.

Initial targets under the protocol call for only a five per cent reduction in emissions. Without much further, deeper and faster reductions it would be impossible to slow down global warming.

"Do the people here in Delhi want to protect future generations from climate change, or be remembered as the ones who were too self-centred, too greedy, too lazy or too cowardly to make the decisions needed to help save us all," he asked.

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COP OUT IN NEW DELHI

2001/11/14

THE EIGHTH MEETING of the Conference of Parties (COP-8) to the United Nations Framework Convention on Climate Change that will conclude in New Delhi today has heard many speeches with little commitment on concrete action to arrest global warming. It has also been a high-level meeting where India, the host country, has played a less than distinguished role in the proceedings of the conference. The Delhi meeting was not expected to result in any legally binding agreements on climate change, but the tone and content of the discussions at COP-8 send out troubling signals that Governments are not showing any urgency to combat climate change.

With the passing of each year, the signs of changes in the weather — global warming leading to alteration of rainfall and temperature patterns — are becoming more and more apparent. There can now no longer be any doubt that the world is in the midst of climate change. Since it will take decades to reverse the process, there is a need for immediate action. Yet, consider the progress in operationalising and implementing the UNFCCC. The Convention was drawn up in 1992; but it was not until 1997 that the Kyoto Protocol of the Convention was negotiated with what is considered a weak goal of a 5 per cent reduction over 1990 levels in the emission of greenhouse gases (GHGs) by 2008-2012. In 1998, the Buenos Aires Plan of Action was agreed upon to operationalise the protocol. But with the U.S. deciding to withdraw from the Kyoto Protocol, a Bonn Declaration had to be negotiated in 2001 to breathe new life into the UNFCCC. That has not materially changed the pace of implementation since the Kyoto Protocol has not yet come into force. According to the agreement, the protocol becomes operational once 55 countries have ratified it, including Annex I (broadly developed) countries accounting for 55 per cent of emissions in 1990. So far, Annex I countries accounting for only 37 per cent of global emissions have ratified the agreement. Some major polluters like Russia are yet to ratify the Protocol. This means that just five years be-

fore the end of the “first commitment period”, the Kyoto Protocol is still not a legally binding international agreement. In the meanwhile, global emissions are in the aggregate growing and not coming down. In 2000, emissions of GHGs by the member-countries of the Organisation for Economic Cooperation and Development were 8 per cent higher than in 1990. With such indifference to a global agreement to combat climate change, it is no wonder that COP-8 has been reduced to a talking shop about some of the mechanisms for implementing the Kyoto Protocol.

The convening of a COP for the first time in a major developing country was supposed to provide the context for a focus on the unique problems faced by the world's poor countries in coping with climate change. Yet, the astonishing fact is that India has drafted a declaration on climate change that is to be issued by the conference which makes no mention whatsoever of the Kyoto Protocol and its implementation. It is a shame that India has put forward a declaration that has been roundly criticised by the least developed countries, the small island nations (many of which will be submerged by a rise in the sea level unless global warming is reversed) and by the European Union, all of whom refused to endorse the declaration in its original form. Not surprisingly, the only two countries to have praised the draft are the U.S. (which continues to oppose the Kyoto Protocol) and Saudi Arabia (which as a major exporter of crude oil has always been critical of efforts to control GHG emissions). At whose behest and why India put together such a declaration is not known for sure. It required the inaugural speech of the Prime Minister, Atal Behari Vajpayee, at the high-level segment of COP-8 to dispel fears that India was back-peddalling on its known position on the UNFCCC and the Kyoto Protocol. A compromise will eventually be worked out. But the damage has been done and in the future not many countries will believe that India is sincere about its support for global efforts to combat climate change.

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Controversy over funding at meet on climate change

By P. Sunderarajan

NEW DELHI, OCT. 29. Even as the on-going eighth Conference of Parties (CoP-8) to the United Nations Framework Convention on Climate Change (UNFCCC) got ready for the high-power ministerial-level discussions beginning tomorrow, a controversy arose over the funding mechanism under the Convention.

The controversy broke out today after the Chairperson of the Subsidiary Body on Implementation (SBI) under the Convention, Raul A. Estrada Oyuela, disclosed at a press conference that negotiations to formulate guidelines for the funding of various activities to address the problem of climate change had run into rough weather because some developed countries sought to introduce certain new conditions.

According to him, the

representatives of some developed nations, who were participating in the negotiation, insisted that before the guidelines were formulated, a decision be first taken on prioritisation of the activities to be taken up using the funds set up under the Convention.

The developed nations, Mr. Oyuela said, wanted that priority be given to mitigation measures or steps to reduce or avoid greenhouse emissions rather than on adaptation issues or activities that were related to building the capacity of the countries, particularly the least-developed ones, to tackle the adverse impacts of climate change.

The developing countries objected, leading to stalling of the proceedings.

All hell broke loose after the disclosure.

Reacting sharply, the

European Union, which was one of the parties indicted by the SBI chairman, though not by name, emphasised that it was keener than anyone else that the funding be in place as soon as possible so that the world could tackle the problem of climate change.

Speaking to presspersons, the E.U. spokesperson, Thomas Becker, noted that during the extended sixth conference of parties in Bonn last year, the European Community and its member-States, along with Canada, Iceland, New Zealand, Norway and Switzerland had announced that they were prepared to provide an annual contribution of \$410 million by 2005 to developing countries.

In their determination to fulfil this commitment, the E.U. and its member-States had taken several concrete follow up steps.

\$70 billion losses from natural disasters

By R.K. Radhakrishnan

NEW DELHI, Oct. 29. The loss due to natural disasters this year could be over \$70 billion, a preliminary study by a United Nations Environment Programme (UNEP) member said here today.

The catastrophes between January and September this year — a vast majority of them weather-related — have cost countries and communities an estimated \$56 billion. The losses have so far cost the insurance industry \$9 billion. The losses appear to be doubling every decade and, at the current pace, annual losses over the next decade could breach the \$150 billion mark.

The report based on the study conducted by Munich Re, a re-insurance company, that is part of the UNEP Finance Initiative, was presented at the eighth Conference of Parties (CoP-8) to the United Nations Framework Convention on Climate Change (UNFCCC) here.

The report says that there have been an estimated 526 significant natural disasters in the first nine months this year.

The highest was in Asia numbering 195, followed by America 149. Europe experienced 99 disasters and Africa 38. "The report is a wake-up call for the global financial community. It highlights the real risks and economic perils they are facing as a result of human-influenced climate change," says the UNEP executive director, Klaus Toepfer.

But too few financial companies, including banks, pension funds and insurance companies, are taking the risks and opportunities posed by climate change seriously, the initiative warns. The UNEP has already initiated a dialogue process with the Fortune 500 companies, as part of a Carbon Disclosure Project. The project seeks details on quantifying emissions from the companies, which command about \$5,000 in assets, and would also offer advice.

The UNEP is of the opinion that the coming into force of the Kyoto Protocol was pivotal to any meaningful initiative to reverse the climate change trends.

"The industrialised nations must do all they can to reduce their emissions of

greenhouse gases, the first step of which is to ratify the Kyoto Protocol so it can come into force," he added.

Asian brown haze

On the Asian brown haze study, UNEP maintained that there was no reason to modify the findings. The authors faulted the press release saying that "while its direct quotes of the report are accurate, (the release) should have given more emphasis on the caveats in the report". The report held the haze responsible, among other things, for the lack of monsoon over south Asia.

The UNEP believes that it had managed to start a debate with the study. At a separate press briefing, the international body that makes available scientific opinions to tackle climate change, described the conclusions from the study as "pre-mature".

WWF sets standards

Meanwhile, the World Wildlife Fund, today launched its draft gold standards

for greenhouse gas (GHG) reduction projects under the Kyoto Protocol's Clean Development Mechanism (CDM) and Joint Implementation (JI). WWF's "Gold Standards for Kyoto Projects" provides the first independent best practice benchmark for CDM and JI.

Under the Protocol, industrialised countries with GHG-emission targets are allowed to take credit for projects overseas that reduce emissions. Typical projects include substitution of fossil fuel powered electricity generation with renewable energy and improvements in industrial or commercial energy efficiency levels.

Since the Protocol is yet to come into force, it will take time for companies to seek approval of the Standard. This will happen sooner or later, WWF says. "We are working closely with the Russian Government to ensure they sign the Protocol," says Jennifer Morgan, director, WWF Climate Change Programme.

"We expect them to sign by early 2003," she added. The Protocol will come into effect once Russia signs it.

'THE BOOT IS ON THE OTHER LEG'

Why should we do more to cut greenhouse gases?: PM

By P. Sunderarajan

NEW DELHI, OCT. 30. The Prime Minister, Atal Behari Vajpayee, today rejected suggestions from several developed countries that India and other developing countries increase their commitments to reduce the emission of greenhouse gases (GHG) to address the problem of climate change, saying that it was the developed world which had contributed much more to the problem.

Inaugurating a Ministerial meeting at the ongoing eighth conference of parties to the United Nations Framework Convention on climate Change (UNFCCC-COP8), Mr. Vajpayee said the suggestions were totally misplaced.

The per capita GHG emissions of the developing countries were only a fraction of the world average, while those of the developed countries were much higher.

What was more, the situation would not change for several decades.

"We do not believe that the ethos of democracy can support any norm other than equal per capita rights to global environmental resources," Mr. Vajpayee asserted.

Besides, the per capita incomes in the developing countries were a fraction of those of the industrialised countries, and making fresh commitments to mitigate the ill-effects of climate change would impose an additional burden on their already fragile economies — they would affect their efforts to achieve higher GDP growth rates to eradicate poverty speedily.

Mr. Vajpayee discounted the claim that developing countries generated more GHG than what their economies warranted and said that on a purchasing power parity basis, the emissions of



The Prime Minister, Atal Behari Vajpayee, with the Environment Minister, T.R. Baalu, and Joke Waller Hunter, Executive Secretary, Conference of Parties - 8, at the U.N. Framework Convention on Climate Change in New Delhi on Wednesday. — Photo: S. Arneja

the developing world were lower, and, in any case, not higher than that of the industrialised countries.

The Prime Minister highlighted the concerns of the developing countries over the lack of their adequate capacity to tackle the adverse impact of climate change and urged that the UNFCCC Convention pay more attention to the aspect of vulnerability and adaptation.

Emphasising that food and nutritional well-being were priority issues for the developing countries, he said agricultural sustainability, water conservation and problem of weather-related economic losses and deaths were some of the key ar-

eas related to adaptation. "There is a need for strengthening the capacity of the developing countries in coping with extreme weather events, which are increasing in frequency and severity due to climate change."

India was deeply committed to the goals of sustainable development and, despite not having given specific commitments under UNFCCC, it was taking several measures in that direction.

"As the cumulative effect of all the policies and measures, the energy intensity of our GDP has been declining steadily," he said.

In a message to the confer-

ence, the U.N. Secretary-General, Kofi Annan, drew attention to the recent World Summit on Sustainable Development at Johannesburg and pointed out that the consensus reached there had significant implications for the efforts to address climate change and its adverse effects.

"One challenge for this Conference of Parties is to consider whether, and to what extent, the approaches, goals, and methods agreed in Johannesburg are a basis for cooperation in this forum."

The message was read out by the U.N. Under-Secretary General for Economic and Social Affairs, Nitin Desai.

PM's stand widens differences at CoP-8

By R.K. Radhakrishnan

emissions
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NEW DELHI, OCT. 30. The Prime Minister, Atal Behari Vajpayee's observation that the suggestion to enhance the commitment of developing countries on mitigating climate change was "misplaced," served to further widen the differences between countries at the climate conference today.

While the European Union seemed disappointed with the statement, the least developed countries warned that there was no time to be lost on more talks.

The central issue at the conference relates to the emission of green house gases (GHG), such as carbon-dioxide, which heats up the atmosphere. This in turn, caused increasing 'freak' weather conditions across the world, leading to loss of life and property.

The release of GHG by developing countries was negligible, but they were the most affected by it and were finding it increasingly difficult to cope with the vagaries of weather.

While declining to comment on the text of the Prime Minister's speech, the EU stressed the need for looking beyond 2012 (when developing countries are expected to take up commitments), which also marks the completion of the first commitment period, under the Kyoto Protocol.

"The EU is not talking about reduction in emissions (on the part of the developing world) now," the EU delegation chief and Danish EPA director-general, Steen Gade, said at the high-level segment round table. It only wanted the dialogue process to start now. Echoing the EU on this issue, New Zealand, Japan and Australia, wanted all countries to participate in the task of reversing climate change.

The Mexican Minister, in an apparent reference to the issue, said before talking about the future, the conference had to first "talk what was on the table." China maintained that the reasonable needs of developing countries should first be addressed. The increasing GHG emissions from developed countries, despite assurances that steps were being taken to reverse the trend, was a cause for concern.

The coalition of island nations and the least developed countries made it clear that they were far from impressed.

"We cannot sit through meeting after meeting, year after year, with one side of the room saying we cannot act alone and the other saying they would not take on the commitments," remarked the Samoa Ministerial representative. Panama and Bhutan said that while they were not responsible for climate change, they would be affected by it.

Venezuela, felt that there was no point in talking about the "third or fourth obstacle," when even the first one had not been scaled. "We do not wish to hold any dialogue in which developing countries are asked to take any new responsibilities," its representative said.

There were two points of agreement though: most nations agreed that climate change was a fact and also that there was an urgent need to bring the Protocol into force. The enforcement of the Protocol was only a necessary first step, they added.

And so, barely two days before the eighth Conference of Parties (CoP-8) to the United Nations Framework Convention on Climate Change (UNFCCC) concludes here, the CoP-8 chairman, T.R.Baalu, attempted to work out a consensus, by announcing that he would modify the Delhi Declaration. Mr.Baalu said that he would draft a "revised proposal," incorporating the sentiments expressed at the Ministerial round table and present them.

His earlier draft was virtually rejected by the EU and many countries in the G-77/China group. NGOs branded the draft as one reflecting the view of the United States. The U.S. has not signed the Protocol and, along with Saudi Arabia, is viewed as the biggest impediment in bringing the Protocol into force.

Krishna apologises to Supreme Court

Press Trust of India

NEW DELHI, Oct. 28. — The Karnataka chief minister, Mr SM Krishna, today tendered an “unconditional apology” to the Supreme Court saying his government “erred” by not implementing its order for release of Cauvery water to Tamil Nadu.

Posting the matter of contempt petitions filed by Tamil Nadu against the Mr Krishna and his government for 1 November, a Bench of Chief Justice Mr BN Kirpal, Mr Justice YA Sabharwal and Mr Justice Arijit Pasayat said it was keeping the apology tendered by Mr Krishna on record.

Karnataka told the court that it has started releasing 10,000 cusecs of water daily from today.

The Bench said the Karnataka chief minister's affidavit did not contain any information about the quantity of water released from the reservoir. It asked the Union government to find out the quantity of water received at Mettur dam in Tamil Nadu and tell the court about it on 1 November. On that day, the court will consider acceptance of the apology as well as steps taken by Karnataka to implement the court's order.

At the beginning of the hearing, Karnataka counsel Mr Anil Diwan read out the affidavit of Mr Krishna tendering unconditional apology and requested the court to drop contempt proceedings against the chief minister.

The Bench said: “We are only interested in seeing implementation of the court's order. It gives us no pleasure to punish anybody. What caused us great anguish is that the state of Karnataka, foremost in development, showed

scant respect to the Supreme Court's order. It's disgraceful.”

When Mr Diwan said Karnataka had erred, the Bench said: “Curiously enough you have fought with all your neighbours — Kerala, Maharashtra, Andhra Pradesh — with regard to water. You do not have the spirit of sharing. You want to keep everything to yourself. That is selfishness.”

Farmers' stir turns violent

Even as irrigation department officials began releasing water to Tamil Nadu from Karnataka's reservoirs in Mandya and Mysore today, hundreds of farmers courted ~~arrest~~ in protest against the government's decision, adds SNS from Bangalore. Earlier, the police was forced to lob tear gas shells after a lathicharge failed to disperse the agitating farmers. The protestor had turned violent following exchange of words with the police with some even pelting stones at the security personnel.

Jaya largesse

Miss Jayalalitha today announced that the 10 lakh farmers of the Cauvery delta region, reeling under a drought-like condition, would be given a gift hamper each comprising rice, sugar, sweets, vegetable and provisions and Rs 50, adds SNS from Chennai. “Due to the Karnataka government's refusal to release Cauvery waters and not heeding the Supreme Court, the kuruvai crop could not be raised at all. There have been hindrances in the cultivation of the Samba crop as well and this has resulted in the farmers of the delta region having a bad season.”

SC DEFERS ORDER TILL FRIDAY

Krishna tenders apology

By Our Legal Correspondent

NEW DELHI, OCT. 28. With the Karnataka Chief Minister, S.M. Krishna, tendering an "unconditional apology" and informing the court about the release of 10,000 cusecs of water to Tamil Nadu, the Supreme Court today deferred till Friday the passing of orders on the two contempt petitions against him.

However, senior counsel for Tamil Nadu, K.K. Venugopal, told a three-Judge Bench comprising the Chief Justice B.N. Kirpal, Justice Y.K. Sabharwal and Justice Arijit Pasayat that the apology and the statement to release water were only a "lip service" as these were done only when faced with contempt proceedings. Reacting to this, the Bench made it clear "we are not accepting the apology. It is only on record. Let's see how things work out. Let's see whether your farmers get water and also those in Pondicherry".

Earlier, when the case was taken up, senior counsel for Karnataka, Anil Divan, read out the affidavit filed by Mr. Krishna. It said "in deference to the observations made by this court on October 24 that Karnataka is prima facie guilty of contempt of this court, I express my unconditional apology".

Further, "the Government of Karnataka has already started releasing (10,000 cusecs) waters from its reservoirs. By means of these releases, the Government is complying with the orders of this court and the decision of the Cauvery River Authority".

"In these circumstances, the court may be pleased to drop the contempt proceedings and accept the unqualified apology," Mr. Krishna said and urged the court to direct the CRA for an early consideration of the State's request for modifications or revision of its decision made on September 8.

The Bench told Mr. Divan: "We are happy to know a constitutional crisis has blown over. We are only interested in seeing implementation of the court's order. It gives us no pleasure to punish anybody and we are not having a whip to ensure that our orders are implemented. But what caused us great anguish is that the State of Karnataka, foremost in development, showed scant respect to the Supreme Court's order. It is disgraceful."

When Mr. Divan agreed with the Bench that Karnataka had erred, the Bench said that "curiously enough, you have fights with all your neighbours with regard to water. You do not have the spirit of sharing. You



want to keep everything to yourself and that is selfishness. Your generosity will be measured by your attitude at the time of scarcity and not when you have surplus."

Mr. Venugopal submitted that Karnataka had kept quiet for more than 48 hours but started releasing water from Sunday night because the case was coming up for hearing today and it should not be construed that it had obeyed the court's order in totality. He brought to the court's notice how ever since the Cauvery Tribunal passed its order on June 25, 1991, Karnataka had not implemented the order sincerely and only the overflows had reached Tamil Nadu.

Because of this "defiant" attitude, the 'kuruvai' crops in Tamil Nadu had suffered and the State could not raise the 'talady' crop and the 'samba' too was affected. The Bench told Mr. Venugopal: "It is not that the past sins of Karnataka have been washed away. It is only that they have mended their way so as to request us to take a lenient view."

The Solicitor-General, Harish Salve, appearing for the Centre said that Mr. Krishna had met him after the court made its observations on October 24 and a

constitutional crisis had been over due to the efforts on all quarters. The Bench quipped: "We came quite close, almost to the brink of it."

The Bench directed Karnataka to file an affidavit by November 1 indicating the quantum of water released to Tamil Nadu. The Centre was asked to file an affidavit furnishing the details of water released at Biligundlu and at Mettur and both the State Governments were directed to render all assistance to the Centre in this regard.

The Bench said that all aspects of the case, including any further action on the contempt proceedings, would be taken up on November 1 and it would depend on the release of water by Karnataka.

Water released from KR Sagar

By Our Staff Correspondent

MYSORE, OCT. 28. There was unprecedented security around the Krishnaraja Sagar reservoir, near Mysore, from where the authorities began releasing over 9,000 cusecs of water to Tamil Nadu from the early hours of Monday.

This followed a Cabinet decision late on Sunday night to comply with the Supreme Court directives to release Cauvery waters to Tamil Nadu.

Sources told *The Hindu* that the orders to release water from the KRS was issued around 1 a.m. on Monday and the crest gates were opened at 1.45 a.m.

The decision was preceded by a large posse of police cordoning off the area and beefing up security around the dam to prevent farmers from laying a siege to it.

Tension in Mandya: Page 7

T.N. TO 'WAIT AND WATCH'

By Our Special Correspondent

CHENNAI, OCT. 28. Tamil Nadu will adopt a "wait and watch" policy on the Cauvery issue and monitor whether Karnataka fulfils its promise and release the required quantum of water.

Government officials said the State did not want to react in a hurry to the Karnataka decision, as it would take four more days for the water to be realised in Mettur dam. The S.M. Krishna Government had agreed to release water only under pressure from the Supreme Court, and now it was up to the Centre to ensure that the water reached Tamil Nadu, they pointed out.

Although Karnataka had on an earlier occasion backed out of its commitment to the Cauvery River Authority, Tamil Nadu is hopeful that this time the stipulated quantum of water would be released. Although much time has been lost, the officials believe that there is still the possibility for going ahead with the "samba" cultivation. To that extent, the State's approach to the Cauvery crisis had yielded results, they added.

29 OCT 2002

Cauvery: violence in Mandya, 500 held

By Our Staff Correspondent

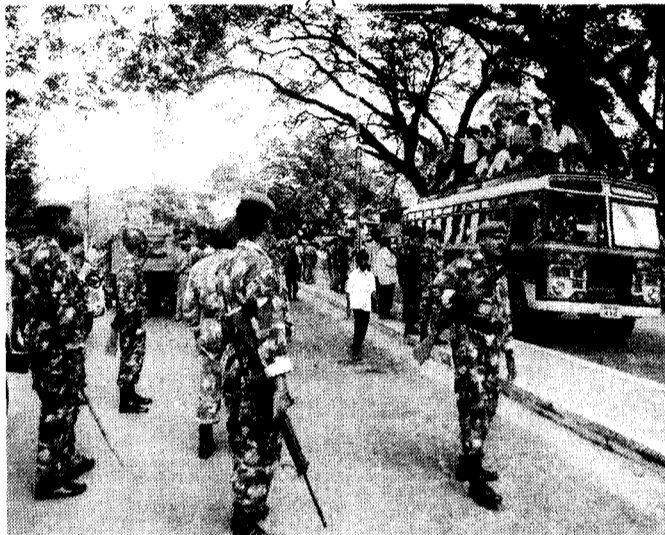
MANDYA, OCT. 28. With farmers reviving their protest against the release of Cauvery waters to Tamil Nadu, several of their leaders were arrested in Mandya district for leading processions today in defiance of the prohibitory order imposed.

More than 500 farmers and several MLAs were arrested as Mandya town witnessed violence. Police resorted to lathicharge and lobbed teargas shells to quell a violent mob, which tried to take out a procession in the afternoon.

Trouble started when farmers, led by the Mandya Zilla Raitha Hitarakshana Samiti president, G. Made Gowda, tried to push through a police cordon near the Silver Jubilee Park. As police prevented the farmers from going ahead, they started throwing stones.

A lathicharge was made and police lobbed teargas shells. Even as the farmers dispersed, about 300 of them and their leaders, including the MLAs, Atmananda and Chowdaiah, Mr. Made Gowda, and the MLC, Siddaraju, were arrested.

Later, B. Somashekar, MLA, was taken into custody as he and his supporters tried to



Rapid Action Force personnel manning the Bangalore-Mysore highway in Mandya on Monday.

stage a dharna. The procession was part of the "jail bhara" agitation launched by the Samiti against the release of water from the Krishnaraja Sagar reservoir to Tamil Nadu. The farmers had started gathering at the park since morning.

Addressing the farmers, Mr. Gowda said that the Chief Minister, S.M. Krishna, had reneged on his promise and that the farmers had received a raw deal. They would

continue the protest till Mr. Krishna quit office.

Police said none of the farmers were injured. The window-panes of a few private buses were damaged. A majority of business establishments on the State highway closed shop.

The Southern Railways had cancelled all trains between Bangalore and Mysore and with the KSRTC suspending its services, life in the district was affected. Most private buses were withdrawn.

Road traffic between Bangalore and Mysore was diverted via Malavalli and Kanakapura. The Mandya Deputy Commissioner, B.P. Kaniram, had on Sunday announced a two-day holiday for schools and colleges in the district.

The Karnataka Rajya Raitha Sangha leader, K.S. Puttanaiah, was arrested near the KRS dam as he tried to go near it. Police cordoned off the area and restricted the movement of vehicles. The Rapid Action Force and KSRP platoons have been deployed.

Fifty persons were taken into custody at Nanjangud in Mysore district when they went to the Kapila to protest the impending water release from the Kabini reservoir.

29 OCT 2002

Karnataka to release Cauvery waters to T.N.

By A. Jayaram ^{28/10}

BANGALORE, OCT. 27. A day before the Supreme Court is to pronounce its order in the contempt of court case, Karnataka tonight decided to release Cauvery water to Tamil Nadu, but withheld an official announcement.

(According to PTI, Karnataka tonight began releasing water.)

The decision was taken at a meeting of the Council of Ministers presided over by the Chief Minister, S.M. Krishna. At the end of the meeting, the Minister for Information and Health and Family Welfare, Kagodu Thimmappa, made a terse statement: "Whatever submissions we have to make will be made by our counsel before the Supreme Court". He declined to disclose the quantum of water to be released on the grounds that the matter was *sub judice*.

However, sources said the meeting had arrived at a decision to release some water to Tamil Nadu as well as tender an unconditional apology to the Supreme Court in the contempt case. The Government would abide by the September 8 directive of the Cauvery River Authority to release 0.8 tmcft. water a day, but seek a review of the same.

Later, the Ministers left for the airport to receive the President, A.B.J. Abdul Kalam.

Earlier, Mr. Krishna consulted technical and legal experts on the quantum of water to be released after considering the requirements of the State for watering the standing crops in the Cauvery basin districts and supply of drinking water to Bangalore, Mysore, and other cities and towns.

The decision was no doubt dictated by widespread fears in the Government about the possible punishment of the Chief Minister and others named in the contempt case and the future of the three-year-old Min-



The Karnataka Chief Minister, S.M. Krishna, with his Cabinet colleagues, Mallikarjuna Kharge (right) and Dharam Singh (left), arriving for a Cabinet meeting on the Cauvery issue in Bangalore on Sunday. — Photo: V. Sreenivasa Murthy

istry. The belated advice from the All-India Congress Committee to Mr. Krishna to obey the court and the advice of the State's counsel, F.S. Nariman and Anil Diwan, were other reasons.

The Government also held a meeting with one or two political parties. Although it had been billed as an all-party meeting, the major Opposition parties boycotted it protesting the Chief Minister's unilateral decision to go on a 'padayatra' and his alleged "betrayal" of the cooperation they had extended to him. Only the Communist Party of India, which is a minor political outfit in the State with no representation in the Legislature, attended the meeting.

It is understood that water would be released from the Kabini Reservoir. However, the Sugar and Animal Husbandry Minister, M. Mahadev, who belongs to Mysore District, is stated to have threatened to resign if the Kabini waters were released.

The Chief Minister and his

Ministers were tight-lipped about the proceedings of the two meetings and the decision taken by them. The usual press briefing was also dispensed with. However, sources said, Mr. Krishna informed the two meetings about the observations of the court in the contempt of court case and the legal options open to the Government.

The general opinion was stated to be that the State should fall in line with the court orders and that the storage position in the reservoirs had improved following rains, which were, however, not adequate. The situation was no longer grim as it was on September 19, when the Cabinet decided against implementing the Cauvery River Authority directive.

A former Minister, who attended the Supreme Court hearing on October 24, told presspersons what they had received was three hours of "severe dressing down" by the three-Judge Bench and they had been unprepared for it.

28 OCT 2002

CLIMATE MEET IN MOSCOW IN 2003

Russia blows hot and cold on Kyoto Protocol

Our Delhi Bureau

26 OCTOBER

RUSSIA seems to be bidding for more time before it takes a firm stance on the Kyoto Protocol. The Russian delegation attending the COP8 in Delhi on Saturday addressed a press conference, drawing attention to the larger issue of climate change and a scientific validation of such changes and mitigation steps necessary to address them.

A world conference on climate change would be organised in Moscow between September 29 and October 3, 2003 to address these issues including the UNFCCC and Kyoto Protocol and their progress.

The US climate policy would also be discussed at this conference which was proposed by President V. Putin at the G-8 summit in Geneva in 2001. At that time, a G-8 communique issued by the heads of state (including President Bush) said: "We welcome Russia's proposal to convene in 2003 a global conference on climate change with the participation of governments, business and science as well as representatives of civil society."

Yu. A. Izrael, who heads the organising committee of the conference and Roshydromet — the director of Russian Federal Service for Hydrometeorology and Environmental Monitoring said the conference would neither be an "ecological conference" nor "a conference of negotiations" but a "scientific" one to validate various aspects of climate change.

It seems like Russia is putting question marks on a range of is-

sues on climate change — not so much doubting the phenomenon — but more to widen the ambit of discussions, including "better socio-economic-political linkages" and second period commitments under the Kyoto Protocol.

Of course, there is not yet a clear indication whether Russia would ratify the Protocol. Mr Izrael said the issue was in the government's court. A decision had not yet been taken. Other representatives told reporters that there was a lot of groundwork to be done — such as changes in domestic legislation, a



GOING GREEN

special session to elicit opinion from all quarters, as well as a clear understanding of the Protocol.

"We have received the 200-page Marrakesh Accord only in the middle of this year. We are sending it to different ministries to get responses on what kind of adjustments are to be made...so it would be a while before we take a decision," said a representative.

Asked if a decision on ratification of the Protocol would be taken before or after the conference, Mr Izrael told the ET: "The conference is in 2003. The first period of commitment begins only much later." However, he said: "I should underline I am not against the Kyoto Protocol. But I have to understand the scientific basis."

The Economic Times

27 OCT 2002

Nuclear energy gets India, EU pat

Statesman News Service

NEW DELHI, Oct. 25. — India, Japan and the European Union took the lead in advocating nuclear energy as a clean fuel at the Conference of Parties to the United Nations Framework Convention on Climate Change today.

For proponents of nuclear energy, the problem is not whether it is clean but whether it is safe.

One cannot ignore incidents like Chernobyl, Russia, Three Mile Island, and closer home, the Rajasthan atomic power plant. But the Nuclear Energy Agency believes that excluding nuclear energy from two of the flexible measures, available to nations under the Kyoto Protocol, has only been symbolic. "It has not affected the development of nuclear power. It has served a symbolic purpose of creating fear in the minds of people," said Ms Bertel of the NEA. She said the misnomer had arisen because nuclear projects were capital intensive. The role of nuclear energy is long term, she said. She was giving a presentation at the India Habitat Centre.

Arguing that it was "unfair to exclude nuclear



Children protest against pollution at the Climate Conference in New Delhi on Friday. — AFP

energy from Kyoto Protocol", Ms Bertel said "the global increase in carbon dioxide emissions from 1990 to 1999 was 8.9 per cent. But in the absence of nuclear power plants it could have been 17 per cent".

"With nuclear energy, by 2012 total emission from the energy sector will be 25 per cent less than

what they are today. But without it emission will be 35 per cent more," she said.

The director of India's energy department's strategic planning group in Mumbai, Mr RB Grover, said economics of nuclear power plants was favourable for many areas in India. "Our attempt is to make nuclear power cheap so that we are able to compete with other forms of energy."

Mr Grover said till now India was using coal, oil, natural gas, hydro, uranium and thorium — in that order — for energy production. Outlining India's three-phased nuclear power programme, he said "we're building our nuclear power plants away from coal mines. But the ultimate aim is to have the plants near these mines and see to it that they stand the competition".

Mr H Rogner of the IAEA, when asked about a Inter-governmental Panel on Climate Change report — which outlined six reasons for not going nuclear — said "these were six concerns and not reasons and if its reasons the world wants, I can give you 10 reasons why nuclear energy should be included in clean development mechanisms".

North, South divide on climate persists

By Our Special Correspondent

*Switzerland
HD-12
26/10*

NEW DELHI, OCT. 25. Even after three days of intense bilateral and group-wise negotiations, the hiatus between the developed and developing countries over the various aspects of response to the problem of climate change remains where it was when the eighth conference of parties to the UN Framework Convention on Climate Change began here on Wednesday.

The yawning gaps in the perceptions of the north and the south came out in full view at informal consultations called by the Union Environment and President of the Conference, T.R. Baalu, on the Delhi declaration that is proposed to be adopted at the conclusion of the 10-day conclave.

While the developed countries sought to stress the need for the developing world to take up greater responsibility in the reduction of greenhouse gas emissions, the developing countries refused to accept it, insisting that there could be no departure from the principle of common but differentiated responsibility, which was accepted by all the parties when the Convention was adopted 10 years ago.

Leading the developing countries' attack on the developed world, the representative of Saudi Arabia questioned the suggestion from a section

of it that the developing world could also help initiate confidence-building measures to promote the process of climate change negotiations in a positive manner.

Arguing that it was the developed countries which should be engaged in confidence-building measures and not the developing ones, he said, "you (the developed world) must start with implementation of your commitments, giving leadership and paving the way for the progress of the Convention and not vice versa".

Quoting from a document prepared by the UNFCCC Secretariat, he pointed out that while in Australia the greenhouse gas emissions have increased by 18.2 per cent, in Canada it has gone up by 19.6 per cent and Japan 11.2 per cent. "We (the world) need to stick to implementation of the various provisions of the Convention", he added.

Countering, the representative of Denmark said that Saudi Arabia should not be complaining as its greenhouse gas emission has also increased by 12.58 per cent. "Those living in glass houses should not throw stones at others".

There was, however, agreement among countries on one aspect. They all wanted the Delhi declaration to focus on adaptation measures to help countries more vulnerable to the adverse impacts of climate change, apart from the focus on efforts to reduce greenhouse gas emissions.

25 OCT 2002

SATURDAY, OCTOBER 26, 2002

9 Brinson 40-10 ✓
A STINGING REBUKE ✓ 26/10

THE S.M. KRISHNA GOVERNMENT in Karnataka has only its unabashedly populist approach and brazen defiance of the highest court of the land to blame for the stinging rebuke the Supreme Court has tendered on the 'Cauvery waters' issue. There is no way it could have fended off the charge of 'contempt' particularly after it ventured to ignore the apex court's October 4 order (directing the release of 0.8 tmcft of water daily for Tamil Nadu as instructed by the Cauvery River Authority) and chose to take the patently indefensible 'no release of water, come what may' stand, which apart from being in contravention of the court's directive reflected a total lack of sensitivity to the legitimate needs of a neighbouring State. All the genuine difficulties Karnataka has been facing on account of a failed southwest monsoon — and the consequent depletion of storage in the Cauvery-based reservoirs — got inevitably overshadowed, if not overridden, by the Government's utter disdain for such basic constitutional concepts as the rule of law and federalism. In fact, right from the beginning of the present wrangle over the sharing of 'distress', the upper riparian's attitude to interventions by constitutionally or statutorily mandated institutional mechanisms has been marked by an element of truancy. In the circumstances, the Court's *prima facie* finding that there has been a "deliberate non-compliance" of its orders by Karnataka — which constitutes a "contempt" of court — should come as no surprise.

Essentially, the Karnataka Government had based its 'no wilful disobedience' plea on the ground that the orders of the Court (and the CRA) for immediate release of a specified quantum of water to Tamil Nadu were "unimplementable" for different reasons, mainly a rapidly dwindling inflow into the reservoirs and widespread protests by farmers in the Cauvery basin districts posing a serious threat to law and order. But the argument failed to impress the Court, which chided the Government for peremptorily deciding not to abide by the order when the proper course for the State would have been to

come before it with a request for modification. It is the Judiciary's way of telling Karnataka that the Court would have had less reason to suspect its bona fides had the Government released at least 'some water' and sought redress by way of modification of the order. What invited a sterner admonition from the Bench, however, was the Krishna regime citing a possible breach of public peace and order as the reason for not complying with the court order. Indeed, as the apex court has noted with anguish, there has been a growing tendency among Governments to seek cover under 'public sentiments' whenever arraigned for non-compliance of a court directive or for not honouring a solemn commitment. A classic example of such a specious plea by a Chief Minister in recent times was of course the one thrown up in 1992 when the Babri Masjid in Ayodhya was razed to the ground despite a firm commitment by him to protect the monument. Against this backdrop, the Supreme Court's no-nonsense response to Karnataka's waywardness should, in fact, serve as a general note of warning to all those Governments which tend to imagine they can trifle with or circumvent inconvenient judicial directives by taking refuge under the plea of public 'unrest'.

With the final orders on Tamil Nadu's two contempt petitions yet to be passed, what view the Supreme Court is going to take on the nature and degree of culpability of the various functionaries of the Karnataka Government cited as contemners will be known only early next week. What awaits Mr. Krishna himself is, at this stage, a matter of speculation. But, whatever view the Court may take on issues related to his personal culpability and punishment, the fact remains that Mr. Krishna's continuance in office is untenable, given the type of adverse observations the Bench has made against his Government. After all, few Chief Ministers have survived such severe strictures by the apex court. Unfortunate though it is, he has to pay the price for having taken recourse to blatantly populist and street-smart methods instead of the constitutionally mandated options.

26 OCT 2002

INDU

I 'FEDERAL STRUCTURE HAS BEEN DENTED'

SC pulls up Krishna for defying orders

By J. Venkatesan

NEW DELHI, OCT. 24. The Supreme Court today took a "very serious" view of the Karnataka Chief Minister, S. M. Krishna's defiance of its September 3 and October 4 orders in the Cauvery issue in not releasing water to Tamil Nadu.

Observing that "we are *prima facie* of the view that a deliberate non-compliance of the orders had taken place and it is contempt," the court said "what final orders as a result thereof we will decide on Monday."

A three-judge Bench, comprising the Chief Justice B. N. Kirpal, Justice Y. K. Sabharwal and Justice Arijit Pasayat, made this observation while hearing the contempt petitions filed by Tamil Nadu against Mr. Krishna and others. The Bench told senior counsel for Karnataka, Anil Divan, that "if an elected government says because of law and order problem, it cannot comply with our order, then let it go. You have come to that. These man-made situations to flaunt court orders should stop. You get political mileage out of it and we will not allow that."

Mr. Divan told the court that by Monday he would consult Mr. Krishna and submit possible remedial steps in the matter.

Centre criticised

Pointing out that Karnataka had not released any water to Mettur in Tamil Nadu from September 18, the Bench said "you have no regard for our orders. If State Governments play to the emotions of the people and violate court orders, then God help this country." It also pulled up the Centre for not taking steps

to ensure the implementation of the Supreme Court orders. "The Union Government has not covered itself with glory. It was their duty as well to see the orders were complied with. They had sufficient powers to do so."

However, the Solicitor-General, Harish Salve, told the court that in an inter-State dispute, the Centre could not do anything. "If the Union of India is directed to ensure compliance with the directions, we will take steps accordingly. But taking steps *suo motu* will be difficult."

The Bench then asked Mr. Salve to inform the court as to what should be done when a State Government wilfully disobeyed the orders of the apex court.

Earlier, Mr. Divan submitted that Karnataka could not release water because the court had passed "unimplementable orders" and because of agitation by farmers. Mr. Krishna had a duty to protect the lives of 40 lakh Tamils living in Karnataka, in particular Bangalore, where 30 per cent of the population were Tamils.

Reacting sharply, the Bench said "if you had any difficulty in implementing the orders, you should have asked for modification of our orders. But you have not done that."

'What use padayatra?'

The judges also took exception to Mr. Krishna's 'padayatra' and said "for what purpose you had undertaken the padayatra? What was the unanimous resolution of political parties there... don't release water?"

Referring to the farmers' agitation, the Bench observed

"there are a lot of cases pending in the apex court where emotions can be aroused but it will be unfortunate if the Chief Ministers come and say that they cannot implement the court orders because of emotions."

Describing the conduct of Mr. Krishna in the whole affair as "bad," it pointed out as to how a similar thing had happened in the Ayodhya case. "A solemn assurance was given to protect a monument but that was broken and it was demolished."

Senior counsel for Tamil Nadu, K.K. Venugopal, urged the court to direct Karnataka to immediately release 25 tmc ft of water to Tamil Nadu. It should also deprive the benefit obtained by Karnataka in not obeying the court orders and award damages to Tamil Nadu for the loss of the 'kuruvai' and 'samba' crops estimated at Rs. 2,930 crores, he said.

The Bench expressed anguish that "India's federal structure has been dented" by the manner in which Karnataka Government chose not to implement its orders. "The plea of bandhs and agitations have unfortunately been raised by other Chief Ministers. We cannot accept it. It has to be deprecated in the strongest terms."

Mr. Salve submitted that the majesty of the court as arbiter of federal disputes could not be questioned and if it were to be dented, the federal system would collapse. The Bench agreed with Mr. Salve and cited the example of the disregard of apex court's order for the construction of the Sutlej-Yamuna link.

T.N. optimistic: Page 11

2 5 001 2002

INDU

Call to bring into force Kyoto Protocol immediately

24/10
By Our Special Correspondent

NEW DELHI, OCT. 23. The much awaited eighth conference of parties to the United Nations Framework Convention on Climate Change began here today, with the developing countries, led by India, emphasising the need to bring the Kyoto Protocol into force without any further delay, and for greater efforts to protect the poor who were the most vulnerable to the adverse impact of climate change.

Inaugurating the 10-day conference, the Union Environment Minister, T.R. Baalu, pointed out that the problems associated with climate change have become evident with the rise in temperature beginning to affect the physical and biological systems and frequent floods and drought wreaking serious damage.

The conference, he said, should give top priority to the issue of adaption by the less developed countries of the challenges posed by climate change, with the focus on evolving a pathway to sustainable development keeping in view that those with least resources also had the least capacity to adapt.

The United States, which is one of the major countries that are yet to ratify the Protocol, however, reiterated its position again - working with countries to help reduce emissions but not signing the Kyoto Protocol.

At a special panel discussion on the U.S. Climate Change policy, Senior Climate Negotiator and Special Representative, the U.S. State Department, Harlan L. Watson, said "(the Protocol) is not ratifiable today, tomorrow or certainly during the first commitment period (of 2008 to

2012)."

He pointed out that it required 67 votes in the Senate of his country to ratify the Protocol.

But, given the widespread belief in the U.S. that the ratification would harm the economy, there was clearly no way to get the numbers.

The U.S. was, however, on its own taking measures to cut down on its greenhouse emissions and the national goal was to reduce the GHG intensity by 18 per cent over the next ten years.

Instead of working with the UNFCCC, the U.S. emphasis seems to be on bilateral cooper-

ation, as evidenced by the presentations made at the special session by a team comprising Robert K. Dixon (Office of Energy Efficiency and Renewable Energy, the U.S. Energy Department), Ko Barret, Director, Climate Change Program and Richard L. Edwards, Office of Environment, Energy and Enterprise. The U.S. Energy Policy is the corner stone of this initiative.

The U.S., the experts noted, was working in close collaboration with India, China, South Korea, and several other countries in various forms of bilateral climate-change cooperation activities.

NGOs' allegations denied

By Our Special Correspondent

NEW DELHI, OCT. 23. The Executive Secretary of the United Nations Framework Convention on Climate Change, Waller-Hunter, today rejected allegations of several international environmental NGOs that there were serious loopholes in the Clean Development Mechanism (CDM) that has been instituted under the Convention to enable the developed countries to invest in environment projects in the developing world.

Talking to reporters here this morning, the NGOs had warned that owing to inadequate safeguards in the CDM, which had been operational for the past one

year, there was a possibility of the developed countries to invest in cheap on-going projects in the developing world, instead of those that would benefit the climate.

Ms. Hunter said the apprehensions were totally out of place, as under the guidelines any project that was taken up under the scheme had to be not only cleared by the high powered executive board in charge of it, but also be certified by well-qualified independent agencies.

In reply to another query, she said an assessment of the progress with regard to the reductions in the emission of greenhouse gases would be made in 2005 and any corrective measures that may be needed would be decided.

24 OCT 2002

ONE INDIA

Climate meet opens on note of dissent

Environment (2)

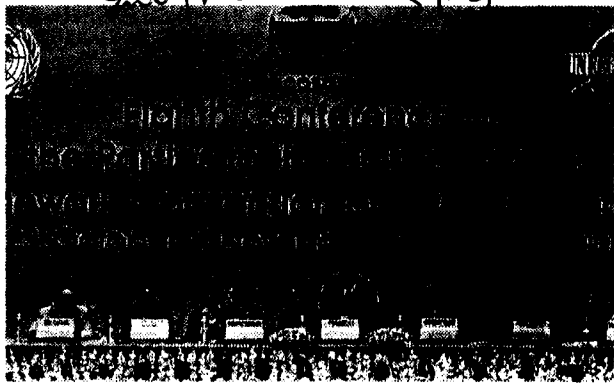
NEW DELHI, Oct. 23. — Key players in green diplomacy outlined their positions clearly today indicating that there may be no easy resolution of climate change issues.

On day one of the eighth Conference of Parties (COP -8) to the United Nations Framework Convention on Climate Change, a clear divide between the developed and developing world was apparent with the USA categorically ruling out its acceptance of the Kyoto Protocol. "It is not ratifiable today, tomorrow or during the first commitment period — in the present form," US senior climate negotiator, Mr Harlan L Watson, said at a discussion on US

energy policy.

Later, environment and forests minister Mr TR Baalu said he could only request the USA to ratify the protocol. Differences between developed and developing countries also came to the fore over responses to climate change and funding of technology transfer. India maintained that the details required in reporting implementing measures depended on financial resources made available.

India proposal accepted: An Indian



Members of the UN Framework Convention on Climate Change attend the opening ceremony in New Delhi on Wednesday. — AFP

proposal for setting up a regional centre to study climate change has been accepted by an international conference on science and technology in the field.

'First World should pay more for climate control'

5 (C-4)
23/10
Srinivasan
Statesman News Service

NEW DELHI, Oct. 22. — Over the next ten days, the developed countries will be asked to increase funding for climate change mitigation measures.

Tomorrow morning the Eight Conference of Parties (COP 8) to the UN Framework Convention on Climate Change begins here to discuss the hazards posed by global warming, including threatening ecology, agriculture and the world economy.

India will be leading the developing nations in asking for increased commitment from the developed world. Developing

countries will also ask for a revision of financial mechanisms to enable enhanced flow of resources for clean development.

With the Prime Minister, Mr Atal Bihari Vajpayee, adding weight to the environment ministry's efforts, the COP -8 is expected to result in a Delhi Declaration laying the roadmap for implementation of the Kyoto Protocol to effectively address the climate change concerns. It is also likely that the Kyoto protocol may be ratified in New Delhi in the coming days.

While the previous seven climate change conferences focussed on mitigation of Green House Gas emissions and sorting out various financial and institutional issues, the

Delhi conference is on adaptation issues with a view to enable nations to cope with climate change.

The conference, attended by more than 4,000 delegates, will first involve official negotiations which begin on 24 October and conclude on 29 October. Subsequently three round tables will be held.

Meanwhile, the executive secretary of the convention, Ms Joke Waller-Hunter gave India's stand some strength today by releasing a statement which said "progress on implementation is vital and with our annual conference being hosted this year by India, I hope and expect that there will be a strong focus on the concerns of the developing

countries".

"By the time the Kyoto Protocol comes into force, in early 2003, the developed countries will have less than ten years to meet their Kyoto targets for greenhouse gases and the big question now is what practical actions these governments, including those who choose to remain outside Kyoto, take," she said.

Earlier today, school children participated in a march to promote awareness on climate change. Flagging off the march, the secretary, environment and forests, Mr PV Jayarishnan said the main objective of COP 8 was expediting implementation of decisions taken at various UN conferences.

THE STATESMAN

23 OCT 2002

India sees hidden agenda in UN report on brown cloud

New Delhi: India rejected a UN agency's report terming the aerosol layer observed over the Indian Ocean as "Asian brown cloud, an ecological hazard", saying that there was a hidden agenda behind the report to divert public attention from carbon dioxide emissions in the developed countries.

Announcing the constitution of an expert committee to examine the UN Environment Programme report, officials of the Indian Meteorological Department have indicated the possible role of the "oil and gas lobby" behind the development since the report had projected carbon soot as the main culprit for the layer.

"In 1999, the layer that was seen over the Indian Ocean was called aerosol layer, it then became a haze and of late, the UNEP report has termed it brown cloud," additional director-general of the IMD S.K. Srivastava said.

"Names have been changed for advantage. Besides, what was observed was during a one-year study in Male. Will the layer continue? There is no scientific explanation for that," Mr Srivastava said, adding that many countries had not signed the Kyoto Protocol,

which necessitates curtailing of carbon dioxide emissions.

The aim of the report appeared to give the message that soot was the most damaging to the environment while carbon dioxide was not.

Developing countries had invested billions of dollars in technologies to replace chloroflourocarbons (CFCs) with other gases, as necessitated by the Montreal Protocol, Mr Srivastava said, adding that it had now been found that these alternatives were also ozone depleting. Billions of dollars would again be needed to further change the technology, he said.

The observations on the aerosol layer were made during a study called Indoex in the winter and spring of 1999 by Indian and foreign scientists.

The experiments found carbon aerosols in the lower atmosphere originating from biomass burning. The results were extrapolated to adjacent oceanic areas.

Mr Srivastava said that the UNEP report had extrapolated the observations to land area and other seasons, which was "scientifically incorrect". PTI

India rejects UNEP report

Statesman News Service

NEW DELHI, Oct. 16. — India today rejected the UNEP report that described the aerosol layer observed over the Indian Ocean as "Asian Brown Cloud", terming it "misleading" and a "scientific fraud" and maintained the report was a calculated move of rich nations to divert attention from their carbon dioxide emissions.

"In 1999, the layer that was seen over the Indian ocean was called aerosol layer, then it became haze and of late the United Nations Environment Programme report termed it as cloud," additional director general of the Indian Meteorological Department, Dr SK Srivastava said. "Names have been changed for advantage. Besides, what was observed was during a one-year study in Male... Will this layer continue... There is no scientific explanation

for that," Dr Srivastava said adding many countries have not signed the Kyoto Protocol that requires curtailing of carbon dioxide emissions. The aim appeared to give the message that soot is most damaging, while carbon dioxide is not.

Scientists in the department of science and technology termed the UN agency report a "scientific fraud", arguing that it had set out to achieve too much from too little data. The origin of 'haze layer' is still shrouded in mystery. It could be formed from the carbon emission from regions and could be a result of global warming.

Joint secretary in the department of science and technology, Mr Amitabh Pande said the department had constituted an expert committee which would have members from several reputed institutions to make an in-depth study of the UNEP report and submit its report within three months.

THE STATESMAN

17 OCT 2002

Developed nations main culprits of global warming

Nagendra R Iyer in New Delhi

Oct. 14. — The heat on global warming will be on developed countries at the end of the month, when an international convention on climate change will be held.

With the eighth Conference of Parties (COP-8) focussed on stock-taking vis a vis implementation of the UN's framework convention, developed countries will be doing a lot of explaining. The UN Framework Convention on Climate Change required developed countries to bring down their Green House Gas emissions by 2000 to the level at which it was in 1990. The annual COP was also a consequence of this framework. In 1997, the third such meeting (COP-3) at Kyoto adopted a protocol which sought to reduce emissions even more. Annex 1 listed 41 countries: industrialised and developed nations as well as Economies in Transition like former Soviet Union countries and Eastern European nations. The Kyoto Protocol required annex 1 countries to collectively reduce GHG emissions by 5.2 per cent below 1990 level during the implementation period of 2008 to 2012. But the USA rejected this.

The protocol, however, comes into force only when 55 countries ratify it and then too only if the list includes nations contributing 55 per cent of total emissions of annex 1 countries. So far, countries contributing 37 per cent of annex 1 emissions had ratified the Kyoto protocol. But now Russia contributing 17 per

GHG comprise 6 gases:

- **Carbon dioxide:** the biggest villain. In addition to humans exhaling it when they breathe, it is emitted by burning fossil fuels — oil, petrol, diesel, natural gas, firewood, bio-mass, by incomplete combustion of coal and by vehicular pollution. Deforestation has also been a major contributor.
- **Methane:** A natural by-product of agriculture (rice cultivation is among the main culprits), by collection and storage of organic matter, due to gases released by cattle whose internal digestive process produces large quantities of methane, decomposition of animal manure, extraction and transport of fossil fuels also release large quantities of methane.
- **Nitrous oxide:** Supply and use of fossil fuels, fertiliser.
- **Sulphur Hexafluoride:** Used as an electric insulator, heat conductor and freezing agent.
- **Hydro- fluoro-carbons, Per-fluoro-carbons:** Used as Ozone safe replacements for Ozone depleting substances.

cent and Canada (two per cent) have indicated likelihood of their ratifying Kyoto at COP-8. If so, the Kyoto Protocol will come into force. Meanwhile between 1990 and 1998, the aggregate of collective GHG emissions declined by 4.6 per cent over the 1990 level.

Tamil Nadu accords primacy to rule of law: Jayalalithaa

10-12
10/10

With reference to the editorial, "Dangers of Defiance", published on October 7, the Tamil Nadu Chief Minister, Jayalalithaa, writes:

"I wish to point out to you that Tamil Nadu has always accorded primacy to the Supreme Court, the Cauvery River Authority and the rule of law, while it is Karnataka that has repeatedly subverted justice at every forum that Tamil Nadu has gone to for redressal. If the apex court ordered the release of 1.24 tmcft of water daily to the farmers of Tamil Nadu, the "jostling" of the Prime Minister to whittle it down to 0.8 tmcft was at Karnataka's behest. We had petitioned and importuned the Cauvery River Authority for four long years and only four meetings were held by the Government of India in these four years, whereas the hustling of the Prime Minister by Karnataka when the Supreme Court ordered the release of 1.25 tmcft of water to Tamil Nadu on a daily basis yielded an emergency meeting of the Cauvery River Authority and they achieved a reduction of the release to 0.8 tmcft through the Cauvery River Authority. Even this direction has now been flouted by them. I wish to emphasise that Tamil Nadu has never ceased to cooperate with the Cauvery River Authority for conflict resolutions even when it took an arbitrary and pre-meditated stand to whittle down what the Supreme Court awarded to Tamil Nadu. It is Tamil Nadu that has been urging the Prime Minister as the aggrieved State to convene meetings of the Cauvery River Authority. After assuming charge as

the Chief Minister of Tamil Nadu, I had written to the Prime Minister on August 23, 2001, to convene the meeting of the Cauvery Monitoring Committee and on September 14, 2001, to convene the meeting of the Cauvery River Authority. This was followed by letters from my predecessor O. Panneerselvam on December 28, 2001, and letters from me on June 1, 2002, and June 11, 2002. I had also personally met the Prime Minister at New Delhi on June 12, 2002, when a memorandum was presented highlighting the need to convene the meeting of the Cauvery River Authority.

It may be recalled that the fourth meeting of the Cauvery River Authority was convened on August 27, 2002, based on the directions given by the Supreme Court, while hearing the interlocutory application filed by the Government of Tamil Nadu. Even for the fifth meeting of the Cauvery River Authority, which was convened on September 8, 2002, with undue haste at the behest of Karnataka, though I was indisposed, I deputed the Minister for Finance, C. Ponnaiyan, to attend the meeting. Tamil Nadu has attended meetings of the Cauvery Monitoring Committee whenever they were convened. Our inability to attend the meeting convened on September 24, 2002, was conveyed to the Government of India, making it clear that since the matter was sub-judice, Tamil Nadu would not be able to participate in the meeting. When the Supreme Court directed the Cauvery Monitoring Committee on September 30, 2002, to (visit) Mettur and other Delta areas, we

made all arrangements for the visit of the committee to Mettur and other Delta areas and to complete its assessment of the ground. We only wish that the Cauvery River Authority and the Prime Minister had played the role of a just and strong mediator that the apex court expected of them in according them primacy.

It is, however, unfortunate that *The Hindu* has, even at this juncture, chosen to find fault with Tamil Nadu and cannot bring itself to chastise Karnataka which has been flouting the directions of the Cauvery River Authority and the orders of the Supreme Court with impunity. Tamil Nadu will continue to maintain law and order unlike Karnataka, which is using the law and order situation prevailing there as a pretext for non-implementation of the orders of the Cauvery River Authority and the Supreme Court.

As the Chief Minister of Tamil Nadu, I am totally committed to the cause of lakhs of farmers of the Thanjavur Delta for whom the Cauvery is a lifeline and will cooperate with any institution that will give us justice. But I wish to make it clear that cooperation with the Cauvery River Authority does not mean that we will compromise the rights of our farmers for their rightful share of the Cauvery water in the face of agitational tactics by Karnataka or arm-twisting by the Government of India. We will continue to seek justice from the Supreme Court in which we repose faith and we are confident that the Supreme Court will render justice to Tamil Nadu".

T.N. general strike total

By Our Tamil Nadu Bureau

CHENNAI, OCT. 9. The 12-hour general strike called in Tamil Nadu over the Cauvery issue was total as bus and train services were not operated and educational institutions and commercial establishments remained shut. Even roadside shops had downed the shutters.

Barring a couple of incidents of throwing stones on a private bus and a milk lorry at Tiruvanamalai, the strike supported by all political parties in the State to protest Karnataka's refusal to release the Cauvery waters to Tamil Nadu was peaceful.

Effigies of the Karnataka Chief Minister, S.M. Krishna, were burnt in various parts of the State including at Ashok Nagar and Moolakothalam in Chennai, Paramakudi, Tiruppur, Thirukazhukundram and Sirkazhi.

Twentyfour persons, who allegedly obstructed the workers of the atomic power plant at Kalpakkam, were arrested, the Additional Director-General of Police, Headquarters, V. Balachandran, said. Revenue officials staged demonstrations at Sirkazhi, Puraiyar and Nagapattinam.

Normal life was out of gear in

the State from 6 a.m. to 6 p.m., as almost all roads looked deserted.

As the Supreme Court has banned 'bandhs', the State Government had described it as general strike called by all political parties.

Hence, the State Secretariat and some of the other Government offices were kept open, but barring a few senior officials, most of the 10-lakh employees abstained from work.

However, as the Government had not declared a holiday under the Negotiable Instruments Act, it is likely to be treated as either "casual leave" or "compensatory leave".

Cinema halls too remained closed during the day and some of the banks headquartered in Karnataka did not function, while other banks operated with a skeleton staff.

While no buses moved out of the State-run transport corporation depots since late on Tuesday night, all trains stopped at 6 a.m. at the nearest stations and resumed journey only after 6 p.m.

In a statement, the Chief Minister, Jayalalithaa, conveyed her "heart-felt" thanks to the people for the "victory" of the general strike, which displayed the collective sentiment of Tamil Nadu on the Cauvery issue. The "totally peaceful strike" proved that Tamil Nadu, which had full faith in democracy and non-violence, would never resort to violence.

STATE PRINTING PRESS

10 OCT 2002

Cauvery unites TN parties

Statesman News Service

CHENNAI, Oct. 8. — Tomorrow's proposed 12-hour general strike to condemn Karnataka's stand on the Cauvery water release issue is the first show of unity being put up by all the parties of Tamil Nadu. All political leaders, including DMK president Mr M Karunanidhi and Congress leaders, have announced their support for the general strike which is expected to be total.

Miss Jayalalitha held discussions with her Cabinet colleagues on the preparations. She has appealed to the people "to actively take part in the strike and make it a success." She said the strike was aimed at conveying the feelings of the people to the Centre and Karnataka.

A press release, however, clarified that the strike was not a state-sponsored one and the government would do its best to maintain law and order and take steps to ensure that essential services like water, milk and power supply, telephone, telecommunications, hospitals, fire services and newspapers are maintained.

Christians slam Ordinance

CHENNAI, Oct. 8. — The All India Christians Council today condemned the Ordinance, banning conversions, and accused the Tamil Nadu chief minister of acting in consonance with the Sangh Parivar in trying to implement the Hindutva agenda in the state.

The council was consulting legal experts on the Ordinance, "which has been issued just days before the Assembly session is to begin", Dr Joseph D'Souza said in statement here. — SNS

"The people of Tamil Nadu, including members of various organisations may voluntarily join the general strike and express their solidarity in the Cauvery water issue," the release stated.

The Southern Railways, announced that all the suburban trains and broad gauge and meter gauge trains coming in and going out of Tamil Nadu would be stopped between 6 a.m. and 6 p.m. Trains

scheduled to leave from Chennai at 6 a.m. tomorrow will leave only after 6 p.m. The Southern Railways announced that trains coming into the state would be stopped at six stations — Sullurpet, Gudur, Arakkonam, Katpadi, Chenglepet and Vizhupuram — around Chennai. Catering facilities are in place at these stations so that passengers are not harassed.

Reacting to an allegation by the Karnataka water resources minister Mr HK Patil that Tamil Nadu had "committed a fraud" by illegally expanding its irrigated area over the years in violation of a 1924 agreement, Mr Panneerselvam said that every project in the Cauvery Basin in Tamil Nadu was executed with the approval of the Centre and the Union Planning Commission.

The minister raised counter-accusations as to what locus standi does a state, that has illegally confined a national wealth like river water within its own borders and inflicted destruction on farmers of a neighbouring state, have to speak of the comity of states, principles and use of dignified language.

9 OCT 2002

MONDAY, OCTOBER 7, 2002 ✓

DANGERS OF DEFIANCE

THE SUPREME COURT'S latest order asking Karnataka to abide by the Cauvery River Authority's September 8 directive requiring it to spare 0.8 tmcft of water daily for Tamil Nadu is a virtual indictment of the S. M. Krishna Government which had unilaterally 'suspended' the release, within a few days, on the plea of depleted flows into its reservoirs and citing violent protests by farmers. Consider the irony. Aggrieved with the apex court's earlier directive to release 1.25 tmcft a day, it was Karnataka that hustled the Prime Minister into convening the CRA which, on the basis of the monitoring panel's presentation of technical data and assessment, scaled the quantum down to 0.8 tmcft, and this decision was taken apparently with the upper riparian State's consent. Yet, the Krishna regime had little compunction in backing out of its obligation. And now, the State Government finds itself in the predicament of having to be told by the Supreme Court unambiguously — and firmly — that there can be "no question of non-compliance" with the CRA's order. Implied here is a note of caution that the CRA's orders cannot be trifled with or defied with impunity by Karnataka (or any other member-State for that matter), although the apex court is yet to pronounce on the question of 'contempt' raised by Tamil Nadu.

That Karnataka is facing a crisis situation both on the irrigation and drinking water fronts because of scanty rainfall in the Cauvery belt during the southwest monsoon this year is indisputable. But then, it is true also of the lower riparian State, Tamil Nadu, which having already lost the short-term 'kuruvai' paddy for want of water, find itself being pushed inexorably into a situation where it may have to forgo even the main 'samba' crop in the delta districts. What needs to be noted is that the Supreme Court, before asking Karnataka to comply with the CRA's order, saw to it that the high-power monitoring panel of the Authority visited the two States for a reality check on

hardship — that involved spot assessment of storages, status of farm operations, water requirements for irrigation and drinking, and so on. How serious the apex court was about the exercise being carried out thoroughly stood out when the three-judge Bench frowned upon the official team for skipping Tamil Nadu (due to the declared non-cooperation by the State Government) and insisted on the panel completing the task assigned. Surely, there is nothing to suggest that, in all these endeavours to strike a balance between the rival claims, Karnataka has been given short shrift. In any event, now that the Supreme Court has thrown its weight behind the CRA's order, the Krishna regime would do well not to defy or circumvent the judicial injunction because any such misadventure would render it vulnerable to charges of undermining the rule of law and the Constitutional framework.

Of considerable significance is the importance the apex court has consistently given to the CRA (headed by the Prime Minister) — an authority created for the implementation of the Tribunal's June 1991 interim award — in sorting out politically sensitive water sharing issues in a 'distress' year. As on the last occasion (in September), this time too the Court has left the question open for the CRA to make any modification, if it chooses. The message sought to be conveyed, even if subtly, is that adjudication, which necessarily introduces an adversarial element, is far less appropriate than conciliation as a conflict resolution process especially in such matters as sharing of inter-State river waters. Tamil Nadu needs to take note of the primacy accorded by the Supreme Court to the CRA and end its attitude of non-cooperation. Now, it is for the Prime Minister and the Chief Ministers of the four basin States (of Karnataka and Tamil Nadu in particular) to take the cue and make a success of the CRA by displaying the sort of mutual understanding and accommodation that is so critical for it.

7 OCT 2002

Chinnamma

All-party nod for Krishna's stand

HD-1

6/10

By Our Special Correspondent

BANGALORE, OCT. 5. The Karnataka Cabinet today decided against releasing Cauvery water to Tamil Nadu, and endorsed the stand taken by the Chief Minister, S.M. Krishna, in this regard.

On Friday, the Supreme Court had directed the State to release 9,000 cusecs of water a day to Tamil Nadu as per the orders of the Cauvery River Authority (CRA).

The Minister for Information, Kagodu Thimmappa, told presspersons after the Cabinet meeting that Mr. Krishna would write to the Prime Minister, Atal Behari Vajpayee, to convene an emergency meeting of the CRA to discuss the issue.

This was being done in the light of the clarification given by the Supreme Court that if the CRA passed a new order, it

would be operative in the place of the one issued earlier.

The Cabinet appealed to farmers in the State to call off their protests as the Government had taken up their cause.

Asked if an Assembly session would be convened, he said that it might be considered after October 24 when Tamil Nadu's petition on contempt of court against Karnataka would be

heard by the Supreme Court.

The Leaders of all Opposition parties and farmers in Mandya and Mysore districts too endorsed the Cabinet stand.

Roguish conduct, says Jayalalithaa

By Our Special Correspondent

CHENNAI, OCT. 5. Coming down on the "roguish conduct" of the Karnataka Government in refusing to release Cauvery water, the Tamil Nadu Chief Minister, Jayalalithaa, today asked the Prime Minister, A.B.Vajpayee, to dismiss it invoking Article 356 of the Constitution "in case of continued intransigence and recalcitrance".

Tamil Nadu would file another contempt of court petition against Karnataka for defying the latest directive of the Supreme Court. It would also file a suit against Karnataka for damages and compensation for the kuruvai crop losses due to non-release of water.

Ms. Jayalalithaa said: "As the directives of the

Supreme Court are being openly and flagrantly flouted, the Prime Minister should consider the wider fissiparous implications of such roguish conduct of the Karnataka Government." She asked the Prime Minister to "forthwith" issue a direction to Karnataka under Article 256 to ensure compliance of the Supreme Court order. And in case of continued defiance, action should be initiated under both Article 365 and Article 356 of the Constitution.

The defiance of the Supreme Court order was a "brazen assault on the rule of law, democratic traditions and federalism making a mockery of our Constitution." An all-party meeting would be convened on October 7 to decide on Tamil Nadu's strategy in the Cauvery tangle.

THE HINDU

CHENNAI

OCT 2002

Karnataka decides to flout SC order

TIMES NEWS NETWORK & PTI

Bangalore: A defiant Karnataka on Saturday refused to release any water to Tamil Nadu as directed by the supreme court and instead asked the Prime Minister to convene an emergency meeting of the Cauvery River Authority to discuss the situation.



S.M. Krishna

Endorsing the stand of chief minister S.M. Krishna, the state cabinet met on Saturday and noted "...the question of any releases from the reservoirs of Karnataka may not arise for consideration as disclosed in the affidavit filed before the supreme court on 3.10.2002."

Hearing a contempt petition filed by Tamil Nadu, the supreme court had on Friday directed Karnataka to release 9,000 cusecs of Cauvery water daily to Tamil Nadu in line with an earlier decision of the authority.

The state's decision would not amount to contempt of court, as it was not "wilful disobedience", law minister D.B. Chandre Gowda said on Saturday. Briefing reporters after a three-hour meeting with opposition parties, Mr Gowda said: "We have tried our best. Na-

ture did not help us. It is not wilfully disobeying the supreme court. It is an impossible order. We will convince the court on this aspect."

Asked if the government's decision to disobey the court order would lead to a constitutional crisis, the minister shot back: "We will cross the bridge when it comes. We will ably advance our argument before the court, so as to maintain the rules of the federal set-up."

Stating that the primary aim of the government was to protect the 5.94 lakh acres of standing crop in the Cauvery basin and to ensure that there was no shortage of drinking water in the state, Mr Gowda appealed to the farmers to withdraw their agitation, in view of the government's support to their cause.

Meanwhile, amid heightened tension linked to the Cauvery dispute and acute drought, the Karnataka cabinet has decided against celebrating Dasara festivities in a grand manner and even cancelled the famous Vijayadasami procession. Traditional poojas and rituals would be performed but the procession, the torch parade and the illumination of the Mysore palace would be dispensed with, making it a low-key affair, the government said.

Rail and road services between Bangalore and Mysore were suspended on Saturday as protesters went on the rampage in Mandya district.

THE TIMES OF INDIA

6 OCT 2002

'CRA ORDER MUST BE COMPLIED WITH'

SC directs Karnataka to release water to T.N.

By J. Venkatesan

NEW DELHI, OCT. 4. Despite stiff resistance from Karnataka, the Supreme Court today directed it to release forthwith 9,000 cusecs of water (about 0.8 tmcft) daily to the Mettur dam in Tamil Nadu in the manner indicated in the September 8 order of the Cauvery River Authority (CRA), headed by the Prime Minister.

A three-Judge Bench, comprising the Chief Justice, B.N. Kirpal, Justice K.G. Balakrishnan and Justice Arijit Pasayat, which passed the order, however, adjourned to October 24 the hearing on Tamil Nadu's application and on the contempt petition against the Karnataka Chief Minister, S.M. Krishna, and four others.

When senior counsel for Karnataka, Anil Divan, submitted that the State had requested the Prime Minister, Atal Behari Vajpayee, to review the CRA's order in view of the difficulties being faced by farmers, the Bench said "there is no question of non-compliance of the CRA's order. You are bound to obey and comply with the Prime Minister's order".

The Bench told counsel that "as per the CRA's order, Karnataka is under an obligation to release 0.8 tmcft water. We are ill-equipped to go into the ground situation. Certainly the Prime Minister is more aware of the same".

Even as counsel said any release of water to Tamil Nadu would adversely affect the standing crop, the Bench made it clear that today's order "will be subject to any order of the CRA which it may pass in modification of the order passed on September 8".

Senior counsel for Tamil Nadu, K.K. Venugopal, drew the attention of the court to the report submitted by the Cauvery Monitoring Committee (CMC) that the State required about 63 tmcft of water till October end for the

"samba" crop.

He submitted that in view of the defiant attitude of Karnataka during June-August, the State had lost its "kuruvai" crop. When the Bench wanted to know how much Tamil Nadu was entitled as per the "distress formula", counsel said it was to have received 85 tmcft during this period but it could get only 39 tmcft.

Counsel said "it was utter callousness on the part of Karnataka to have turned a blind eye to

the orders of the tribunal, the apex court and the CRA and nobody can touch them".

He said "it is our water that they have used for their cultivation and now they say we need water for the standing crops and therefore don't touch it".

When the Bench wanted to know how much was the shortfall after the court passed its order, Mr. Venugopal said that "from September 4 to 30, Tamil Nadu ought to have obtained

23.85 tmcft but it got only 7.72 tmcft, and 16.13 tmcft was the shortfall". He said the court should direct Karnataka to make good the shortfall, besides implementing the CRA's order.

However, Anil Divan contended that the figures at Mettur were not acceptable to Karnataka and figures at Bili-gundlu alone should be taken into consideration. As Tamil Nadu would have the advantage of the northeast monsoon, it could postpone its "samba" crop till the first week of November. Any release of water now would be harmful to the standing crops in Karnataka, he said.

He also submitted that nearly two-third of the "samba" crop was cultivated during the northeast monsoon, as 52 per cent of the yearly rainfall in the Cauvery delta was from this monsoon.

The Bench said it was concerned about the difficulties of farmers of both States. Therefore, taking into consideration the storage position in the four reservoirs of Karnataka — 45 tmcft — the Bench directed Karnataka to implement the CRA's order forthwith and adjourned the proceedings to October 24.

Violence in Karnataka

PTI reports from Bangalore: Police today foiled an alleged attempt to commit self-immolation by a man during a protest in Mysore, even as farmers took to the streets and blocked road traffic between Bangalore and Mysore.

As news about the Supreme Court direction to release Cauvery water to Tamil Nadu spread in Mandya, hundreds of farmers took to the streets and blocked the traffic between Bangalore and Mysore.

Agitators set fire to the engine of the "Swarna Jayanti Express" from Mysore to New Delhi near Maddur station, but it was immediately doused, police said

Cabinet to discuss court order: Krishna

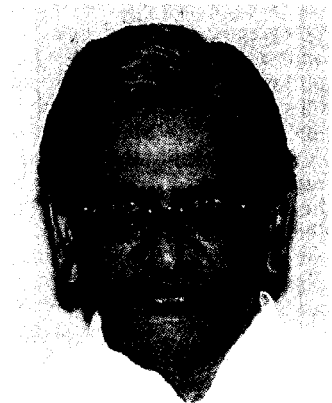
By Our Legal Correspondent

NEW DELHI, OCT. 4. Virtually ruling out any release of water, the Karnataka Chief Minister, S.M. Krishna, told reporters here that the State Cabinet and an all-party meeting in Bangalore tomorrow would consider the Supreme Court direction.

He was requesting the Prime Minister to convene an emergency meeting of the CRA, considering the alacrity with which he (Mr. Vajpayee) had despatched the monitoring committee to study the ground situation in both States. It was only an indication of the profound concern the Prime Minister had over the ticklish question, Mr. Krishna said.

Karnataka had been complying with the directions to the "best of our ability" keeping in view the reservoir position, inflows, outflows, flows generated in the intermediate and lower catchment of Mettur reservoir, he said.

Asked whether he would implement the court's direction, Mr. Krishna said "we hope that rain in the intermediate and lower catchment will improve



and 9,000 cusecs as directed by the Supreme Court and the CRA will be available in Mettur reservoir. Hence, the question of releases from the reservoirs of Karnataka may not arise as disclosed in the affidavit before the Supreme Court on October 3. We will closely watch the situation and review the position as and when it becomes necessary".

He said the history of flows in the last 11 years showed that the intermediate and lower catchments together had generated a minimum of 32.4 tmcft of water (11,880 cusecs) a day in October.

35 nations okay India's plan on climate meet

Nandini R Iyer in New Delhi

Oct. 3. — India has managed to convince 35 nations, which attended a recent high level meeting to gear up for the eighth Conference of Parties (COP - 8) to the UN Framework Convention on Climate Change, to okay a proposal to come out with a concrete action plan.

All 35 countries which attended the preparatory meeting endorsed India's proposal to conclude COP 8 with the Delhi Declaration on Climate Change indicating the clear framework of action to be taken.

Not only that, all the nations agreed on India's proposal to do away with the usual formal style "where each delegate reads out a paper on his country's position".

New Delhi had instead suggested an informal round table format, in an approach paper regarding the Delhi

declaration and the RT format.

"There will be a meeting of officials to deal with as many issues as possible. Thereafter, towards the end of the session, the crucial meeting of ministers will take place at three consecutive round tables," a senior environment ministry official said.

Round Table One will deal with Stock Taking with specific reference to implementation. "It will discuss what the original UN (framework) Convention on Climate Change ask nations to do, each nation will discuss where it stands, what it has been able to achieve etc.," said the official.

Round Table Two will take up climate change in the context of sustainable development. "This session will be important to India and other developing countries because of factors like poverty, inadequate access to clean energy or water. Round Table Three will be the wrap up where the Delhi Declaration is drafted.

4 OCT 2002

'U.S. helping Third World in fight against global warming'

4/10 By Our Special Correspondent

CHENNAI, OCT. 3. The United States, which has withdrawn from the Kyoto Protocol on Green House Gas (GHG) emissions, is actually helping developing countries achieve the ecological objectives of the protocol in a manner that is more realistic, effective and workable than the protocol provisions.

This is the message that Harlan L. Watson, Senior Climate Negotiator and Special Representative of the U.S. Department of State, sought to convey today, at different meetings organised by the Federation of Indian Chambers of Commerce and Industry (FICCI) and the Confederation of Indian Industry-Southern Region (CII-SR).

Emphasising the approach of the Bush administration which says that economic growth is an imperative for accelerating — and paying for — the development of new eco-friendly technologies, Dr. Watson said that the U.S. President's budget for 2003 included over \$220 millions for the U.S. Agency for International Development (USAID) and the Global Environment Facility (GEF) to help developing countries improve measurement and reduction of GHG emissions and invest in clean and renewable energy technologies. This, he said, was in addition to the \$500 millions that the U.S. had pledged over the next four years for the GEF, a 16 per cent increase over the contribution to the previous replenishment.

The budget also provided funds to fulfil the President's June 11, 2001, commitment to developing countries to provide \$25 millions for climate observation systems that would help scientists improve their understanding of the dy-

namics of climate change. The U.S. had also started a programme of extending debt relief to select countries against specific commitments towards conservation of tropical forests, besides stepping up bilateral cooperation with countries, including India, in the matter of climate science and technology. Responding to repeated queries on whether the U.S., having opted out of the Clean Development Mechanism (CDM), the main instrument of the Kyoto Protocol, was now trying to "compete with" the CDM by stepping up ecological assistance to developing countries, Dr. Watson said the U.N. Framework Convention on Climate Change (of which the U.S. remains a leading member) did not prevent its cooperating with projects of member-countries of the protocol. He was, however, not sure whether the CDM and the carbon trading mechanism under the Protocol were as clear-cut, fast-track and effective as many claimed, and pointed out that the "CDM rules have yet to be framed".

Robert K. Dixon, Deputy Assistant Secretary of the U.S. Department of Energy in the Office of Energy Efficiency and Renewable Energy, said the U.S. and India were similarly placed in respect of a substantial reliance on coal for power production and in the pattern of energy consumption. Hence, bilateral cooperation in energy efficiency under the National Climate Change Technology Initiative (NCCTI) announced by the U.S. President would be mutually beneficial. The Indo-U.S. Science and Technology Forum, at its meeting in June this year, had decided on cooperation in fuel cell technologies in the context of the draft National Vision on Transition to a Hydrogen Economy by the year 2030.

The Cauvery dispute

By Supriya RoyChowdhury

Environment

THE SHARING of river waters across political boundaries is an institutionalised practice in many contexts. There are many examples of settlement of river disputes with continuing arrangements for international cooperation. In India, the Indus Basin Treaty with Pakistan, signed in 1961, and the Indo-Bangladesh Joint Rivers Commission, which generated an Agreement in 1977, periodically reviewed, for sharing of the Ganga waters, stand as testimonies to successful international cooperation on water sharing. Within India, 16 of the 18 major river basins cover two or more States. Conflicts over water sharing have been settled through negotiations, and States have also collaborated in developing projects on inter-State waters, such as the Bhakra Nangal, the Damodar Valley, the Tungabhadra and many other projects.

The continuing Cauvery river waters dispute between the States of Karnataka and Tamil Nadu, provides a window on how in specific contexts institutional dysfunction and the hardening of regional identities can prevent the emergence of workable compromise formulae, which, after all, constitute the backbone of collective living. In the present scenario of escalating tensions, it is too easy to take stubborn postures, underlined by regional loyalties and driven by the threat of economic hardship. It is also easy to lose sight of the fact that but for the political boundary that divides the two States — which is after all a political construct — the issues are essentially human, common and universal: the universal human need of farmers for water from a river that is flowing through their lands, to nourish their crops. But this universal dimension of the problem is lost sight of in the entirely particularistic paradigm within which the Cauvery waters dispute has been framed.

While the present drought has underlined the escalation of the crisis, the Cauvery dispute is characterised primarily by the unwillingness of the parties concerned to negotiate over conflicting interests, and to adhere to institutional mechanisms and decisions. Thus, for example, the failure of years of bilateral negotiations be-

tween the two States led to the creation of the Cauvery Tribunal in 1990, which after 12 years is now shortly expected to provide an adjudication of the dispute. However, the events following the Tribunal's Interim Order (IO) of 1991 provide little scope for optimism that the final order, when it emerges, would provide a definitive resolution of the problem. The Interim Order that Karnataka should annually release 205 tmcft of water to Tamil Nadu was perceived as highly unfair by many sections of the

Indian style of quiet non-compliance. The current crisis has followed this established pattern. As the drought situation in the current year began to close in, the inadequacy of the existing institutional mechanisms to address the problem surfaced sharply. In response to an appeal by Tamil Nadu in June this year, the Supreme Court on August 3 directed the release of 1.25 tmcft of water per day to Tamil Nadu. The Karnataka Chief Minister, in principle, accepted the Order, but amidst gathering clouds of

such as the Karnataka Federation of Chambers of Commerce and Industries, and more recently by the film industry as well as by sections of academics underlines the regional colour being imparted to the struggle. And yet, the struggle, in essence, remains one of livelihood of Karnataka's farmers who, in substantive terms, may have more in common with fellow farmers in Tamil Nadu than with members of industry or film stars in their own State.

The question of livelihoods is critical, and on both sides there is a justifiable sense of acute threat, given the loss of monsoon crops this year. Economic liberalisation has created a situation where small and marginal farmers are already on the edge of distress, testified to by the large numbers of farmers' suicides in States such as Karnataka and Kerala. Falling prices of agricultural products as a result of import liberalisation, the declining effectiveness of the public distribution system, rising input costs, and reduced public spending on social sectors have all reduced the peasants' sustaining capacity in a bad year. Unfortunately, the current debate over water has lost sight of these larger issues underpinning farmers' distress.

In such a situation, however, it is not difficult to frame farmers' hardships in non-negotiable, zero sum game terms, nor to give it a regional colour. In that sense, there is really no fundamental difference between the frenzy of popular protests in certain districts of Karnataka, and Ms. Jayalithaa's political intransigence expressed in walkouts from the negotiating fora, her calls for dismissal of the S. M. Krishna Government and so on. Each of these domains speaks of a failure to recognise that distress sharing means just that, and not merely reducing one's own distress. The failure of bilateral negotiations, predicated on the incapacity to adjust one's interests, had led to the formation of the Tribunal. But, precisely because the concept of mutuality has been lost from the public domain over this issue, the Tribunal's much-awaited decision may have little positive impact, realistically speaking.

Precisely because the concept of mutuality has been lost from the public domain over this issue, the Tribunal's much-awaited decision may have little positive impact.

population in Karnataka, and the resulting bitterness between the two States which erupted into violent and destructive confrontations is history.

The following years of Karnataka's non-compliance with the IO could be tidied over only because of good monsoons, but in 1995-96 Tamil Nadu appealed to the Supreme Court, for an immediate release of 30 tmcft by Karnataka. The Supreme Court referred Tamil Nadu to the Tribunal, but when the Tribunal's directive to Karnataka to release 11 tmcft of water went unheeded, Tamil Nadu went back to the Supreme Court. The Court then directed the Prime Minister to evolve a consensus solution, or to come up with a decision of his own. The then Prime Minister, P. V. Narasimha Rao, ordered Karnataka to release six tmcft of water, which was complied with. This was followed by the formation of the Cauvery River Authority (CRA), a political body designed to oversee the implementation of the IO, and the Cauvery Monitoring Committee (CMC). However, no substantive resolution of Tamil Nadu's grievances could be arrived at through these structures.

Thus it is that the dispute has gone back and forth between different governmental agencies, in a manner of ad hocism par excellence, underlined by the inability of the relevant agencies to evolve acceptable compromise solutions and by the all-too-known

popular protest in his State against the idea of releasing waters. It was in this context, that the CRA in a hurriedly convened meeting on September 7 issued an order for release of 0.8 tmcft of water per day. This reduced apportionment, which superseded the earlier Supreme Court order, came notwithstanding stiff opposition by the Tamil Nadu Government, and against the backdrop of Jayalithaa's sustained criticism of the CRA's partial role, and her recent walkout of a CRA meeting. The Cauvery Monitoring Committee, which arrived on a fact-finding mission on September 24, was refused permission by the Tamil Nadu Government to inspect the Mettur dam and delta region on the ground that the matter is before the Supreme Court. Subsequently, a Central team was given permission to inspect the dam only after the Court gave a directive to that effect.

This impasse at the institutional level has now become overshadowed by an overwhelming upsurge of farmers' protests in Karnataka. As the flow of water to the Mettur reservoir from the Kabini began, thousands of farmers gathered to stop the release, the protests culminating in the grotesque death of a farmer who along with some others had thrown himself into the Kabini in an ultimate gesture of defiance. The support being offered to this movement by urban groups

Visit Mettur, SC tells CMC

Our Special Correspondent

NEW DELHI, SEPT. 30. The Supreme Court today directed the Cauvery Monitoring Committee to complete its task of inspecting the water level in the Mettur dam, and to visit the Cauvery delta areas in Tamil Nadu to assess the "ground realities" regarding the crop situation. It asked the Committee to submit a report to the Prime Minister by October 3.

A three-judge Bench, comprising the Chief Justice, B.N. Kirpal, Justice K. G. Balakrishnan and Justice Arijit Pasayat, which passed the order, asked the Centre to file a copy of the CMC's report by October 4.

The CMC, chaired by the Water Resources Secretary, A. K. Goswami, will visit the Mettur dam tomorrow. It will meet in Chennai on October 2 and finalise its report.

The CMC, which has already visited the Karnataka reservoirs, was scheduled to meet at 2 p.m. here today. However, in view of the Supreme Court's order, the meeting was postponed and would be held in Chennai, Mr. Goswami told mediapersons. Even as the Additional Solicitor-

General, Mukul Rohatgi, sought police protection for the team, senior counsel for Tamil Nadu, K.K. Venugopal, assured the court that the State would extend all cooperation to the team.

Earlier, when Mr. Rohatgi told the court that the CMC could not project the "ground realities" in Tamil Nadu due to the lack of cooperation from the State, the Bench took a serious view, pulled up the CMC for not carrying out the Prime Minister's directive. The Bench said "what the Prime Minister wanted from you was an independent assessment. You could have done the inspection even without the State's cooperation. They (the State) did not physically prevent you from entering the State. Are you so incapable of making a report? When you don't even stir out of office, how do you make a complete report?"

When the Bench wanted to know why Tamil Nadu had not allowed the team to visit Mettur, Mr. Venugopal said "we don't want the CRA's order to be revised." And that there had been a "serious violation" of the Supreme Court and the CRA di-

rectives to Karnataka to release 1.25 tmc ft water daily and 0.8 tmc ft water which amounted to contempt of court.

Senior counsel for Karnataka, Anil Divan, said that Tamil Nadu would have the benefit of the northeast monsoon during which the State would have 53 per cent precipitation. Therefore, any release of water at this stage would harm the standing crops in Karnataka.

Mr. Venugopal said that "at no point of time" had Karnataka released 1.25 tmc ft water to Tamil Nadu. Its approach had been to delay the release of water and avoid the contempt petition to render it infructuous.

When the Bench asked Mr. Venugopal "what can the court do when they don't implement either our order or the order of the CRA," he cited various instances when the court had ensured the implementation of its order. "Wait till Friday (and see) how we would implement our order," the Bench said.

The Bench also directed the Karnataka Chief Minister, S. M. Krishna, and four others, against whom the contempt notice was issued, to file their response by October 4.

1 OCT 2002

THE HINDU

Global warming report throws up chilling facts

Sanjay Chowdhury in New Delhi

Sept. 29. — The Sunderbans and other parts of South 24-Parganas in West Bengal as well as large parts of coastal India, including Goa, Mumbai, Orissa, the southern states and island territories, will be affected if global warming raises sea levels.

A study on global warming warns of inundation of land, population displacement and economic losses. The report by the School of Environmental Sciences of Jawaharlal Nehru University, New Delhi, shows that India could lose 0.16 per cent of its land area

of 0.41 per cent of its coastal regions. This is 5,763 sq km. About 1.68 per cent of the population, according to the 1991 census, or 7.1 million people will suffer and the financial loss, estimated a few years ago, will be Rs 1,84,767 crore.

Mumbai could be affected, especially Versova beach and the northern suburbs. Goa's beaches like Calungute, Miramar and Colva will be washed away. Tourists in Kerala will be hit and much of Lakshwadeep could disappear.

Global warming will melt the ice-caps and glaciers, bringing more water into the oceans. The study envisages three broad possibilities by 2100. The

best estimate is a rise of about 60 cm by 2100 or about 20 to 33 cm higher by 2050. The "high" estimate shows waters rising to about a metre by 2100

If the sea level rises by only a metre in the next 100 years, more than 750,000 households could disappear and lives of 7 million people affected

and the "low" estimate, about 30 cm. By 2030, or 28 years later, waters could rise to between 14 and 24 cm from 1985 levels. The one-metre mark level is being called unlikely, but within the

range of possibilities. Much will depend on factors that can or cannot be controlled by mankind.

The total losses in case the sea level rises by only a metre by 2100 (the estimates were made in 1993) are:

- value of inundated land will be Rs 1,52,740 crore
 - 7.56 lakh households will disappear
 - 7.1 million people will be displaced.
- Even assuming the cost of re-locating them is Rs 10,000, the cost will be Rs 7,100 crore. The population and costs will be higher by 2050
- Jetties and ore-loading points, valued around Rs 40 crore, will disappear. So will 4,200 km of roads. There is also the

cost of raising river embankments and starting salinity prevention schemes.

Goa could lose 4.64 per cent of its land, Bengal 1.88 per cent, Orissa 0.81 per cent and the Andamans 0.72 per cent. If the waters rise by a metre, 1.01 sq metres in South 24-Parganas and 0.21 million sq metres in Midnapore (1.38 per cent of the state's land area and mostly agricultural land) will be inundated. Intrusion of salt water and erosion will add to the problems.

Prof. V Asthana, project director, said sea-level rise may be a gradual phenomenon, but "adaptive strategies" have to be planned and implemented 50 to 100 years in advance.

3 0 SEP 2002

Environment Ministers' mini-summit begins today

30/9

49-13

By Our Special Correspondent

NEW DELHI, SEPT. 29. A mini-summit of Environment Ministers and officials from about 40 countries is beginning here on Monday to try and achieve some kind of consensus among world leaders so that the eighth conference of parties to the United Nations Framework Convention on Climate (UNFCCC- COP 8) scheduled to be held here in the last week of next month turns out to be a success.

The countries participating in the mini-summit include the United States, Russia, Canada, China, Australia, Argentina, Germany, France, Japan, Indonesia, Qatar and Venezuela.

The countries had been selected in such a way as to ensure that all regional groupings and interests were adequately represented.

For instance, while Qatar is the leader of the oil producing countries, Venezuela is the

leader of G-77, the U.S. is the largest emitter of greenhouse gases among all countries and China among the developing countries.

With the seven previous conference of the parties to the Convention having sorted out the various institutional issues, the main agenda before the COP 8 would be the formulation of a framework of action for implementation.

One of the key issues would be to chalk out measures to strengthen the capacity of the developing countries in meeting the negative impact of climate change.

Studies across the world have shown that one of the major consequences could be a more frequent occurrence of extreme weather phenomena such as droughts, floods and storms. Another could be a rise in sea levels, resulting in inundation of coastal areas.

While the global community has been discussing ways to

solve the problems ever since the Convention was adopted 10 years ago, the progress has been hampered because of differences among the countries as to how much each of them must contribute in terms of financial and other assistance.

When the Convention was adopted, it was accepted by all, including the developed countries that they must take up more responsibility on the ground that that they emitted the greenhouse gases more and since they had the necessary financial and other wherewithal to correct the situation. But, in recent years, the U.S. and other developed countries have been questioning the premise and have been urging that though being in the category of developing countries, countries such as India and China should also bear some of the responsibilities. The two-day mini-summit, which is beginning tomorrow, is likely to discuss this issue, among other things.

30 SEP 2002

No share & share alike

5-9 28/9
 Faced with its worst drought in 30 years — the southwest monsoon has brought 42 per cent less rainfall this year — Karnataka's misery is compounded by the raw deal it is getting from Tamil Nadu on the Cauvery waters issue. MANASH GHOSH reports

KARNATAKA'S ministers were no smiles last Friday evening when heavy rain lashed Bangalore after almost a fortnight's unprecedented hot, dry spell. They as well as chief minister S M Krishna were eager to know whether the catchment areas of the Cauvery and its four tributaries had received any rain. For Mr Krishna was planning to offer puja at a "Jagrata" Shani Dev temple in far off Pondicherry to propitiate the rain god.

In the past three months he has offered puja in almost all the major temples in his state but his prayers for rain are yet to be answered. Instead rain-fed rivers like the Cauvery and its tributaries resemble narrow streams or nullahs. The sad state of the Cauvery, also known as the Dakshina Ganga and considered the lifeline not only for southern Karnataka but also a large part of south India, during the peak monsoon month, has shocked Kannadigas.

In northern Karnataka, the scene is even worse. Near water famine-like conditions prevail in districts like Bijapur, Bidar and Gulbarga where the deficiency in rainfall is much greater than in the south. The chief minister admits that the situation is grim and may result in serious law and order problems including water riots if the unusual dry spell continues. In fact the Cauvery water issue has become so important to ordinary Kannadigas last Thursday's Bharat Bandh called by the VHP to condemn the killings in Gaudhinagar was spontaneously conver-

ted into a Karnataka Bandh "to give Karnataka its rightful share of Cauvery waters which alone could do justice to the state and restore its pride". The 29 September rail roko in Bangalore by the Zilla Raitha Hittharakshana Samithi over the release of Cauvery waters to Tamil Nadu has got the chief minister worried as the Cauvery issue is growing into a mass movement. Mr Krishna's worry is for another reason. Any untoward incident may spin out of control and



S M Krishna: praying for rain and justice.

fuel anti-Tamil sentiments which could spark violence resulting in tragic events like the one in 1992. His concern is serious since one-third of Bangalore's residents are Tamils. Chennai too has a sizeable presence of Kannadigas. "Only rains can mitigate our plight and calm the surcharged atmosphere" Mr Krishna confessed. "If there is no rain the Cau-

very movement here will gather both momentum and strength." Actually Karnataka is facing its worst drought in 30 years with the south-west monsoon providing 42 per cent less rainfall this year. The shortfall has unleashed not only a war of words and nerves over sharing the depleted flow of the Cauvery between Karnataka and Tamil Nadu but has given rise to a host of social, political and economic issues which, if allowed to snowball, may prove disastrous for the two neighbouring states.

Already Karnataka farmers are on the war path, demanding a "fair share" of Cauvery waters. One committed suicide by jumping into the Kabini reservoir on 19 September. The fear of farmers storming the dams to release more water for their withering paddy and sugarcane crops has led to armed police and the RAF sealing off the approaches to the Krishnarajasagar and three other dams built on the Cauvery and its tributaries. The much pictured Vrindavan Gardens is under police siege and is out of bounds for tourists.

For the first time the sharing of Cauvery waters has become such a highly emotional issue in Karnataka that even the Kannada film and TV industry and its matinee idols like Rajkumar are leading mass processions and dharnas in Bangalore chanting "Cauvery narmada" (Cauvery is ours). The slogan is on the lips of every Kannadiga. Last Thursday in Mysore hundreds of executives and engineers of government and private companies brought out long motorcycle and

scooter processions demanding adequate supply of potable water at their homes, offices and factories.

The processions were brought out to highlight the plight of Mysore's 1.2 million residents who despite living on the banks of the Cauvery get piped water supply only once in three days and that too for just two hours after midnight. The supply is so inadequate that most households have borewells but the poor quality of ground water makes its use almost impossible. Companies spend between Rs 40,000 and Rs 60,000 every month to buy water from water lords who are emerging as a new breed of businessmen in the state. Households too are forced to buy water from outside. Borewells have to be sunk to a depth of 700 feet to reach the ground water table although the city, ironically enough, adjoins the vast reservoir of the Krishnarajasagar dam. Already one-fourth of the reservoir has gone dry as the daily flow of water into it is 948 cusecs against an outflow of 3,806 cusecs. And if this trend continues the dam will be without water in less than a month's time. Similarly, the Kabini reservoir has water for only 15 days, but it continues to release water to Tamil Nadu. The water released from these dams for irrigation in Karnataka is so little that it reaches less than two-thirds of the normal amount.

been able to forcefully plead Karnataka's case on the Cauvery issue. Indeed, these leaders' dependence on the issue has encouraged Tamil Nadu's belligerence.

In contrast, Tamil Nadu's interests have been well protected and promoted by leaders like C Subramaniam, K Kamaraj and R Ventakataraman and the state's strong and influential presence in the bureaucracy, technocracy and the judiciary. They had done everything to invoke the "unequitable" clauses of agreements on the sharing of Cauvery water.

What has hurt the Kannadigas most is that Tamil Nadu is unwilling to share the distress although it is fully aware that the Cauvery is a deficit river and the failure of the monsoon has drastically reduced its flow. Also, it has no concern for the vagaries of nature and wants to settle everything in court. "Can the court decide what Nature decides?" asks G Madegowda of the Zilla Raitha Hittharakshana Samithi. Mr SM Krishna says, "The Cauvery issue can be solved only on the basis of give and take, cooperation and adjustments. There has to be a negotiated settlement. Serving contempt notices on me won't help. It has badly hurt Kannadiga pride."

(The author is a veteran journalist associated with The Statesman.)

Tighter norms in Mashelkar final report

By Mukund Padmanabhan

CHENNAI, SEPT. 27. The final report of the Mashelkar Committee on auto fuel policy varies in some significant respects from the interim report it submitted earlier this year. By virtue of the new recommendations in the final report, the overall policy towards regulating vehicular emissions has been made more stringent.

The interim report had recommended the introduction of Euro III norms in the entire country for all new vehicles (except two and three-wheelers) by 2010.

But the final report has called for the introduction of Euro IV norms in 11 Indian cities (including the four metros) by the same date.

The decision to speed up the introduction of Euro IV equivalent norms is probably a result of not wanting to fall too much behind the West (Europe goes Euro IV in 2005 and is contemplating the introduction of a tighter Euro V standard in 2008).

The inclusion of relatively smaller metros such as Surat, Kanpur and Agra in the list of cities selected for tighter emission norms is a result of the deteriorating quality of the ambient air in these places.

The final report chalks out a road map for two-wheelers and three-wheelers for which Euro II equivalent norms have been fixed for 2005 and Euro III equivalent norms

fixed for 2010, with the option of introducing them a couple of years earlier. The interim report made no recommendation about this class of vehicles beyond noting that when the norms are finally laid down, the auto industry must be allowed to meet the same according to their choice of technology, that is two-stroke or four-stroke.

Road map to check pollution

The Mashelkar Committee's final report also stipulates norms for in-use vehicles, tightening them in a manner which is aimed at speeding up the phasing out of old vehicles.

Apart from suggesting measures to improve pollution checks on in-use vehicles, the Committee has chalked out a specific road map for controlling/reducing pollution from such vehicles. For instance, by 2004 all vehicles registered before 1996 must adhere to the minimum norms which prevailed in that year.

While making it clear that the pivotal role in the area of commercial transport would continue to be occupied by diesel, the interim report of the Committee made a passing acknowledgement that so-called clean fuels such as CNG and LPG could play a role in certain niche areas.

This resulted in criticism from a section of environmentalists and those who had commercial interests in promoting the

spread of CNG vehicles.

Possibly as a result of the Supreme Court continuing to play an advocate of CNG, the Mashelkar Committee's final report pays substantially more attention to these fuels. Noting that the natural gas vehicles experiment has been successful in some countries, the report, however, notes that in India such vehicles can be commercially viable in cities which lie alongside or close to natural gas pipelines. In other words, to state the obvious, what may be possible in a city like Agra is impossible in a city like Bangalore or Hyderabad.

While noting that gaseous fuels have advantages over liquid fuels in some important emission parameters, the report raises safety-related issues relating to the former. These include the lack of authorised garages to maintain CNG-fitted vehicles, lack of trained hands and the possible use of non-standard equipment when petrol/diesel vehicles are converted.

The final report also recommends that those organisations responsible for enforcing automobile emission norms and fuel quality standards be brought under a single authority, the National Automobile and Fuel Authority (NAPFA), which will be responsible for certifying in-use vehicles, testing fuel quality, checking emission compliance and monitoring the implementation of regulations.

29 SEP 2008

THE HINDU

Hardening stances over Cauvery affect good ties

19-10 29/9 By S.K. Ramoo

BANGALORE, SEPT. 28. The Cauvery water dispute between Karnataka and Tamil Nadu has reached a "deadlock" with both the States assuming unyielding stances. The hardening of postures has badly affected the cordial, neighbourly relationship between the two States. The Karnataka Chief Minister, S.M. Krishna's sudden "volte-face" has aggravated the situation. After agreeing to release 9,000 cusecs of Cauvery waters to Tamil Nadu as directed by the Cauvery River Authority headed by the Prime Minister, the Karnataka Government, contrary to the advice tendered by its legal experts, decided not to release any water to Tamil Nadu from the Kabini reservoir, which filled up on two occasions in the current season. Already under tremendous pressure from the agitating farmers in the Mandya (consisting of his Assembly constituency) and Mysore districts, he gave in to popular sentiments, vociferously articulated in several quarters. His detractors attribute the sudden shift in the Government stand to a loss of nerves. The farmers in the two districts have revolted against the earlier decision of the Government to release water to Tamil Nadu, actually provoked by rabble-rousing local politicians, including the former Lok Sabha member, Made Gowda.

According to Mr. Krishna, the Opposition leaders including the two factions of the Janata Dal, and lately the State BJP, have "betrayed the trust" reposed in them by the Government. The sudden shift in the Government stand over the issue of release of water to Tamil Nadu is perceived by impartial observers as "politically-ill-conceived" and likely to lead to "disastrous" consequences. They see a clear lack of "accommodation" and denial of the spirit of "give and take" as the Cauvery belongs to three basin States.

Instead of convincing the farmers in the Cauvery basin that some quantity of water had to be released to Tamil Nadu, the Karnataka Government retracted from its earlier stand, which might ultimately harm the State's interests. The violence unleashed by the agitating farmers and their leaders has gone on unchecked for weeks. The violent agitation has thrown life out of gear and has badly affected the movement of people and goods between Bangalore and Mysore. The suspension of train and bus services and the extensive damage caused to the property have led to heavy losses. The worst-hit is the tourism industry, depriving many people of their livelihood. Business actively has been disrupted and trade, and industry have suffered affecting the State economy.

According to some legal experts, the Karnataka Government had failed to bring to the Supreme Court's notice that the Tamil Nadu Government had not cared to restrain its farmers from cultivating two seasonal paddy crop in the Cauvery delta in the current drought year. It had also failed to focus the court's attention on Tamil Nadu's "failure" to overcome the water shortage with the rapid harnessing of groundwater and delta water run-offs as suggested by the United Nations Development Programme in its technical reports. The Cauvery delta in Tamil Nadu can benefit from the north-east monsoon, which is not largely helpful to Karnataka.

Experts say that the Tamil Nadu Government should examine the construction of a storage dam across the Cauvery, upstream of the Mettur dam on its territory to impound the surplus waters from the reservoirs of both States, when the south-west monsoon is active and during the floods. According to them, if a hydro-power component is added, Karnataka could even be persuaded to provide finance in return for sharing power.

29 SEP 2002

Talks still an option: Krishna

By Our Staff Reporter

Environment 10-1
BANGALORE, SEPT. 28. The Karnataka Chief Minister, S.M. Krishna, said today that even now the Cauvery waters could be shared during the distress period through bilateral discussions between Karnataka and Tamil Nadu.

He told presspersons here that the case in the Supreme Court would not come in the way of bilateral discussions. The court accepted out-of-court settlements.

Asked whether he would take the initiative and invite the Tamil Nadu Chief Minister, Jayalalithaa, for talks he said it might not evoke a response. "I am too small a person to initiate talks with her. She is a senior leader. I have just become a Chief Minister whereas she is holding the post for the second term. I am only a beginner," he said. One should not take an emotional view of the matter, and the issue should be settled through negotiations taking into account the needs of the two States. The water available could be shared in an equitable manner. "We should be ready for this, and an atmosphere should be created."

29/9
Refusing to comment on the "defiant and different stands" taken by Ms. Jayalalithaa on various occasions on the issue, he said he won't comment as it would not be in good taste. Moreover, the matter was before the apex court, for which he had very high regard. Whatever had happened after the intervention of the Prime Minister, Atal Behari Vajpayee, and the details of the discussions should not be made an issue of public debate. He would give all the information to the Cauvery River Authority.

Mr. Krishna said the Cauvery Monitoring Committee and experts should have inspected reservoirs in Tamil Nadu and Karnataka, and made recommendations to the CRA.

Asked why the farmers in Mandya and neighbouring areas were continuing their agitation even after his Government stopped releasing water to Tamil Nadu, Mr. Krishna said that in a democracy, people could not be stopped from organising protests. However, the protestors should know that they had a responsibility to maintain peace, and that the agitation should be non-violent. They should not stop any traveller, he added.

29 SEP 2002

THE HINDU

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CAUVERY ROW / 'TEAM COULD NOT VISIT METTUR'

20/9 ✓

Ground reality not known: Centre

By J. Venkatesan

NEW DELHI, SEPT. 27. The Centre, which was directed by the Supreme Court to indicate the extent of inflows into the Mettur reservoir from Karnataka, today filed an affidavit expressing its inability to give the "ground realities" in view of Tamil Nadu's stand that the Central team's visit to inspect the reservoir would amount to contempt of court.

The court had on September 23 — while issuing notice to the Karnataka Chief Minister, S.M. Krishna and four others on the contempt petition filed by Tamil Nadu — asked the Centre to give a report by today to ascertain whether the directive of the Cauvery River Authority and of the apex court had been complied with or not by Karnataka.

In its report filed by Wasim Quadri, counsel for the Union Government, the Centre said the figures available at Mettur were not directly monitored by the Central Water Commission and the question of

compliance with the apex court's order would have to be ascertained on the basis of the figures given and the material placed by the States.

Additionally, the Cauvery Monitoring Committee was directed by the Prime Minister to visit the reservoirs in Karnataka and Tamil Nadu in the Cauvery basin and assess the "ground realities".

Accordingly, the CMC fixed a meeting at Bangalore on September 24 but Tamil Nadu wanted the meeting to be postponed stating that the matter was "sub judice"; in any event, it would not participate in the meeting.

The CMC visited the reservoirs in Karnataka on September 24 and 25, but the visit to Mettur could not take place as Tamil Nadu said it would not be in a position to comply with the CMC's request as it would amount to contempt of court.

As a result, "the report of the assessment of the ground realities has not been formalised as yet.

As soon as the same is done, the Union of India will bring it to the notice of the Supreme Court", the report added.

Regarding the inflows into Mettur, the affidavit filed by the Centre on September 20 said that out of the total quantity of 11.85 tmcft (thousand million cubic feet) Tamil Nadu was entitled from September 4 to 18, Mettur received only 6.81 tmcft and there was a shortfall of 5.04 tmcft.

(But, according to Tamil Nadu, the shortfall as on September 26 was around 10.4 tmcft.)

In the present affidavit, the Centre said the outflows observed at Billigundu in Karnataka from September 19 to September 25 was 3.78 tmcft. (From Billigundu to Mettur, it takes about three to four days for the water to reach Mettur.)

Meanwhile, the Karnataka Chief Minister, S.M. Krishna, and others have been exempted from appearing in the court on September 30 in the contempt case.

TN refuses inspection of reservoirs

Statewide News Service

CHENNAI/BANGALORE, Sept. 24. — The Tamil Nadu government today declined to comply with the request of the Cauvery Monitoring Committee, to allow its team to inspect the reservoirs in Tamil Nadu, on the ground that the Cauvery issue was sub-judice — the same reason cited for deferring the special Karnataka Assembly session in Bangalore today.

The Tamil Nadu chief minister, Miss Jayalalitha, who convened an emergency meeting of the state Cabinet to discuss the Committee's request, decided not to comply as the matter was with the Supreme Court. Accordingly, the state government took a decision late last night not to attend the meeting of the Committee which met in Bangalore today, and sent a communication yesterday to the chairman of the Committee and the Union water resources ministry secretary, requesting that the meeting be put off. The Committee, however, decided to go ahead with the meeting.

In Bangalore, the special Assembly session called today to discuss the issue, was deferred to the first week of October as the case was sub-judice. The issue will, accordingly, be discussed in the House after the court case, with particular reference to the acute drought facing the state. The decision was taken at the Business Advisory Committee's meeting early this morning. The apex court is to take up the Cauvery waters case on 30 September following a contempt petition filed against the Karnataka government by Tamil Nadu.

Earlier in the day, a 12-member Central team led by Mr AK Goswami, secretary, Union water resources ministry, arrived in Bangalore to check the water levels in dams of Karnataka and Tamil Nadu. The team, including the chief secretaries of Karnataka, Kerala and Pondicherry, was to inspect dams in both states, relying mostly on aerial surveys in addition to feedback from farmers of the two states. As Tamil Nadu boycotted the Committee's meeting held here this morning, its chief secretary was not present at the sitting before the Central team went to Mysore for inspection. The team, expected to submit its report to the Cauvery River Authority by 27 September, will tomorrow review the position of the water levels in Harangi, Kabini and Hemavathi dams in Karnataka, before returning to Bangalore en route to Delhi. Meanwhile, in a meeting convened by chief minister, Mr SM Krishna today, MPs from the state unanimously backed whatever action the Krishna government takes to protect the state's farmers' interests.

24 SEP 2002

SC notice to Krishna

29/9 By J. Venkatesan

NEW DELHI, SEPT. 23. The Supreme Court today issued notice to the Karnataka Chief Minister, S.M. Krishna, on a contempt petition filed by Tamil Nadu to summon and punish him for "wilfully disobeying the orders of the court and the Cauvery River Authority to release water to the Mettur reservoir".

A three-Judge Bench, comprising the Chief Justice B.N. Kirpal, Justice K.G. Balakrishna and Justice Arijit Pasayat, which also issued notice to four others — the Karnataka Water Resources Minister, H.K. Patil; the Chief Secretary, A. Ravindra; the Secretary, Water Resources department, S.J. Channabasappa; and the Engineer-in-Chief, R. Hrushikesh — asked all of them to respond by September 30, the next date of hearing. The Bench directed the Union of India to file a further

affidavit by September 27 indicating the extent of inflows of water into the Mettur reservoir "in order to ascertain whether the directions of the Cauvery River Authority and the apex court are complied with".

'Dangerous trend': Page 11

T.N. not to attend Cauvery panel meet

By Our Special Correspondent

CHENNAI, SEPT. 23. Tamil Nadu will not participate in the emergency meeting of the Cauvery Monitoring Committee on September 24 as the Cauvery issue was "sub-judice."

The State Chief Secretary, Sukavaneshwar, in a communication to the chairman of the CMC and the Union Water Resources Ministry Secretary, suggested that the meeting be put off as the matter was before the Su-

preme Court. Pointing out that the court was to take up Tamil Nadu's application challenging the decision of the Cauvery River Authority, he said the holding of an emergency meeting was a matter of concern as it was the apex court which alone had to take a decision on the issue. A contempt petition against the Karnataka Chief Minister, S.M. Krishna, for failure to implement the Supreme Court order to release water to Tamil Nadu, was also pending in the court, he said.

Any such meeting might amount to contempt of court "as it amounts to interfering with the due process of law in the Supreme Court," he added.

Later talking to reporters, the Chief Minister, Jayalithaa, said the State Government's decision was taken on the basis of legal advice "because there are issues of violations of Constitutional provisions in the contempt petition".

24 SEP 2002

THE HINDU

WATER DISPUTES

Case For 'Nationalising' Inter-State Rivers

By ARABINDA GHOSE

51-8
22/9

The walk-out by Tamil Nadu chief minister Jayalalitha from the meeting of the Cauvery River Authority convened by the Prime Minister in New Delhi on 27 August might appear to be the usual imperious attitude on her part. However, her anger and frustration at being unable to convince the Karnataka chief minister to agree to part with some water from the Mettur Dam for Tamil Nadu farmers is quite understandable.

Surplus

It is also true that Karnataka itself is in dire straits as there has not been sufficient rainfall this monsoon so far which could have increased the flow of water in the Cauvery. Karnataka is obliged to provide 205 TMC of Cauvery waters to Tamil Nadu in a year according to the interim order of the Cauvery Water Dispute Tribunal. It has, however, released not more than 36 TMC so far, leaving a huge gap. Karnataka pleads that it does not have sufficient water in the river for supplying the remaining volume to Tamil Nadu.

In this dismal scenario, when the dispute between these two neighbours threatens to erupt into unrest, Miss Jayalalitha has suggested that "all-inter-state rivers should be nationalised". Only a few weeks ago, the Haryana chief minister Om Prakash Chautala made a similar suggestion. At the chief ministers' meeting to discuss the revised National Water Policy in April, the Rajasthan chief minister Ashok Gehlot too is reported to have made this suggestion.

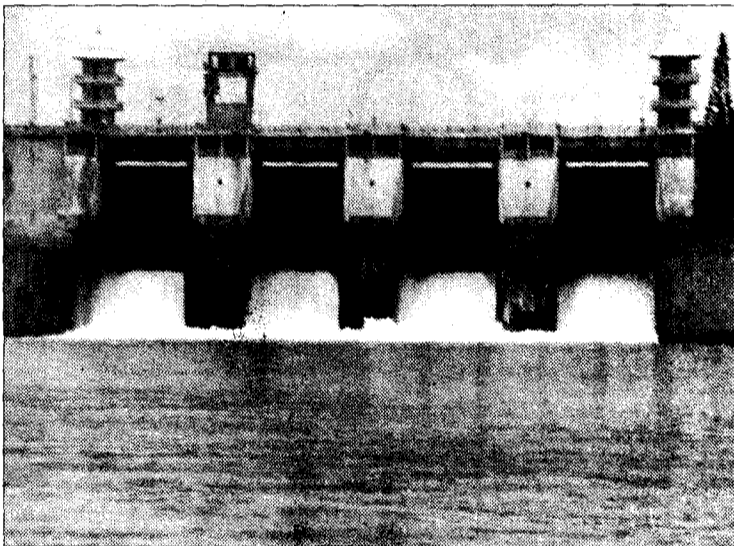
One can dismiss these as desperate moves by water-deficit states to resolve their differences with the upper riparian states.

The author is a former member of the Railway Board.

One may also point out none of the water-surplus states such as Punjab, Andhra Pradesh (in normal rainfall years) and Orissa (also under the same circumstances) has contemplated such an approach. What is more galling is the fact that the water-surplus

Punjab.

The reason why states, particularly the water-surplus states, refuse to part with water and instead let this water go waste into the sea is that water is a state subject under the Constitution. The states have exclusive owner-



state Kerala has been opposing the strengthening of the Mullaperiyar Dam for transfer of some water from the Periyar to Tamil Nadu raising the bogey of the dam having become old and weak. One may also point out that water-starved Gujarat had not opposed the proposal of providing water to the Barmer district of Rajasthan from the Narmada main canal.

State subject

This water will irrigate 75,000 hectares in the desert areas of Rajasthan. On the other hand, Punjab has refused to let any water flow into the Satluj-Yamuna Link canal in Haryana on the plea that it has no water to spare. The SYL canal system was constructed more than 10 years ago but is yet to receive a drop of water from

ship of all water that comes into their territory either from the sky or from the upper reaches of rivers, and are free to build dams and irrigation canals entirely on their own without any interference from the Centre.

The Constitution empowers the states to exercise "sovereign" control over waters in their states and, as a consequence, the Centre cannot compel any of them to toe its line. In case of inter-state rivers too, Parliament has to enact a law for exercising control over them. The power does not flow automatically to the Union in respect of inter-state rivers. It was under the provisions of Article 262 that river water dispute tribunals, including the one on the Cauvery, were set up. What Miss Jayalalitha must have meant by "nationalising" in-

ter-state rivers is that the Centre would exercise full control over the use of river waters for any purpose including irrigation, removing once and for all the firm grip on river waters by the states.

This is an eminently sensible suggestion. In a vast country like India, vagaries of the monsoon are normal and it is common human instinct to ensure supply of water and other articles for one's use in years of scarcity and then only spare some for others. This is true in respect of river waters too.

Constitution

One does not quite understand why the founding fathers of the Constitution had kept water in the state list. Maybe they were influenced by the Government of India Act, 1935, which had introduced provincial autonomy and all attendant provisions of empowering the provinces (now states) on a wide variety of subjects. Water, apparently, was one of them.

If today we have to remedy the situation and "nationalise" inter-state rivers, it will be necessary first to amend the Constitution in order to transfer "water" from the state list (List II) to either the concurrent list (List III) or better still, to the Union List (List I). This amendment, if passed by Parliament, has to be ratified by half the number of states since it will have the effect of changing the lists before it can become law. With several states already in favour of this, leaders of national parties must make other states agree to this amendment and its ratification by at least 14 states of the Union. Water is becoming such a critical issue for the world, and the people of this country in particular, that it should be the same importance in the Constitution as defence, communications and railways.

23 SEP 2002

THE STATESMAN

Eminent
H.D. - 11 2/9

Cauvery: disturbing developments

H.D. - 11 2/9

By Ramaswamy R. Iyer

This article is not about the issues and numbers involved in the water-sharing dispute between Karnataka and Tamil Nadu. It is about the implications of certain recent developments. Undoubtedly this is a year of distress, and both Karnataka and Tamil Nadu have their problems. The distress has to be shared by all the riparian States. Precisely how that sharing should take place, how much water each State needs, and what sacrifice each has to make and live with, are matters for mutual agreement, or mediation by the Cauvery River Authority (CRA), or decision by the Supreme Court. This writer takes no position on these matters, and he holds no brief for the Tamil Nadu Chief Minister; her actions in initially refusing to participate in the meetings of the CRA, subsequently showing disrespect to the Prime Minister by walking out of a meeting, and later deputing a Minister to a meeting instead of attending it herself, were not merely questionable from the point of view of propriety but also unwise from a practical point of view. However, what is beyond doubt is that Tamil Nadu as one of the States in the Cauvery basin is entitled to a certain share of the waters even in a year of low flows.

On this, the position taken by Karnataka Government, as it emerges from their various statements and actions, is an untenable one. They did not willingly cooperate in the Monitoring Committee's and CRA's efforts to work out a distress-sharing formula. Even their acceptance of the Supreme Court's decision was qualified by a rider about protecting the interests of the Karnataka farmers. Their position can be paraphrased as follows: "This is a year of distress. We do not have enough water to meet our own needs. It is very difficult for us to spare any water for Tamil Nadu. We will see what we can do." This is surely not an unfair summary of the Karnataka position. It sounds reasonable, but in fact it is not. What it means is that Karnataka reserves the right to decide what it needs and how much (if anything) it can spare for Tamil Nadu. It is reluctant to accept any mediation or decision on this by the Tribunal or the CRA or even the Supreme Court. Karnataka is implicitly asserting the primacy of the upper riparian.

In this context it is instructive to consider India's position in the treaty with Bangla-

desh over the sharing of the Ganga waters (December 12, 1996). That treaty is based on a recognition of Bangladesh's rights as a lower riparian. Not only has India bound itself to a sharing formula, but it has gone further and undertaken to protect the flows arriving at Farakka, which is the sharing point. Even in a distress year India cannot say "sorry, we do not have enough water for our own needs and cannot release the quantum specified in the treaty". The sharing formula operates even under those circumstances. When the flows fall below a certain level, the two countries have to hold consultations on an emergency basis, but the treaty rights of Bangladesh are in no way abridged. What India has recognised in relation to Bangladesh, Karnataka is unwilling to accept in relation to Tamil Nadu. (It is interesting to note that the Ganga Treaty was signed on behalf of India by the then Prime Minister, Deve Gowda.)

If the Karnataka Government asserts the primacy of the upper riparian, the farmers of that State, particularly in the Mysore-Mandya region, go much further. They as-

OPINION

sert their exclusive rights over the Cauvery waters, and they claim over-riding powers of decision-making. Their position is not that 1.25 tmcft or 0.8 tmcft of water cannot be spared; it is simply that nothing, not a drop, can be spared. Whether they have arrived at this position themselves or have been led to think along these lines by political or other leaders is immaterial. This is their position and they hold it with passion. They gather in large numbers, try to take over the dams and reservoirs, shut down the outlets, and create serious problems. Some have jumped into the river, and one person is said to have lost his life. They have asked the State Government to ignore the decisions of the Tribunal, the CRA and the Supreme Court, and have virtually declared that their own decisions will override the decisions of all those authorities.

They are profoundly misguided and grievously wrong, and yet no one in the State seems to have the courage to tell them so. All the political parties in the State are guided by the political importance of the farmers' feelings; none of them is concerned

to the slightest extent about the rights and wrongs of the matter, the distress in Tamil Nadu, the implications for the rule of law, the sanctity of constitutionally-mandated conflict-resolution mechanisms, or the inviolability of the Supreme Court's decisions. If they are worried at all, it is only about the contempt powers of the Supreme Court. The State Government, far from trying to educate the farmers, has taken popular sentiment as the over-riding consideration, and suspended the release of waters to Tamil Nadu, thus violating the Tribunal's interim order, the Supreme Court's direction and the CRA's decision. They are reported to have very bravely stated that they are willing to face the consequences. This is perverse heroism. If they had faced up to the popular agitation and said "we are willing to face the consequences," one would have honoured them. At the same time, they are also reported to have said that they are not defying any authority but merely trying to maintain peace. In other words, they have surrendered to violence and confessed their inability to maintain law and order. Perhaps they consider the agitation to be justified; one hopes that is not the case. The State Government is said to have sought an urgent meeting of the CRA, and has held an all-party meeting at Delhi, in preparation for the next hearing of the Supreme Court. What will they tell the court? Will they say that feelings are running high in the State? That the Government cannot cope with that strength of feeling; that it cannot maintain law and order; that it is in no position to implement any distress-sharing formula; that if the Tribunal's or the CRA's or the Supreme Court's decisions are unacceptable to the farmers they will not be implemented; that if there is a conflict between judicial determinations and popular feelings the Government will be guided by the latter?

Where in the midst of all this are the intelligentsia of the State? There are many balanced, sane, civilized, wise, eminent persons in Karnataka. Is it not their duty to point out to the Government, the political parties and the farmers the error of their ways and their serious implications? Why does one not hear their voices? Or are they, in fact, doing so in the Kannada media?

(The writer is a former Secretary, Water Resources, Government of India.)

SATURDAY, SEPTEMBER 21, 2002

Environment
40-10

NEED FOR STATESMANSHIP ^{m/a}

KARNATAKA'S SNAP DECISION to "suspend" the release of Cauvery water for Tamil Nadu — whatever quantum it has been letting out from the Kabini reservoir since the Supreme Court's September 3 interim order — has given a new and disturbing twist to the ongoing battle between the two States over the sharing of the admittedly poor storages in the four reservoirs in the river basin. For Tamil Nadu and its farmers, it means that whatever contingency plans they had worked out for raising at least a limited main paddy (Samba) crop stand jeopardised. The first blow came when the Cauvery River Authority scaled down the quantum of release from 1.25 tmcft a day (determined by the apex court) to 0.8 tmcft till October end. Now, with Karnataka downing the shutters of the Kabini dam from where water was being released, all the calculations of Tamil Nadu have inevitably been upset, with uncertainty looming large over water availability. For its part, the Karnataka Government — anxious as it is to avoid the impression of acting in defiance of the orders of the Supreme Court and the CRA — insists that the stoppage of release is only 'temporary', necessitated by the "explosive" law and order situation prevailing in the Cauvery basin districts in the wake of an agitating farmer's alleged suicide by drowning in the Kabini dam.

Legally speaking, it is perhaps arguable that Karnataka's action would not entail 'contempt of court' since what is not being complied with is only an order of the CRA (a non-judicial body created under a statute) and *not* that of the apex court — the one that stood automatically superseded by the CRA's September 8 decision. Whether the contempt charge sustains or not, the Karnataka Government would be hard put to justify its position before the Judiciary when Tamil Nadu raises the issue, particularly if the official data the apex court has sought on water releases (by Karnataka) since September 3 revealed significant shortfalls vis-a-vis the quantities determined first by the court and then by the CRA.

But the dangerous implications of a Government, for whatever reason, circumventing inconvenient court injunctions or statutory obligations cannot be glossed over. A section of the farmers and some organisations known for their chauvinistic mindset have been up in arms (right from the day the apex court directed water release), resorting even to intimidatory forms of protest, with the climactic 'suicide' taking on shades of an emotional blackmail. Clearly, the situation demanded a delicate handling and a prompt intervention with a strategy that had a judicious mix of persuasion and deterrence. But the S.M. Krishna regime let things drift, and now by deciding to suspend water release it has rendered itself vulnerable to the charge of succumbing to the coercive tactics of chauvinistic elements.

At the same time, it has to be said that the patently confrontationist approaches of the disputant States and also the palpable mistrust between the two State Governments and between Tamil Nadu and the Centre at the highest political level have contributed not a little to the inherently ticklish 'distress sharing' issue snowballing into a major crisis. In fact, if the CRA headed by the Prime Minister — the institution charged with the responsibility of overseeing the implementation of the Tribunal's June 1991 interim order (under which Tamil Nadu is to get 205 tmcft of water every year) — has not proved effective as a conflict-resolving mechanism, it is primarily because those who constituted the body singularly failed to display the spirit of accommodation and understanding that was critical for working out an amicable sharing arrangement. If the current tangle, which has already thrown up some disturbing signals affecting social harmony, is not to assume the nightmarish dimensions of the strife and violence witnessed in 1991 following the notification of the Tribunal's interim award, the political leadership of the two States must rise above parochial and narrow partisan considerations and show qualities of statesmanship.

Battlelines drawn over Cauvery waters

Statesman News Service

NEW DELHI, Sept. 20. — The Centre today asked Karnataka to honour the decision of the Cauvery River Authority that directed release of 0.8 tmc feet of water to Tamil Nadu.

After a meeting with Mr Atal Behari Vajpayee, the Union water resources minister, Mr Arjun Charan Sethi, urged Karnataka to honour the CRA instructions, and release water from the Kabini reservoir. Mr Sethi in his appeal to Karnataka and Tamil Nadu after the meeting, said both states should exercise restraint in the present situation as many parts of the country were under one of the worst droughts in recent years.

Karnataka should release water from Kabini as agreed earlier, Mr Sethi said. He said Karnataka and Tamil Nadu were undoubtedly in an acute situation but they should honour the decision of the CRA presided over by the Prime Minister.

The appeal came in the wake of the Karnataka Cabinet's decision to stop release of water from Kabini following a series of protests in basin districts and a farmer's suicide on 18 September. The Supreme Court had ordered Karnataka to release 1.25 tmc of water to Tamil Nadu every day from 4 September until a decision by the CRA which instructed Karnataka to release 9000 cusecs per day for the months of September and October. The Tamil Nadu petition questioning the decision of the CRA issue coming up before the Supreme Court on 23 September and an all-party meeting of the Karnataka legislature has been convened in Delhi tomorrow by chief minister Mr SM Krishna to finalise its stand.



Mr SM Krishna (left) speaks to Union minister Mr Ananth Kumar at a meeting of the Cauvery River Drinking Water Project in Bangalore on Friday. — AFP

Mr Sethi said Mr Vajpayee had asked him to contact the Karnataka government to ensure release of water. He has also sent a communication to the state government asking it to honour the CRA decision.

The Congress high command today tried to do a difficult balancing act on the Karnataka government's decision to stop releasing Cauvery waters to Tamil Nadu.

Mr Jaipal Reddy said the party "always avoids comment on interstate feuds".

DMK to boycott meet: The Opposition DMK today decided to boycott the all-party meeting convened by the Tamil Nadu chief minister, Ms Jayalalitha, this evening on the Cauvery waters issue, PTI adds from Chennai. The DMK president, Mr M Karunanidhi said the Opposition parties "are not slaves to attend meetings called at short notice".

Jaya roars, but bites the dust

Miss J Jayalalitha was forced to withdraw her demand for dismissing the Karnataka government on the Cauvery imbroglio after all the major Opposition parties opposed the proposal during an all party meeting here today, adds SNS from Chennai.

Earlier in the meeting, she had demanded dismissal of the SM Krishna government for defying the SC order on Cauvery. She raised the demand in a draft memorandum to be submitted to the Prime Minister.

TNPCC leader Mr EVKS Ilangovan walked out of the meeting with partymen to protest Miss Jayalalitha's proposal. The DMK boycotted the meeting. Other parties, including the BJP, said they were opposed to the dismissal of another state government. Unable to arrive at a consensus, Miss Jayalalitha dropped the demand.

Naidu proposal

HYDERABAD, Sept. 20. — Mr N Chandrababu Naidu, has proposed a Ganga-Cauvery link project as a solution to drought in various states.

The Andhra Pradesh chief minister, who holds considerable clout at the Centre, is keen to push through the project, envisaging withdrawal of 60,000 cusecs of flood flows of the Ganga to irrigate an additional four million hectares, under a "public-private partnership". — SNS

Drowning churns Cauvery

Srinivasulu T-10 20/9

**VENKITESH RAMAKRISHNAN
AND M.R. VENKATESH**

Sept. 19: Karnataka politics went into a tizzy today following last night's drowning of a Congress politician-cum-farmer in the Kabini river as he was leading a protest against the release of Cauvery waters to Tamil Nadu.

The incident led to violence in the Mandya, Mysore, and H.D. Kote regions through the night. The S.M. Krishna government has responded by indefinitely suspending the discharge of water.

A number of meetings and discussions involving the Cabinet as well as leaders from different parties were held to evolve plans to tackle the situation. It was decided to hold a meeting of all state parties on September 21 at New Delhi. The Cabinet also

decided to hold a special session of the legislature on September 24 to review new developments.

Earlier this month, the Supreme Court had ruled that Karnataka has to release 1.25 tmc feet of Cauvery water every day into the Mettur dam in Tamil Nadu. Almost immediately, farmers in Karnataka had started their protests.

Later, a meeting of the Cauvery River Authority chaired by Prime Minister Atal Bihari Vajpayee, had reduced the quantum of water to be released to 0.70 tmc feet. But it failed to satisfy the farmers and they continued the agitation.

This morning, the state government said it had stopped the release of water to help the search for the body of the missing farmer. However, water supply had not resumed even till

evening, long after the body of the farmer, Guruswamy of Beechanahalli village, had been found. Guruswamy was a gram panchayat member and a local leader of the Congress.

According to police, Guruswamy and four other activists — Kumara, Shivalungu, Muruges and Ramesh — broke away from a group of demonstrators outside the Kabini reservoir after police prevented them from entering. They went over to a bridge across the river and jumped. This, apparently, was done for the benefit of television crews and photographers who had assembled at the site.

The plan, according to the police, was to swim across to the other side of the river. While the other four managed to swim across, Guruswamy drowned.

Police had to lob teargas

shells and charge the large mob of farmers and demonstrators. Violence erupted in adjoining districts as news of the drowning spread. Prohibitory orders were enforced in these districts.

In Chennai, Tamil Nadu chief minister Jayalalithaa has convened an all-party meeting tomorrow evening to discuss the situation arising out of the farmers' protests. Jayalalithaa said she has sought an appointment to meet the Prime Minister on Saturday. The chief minister would lead the all-party delegation.

On the agenda for the all-party meet, Jayalalithaa said: "We will discuss and decide on what kind of memorandum should be presented to the Prime Minister.... As to what I actually say to the Prime Minister, I can bring you on that only after I meet the Prime Minister in New Delhi."

20 SEP 2002

FILE TO ...

Karnataka Cabinet nod for stopping water to T.N.

By Our Special Correspondent

Swaminathan
Sept 19

BANGALORE, SEPT. 19. The Karnataka Cabinet today ratified the Government decision to suspend the release of Cauvery water to Tamil Nadu from the Kabini, Krishnaraja Sagar, Hemavathy, and Harangi reservoirs. The Chief Minister, S.M. Krishna, had held a meeting with the Home Minister, Mallikarjun Kharge, and the Water Resources Minister, H.K. Patil, late on Wednesday night where the decision was taken, owing to sporadic violence in the Cauvery basin districts.

Sources told *The Hindu* that the decision was not intended to challenge any authority which had directed the release of water, but to restore peace. Based on the directions of the Cauvery River Authority headed by the Prime Minister, Atal Behari Vajpayee, an average of 9000 cusecs of water was being released daily to Tamil Nadu till Wednesday. But in view of the large-scale tension in most parts of Mysore and Mandya districts, the Government thought it necessary to shut the sluice gates of the Kabini. A senior Minister said the situation was quite explosive in the basin districts and consequently, the Government had to take a tough decision.

The Minister for Information, Kagodu Thimmappa, said the Government would be filing an affidavit in the Supreme Court on Monday, September 23, the date fixed for the next hearing on the Cauvery issue in a matter pertaining to a petition submitted by Tamil Nadu. Karnataka had not received any direction from the Centre to stick to the release of 9000 cusecs per day, he added.

The State Government has called for a meeting of the leaders of political parties, farmers' representatives, legal experts and others on Saturday, September 21, in New Delhi to elicit their views and prepare the affidavit to be submitted to the Supreme Court.

Compensation

The Government has announced a compensation of Rs. 1 lakh to the family of Guruswamy, who along with four others jumped into the Kabini reservoir on Wednesday in protest against the release of water to Tamil Nadu. While the other four were rescued by farmers who witnessed the incident at Beechanahalli, Guruswamy, a gram panchayat member, was drowned. His body was recovered late on Wednesday night.

20 SEP 2002

THE HINDU

Environment
HD-12

CONTAINING VIOLENCE

17/9 ✓

EVEN AS THE Governments of Tamil Nadu and Karnataka are wrangling at the levels of statutory and judicial fora over the sharing of woefully deficient Cauvery waters, a section of farmers and quite a few essentially chauvinistic outfits in Karnataka have embarked upon a dangerous course that constitutes an open challenge to the rule of law. Although the protests and the violence triggered by them are, as of now, sporadic and confined largely to Mandya and Mysore districts, the agitation has ominous portents for inter-State good neighbourliness and amity, given the sort of sectarian pulls at work and the fact that the Cauvery issue lends itself easily to the whipping up of people's passions. For about two weeks now, ever since the Supreme Court ordered Karnataka to release 1.25 tmcft of water a day for Tamil Nadu, groups of farmers have been on the warpath, resorting to such defiant and violent tactics as laying siege to the storages (primarily Kabini and Krishnaraja Sagar) and holding out threats of suicide by drowning. In fact, there have been reports of the protesters having caused damage to the sluice gates of the Kabini reservoir so that no water could be released.

Admittedly, this has been a pretty bad year for the Cauvery basin, the southwest monsoon having played singularly truant so far, with little prospects of it doing any better in the couple of weeks that are yet to go. Given that Karnataka and Tamil Nadu have failed to agree on a 'distress sharing' formula (in a situation where the upper riparian State has genuine difficulty in making water available to the lower riparian as stipulated in the timetable set by the Tribunal in its interim order) and considering also that the Cauvery River Authority has never seriously tried to break the deadlock, the Supreme Court felt con-

strained to intervene when the issue was brought before it by Tamil Nadu. While the apex court determined the quantum of water to be released at 1.25 tmcft a day, the CRA which met hurriedly at the instance of Karnataka scaled it down to 0.8 tmcft and this in turn left Tamil Nadu crying 'foul' and seeking judicial remedy at the highest level once again. In the very nature of the severe hardship the farmers and the people at large in both the States have to put up with on account of a failed monsoon, there has to be a certain degree of give-and-take while sharing whatever water is available. It would just not do for those upstream to take a blatantly unreasonable and insensitive 'not a drop of water to spare' attitude.

It should be the prime endeavour of responsible political leadership, whether in power or out of power, as also other sections of articulate public opinion, to make the misguided farmers and the chauvinistic elements realise the dangerous implications of what they are up to. Any attempt to prevent release of water to Tamil Nadu by physical obstruction would amount to taking the law into one's hands and render the Karnataka Government liable for non-compliance with the court order. Worse, there is the real risk of such sectarian agitations taking on vicious dimensions and resulting in a backlash. In fact, the past decade and more has seen mounting of tensions on several occasions due to unrest linked in one way or another to the Tribunal's June 1991 order. Against this backdrop, it is imperative that some quick initiatives are taken to tackle the current spell of agitation. It would be eminently worthwhile to enlist the cooperation of farsighted and reasonable political leaders and farmers from both Karnataka and Tamil Nadu.

17 SEP 2002

THE HINDU

Centre to ratify protocol on bio-safety

By Our Special Correspondent

NEW DELHI, SEPT. 14. The Centre has decided to ratify the Cartagena Protocol on Bio-safety, which provides for a global mechanism for safe transfer, handling and use of living modified organisms (LMOs) resulting from the modern techniques of biotechnology.

The protocol, adopted by the international community in 2000 after four years of extensive negotiations, provides for elaborate risk-assessment procedures and measures for risk management, besides containing provisions for developing detailed guidelines for handling, transport, packaging and identification of the LMOs before their release into the environment. Announcing the decision, an official spokesperson said the protocol was important considering that now there was no mechanism to ensure safety in the transfer, handling and use of the LMOs. It would bring in the international regulatory framework for reconciling the trade in the growing biotechnology industry with the need for environment protection. Thus, it would promote sound application of biotechnology, while minimising the risks to environment and human health, he added.

CAUVERY ROW / ORDERS IMPLEMENTED SAYS KARNATAKA

Give details on water release: SC

By J. Venkatesan

NEW DELHI, SEPT. 13. The Supreme Court today directed the Central Government to furnish details by September 20 regarding the quantum of water let into the Mettur reservoir by Karnataka following the court's September 3 order to release 1.25 tmcft (thousand million cubic feet) water per day and the Cauvery River Authority's decision reducing it to 9,000 cusecs a day.

K.K. Venugopal, senior counsel for Tamil Nadu, pleaded before a three-Judge Bench comprising the Chief Justice, B.N. Kirpal, Justice K.G. Balakrishnan and Justice Arijit Pasayat that Karnataka had not been implementing either the court order or the CRA's direction and that it should be directed to immediately make good the shortfall so that at least the 'samba' crop in Tamil Nadu could be saved.

However, the Bench said that before considering the application on merits, the court would like to ascertain whether the order passed by it on September 3 and the CRA order of September 8 had been complied with, in the sense that water which was directed to be released to Mettur was released or not.

The Bench, therefore, direct-

ed the Union of India to file an affidavit in this regard on or before September 20 and posted the matter for further hearing on September 23, even as Mr. Venugopal told the court that Tamil Nadu would file its reply by September 23.

Earlier, Mr. Venugopal submitted that "we have nowhere else to go as all the constitutional mechanisms have failed to bring relief to the State. He said that from September 4 to 8, Karnataka ought to have released 6.25 tmcft water and from September 9 to 12, the State should have got another 3.20 tmcft based on the CRA's direction.

He produced a chart to the court indicating the daily inflows at Mettur, according to which only about 2.9 tmcft water had been released by Karnataka from September 4 till Thursday.

He said that in a matter of this nature, when a State would treat the inter-State waters as its own to the detriment of the lower riparian State and stage-manage a bandh, it would amount to breaking down of the constitutional machinery.

Based on the Supreme Court's order, Tamil Nadu had decided to release about 15,000 cusecs of water from Mettur for the 'samba' cultivation. In the absence of an assurance from

Karnataka, the State could not continue the cultivation, he said and urged the court to direct Karnataka to release at least the shortfall of 4.22 tmcft pursuant to its order.

But since the Bench wanted details regarding the quantum of water released to Tamil Nadu, it asked the Centre to furnish the same and adjourned the proceedings to September 23.

The Karnataka Law Minister, D.B. Chandre Gowda, who watched the proceedings in the court today, told reporters later that the State had implemented the court orders to release 1.25 tmcft water on a daily basis from September 4 to 8 and the CRA's order on a weekly basis from September 8 till today.

Asked about Mr. Venugopal's submission that Karnataka had stage-managed the bandh, he said no Government, after having agreed to implement the orders of the apex court and the CRA, would go to the extent of sponsoring a bandh.

Mandya farmers challenge CRA decision

Meanwhile, the Mandya Farmers Association in Karnataka has moved the Supreme Court seeking to intervene in the application filed by Tamil Nadu, maintaining that if the

State was directed to implement the CRA's direction, it would severely affect the standing crop and farmers would be deprived of water necessary to nourish the same.

The Association submitted that it was alarmed and concerned by the CRA's direction, which appeared to have been accepted by Karnataka.

It said the combined storage in the four reservoirs of Harangi, Hemavathi, Krishna Raja Sagar and Kabini was 47.22 tmcft, whereas the total requirement for existing crops and drinking water supply was 72.83 tmcft.

It said Karnataka had received the lowest rainfall in 30 years and out of 175 taluks, 153 had been declared as drought-hit.

Tamil Nadu required water for samba crops which was in the stage of transplantation and did not require heavy water supply during the initial three weeks of transplantation.

Further, Tamil Nadu had the benefit of the South West monsoon and was also blessed with the North East monsoon from the last week of September, the Association said and urged the court not to pass any interim direction to release water to Tamil Nadu.

This application is likely to be heard on September 23.

HD-11

14/9

Government

MISSION ACHIEVED, SAYS KRISHNA

CRA directs Karnataka to release 9,000 cusecs

By Gargi Parsai

NEW DELHI, SEPT. 8. The Cauvery River Authority chaired by the Prime Minister, Atal Behari Vajpayee, today directed Karnataka to release 9,000 cusecs (0.8 tmcft) of Cauvery water to Tamil Nadu "accounted on a weekly average basis for September and October". The CRA also asked Tamil Nadu to, in turn, ensure proportionate releases to Pondicherry. The CRA's decision overrides the Supreme Court's verdict of last Monday asking Karnataka to release 1.25 tmcft water to Tamil Nadu everyday until the CRA met.

Announcing the decision after a 90-minute meeting attended by the Chief Ministers of Karnataka, Kerala, Pondicherry and the Finance Minister of Tamil Nadu, the Union Water Resources Minister, Arjun Charan Sethi, said there was "near consensus" on the decision. Tamil Nadu had "ultimately agreed" under protest. He said Tamil Nadu had projected its minimum requirement for September and October as 1.25 tmcft a day, whereas Karnataka had expressed its inability to release and ensure more than 8,000 cusecs inflow at Mettur. But keeping in view the inflows and storages in the four Karnataka reservoirs and in Mettur, as well as the requirements of the two States, it was decided that Karnataka should release 9,000 cusecs.

Reacting to the CRA's decision, the Karnataka Chief Minister, S.M. Krishna, said the mission for which he came to Delhi on Friday was achieved. "He thanked the Prime Minister for convening the CRA at such short notice before his trip to the U.S. and said that "this will strengthen the federal features of the constitutional set-up".



The Prime Minister, Atal Behari Vajpayee, with (from right) the Karnataka Chief Minister, S.M. Krishna, the Kerala Chief Minister, A.K. Antony, the Union Minister of State for Water Resources, Biju Chakravarty, and the Tamil Nadu Finance Minister, C. Ponnaiyan, at the Cauvery River Authority meeting in New Delhi on Sunday. — Photo: S. Arneja

He said this was a temporary phase for September and October. "The tribunal which is sitting on a day-to-day basis will finalise its final verdict. It is not a question of who won and who lost. Everything will depend on monsoon and monsoon will decide the pace of implementation of this resolve." Asked whether this *pro rata* sharing of distress would continue after this season, Mr Krishna said its continuity would depend on the drinking water and crop situation.

He thanked the two Chief Ministers who attended the meeting today along with him to complete the quorum. Asked if Tamil Nadu had agreed to the CRA's decision, Mr. Krishna quipped, "Tamil Nadu can speak for themselves." Earlier in his opening remarks, the Prime Minister urged the basin States to come out with a "practical and workable solution acceptable to all the basin States".

Mr. Vajpayee said the Monitoring Committee met on Saturday but no final conclusion could be arrived at on a distress-sharing formula. Since the Supreme Court had directed that the CRA would take a final decision and since he would be away for more than a week, it was found necessary to call for this emergency meeting.

T.N. to move SC

By Our Special Correspondent

CHENNAI, SEPT. 8. The Tamil Nadu Chief Minister, Jayalithaa, today said that the State would approach the Supreme Court at the earliest to plead for a fair deal. Tamil Nadu would otherwise be put to untold hardship and misery, she said in a statement.

"Tamil Nadu is shocked and aghast at this arbitrary treatment meted out to the State. Once again we have no other way but to approach the Supreme Court," she added.

In spite of the reasonable request made by the State Finance Minister, C. Ponnaiyan, who represented her at the meeting, it was "shocking" that the Prime Minister, Atal Behari Vajpayee, utilising the provisions of the Business Rules of the Cauvery River Authority, ruled that Tamil Nadu would get 9,000 cusecs as against the 8,000 cusecs offered by Karnataka.

Despite Mr. Ponnaiyan's protest, the Prime Minister read out his statement which was already prepared, making it clear that there was "no application of mind" on the grounds put forth by Tamil Nadu.

Earlier in a letter to the Prime Minister, Ms. Jayalithaa said she could not make it to the Cauvery River Authority meeting in Delhi because of her "indisposition" and the "short notice" given by the Centre for the meeting.

Violence in Mysore: Page 11

MONDAY, SEPTEMBER 9, 2002

9/9 JOHANNESBURG FIASCO

Summit
19-10

THE WORLD SUMMIT on Sustainable Development in Johannesburg could not have ended in a bigger failure. It did produce a plan of action on sustainable development, but it was a plan that either watered down existing national and global commitments or passed off old agreements as new ones. It did produce a political declaration, but the rambling document will not serve as a charter for Governments and societies. Billed by the United Nations bureaucracy as the "Last chance to save the planet", the only meaningful message from the Johannesburg jamboree is that the expensive talk shops that the U.N. environment and development summits have become no longer serve any useful purpose.

The biggest problem of the WSSD was that the U.N. process attempted to make the meeting much larger than a review of the landmark 1992 Earth Summit at Rio de Janeiro. As a result, a disorderly agenda that covered every imaginable economic and environment issue was foisted on the WSSD. The result was only to be expected — a rambling agreement with non-binding, weak and regurgitated promises to promote sustainable development. An accord in the Johannesburg plan of action to halve by 2015 the two billion people without access to sanitation and drinking water has been touted as one of the biggest achievements of the WSSD. This was achieved after much hair-splitting between the U.S. and the rest of the world over the language in the agreement. But this very commitment is already one of the U.N. goals. It was one of the Millennium Development Goals drawn up at another U.N. conference, the Millennium Summit of 2000, and was yet passed off at Johannesburg as a new commitment. Another achievement that has been touted is the commitment at the WSSD to "significantly cut" the rate of species extinction by 2010. But signatories to the Convention on Biological Diversity had agreed at a meeting last April to go even further — to take measures by 2010 to "stop" species loss. If the plan of action did not contain recycled or weakened commitments, it included either voluntary accords (such as the establish-

ment of a new solidarity fund to aid poverty reduction) or promises without time-tables (such as promotion of renewable energy). It is no wonder that the first reactions to the Johannesburg agreements have been of deep disappointment. A number of national and global civil society organisations have described the pacts as a watered-down version of the Agenda 21 agreement drawn up at the 1992 Earth Summit and Johannesburg as a step back, not an advance from Rio de Janeiro. An important reason for the Johannesburg fiasco is that the global willingness to collectively deal with the problems of the environment gradually evaporated during the past decade of accelerated globalisation. This was exemplified by the absence from the WSSD of the heads of Government of two countries whose policies matter for global environment protection and development — India and the U.S. The U.N. process did, in the late 1980s and early 1990s, bring to attention a number of major environmental issues and facilitated global agreements on ozone-depleting substances, climate change and biological diversity. But Johannesburg demonstrated that the process has now exhausted itself of intellectual and political persuasion. It will not be easy though to overhaul the system because an entire global industry comprising U.N. and Government bureaucrats, the media, aid groups and civil society organisations has evolved around the summit process and has a self-interest in preserving this system.

The Government of India's attendance at the WSSD was notable only for its very weak presence which was quite the opposite of earlier U.N. meets on environment. It was not just the absence of the Prime Minister that made India's participation in the summit a non-event. India did not provide any important inputs into the summit process. The Indian representatives made their ritualistic speeches about consumption patterns in the rich countries and about the responsibility of the developed countries to clean up the environment. But for a world tired of U.N. summits on the environment, these were especially tired sounding words that no one wished to hear.

PM convenes CRA meet today

8/9
10/1 By Gargi Parsai

NEW DELHI, SEPT. 7. Bowing to pressure from the Karnataka Government, the Prime Minister, Atal Behari Vajpayee, has convened a meeting of the Cauvery River Authority (CRA) tomorrow — on the eve of his departure to the United States — to resolve the dispute over the sharing of Cauvery waters between Karnataka, Tamil Nadu, Kerala and Pondicherry.

The Supreme Court had on Monday ordered Karnataka to release 1.25 tmc ft (thousand million cubic feet) of water to Tamil Nadu everyday till the CRA met and took a decision on the issue. The nodal Central Ministry of Water Resources has no figures so far on the releases made by Karnataka since the court order.

The CRA consists of the Prime Minister (Chairman) and all the Chief Ministers of Karnataka, Tamil Nadu, Kerala and Pondicherry. The consent of all the Chief Ministers is not mandatory, before a CRA meeting is convened, though there has to be a quorum of three Chief Ministers. The decisions are generally taken by consensus, but the Chair can certainly procure a deci-

sion in case of a deadlock.

The CRA is assisted by the official-level Cauvery Monitoring Committee (CMC) which failed in its meeting today to reach an agreement on the Central Water Commission's (CWC) proposed pro rata distress-sharing formula with Tamil Nadu ruling out the acceptance of any quantity of water release below the 1.25 tmc ft ordered by the Supreme Court.

The CMC Chairman and Union Water

Jayalalithaa may keep off: Page 8

Resources Secretary, A.K. Goswami, later said that since "no final conclusion" could be arrived at on the CWC formula in the meeting, Karnataka offered to release water at an average rate of 8000 cusecs (0.7 tmc ft) daily for Mettur for September and October. But Tamil Nadu insisted on 1.25 tmc ft.

"The matter will now be placed before the Cauvery River Authority (to be chaired by the Prime Minister, Atal Behari Vajpayee)."

He said, "We tried. Both (the Chief Secretaries) tried. But couldn't come to a conclu-

sion. They have their own constraints."

In the last CRA meeting held on August 27, the Karnataka Chief Minister, S.M. Krishna, had declined to release any quantum of Tamil Nadu's share of water claiming distress, despite repeated appeals by the Prime Minister and the Water Resources Minister, Arjun Charan Sethi.

Likewise, the Karnataka Government did not heed the advice of the CMC in its last meeting on August 9 to release even 3 tmc ft of water to Tamil Nadu, letting the downstream State's 'kuruvai' crop wither. Now, facing the Supreme Court order on releasing water, Karnataka is pleading with the Prime Minister to bail it out.

Asked about Karnataka's objections to the CWC formula, its Chief Secretary, A. Ravindra, said, "We have given our comments on the CWC formula. It is not acceptable to us. On how to modify it, we could not come to a conclusion. We are facing drought, poor rainfall. Still we agreed to release 8000 cusecs per day."

Asked whether the formula was acceptable to Tamil Nadu, its Chief Secretary, Sukavaneshwar said, "We took only the CWC formula as the basis."

Farmers block release of water to T.N.

By Our Staff Correspondent

MYSORE, SEPT. 7. More than 1,000 angry farmers of T. Narsipur taluk in Mysore district, Karnataka, today laid siege to the Kabini reservoir, about 62 km from here, and blocked the

release of water from it to Tamil Nadu.

The farmers forced their way into the reservoir's control room, defying the police and closed the four crest gates, blocking the flow of water to the Mettur Dam in Tamil Nadu.

The Secretary of the Irrigation Department had directed the release of 12,000 cusecs (1.2 tmc ft.) of water a day from the reservoir, in keeping with the Supreme Court order to Karnataka that 1.25 tmc ft. of water be made available to Tamil Nadu

daily. The Government is releasing 1.2 tmc ft. of water a day since Wednesday.

The farmers reached the dam this afternoon in 20 lorries and gheraoed the irrigation officials. Threatening the Government with dire consequences if it continued with the release of water, they farmers took the controls of the crest gate and blocked the release of water since 3 p.m.

Mallesh, president of Mysore and Chamarajanagar District Farmers' Protection Committee, who led the farmers, told *The Hindu* the farmers threatened to commit suicide by jumping into the reservoir if they were arrested. He said the dam had barely nine tmc ft. of water for irrigation on Wednesday. The water level stood at 2,280 feet as against its maximum level of 2,284 feet. Farmers continued to stay put in the reservoir till late in the evening. Security was stepped up at the reservoir and the Superintendent of Police, Srinivasan, was camping there.



Farmers laying a siege at the Kabini reservoir, near Mysore, on Saturday.

THE HINDU

8 SEP 2002

T.N. to attend Cauvery meet under protest

By Our Special Correspondent

CHENNAI, SEPT. 6. Insisting that the Central Government is "blatantly siding with Karnataka" in "hastily" convening an emergency meeting of the Cauvery Monitoring Committee, the Tamil Nadu Chief Minister, Jayalithaa, today said the State would take part in it "under protest" against the "shabby treatment" meted out to it.

In a letter to the Prime Minister, Atal Behari Vajpayee, Ms. Jayalithaa said the Central Government's motives were suspect in convening the meeting on September 7 despite Tamil Nadu's objections.

Pointing out that the Karnataka Chief Minister, S.M. Krishna, during the last meeting of the Cauvery River Authority on August 27, had insisted that he was not ready to discuss the issue of pro-rata distress sharing in that meeting and that any discussion on release of waters to Tamil Nadu could be held only after the end of September, Ms. Jayalithaa said his "sudden desire" for an emergency meeting of the monitoring committee and the CRA "seems very suspicious, to put it mildly".

The Supreme Court order asking Karnataka to release water had given a ray of hope to the Cauvery delta farmers, but Karnataka now wanted these emergency meetings. "There is a fear in the minds of the people

of Tamil Nadu that the Government of India, which convened the meeting of the CRA only four times in four years, had rushed to convene an emergency meeting of the monitoring committee at the behest of Karnataka as a prelude to the CRA meeting only so as to nullify the relief given by the Supreme Court."

Although the State Public Works Department Secretary informed the Government of India that it would not be possible for the Chief Secretary to attend the meeting at short notice, the member-secretary of the Cauvery Monitoring Committee wanted a duly-nominat-

ed representative of the Chief Secretary to be deputed to attend as it was an emergency meeting.

In this context, Ms. Jayalithaa recalled that when she wrote to Mr. Vajpayee asking for a meeting of the committee on August 23 last, the meeting was convened only on September 6. Since no solution was found to the problem, she asked the Prime Minister for a CRA meeting on September 14, but the meeting was held only on October 10, 2001.

This year, she had written to Mr. Vajpayee on June 1 and June 11 for convening a CRA meeting, but these letters had

met with no tangible response. She also personally took up the issue with him on June 12, but the CRA meeting was convened only on August 27 and that too only after a specific directive of the Supreme Court.

Mr. Krishna, she said, had publicly proclaimed that he would bring pressure to bear on the Central Government to call for an emergency meeting of the CRA and that he would ensure that the meeting was held within a span of two or three days before the Prime Minister went abroad. "When the genuinely aggrieved State of Tamil Nadu was running from pillar to post trying to move the Government of India to convene meetings of the monitoring committee and the CRA, scant heed was paid to this State by the Government of India," she said. Despite the fact that an important Cabinet meeting was slated for September 7, which required the presence of the Chief Secretary, "Tamil Nadu is forced to attend this meeting of the monitoring committee."

Tamil Nadu, she said, was attending out of the fear that making use of the provisions of the business rules of the committee, "a decision unfavourable to the State might be taken by the other member-States, which it might not be out of place to mention, come under the umbrella of the same political dispensation".

Krishna pursuing 'mission'

By Our Staff Reporter

BANGALORE, SEPT. 6. The Karnataka Chief Minister, S.M. Krishna, said here today that he was pursuing his mission with the Prime Minister, Atal Behari Vajpayee, for convening an emergency meeting of the Cauvery River Authority.

Speaking to *The Hindu* from Delhi, he said that it assumed more than the normal urgency in the light of the Prime Minister's visit to the U.S., starting on Monday.

"The decision of the Supreme Court has a perilous impact on our reservoirs which are badly affected by the failure of the monsoon." Taking note of the observation of the apex court, which has a message to the Government of India for convening the meeting of the CRA at the earliest, he said: "It is unfair to bring political considerations relating to this issue. There is transparency on the part of the Karnataka Government in whatever has happened."

"Every State involved in the dispute is concerned about its legitimate interests. Hence I will not suspect anybody," he said.

NO DECISION YET ON PLEA FOR AUTHORITY MEET

Cauvery monitoring panel meet tomorrow

Eminent by HD 1

By Gargi Parsai

NEW DELHI, SEPT. 5. The official-level Cauvery Monitoring Committee has been convened here on Saturday to evolve a consensus on pro rata distress sharing formula on Cauvery water between the four basin States of Tamil Nadu, Karnataka, Kerala and Pondicherry.

The meeting has been prompted by the Supreme Court's direction to Karnataka on Monday to release 1.25 tmc ft (thousand million cubic feet) Cauvery water to Tamil Nadu everyday till a meeting of the Cauvery River Authority, chaired by the Prime Minister, takes a decision to resolve the crisis.

The court observed that its order "shall stand automatically superseded by the decision taken by the CRA."

However, even as the participation of all the Chief Secretaries for the September 7 meeting is not confirmed yet, the Karnataka Chief Minister, S. M. Krishna, has requested the Prime Minister, Atal Behari Vajpayee, to convene a meeting of the CRA before September 9, when he leaves for a nine-day overseas tour. Inquiries from the PMO said no decision had been taken on the request yet.

In the last CRA meeting on August 27, Mr. Krishna had objected to the distress sharing formula framed by the Central Water Commission. Nor did he

agree to release Tamil Nadu's share of Cauvery water under the interim award of the Cauvery Water Disputes Tribunal, saying that the State was under distress.

The Tamil Nadu Chief Minister, Jayalithaa, walked out in protest alleging that Karnataka was "buying time" to delay the release of water.

The CRA later decided that the CMC would meet within a fortnight to work out a distress sharing formula and the CRA in the third week of this month to evolve a formula.

Krishna pinning hopes on PM

By Our Special Correspondent

BANGALORE, SEPT. 5. The Karnataka Chief Minister, S.M. Krishna, who has bowed to the inevitable of obeying the Supreme Court order on releasing 1.25 tmcft (thousand million cubic feet) of Cauvery waters a day to Tamil Nadu, is pinning his hopes on the Prime Minister, Atal Behari Vajpayee, convening an early meeting of the Cauvery River Authority (CRA).

The State has got the impression that Mr. Vajpayee would convene a CRA meeting before September 9 when he leaves for the United States. Mr. Krishna today called on four former Chief Ministers of the State

seeking guidance on coping with the Cauvery crisis. He met Ramakrishna Hegde and S.R.Bomma, former Janata Dal Chief Ministers, and S. Bangarappa, MP, and Veerappa Moily, who belong to the Congress. Mr. Krishna's gesture came in for praise from all the four. Last night, he called on the former Prime Minister and JD (S) leader, H.D. Deve Gowda.

The Chief Minister called on the Governor, T.N.Chaturvedi, and explained the situation in parts of the State following the Supreme Court directive and the steps being taken to maintain law and order.

The meetings were aimed at evolving a consensus in favour of the steps being taken by the Government to deal with the ticklish situation — the Government can ignore neither the Supreme Court directive nor the adverse public opinion especially in Mandya district over releasing water to Tamil Nadu at a time of distress in the State as also the abduction of the former Minister, Nagappa.

Mr. Krishna told presspersons after meeting Mr. Hegde that Mr. Vajpayee had responded positively to the State's request for convening a meeting of the CRA before September 9 to resolve the crisis.

Mr. Hegde supported Mr. Krishna's efforts on the Cauvery as well as Nagappa issues. He disfavoured viewing such matters from a political angle.

Earth Summit ends with a sweeping vision

Emphasis +10. 15

69 ✓

JOHANNESBURG, SEPT. 5. World leaders and global activists here agree on this much: Blame it on Rio.

The Earth Summit 10 years ago in Rio de Janeiro, Brazil, grandly resolved to save all of nature, from the humblest algae to the majestic elephant. And it agreed the planet's delicate climate urgently needed protection before global warming rises to unbearable levels.

How to fulfill that sweeping vision — while lifting billions of people from crushing poverty — became the difficult job of delegates to the World Summit, which closed on Wednesday.

In the end, the world summit turned out much like sustainable development itself: Slow. Unspectacular. A handful of small victories and some promising new initiatives. But the most daunting issues — species extinctions, infectious disease,

trade subsidies, cleaner energy — remain stubbornly unresolved.

Whereas Rio produced a pair of global treaties, this summit's final action plan offers a few specific — and non-binding — promises for change.

Summit leaders said Johannesburg established sustainable development as a global issue on a par with peace and human rights. It was destined to be a nitty-gritty meeting marked by horse-trading deals, they said.

"There's time for purity," said U.N. Secretary-General, Kofi Annan, "and there's time for practical."

The summit opened nearly two weeks ago with a flourish of lofty Rio-esque rhetoric. The South African President, Thabo Mbeki, predicted the world summit would be "a fitting culmination to a decade of hope" after Rio.

By Wednesday, leaders were careful not to overreach.

"They were naturally difficult talks," said the French President, Jacques Chirac, the most visible Western leader after the U.S. President, George W. Bush, declined to attend and the British Prime Minister, Tony Blair, vanished early. "It brings a new momentum to the process of sustainable development," Mr. Chirac said. "On the whole, they advanced things."

Activists left Johannesburg feeling betrayed by world leaders who, they said, offered "crumbs for the poor." "When the time came for targets, time-tables and money, they let the world down," said Andrew Hewitt of Oxfam International.

Environmentalists were equally chagrined. For them, this was no Rio. Biodiversity and climate issues were nearly ignored. — AP

Ministry push for genetic food

Satyajit Chowdhury
in New Delhi

Sept. 4. — The Earth Summit in Johannesburg, which ended today, debated the issue of genetically modified (GM) food to death. But a note put up for the Indian Cabinet — it meets on 5 September — suggests that the GM food may be needed for India's growing population to live.

The environment ministry's note, if discussed and accepted by the Cabinet, will make India's position on GM food quite different from that of many European and Third World countries. While Europe has been officially suspicious and, at the popular level, often hostile to GM food

— often caricatured as "Frankenfood" — African countries like Zambia have refused food aid if it contains GM crops.

The Indian Cabinet, in contrast, has been given ministry advice that without GM food, it may be difficult to feed "India's burgeoning" population.

This argument comes in the context of India ratifying the Cartagena Protocol on bio-safety. GM food is a tricky issue, admits the Cabinet note.

There is a "widespread concern in India about the use of such foods and their safety towards human health, agriculture and the environment. At present, there is no mechanism to regulate the import and the sale of GM food."

But the note also says: "GM foods may be necessary for feeding the burgeoning population."

It adds that 110 countries have signed the Protocol and 21 have already ratified it. Once India ratifies it, having signed the Bio-safety Protocol in January last year, safety mechanisms can be put in place.

In that context, ratification of the Protocol would "contribute to the adequate level of protection in the field of safe transfer, handling and use of living modified organisms resulting from modern biotechnology that may have adverse effects on the conservation and sustainable use of biological diversity," says the note.

Turn to page 6

Four of family charred to death in Subhasgram

Subhasgram News Service

SUBHASGRAM (S 24-Parganas), Sept. 4. — Four members of a family, including three children, were charred to death and another critically injured at their house in Natunpalli, here, early this morning.

The four victims were identified as Premkumar Das (45), Priti Das (16), Sani Das (13) and Piu Das. Mrs Saraswati Das, the only survivor in the family, was admitted to NRS Medical College and Hospital. Neighbours suspect foul play. But police said a plastic sheet hanging above their bed caught fire after a short circuit in the switch board. The incident took place around 4.30 a.m. and Natunpalli villagers woke up hearing the victims' cries. They heard Mrs Das, wife of Premkumar Das, shouting for help and trying to open the door.

Villagers broke part of a wall and entered into the house. Mr Goutam Sardar, a witness said: "I heard the woman shouting... that there's a fire... everybody would be burnt to death. I saw the victims engulfed in fire... two of them on the bed, the others on the floor. I opened the door to allow the others to enter the house... to help save the victims".

GM FOOD:

(Continued from page 1)

In essence, GM organisms could lead to ecological imbalances and signing the Protocol ensures the safe transfer, handling and use of these genetically modified organisms.

The protocol is the first international regulatory framework of its kind and promotes bio-safety. It ensures the use of precautions like passing information in advance before the import of living modified organisms and has provisions on risk assessment and risk management, the building of public awareness and the exchange of scientific and technical information on LMOs.

An inter-governmental committee for the Cartagena Protocol on bio-safety will help in handling, packaging and transportation of LMOs. There will also be "mechanisms for liability and redress" in case of mishaps, a possibility in the Third World context.

But while the chemicals and fertilisers, agriculture, science and technology and the external affairs ministries support the environment ministry and believe it should be signed, the commerce and the health ministries are in two minds on the subject.

Sinha slams rich nations for causing poverty

HD-12
5/9

Environment

JOHANNESBURG, SEPT. 4. India today slammed the rich countries for "unsustainable patterns of consumption and production", saying this was causing environmental degradation and poverty.

"It is this attachment to unsustainable consumption patterns and a determination to preserve and raise levels of prosperity at any cost that breeds resistance to any meaningful reform in the financial and economic structures that underpin global society today, and results in the neglect of development agenda" of environment and poverty alleviation, the External Affairs Minister, Yashwant Sinha, said here.

Addressing the final session of the World Summit on Sustainable Development, he said, "The poor are not the biggest consumers of the world's resources, the rich are."

Amid prolonged and sustained applause accorded to few speakers in the summit, he said there was a fundamental gap in the understanding of the legitimate needs of developing countries.

"It is difficult," the Minister said, "to pursue enlightened approaches to development in a world where ODA levels are falling, protectionism is on the rise, terms of trade are stacked in favour of the rich, debt burdens have spiralled, corporate governance needs urgent re-definition and the volatility of international capital transfers has affected productive flows to the South."

Mr. Sinha said India had taken its own national responsibilities seriously.

"Sustainable development has become an integral part of our planning process. The Government has published an assessment of 10 years of Agenda 21, based on the Indian experience, to commemorate the Johannesburg WSSD."

According to the Human Development Reports of 2002, 2.8 billion people still lived on less than two dollars a day and the richest one per cent of the world's people received as much income each year as the poorest 57 per cent.

"Industrial country tariffs on imports from developing countries are four times those on imports from other industrial countries. In addition, as is well known, OECD countries provide about one billion dollars a day in domestic agricultural subsidies, which is more than

six times what they spend on ODA for developing countries."

The Minister said, "Sustainable development was conceived as a unifying philosophy. It was born of our combined idealism at Rio where we had pledged, each one of us, on the basis of our common but differentiated responsibilities and capabilities to act in a concerted manner for the greater good of mankind and our carrying planet."

He concluded his address with a quote from the ancient Indian text Atharvaveda, composed 3200 years ago in 1200 B.C. "O mother Earth. You are the world for us and we are your children; let us speak in one accord; let us come together so that we live in peace and harmony." — PTI

Eco-labelling deleted from declaration: Baalu

NEW DELHI, SEPT. 4. Despite stiff resistance from powerful blocks, India and other developing countries defeated attempts to impose trade barriers and other restrictions on them at the World Summit on Sustainable Development at Johannesburg in South Africa. The industrialised countries were determined on imposing trade barriers against the developing countries in some form or the other.

"We succeeded in deleting the eco-labelling criteria from the text of declaration since it could have been misused against us," the Environment and Forests Minister, T.R. Baalu, who led the Indian delegation, told PTI on his return here today.

He said that the summit, taking place 10 years after the Rio Earth meet, was very important because the developing countries had a lot at stake.

Asserting that environment was a common global concern and not exclusive to individual countries, he said the success of global efforts in this regard was directly related to the right kind of international cooperation, in which developed countries have to help the developing ones with financial and technical resources.

Common but differentiated responsibility was the main concern for India and other members of the G-77.

THURSDAY, SEPTEMBER 5, 2002

Environment

THE COURT AND THE CAUVERY

NO-10
5/9

THE SUPREME COURT'S directive on the release of Cauvery waters should bring considerable relief to the deltaic region in Tamil Nadu. The region has been gripped by drought, watched helplessly as its entire kuruvai (minor) crop withered and died and was haunted by the prospect of its samba (major) crop going the same way. The Court's directive, under which Karnataka will have to release 1.25 tmcft of water immediately to Tamil Nadu, is purely in the nature of an interim measure. A short-term intervention to tide over an acute problem that will hopefully find a more or less permanent resolution when the Cauvery River Authority (CRA) — the established mechanism for dealing with this issue — evolves a general formula for water sharing. With the CRA scheduled to meet after September 15 and with there being no guarantee that a long-term agreement would be reached on pro rata or distress sharing by that date, what Tamil Nadu desperately wanted was exactly this kind of judicial quick fix.

Even so, the Supreme Court's directive should not be proclaimed as a political victory for one State or as a political defeat for another. It must be perceived as a short-term measure to alleviate the suffering and hardship in a region of Tamil Nadu, no more no less. Obviously, Karnataka is not pleased about being asked to turn on the tap; the State has its own set of problems in this year of deficient rainfall and which, going by its own estimates, has much less water in its four reservoirs at this time than it has had in previous years. Nevertheless, with the Court having given its ruling, the Karnataka Government must respect the order, whatever reservations it may have about it and whatever challenges it may face either politically or administratively because of it. A relevant point here is that the quantum of water fixed for release (1.25 tmcft) is considerably

less than what Tamil Nadu had wanted (2 tmcft). It is much closer to the amount that Karnataka agreed in Court to release (1 tmcft) once it became clear that the apex body had made up its mind to issue an interim order on water release.

Given the traditional sensitivities on the Cauvery issue, it is extremely important that the Court's directive is received in a calm and collected manner. It is truly unfortunate that, ever since Veerappan's abduction of the former Karnataka Minister, H. Nagappa, the two States have traded allegations and counter-allegations at the highest political level when what the situation called for was maturity and statesmanship. It is hardly the time for the two States to be diverted into controversies such as whether hush money was paid to Veerappan or who is to blame. Now that the Court has spoken, what is really required is goodwill between the two States and their peoples — in the meantime, politicians in Tamil Nadu should avoid striking a self-congratulatory or triumphal note. The issue, after all, is about saving crops and livelihoods — not about trumping or besting an opponent.

At a larger level, the Cauvery water-sharing dispute will continue to dog the two States unless a formula for water sharing in distress or water-deficient years is accepted by both States. Now that Karnataka has accepted the concept of distress sharing in principle, the challenge before the CRA — which is awaiting inputs from the Cauvery Monitoring Committee (CMC) — is to evolve a mutually acceptable formula which is implemented in practice. The dispute has festered for much too long and the real test now for the political leadership in Tamil Nadu and Karnataka is to arrive at an agreement so that the controversy is drowned and forgotten and so that quiet flows the Cauvery.

KRISHNA APPEALS TO VAJPAYEE FOR MEET

Karnataka to abide by SC order

By A. Jayaram

BANGALORE, SEPT. 4. Karnataka today decided to abide by the Supreme Court directive to release 1.25 tmcft (thousand million cubic feet) of Cauvery waters daily to Tamil Nadu until the Cauvery River Authority (CRA) takes the final decision on the dispute. At the same time, the Krishna Government vowed to protect the interests of farmers in the Cauvery basin under any circumstance.

(Karnataka tonight ordered the release of 12,000 cusecs of water, which amounts to 1.2 tmcft. to Tamil Nadu. Reliable sources in the Irrigation Department told *The Hindu* in Mysore that water would be released from the Kabini Reservoir in H.D. Kote taluk near here. The crest gates of the Kabini Dam were opened around 11.15 p.m. tonight to facilitate the flow of water to the Mettur Dam in Tamil Nadu.)

The decision, conveyed to the press by the Chief Minister, S.M. Krishna, this evening was ambiguous as it was silent on whether the State had started releasing the quantum of water stipulated by the Supreme Court. The decision was arrived at after a prolonged meeting between the Government and the leaders of Opposition parties followed by a meeting of the State Cabinet.

Karnataka, which apparently views the Supreme Court direc-

tive as a setback, has decided to appeal to the Prime Minister Atal Behari Vajpayee, to convene an urgent meeting of the CRA in his capacity as its chairman.

Mr. Krishna refused to answer questions from journalists after releasing the statement. So also the Minister for Water Resources, H.K. Patil, and others. When it was pointed out that the statement was in Kannada and was not explicit, Mr. Krishna shot back saying Kannada was the State language. Even the Opposition leaders who attended the meeting were tight-lipped and said the Government would convey the decision after the Cabinet meeting.

During the course of the day, the Chief Minister is stated to have spoken to the Prime Minister.

Stray incidents in Mandya

The statement was notable for the passage appealing to the people to remain calm as reports of stray incidents of violence and protests were received from the Chief Minister's home district of Mandya which is irrigated by the Cauvery and also known for its volatile feelings over sharing the river water with Tamil Nadu.

It is stated that the Government denied the report in a section of the press that the State's counsel, F.S. Nariman, had told the court that Karnataka could release one tmcft of water daily to Tamil Nadu.

The text of the statement released in Kannada is: "An all-party meeting held today considered the pros and cons of the Supreme Court directive issued

on Tuesday and the nuances contained in the same. Besides the opinion of the political leaders, that of legal and technical experts was obtained. The State Cabinet met later and endorsed the decision taken at the all-party meeting... We will honour the directive of the Supreme Court. At the present juncture, the main concern of the State is to protect the interests of the farmers especially those in the Cauvery basin. Under no circumstances will we sacrifice the interests of our farmers... We will take steps to persuade the Honourable Prime Minister to convene a meeting of the Cauvery River Authority urgently to resolve the dispute taking into consideration the long and short term concerns of the farmers of the State and the present storage position in the four Cauvery basin reservoirs... We appeal for maintenance of peace and harmony".

In a separate development, the president of the State BJP, Basavaraj Patil Sedam, alleged that the Supreme Court's order was the result of the "failure" of Karnataka's counsel to put forth the State's case. He urged the Government to appeal to a larger Bench.

At the all-party meeting, legal experts are reported to have said that it might not be possible to appeal for a review of the court directive. There was a view that the directive "favoured" Tamil Nadu.

METTUR WATER RELEASE FROM TOMORROW

By Our Special Correspondent

CHENNAI, SEPT. 4. Expecting the release of Cauvery water from Karnataka, the Tamil Nadu Government today ordered the opening of the Mettur dam from September 6 for irrigation in the delta.

As Karnataka deliberated on the issue through the day, the Tamil Nadu Chief Minister, Jayalithaa, held back the announcement of the opening of the dam until late evening. Only after it became clear that Karnataka would comply with the Supreme Court directive of releasing 1.25 tmcft did Ms. Jayalithaa give the go-ahead for the opening of the dam. At present, Mettur dam has 30 tmcft of water. The Government had so far not released the water, as it could not have sustained the discharge in the absence of any commitment from Karnataka.

THE HINDU

5 SEP 20 2

US gets the stick as earth summit ends

Rich nations are to blame for ills of poor: Sinha

TIMES NEWS NETWORK & AGENCIES

Johannesburg: India on Wednesday attacked the rich nations for "unsustainable patterns of consumption and production", saying this was causing environmental degradation and poverty.

Addressing the final session of the World Summit on Sustainable Development, external affairs minister Yashwant Sinha said, "The poor are not the biggest consumers of the world's resources, the rich are." It is this attachment to unsustainable consumption patterns and a determination to preserve and raise levels of prosperity at any cost that breeds resistance to any meaningful reform in the financial and economic structures that underpin global society today, and results in the neglect of the development agenda of environment and poverty alleviation, he said.

Amidst sustained applause accorded to few speakers at the summit, Mr Sinha said there was a fundamental gap in the understanding of the legitimate needs of developing countries.

"It is difficult," the minister said, "to pursue enlightened approaches to development in a world where ODA levels are falling, protectionism is on the rise, terms of trade are stacked in favour of the rich, debt burdens have spiralled, corporate governance needs urgent re-definition and the volatility of international capital transfers has affected productive flows to the south." However, Mr Sinha noted, India had taken its own national responsibilities seriously.

The external affairs minister concluded his address with a quote from the Atharva Veda, composed in 1200 BC: "O mother earth. You are the world for us and we are your children. Let us speak in one accord, let us come together so that we live in peace and harmony."

The final day of the earth meet also saw US Secretary of State Colin Powell being booed

and heckled as he strongly enunciated the US stance on partnerships and defended his country's performance on environmental challenges even as the summit adopted a controversial action plan on poverty and the environment. He also denounced Zimbabwe's lack of respect for human rights and the law, saying this had exacerbated the situation and was pushing the country to the brink of famine. 'Betrayed', read one of the banners waved furiously as Mr Powell was forced to stop his speech for a moment. Some American activists said they were thrown out, others walked out.

Peppering his statement with references to South Africa's struggle and his own African ancestry, Mr Powell said the challenge was to widen the circle of development and include those left out. But he made it clear that only

nations governed wisely and firmly, and those which encouraged entrepreneurship and spurred growth, would get the big bucks.

Isolated in its refusal to sign a protocol aimed at reducing emissions to check climate change, the Bush administration was at the receiving end of some more heckling as Mr Powell stated

that the US was acting to meet environmental challenges, including global climate changes.

As he finished, US NGOs and politicians were ready with their reactions. Michael Dorsey of the Sierra Club said, "The heat is on the US to get serious about addressing the global climate crisis"—floods in Europe, famine in southern Africa, fires and droughts across the US.

Paul Joffe of the US' National Wildlife Federation said, "No one should be surprised that the same polluting industries favoured, in Washington were favoured in Johannesburg" or that the US had to be dragged, kicking and screaming, to the feeble result. "The administration is out of step with the American public."



'GIVE 1.25 TMCFT EVERYDAY TILL CRA DECIDES'

SC directs Karnataka to release water to T.N.

By J. Venkatesan

NEW DELHI, SEPT. 3. In a major relief to lakhs of Cauvery delta farmers, the Supreme Court today directed Karnataka to release from its four reservoirs 1.25 tmcft (thousand million cubic feet) of water everyday to Tamil Nadu beginning from Wednesday till the Cauvery River Authority (CRA) takes a final decision in this regard.

A three-Judge Bench, comprising the Chief Justice B.N. Kirpal, Justice K.G. Balakrishnan and Justice Arijit Pasayat, after hearing counsel for Tamil Nadu, Karnataka and the Solicitor-General for the Centre, rejected Karnataka's contention that it was facing a distress situation and that it could not release water to Tamil Nadu.

The Bench examined the chart submitted by senior counsel for Tamil Nadu, K.K. Venugopal, indicating that 73,490 tmcft of water was available in August in the four reservoirs of Karnataka after taking into account the inflows, outflows and withdrawals.

The Bench faced stiff resistance from senior counsel for Karnataka, F.S. Nariman, who said the court should not pass any order till the CRA took into consideration the distress-sharing formula to be evolved by the Cauvery Monitoring Committee (CMA).

He also disputed that the CRA alone was competent to implement the interim award of the Tribunal and that the court should

wait till an order was passed by the CRA.

'Legal gymnastics can wait'

The Bench rejected the objections and observed that "the legal gymnastics can wait". It pointed out to Mr. Nariman that the storage in the four reservoirs had increased from 41 tmcft to 73 tmcft in August. "It is not as if you are in distress. But you are not releasing any water to Tamil Nadu," the Bench said.

The Bench said: "We direct Karnataka to release water from its reservoirs so as to ensure that 1.25 tmcft of water is made available in Tamil Nadu's Mettur reservoir everyday till a final decision is taken by the CRA."

The Bench said that as per the documents placed on record concerning the minutes of the CRA meeting held on August 27, the Prime Minister had observed that the CRA was awaiting suggestions from the CMC which was required to meet and finalise before September 15 a specific formula for distress sharing in keeping with the directions of the Tribunal given on April 3, 1992. It appeared that the Prime Minister proposed that the CRA would meet some time during the third week of September to arrive at an agreed deficit-sharing formula which would ensure an equal distribution of water to the Cauvery basin States.

The Bench said Karnataka's grievance was that sufficient water was not being released by Karnataka and admittedly it had affected the paddy crops in the State. As it was likely to take a few more days before the CRA took a final decision, "we feel that it is appropriate that some interim arrangements are to be made".

Directive to CRA

The Bench made it clear that this interim order, to be operative from tomorrow, "shall stand automatically superseded by the decision to be taken by the CRA". The Bench requested the CRA to finally decide the dispute between the States with regard to pro-rata sharing of water by the Cauvery River basin States especially in times of distress.

Earlier Mr. Venugopal submitted that Karnataka had to make good the deficit of 45 tmcft of water to Tamil Nadu up to August and it was prepared to accept even 30

tmcft of water as calculated by the Central Water Commission. The "kuruva" crop in Tamil Nadu was totally destroyed due to non-release of water by Karnataka and if the situation did not improve the "samba" crop would also meet with the same fate. The court should direct Karnataka to release 2 tmcft of water daily to Tamil Nadu.

When the court indicated its mind that it

Justice done, says T.N. Minister

By Our Special Correspondent

CHENNAI, SEPT. 3. The Tamil Nadu Public Works Department Minister, O. Paneerselvam, today welcomed the Supreme Court decision ordering Karnataka to release 1.25 tmcft of water everyday saying the State had obtained justice. "This would give the farmers of Tamil Nadu great joy," he told reporters.

The Chief Minister, Jayalithaa, had always believed that Tamil Nadu would get justice in the Supreme Court, he said. Asked about the steps the State intended to take from now on, he said the issue was still in the Supreme Court. The Cauvery River Authority would be meeting on September 15, he added.

would pass an interim order, Mr. Nariman suggested that the quantum of water to be released could be worked out by experts and the court could pass an order later.

But after the Bench asked Mr. Nariman how the State would be prepared to release water to Tamil Nadu, he said Karnataka could release one tmcft daily.

When asked Mr. Salve what percentage of the inflow into the Karnataka reservoirs be allowed to be released to Tamil Nadu, he said the Centre could provide the figures and statistics about the inflow and outflow but it was for the court to determine the quantum of the water to be released.

Finally, the Bench directed Karnataka to release 1.25 tmcft of water to Tamil Nadu daily.

A deal for the rich?

Environment
H0-14 419

JOHANNESBURG, SEPT. 3. The U.S. and other industrial powers heavily influenced the final wording of the world summit action plan to fight poverty and preserve the environment. Here's a look at the key issues of the plan:

Climate change: Strongly urges nations to ratify 1997 Kyoto protocol in a timely manner. Reflects the European Union's support of the treaty, but does not openly rebuke U.S. opposition.

Trade: Reaffirms idea of phasing out agricultural and other trade-distorting subsidies. But does not actually eliminate subsidies important to the U.S. and the E.U.

Energy: Deletes specific targets for renewable energy by 2015. The U.S., Australia and OPEC nations pushed to expand the category to include hydroelectric dams and some

uses of fossil fuels. The text also allows poor countries to use their energy sources, including wood. Germany and other E.U. nations investing in wind and solar were disappointed.

Water and Sanitation: Reduce by half the 2 billion people living without clean water and sanitation by 2015. U.S. accepted the target and timetable in exchange for major concessions on energy.

Biodiversity: To "significantly reduce" the loss of species by 2015. No specific number or percentage of species protected. Wording does not inhibit nations from pursuing development projects for biodiversity reasons.

Good Governance: Wording emphasises the need to fight corruption and promote democracy and the rule of law, but not as a condition for receiving aid. — AP



The People's Democratic Party (PDP) candidate, Tariq Hamid Kara, returning after filling his papers for the Srinagar constituency on Monday.
— Photo: Nissar Ahmad

Electioneering in Jammu an uphill task

By Luv Puri

KALAKOTE, SEPT. 2. Braving risks to life, electioneering has entered the final fortnight in the seven Assembly segments in the hilly stretch of Jammu. The area to be covered in the first phase of the elections is extensive. The population in these segments is scattered. The grass root workers of the candidates were getting their supporters from the remote villages in trucks and buses. According to them hiring vehicles was not an easy task as the drivers were

district president, Satya Pal Grover, in which an appeal was made to the high command to contest all the seats of the Jammu region and break its relationship with the Morcha.

Another faction led by the party vice-president, Hans Raj Dogra, has also openly questioned the decision of the high command to go in for an alliance with the Morcha.

Mr. Dogra, who is the sitting MLA from Jammu west Assembly segment, said, "there was no question of leaving more than four seats

Trinamool return

By Our Special Correspondent

KOLKATA, SEPT. 2. After the cut Trinamool Congress supremo, by the BJP leadership in New Delhi, a number of Trinamool workers who are disillusioned with the Congress, their mother party, are looking back to the Congress or showing keen interest in it. In fact, so buoyant are Trinamool workers these days that they are holding a rally in the city's Brigade Road on November 10.

"Trinamool workers are coming back to the Congress. They realise that the Congress is the only Opposition party in Bengal which is fighting the people against the State's ruler, Pranab Mukherjee, the State Chief Minister. I told a convention of the Trinamool party's student arm, last week.

Ms. Banerjee would not sit quietly. She would not be selective. But she would be selective, Ms. Banerjee would only allow those Congress workers to join Trinamool who have no political affiliations. She would prefer to lead Congress workers and not lead Trinamool workers.

By all accounts, Ms. Banerjee is in an extremely bad phase as her leadership of the Eastern Railway bifurcation project is being seen to be a damp squib. She is finding it difficult to retain her supporters as most of them as well as party functionaries are conducting a campaign against her leadership on the bifurcation plan. The plan, she knew, could not be altered. A powerful anti-left campaign is being launched off her supporters who are going back to the party leadership.

At earth summit, everyone is a rebel with a cause ✓

By Vaishnavi C. Sekhar
TIMES NEWS NETWORK

Summit 11-13 *309*

Johannesburg: In front of the glitzy Sandton convention centre, the venue of the earth summit, members of Friends of the Earth are busy building a giant structure surrounded by hundreds of small statues. While the giant represents Big Business, the statues are the people confronting corporates which have exploited them.

Strong slogans against multinationals and free trade are being raised everywhere. This, when government and UN officials are battling it out inside the venue on the definition of 'globalisation'.

While the official delegates wrangle behind the closed doors of the silver and wood boardrooms in the air-conditioned cocoon of the convention centre, NGO representatives hang around outside, hoping to influence the wheeling and dealing within. And the media hovers around waiting for hints and secrets for tomorrow's headline.

At the parallel NGO conference 30 km away, smiling Korean and Japanese women hold up placards on peace and love. "Join us in changing the world," they say. Elsewhere, young African men and women clad in traditional tribal dress dance with their natural, rhythmic energy.

This was supposed to be the exciting unofficial summit, the one telling it like it is, unvarnished by conferenceseek. But there are few people attending the meetings on globalisation, biodiversity and labour rights. While many of the big NGOs are at Sandton, where all the power is, others are put off by the sheer distance.

The conference has attracted a bizarre jamboree of NGOs, anarchists, religious groups, fisherpeople, farmers, environmentalists, human rights activists and political groups, all wed together by The Cause. The problem here is that not everyone is sure what the cause is. Religious or vaguely spiritual groups proliferate.

At the entrance, a Chinese woman sits still on the ground, eyes closed, her hands held in front of her, surrounded by pictures of wounded people, all members of Falun Gong, the persecuted Chinese group. Her motto is

'Truthfulness, Benevolence, Forbearance'.

At Ubuntu village, the service and recreational tent for the summit delegates, a well-built African woman thrusts some magazines at visitors. "Buy a magazine and save some starving children," she pleads. At the food stalls, a European Hare Krishna devotee sells vegetarian food. His name is Radheram. "My master gave it to me," he says, intensely. "I told him I do not deserve this name. But he told me this is just the beginning."

But a Filipino Sister of Mercy, affiliated to the World Council of Churches, is clearer about why she is here. "We are here to support the campaign against the wrong things business is doing across the world," says Julietta Hayrosa. Strangely enough, the pro-Palestine Liberation supporters dominate not just here but also at the two separate marches taken out on Saturday.

But what does a summit on sustainable development in South Africa have to do with the Palestine problem? The placards have the answers: While one says Israel has destroyed hundreds of thousands of trees in Palestine, another simply reads, 'Apartheid Israel'.

"One cause is all causes," explains Yunus Asmal, a supporter. "Injustice and oppression do not go hand-in-hand with sustainable development." Mr Asmal is a third generation South African, whose family originally came from Surat, India. "Our struggle is the struggle of all the people," he says.

But the representatives of Israel are here too. Young students sporting lime-green T-shirts which proclaim their identity ('Students from Israel') dance with the South Africans to their apartheid struggle songs. "People to rule," they sing in Zulu. But the event has not been without its share of problems. The police have had to evict Palestine supporters disrupting Israeli presentations at least three times this week.

Meanwhile, back in Sandton, UN officials put three small children on the large, plush chairs of the dais at the conference room on Sunday. When a journalist asked them what they thought about the summit, one of the kids, after anxiously consulting the other two, said firmly, "We think it's about making the world a better place."



SUMMIT / TIME FOR ACTION: MBEKI

**Meet a farce,
say activists**

*Summit
HO-19*

JOHANNESBURG, AUG. 31. As negotiations intensified at the U.N. development summit, environmentalists and social activists protested the conference's commendable goals were being watered down.

About 10,000 people set off in two marches from the shack-ridden township of Alexandra to the venue of the World Summit on Sustainable Development in the glittering Johannesburg suburb of Sandton to highlight the economic disparities world leaders are meeting to address. "We must liberate the poor of the world from poverty," the South African President, Thabo Mbeki, said at a rally before one march.

He called on the summit to set clear timetables for reaching its goals.

"It is easy for all of us to agree on nice words," he said. "Now has come the time for action."

South African security forces, with a long history of dealing with major demonstrations, reinforced an already tight security cordon around the conference grounds.

They brought in armoured vehicles, more police with riot helmets and shields and strung coils of barbed wire at key points within the steel-and-concrete perimeter fence.

Demonstrators dressed in red T-shirts and bandanas danced and sang old anti-apartheid songs as they gathered in Alex-

andra, a sprawling township of tin shacks and open sewers a long walk from Sandton, South Africa's lavish icon of conspicuous consumption.

It grew to about 3,500 people — mainly local residents — as it progressed through the narrow streets of Alexandra.

"Africa is not for sale," said Milton Sibanda, 33, who joined the demonstrators carrying placards denouncing capitalism.

"We need land. We need accommodation. Since Rio, they have been saying things have changed, but these 10 years, I haven't seen it."

The organisers of the march, an alliance of anti-globalisation groups, said they want to "unmask" the summit as a farce. Various non-government groups meeting at a parallel forum took off later on Saturday to deliver the message that "sustainable development is possible," said Muzi Khumalo, the spokesman for the march.

"It is immoral that some people and some nations have more wealth than they need while other people starve," said Anglican Bishop Geoffrey Davies.

"It is our demand that all of God's creation be protected for future generations."

About 7,000 people had joined the group by the time it set off for the conference site in the early afternoon. — AP

THE HINDU

1 SEP 20

Nature's warnings to the summiteers

For the first time in history, human society is undermining the environment at the global scale, through climate change, extinctions, and degraded ecosystems, says Jeffrey D Sachs



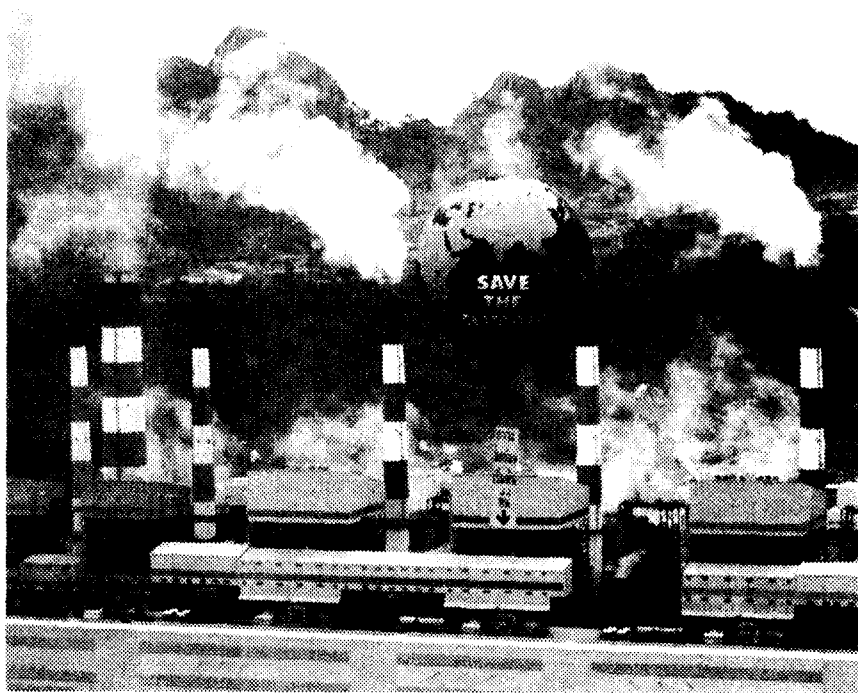
NATURE'S awesome powers have been on frightening display lately. As world leaders gather in Johannesburg to discuss global environmental

threats, many parts of the planet are battered by floods, droughts, harvest failures, massive forest fires, and even new diseases. Man's relationship to nature is a theme as old as our species, but that relationship is changing in complex ways. The most important result of the Johannesburg Summit should be a recognition that more scientific research and much more global cooperation is needed.

Floods and droughts have been scourges from ancient times, yet the frequency, size, and economic impact of these disasters has grown in recent years. Insurance claims against natural disasters rose to unprecedented levels during the 1990s, suggesting that the social costs of environmental upheavals have intensified. Climate shocks such as the fierce El Nino of 1997-98 played a major role in recent economic upheavals. Indonesia and Ecuador, among other countries, succumbed to financial crises in 1997-98 that were linked (in part) to agricultural crises caused by the severe El Nino.

Part of the growing climate effect results from our sheer numbers. Largely as a result of technological successes in the past 200 years, the human population has grown seven-fold since 1800, from around 900 million in 1800 to more than 6 billion people today, crowding humanity into vulnerable spots throughout the world.

More than 2 billion of the world's 6 billion people live within 100 kilometers of a coastline, and so are vulnerable to ocean storms, flooding, and rising sea



levels due to global warming. Hundreds of millions more live in fragile habitats on the steep slopes of mountains, or in semi-deserts, or in rain-fed regions where crops fail regularly when rain doesn't arrive.

Human beings are also changing the environment everywhere, often in ways that make societies more vulnerable. This is especially the case in impoverished countries. The increasing population density in rural Africa, with its intensification of farming, is leading to massive soil depletion. When drought comes to Southern Africa, as it has this year, tens of millions of impoverished peasant families struggle for survival.

Because African poverty contributed to the uncontrolled spread of AIDS, the combination of climate shocks and epidemic disease is devastating. Millions of AIDS orphans in Southern Africa live

with grandparents too old and weak to produce food or to secure it. Because of the onset of the El Nino, the drought is likely to continue into the coming year.

THE most remarkable feature of these environmental changes is that they are not limited to local environments. For the first time in human history, human society is undermining the environment at the global scale, through climate change, extinctions, and degraded ecosystems.

Man-made global warming, caused mainly by fossil-fuel burning in rich countries, may well be a factor in the frequency and severity of major droughts, floods, and tropical storms. The frequency and intensity of the El Nino cycle in the past 25 years may also be the result of global warming. China's heavy floods in recent years are partly the result, it

seems, of the excessive melting of mountain snows on the Tibetan Plateau, which was caused by higher temperatures.

These growing environmental risks are complex. The effects of environmental change may occur only after many years and may be felt halfway around the world. Or the effects may be indirect. Land use changes, say, can amplify the spread of infectious diseases by changing the mix of species or the ways that animals and humans interact.

Politicians are inept at handling such problems, so environmental risks continue to grow without adequate changes in public policy. When disasters hit (such as this year's droughts or floods), politicians cannot be held accountable for mistakes made over the course of many decades.

The summit in Johannesburg can draw the world's attention to these pressing problems. Even if the summit produces few specific results, it can make a difference if three demands are made of the summiteers:

- we should insist that the world's politicians recognise the overwhelming scientific evidence that points to the major environmental perils humanity faces;
- we should press these leaders to invest more public money in basic environmental research and in the development of new technologies to address environmental risks. For example, investments in research on alternative energy systems that can limit global warming are vital; and
- third, we should insist that our politicians agree to greater international environmental cooperation, lest the neglectful and shortsighted policies within each nation end up destroying the global ecosystem.

(The author is Professor of economics and Director of the Earth Institute at Columbia University)

(C): Project Syndicate, August 2002

Summit
10-14

U.S. opposes E.U. proposals

31/8

JOHANNESBURG, AUG. 30. Overnight, discussion at the World Summit on a plan for tackling poverty and protecting the environment turned heated when the European Union proposed taking the contentious issues out of the hands of negotiators and sending them to top ministers to decide.

The summit host, South Africa, said it was looking at the suggestion to send them 14 issues, including new sanitation goals and anti-corruption measures, and would respond later.

The United States has refused to agree to specific target dates for new goals, such as halving the number of people in the world without access to sanitation by 2015, saying that results were more important than words on paper.

The European Union and the developing world have demanded that the summit's final documents include specific goals. "We have already said all along that this summit must be a summit of actions, not a summit of talk," said the Danish Environment Minister, Hans Schmidt. "We decided to shake the tree to give the negotiations more momentum."

The 10-day summit has been focusing on ways to get water, sanitation and health care to the world's poorest while protecting the environment. About

1.2 billion people lack clean drinking water and 2 billion are without sanitation. An estimated \$180 billion are needed each year to tackle water problems.

More than 190 countries are represented at the meeting and more than 100 world leaders were expected to arrive in the final days.

The UNICEF head, Carol Bellamy, appealed to delegates to work to save the lives of the 11 million children under the age of 5 who die each year of easily preventable diseases, such as diarrhoea. "These deaths are not only a tragedy for children and families — they are a blow to development because they deprive communities and society as a whole of incalculable human potential," she said in a plenary session.

Meanwhile, activists at the summit were putting the finishing touches to plans for four major protest marches on the summit venue on Saturday.

Planned protests at the largest-ever United Nations gathering on Friday had drawn tens of thousands of participants from 17 mostly local organisations.

Issues such as globalisation, privatisation, landlessness, poverty and promises broken since the first Earth Summit in Rio de Janeiro a decade ago are among those activists plan to highlight.

— AP, DPA

SATURDAY, AUGUST 31, 2002

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THE WATERS OF DISCORD

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THE SLENDER HOPE that some headway would be made towards breaking the deadlock in the water-sharing dispute at the meeting of the Cauvery River Authority (CRA) has been belied. In the circumstances, it would have been too optimistic to have expected a huge advance or breakthrough at the meeting. After all, the meeting was convened on the basis of a Supreme Court directive and it is unlikely that Tamil Nadu would have participated in it were it otherwise. The State's Chief Minister, Jayalithaa, has repeatedly dismissed the CRA as a 'toothless' body and her walkout from the meeting seemed as if it was staged not only to signal the lack of headway but also to highlight her longstanding claim that, in the existing situation, it is not the CRA but the Supreme Court which can sort out the water-sharing dispute.

Despite the walkout and Ms. Jayalithaa's unconcealed annoyance about Karnataka's unwillingness to immediately release water to Tamil Nadu, the Union Minister of Water Resources, Arjun Sethi, sought to project the meeting as a positive development. In his view, the advance lies in the fact that Karnataka has finally agreed to the principle that Cauvery waters could be shared between the two States on a pro rata basis — which in effect means that Karnataka would have to release water to Tamil Nadu (albeit on a proportional basis) even in years of shortfall or distress. A distress sharing formula is to be worked out by the Cauvery Monitoring Committee (CMC) within a fortnight.

Since Tamil Nadu has been pressing for such a formula for some time now, in a general sense, such a development could be viewed in a positive light. But a couple of things need to be kept in mind here. First, a mutually acceptable distress sharing formula would have to work its way around a clutch of issues that are as familiar as thorny — for instance, how the water released is measured and how such release should be staggered. For instance, a format for distress sharing was worked out by the Central

Water Commission (CWC) some time ago, but Karnataka had reservations about some aspects of the formula. Second, from Tamil Nadu's point of view, there is a crying need for immediate relief. The problem is so acute that there is a drinking water scarcity in the towns and the deltaic region. The kuruvai (minor) crop has suffered considerably and there is a serious threat to the samba (major) crop, for which nurseries have to be raised now. In such circumstances, the decision to ask the CMC to work out a distress sharing formula appears, in the eyes of Tamil Nadu, as a ploy to buy time in the hope that rain and additional inflows will mitigate the extent of the problem as they have done in previous years.

At the same time, Karnataka's position is not very enviable either, with the weak South-West monsoon, with storage levels sinking to precarious lows and with drought-like conditions prevailing in some areas. So much so that, a couple of months ago, the Karnataka Chief Minister, S.M. Krishna, regretted his inability to release even a mere 3 tmc feet of water to Tamil Nadu, despite the fact that this request had come directly from the Prime Minister. Since the water-sharing problem arises only when the monsoon is deficient, the idea of distress sharing — which was endorsed by the CMC during its meeting earlier this month — is a rational basis to tackle it. Despite being constituted five years ago, the CRA's attention has almost wholly been focussed on immediate and temporary quick fixes; the Authority has not paid any serious attention to making the pro rata release of water as the basis or principle for addressing the problem. Working out a mutually agreeable distress formula at this juncture will take time and will not alleviate the hardship and suffering in the water-starved deltaic region of Tamil Nadu. But from a long term perspective, a broad acceptance of such sharing could become an important first step towards resolving this thorny and sensitive problem.

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A tired reprise of Rio

By C. Rammanohar Reddy

Environment

The agenda for the Johannesburg summit is the same as the 1992 Rio conference, the tone of the discussions a decade later is the same and the outcome too will be the same.

THE WORLD Summit for Sustainable Development was billed as the largest meet ever of the United Nations. The conference, which ends in Johannesburg next week, certainly has fulfilled expectations about its size. What it will not fulfil are expectations of a global agreement that will turn the world towards sustainable development. Indeed, to have had much expectations of the WSSD was itself optimistic. The Johannesburg conference follows a decade of U.N. summits and conferences on social, economic and environment issues: Rio 1992, Cairo 1994, Copenhagen 1995, Rome 1996, New York 2000, Monterrey 2002 and many more. The United Nations Conference on Environment and Development (UNCED) in Rio de Janeiro has had two follow-up meetings: Rio +5 in New York in 1997 and now the WSSD (which in its search for a separate identity refuses to call itself Rio+10, though that is the only rationale for this summit). Unfortunately, while these U.N. meetings may have created Government negotiators skilled in the business, a media industry that tracks them and a network of civil society organisations that moves from summit to summit, they have little else to show for themselves.

The U.N. summits of the 1990s did serve to raise public awareness of a variety of social, economic and environment issues. Early on, they were also occasions for a global exchange of ideas and solutions. They did result in negotiated agreements of one kind or another, but the non-binding nature of most of these accords meant that Governments were free to continue to act as they wished whatever they may have committed themselves to at the summits. And when they are binding accords, countries walk out like the U.S. has from the Kyoto Protocol on climate change. Therefore, for a world accustomed to the U.N. summit process, the WSSD holds out little promise of a different future. Of course, the Johannesburg conference, like all the summits which preceded it, will come up with a negotiated plan of action and a political declaration on various aspects of environment and development. Again like in the

past, the negotiators will wrangle to the very last minute about crossing the 't's and dotting the 'i's before they present the world with a charter for sustainable development. But like the agreements which emerged from the many U.N. meets of the 1990s, the Johannesburg accords too will be only recycled texts.

There are three specific reasons for why the WSSD is of even less significance than previous U.N. summits on environment and development issues. The first is its bloated agenda which contains every possible issue on environment and development: poverty, trade, globalisation, consumption patterns, forests, energy, water, health... name the issue and it is on the table. It is simply impossible to negotiate any meaningful accord on such a huge agenda. An agreement devoid of content is the only compromise possible. The WSSD is covering ground similar to UNCED in 1992. But the 1992 summit was a landmark because, while it was not the first U.N. conference on the environment, it was held two decades after the 1973 Stockholm meeting and, more importantly, it came in the middle of what was, in retrospect, the high-point of the global environment movement. The agenda for the Johannesburg summit is the same as the 1992 Rio conference, the tone of the discussions a decade later is the same and the outcome too will be the same. The WSSD is only a tired reprise of Rio.

The UNCED was the first to try and link all the economic and environment issues together and the first U.N. conference to discuss the concept of 'sustainable development'. But while an entire U.N. machinery has been created around 'sustainable development', the world is still waiting for an operational meaning of what is an intuitively appealing but yet fuzzy concept. In 1987, the Brund-

land Commission defined sustainable development as "progress that meets the needs of the present without compromising the ability of future generations to meet their own needs". In 2002, the U.N. continues with this simple but vague definition. The WSSD has gone a step further in one respect. Sustainable development is now seen as comprising three components: economic development, social development and environment protection. Sustainable development could not have a broader and vaguer coverage than what is now put forward.

MACROSCOPE A second reason for not expecting anything to emerge from the WSSD is that the notion of "common but differentiated responsibility" among developing and developed countries, which has been the cornerstone of global efforts to deal with the environment, is now in tatters. The idea that all countries have a role to play in protecting the world's resources, but those who have caused the larger damage should bear more of the cost for a clean-up is a fair principle. Yet, the developed countries have not been very enthusiastic about paying for their past sins or aiding the developing countries with funds and technology that will help them avoid taking the same path. The best example of this reluctance is the U.S. position on the Kyoto Protocol, which that country has refused to join unless developing countries such as India and China also take on commitments to reduce emission of greenhouse gases. If the core principle of global environmental pacts is going to be abrogated, the agreements that emerge from yet another summit on environment and development naturally have little value.

The third reason for why the WSSD is not going to yield anything of significance is that developing country Governments have adopted a double-faced attitude towards environmental

issues. In international forums they acknowledge the importance of dealing with the environment and berate the rich countries for causing global environmental damage. But at home even today they, by and large, hold on to the position that the environment is a luxury priority which economic growth will take care of later. This is why few developing country Governments follow up the U.N. summits with any meaningful action at home. Yet, the links between environment protection and economic growth at even low incomes are self-evident. A good example in India is the State and Central Governments' attitude towards the use of water resources. Over the years, it has become more and more evident that an indiscriminate and poorly-planned use of surface and groundwater resources, leading in some parts to over-exploitation, is going to impinge on agricultural production. As the water table keeps falling by the year and surface water assets silt up, this is already happening. The impact we are now witnessing of the first drought in a decade is testimony to the cost of over-exploitation of water resources. And side by side is the drinking water crisis that is spreading to more and more towns and villages.

If the Government is doing little about water, air pollution is an area where the priorities are lop-sided. Outdoor air pollution in cities occasionally exercises the Government and, when goaded by the courts, as in Delhi, there is an improvement in the quality of air. But far more serious is indoor pollution in rural homes which use dung, firewood and crop residues. A U.N. report released on the eve of the WSSD states that of the 3 million people who die every year because of illnesses caused by air pollution, most are women and children who contract respiratory illnesses at home. Independent studies place illness due to indoor pollution in India higher than morbidity caused by TB, cancers and tobacco. Yet, just as global efforts are focussed on outdoor pollution, the Government in India too deals only with emissions from motor vehicles and industrial units. The rural poor can continue with their smoky kitchens.

Worldwide toxic chemicals ban agreed at summit

Anthony Browne,
The Times, London

JOHANNESBURG, Aug. 30. — The world's first international agreement to ban the use and production of toxic chemicals has been reached at the Earth Summit in Johannesburg.

All countries will have to ban chemicals that are hazardous to human health or the environment by 2020. It is the most significant step forward at the troubled summit and the surprise deal was struck only after a U-turn by the USA. It is a significant victory for the European Union delegation, which had expected the USA to hold out until heads of state arrived next week.

The USA had been strongly opposing any targets and was worried about the effect of the agreement on its industry.

The agreement means that 190 countries will have to clamp down on dangerous chemicals in consumer products, as well as on factories that release toxic chemicals into the environment. The main beneficiaries will be

Heated EU-US discussion

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The USA has refused to agree to specific targets for new goals, such as halving the number of people in the world without access to sanitation by 2015, saying that results were more important than words on paper. The EU and the developing world have demanded that the summit's final documents include specific goals. — AP

the billions of people in the developing world who at present have little legal protection.

Western companies that sell toxic chemicals to developing countries could be severely affected as could companies such as Shell and Mitsubishi that have factories there with poor pollution records.

Chemicals that face global bans include lindane, parathion, pirimiphos and lead additives for petrol. These are banned in the EU, but European manufacturers make them here and then sell

them to Africa and Asia.

An official of the British delegation at the summit said: "We are very pleased that this target has been agreed. It is a target that all UN countries will be striving to achieve by 2020. It demonstrates the real value of this summit."

The USA had said it opposed all targets and EU governments feared that that may render the final agreement worthless. This week, however, the USA backed down on targets to protect fish stocks and marine environments.