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Environmental factors cause one-third of deaths: WHO

Geneva: Almost a quarter of global diseases are caused by avoidable environmental factors, with a toll of 13 million lives a year, the World Health Organisation (WHO) said in a new report on Friday.

Such hazards, which include polluted water, unsafe fuel, rickety buildings and dangerous traffic, are to blame for one-third of deaths in developing countries, said the WHO.

Preventing environmental risk could save as many as four million lives a year, mostly in developing countries, said the UN health agency.

The WHO said its study was the most comprehensive and systematic yet undertaken on how preventable environmental hazards contribute to a wide range of diseases and injuries.

"We have always known that the environment influences health very profoundly, but these estimates are the best to date," said Dr Anders Nordstrom, acting head of the WHO.

"This will help us to demonstrate that wise investment to create a supportive environment can

HEALTH HAZARDS IN DEVELOPING NATIONS

be a successful strategy in improving health and achieving development that is sustainable."

Over 40% deaths from malaria and an estimated 94% deaths from diarrhoeal diseases, two of the world's biggest childhood killers, could be prevented through better environmental management, ac-

ording to the WHO.

Besides diarrhoea and malaria, the two other main health problems influenced by a poor environment are lower respiratory tract infections and various forms of accidental injuries.

Pointing to potential measures to reduce the burden, the WHO cited safer household water storage and better hygienic measures, as well as better overall management of water resources.

Also crucial, it said, are the use of cleaner and safer fuels, increased safety of the built environment and more judicious use and management of toxic substances in the home and workplace.

The report said one way or another, the environment significantly affects more than 80% of a host of other major diseases. AFP

Centre asks MP to stop Maheshwar dam construction

Statesman News Service

BHOPAL, June 12: The Union ministry of environment and forests has asked the Madhya Pradesh government to immediately stop the construction of Maheshwar Hydro-electric Project.

The state government received a letter in this connection from the ministry of environment and forest ministry on 9 June.

In the letter, the ministry has ordered that the construction work should remain stalled until and unless the state government came up with a proper and detailed rehabilitation plan for the

people being affected by the project.

On getting the rehabilitation plan, the ministry will form a monitoring committee that will see whether the plan is feasible or not.

Construction work will start only if the plan is found feasible.

"The decision of ministry of environment and forest has substantiated our claim that there is no proper rehabilitation plan for the project-affected people," said Mr Alok Agarwal, an activist of the Narmada Bachao Andolan (NBA).

"We demand from the Madhya Pradesh government that it immediately stops all construction

had given a clearance to the state government for construction of the dam in January, 1994. It had asked the state government to complete all rehabilitation work by 1997-98.

"But the people affected by the dam were not rehabilitated properly. We complained this matter to the ministry of environment and forests.

The ministry sent a team in October 1998 and found that the affected people had not been compensated or rehabilitated properly," said Mr Agarwal.

"But the work finally came to a standstill on 2001 when Maheshwar Hydel Power Corporation

Ministry of Environment and Forests at New Delhi on May 11.

According to the NBA, as many as 61 villages were being affected by the construction of the dam.

"The state government has declared 8,000 families as affected but has failed to rehabilitate them. Also another eight to ten thousand families who depended on the river for livelihood are also being affected. But the state government has not declared them as affected people," said Mr Agarwal.

"In this way, around 20,000 families of 1,00,000 were not being rehabilitated," he said.

Ltd, which was overseeing the construction of a severe financial crunch," he said.

When the construction work again started towards the end of 2005, the NBA informed the Ministry of Environment and Forests that there rehabilitation plan for the dam oustees was yet to be prepared by the state government.

"We told the ministry that construction of the dam was illegal and its completion without proper rehabilitation of the oustees would lead to a big disaster," said Mr Agarwal.

NBA activists along with the affected people demonstrated in front of



The site of the Maheshwar Hydro-electric Project.

■ A FILE PHOTOGRAPH

work of the dam," said Mr Agarwal at a news conference held here today.

The construction of dam on the Narmada river in West Ninar district of west Madhya Pradesh started in mid-nineties. The dam will

produce 400 megawatts of electricity on completion and is the only dam in Madhya Pradesh that is being built by a private company.

According to Mr Agarwal, the ministry of environment and forests

SC provides relief to Fanaa

But Gujarat cinema hall-owners shy away from screening film

HTC and Agencies
New Delhi/Mumbai, June 5

THE SUPREME Court on Monday provided relief to the controversial, Aamir Khan-starrer *Fanaa*, in the background of the film's release in the saffron bastion of Gujarat where Sangh Parivar outfits are running a campaign against the star and his films for his expressing support for the cause of the Narmada dam oustees and the Narmada Bachao Andolan led by Medha Patkar.

Steering clear of controversies, the apex court said it could not entertain a petition filed by filmmaker Mahesh Bhatt, seeking a peaceful release for the film in the state, as Bhatt was "not an affected party" in the dispute. Questioning the maintainability of the petition filed by Bhatt, a Vacation Bench of Justices Arijit Pasayat and C.K. Thakker dismissed the plea even as it ruled that "if any exhibitor wants to exhibit the film and wants protection, they can be given (the protection)".

"You may have the right to see a film but you cannot compel the exhibitor to screen it. Let the exhibitors come here," the Bench added when Bhatt's counsel, Colin Gonsalves, submitted that "it was because of some groups or people, who had taken the law into their own hands" that the film's release in Gujarat had to be postponed.

Bhatt and the Gujarat-based NGO, Jansangharsh Manch had filed the petition jointly. It sought a direction for the Gujarat DGP to ensure an uninterrupted screening of the film, which was released in the rest of the country but faced protests in Gujarat following a statement by Aamir on the Narmada dam issue.

The petition had stated that organisations like the BJP's Yuva Morcha (Gujarat unit) and the Congress affiliated NSUI (Gujarat unit) were opposing the release of *Fanaa* without any cogent or rational reason. The petition added that the Gujarat government had either directly connived with these organisations to prohibit the screening of the film or had deliberately refused to act to stop them from adopting violent and illegal means to disrupt the film's release in Gujarat.



Aamir Khan in a still from the film *Fanaa*.

However, theatre owners in the state seemed unwilling to screen *Fanaa* despite the ruling from the Supreme Court.

"We've just heard of the court decision, but we stick to our stand of not screening *Fanaa* as Aamir Khan has not yet apologised to the people of Gujarat for his anti-Narmada dam stand," Manubhai Patel, president of Gujarat's Multiplex Owners' Association said. He added that the state government was even earlier ready to provide security for screening the movie but it was not released in the state due to Aamir's stand.

Aamir Khan, at the centre of the controversy, also stuck to his stand on Monday. A report from Mumbai said he reiterated that he would offer no apology as he had only stated what the Supreme Court had said in its order. Addressing the media at his Bandra residence, Aamir said there was no question of tendering an apology to anyone. "I've lots of love and regard for the people of Gujarat and I appeal to them not to get caught in politics. Let them look at me and they would find love in my eyes," Aamir said.

The actor hailed the apex court order asking authorities to provide protection to theatres that wanted to screen *Fanaa*. He added that the BJP and its youth wing needed to find a solution to the issue as they were behind the theatre owners' move not to

People to decide: Director

HT Correspondent
Kolkata, June 5

DIRECTOR OF *Fanaa*, Kunal Kohli told *Hindustan Times* on Monday that there was hardly any chance that his film would release in Gujarat soon despite the Supreme Court order. "What can we do now? The people who've stopped the release are still threatening people," Kohli said over phone from Mumbai. "And I don't think the film will release soon," he added, albeit with a tinge of regret. He added that there would be no further appeal to release the film in Gujarat.

On the PIL filed by Mahesh Bhatt, Kunal said, "All theatre owners or exhibitors who wish to release the film can request for protection and the government should extend support. We, as filmmakers, can only request all theatre owners of Gujarat and everybody to come forward and release the film."

The total revenue lost due to the film's non-release in Gujarat adds up to around Rs 7-8 crore. Kohli said the film had earned around Rs 47 crore (both domestic and overseas) in the first week itself. "However, it's not about money... it's about a principle. In a democratic country both Aamir and the people of Gujarat have a right to express their views, but in a democratic

Kunal Kohli says



■ It's not about money... it's all about a principle.

■ At this point of time, we can only hope for the best and wait to see what happens next.

fashion and not by burning posters and threatening people." Despite all this, Kunal said he was hopeful that ultimately the stalemate would be broken. "At this point, we can only hope for the best and wait to see what happens next," he added.

On piracy of VCDs and DVDs of *Fanaa*, Kunal said, "There are lots of pirated CDs and DVDs (of the film) in the market. We can only request the people not to buy pirated CDs and DVDs. They should actually go to the theatres and watch the film. This will help stop piracy too."

screen the movie. He called upon BJP's youth workers to ask themselves whether they respected democracy or the Supreme Court and if they did so, how could they prohibit

the film's release? He also urged citizens across the country to decide for themselves whether the steps taken to stop *Fanaa*'s release were constitutional or otherwise.

I have lots of love and regard for the people of Gujarat and I appeal to them not to get caught in politics

AAMIR KHAN

Pollution costs China \$200 billion a year

Environment
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China Daily/ANN

BEIJING, June 5: China's pollution problems cost the country more than \$200 billion a year, a top official said today as he called for better legal protection for grass roots groups so they can help the government clean up the environment.

Zhu Guangyao, deputy chief of the state environmental protection agency, estimated that damage to China's environment is costing the government roughly 10 per cent of the country's gross domestic product. China's GDP for 2005 was \$2.26 trillion.

Despite government efforts, China's environmental picture is not improving, but worsening, he said, and "allows for no optimism."

Mr Zhu said environmental non-government organizations can play "important roles in promoting or pushing governments" to solve environmental problems. He acknowledged that some local officials were not implementing the central government's guidelines



Members of a distressed family take dead fish out of their pond in Xiaoshan District in China on Sunday. ■ CHINA DAILY/ANN

very well. Mr Zhu said implementing the central government's guidelines would also be a challenge for local officials who are accustomed to being judged on growth above all else and are fearful of the economic impact of tighter environmental controls.

"Local environmental NGOs do not dare criticise local governments for their unscientific decisions," he said. "Some local governments are reluctant to

implement or are even working against environmental laws."

He also listed seven tasks as the major environmental protection work in the coming five years. The most important task is water pollution control, with focus on drinking water security. The second is to step up urban environmental protection, especially the pollutants control in cities.

He highlighted the reduction of sulphur dioxide dis-

charge as the focal work in air pollution control, the third of the tasks.

Other tasks include rural environmental protection, with emphasis on soil pollution control, eco-system protection, enhancement of nuclear and other radioactive sources security and implementation of the state environmental protection projects.

Only these tasks be fulfilled can we achieve the environmental

Narmada Abhiyan joins agitation against 'Fanaa'

To stall any attempt to screen the movie anywhere in Gujarat

Manas Dasgupta

AHMEDABAD: Narmada Abhiyan, the umbrella group of some 50 pro-Narmada dam voluntary organisations in Gujarat, has joined the fray for the continued boycott of Aamir Khan-starrer 'Fanaa' in the State.

The Abhiyan, which had spearheaded the counter agitation in the State when the Narmada Bachao Andolan leader, Medha Patkar, had launched an indefinite fast in Delhi last month demanding stoppage of the dam construction work, held a meeting here on Tuesday to chalk out agitational programmes to stall any attempt to screen the movie anywhere in the State.

The Abhiyan formed a "Sangharsha Samiti" with the former Narmada Development Minister, Jaynarayan Vyas, as its president to work out details of programmes and unanimously decided that the NGOs in the

• Meeting held to chalk out agitational programmes

• Insists Aamir should change stand on dam

• Theatre owners unfazed by threat of distributors

State would not allow screening of the film unless Mr. Aamir Khan "changed his stand" on the Narmada dam issue.

According to Abhiyan spokesman Digant Oza, Muslim leaders present at the meeting including Afzal Memon of the Samarpan Trust, BJP minority cell convenor Rafiq Memon, and representatives of the Jammata-e-Islam supported the stir against the Bollywood hero who they felt had "wronged Gujarat."

The Samiti would include BJP Yuva Morcha president Amit Thaker, who was among the first to launch the anti-Fanaa campaign, and the Congress National Students Union of India president Indravijaysinh Gohil, as members besides Mr. Afzal

Memon. The president of the multiplexes owners' association, Manubhai Patel, was not present at the meeting, but has extended full support to the Abhiyan.

Mr. Vyas said the issue could have been amicably resolved if Mr. Aamir Khan had expressed regret for his stand on the issue, but he was "standing on some false prestige."

Even the attitude of the owners of the multiplexes and the single cinema theatres, despite the heavy monetary losses for not showing the film, seems to have hardened after the film producers and distributors in an expression of solidarity with Mr. Aamir Khan threatened to boycott Gujarat at the time of releasing new films if 'Fanaa' was

not screened immediately.

Multiplex owners, who incurred a loss of over Rs. four crores by missing the first week of the film, had reportedly tried to broker a compromise and ensure release of the film by Friday. But they have now reportedly decided not to take any initiative to resolve the dispute if the Bollywood hero stuck to his guns.

They have also not taken the threat of the producers seriously. "We are not bothered about such empty threats. The Hindi films make the bulk of the money in Gujarat and Maharashtra territories while in most other states the regional films dominate," a spokesman of the Cinema Theatres Association said.

BJP Yuva Morcha president Amit Thaker, referring to Mr. Aamir Khan's opposition to the dam, said "Gujarat needs water and not films." Some BJP leaders present at the Abhiyan meeting also endorsed the views.

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Abandoning the displaced

It seems that the executive and the judiciary subscribe to the proposition that the infliction of injustice and misery on the project-affected people must be accepted as the "cost" of development.

Ramaswamy R. Iyer

THE SUPREME Court's Order in the Narmada case on May 8, 2006 is completely unjustified. Let us take note of some indisputable points.

First, the requirement that rehabilitation must precede submergence is beyond question: it follows from the Tribunal's Award and the Supreme Court's own earlier orders in this case. The proposition of construction being conditional on rehabilitation was reaffirmed in the judgment of October 2000.

Secondly, there is no doubt whatever that rehabilitation, even with reference to the dam-height already reached, is in fact incomplete and poor. The Report of the Group of three Ministers was a severe indictment of the state of rehabilitation. Even assuming there were some errors in the report that need correction, it is clear that all is not well

on the rehabilitation front. The extent of failure might be in dispute — but not the fact of failure.

It follows from those two propositions that work on the dam must be stopped, rehabilitation completed, and then construction resumed. If construction has run ahead of rehabilitation, as is in fact the case, this constitutes an illegality in terms of the Tribunal's Award and the Supreme Court's earlier orders and judgments.

The Supreme Court now wants to wait for the Oversight Group's report, the results of the sample survey, and the study of that material by the Prime Minister. It proposes to hold the next hearing in July 2006. One has no quarrel with any of that. What is not understandable is the court's disinclination to stop the construction until the next hearing. At one stroke, the court has done something unthinkable: it has de-linked construction from rehabilitation. It has

gone against its own earlier orders and rewritten the "immutable" Award of the Tribunal.

If in July the court finds that there have indeed been failures in rehabilitation and that the continuation of construction was illegal, what will it do? Will it shrug its shoulders and accept the *fait accompli*?

I was about to say the order was illegal and unjust, but that would be wrong: by definition the Supreme Court cannot do anything illegal or unjust because what it delivers is *ipso facto* justice, and what it lays down is *ipso facto* law.

Let me state my point differently: what was injustice and illegality till the morning of Monday, May 8, 2006 ceased to be unjust or illegal by that afternoon by virtue of the Supreme Court's order.

While the judgment of October 2000 was far from satisfactory, it did seem at least to hold out a tenuous hope of future justice.

The present order extinguishes that hope, and makes the denial of justice absolute.

The project-affected people (PAPs) in the Narmada Valley have been abandoned by the State governments and also the Central government.

It now seems that the executive and the judiciary share a particular understanding of "development" and subscribe to the proposition that the infliction of injustice and misery on PAPs must be accepted as the "cost" of that development. Project-affected people must now reconcile themselves to the fate ordained for them.

The establishment is now in a position to say a word of farewell to those who are being abandoned. Echoing Nehru's words to Assam in 1962, it can say unctuously, "Our hearts go out to the people of the Narmada Valley."

(The writer is a former Union Secretary for Water Resources.)

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10 MAY 2006

Drought in China affects 10 million

Northern provinces have not received rain

BEIJING: China is suffering sustained drought as over 10 million people have been facing drinking water shortage since mid-April, the State Flood Control and Drought Relief Headquarters said here on Sunday.

A total of 16.6 million hectares of cropland have been struck by severe drought in most parts of northern China regions and south-western Yunnan Province, it said.

The current drought affects 2.1 million hectares more than the average in the same period of past years, the headquarters said.

Drinking water shortage

Meanwhile, 7.88 million heads of livestock have also suffered from the shortage of drinking water.

Since mid-April, most parts of northern China provinces and regions have rarely seen rainfalls and experienced frequent strong winds, including Hebei, Inner Mongolia, Heilongjiang, Jilin and Liaoning.

Hebei Province is suffering its worst drought in 55 years, with 520,000 people having seasonal difficulty to access drinking water and 2.3 million hectares of cropland affected.

It is estimated that the province will lack 5.2 billion cubic

metres of water in the first half of this year, according to Hebei Provincial Department of Water Resources.

In Yunnan Province, a quarter of the cropland, or 1.06 million hectares, have been hit by drought. In addition, 3.38 million people are facing drinking water shortage.

Spring ploughing and sowing were seriously affected in these areas by drought.

The State Flood Control and Drought Relief Headquarters has issued an urgent notice, ordering local governments to take strong and effective measures to combat the drought.

The local governments were told to keep a close watch over the drought situation and prepare and implement more detailed plans to fight the problem in an orderly way. "Drinking water safety for urban and rural residents must be secured and placed on top priority of the drought-relief work," the notice said.

The notice required local governments mobilise technical workers and anti-drought service organisations to go to farmland to assist local farmers. Meanwhile, the headquarters have sent special working teams to drought-stricken areas to supervise anti-drought operations. — Xinhua

THE HINDU

C 1 MAY 2006

Narmada: the cost of delaying rehabilitation

The Supreme Court judgment of October 2000 reiterated a clear link between rehabilitation and construction for the future. That is now sought to be changed.

Ramaswamy R. Iyer

IMPLICIT IN the appointment of a Committee to look at the status of rehabilitation work in the Narmada valley is the acknowledgement by the Government of India — or at least a suspicion on its part — that all is not well on the rehabilitation front. Clearly, the Soz report has not been in vain. However, if that were so, the construction work should have been stopped pending the determination of the actual position. This logically follows from the requirement that rehabilitation has to be completed six months prior to submergence. The fact that construction has gone far ahead of rehabilitation constitutes an illegality.

Some may well feel that construction can be allowed to proceed and that rehabilitation can be separately attended to and the backlog cleared, but that is not the legal requirement emerging from the Tribunal's Award and the Supreme Court's judgment. For whatever reasons, the Prime Minister did not stop the work. Even the Supreme Court satisfied itself with the observation that it may have to stop the work at some future time. The learned judges warn the governments not to present the Court with a *fait accompli*, but it was entirely possible for the Court to have disabled that possibility: why did they not do so? The new group has now been asked to look into the matter, the intention being to bring rehabilitation up-to-date within the next few months. What does all this add up to?

The answer is clear: (i) an acceptance of illegality, (ii) an amnesty scheme for all failures so far (that is "oversight" indeed!), and (iii) a clear de-linking of construction from rehabilitation. The last point amounts to a rewriting of the Tribunal's award. One recalls that the immutability of the Tribunal's

award had been proclaimed in ringing tones in the Supreme Court's judgment of October 2000. That judgment itself reiterated a clear link between rehabilitation and construction for the future. All that is now sought to be changed. Why?

Again the answer is clear. Pouring concrete is "development," good politics, non-negotiable. The infliction of hardship on the people, the non-fulfilment of promises made to them, the clear departure from the prescriptions of the Tribunal and the Supreme Court, are no doubt regrettable, but these things happen; one should take a practical, pragmatic view of these things. It is all very well to take a tough stand on demolitions of unauthorised construction in Delhi, but stopping unauthorised construction on a dam is a different proposition altogether.

The pari passu principle

In media articles and interviews, some commentators have offered their readings of the *pari passu* principle. Let me explain how this expression gained currency. In 1985-86, the Ministry of Water Resources and the Ministry of Environment and Forests (T.N. Seshan as Secretary, MoEF, and myself as Secretary, WR) were discussing whether the SSP was ripe for a clearance. The Ministry of Water Resources was arguing for a strictly conditional clearance to the project, but the MoEF felt that once a conditional clearance was given, construction would proceed apace and other things such as environmental and rehabilitation measures would become secondary and be neglected. It was in that context that I suggested that such a possibility could be prevented by stipulating a strict *pari passu* condition such that construction is not allowed to outpace environmental and rehabilitation work. The idea was that the pace of work on environmental and rehabilitation measures would deter-

mine the pace of work on construction.

Unfortunately, the *pari passu* principle was subsequently misinterpreted and turned on its head. The people who wanted to get ahead with the project argued that the building of the dam and the filling of the reservoir were slow processes that would take many years, and that there was plenty of time to take care of environmental and rehabilitation matters as the construction work proceeded. This meant (a) that the sense of urgency on the environmental and rehabilitation aspects was lost, and (b) that it was the pace of construction that would determine that of environmental and rehabilitation work and not *vice versa*, reversing the relationship that had been originally intended.

The *pari passu* principle (in the new sense) was severely attacked by the Morse Commission and by Baba Amte. They also questioned the very idea of a conditional clearance. Later developments, that is, lapses and non-compliance with every one of the conditions when reviewed in 1993, seemed retrospectively to prove Mr. Seshan right and me wrong in our 1985-86 discussions.

The *pari passu* principle as originally intended most definitely implied that in the event of failures on the rehabilitation front construction work must stop. The authority to proceed with construction work disappears if work on the environmental and rehabilitation aspects lags behind. (In fact, faced with such failures, the MoEF would be justified in withdrawing the conditional clearance.) There can be no other meaning to "conditional clearance."

In fact, it is not even necessary to invoke the *pari passu* clause. In terms of the Tribunal's award and the Supreme Court's judgments, land must be allotted one year before submergence and rehabilitation completed six months prior to submergence. There is

simply no scope here for construction work to proceed regardless of the state of the rehabilitation work. The October 2000 judgment (profoundly unsatisfactory as it was) did clearly say that further raising of the dam height must at every stage be based on the progress of rehabilitation work. (I am not quoting the exact words.)

In justification of proceeding with the project, it has been argued that each day's delay adds a huge sum to the cost of the project. This is a familiar point. The implicit assumption here is that the project was well-formulated and rigorously scrutinised, that every relevant aspect was duly taken into account, and that all affected categories were taken into confidence and their concerns dealt with, prior to the approval of the project. If so, delays are certainly undesirable.

However, if during the course of implementation of a project, it becomes clear that there were serious flaws in the conception and formulation of the project; that important aspects had been overlooked; that new developments have emerged that call the basics of the project into question; that many categories of project-affected persons (PAPs) had not been consulted or even identified at the project-formulation stage; that the project would cause much more misery and inequity than had earlier been foreseen; or that the project as originally conceived was simply no longer viable; under those circumstances, should we still proceed with the project on the theory that "there must be finality at some stage," or "there cannot be endless reviews"?

In conclusion, let me take the argument against delay and turn it around: have those who are worried about project costs asked themselves what each day's delay in rehabilitation means (in money and pain) to the project-affected people?

01 MAY 2006

SC seeks views on rehab

'Weak institutions' worry Medha; next hearing of case on May 8

HT Correspondent
New Delhi, May 1

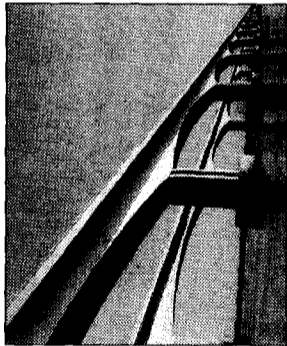
THE SUPREME Court directed the Narmada Bachao Andolan and the Madhya Pradesh government on Monday to state their claims and counter-claims on relief and rehabilitation of those ousted for the Sardar Sarovar Project, to facilitate a decision on whether work on raising the height of the dam should continue. A three-judge Bench, headed by Chief Justice Y.K. Sabharwal posted the matter for further hearing on Monday.

Earlier, appearing for the NBA senior counsel Shanti Bhushan contested the MP government's claim that it had carried out all relief and rehabilitation work in keeping with the spirit of the court's earlier judgments.

The senior counsel argued that as per the court's judgment, relief and rehabilitation work was supposed to be completed one year before actual submergence. However, the MP government had in its counter-affidavit claimed that this one-year rule did not apply to it. It only applied to the Gujarat government, the affidavit of Madhya Pradesh government stated.

Bhushan picked several holes in the MP government's affidavit to show that the court's judgment on rehabilitation had not been followed in "letter and spirit".

NARMADA STIRRED



NSSO to check rehab: Govt

THE CENTRE has told the Supreme Court that it had set up a high-level committee to look into relief and rehabilitation of the Sardar Sarovar dam oustees. Additional Solicitor General Gopal Subramaniam told the court that the National Sample Survey Organisation had been assigned the task of physically checking the rehabilitation of the oustees. A report will be received by the end of the month from it. The Centre would then direct the MP government to do the needful, he said. *HTC, New Delhi*

posted the matter for hearing for next week.

The fiery leader of Narmada dam oustees, who was addressing a press conference, said, "We will have to wait, watch and test the powers that are to take responsibility for justice but we don't think everything that is happening is just."

Claiming that there was never a "rehabilitation masterplan" for the displaced, the NBA leader said the court in its earlier judgment had clearly mentioned land-based rehabilitation for those who lose more than 25 per cent of their land during such development projects.

Medha, along with other NBA members and activists, had written to the Prime Minister, Manmohan Singh, on April 27, expressing their apprehension over the functioning of the three-member committee appointed by him to look into the rehabilitation issue. Medha further claimed that there was a campaign launched by a Gujarat official, who was close to both politicians as well as corporate houses, to "malign and nullify" the NBA struggle and portray them as "stooges of foreign funding agencies", to undermine their agitation.

However, when asked if a case of defamation will be launched against the person, Medha replied, "We will see to that."

on whether effective and proper rehabilitation had been done and what consequences should follow if it hadn't been done.

But, concerned over the inordinate delay in addressing the issue of rehabilitation of Narmada dam oustees, NBA leader Medha Patkar on Monday said the "weakness of democratic institutions" will result in "irreversible submerging" of lives and livelihood of many families.

"We feel aghast to know the great and unacceptable risk to human life that the highest echelons of power have decided to take by postponing the judgment to Monday, May 8," Medha said after attending the Supreme Court proceedings where the apex court

The affidavit stated that the rest of the rehabilitation work would be completed by April-end, only a month before submergence. He also pointed out that no civic amenities or electricity connections were available in several sites. Work on at least 11 rehabilitation sites had not been completed, he argued.

Bhushan pleaded for a stay on the ground that the apex court's judgment was clear that the dam height could be raised only a year after all rehabilitation work was complete.

However, MP government's counsel Harish Salve opposed his arguments. The court then directed him to present his views on rehabilitation before it took a view

NSSO to verify rehabilitation effort, Centre tells Court

Manmohan has constituted a committee to check status of rehabilitation

Legal Correspondent

NEW DELHI: The Centre will ask the National Sample Survey Organisation to verify the status of rehabilitation of the families in Madhya Pradesh affected by the raising of the height of the Sardar Sarovar dam.

Additional Solicitor-General Gopal Subramaniam on Monday told a Supreme Court Bench, comprising Chief Justice Y.K. Sabharwal, Justice K.G. Balakrishnan and Justice S.B. Sinha, that pursuant to the April 17 orders, Prime Minister Manmohan Singh constituted the Sardar Sarovar Project Relief and Rehabilitation Oversight Group to verify the status of rehabilitation.

The NSSO was asked to conduct the exercise from May 19 to June 19. The committee would then ask the Madhya Pradesh

• Committee to recommend system to ensure that all affected families are rehabilitated

• Court should consider whether cash relief is permissible

Government to complete rehabilitation before June 30, provided all the parties concerned, including the Narmada Bachao Andolan and the States, extended their cooperation.

Mr. Subramaniam said that in all there were 18,965 Project Affected Families and 4,286 families were yet to be provided alternative land. He said the committee would recommend a system to ensure that all the affected families were rehabilitated in three months as per the norms laid down by the apex court and the Grievance Redressal Authority of Madhya Pradesh. He said the Centre wanted

the construction work at the dam to continue but also wanted to ensure speedy implementation of rehabilitation measures. The question the court should consider was whether the offer of a special relief package in the form of cash was permissible under the award or the apex court judgment, he said.

States to respond

The Bench, while making it clear that the States would face serious consequences if the rehabilitation was not as per the apex court judgments, asked the States to file their response to the Centre's move and posted

the matter for further hearing on May 8.

Earlier senior counsel for the NBA Shanthi Bhushan pleaded for stoppage of construction work since the Madhya Pradesh Government had admitted that the rehabilitation work had not been completed as per the directions of the apex court judgments.

Quoting from the earlier Supreme Court judgment, he said rehabilitation work must be completed one year in advance and six months before the actual submergence takes place. He also brought to the notice of the court the fact that the Madhya Pradesh Government had offered the same piece of land to several families. He suggested the constitution of an expert committee headed by N.C. Saxena to go into the issue of rehabilitation.

JULY 7 NEXT HEARING ■ We will survey entire area with NSSO help, says Centre

Work on dam on, PM panel to decide on relief: SC

EXPRESS NEWS SERVICE
NEW DELHI, MAY 8

WORK on raising the height of the Sardar Sarovar dam will continue. The Supreme Court today refused to grant the Narmada Bachao Andolan's request for staying the raising of the height from 110 to 121 m and left it to Prime Minister Manmohan Singh to find a solution to the controversy over relief and rehabilitation of the project-affected families.

affected people and status of relief works.

He assured the court that the committee's survey would not be restricted to any sample and would cover almost the entire area where rehabilitation was being done.

On the need for the survey, he said, "We must have some empirical data and it should be available by middle of June. That would show if relief and rehabilitation can be completed by June 30. Based on that, the Government may take an appropriate decision."

Construction, so far

- Work to raise height from 110.64 m to 121.92 m began on March 8, 2006.
- Of the 64 blocks on the dam, work is on in 22 blocks in the dam's mid-section: Blocks 29 to 51
- In 18 blocks, height raised to 114.6 m as of May 8.
- In 4 blocks, height raised to 116.20 m.
- 62,700 cubic metres of concrete poured.
- SSP authorities say height will be up to 121.92 m by June 30.



"We hope and expect the Prime Minister will be able to take a decision on or before July 3 and the decision taken shall be placed on record," said a bench of Chief Justice Y K Sabharwal, Justice K G Balakrishnan and Justice S B Sinha. The next hearing is on July 7.

The order came after Additional Solicitor General Gopal Subramaniam told the court that the PM had constituted a panel comprising former Comptroller and Auditor General V K Shunglu, ex JNU Vice Chancellor G K Chaddha and Convenor of NGO Loksatta Dr Jay Prakash Narayan to oversee the rehabilitation work.

The committee, he said, had tied up with National Sample Survey Organisation and constituted teams which would collect data of the af-

Agreeing with him, the court observed, "We will also be in a better position to know the facts (by then)." It also asked "all parties concerned" to "fully co-operate with the survey teams" and "not to cause any obstruction".

Earlier, NBA counsel Shanti Bhushan contended that as per the earlier SC order, rehabilitation work had to be completed well in advance before the dam height was raised.

However, the ASG pointed out that the SC order had thrown up two situations. "If rehabilitation had to be pari pasu (simultaneous) the work, then it was enough that people were resettled by June 30. But if what the court meant was that it should be completed a year in advance, then

CONTINUED ON PAGE 2

SC rejects NBA plea on dam

Prime Minister to decide on matter by July 3

HT Correspondent
New Delhi, May 8

THE SUPREME Court on Monday rejected a plea by the Narmada Bachao Andolan for halting work on raising the height of the Sardar Sarovar project from 110 meters to 121 meters. The NBA had prayed for halting work on the ground that full and effective rehabilitation work had not been carried out as per the court's earlier orders before further raising the height.

"We are not inclined to grant the plea," a three-judge Bench, headed by Chief Justice Y.K. Sabharwal, said after hearing out all sides involved in the matter. The NBA has claimed that nothing has been done by way of rehabilitating the project-affected families, while the government of Madhya Pradesh has claimed that rehabilitation work was almost complete. "Only 11 rehabilitation sites are left. They will be completed by June 30," the MP government's counsel, Harish Salve, said.

The court took note of the Union's plea that no "empirical data" was available to conclude either way and instead decided to await the results of a comprehensive survey (to be undertaken by the National Sample Survey Organisation at the instance of the high-level committee appointed by the Prime Minister) on the issue.

The court also took note of the Union's submission that the Prime Minister would take a decision on the matter by July 3,

based on the results of the survey and the recommendations of the high-level committee. "Let the Prime Minister's decision be placed on record on July 6," the Bench directed. The court deferred hearing till July 7.

Appearing for the NBA, senior counsel Shanti Bhushan said the state should have completed the rehabilitation work well within June 30, when the court mandated one-year notice period for the project's displaced to shift to alternative sites lapses.



■ ASG Gopal Subramanian submitted that the PM has constituted a three-member panel to look into relief and rehabilitation

■ The court hoped that all parties concerned would fully cooperate and not cause any obstruction in the work of the survey teams

After Clemenceau, it's Blue Lady

SONUJAIN

NEW DELHI, MAY 9

TWO months after French ship *Clemenceau* was recalled by the French government, there's another ship headed towards Alang and into a swirl of controversy.

Cruise ship *Blue Lady* set sail from Malaysia last Friday. Environment activist Greenpeace says it's all set to launch a full-fledged campaign against its arrival on the Indian shores.

This ship was refused by the Bangladeshi ship-breaking yard earlier



Blue Lady: In tricky waters

this month. "Indian rules and laws towards ship-breaking continue to be the same in spite of the French ship being recalled," said Ramapati Kumar, of Greenpeace.

For Alang, this ship is 46,000 tonnes of steel to be broken and recycled. Greenpeace says *Blue Lady* has 900 tonnes of asbestos in its frame.

The owner of this ship was Star Cruise which decided to sell it in 2003 when there was an explosion in its boiler. It was called *SS Norway*. Since then, it has been on the high seas from Miami to Germany and Malaysia, from one buyer to another. The ship was built by France in the '60s and considered second to *Titanic*. An Indian buyer paid 10 per cent of the cost in 2005 but refrained from getting the ship when the *Clemenceau* controversy broke out.

10 MAY 2005

INDIAN EXPRESS

Mangrove dumping angers Malad locals

18/5
Bharti Dubey | TNN 11-13

Mumbai: Filmstar Irfan Khan and a group of activists from Malad are contemplating moving the courts against Mumbai (suburban) collector S S Zende for granting permission to a developer to dump debris on mangroves situated along the Malad Link Road. The permission violates the Bombay high court order of October 2005, which bans any construction within 50 metres of any mangrove.

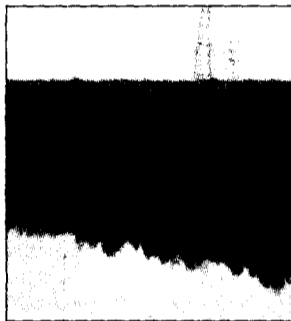
Khan, who has been actively involved in the issue, says, "We noticed that dumping of debris had begun in the area. Some of the residents, including my wife Sutapa Sikdar, confronted the workers involved. They told them that they had got the collector's clearance to begin work on the plot. When they were told that it was in violation of the HC order and also demanded the permission order, they showed a copy of the permission, dated 17-4-2006," Khan said. "The residents even approached the police for help in stopping the work, but nobody took us seriously. Instead, we were told that the devel-

oper had the permission and that the police could not stop the work," Khan added. "As far as we know, as per the HC order, the deputy commissioner of police of every zone has been given the power to stop any construction on any mangrove. But when we went to them, they were not even aware of it and refused to even listen to us."

The residents then confronted the collector for issuing the permission despite the HC order. Khan said that the collector first said that permission had not been granted, but later called the residents to say that the permission had been given without his knowledge.

TOI has a copy of the letter issued from the collector's office granting permission to the Dinshaw trust to begin dumping debris on the mangrove at Malad. The letter is dated 17-4-06.

However, when contacted by TOI, Zende denied giving any permission. He said it must be permission for something else. "Besides, we have stopped the dumping since Saturday and will not allow any kind of construction on mangroves," he added.



GREENS SEE RED: Activists are planning to move court against debris dumping on mangroves

16 MAY 2006

THE TIMES OF INDIA

Noisy scenes over rehabilitation of Sardar Sarovar dam oustees

Saifuddin Soz promises speedy relief for affected families

Special Correspondent

NEW DELHI: Long answers given by Union Water Resources Minister Saifuddin Soz during Question Hour on Tuesday on rehabilitation of affected people by the Sardar Sarovar dam across the Narmada prompted Rajya Sabha Chairman Bhairon Singh Shekhawat to ask him to be brief and to the point.

At one point, the Minister referred to hydel power as "hydraulic power" and his answer witnessed noisy scenes from Opposition Bharatiya Janata Party (BJP) benches for a few minutes. Mr. Soz was asked by the Chairman not to go into intricate details and refrain from wasting the time of the House.



Saifuddin Soz

The Minister was also at the receiving end from the CPI(M) member Brinda Karat who likened his

answers to "applying chillies on fresh wounds." Highlighting the plight of the affected people, she said that development could not go on at the cost of bulldozing the dwelling units of the poor and displaced. She said nearly 10,000 families in the Narmada valley were yet to be rehabilitated and the Group of Ministers' was dissatisfied at the rehabilitation efforts.

Mr. Soz promised speedy rehabilitation of families affected by the raising of the height of the Sardar Sarovar Dam across Narmada river in Gujarat.

Replying to supplementaries, he said the Narmada Control Authority had decided to accord permission to raise the height of the dam

from 110.64 metres to 121.92 metres after getting various clearances.

The House witnessed uproarious scenes over the issue with the BJP and ruling party members trading charges. Mr. Soz said as per the action taken report submitted by the Governments of Gujarat, Madhya Pradesh and Maharashtra, the Grievances Redressal Authority of these States had expressed satisfaction regarding rehabilitation of the affected families.

On the repair, renewal and restoration of water bodies announced by the Government, the Minister said 14 States had benefited from this and 10 new States had demanded assistance.

Handwritten notes: 2/11/06, 51-44, and some illegible scribbles.

Vulture-killing drug banned

TIMES NEWS NETWORK

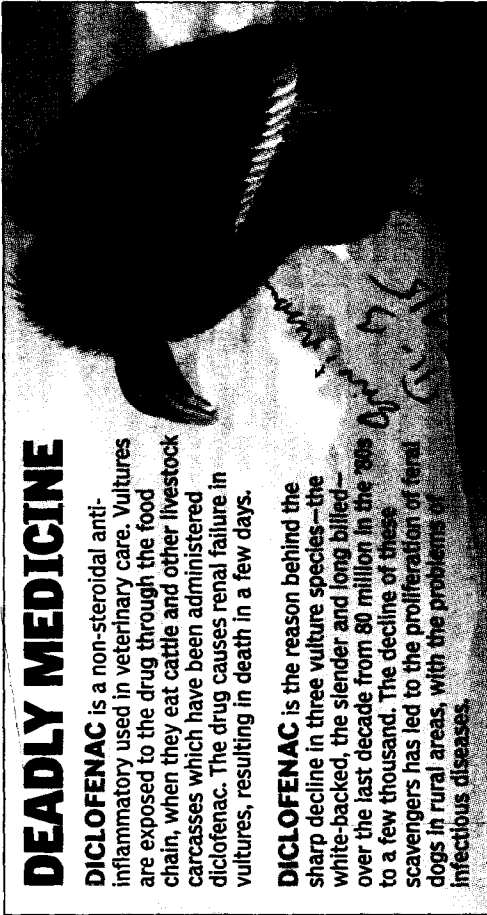
Mumbai: The drug that has led to the near-decimation of vultures in the sub-continent has finally been banned. On May 11, the Drug Controller General of India issued an order to all state drug controllers to withdraw licences to manufacturers of the drug 'diclofenac' for veterinary use, and ensure that its sale is phased out within a period of three months.

The drug controller's order comes more than a year after Prime Minister Manmohan Singh said that diclofenac should be banned, and after hectic campaigning in the past few months by wildlife activists. "This is an important step in our long struggle to save the vulture populations from extinction,"

diclofenac should be withdrawn too, he added.

The drug controller's order cites the concern over vulture declines and notes that "alternative safer and effective drugs" should be used for the treatment of animals. The department of animal husbandry and dairying under the ministry of agriculture has issued directions to state departments not to purchase diclofenac for veterinary use.

The ban on diclofenac is the first step in saving the vultures. The BNHS, along with the Royal Society for the Protection of Birds, has set up vulture breeding centres in Haryana and West Bengal to nurture a viable population back to life, but have said that the birds cannot be released into the wild if the environment is not diclofenac free.



DEADLY MEDICINE

DICLOFENAC is a non-steroidal anti-inflammatory used in veterinary care. Vultures are exposed to the drug through the food chain, when they eat cattle and other livestock carcasses which have been administered diclofenac. The drug causes renal failure in vultures, resulting in death in a few days.

DICLOFENAC is the reason behind the sharp decline in three vulture species—the white-backed, the slender and long billed—over the last decade from 80 million in the '80s to a few thousand. The decline of these scavengers has led to the proliferation of feral dogs in rural areas, with the problems of infectious diseases.

said Asad Rahmani, head of the Bombay Natural History Society (BNHS), which is spearheading the campaign to save the vultures. "It should not be like the ban on plastic bags, which was poorly implemented. The ban should also be widely advertised." Current stocks of di-

Cabinet clears draft National Environment Policy

HD-19 26/5
28/5

To guide the Government in bringing about regulatory reforms

Special Correspondent

NEW DELHI: The National Environment Policy (NEP) is intended to guide the Government in bringing about regulatory reforms, implementation of programmes and projects for environmental conservation, besides reviewing and enacting legislation.

The draft policy, cleared by the Cabinet after two years, has also been described as a statement of India's commitment to making a positive contribution to international efforts.

The dominant theme of the policy is to ensure that the livelihood of people dependent on forest products is secured from conservation than from degradation of the resources.

It focuses on conservation of critical environmental re-

- Focuses on conservation of critical resources

- Environmental protection to constitute integral part of development process

sources, livelihood security for the poor, integration of environmental concerns in economic and social development and judicious use of the resources.

To achieve sustainable development, environmental protection shall constitute an integral part of the development process and cannot be considered in isolation from it.

Review of assessment

Environmental Impact Assessment will continue to be the principal methodology for ap-

praisal and review of new projects. The assessment processes are being revised. Under the new arrangement, there will be significant devolution of powers to the State/Union Territory level.

It also seeks to revisit the Coastal Regulation Zone notifications to make the approach to coastal environmental regulation more holistic and, thereby, ensure protection to coastal ecological systems, waters and the vulnerability of some coastal areas to extreme natural events and potential sea level rise. Involvement of Panchayati Raj Institutions and urban local bodies has been highlighted in the draft NEP that will include capacity development initiatives. A large-scale exercise has been completed for providing inputs towards a national biodiversity strategy and action plan.

THE HINDU

THE HINDU

26 MAY 2006

Aamir refuses to apologise for statement on dam issue

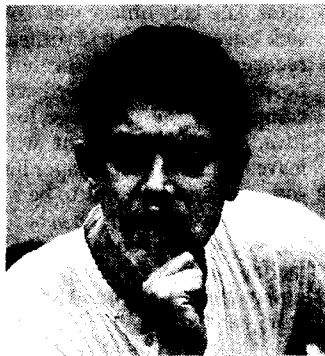
"I am just doing what an average Indian is expected to do"

MUMBAI: Actor Aamir Khan said on Thursday that he would not retract from his demand for rehabilitation of the people affected by the Sardar Sarovar dam. Pro-dam activists in Gujarat have demanded an apology from the actor to allow the release of his film *Fanaa* in the State on Friday.

At a press conference here, he said he had merely demanded what the Supreme Court had said on the issue. "Otherwise, let the Bharatiya Janata Party or other political parties [who are demanding his apology] even ask the Supreme Court to apologise," he said.

The film will not be screened in the BJP-ruled Gujarat, where theatre owners fear vandalism from the supporters of the dam.

"Tell me, why should I apologise? ... [By apologising] I will let down those who have lost homes and lands to the dam. ... I will not backtrack," Mr. Khan said and urged the people of Gujarat to support him on the rehabilitation issue. "I want to tell the people of Gujarat that I have lots of love for them. ... In fact, the people should join me in taking up the cause of the displaced people." Asserting that he was not against the construction of the dam and wanted the people of Gujarat, Madhya Pradesh and Maharashtra to have plenty of water, at the same time he was also concerned over the people affected by the project.



Aamir Khan talking to mediapersons in Mumbai on Thursday. - PHOTO: PTI

The actor said he would continue to voice his views even if it harmed his career and business interests. "I am up against a big organisation. ... I may get crushed eventually ... but I will not back off."

The Bollywood star, whose recent film *Rang de Basanti* also ran into controversy, however,

denied that he was being targeted just because he was Muslim. By taking up the rehabilitation issue, he was doing what an average Indian was expected to do. "Am I wrong to take up the poor man's issue? No Indian will think of letting fellow brethren to lose home, land, and bread and butter."

Without naming the BJP, Mr. Khan said the atmosphere in Gujarat, which led to film distributors deciding not to release "Fanaa," sent out a message that "this" political party did not believe in democracy, and did not want to help poor farmers and rehabilitate them.

Meanwhile, the Film and TV Producers Guild flayed the "extra constitutional" forces disrupting the exhibition of films. - PTI

Gandhi, Mumbai
20-19
26/5

26 MAY 2006

Indonesia Rocked, 2900 Dead

THOUSANDS HURT AS QUAKE MEASURING 6.2 WREAKS HAVOC AROUND JAVA



(Clockwise from left) An injured boy waits with his father outside a hospital in the ancient royal and tourist centre of Yogyakarta where over 250 died in the tremor; Residents try to remove the rubble on top of their car in the central Java city; A baby who survived the mighty temblor perhaps wondering where's the place she once called her home

Yogyakarta: A powerful earthquake flattened buildings and homes in the densely-populated Indonesian island of Java early Saturday morning, killing over 2900 people and injuring thousands more in the country's worst disaster since the 2004 tsunami.

Most people were asleep when the magnitude 6.2 quake struck near the ancient city of Yogyakarta at 5.54 am, causing death and damage in many nearby towns. Nine hours after

the quake struck, the number of dead stood at 2914, said Dirévan, an official in the social affairs ministry's task force office. According to him, two-thirds of the fatalities occurred in the devastated district of Bantul.

Activity picked up close to Mount Merapi, one of the world's most active volcanoes, and a geologist warned that the temblor could still spark a large eruption. In hardest hit Bantul district, rescuers tried to pull

bodies from the rubble as residents started digging mass graves, rows of corpses awaiting burial beneath the blazing sun. "The numbers just keep rising," said Arifin Muhadi of the Indonesian Red Cross, adding that nearly 2,900 people were hurt.

The roofs of homes caved in, and hotels and government buildings collapsed. Roads and bridges were destroyed, hindering efforts to shift the wounded to hospitals. In some

areas, phone lines also were cut.

President Susilo Bambang Yudhoyono has ordered the army to help evacuate the victims even as panicked residents ran into the smouldering streets, many clutching young children. He said he would head for the disaster zone in central Java province in the day. According to officials, about 370 houses were destroyed in one district alone.

Meanwhile, doctors were seen to be struggling to treat the

injured, hundreds of whom were lying on plastic sheets, straw mats and even newspapers outside overcrowded hospitals, some hooked to intravenous drips dangling from trees.

"We need help here," said Kusmarwanto of Bantul Muhammadiyah Hospital, the closest hospital to the quake's epicentre. Kusmarwanto claimed that his hospital alone had 39 bodies. AGENCIES

Ring of fire, P 11

I'm not against Gujarat or dam: Aamir

New Delhi: Bollywood star Aamir Khan, whose film *Fanaa* has been stalled out in Gujarat due to protests by BJP activists over his alleged comments on the Narmada dam and the BJP government's handling of the Vadodara riots, has said he is neither against the Sardar Sarovar dam project nor the state.

"The BJP is saying I'm against the dam and against Gujarat, but I'm not against the dam. What I'm saying is that the people who have been affected by the dam should be rehabilitated," Aamir said in an interview to a TV channel. Rubbishing the BJP's charges of being anti-Gujarat, the actor said, "I have nothing against the state of Gujarat. I have only love in my heart for the people of Gujarat and I would like to ask them what is wrong if I speak in favour of the people of Gujarat who were affected by the Narmada project and about their rehabilitation? Given a second chance I would say the same thing again. There is no need to target me because this is a democracy and in a democracy every person has the right to say what he feels."

Refusing to comment on Gujarat chief minister Narendra Modi's role in the protests that led to distributors refusing to screen *Fanaa*, he said, "The BJP which is upset with me at this point of time is an extremely powerful entity and I'm completely aware of that. But the kind of person I am, I would like to do what I believe in and in the process if I get harmed then so be it. I can't change what I feel. I can't change how I am. I will write to the film association and I am sure they are aware of what is happening and certainly in the coming days I would see what action they are taking."

Undeterred by the claims, the BJP on Saturday accused actor him of defaming the organisation and demanded he apologise for his comments on the party. BJP cultural cell co-convenor Gajendra Chauhan and party spokesman Prakash Javadekar, however, denied the party had called for a boycott of *Fanaa*.

And amidst the protests in Gujarat against *Fanaa*, Union I&B minister Priyaranjan Dasgupta asked the Gujarat government to refrain from mixing politics with cinema, saying freedom of speech and expression was guaranteed by the constitution. "I can only say that it will be an injustice to art and (we should) let the people decide on the film," Dasgupta said. AGENCIES

NO BUDGING



I would like to do what I believe in and in the process if I get harmed then so be it. I can't change what I feel or how I am

Gujarat ban on Aamir's *Fanaa* unlawful: NBA

Gargi Parsai

Intimidatory tactics are used by Gujarat politicians out of timidity and intolerance because they realise the civil society's strength and support to the Narmada Bachao Andolan, especially of eminent persons.

The NBA appreciated Aamir Khan's committed position of "no displacement without rehabilitation" as non-negotiable and his readiness to bear the brunt.

It also expressed the hope that not only Bollywood artists but also common people would support Aamir Khan and the democratic values. These kind of

ganda against the stand taken by Aamir Khan on the Narmada struggle and the Vadodara riots, the NBA said, "Whether in the name of religion or development, intolerance is unacceptable."

"Aamir Khan is one of concerned and sensitive creative artists who has shown a social commitment beyond commercial interests. We are proud of him just as we are of Arundhati Roy, Vijay Tendulkar, Shabana Azmi, Sadashiv Amraapurkar, Shriram Lagoo, Rahul Bose and others who carry the pro-people



placed people in the Narmada valley.

Assailing the intolerance and violence reflected in the "fanatical and fundamentalist" propa-

sensitivity across the country and have supported the struggle of the displaced families."

Reiterating its commitment to "just and equitable development," the NBA said it had experienced intolerance in Gujarat on several occasions be it through the attack on a water conference in Ahmedabad, the attack on eminent danseuse Mallika Sarabhai, the attack on Medha Patkar during a post-Godhra riot meeting in Sabar-mati Ashram and three destructive attacks on the NBA office in Vadodara.

30 MAY 2006

THE HINDU

Smiling
10-12

Once again, in Indonesia

hops

“All things have second birth; The earthquake is not satisfied at once,” wrote William Wordsworth in *The Prelude*. Nobody understands this better than the people of Indonesia, the world’s largest archipelago. Located on the ‘Ring of Fire’ — an arc of volcanoes and fault lines that encircles the Pacific basin — temblors are born here with catastrophic frequency. The magnitude 6.3 earthquake in the heart of densely populated Java, which has killed more than 5000 people and injured thousands of others, is the country’s worst disaster since the 2004 tsunami. As in any natural disaster of this scale, the first priorities are to bury the dead, treat the injured, and provide shelter to the homeless. UNICEF has estimated that the heaving earth could have displaced up to 200,000 people from their homes, a crisis made worse by torrential rain. A calamity of this magnitude must evoke a global response that delivers relief swiftly and rehabilitation effectively. Despite pledges for millions of dollars, emergency aid has seemed slow in coming. As Indonesia struggles to cope with the enormity of the human calamity, there are worries that the worst may not be over. Activity at Mount Merapi volcano, which has been spewing smoke and lava for weeks, has increased sharply after the earthquake, raising fears of a major eruption.

Earthquakes and active volcanoes are common in Indonesia, which is located in one of the most seismically active regions in the world — a place where a number of tectonic plates jostle with one another. The monster earthquake that triggered the tsunami of December 2004 occurred off the coast of Sumatra in northern Indonesia. Since then, there have been more than a dozen earthquakes exceeding magnitude 6 in and around the archipelago. The most recent one appears to have occurred at the fault where the tectonic plate bearing Australia slips under the tectonic plate carrying Eurasia. It is a sad fact that despite tremendous technological advances in the field of seismology, earthquake prediction has proved elusive. As earthquake-prone Japan has demonstrated, the key in such a situation is preparedness. This means constructing buildings that incorporate earthquake resistant features (in terms of material used and design) and ensuring that important infrastructure projects such as power plants and bridges can withstand the strongest temblors. The havoc wrought in Java — where bridges have been destroyed and thousands of homes reduced to rubble — suggests that this is a lesson Indonesia must take to heart. So for that matter must India. It was only seven months ago that a powerful earthquake devastated parts of Kashmir. Experts believe the ‘strain’ accumulated by plate movements along some sections of the Himalayas could result in a great earthquake in this region. Humankind obviously cannot prevent this from happening; but it can — and must — act in advance to mitigate the impact.

THE HINDU

30 MAY 2006

NBA: suspend construction

Disputes States' contention on relief

J. Venkatesan

NEW DELHI: The project-affected families have pleaded before the Supreme Court to order suspension of the construction work on raising the height of the Sardar Sarovar dam from 110.64 metres to 121.92 metres as recommended by the Narmada Control Authority (NCA).

In a rejoinder, the applicants whose cause is being espoused by the Narmada Bachao Andolan, strongly refuted the contention of Madhya Pradesh, Gujarat and Maharashtra on the relief and rehabilitation (R and R) provided to them. They said that the decision of the NCA at its meeting on March 8 recommending the raising of the height of the dam was in violation of the orders passed by the apex court from time to time.

The applicants took exception to the repeated references made to the NBA in the affidavits filed by the three States and said such a reference was objectionable. Any attempt made in this manner could not dilute the responsibility of the States to comply with R and R within the time frame in letter and spirit as per the Narmada award and the judgments of the apex court. The Madhya Pradesh government should focus on the rehabilitation of oustees rather than to distract from the issue at hand.

They said that resettlement and rehabilitation were not a

• Sends rejoinder to Supreme Court

• Takes exception to references to NBA in affidavits

mere game of numbers, it had a live content, dealing with people, families and children uprooted and had to be actually rehabilitated at least with minimum facilities. The action of the State in offering uncultivable land or cash compensation had to be viewed as merely a cover to facilitate increase in the dam height. The claim of MP that it had fulfilled the R and R was not correct as such rehabilitation had been done in clear violation of the award and the apex court judgments.

On the stand of Gujarat that raising the dam height would result in development, they said that oustees whose lands and houses were taken had suffered in this process and any development at their cost could not be said to be development in the true sense. They pointed out that Gujarat had planned to provide drinking water to all the villages by 2002; however, it had not been able to achieve this till date because Gujarat had been unable to put the required delivery system in place and not because of lack of availability of water from the Sardar Sarovar project.

30 APR 2006

THE HINDU

Ministry report nails claims on rehabilitation

36,921 families would be affected

29/4

Gargi Parsai

Swim
to

NEW DELHI: A Sardar Sarovar Project Status Report by the Union Water Resources Ministry submitted to the Prime Minister's Office on March 22, 2006 — after Narmada Bachao Andolan activists went on an indefinite dharna here — nails the claims of the States concerned on the rehabilitation of dam displaced families.

The report reveals that 36,921 families would be affected in 226 villages by the raised height of the Narmada dam in Gujarat, Madhya Pradesh and Maharashtra. Even at the existing height of 110.62 metres, 27,934 families were affected in 186 villages in the three States. *The Hindu* has obtained the report exclusively.

The strange thing is that even when the Centre was armed with this crucial, authentic information, it sought to put the burden of proving the numbers of displaced families on the Narmada Bachao Andolan. The NBA had protested raising the height of the Narmada dam as they said that about 35,000 displaced families between the heights of 110.62 mts. and 121.92 mts. remained to be rehabilitated.

The official-level Narmada Control Authority permitted the Gujarat Government to raise the dam's height from 110.62 mts. and 121.92 mts. on March 8, based on the rehabilitation reports submitted by the States concerned.

The Status Report reveals that of the 27,934 families affected at 110.62 mts., 3,578 were in Gujarat, 2,663 in Maharashtra and 21,693 in Madhya Pradesh. At the next height of 121.92 metres, 4,726 families in Gujarat, 3,453

• Centre sought to put the burden of proving the numbers on the NBA

• Gujarat has spent only Rs. 10,918 crore till December 2005 on rehabilitation

in Maharashtra and 28,742 in Madhya Pradesh were affected.

It clearly shows that 13,233 families remained to be resettled in Madhya Pradesh at 110.62 mts and 11,638 families at the proposed 121.92 mts. However, in its application filed in the Supreme Court on April 17, the Centre claimed that all the affected families till 121.92 mts. had been resettled in the three States.

The Narmada tribunal award and the Supreme Court orders have held that families facing submergence should be rehabilitated at least six months ahead of raising the dam height i.e. by December 31, 2005.

The report says of the Rs. 20,546 crore spent on the project by December 2005, the Centre had provided Rs. 4,302.75 crore to Gujarat under the Accelerated Irrigation Benefit Programme including Rs. 226.50 crore as grant. Other project beneficiary States including Madhya Pradesh, Maharashtra and Rajasthan together contributed Rs. 5,240 crore. In effect, therefore, Gujarat has spent only Rs. 10,918 crore till December, 2005.

The NBA has demanded suspension dam construction till the rehabilitation of the displaced families was completed as per the law and not by cash compensation.

Getting serious on rehabilitation

The Prime Minister's decision to constitute a three-member Sardar Sarovar Project Relief and Rehabilitation Oversight Group follows the Supreme Court's authorisation to him to act in the matter. The Oversight Group, consisting of V.K. Shunglu, retired Comptroller and Auditor General of India, G.K. Chadha, former Vice-Chancellor of the Jawaharlal Nehru University, and Jayaprakash Narayan, convenor of Loksatta, has been given a fairly ambitious target to meet within three months. It is supposed to ascertain how many families will be affected by the raised height of the dam on the basis of reports prepared by the Madhya Pradesh Government and estimate through sample checks whether project affected families have received the full rehabilitation and resettlement (R&R) package, whether alternative land has been given to eligible oustees in "a fair and transparent manner," and whether those oustees not wanting the land have willingly accepted the M.P. Government's Special Rehabilitation Package. It has also been asked to determine by when all the rehabilitation, resettlement, and civic amenities will be in place, and to recommend a system so that those affected "by the increase of the height of the dam to 121.92 metres receive, within the next three months, the benefit of the Relief and Rehabilitation package..." The last point of reference suggests that the Government views raising the dam height as a *fait accompli*. It seems to be taking the position that even if R&R is not satisfactory, work on the dam will not be stopped.

In the long and troubled history of the construction of the Sardar Sarovar dam, the problem has never been the absence of data and assessments; rather it has been their credibility. While the Narmada Bachao Andolan has one set of figures, the Madhya Pradesh Government has another. Even if neither is entirely accurate, the numbers of people to be affected by submergence have been consistently underestimated at every stage by all the three States concerned — Gujarat, Maharashtra and Madhya Pradesh, and particularly the last. At this late stage, when the work on the dam continues and submergence is inevitable in the next three months, revisiting the question of numbers yet again is pointless especially because the problems of resettling thousands of families are already evident. Furthermore, by giving the Group the task of addressing the problems only in Madhya Pradesh, the Centre is letting Maharashtra off the hook. A government-commissioned report has shown that as many as 1,174 project-affected families in Maharashtra are to be resettled and this number could increase as the Grievance Redressal Authority has several thousand appeals pending before it. This report has also stated that the Maharashtra Government is ill prepared to deal with submergence at the raised height of the dam. The only reasonable course would be to stop work, address the already-known problems of rehabilitation seriously, and then resume construction.

The Legacy of Chernobyl

WHAT actually happened at Chernobyl? Chernobyl is in the Ukraine, close to the border with Belarus, and is the site of the world's worst nuclear accident. The very name is synonymous with radioactive fallout, nuclear contamination and long-term damage to human health and the environment.

The disaster occurred in the early hours of 26 April 1986 at Chernobyl's reactor number four. Prior to a routine shutdown, the reactor crew prepared for a test to determine how long turbines would spin and supply power, following a loss of the main electrical power supply.

Operators deliberately disabled a safety mechanism designed to shut down the reactor automatically - a measure that contributed to the subsequent disaster. As the flow of coolant water fell, the power output increased. When the crew tried to shut down the reactor in its increasingly unstable condition, there was a dramatic power surge which caused the fuel elements to rupture.

A steam explosion lifted off the cover plate of the reactor, releasing radioactive material into the atmosphere - there was no strengthened containment shell built around the reactor as is the case with nuclear power stations in the West.

A second explosion blew out fragments of burning fuel and graphite from the reactor's core. A subsequent inrush of air caused the reactor's hot graphite core to burst into flames. Fire-fighters could not put it out for nine days. During this time, huge quantities of radioactive material were released, amounting to somewhere between 20 and 400 times the fallout from the Hiroshima nuclear bomb.

How many people died? This is the biggest and most contentious question. The radioactive plume spread across most of Europe - the world outside the former Soviet Union first heard of the disaster a couple of days later when a nuclear

It's been two ²⁰ decades since the world's worst nuclear accident took place.

STEVE CONNOR takes stock of the situation

power station in Sweden raised the alarm as a radioactive plume passed overhead.

Three people died immediately as a result of the explosion and a further 20 died within a few weeks of the disaster after receiving very high doses of radiation. These were all Chernobyl staff and emergency personnel fighting the fire. Nineteen more workers died between 1987 and 2004 from various causes thought to be related to acute radiation poisoning.

What is less clear is how many people beyond the facility died as a result of the fallout. Studies have clearly documented a rise in thyroid cancers, particularly among the young, who are particularly vulnerable. Radioactive iodine in contaminated milk is concentrated by the thyroid gland which can develop cancer as a result.

To date, more than 4,000 cases of thyroid cancer in Belarus, Ukraine and parts of Russia are directly attributable to the release of radioactive iodine from Chernobyl. Thyroid cancer is easily treated, but it can be lethal, and 15 people have so far died of the disease in the area affected by Chernobyl.

A study by the Chernobyl Forum, a group of about 100 scientists drawn together by the United

Nations, estimates that up to 4,000 people may ultimately die from the Chernobyl fallout. But the group says there may be an additional 5,000 radiation-related deaths in the heavily contaminated regions.

Another study by Elizabeth Cardis of the International Agency for Research on Cancer in Lyon estimates that there may be as many as 16,000 radiation-related deaths in the whole of Europe due to the Chernobyl fallout.

But isn't this far fewer than we were led to believe? Quite. Some environmentalists have played up the scale of the disaster, saying that hundreds of thousands of people are dying or will die as a result. Some early predictions were based on all deaths in the affected region, whether or not they could have been caused by radiation.

One problem is trying to assess the health dangers of very low levels of radiation - the sort of level that people can be exposed to from natural sources. The other is trying to disentangle the rise in health problems associated with the collapse of the Soviet Union, as well as the enforced evacuation of people from the "exclusion zone." The psychological impact of Chernobyl, and its corresponding effect on the physical health of those directly affected, have probably contributed to the general malaise of the families in the area.

Did Ronald Reagan say that Chernobyl was predicted in the Bible? It is alleged he did, because the Ukrainian word "chornobyl" is the name of a plant that is a close botanical cousin of wormwood, which is a biblical symbol for sorrow and calamity. Wormwood is also a sign of the Apocalypse in the Book of Revelations. The Soviet authorities tried to debunk the story soon after it cropped up but it would have had better success by pointing out that the chornobyl plant is *Artemisia vulgaris*, whereas wormwood proper is *Artemisia absinthium*.

Does anything live within the exclusion zone? Yes, wildlife has flourished within the 30-kilometre zone where residents were evacuated in 1986. In simple terms, this is because human activities such as farming are more damaging to wildlife than radioactive fallout.

The American-Ukrainian author Mary Mycio, whose book *Wormwood Forest* documents the return of wildlife to Chernobyl, said that she was shocked to discover on her first visit to the zone that it was teeming with rare animals and plants, including eagles, moose, deer, wild boar and 250 species of birds. Ms Mycio said: "I've seen wolves in broad daylight and once even heard the bark of an endangered lynx, a species which disappeared from the area long before the disaster."

So what is the legacy of Chernobyl? It is still the world's worst nuclear disaster. Tens of thousands of lives have been blighted by the events on 26 April 1986, and many thousands more will continue to suffer or die as a result of the long-term effects of radioactive contamination. Others have been affected by the "paralysing fatalism" of living near the world's most notorious nuclear accident.

Chernobyl marked a moment when the public were made to realise the inherent dangers of generating electricity from nuclear fission. Many countries stopped building new nuclear reactors as a result of the accident.

Some areas of Europe, such as hilltop sheep farms of North Wales, are still feeling the effects of radioactive contamination 20 years after it fell from the sky.

Chernobyl's reactor number four may have suffered uniquely from a flawed design, poor personnel training and bad crisis management, but it still represents a stark warning about the inherent dangers of generating power using nuclear energy.

■The Independent

27 APR 2006

THE STATESMAN

Chernobyl disaster haunts thousands, 20 years later

Diseases in contaminated regions will peak in another five years

Vladimir Radyuhin

MOSCOW: When Marina Khutonos (14) was offered to undergo medical tests in Moscow to check for symptoms of Chernobyl-related diseases, her mother readily agreed.

The trip from Bryansk, 380 km south-west from Moscow, and all other expenses were paid for by the NTV television station, whose team picked the girl at random for a film they were shooting to mark the 20th anniversary of the Chernobyl nuclear disaster.

The Chernobyl reactor explosion on April 26, 1986 spewed radiation across northern Ukraine, western Russia, Belarus and northern Europe.

The Bryansk Region on the border with Ukraine was the worst contaminated territory in Russia, and authorities declared dozens of towns and villages in the region, including the one where Marina was born six years after Chernobyl and where she still lives with her mother today,

not fit for habitation.

However only a handful of villages have been actually evacuated for lack of funds.

Initial tests in Moscow confirmed the diagnosis Marina had been given back in Bryansk: the girl had excessive levels of strontium and cesium, but was not suffering from thyroid problem or any other specific ailments linked to radiation.

Further tests

However, further tests showed Marina had a life-threatening heart condition. Surgeons who operated Marina at Russia's premium Bakulev clinic said they could not say for sure whether Marina's heart problem was directly related to high radiation levels, but suggested the girl should move to live in a safer region.

Medical specialists predict that radiation-caused diseases in contaminated regions will peak in another five years.

Russia's chief sanitary inspector Gennady Onishchenko, ex-

pects the number of thyroid cancer cases in the Bryansk region will double by 2010.

The incidence of cancer in the region is already 10 to 15 per cent higher than the national average. Dr. Onishchenko told a news conference in Moscow that almost 1.5 million persons still live in the 4,343 small towns and villages in Russia polluted by Chernobyl.

Russian veterinary sources said more than 50 per cent of food products in the Bryansk Region are contaminated.

Residents also widely consume mushrooms, berries, and game from the heavily irradiated forests. After Marina spent a month in Moscow her levels of radiation fell by half thanks to radiation-clean food. Doctors said the girl would get rid of all traces of radiation if she could stay on such a diet at least for two months every year.

Marina's mother can neither afford to buy clean food, nor does she have the means to resettle from her polluted village.

Cleaning up after Chernobyl

Guardian
10-11
27/29

A report on the clean-up, the false medical records, the communities that refused to leave and the continuing cost to people and the planet.

John Vidal

ON APRIL 26, 1986, Konstantin Tatuyan, a Ukrainian radio engineer, was horrified when Reactor No 4 in the Chernobyl nuclear power complex exploded, caught fire, and for the next 10 days spewed the equivalent of 400 Hiroshima bombs' worth of radioactivity across 388,000 sq km of Europe and beyond. He was just married, and he and his young family lived in the town of Chernobyl, just a few miles from the reactor.

Like 120,000 people, the family was evacuated, but Mr. Tatuyan volunteered to become a "liquidator," to help with the clean-up, believing that his knowledge of radiation could save not just him but many of the 200,000 young soldiers and others who were rushed in from all over the Soviet Union. "We felt we had to do it," he says. "Who else, if not us, would do it?"

Mr. Tatuyan spent the next seven years in charge of 5,000 mostly young army reservists — drafted in from Azerbaijan, Lithuania, Chechnya, Kazakhstan, and elsewhere in what was the Soviet Union — working 22 days on, eight days off, digging great holes, demolishing villages, dumping high-level waste, monitoring hot spots, testing the water, cleaning railway lines and roads, decontaminating ground and travelling throughout some of the most radioactive regions of Ukraine, Belarus, and southern Russia.

He survived the worst environment disaster in history, he says, because he knew the danger and could monitor the radioactivity that varied from yard to yard and from village to village depending on where the plume descended to ground level, and on where the deadly bits of graphite from the core of the reactor were carried by the wind. He took precautions.

What he saw in those years, he says, appalled him: young men dying for want of the simplest information about exposure to radiation; the wide-scale falsification of medical histories by the Soviet army and the disappearance of people's records so the state would not have to compensate them; the wholesale looting of evacuated houses and abandoned churches; the haste and carelessness with which the concrete "sarcophagus" was erected over the stricken reactor; and, above all, the horror of seeing land almost twice the size of Britain contaminated, with thousands of villages made uninhabitable.

It was sometimes surreal, he says. He had people beg him to leave their homes or villages contaminated because that would guarantee them a pension; he recalls how several carriages of radioactive animal carcasses travelled for five years around the Soviet Union being rejected by every state, returning to Chernobyl to be buried — train and all. He helped fill a 10 sq km dump with radioactive lorries, cement mixers, trains and helicopters. He knows where the Chernobyl bodies are buried, he says, because he was the gravedigger. "We made up the response as we went along," he says. "It was hell."

Mr. Tatuyan has now retired, an invalid. He says he surely saved many

lives and made great parts of the Ukraine semi-habitable, but the price is a heart condition, an enlarged thyroid, diabetes, pains in the right side of his body, breathing difficulties and headaches. But he is optimistic and, like several million people across Ukraine, Belarus, and southern Russia, says he now looks at his life in terms of the time before and after Chernobyl. Most of his team of liquidators are dead; the rest, like him, are ill.

Mr. Tatuyan is now 56, and his children and country are proud of him. For him, the effect of the radiation on the environment was shocking.

More than 500 km from Chernobyl, the peasant farmers of the village of Boudimca, one of the most affected in Ukraine, refuse to leave, despite the fact that many of their children are suffering from acute radiation diseases. Every child in Boudimca has a thyroid problem — known as the "Chernobyl necklace." The villagers are attached to the land. "We would prefer to die in our own land rather than go somewhere else and not survive," says Valentina Molchanovich, one of whose daughters is in hospital in Vilne with radiation sickness. "We understand the paradox, but we prefer to stay."

Though they live simple lives — each family has a cow, ducks, and a few chickens — they suffer all the ailments of stressed out western executives: high blood pressure, headaches, diabetes and respiratory problems. They know that the berries and the mushrooms they have always lived on are contaminated. "We are just so used to living here," says Ms. Molchanovich. "My parents lived here. We build our houses together. We are a very tight community."

Situation worsening

"Everyone who helped on the clean up is now ill," says Tatiana, a senior doctor at the Dispensary for Radiological Protection at Rivne. "The situation is worsening. In 1985, we had four lymph cancers a year. Now we have seven times that many. We have between five and eight people a year with rare bone cancers, when we never had any. We expect more cancers, and ill health. One in three pregnancies here are malformed. We are overwhelmed."

A doctor in the local region's children's hospital says: "The children born to the people who cleaned up Chernobyl are dying very young. We are finding Caesium and Strontium in breast milk and the placenta. More children now have leukaemias, and there has been a quadrupling of spina bifida cases. There are more clusters of cancers. Children are being born with stunted growth and dwarf torsos, without thighs. I would expect more of this over the years."

Mr. Tatuyan is now an environmentalist, convinced that nuclear power is no answer. "I go to the forest with friends to care for the deer," he says. On Wednesday night, he and the other liquidators will meet and celebrate the 20 years. "When we meet we make the same toast. We say: 'Let's meet again alive.'" — ©Guardian Newspapers Limited 2006

Inter-linking of rivers only through consensus, says Soz

Swimmer
49-13
2/19

"Precious resource like water has to be shared by everyone"

Special Correspondent

NEW DELHI: Union Water Resources Minister Saifuddin Soz has stressed the need for a broad understanding and consensus for tackling water related problems including the inter-linking of rivers.

During the 22nd annual general meeting of the National Water Development Agency (NWDA), Mr. Soz told irrigation representatives from various States that the country was "one" and the precious natural resource like water had to be shared for the benefit of everyone.

He recalled the signing of the historic tripartite Memorandum of Understanding between the Water Resources Ministry, the States of Uttar Pradesh and Madhya Pradesh in the presence of the Prime Minister last August for preparation of a Detailed Project Report. The NWDA is involved in making feasibility reports on the 30 proposed links under the inter-linking of rivers programme.

Underscoring the need for arriving at a similar understanding between various States for prioritising river links, Mr Soz said the country had to move from "divergence" to "conver-



Union Minister for Water Resources Saifuddin Soz at the General Meeting of National Water Development Agency Society in New Delhi on Tuesday. - PHOTO: ANU PUSHKARNA

gence" for achieving results. Fourteen links of peninsular component had been placed on the official website of the NWDA and efforts would be made to place these reports in regional languages soon. The Minister also em-

phasised the need to involve NGOs in spreading the message for water conservation.

For this a massive campaign would be launched and village elders would be involved.

Manmohan sets up panel on dam

Three-member committee to look into rehabilitation of displaced people

BERLIN: Prime Minister Manmohan Singh has set up a three-member committee headed by the former Comptroller and Auditor General of India, V.K. Shunglu, to go into the relief and rehabilitation of the people affected by the Sardar Sarovar Project.

The committee, comprising J.P. Narain, convener of the NGO, Lok Satta, and G.K. Chadha, former vice-chancellor of Jawaharlal Nehru University, as members, would have a tenure of three months from the date it takes charge, Dr. Singh's media adviser Sanjaya Baru said.

The committee has been

asked to conduct sample surveys to ascertain the status of rehabilitation and gather facts such as the total number of families affected by the submergence.

It would also go into the issue of the total number of families who have not received relief and rehabilitation as per norms, verify whether alternative land was offered to the oustees, and whether it was true that those who did not take land did so voluntarily.

The committee has been asked to recommend a system to ensure that all families who would be affected by the submergence when the dam height

is raised to 121.92 metres receive relief within three months according to the norms laid down by the Narmada award, the Supreme Court and the Grievances Redressal Authority set up by the Madhya Pradesh Government.

Recently, Narmada Bachao Andolan leader Medha Patkar went on a 20-day fast demanding rehabilitation of the affected people. — PTI

Treaty on legal assistance

UNI reports from Hannover:

Pledging to continue close cooperation in the fight against terrorism, India and Germany

have decided to start negotiations on a treaty on mutual legal assistance in criminal matters and called for comprehensive reform of the United Nations Security Council.

In a joint statement, the countries said they would continue cooperating to pursue an agreement in the U.N. on the comprehensive convention against international terrorism.

"Both sides agree to continue close cooperation in the fight against terrorism, both through regular bilateral consultations and cooperation in the multilateral context," the statement said.

Aggravating the delay

At a time when the four riparian States were expecting the Cauvery Water Disputes Tribunal to complete the work and give the final award, the proceedings have taken an unfortunate turn. At the instance of two of its members, the Tribunal, by a 2:1 decision, requested the Government of India to set up an experts' committee to study and provide information on crop patterns and water requirements of the States. It was significant that the chairman's was the dissenting note. After 16 long years, if the Tribunal did not have the relevant information or could not assess the requirements, it is a sad reflection on the proceedings and casts doubts on the willingness and the capacity of the Tribunal to deliver any verdict at all. If it was unable to discharge the onerous task entrusted to it, the Tribunal or its members could have certainly said so much earlier, instead of waiting till the very end. Whatever their views on the Tribunal, all the States have criticised this decision to call for another committee. It has raised serious questions about the internal equations in the Tribunal as also its effective and credible functioning. The question also arises as to what happens if the final award turns out to be a divided verdict of its three members, who seem to be adopting divergent approaches. The internal divisions had come to the fore even in 2004, when the chairman ruled that a visit at that juncture to the riparian States by the other two members was unnecessary, even a waste of money.

In its 16 years of existence, the Tribunal has had over 570 days of hearings and has compiled documents, submissions, and statements from all States and individuals, including experts, who appeared before it. Is it possible that the details that two of the members are now seeking are not available in these documents? The Tribunal chairman, N.P. Singh, has raised this issue in his dissent. The ways of the Tribunal are not only a matter of concern to the riparian States but also tend to undermine what little faith States and farmers have in this institution. In the absence of a proper implementing mechanism, there are always serious questions about how the awards of a Tribunal can be implemented. The non-implementation of the interim award of the Cauvery Tribunal, which was announced way back in 1991, has itself caused much concern and eroded the credibility of the entire exercise. If a final award is delayed further and, on top of it, there is no guarantee that it will be implemented, the States will lose faith in tribunals. As it is, the disputant States look to the rains for a way out, and the dispute is hostage to the vagaries of the monsoon. The Tamil Nadu Government has already decided to move the Supreme Court to get the Tribunal to withdraw these orders and come out with its final award soon. The Tribunal's latest decision is indeed unfortunate and correction brooks no delay.

25 APR 2006

THE HINDU

Traffic Blights

Indian cities getting choked
with vehicular pollution

CHOKING, smarting, coughing Delhiites had resigned themselves to the deathly burden of foul air as an expected cost of development and mobility. It was only when the Delhi-based Centre for Science and Environment (CSE) started a people's movement against dirty transport that the courts and the government got galvanised into instituting strict regulation to ensure vehicular emissions control. With Euro-II emissions standards for cars and the conversion of buses and auto rickshaws from diesel to compressed natural gas (CNG), an asphyxiated Delhi began to breathe freely once again, becoming a role model city. However, one swallow does not make a summer. A CSE study on the quality of air in our cities released recently reveals that the current mobility paradigm that hard sells cars as a "lifestyle of wealth and freedom" is proving to be expensive for the environment and public health in upcoming small towns of India. In fact, even Delhi's air quality seems to have deteriorated in recent weeks as revealed by the pollution-watch graph that is telecast daily.

Aspiring small-town India and the big metros are faced with increasing numbers of personal cars on the roads. In fact, if the Supreme Court had not intervened to introduce cleaner fuels and emissions technology in Delhi, the city's air pollution load would have been 38 times more than what it is today. Not surprising, since Delhi has 17 per cent of cars in India — "more than the total number of cars in Maharashtra, Tamil Nadu, Gujarat and West Bengal" individually. Worse, diesel-run cars are gaining in popularity as a way to cut running costs. Expanding towns should "leapfrog" to clean vehicle technology and fuels — this is now both feasible and affordable — instead of going the way today's cities did earlier for lack of awareness and choice. It is not enough to enforce newer emissions standards in new vehicles; retrofitting of old vehicles should be done to bring them on par with the latest. Hiking the price of diesel is one way to discourage diesel-run personal vehicles — the monetary cost would be negligible when compared to health costs, otherwise. To make mobility more affordable, and to ease traffic congestion and pollution, car pools should be encouraged. An adequate and green bus service system is a must for every growing town or city.

24 APR 2006

THE TIMES OF INDIA

Panic among ecologists as 274 water bodies go dry

'Situation is worst in parts of South-West and North-West Delhi'

Bindu Shajan Perappadan

NEW DELHI: Caught between acute shortage of water and plummeting groundwater levels, this latest report on the status of water bodies in the Capital does not read well for its citizens. Of the listed 611 water bodies in Delhi, 337 are wet while a whopping 274 have been declared dry.

What is worse is that of the 274 that have gone dry, the Capital has lost 190 water bodies forever as they cannot be revived. To be sure, so bad is the condition that even in the forest areas two of the five water bodies cannot be revived.

These figures have caused

panic among environmentalists because surface water bodies are essential to maintain groundwater levels. They also play a pivotal role in contributing to maintaining sound environmental and climatic conditions of the region. Tampering with this system also means breaking a chain of existing water systems in the area.

"Water bodies are part of the natural water chain on which is dependent an entire eco-system and once these natural catchments and reservoirs are destroyed the chain is broken. Water bodies also contribute to keeping up a healthy groundwater table that has come under serious abuse in the Capital. Delhi

is grappling with a serious water shortage problem and disappearance of its water bodies will work adversely for the city," says Toxics Link Director Ravi Agrawal.

Even Government authorities agree that water bodies have been encroached upon and the situation is worst in parts of South-West and North-West Delhi that has seen the largest number of dry water bodies. "South-West Delhi has 27 encroachments on its water bodies, while North-West Delhi has registered an encroachment on 30 of its water bodies," reveals an official.

"In an effort to bring this issue to the forefront Tapas, a Delhi-

based non-Government organisation, had filed public interest litigation (PIL) in 2000. Our aim was to ensure that all residents of Delhi receive adequate supply of safe drinking water and we urged the State authorities to concentrate on reviving the already neglected lakes before developing 150 new ponds in the Capital. Delhi has a bad track record, the Delhi Development Authority has 87 dry water bodies and none of them can be revived as they have either been encroached upon or allotted for purposes other than water body. There is an urgent need to address the issues," emphasises Vinod Kumar Jain of Tapas.

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Environment
110-1
22/9

THE HINDU

Divided Cauvery tribunal orders setting up of experts panel

Chairman N.P. Singh shocked, perturbed

J. Venkatesan

NEW DELHI: In an order that will have far-reaching implications, the Cauvery Water Disputes Tribunal has by a majority of 2:1 directed the Centre to appoint a three-member experts committee to go into the crop pattern and water requirements of the four riparian States.

Friday was the last day for the conclusion of arguments before the tribunal, constituted 16 years ago, and its term ends on August 7. On coming to know that an order was to be pronounced, counsel for all States — Tamil Nadu, Karnataka, Kerala and Pondicherry — unanimously said the tribunal should hear their views before passing any order. But the two members went ahead with pronouncing the order. Counsel said the appointment of the committee would further delay the submission of the award.

Tentative order

However, the members, in the majority, said it was only a tentative order and asked the States to respond within one week. Whether it was absolute or not would be determined on May 5 after studying their response.

Tribunal Chairman N.P. Singh was shocked and perturbed at the order passed by the members, N.S. Rao and Sudheer Narain. He openly expressed his disagreement with them.

Justice Singh said the tribunal had been functioning for 16 years and the appointment of an experts committee now would virtually create parallel proceedings. It might take another 10 years for the panel to give its report.

"Tribunal competent"

The Chairman said the tribunal had all necessary material — over 50,000 documents and expert evidence on the water requirements of the four States and the cropping pattern there as well.

With the assistance of two as-

• Exercise will mean parallel proceedings

• Committee will go into crop pattern and requirements

• Award will be delayed, say States

• Can fresh evidence be collected, asks N.P. Singh

sessors, the tribunal was competent enough to pass an award and there was no need for another expert opinion. It would virtually amount to reopening the questions, which had been heard for the last two years.

"Merely saying that the committee will submit its report within three months is not practicable. Cross-examination of witnesses took several years and it was closed on December 13, 2001. I cannot conceive how, after the conclusion of the arguments on behalf of all the party-States on all issues under different groups, fresh evidence can now be taken and fresh arguments heard," said Justice Singh.

However, the members said water requirement for the crop was based on certain factors on which the tribunal could not claim expertise, and there might be pitfalls. The opinion of agronomists on consumptive use, viz. transpiration, evaporation and metabolic activity, would be important. The members suggested the appointment of three experts, two of them agronomists and the other from the field of meteorology/environment.

The committee would estimate the water requirement in the Cauvery basin on the basis of the areas of the first and second crops raised till 1974 and between 1974 and 1997 and the future requirements for domestic and other uses.

The tribunal, by an interim order in June 2001, directed Karnataka to release 205 tmcft to Tamil Nadu every year.

Medha Patkar and her Narmada Bachao Andolan have voiced concern about rehabilitation only to obstruct the dam project for obstruction's sake

Twenty years on the banks of the Narmada

MADHU PURNIMA KISHWAR

THE spectacular success of Medha Patkar's Narmada Bachao Andolan in manipulating the media for over two decades is unparalleled in the history of social activism. I am no expert on the economic viability of big or small dams. Therefore, I have no verdict to pass on the Sardar Sarovar dam project. All I can say is that the mountains of propaganda material generated by the NBA, including the melodramatic tracts written by Arundhati Roy, convince me that their expertise cannot be trusted either.

Though NBA never tires of pointing to the real and imagined failures of Resettlement & Rehabilitation as the main reason for their opposition to the dam, it has worked tirelessly to obstruct R&R. Medha started her career in 1984 with an Ahmedabad-based organisation called SETU which assigned her the job of assisting Vasudha Dhargamwar of MARG to survey the affected villages to assess the information level of people regarding the impact of the Narmada project and their rights as oustees. This was meant to ensure that people got a fair and just rehabilitation package. But by 1987, Medha had developed extensive contacts of her own and unilaterally parted company with a whole coalition of NGOs sincerely working for R&R to proclaim: "Bandh nahin banega, koi nahin hatega." Her stand became even more uncompromising when, under pressure from the World Bank, Gujarat agreed to give a generous R&R package. Far from welcoming it and joining hands with those who began working to ensure that the government's promise of R&R was translated into concrete action, she declared that the NBA would not accept the package because NBA is in principle opposed to obstructing the "natural" flow of rivers. Even the nomenclature of the movement — "Narmada Bachao Andolan" — reveals that the NBA is more obsessed with "saving" the river from human beings than protecting the interests of poor farmers.

Thereafter began a sustained defamation campaign by the NBA against all those who acted as watchdogs to ensure proper rehabilitation. They were dubbed as anti-poor, anti-tribal, pro-kulaks and hostages to corporate interests. NBA activists were instructed to prevent the entry of not just government officials but also independent NGOs into villages for collecting honest, updated data regarding families requiring resettlement.



ment. They obstructed information about the R&R package to prevent people from making an informed choice. They even used emotional blackmail by making tribals take a sacred oath with water of the holy Narmada in hand that they would choose death to relocation.

However, it did not take long for many of their followers to realise that NBA was misleading them. Most tribal villages began quietly voting with their feet and accepted the unprecedented R&R package of 5 acres per adult son, Rs 45,000 to each for building a new house, free transportation of their household goods, including the timbered frame of the house, plus truckloads of additional wood from their villages. The R&R process in Maharashtra and Gujarat is almost complete. Most of the new villages for oustees have been provided with schools and primary health facilities and better connectivity with urban centres than ever before.

This could happen because several Gandhians and NGOs in Gujarat did a fairly good job of playing watchdogs, insisting that the government give the land of their choice to oustees even if it meant purchasing it from private owners.

Even in this NBA activists put all manners of hurdles. This is how Ambrish Patel of Arch-Vahini describes one among many episodes of NBA's techniques. When a large majority of tribals from Manibeli wanted to move to the new land sites offered to

them in Gujarat, the minority still aligned to NBA declared they would not let those who wanted to move take their dismantled houses with them. (Tribal homes are built with a lot of timber.) Government functionaries sent to assist in carrying their belongings and construction material were stoned and prevented from entering the village. Finally, the intervention of Arch-Vahini of Gujarat was sought since it had sustained pressure on Gujarat to implement its promises of R&R. When Arch-Vahini personnel were also attacked, the entire operation had to be carried out under police protection. However, the NBA successfully manipulated the media coverage to project an image that Manibeli was razed to the ground by police action and goons acting on behalf of the Gujarat government to forcibly oust poor tribals from their village.

Another NBA ploy was to demand that since tribals are forest dwellers, they should be given forest land for resettlement. For years the ministry of environment resisted the idea because new environment laws are against allowing new settlements in forest areas. However, when under World Bank pressure, Maharashtra was persuaded to make forest land available for oustees, the NBA created a big furore on the plea that this meant destroying the already depleted forest cover in Maharashtra.

Maneka Gandhi, a strong supporter of the NBA, gave the follow-

ing account from a whole repertoire of stories about Medha's obstructionist strategies with regard to R&R. In 2001, when Maneka was appointed minister for social welfare, she approached Medha and asked for the list of the project affected families in Madhya Pradesh so that she could help with a comprehensive plan of action for rehabilitation. When she found that the NBA had never prepared a list of those requiring rehabilitation, she offered to get that job done by sending the most honest among her officers. She requested Medha not to let this be known publicly, so that the survey could be kept a quiet affair since her own party bosses were not keen on such an exercise. As soon as the team reached Bhopal, Medha gave a press conference denouncing the survey team and dissociating NBA from it. As soon as BJP leaders got to know of it, Prime Minister Vajpayee ordered Maneka to recall the survey team. As a junior minister in the Cabinet, she had no choice but to comply. That was yet another opportunity sabotaged for preparing an accurate list of people requiring rehabilitation.

Today, despite NBA, Gujarat and Maharashtra have almost finished the R&R process. Madhya Pradesh is the only state, which has not done the job. However, most of the 35,000 families whose cause NBA is currently espousing with a view to stopping work on the dam are not tribals, though they are paraded as adivasis. Tribal lands were submerged long ago and they have mostly been settled despite NBA obstructionist efforts. The present day "oustees" are mostly Patel and other Patidar castes. There are serious differences between the government's estimates of families requiring total relocation and that of the NBA. How do we know what is the accurate ground reality when all along NBA activists have steadfastly opposed the entry of government officials and even independent NGOs to carry out an accurate updated assessment?

By building a sustained campaign on the issue of rehabilitation, at the national and international level, the NBA has played an important role in forcing the government to offer a decent R&R package. However, by mixing lies, half truths and overstatements and a consistent obstructionist attitude towards R&R while cynically using the issue to stall dam construction and defaming those who took up the task seriously, NBA has caused enormous damage and compromised its own credibility.

NBA has made a religion out of opposing all development projects without examining the merits of each case. It defines itself mainly through negative agendas — anti-dam, anti-liberalisation, anti-globalisation, anti-WTO, anti this, anti that. The alternative development paradigm Medha claims to represent has not yet offered any practical and positive agendas of action.

That is why even those of us who have serious misgivings about the Sarkari Paradigm of Development feel equally suspicious of NBA's worldview. If ever an honest account of this "movement" gets to be written, we will find it has no less to answer than the Government of India.

Medha's stand became even more uncompromising when, under pressure from the World Bank, Gujarat agreed to give a generous R&R package. Far from welcoming it and ensuring that the government's promise of R&R was translated into concrete action, she said the NBA would not accept the package because it is in principle opposed to obstructing the 'natural' flow of rivers

19.10
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Question of culpability

Environment 2

This week a group of protesters other than the Narmada Bachao Andolan called off its hunger strike. These protesters were the victims of what is still called the world's worst industrial disaster — the Bhopal gas calamity of December 2-3, 1984. Forty survivors of a tragedy that killed 3,000 people when deadly methyl isocyanate leaked out of the Union Carbide factory, and another 17,000 subsequently as a result of illness, took 33 days to march from Bhopal to Delhi. Their demands were not extravagant. Clean drinking water was one. Many of the survivors continue to live next to the now-defunct factory. But as the poisonous substances used for manufacture remain in the factory's compound, and no one is prepared to take the responsibility of cleaning it up, the surrounding water sources are heavily polluted. People living in the vicinity are forced to use this poisoned water. Survivors' groups have been demanding that the least that can be done is to provide them clean water. Yet, despite an earlier intervention by the Supreme Court, this simple demand was not met until April 17 — when the Prime Minister promised to do something. He assured them that the toxic wastes lying in the Carbide plant will be cleaned up and that a national commission for medical and economic rehabilitation of the gas tragedy victims will be constituted. December 3 will be declared a National Day of Mourning to remember the Bhopal Gas tragedy and a memorial will be built in Bhopal.

All this is very well, but it fails to address some critical issues thrown up by the tragedy. The Bhopal disaster stands out as an example of industrialisation gone wrong. A multinational, Union Carbide, was permitted to set up a factory that used hazardous chemicals adjacent to a large human settlement. The people around the factory were unaware of the nature of the poisons it used. When the accident took place, they were the first to die. Twenty-two years later, culpability for that disaster has still not been established. Although a criminal case is pending in the Chief Judicial Magistrate's court in Bhopal against the executives of the company, which has since been bought by Dow Chemicals, the Central Government has not pushed for the case to be heard. What is the message this sends out? That India is so anxious to invite foreign investors that it is willing to write off the lives and well-being of its citizens? If this is not the message the Government wishes to send, it must make it clear that just as infrastructure development has to take care of displacement and environmental damage, industries, Indian or foreign, will be held accountable if they poison people or the environment. Pursuing criminal as well as civil liability must form part of the 'legal options' (to hold Dow Chemicals accountable) that the Prime Minister has promised to explore. Doing this earnestly will be the best memorial for the Bhopal gas victims.

Development not at cost of habitats: PM

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Committed to addressing Narmada issue

Environment
Special Correspondent

NEW DELHI: Prime Minister Manmohan Singh on Tuesday reiterated the Government's commitment to address the controversial Narmada dam and all such development issues through a credible mechanism so that development is "cost effective, environment-friendly and least disruptive."

"We need to quickly evolve a credible mechanism whereby these issues do not generate into confrontations between sections of our society... development is not pursued as threat to people's lives and habitats," Dr. Singh said. His observations came at the Confederation of Indian Industry's annual session here in the wake of the Supreme Court order in the Narmada dam case on Monday.

"I think [the] time has come to squarely address the issue of development, displacement and environment" in a manner whereby all stakeholders benefit to some degree from development, he said. He called upon the industry to pay closer attention to environmental consequences of development. "You must pay more attention to the rehabilitation of people displaced by the spread of industrial activity and by urbanisation."

adverse industrial implications."

On the other ticklish issue of reservation of jobs in the private sector, Dr. Singh advised the industry to pay more attention to questions of social and economic discrimination and deprivation. "We all need to ensure that no group feels excluded from enjoying the fruits of rapid economic growth," he said, and asked the industry to enhance educational

and employment opportunities for people.

Promising a policy framework that can lead to a 12 per cent growth in the manufacturing sector as the country had moved to a position to realistically target a 10 per cent growth, he said only manufacturing could throw up the number of jobs required.

Dr. Singh said: "I urge you to assess at a firm level the diversity in your employees' profile and commit yourself voluntarily making it more broadbased and representative. Such affirmative action on your part can be a crucial component of inclusive society we hope to build."

Even as he promised forward movement in introducing labour reforms, Dr. Singh asked the industry to not just depend on tax relief and infrastructural support provided by the Centre.

He advocated a "cluster approach" to ensure economies of scale and boom in Special Economic Zones that could put the country on the path to becoming a global manufacturing hub. Redistribution of land and tenancy reforms could improve the income and asset base of the rural poor and generate demand for rural housing. On telecom and IT, he said there was need to help facilitate the growth of hardware for the industry and added that the Government had constituted a task force to look into this. Earlier, CII president Y.C. Deveshwar said the CII's focus on sustainable competitiveness had become the basis of a variety of private-public partnerships in the country.

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No more excuses

Government

The Supreme Court's latest directions on the contentious issues surrounding the Sardar Sarovar dam have cleared all residual doubt about the Prime Minister's authority to act in the matter. He now has no excuse to put off examining closely and impartially whether rehabilitation has been in compliance with the two Supreme Court rulings of 2000 and 2005 and the Narmada Waters Dispute Tribunal Award (NWDTA). The report of the Group of Ministers (GoM) relating to Madhya Pradesh has highlighted the shocking lack of compliance with what the legal and human situation demands — in terms of resettling families affected by submergence. The Grievance Redressal Authority (GRA), instituted to ensure that the displaced get a fair hearing, is inaccessible. It has more than 5,000 pending cases; its members have not visited the Narmada valley for years; and its Chairman sits in Bhopal, far away from those seeking redress. The GoM report also makes it abundantly clear that the Madhya Pradesh Government has violated both the NWDTA and the Supreme Court's rulings that 'oustees' losing agricultural land should be compensated with land. Families are being given cash compensation in clear violation of these orders. There is abundant evidence of failure and breach of trust in the resettlement process in Madhya Pradesh even at the current height of the dam.

The political challenge before the Central Government is this. Will it use the three-month window allowed it by the Supreme Court to prevaricate? Or will it break with the past and intervene earnestly to ensure justice to the affected families? The apex court can demand accountability from the four States — Gujarat, Madhya Pradesh, Maharashtra, and Rajasthan — that must report to it by May 1 on the status of rehabilitation. But it is the Prime Minister who must now ensure that the reports on rehabilitation are not just fictional "paperwork," as exposed by the GoM. If Madhya Pradesh has not succeeded in resettling all those affected by the dam at its current height, it is hard to imagine how it will meet the Supreme Court's deadline of three months to complete the task. Another worry is that in three months, given the frenetic pace of construction at Sardar Sarovar, the dam will have reached a height at which even if further construction is halted, the practical effect will be meaningless. This is precisely why the Narmada Bachao Andolan demanded that work be stopped at the current height until these issues are resolved. This is why the correct decision by the Supreme Court would have been to order such a course. The one positive outcome of these tense three weeks is that the question of just rehabilitation from such projects is now in the public domain, thanks to the NBA's campaign and the media coverage. In a democracy, all developmental policy must go through this kind of vigorous and informed public debate to ensure that the voices of those most affected are heard.

THE HINDU

19 APR 2006

Modi breaks fast, so does Medha amid small victories

Maha stands to gain little

TIMES NEWS NETWORK

Mumbai: BJP leader Nitin Gadkari suggested on Monday that Chief Minister Vilasrao Deshpande's stand on the Narmada dam project—rehabilitate first, build later—will have an adverse effect on Maharashtra's power crisis. But experts who have looked at the costs and benefits of the Sardar Sarovar dam have consistently said that Maharashtra stands to gain little either by way of power or water from the project.

Of the four states involved in the project, Gujarat stands to gain the most in terms of irrigation water and Madhya Pradesh will be affected the most in terms of the number of people needing rehabilitation. Maharashtra falls somewhere in between—the Sardar Sarovar project is supposed to give Maharashtra 390 MW of power and five TMC of water, while submerging 33 villages.

Contrary to Gadkari's statement, the power that Maharashtra will get will do little to solve the power crisis given the magnitude of its power shortage—4,000 mw power shortage. State government officials have never looked to the power from this project as part of the solution, partly because, say experts, the benefits are "not only

low but transitional".

"390 MW has little meaning in itself, it is the number of hours of power generated that counts, and that may change because of a variety of factors," says energy expert Girish Sant.

"Whether we get even that much depends on factors like how much water is in the river, how much is diverted for irrigation, whether more water intensive cropping happens in Gujarat and so on." It is well known, he says, that the power benefits to the state are at best transitional, till the time the full irrigation potential of the dam is developed. "When that happens, we will get hardly any power."

Sant and another energy expert Suhas Paranjape resigned from the state cost benefit evaluation committee over two years ago saying data was not being made available, and the committee finally never submitted a report.

Experts had noted at that time that considering the money Maharashtra was paying—hundreds of crores and escalating because of the high interest rates paid on the borrowings used to fund the project—will mean that the cost of power will be so high, the state would do better to cut its losses.



Despite the jubilation on Monday, both camps know that their struggle is far from over

TIMES NEWS NETWORK

New Delhi: Hours after the supreme court order asking the government to continue with the construction of Sardar Sarovar Project, Narmada Bachao Andolan leader Medha Patkar broke her 20-day fast on Monday evening in a charged atmosphere at Jantar Mantar here. Shattered, but clinging to hope that the truth would

Fight will go on: Patkar

prove itself, Patkar conceded it's "not a big victory". She attacked PM Manmohan Singh and Congress for exhibiting "unbelievable weakness in challenging the communal and criminal pressures of Gujarat politics" and vowed to take the fight beyond. NBA accused the PM of not using the powers and authority vested in him by the supreme court judgment of 2000, or even acting on his own ministers' report. "It (UPA) should not prove to be toothless and truthless any more," she said, adding that the UPA would be compromising its integrity, the common

minimum programme and so-called secular politics as well as its human face of development argument.

While the PMO went into a meeting, Patkar was brought to Jantar Mantar to break her fast before Leing took back to hospital, announcing that she and her two colleagues had to move from the "21-day-long fast back to fight with the unprecedented challenge again".

PM prescribes rehab pill

Statesman News Service

NEW DELHI, April 18: A day after the Supreme Court's verdict on rehabilitation in the Narmada Dam project, the Prime Minister today asked the industry to pay more attention to people displaced by industrialisation and urbanisation to avoid confrontation.

"We need to quickly evolve a credible mechanism whereby these issues do not generate into confrontations between sections of our society... development is not pursued as a threat to people's lives and habitats," Dr Manmohan Singh said in his inaugural address at the Confederation of Indian Industry's annual session.

Asking the industry to pay closer attention to environmental consequences of industrial development, he said: "You must pay more attention to the rehabilitation of people displaced by the spread of industrial activity and by urbanisation".

However, he said the government was committed to paving the way for a 12 per cent growth in the manufacturing sector, which was a must for attaining a 10



You must pay more attention to the rehabilitation of people displaced by the spread of industrial activity and urbanisation

per cent economic growth.

Touching upon issues such as reservation in the private sector and intervention in the rural sector to boost manufacturing, Dr Singh said: "I urge you to consider using the influence you have acquired to create a wider national consensus in favour of long-term initiatives for economic growth and

social development."

The development of the manufacturing sector, he said, depended not just on the tax regimes or the infrastructure support that could be given. "It also depends on the pace at which our home market grows, on the pace at which we create domestic skills, and the pace at which we generate technical competence and new technologies," the Prime Minister said, asking the industry to start addressing these issues proactively as they could be the most significant constraints on growth.

Dr Singh said the government would pursue labour reforms for greater flexibility in the labour market in the times to come and urged the captains of industry to diversify employee profile to bridge the socio-economic gaps.

"I urge you to pay more attention to questions of social and economic discrimination and deprivation," he said adding that "affirmative" action on the part of the industry could play a crucial role in building an inclusive society.

■ Industry captains resent quota, page 11

Work On Sardar Sarovar To Continue, States Asked To Make Proper Arrangements For Oustees' Rehab

SC restores balance of power in Narmada row

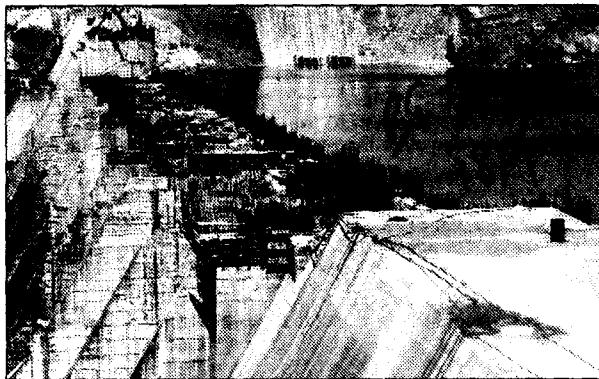
Our Political Bureau
NEW DELHI

WITH the Centre, social entrepreneurs and anti-development liberals failing to keep the Narmada dispute within reasonable limits, the Supreme Court on Monday stepped in to resolve the crisis.

While the court rejected the demand for stopping construction for raising the height of the Sardar Sarovar dam, it warned that it will intervene to stop construction if the oustees are not properly rehabilitated. The court, which obliquely sent out the message that the Centre should perform its job at least minimally, asked the Prime Minister to take "steps and initiatives" for ending the chaos.

"These steps should be in accordance with the judgments delivered in 2000 and 2005," said a Bench comprising Chief Justice YK Sabharwal, Justice Balakrishnan and Justice SB Sinha. The Bench also sought replies from Madhya Pradesh and Gujarat on the rehabilitation of oustees.

The apex court, which fixed May 1 for further hearing of the application filed by the Narmada Bachao Andolan seeking a stay on the construction work for raising the height of the dam from 110 metres to 121 metres, warned that it would have no option but stop work if the oustees are not properly rehabilitated.



tees are not properly rehabilitated. "If the relief and rehabilitation of the unfortunate oustees are not undertaken in the letter and spirit of the Supreme Court judgments, the court will have no option but to stop the raising of the height," the Bench said.

There have been serious lapses on the part of the Madhya Pradesh government and this was documented by the group of ministers (GoM) that made a brief visit to the state.

The court said this report will not be taken as a gospel. In fact, the state governments have alleged that the GoM visited only those areas suggested by the anti-dam activists. The court also made it clear that it was not impressed with the arguments of the anti-development liberals. It said staying the work at the site was "the absolute last resort". The court added it will not be resorted to without as-

certaining the ground reality.

"At present what we have on hand is the March 8 permission granted by the Narmada Control Authority to raise the height from 110 metres to 121 metres on the basis of reports given by various committees stating that relief and rehabilitation has been done. We feel that before we consider in depth the request made today for stopping the on-going work, it is necessary to give an opportunity to the states and others to file their responses to the application," the Bench said.

The Centre also used the opportunity to erase the anti-dam image that it acquired following Union water resources minister Saifuddin Soz's intervention. Additional solicitor-general Gopal Subramaniam repeated six times that the Prime Minister was not in favour of the stoppage of work at the dam site.

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The Economic Times

বাঁধের কাজ চলবে, জানাল সুপ্রিম কোর্ট

নিজস্ব সংবাদদাতা, নয়াদিল্লি, ১৭ এপ্রিল: বাঁধ নিয়ে সাধুর লড়াইয়ে আপাতত এগিয়ে নরেন্দ্র মোদী।

কংগ্রেস তাঁর বিরুদ্ধে ক্ষুদ্র রাজনীতির অভিযোগ এনেছে। সর্বোচ্চ আদালতও নর্মদা নিয়ে আবেগের বাতাবরণ তৈরির চেষ্টাকে কটাক্ষ করেছে। কিন্তু তা সত্ত্বেও প্রথম রাউন্ডে জয় হাসিলা করেছেন নরেন্দ্র মোদী। সর্বোচ্চ আদালত বাঁধের কাজ চালিয়ে যাওয়ার পক্ষে মত দেওয়ার পরে, অনশন তুলে নিয়ে লাড়ু বিলি করেছেন গুজরাটের মুখ্যমন্ত্রী।

অনশনের রাজনীতিতে তপ্ত হয়ে ওঠা নর্মদা প্রসঙ্গে হস্তক্ষেপ করে সুপ্রিম কোর্ট আজ স্পষ্ট ভাষায় জানিয়ে দিয়েছে, বাঁধের কাজ চলবে। তবে একই সঙ্গে, ক্ষতিগ্রস্তদের পুনর্বাসনের কাজও দ্রুতগতিতে চালিয়ে যেতে হবে বলে জানিয়েছে সর্বোচ্চ আদালত। প্রশাসনিক পর্যায়ে যে বিষয়টির নিষ্পত্তি করা সম্ভব ছিল, সেটিকে জটিল করে তোলার জন্য প্রধানমন্ত্রীর দিকেও আঙুল তুলেছেন বিচারপতিরা।

স্বাভাবিক ভাবেই, নর্মদা প্রাণে অনশনরত মুখ্যমন্ত্রী নরেন্দ্র মোদী সুপ্রিম কোর্টের এই রায়কে হাতীয়ার করতে ছাড়েননি। আদালতের আজকের রায়ের ফলে, রাজ্য রাজনীতিতে প্রধান প্রতিপক্ষ কংগ্রেসকে এ বাধে তিনি অন্তত কয়েক মাইল পিছনে ফেলে দিয়েছেন। সে জন্য অবশ্য তিনি কেন্দ্রের জলসম্পদ উন্নয়নমন্ত্রী সইফুদ্দিন সোজকে মনে মনে ধন্যবাদও জানাতে পারেন।

সুপ্রিম কোর্টের রায়ের পরে মেধা পাটকরকে মুক্তি দিয়েছে কেন্দ্র। সন্ধ্যায় মেধা অনশনও তুলে নেন। পরে যন্ত্রমন্ত্রের এসে সিপিআই নেতা এ বি বর্দনকে পাশে নিয়ে কেন্দ্রের বিরুদ্ধে ফের আক্রমণ শানান মেধা। তিনি বলেন, পুনর্বাসন নিয়ে আদালতের স্কানিন হবে যে মাসে। সেখানে তাঁরা নিজেদের বক্তব্য জানাবেন।

নর্মদা প্রাণে মেধার আন্দোলন দু'দশকেরও বেশি পুরনো। অতীতে জল সমাধি'র হুমকি দিয়েও, যে বাঁধের কাজ মেধা বন্ধ করতে পারেননি, এ বাধে দিল্লিতে অনশন করে তিনি তা পারবেন, এমন আশঙ্কা মোদী করেননি। তিনি অপেক্ষা করছিলেন, কেন্দ্র এই প্রাণে কী ভূমিকা নেয় তা দেখার জন্য। তবে তাঁর জয়ের পথ সুগম করে দিয়েছেন সইফুদ্দিন সোজ। দু'দিন আগেই কেন্দ্রীয় জলসম্পদ উন্নয়নমন্ত্রী বাঁধের কাজ আপাতত বন্ধ রাখার সুপারিশ করার কথা ঘোষণা করেন। পর দিনই মোদী অনশনে বসার কথা জানিয়ে দেন। আর আজ সুপ্রিম কোর্ট বাঁধের কাজের ওপর নিষেধাজ্ঞা জারি না করায়, বিষয়টিকে রাজনীতিকের।

অসুবিধা হয়নি ধরন্ধর রাজনীতিকের। প্রধানমন্ত্রীর দফতর সূত্রের খবর, কেন্দ্রের জলসম্পদ উন্নয়নমন্ত্রী থাকাকালীন নর্মদা প্রাণে সংশ্লিষ্ট সব পক্ষের মধ্যে বোঝাপড়া করে একটা সমঝোতা সূত্র বের



বাঁধের কাজ চলবে, বলল সুপ্রিম কোর্ট

প্রথম পাতার পর করে ফেলেছিলেন প্রিয়রঞ্জন দাশমুন্ডি। মেধা পাটকর এবং গুজরাট সরকার, উভয়ের দাবি-দাওয়ার মধ্যে ভারসাম্য রাখা হয়েছিল সেই সূত্রে। স্থির হয়, বাঁধের কাজ এগিয়ে নিয়ে যাওয়া হবে ঠিকই, কিন্তু অগ্রাধিকার পাবে পুনর্বাসনের বিষয়টি। সেই সঙ্গে পুনর্বাসনের জন্য একটি প্যাকেজও তৈরি করা হয়। সরকারি সূত্রে বলা হচ্ছে, প্রিয়র এই মীমাংসা সূত্রে সন্তোষিত হয়েছিলেন মনমোহন সিংহও। প্রধানমন্ত্রীর দফতর সূত্রের মতে, প্রিয়বাবুর দেখানো পথে না হেঁটে নতুন করে সমাধান করতে গিয়ে সমস্যা বাড়িয়ে ফেলেছেন সইফুদ্দিন সোজ। তিনি পুরনো ফাইল খুলেই দেখেননি।

সর্বোচ্চ আদালতের আজকের রায় কেন্দ্রকেও নিঃশ্বাস ফেলার সময় দিয়েছে। জলসম্পদ মন্ত্রী আগে যা-ই বলুন না কেন, কেন্দ্র আগেই স্পষ্ট করে দিয়েছিল, সর্বোচ্চ আদালতের মতামত মেনেই তারা এগোবে। বাঁধের কাজ চালিয়ে যাওয়ার কথা বললেও, প্রধান বিচারপতি ওয়াই কে সাবরওয়ালের নেতৃত্বাধীন বেঞ্চ আজ একই সঙ্গে জানিয়েছে, যদি প্রকৃত অর্থে পুনর্বাসনের কাজ না হয়, তা হলে তাঁরা নর্মদার ওপর বাঁধের কাজ বন্ধও করে দিতে পারেন। তার আগে সরকার পক্ষের কৌশলি আদালতকে জানান, তিন মাস সময় পেলেই তাঁরা পুনর্বাসনের কাজ করে ফেলবেন। বাঁধের উচ্চতা বাড়ানোর ফলে (১১০ মিটার থেকে ১২২ মিটার) নতুন এলাকা প্লাবিত হওয়ার আগেই পুনর্বাসনের কাজ হয়ে যাবে বলে সরকার পক্ষ আজ জানিয়েছে। তার ভিত্তিতে সর্বোচ্চ আদালত বাঁধের কাজ চালিয়ে যাওয়ার পক্ষে মত দিয়েছে।

সুপ্রিম কোর্ট আজ কেন্দ্রকেও ছেড়ে কথা বলেনি। আদালত যা বলেছে তা হল, বিষয়টির ক্ষয়সালা সরকারই করতে পারত। প্রকল্পের কাজ এগিয়ে নিয়ে যাওয়া এবং পুনর্বাসনের কথা ভেবে চললেই বিষয়টির নিষ্পত্তি হবে। নর্মদা বাঁচাও আন্দোলনের পক্ষে প্রশান্ত ভূষণ পরে বলেন, প্রধানমন্ত্রী যে তাঁর দায়িত্ব পালন করেননি, সেটাই সর্বোচ্চ আদালত স্পষ্ট করে দিয়েছে। এখন সুপ্রিম কোর্ট পুনর্বাসনের প্রাণে সব পক্ষকে নোটিস পাঠানোর সঙ্গে সঙ্গেই জানিয়ে দিয়েছে, মামলার জন্য যেন কোনও ভাবে পুনর্বাসনের কাজ বন্ধ না হয়। আন্দোলনকারীরাও পাল্টা জানিয়ে দিয়েছেন, তাঁরা তাঁদের আন্দোলন আরও জোরদার করে তুলবেন। তাঁদের বক্তব্য, দ্রুত পুনর্বাসনের ব্যবস্থা করার মতো পরিকাঠামোই সরকার তৈরি করেনি।

Dam work should go with rehab: SC

Threatens To Stop Construction If Oustees Are Not Resettled

New Delhi: The supreme court on Monday threatened to stop work on the construction of the dam on river Narmada if the states in the river basin do not carry out the rehabilitation of the displaced people in the true letter and spirit of an earlier judgement.

A bench headed by chief justice Y K Sabharwal directed all the concerned parties to file reply to the petition filed by the Narmada Bachao Andolan and the application moved by the Centre on the issue within a week. The apex court said that the rejoinder shall be filed within a week thereafter and posted the matter for further hearing on May 1 before a regular bench of three judges.

The court clarified during the

pendency of these matters it would not preclude the Centre to take steps to resolve the controversy in accordance with the judgement of this court.

The court said the construction work on the Sardar Sarovar project should go on side by side with effective rehabilitation of the affected people. The court made the observations after the Centre conveyed its commitment to the construction of the dam and its proposal of constituting a committee to evolve a suitable mechanism to rehabilitate the people displaced by the project.

The court said it was essential to strike a balance when such a vast project was being carried out and a large number of people were affected. "What is necessary



The Sardar Sarovar project

is that the issue should not be discussed in an emotive and charged atmosphere but in a congenial atmosphere... Such a type of dispute is a threat to public security," observed the bench, headed by chief justice Y K Sabharwal.

It was hearing a petition filed by Narmada Bachao Andolan seeking a halt to the construc-

tion of the dam involving raising of its height from 110 metres to 122 metres. The court noted that the project would go on and the oustees would be rehabilitated in letter and spirit of the apex court judgment passed in 2000. "You cannot satisfy all but rehabilitation has to be reasonable and it requires a statesman-like approach," the court said.

Additional solicitor general Gopal Subramanian said there was a need to find a solution to the problem, rather than adding further dimensions to it. "We are prepared and I submit that under the authority of the Prime Minister, there will be an authority to work overtime before submergence to rehabilitate the oustees," the ASG said. Agencies

8 APR 2006

THE TIMES OF INDIA

Dam and Blast

Narmada controversy grounds
real issues of rehabilitation

In the heated debate and political posturing on the Narmada dam, some of the real issues are getting obscured. The bone of contention is raising the height of the dam from its current 110 to 122 metres. This would mean displacement of over 25,000 families, mostly in Madhya Pradesh. The Narmada Bachao Andolan (NBA) activists led by Medha Patkar have demanded that before the dam height is raised, those displaced must be resettled. This is in line with earlier Supreme Court rulings that the height of the dam can be increased only after oustees are rehabilitated. Protests by NBA and a continuing hunger strike by Patkar resulted in a reassessment of the situation by the Centre. A group of ministers, including water resources minister Saifuddin Soz, visited the affected areas in Madhya Pradesh and found major gaps in the rehabilitation of oustees. They reported that rehabilitation and resettlement had largely been on paper and very little had happened on the ground. Subsequently, at a meeting of the review committee of the Narmada Control Authority, Soz signed a resolution in favour of stopping work on the dam until rehabilitation was carried out. This has provoked Gujarat CM Narendra Modi to go on a hunger strike making it a Gujarat versus Centre issue. That he has been successful was proved when Congress MPs from Gujarat, too, petitioned the prime minister not to suspend construction of the dam.

Though the situation is at an impasse, it needn't remain so. There are two incontrovertible facts: One, the dam is already a reality and that it will benefit Madhya Pradesh, Gujarat, Rajasthan and Maharashtra by providing water and electricity; and two, the rehabilitation of oustees has been extremely tardy. If the dam height is to be increased, every single oustee must be rehabilitated under strict norms and monitoring. Though Modi might not care a jot for those displaced from their land in Madhya Pradesh, it is the responsibility of the Indian state to ensure fair compensation. At the same time, dam construction cannot be stopped every now and again because this will escalate costs tremendously. The important thing is not to let opportunistic politicians hijack the Narmada issue but to concentrate on just and equitable development in the Narmada valley. That unfortunately is easier said than done. Even as the focus is on Modi, Medha and even Aamir Khan, those most affected by the dam — the several thousand who have been forced to relocate and farmers who stand to benefit from irrigation — have no voice in the debate.

18 APR 2008 THE TIMES OF INDIA

Medha Patkar ends fast

Switzerland
18/4

The challenge is bigger, she says

Gargi Parsai

NEW DELHI: "The fight is not over [yet]. This challenge is deeper, larger and bigger," Narmada Bachao Andolan leader Medha Patkar said at the Jantar Mantar dharna site after breaking her 21-day-old fast for getting justice for the displaced families of the Narmada valley.

Along with her, Jamsingh Nargave and Bhagwatibehn also gave up their indefinite hunger-strike. A frail-looking Ms. Patkar accepted juice from a displaced tribal from the Narmada valley. She was brought to the venue in an ambulance.

Union Water Resources Minister Saifuddin Soz said he was "happy" that Ms. Patkar had given up her fast and the tension had been defused for the Supreme Court to take various points of views into consideration.

He said nobody in the Congress or the government was against raising the height of the dam but proper rehabilitation of displaced families was equally important.

That was why the Government sent the Group of Ministers to Madhya Pradesh to assess the situation. "Even the court has said that rehabilitation should be done in the letter and spirit of the Narmada award and its orders."

Ms. Patkar said the Supreme Court had not stayed the construction of the Narmada dam and left it to Prime Minister Manmohan Singh. "The State had not responded favourably to a non-violent people's movement. We urge the Prime Minister to invoke the authority vested in him by the Supreme Court, the Constitution and his



own commitment to development with a human face. He must not bow down to fascist and communal forces and must intervene to ensure that the poor affected by the dam's construction get justice."

She was persuaded by former Prime Minister V.P. Singh, journalist Kuldip Nayar, Rajinder Sachchar, B.D. Sharma, Amar Nath, Surendra Mohan, CPI leader A.B. Bardhan and Swami Agnivesh to give up her fast. She said the support given by actor Aamir Khan, Rahul Bose and writer Arundhati Roy "had done more than our fast."

Ms. Patkar also thanked the doctors at the All-India Institute of Medical Sciences, who did not force her to go an intravenous drip despite her failing health "and that is why my blood is strong even today."

The NBA and displaced families would return to the valley in two days and prepare for the next phase of struggle arising out of the Supreme Court order.

See also Page 10

Supreme Court empowers Mammoohan to resolve Narmada dam dispute

Construction will be stopped if rehabilitation is inadequate

J. Venkatesan

NEW DELHI: While empowering Prime Minister Mammoohan Singh to resolve the dispute over raising the height of the Sardar Sarovar dam from 110 to 121.92 metres, the Supreme Court on Monday warned the States concerned that it would have no option but to stop construction if the rehabilitation measures were inadequate.

A three-judge Bench, comprising Chief Justice Y.K. Sabharwal and Justices K.G. Balakrishnan and S.B. Sinha, passed the orders, while adjourning the hearing to May 1.

The Bench made it clear that the Centre, the State Governments and the Prime Minister could resolve the dispute in a cordial atmosphere in accordance with the court judgments delivered in 2000 and 2005, and as per the Narmada Tribunal award.

It was hearing applications from the Narmada Bachao Andolan and the project-affected

families (PAFs) seeking stoppage of the ongoing construction.

It was also hearing an application filed by the Centre seeking permission to establish a suitable mechanism to undertake a review of the measures taken so far by Madhya Pradesh to ensure the rehabilitation of all oustees.

Though it did not pass any categorical order on these applications, the court warned the States that it would have no option but to stop the ongoing construction of the dam if the relief and rehabilitation measures for the oustees were found inadequate or were not in accordance with the two apex court judgments and as per the Tribunal award.

The Bench indicated that it would consider appointing a committee to visit the sites to see whether rehabilitation works had been carried out properly or not.

At the same time, the judges appealed to the parties concerned to examine the matter

fairly and reasonably "in a calm atmosphere and not in a charged atmosphere."

"In matters like this there is no room for emotions or personal considerations," they said and hoped that the Centre and the Prime Minister would take necessary steps and initiatives and would be able to persuade the stakeholders about this requirement as creation of such an atmosphere would help in early resolution of the dispute. "The matter brooks no delay, lest it will be a fait accompli."

'Stop agitational path'

The Bench told counsel that "parties should stop the agitational path in such matters, otherwise it would be a threat to the unity and integrity of the country."

It is essential to strike a balance between development and rehabilitation when such a vast project was being carried out and a large number of people were affected. You cannot satisfy all but rehabilitation has to be

reasonable and it requires a statesman-like approach."

Earlier, Additional-Solicitor General Gopal Subramaniam submitted that the Review Committee was equally and sharply divided and the matter had been referred to the Prime Minister for a decision.

"The division at the meeting was along political lines. We cannot run away from this reality," the Bench observed.

Mr. Subramaniam said the Centre was committed to the project but at the same time wanted to ensure proper rehabilitation within three months. He urged the court to issue a direction to the Madhya Pradesh Government to abide by the mechanism to monitor the rehabilitation work.

Senior counsel for the Narmada Bachao Andolan, Shanti Bhushan, pleaded for immediate stoppage of construction work. He contended that 16,000 additional families would be brought within the submergence zone if the work was not stopped.

He cited the report of the GoM that relief and rehabilitation measures were virtually non-existent in the affected areas and even basic civic amenities such as water, electricity and schools were nowhere to be seen.

Ashok Desai, senior counsel for Gujarat, said the height of three blocks of the dam had gone up to 114 metres and work was proceeding block by block.

Senior counsel Harish Salve, appearing for Madhya Pradesh, said all the displaced families were already rehabilitated and civic amenities provided.

The application filed by the Centre was violative of the federal structure of the country. He disputed the GoM's report on the rehabilitation work in the State.

The Bench then directed the respondents, including Madhya Pradesh, Gujarat and others to file their replies within a week and a rejoinder, if any, within a week thereafter.

18A

THE TRIBUNE

18 Apr 2005

মোদীর অনশনে মত বদল, বন্ধ নয় বাঁধের কাজ

নিজস্ব সংবাদদাতা, নয়াদিল্লি, ১৬
এপ্রিল: কেউ জেতেনি, হারেওনি
কেউ। বাঁধ নিয়ে অনশনের রাজনীতির
খেলায় ফলাফল এখন সমান-সমান।
জয় পেতে চাপ বাড়ছে দু'পক্ষই।

নর্মদা নিয়ে অনশন করে মেধা
পাটকর প্রায় জিতেই গিয়েছেন, এমন
একটা অবস্থায় পাট্টা চাপ দিতে
মোহনদাস কর্মচন্দ্র গাধীর রাজ্যে সেই
অনশনকেই হাতিয়ার করে ফেললেন
নরেন্দ্র মোদী। গাধীজির উল্টো মেরুর
রাজনীতিতে বিশ্বাসী হয়েও গাধীজির
বিশ্বাসকেই হাতিয়ার করেছেন মোদী।
আর তাতে তিনি ফলও পেয়েছেন
কিছুটা। প্রধানমন্ত্রীর দফতর সূত্রে
আজই বলা হয়েছে, বাঁধের কাজ বন্ধের
কোনও সিদ্ধান্ত এখনও নেওয়া হয়নি।

ফলে দিনের শেষে বলা
যেতেই পারে,
অ্যাডভান্টেজ মোদী।

নর্মদা বাঁধের জন্য
ক্ষতিগ্রস্তদের
পুনর্বাসনের দাবিতে
সরব মেধা অনশনকেই
অস্ত্র করেছিলেন। চাপ
এসেছিল সর্বস্তর থেকে।
এই পরিস্থিতিতে কাল
কেন্দ্রীয় মন্ত্রী সইফুদ্দিন
সোজ জানিয়েছিলেন,
বাঁধের উচ্চতা বাড়ানোর

কাজ আপাতত বন্ধ রাখার জন্য
সুপারিশ করা হয়েছে। ব্যাস! তার
পরেই পাট্টা অনশনে বসার ঘোষণা
মোদীর। প্রথমে ঠিক ছিল, তিনি
গাধীজির সাবরমতী আশ্রমেই অনশনে
বসবেন। কিন্তু নিরাপত্তা আর স্থান
সম্বলানের কথা ভেবে তাঁকে জায়গা
বদলাতে হয়েছে।

কিন্তু তাতে কী? অনশন তো
মোটের উপর ব্যর্থ বলা যাবে না। বাঁধ
নিয়ে গুজরাতের ভাবাবেগকে উস্কে
দিয়ে নিজের রাজ্যপাট আরও নিশ্চিত
করার লক্ষ্যে অনেকটাই সফল মোদী।
চরম বিরোধী কংগ্রেসও মোদীর চালে
দিশেহারা। গুজরাত কংগ্রেস তো
কেন্দ্রীয় নেতৃত্বের মতামতের তোয়াক্কা
না করেই বাঁধের সমর্থনে মত দিয়েছে।

দলমত নির্বিশেষে গুজরাতের সব
সাংসদই আজ প্রধানমন্ত্রীর সঙ্গে দেখা
করেছেন। সেখানেই প্রধানমন্ত্রী
জানিয়েছেন, বাঁধের কাজ বন্ধের
সিদ্ধান্ত হয়নি।

পরে প্রধানমন্ত্রীর দফতর থেকে
জানিয়ে দেওয়া হয়েছে, “বাঁধের
উচ্চতা প্রক্সে সর্বোচ্চ আদালতের
বিরুদ্ধে যাওয়ার কোনও প্রকল্পই নেই।
বাঁধের কাজ বন্ধের ব্যাপারে এখনও
কোনও সিদ্ধান্ত হয়নি।” সরকারি
সূত্রের খবর, পরিব্রাণের পথ খুঁজতে
এখন সর্বোচ্চ আদালতের মুখাপেক্ষী
মনমোহন সরকার।

মোদী-মেধার অনশনের রাজনীতি
সবচেয়ে বেশি অস্থিতিতে ফেলেছে
প্রধানমন্ত্রী মনমোহন সিংহকে।



অনশনে মোদী। — পি টি আই

ভোলকার বিতর্ক পুরোপুরি মেটার
আগেই লাভের পদ নিয়ে বিতর্ক।
সেটাকে কোনও ভাবে সামাল দিতে না
দিতেই নর্মদা। অথচ, মার্চের শেষে
মেধা যখন অনশন শুরু করেছিলেন,
তখন সে ভাবে মাথা ঘামাননি কেউই।
কিন্তু তার পরেই বিষয়টি জটিল হয়ে
পড়ে। অস্তিত্ব বাঁচাতে কেন্দ্রীয়
নেতৃত্বের উল্টো গান ধরেছিল
গুজরাতের কংগ্রেস নেতৃত্বও। সেটাও
এক অস্থিতির কারণ বটে। জাতীয়
রাজনীতিতে গুজরাতের প্রভাবশালী
কংগ্রেস নেতাদের মতে, বাঁধের কাজ
বন্ধ হলে চিরতরে মোদীর হাতে চলে
যাবে গুজরাত। অনশন রাজনীতির
কৌশলে সেই সজাবনার ক্ষেত্রই তৈরি
এর পর পাঁচের পাতায়

বন্ধ নয় বাঁধের কাজ

প্রথম পাতার পর
কংগ্রেসের
অন্দরমহলে ভিন্ন মতও রয়েছে।
সংস্কার আর গুজরাত কংগ্রেসের কথা
ভেবে বাঁধের কাজ বন্ধ না করলে,
সরকারের গরিব দরদী ভাবমূর্তি তো
জলাঞ্জলি দিতে হয়। পুনর্বাসনের কী
হবে? তা ছাড়া বামেরাও রয়েছে।
মেধাদের লক্ষ্য ছিল, বামদের সমর্থন
পাওয়া। সে তাঁরা পেয়েছেন।
সিপিএম-সহ বামেরা কেন্দ্রের উপরে
চাপ বাড়িয়েছে, যথাযথ পুনর্বাসন না
দিয়ে বাঁধের উচ্চতা বাড়ানোর কাজ
করা চলবে না। সব মিলিয়ে
সঙ্কটে প্রধানমন্ত্রী।

মেধার অনশনের চাপে তিন
কেন্দ্রীয় মন্ত্রী সইফুদ্দিন সোজ, মীরা
কুমার এবং পৃথীরাজ চহ্লগ মধ্যপ্রদেশে
সর্দার সরোবর প্রকল্পের আওতায় থাকা
গ্রামগুলি ঘুরে দেখতে যান। তাঁরা
ফিরে এসে রিপোর্টও দিয়েছেন।
পুনর্বাসনের কাজ যে যথাযথ হয়নি,
রিপোর্টে তা বলা হয়েছে। রিপোর্টে
বলা হয়েছে, পুনর্বাসনের পদ্ধতি নিয়ে
প্রিন্সিপাল সিলে পাহাড় প্রমাণ
অভিযোগও রয়েছে।

সরকারি সূত্রের খবর, এই
রিপোর্টটিই এখন সরকারের কাছে এক
মাত্র অস্ত্র। সর্দার সরোবর বাঁধের কাজ
বন্ধের দাবিতে সর্বোচ্চ আদালতে এরই
মধ্যে একটি জনস্বার্থ মামলা হয়েছে।
কাল তার শুনানি। বাঁধের উচ্চতা
বাড়ানোর অন্যতম পূর্বশর্ত ছিল,
যথাযথ পুনর্বাসন। তাই কাল পুনর্বাসন
নিয়ে সুপ্রিম কোর্ট রিপোর্ট চাইলে,
মন্ত্রীগোষ্ঠীর জমা দেওয়া রিপোর্টটি

সরকার পেশ করবে। কেন্দ্র আশা
করছে, ওই রিপোর্টের প্রেক্ষিতে সুপ্রিম
কোর্টই শেষ পর্যন্ত বাঁধের কাজ বন্ধের
নির্দেশ দেবে।

এ দিকে, নর্মদা প্রসঙ্গে কাল রাতে
প্রধানমন্ত্রীর সঙ্গে কথা বলেন
লোকসভায় বিরোধী দলনেতা লালকৃষ্ণ
আডবাণী। আজ সকালে অন্ধ্রপ্রদেশে
এক সাংবাদিক বৈঠকে আডবাণী
বলেন, “বাঁধের কাজ বন্ধ করার
উদ্যোগ রাজনৈতিক উদ্দেশ্য
প্রশোধিত। সরকার এক দিকে ভারত
নির্মাণের কথা বলছে, আর অন্য দিকে
উন্নয়নের পথেই বাধা হয়ে দাঁড়াচ্ছে।
আমি প্রধানমন্ত্রীকে বলেছি, মীমাংসার
জন্য আপনাকেই নেতৃত্ব দিতে হবে।”

আজ সকালে দলমত নির্বিশেষে
গুজরাতের সাংসদরা বিজেপি নেতা
অরুণ জেটলির নেতৃত্বে প্রধানমন্ত্রীর
সঙ্গে দেখা করেন। বৈঠক থেকে
বেরিয়ে জেটলি বলেন, বাঁধের কাজ
যাতে চলতে দেওয়া হয়, সে জন্য
প্রধানমন্ত্রীকে আর্জি জানানো হয়েছে।
তিনিও সাড়া দিয়েছেন। এ-ও বলেছেন,
পুনর্বাসনের কাজ যথাযথ এগিয়ে নিয়ে
যেতে রাজ্য সরকারগুলিকেও উদ্যোগী
হতে হবে। এর পরেই প্রধানমন্ত্রীর
দফতরের মুখপাত্র সঞ্জয় বারু জানিয়ে
দেন, বাঁধের কাজ বন্ধের কোনও
সিদ্ধান্ত এখনও নেওয়া হয়নি।
অনশনরত মোদীও বলেছেন, এখন
গ্রীষ্মকাল। বর্ষার আগে জল আসবে
না। তাই পুনর্বাসনের জন্য যথেষ্ট সময়
রয়েছে হাতে।

অতএব, বাঁধের লড়াইয়ে মীমাংসা
এখনও অমিল।

17 APR 2006

ANALYSTS REPORT

Dam politics now a free-for-all

Centre creating messy stalemate, alleges Advani

HTC and Agencies
Hindupur/Ahmedabad, April 16

EVEN AS senior BJP leader L.K. Advani accused the UPA government at the Centre of creating a "messy stalemate" over the Narmada issue, Gujarat chief minister Narendra Modi started his pre-announced 51-hour fast on Sunday afternoon after a virulent speech against the anti-dam activists.

The moves to stop construction work on the dam were politically motivated and made a mockery of the government's talk of Bharat Nirman, Advani said. "Stopping further work on the mega (Narmada) project in which concerned states have already invested Rs 21,000 crore in 16 years makes a mockery of UPA government's tall talk of Bharat Nirman", he said.

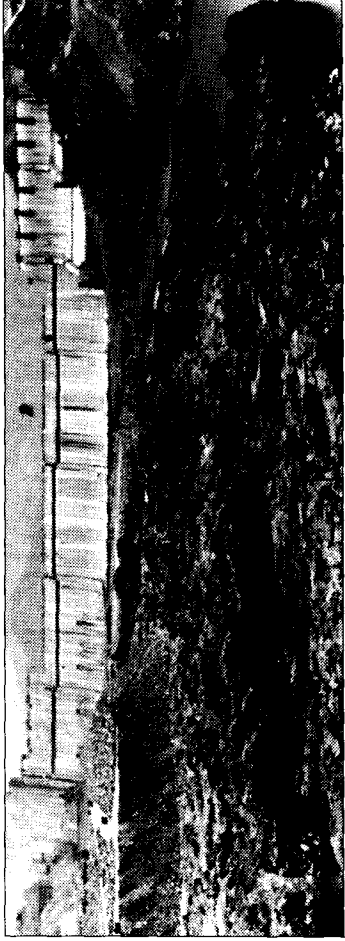
Moves to block construction work on the Narmada dam were politically motivated, Advani told reporters in Rayalaseema.

"It will be a sad day for Indian democracy if Gujarat chief minister Narendra Modi is forced to go on hunger strike to quench the thirst of his people", he said. Advani, who spoke to Prime Minister Manmohan Singh on Saturday on phone and sought his personal intervention to sort out the Narmada tangle, accused him of showing "indecision, drift and bias" in tackling an important Centre-State matter.

This was clear first from the Union cabinet buckling under pressure of anti-dam activists and referring the matter to the review committee of the Narmada Control Authority, he said. Secondly, there was the farce of whistle-stop visit by a three-member Central team to ascertain rehabilitation of the project-affected people, Advani said.

Maintaining that there was no division of opinion among chief ministers of Gujarat, Madhya Pradesh and Rajasthan on raising the height of the dam, Advani said, "it is clear that the Union cabinet is buckling under pressure of anti-dam activists in contravention of the spirit of the Supreme Court judgment".

Asked what was the Prime Minister's response to his request, he said, "he only seemed to appreciate the points I made. I told him clearly that he has to provide leadership and sort out the matter".



DAMNED

The Narmada dam project is the talk of the town. But does anyone remember what it's all about? Here's a little to jog your memory.

PROJECT HISTORY

- Officially known as Sardar Sarovar Project
- Idea conceived in 1940s by Jawaharlal Nehru, project took form in 1979
- Involves construction of 30 large, 135 medium and 3,000 small hydroelectric dams
- Dams to provide water and power to drought-prone areas of Gujarat (Saurashtra and Kutch), Maharashtra and MP

CONTESTION

Govt's decision to raise dam height to 121.92 m. Narmada Bachao Andolan says govt can't do this unless rehabilitation plans for people who'll be displaced have been completed.

RECALL

- **March 2004:** Narmada Control Authority okays raising dam height to 110 m
- **March 29:** Patkar and NBA activists go on indefinite fast
- **April 6:** Patkar held, taken to AIIMS
- **April 15:** NCA review panel meets, govt decides to stop construction

SCS

SC says, oustees must be rehabilitated before any submergence takes place, must be told 18 weeks in advance to move out.



Srinivasan 1971

It's Aamir vs political bullies'

AGENCIES
New Delhi, April 16

AAMIR KHAN says protests against him by political parties in Gujarat will not dissuade him from backing those opposed to the Sardar Sarovar dam project in that state.

"I'm amazed and shocked (by the protests)," Khan told a news channel. "They (the people of Gujarat) should understand what I am saying. I won't be dissuaded by these protests." Khan told another channel that political parties "are using force, they are trying to bully (me)".

The actor said he supported the project so that water was available for all the four states the project intended to supply water to, but he also wanted proper rehabilitation of the people affected and displaced by the project.

The screening of Khan's *Rang De Basanti* was stopped across Gujarat and his effigies were burnt in many cities across Gujarat on Saturday, a day after he expressed solidarity with members of the Narmada Bachao Andolan who were staging a sit-in



protest in New Delhi. "We've to see who are getting affected and the people who are affected are the poor. They are farmers. They feed us. Their villages are getting submerged," he said, and added that these people

need to be rehabilitated properly by the government. "This is the responsibility of the four (state) governments and of the Central government as well."

Asking the people to take note of the protests being organised against him by the political parties, he said, "I want the people of Gujarat to make a note of this. I want the people of Madhya Pradesh, Rajasthan and Maharashtra to make a note of this".

Aamir came to Jantar Mantar, the venue of the dharna by the Narmada Bachao Andolan activists on Saturday, triggering off protests against him by BJP as well as Congress activists.

On Saturday, BJP activists vented their anger not only against Aamir but also against actor Rahul Bose for declaring support for Patkar and the NBA.

With Gujarat's chief minister Narendra Modi starting a fast to protest the Centre's decision to suspend the work of raising the Sardar Sarovar dam's height, there are bound to be difficulties galore for the talented actors and their movies in Gujarat, at least for the time being.

Everyone is not impressed with the crusader

FOR



Javed Akhtar

Bittu Sahgal

Teesta Setalvad

Director Mahesh Bhatt says people can't be blamed if they suspect Aamir's motives. "He has never been associated with such a movement. If he lands up with the cast of his recent release at a dharna, obviously people will be sceptical. But if celebrities feel for a cause, they should walk the talk and continue to support a cause."

Producer and media person Pritish Nandy said that the only way a movement can grab media attention is through sensational devices. "In this case,

Teesta Setalvad, who fought for victims of the Best Bakery attack, says many movements draw upon celebrity endorsements. "Serious social movements can't be reduced to celebrities only. I don't know to what extent Aamir has been associated with such causes. Having said that, it would be unfair to reduce an individual to his celebrity status."

However, there are those who believe that celebrity endorsement is not always a publicity stunt. "Look at Arundhati Roy and how she's used her status for the Narmada Bachao Andolan. A celebrity can't be denied his freedom of expression," said environmentalist Bittu Sahgal. "Aamir is a man of tremendous integrity. It's ridiculous to accuse him of seeking publicity," said lyricist Javed Akhtar.

On Saturday, BJP activists vented their anger not only against Aamir but also against actor Rahul Bose for declaring support to Medha Patkar and her NBA.

purpose of the movement served in a way."

Danusee Mallika Sarabhai asserts Aamir should support the cause if he's committed to

On fast, Modi sniffs Delhi 'games'

OUR CORRESPONDENT

Ahmedabad, April 16: Narendra Modi today defended his move to go on a hunger strike, described as pointless by the Gujarat Congress, by suggesting the Centre couldn't be trusted because it was "playing games".

A group of BJP and Congress MPs had earlier met the Prime Minister and claimed to have obtained an "assurance" that construction at the Sardar Sarovar dam wouldn't be stopped.

The Congress promptly called off its Gujarat bandh, and its spokesman Shaktisinh Gohil said the 51-hour fast by Modi now made no sense.

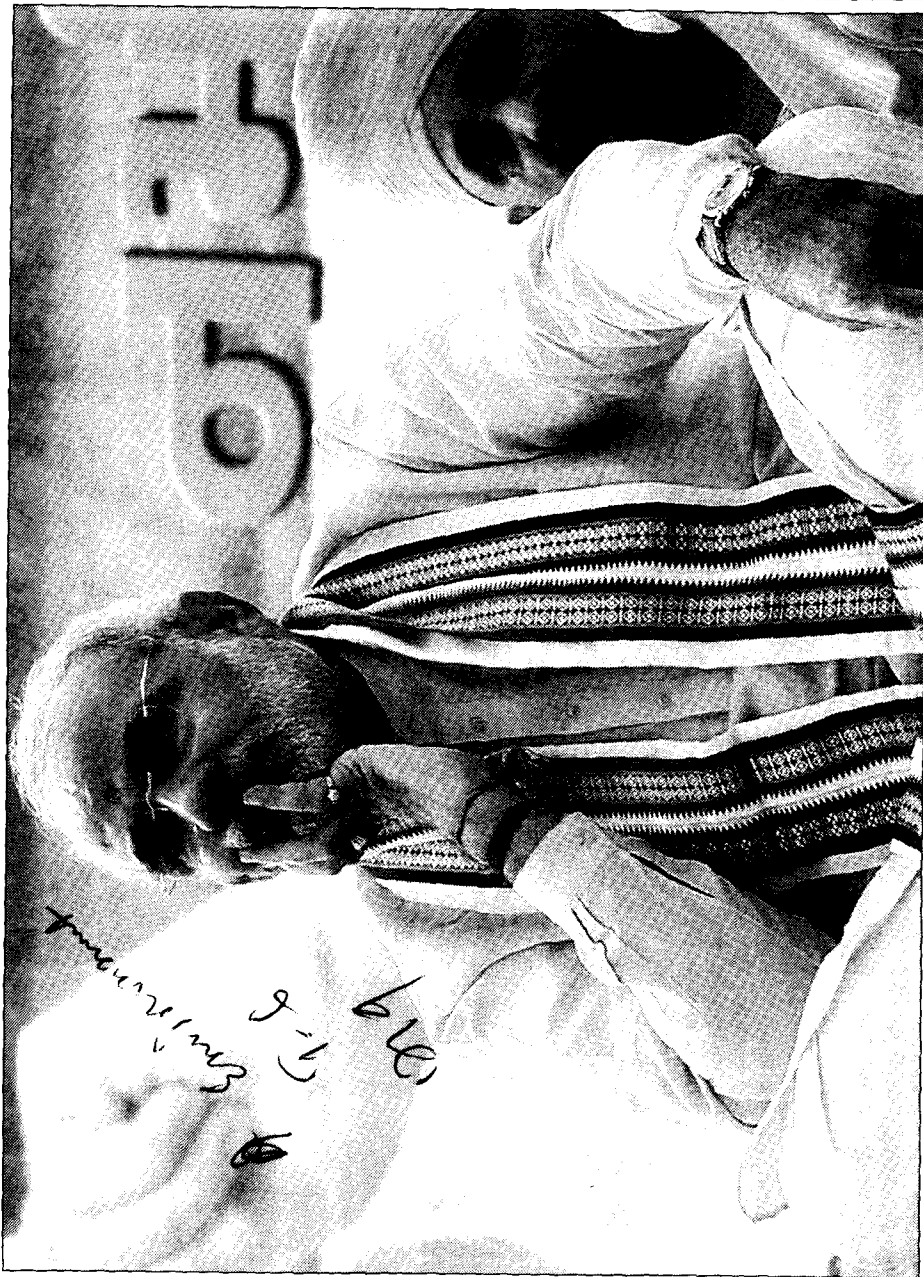
But the chief minister alleged the Centre was "hand-in-glove" with the Narmada Bachao Andolan (NBA) and was "conspiring" behind the scenes to stop work at the dam.

"Though the Prime Minister (as claimed by some MPs) has said work at the dam will not be stopped, we cannot take any chances because a PMO (Prime Minister's Office) official was singing a different tune," he said.

The PMO official had said no decision had been taken on stopping work.

Modi added that even after Manmohan Singh's "assurance", there have been reports that he is studying the recommendation of his water resources minister, Saifuddin Soz, to halt work at the dam.

"These things indicate that the Centre is playing games... This is a pre-planned conspiracy by the Centre to halt the



Narendra Modi sits on hunger strike in Ahmedabad on Sunday. (PTI)

construction. But the people of Gujarat will fight till the end," Modi thundered on the university grounds where he began his fast under a *shamiana* erected overnight to accommodate 5,000 people.

The chief minister's sharpest words were reserved for Soz, whom he accused of hav-

ing an "association" with the NBA.

He said Soz had on March 11 made a public statement that "the decision to increase the height of the dam is premature".

After that statement, demonstrations suddenly sprang up in New Delhi. "This

shows the minister had made arrangements with the NBA," Modi alleged.

Yesterday's meeting between four chief ministers and two Union ministers hadn't discussed whether construction would be stopped, Modi said, yet "Soz, after the meeting made an announcement

that as chairman of the review committee he had decided to halt construction".

Even now, Modi said, "the ground is being prepared to stall construction by providing authentic documents to the NBA on the rehabilitation issue, which it can use in the Supreme Court".

Modi takes on Centre on Narmada

Environment *By Jayashankar*
Rejects PM's Plea To Suspend Protest, Congress Calls Off Bandh

171 TIMES NEWS NETWORK 111

Ahmedabad: Gujarat chief minister Narendra Modi on Sunday went ahead with his 51-hour dharna, despite a request from Prime Minister Manmohan Singh to suspend it. Modi has been accusing the central government of trying to influence the supreme court's decision on the Narmada dam height issue.

Even as news trickled in from Delhi that MPs from Gujarat, cutting across party lines, were satisfied after their talks with the Prime Minister, Modi seemed only too keen not to let go of the opportunity to show his discontent against the Congress and the UPA government in the matter. "I want to make a serious accusation," Modi told the nearly 3,000 supporters who gathered at the launch of his 51-hour fast here.

Images of a unified Gujarat taking on the Centre—with BJP leader Arun Jaitley and the state Congress president Bharat Solanki addressing a joint press conference in New Delhi after a meeting with the PM—faded into the background as Modi sought to wrest the political initiative.

"There appears to be an underhand deal between the activists campaigning against the dam and the Congress to stop the ongoing construction on the Narmada dam," he alleged.

Modi also seemed convinced that certain important documents related to the dam's construction were being passed on to anti-dam campaigners in order to stall the work, and thereby harming Gujarat's interests. Without naming the Narmada Bachao Andolan (NBA) or Medha Patkar, he said, "This is being done to ensure that the supreme



Chief minister Narendra Modi being greeted by people when he began his 51-hour fast on the Narmada issue at GMDC grounds in Ahmedabad on Sunday

court gives a negative verdict on the dam height."

Frequently resurrecting the theme of 'the pride of Gujarat', Modi told the crowd in an excitable tone, "We will not tolerate any humiliation or injustice at the hands of the Centre any more. We have suffered enough." Saying that "nothing is nearer to his heart than Gujarat, Gujarat and Gujarat," he warned the Centre, "Do not play with Gujarat. We believe in non-violence, but if Gujarat is provoked, it will

not tolerate anyone. We are ready for any sacrifice."

Meanwhile, the Gujarat Congress has called off its statewide bandh on Sunday, following Prime Minister Manmohan Singh's assurance that the work of raising the dam height would not be stopped. "The Gujarat Congress has decided to call off the bandh after the Prime Minister's assurance," senior Gujarat Congress leader Arjun Modhvadia told newsmen over phone from New Delhi.

He said the Prime Minister had further assured the Members of Parliament from the state that the issue of the displaced locals of Madhya Pradesh would be looked into with sincerity.

"The PM's assurance gives us enough reason to celebrate," said Modhvadia. As for the 51-hour hunger strike by the Gujarat CM, the Congress leader said, "Modi should meet the Madhya Pradesh chief minister, and if their discussions are not fruitful then he must sit on a fast there (in MP)."

Manmohan studying report on Narmada

1979
Environment
HID-1

Modi begins fast even as Medha's hunger strike enters 19th day

Special Correspondent

NEW DELHI: Prime Minister Manmohan Singh had not taken a view on suspending construction of the Sardar Sarovar dam across the Narmada in Gujarat till resettlement and rehabilitation of the affected families was completed as per the Narmada award and Supreme Court orders.

Speaking to *The Hindu*, media advisor to the Prime Minister Sanjaya Baru said Dr. Singh had received a report on the proceedings of the Review Committee of the Narmada Control Authority from Water Resources Minister Saifuddin Soz.

"The Prime Minister has said that the Madhya Pradesh Government should do its best to ensure that the resettlement and rehabilitation of the project affected families was in consonance with the Narmada award and Supreme Court orders and to the satisfaction of the oustees. The Prime Minister is studying the report of Chairman of the Review Committee Saifuddin Soz but has not taken a view on it," Mr. Baru said.

As the fast against the raising of the dam height by Narmada Bachao Andolan leader Medha



DAM ROW: Gujarat Chief Minister Narendra Modi on a 51-hour fast against stopping the work on the Narmada Dam, in Ahmedabad on Sunday. — PHOTO: AP

Patkar entered the 19th day on Sunday, and the situation turned political with Gujarat Chief Minister Narendra Modi going on a 51-hour fast to make a case for the dam, the Centre said it would await the outcome of the hearing in the Supreme Court on Mon-

day on an application filed by the affected families from Madhya Pradesh. The statement came after a Bharatiya Janata Party delegation led by senior leader Arun Jaitley and a delegation of Gujarat Pradesh Congress Committee headed by its president

Bharatsinh Solanki met the Prime Minister on the issue of raising the height of the dam under construction in Gujarat.

THE HINDU

MONDAY, APRIL 17, 2006

People's needs over party politics

Once again, the politics of expediency has taken precedence over the needs of people. The issue has come full circle following a dramatic tussle that began on March 29 when Medha Patkar and two others from the Narmada Bachao Andolan went on an indefinite fast demanding a stop to further construction on the Sardar Sarovar Dam until the families facing displacement were properly rehabilitated. A fact-finding visit to the rehabilitation areas by a three-member Group of Ministers led by Water Resources Minister Saifuddin Soz found the rehabilitation measures to be inadequate — and the Centre has proposed halting further construction until the mandatory conditions were met. As Ramaswamy R. Iyer, a former Union Secretary for Water Resources, points out in an article published in today's Op-Ed page, the Narmada Tribunal's Award, the conditions of clearance of the project, and the Supreme Court's judgment of October 2000 and March 2005 necessarily require that "construction is not allowed to outpace rehabilitation work," and this means "there is no question of proceeding beyond the height of 110 m already reached until the failures and deficiencies in rehabilitation work with reference to the height have been remedied, and the prescribed advance steps have been completed with reference to the proposed increase in height." Unsurprisingly, the six-member Narmada Review Committee, headed by Mr. Soz, has failed to reach a consensus. The Supreme Court foresaw such an eventuality: its judgment of October 2000, as Mr. Iyer clarifies, "clearly requires the Prime Minister to decide in the event of a disagreement in the Review Committee, and the Prime Minister cannot refuse to discharge that responsibility and throw the issue back into the lap of the Supreme Court." But with the Gujarat unit of the Congress determined to outdo the Bharatiya Janata Party in showing its militant commitment to the project, the United Progressive Alliance Government has copped out of discharging its responsibility.

In the midst of the political drama, including the farcical fast by Gujarat Chief Minister Narendra Modi who is further away from Gandhian philosophy than any contemporary politician in India today, reasoned discussion becomes impossible. The Gujarat Government, which argues that the dam is the 'lifeline' for the State, has failed to ensure that the canal system is complete so that the water that has already been impounded at the current height of the dam reaches the water starved districts of the State. The ransacking of the NBA office in Vadodara in full view of television cameras, with the local police standing by, and the violent response to actor Aamir Khan's show of solidarity with the NBA spotlight the ugly face of political intolerance and defiance of the rule of law in Gujarat. The Centre's response to this major challenge will set an important precedent for future developmental projects.

APR 17 2006 THE HINDU

GoM's confidential report

This is the text, obtained exclusively by *The Hindu*, of "A Brief Note on the Assessment of Resettlement and Rehabilitation (R&R) Sites and Submergence of Villages of the Sardar Sarovar Project." The note marked confidential and dated April 9, 2006, was signed by Union Minister of Water Resources, Saifuddin Soz, Union Minister of Social Justice and Empowerment Meira Kumar, and Minister of State in the Prime Minister's Office Prithviraj Chavan.

The Group of Ministers (GoM) comprising Prof. Saifuddin Soz, Minister of Water Resources, Smt. Meira Kumar, Minister of Social Justice & Empowerment and Shri Prithviraj Chavan, MOS in the PMO, deputed by the Hon'ble Prime Minister to Madhya Pradesh, arrived Indore late in the evening on April 6, 2006.

Soon after arrival in Indore, a meeting was held with Madhya Pradesh Chief Minister, Shri Shivraj Singh Chouhan and some of his Cabinet colleagues and officers.

The Madhya Pradesh Government made a presentation and wanted the GoM to appreciate that the Madhya Pradesh Government had taken concrete steps to rehabilitate Project Affected Families (PAFs) and that Rehabilitation and Resettlement would be completed by 30th June, 2006. In that connection, the GoM was requested to visit some sites such as Khalghat, Dharampuri, Lakhangaon and Borlai etc.

When asked as to how many SC/ST families were affected, the Government could not provide any information.

Early in the morning of April 7, 2006, the GoM left for a visit to Rehabilitation and Submergence sites.

The GoM visited Khalghat, Dharampuri, Lakhangaon, Borlai 1, 2 and 3, Awalda, Piplud and Nisarapur. The GoM was stopped at other places including Picchodi where people narrated their tales of woe. The representatives of Narmada Bachao Andolan (NBA) had insisted in Delhi in their memorandum that a visit to Borlai, Awalda, Piplud and Nisarapur would be necessary to find out whether the claim of the Government of Madhya Pradesh that the PAFs had been rehabilitated was correct.

Khalghat

The GoM visited Khalghat site where Madhya Pradesh Government had offered land to 407 families. Only 2 families had accepted the land. The top soil there is black. The people say that they have to dig 10 feet deep to find the cultivable land. The Government had not succeeded in persuading the oustees to accept the land. Hundreds of people on the spot complained before the GoM that the Government had not conducted a proper survey and offered the land without consulting the oustees. Shri Mohan Lal Sharma (resident of Gazipur, District Dharampuri) who spoke on behalf of oustees, complained before the members of the Narmada Valley Development Authority (NVDA) that the Madhya Pradesh Government had acted in haste and allotted the land which was totally uncultivable. The members of the NVDA did not contradict Shri Mohan Lal.

It was for the first time that the GoM heard from Shri Mohan Lal that the Income Tax Department deducted Rupees One lakh from every unit of 10 lakhs that was paid to the oustees by way of compensation and for purchase of land. It was Shri Mohan Lal again who said that people were pressurized to accept cash. He said that a bribe of Rs.20,000/- had to be paid for receipt of every cheque that was given to the oustees. The crowd present on the spot gave full-throated support to the Shri Mohan Lal who they said had represented their grievances correctly.

Dharampuri

From Khalghat, the GoM went to Dharampuri. It is the largest area selected by the Madhya Pradesh Government for settlement of oustees and 4,000 PAFs are slated to be settled there (No, they are shown to have been settled there already). Not a single plot of land has been occupied by any PAF.

Approximately 2,000 people, who had gathered there, explained through their representatives (about a dozen people explained their grievances) in detail and said

that it was not possible for anybody to settle there as no infrastructure had been built. In official papers, it has been indicated that the PAFs have been settled. The GoM was amazed that no sanitation, no drinking water, no system of sewage, no roads, much less the facilities like hospital, water reservoir, school, post office etc., have been provided there. There is no hope that such infrastructure will be built there soon. The officials presented a status report in respect of R & R sites at Dharampuri indicating that facilities that need to be provided by way of infrastructure would be provided and certain facilities were in progress, whereas the GoM saw nothing happening around.

In any case, the PAFs, under no circumstances, can be settled there before first of July, 2006 when the monsoon sets in.

Dharampuri had been shown to the GoM as a success story by the Madhya Pradesh Government and it turned out to be the worst example of not doing anything by way of settlement when there was apparently no difficulty in respect of resources. The people there showed to the GoM two dry water pumps and a heap of stones that had been dumped there a day before the GoM's arrival indicating that roads would be built soon.

Lakhangaon and Borlai 1-3

From Dharampuri, the GoM proceeded to visit R & R sites at Lakhangaon, Borlai 1st, 2nd and 3rd. The GoM saw some stray dwellings without any infrastructure such as drinking water, sewage system, electricity and roads etc.

As per the status report of the Madhya Pradesh Government, 18,965 PAFs were indicated to have been settled, whereas the GoM could see, at the most 80 incomplete dwellings in Lakhangaon, Borlai 1-3 (including the dwellings shown to the GoM at Picchodi). The GoM found that there were no amenities of life like drinking water, roads and electricity etc. anywhere. The only water reservoir in Borlai 3 was not operational. In Borlai 1-3, the GoM could not see any semblance of infrastructural facilities. In Lakhangaon, of course, some structures by way of hospital and a primary school (not functional) and three hand pumps showed the fact that a determined leadership can settle the oustees. One can see that PAFs (18 of them) here can be settled properly at Lakhangaon within next six months, provided effective effort is directed towards that goal.

Visit to Piplud, Awalda and Nisarapur

The members of Narmada Bachao Andolan had, among other things, urged the Minister for Water Resources that the GoM should visit Piplud, Awalda and Nisarapur so that GoM could ascertain properly whether the oustees from these submergence villages had been settled or not.

Piplud

Nearly 2,000 people had gathered at Piplud to state their tales of woe. They pointed out that not a single PAF had been offered cultivable agricultural land anywhere in Madhya Pradesh as per the Narmada Water Disputes Tribunal (NWDT) Award. At this place, 10 representatives explained in detail that the NWDT Award had been flouted and even land acquisition proceedings had not been completed. They narrated that many of the oustees had not been offered compensation for their houses. They also said that many of those who had been pressurized to accept cash compensation, had been given amounts of money with which they could not purchase even 2 acres of land, let alone 5 acres of land to which they were entitled. A tribal named Kailash from Bikheda explained that more than 300 persons from

Manavar Tehsil had been shown in records to have been offered one plot of land measuring 7 hectares in Borgaon and strangely enough, the land was not cultivable. The representatives of these oustees gave details how people were pressurized to accept cash compensation and how people had to pay bribes for receipt of cheques.

Awalda

The GoM next proceeded to Awalda, a far flung village inhabited mostly by adivasis and tribals. The GoM felt that, by any standards, the entire population in the village lived below the poverty line. A group of 1,500 people met the GoM there and the youth there were restive and narrated their tales of woes in a very emotional manner. It was here that people said that they had not been given land for land and that they had been pressurized to accept cash and an oustee Shri Motilal Patidar of village Chhota Barde said that he had been given Rs.5,53,000/- whereas he needed to purchase 5 acres of land for Rs.13 lakhs and this cash award was not adequate at all and he was forced to accept it. The entire crowd raised slogans against cash compensation and they said it was a fraud and officers insisted on this because they received bribes. It was in this crowd, that a woman Sajan Bhai Yadav, who had come from Pipri Gaon, narrated most pathetically how they (the oustees) had lost their home and hearth, their Khaliyan and Shamshan and they were now on the roadside. The crowd said that the Gram Sabha was never consulted and every thing was happening "Zabardasti". The crowd said that they had no money to travel to Bhopal and seek redressal of their grievances. The people at Piplud and Awalda had categorically stated that no member of R & R Subcommittee or the Grievance Redressal Authority (GRA) ever visited these villages. It was stated in good detail that Chairman of the Redressal Authority was headquartered at Bhopal and he once in a while visited Indore and never did Justice Sohani, Chairman of the Grievance Authority visit these villages.

Nisarapur

The GoM finally came to Nisarapur where a crowd of 4,000 people voiced its grievances through 18 representatives which included four women. The administration had succeeded in telling the crowd that they must allow the representatives to present their case in an orderly manner.

So, M/s Parasmat Kanawat (having been Sarpanch of Nisarapur for 30 years) Pradeep Kumar, Bagirath Rathore, Mangti Bhai & others narrated pathetic tales of extreme high-handedness on the part of Narmada Valley Development Authority (NVDA). They categorically stated that not a single family of the PAFs in Nisarapur had been settled as per orders of the Supreme Court. They said in one voice that until they were rehabilitated, there was no question of allowing the height of the dam to be raised. They said that the R & R sites at Nisarapur which is supposed to settle 700 families of oustees did not have any infrastructure and the house plots for building their houses were located at the depressed land which gets water logged and one of the essential needs of the site was drainage, which was missing. The people said that NVDA officials claimed that R & R sites would be ready by 30th of June, 2006 and it was a rude joke to the oustees. The oustees said that these claims were absolutely false. They claimed that R & R sub-group and the GRA had never visited the Narmada Valley for the last six years. They rejected cash payments as a fraudulent practice. The crowd vociferously demanded that their Rehabilitation & Reset-

tlement should be a pre-condition for raising the height of the dam.

General Observations

1. The complaints from various quarters that the Rehabilitation and Resettlement of oustees of Sardar Sarovar Dam has not taken place in consonance with the orders of the Supreme Court have been found to be correct.

2. In spite of the extreme shortcomings in respect of Rehabilitation and Resettlement of oustees, the Madhya Pradesh Government can organize proper effort for rehabilitation, say, within a year from now. The leadership there has to show its political will to accomplish this gigantic task.

3. The Chief Minister of Gujarat had assured the Water Resources Ministry, in a recent letter, that Rehabilitation and Resettlement in Madhya Pradesh could be fully ensured in accordance with the orders of the Supreme Court. It will have to be ascertained as to how Gujarat Government could come to the rescue of the Madhya Pradesh Government in this behalf.

4. The outcry against the SRP (cash award) must be responded by stopping this practice as it has bred corruption and thousands of people the GoM met in the valley, have rejected the same as a practice breeding corruption. Besides, this practice has been adopted by the State Government with the approval of the GRA. It is yet to be seen whether the Supreme Court would find this practice to be in line with its specific instruction which said: "every displaced family whose more than 25% of agricultural landholding was acquired would be entitled to be allotted irrigable land of its choice to the extent of land acquired subject to the prescribed ceiling with a minimum of two hectares land and that project-affected families (PAFs) would be allotted a house/plot free of cost".

5. The GoM found that there was no moral and legal justification for deducting Rupees One lakh by way of Income Tax for every unit of Rupees Ten lakhs that is to be given to an oustee as a settlement under SRP.

6. In due course of time, the Government must explore a better system of redressal of grievances than what is sought under the present GRA. It is a fact that 5000 petitions for redressal of grievance are pending before the GRA. The Chairman of the GRA is headquartered at Bhopal and his visits even to Indore are few and far between which has meant a great hardship for the oustees.

7. The position of the adivasis (oustees), particularly in the areas like Kakrana and Kharia Bhadal, which the GoM could not visit, is reportedly very bad. The GoM will pay a visit there if required, in due course of time.

8. The Ministry of Water Resources had been insisting that Madhya Pradesh Government should adopt the mechanism of referring ATRs to Gram Panchayats according to the previous Government's assurance given in the then Chief Minister's letter of 29th August, 2003. Since the Madhya Pradesh Chief Minister has finally responded positively on this issue recently, the ATRs will now be sent to Gram Panchayats, as stated by the Chief Minister in his meeting with us on April 7, 2006. That will, however, not have any effect on the problems at hand.

9. The GoM felt concerned about SCs & STs for whom there doesn't seem to be any special provision in respect of Rehabilitation and Resettlement.

10. The reports of the Rehabilitation and Resettlement Sub Group and the GRA on the basis of which Narmada Control Authority (NCA) granted permission for raising the height has been largely paperwork and it has no relevance with the situation on the ground.

Stop work, says minister

Narmada Talks Fail, BJP CMs Accuse Centre Of Playing Politics

New Delhi: Attempts to hammer out a solution to the Narmada imbroglio ended in a stalemate on Saturday, prompting a recommendation to the Prime Minister for temporary suspension on raising the height of the Sardar Sarovar project.

Modi to go on 51-hour fast

New Delhi: Gujarat chief minister Narendra Modi on Saturday announced that he would undergo a 51-hour fast at Sabarmati Ashram in Ahmedabad from today to protest against the Centre's move to suspend the construction of the Narmada dam. Addressing mediapersons after the meeting of the review committee of the Narmada Control Authority, Modi said Union water resources minister Saifuddin Soz had no right to recommend suspension of the dam work. Observing that the Centre was bowing before the Narmada Bachao Andolan, he alleged that the Centre had already given a promise to NBA activists to stall the project, which was against the spirit of supreme court judgment. Agencies

The review committee of the Narmada Control Authority which met here in the wake of the anti-dam agitation spear-headed by Medha Patkar failed to achieve a breakthrough with chief ministers of BJP-ruled Gujarat, Madhya Pradesh and Rajasthan putting up a stiff resistance to the Centre's move to stop work on the project touted as "Gujarat's lifeline".

Union water resources minister Saifuddin Soz, environment and forest minister A Raja and Maharashtra chief minister Vilasrao Deshmukh countered it by bringing a resolution recommending to the Prime Minister the immediate suspension of work till all project affected persons were rehabilitated in accordance with the orders of the NCA and the supreme court. While Soz initially announced after the

Aamir targeted, Rang De.. stalled

Ahmedabad: Angered by actor Aamir Khan's support for social activist Medha Patkar, who has been opposing the raising of the Narmada dam's height, BJP workers on Saturday stalled the screening of the actor's film at cinema halls in the city.

BJP workers led by local MLAs pulled down the posters of *Rang De Basanti* and stalled the screening of the film in a city multiplex. They shouted slogans against the actor and threatened to prevent the actor's forthcoming film *Fanaa* from being screened in the city cinema halls.

Hitting out at Aamir, a local BJP leader said he must first "set his house in order by thinking about his former wife and children instead of worrying about those displaced by the building of the Sardar Sarovar dam".

The BJP workers also vented their anger on another film personality, Rahul Bose, who has also come out in support of the Medha Patkar-led Narmada Bachao Andolan (NBA). Agencies



BJP workers burn posters of Aamir Khan at a protest rally in Ahmedabad on Saturday

meeting that he, as chairman of the NCA, had ordered the suspension of the work, he later amended it saying it was in the process of being suspended as recommended to the Prime Minister.

"Since there is a tie and the central team led by me had found that the rehabilitation in Madhya Pradesh is not complete in accordance with the directives, through a resolution we are recommending the suspension to the Prime Minister," Soz said, adding, "We are not against the dam's construction and I know its advantages." He wanted the supreme court to see for itself if the affected people had been rehabilitated according to its orders.

Emerging out of the meeting, a visibly angry Gujarat chief minister Narendra

Modi charged the Centre with acting under Patkar's pressure and being scared of agitation. Accusing Deshmukh of following the Congress whip, Modi reminded him that the project stood to benefit Maharashtra immensely. "The issue is unresolved. There is no decision. There is a tie. Three-fourths of the states are in favour of increasing the height of the dam. The Centre and its representatives want to push the country into darkness due to political reasons and I appeal to the people of Gujarat to exert pressure through democratic means," he said. Terming as unfortunate the Centre's moves to stall the work, he said it posed a threat to the future of all states as once completed, the project would generate 1450 MW of power. Agencies

SARDAR SAROVAR PROJECT 'SUSPENDED'

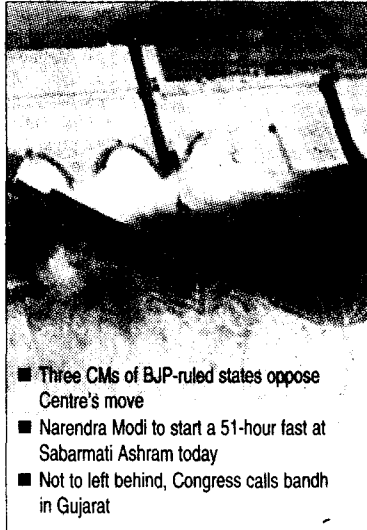
Dam politics stalls work

16/1 5/1
Environment

Statesman News Service

NEW DELHI, April 15. — Giving a political twist to the raging controversy over the height of the contentious Sardar Sarovar dam, the Gujarat chief minister Mr Narendra Modi today announced he would undertake a 51-hour fast beginning tomorrow at the Sabarmati Ashram in Ahmedabad to protest against the Centre's proposal to suspend further construction of the Narmada dam.

Upset over the outcome of today's meeting of the Narmada Control Authority review committee convened by its chairman, Union water resources minister Mr Saifuddin Soz, which proposed suspending further construction of the Sardar Sarovar dam pending proper rehabilitation of oustees, Mr Modi slammed Mr Soz for the "political" decision. He charged the Centre with making a "premeditated" bid to stall the dam project under pressure from the Medha Patkar-led Narmada Bachao Andolan (NBA). Chief ministers of the four participatory states in the dam project, Gujarat, Madhya Pradesh, Maharashtra and Rajasthan, attended the meeting. Mr Soz had initially announced that he had ordered suspension of work on the dam. He later amended his statement to say work was "in the process of being suspended". "Since there is a tie and the Central team led by me found that rehabilitation in Madhya Pradesh was not in accordance with directives, through a resolution we are recommending suspension to the Prime Minister," Mr Soz said. He added: "We are not against the dam's construction and I know its advantages." He said he wanted the Supreme Court to see for itself whether rehabilitation had taken place. Chief ministers of BJP-ruled states, however, were having none of it. Mr Modi



- Three CMs of BJP-ruled states oppose Centre's move
- Narendra Modi to start a 51-hour fast at Sabarmati Ashram today
- Not to be left behind, Congress calls bandh in Gujarat

accused the Centre as well as the Congress-led Maharashtra government of "politicising" the issue. Mr LK Advani, called the Prime Minister and urged him to "end the stalemate".

Not to be left behind, the Gujarat Pradesh Congress Committee today gave a Gujarat bandh call and rushed its top leadership to New Delhi to meet the Prime Minister. "Since 1961, all political parties in Gujarat have spoken in one voice regarding the Narmada dam which is directly linked to the progress of the state and is the life-line of Gujarat," senior GPCC leader Mr Hasmukh Patel told reporters in Ahmedabad. "We appeal to the Union Government to let the work on the dam continue and not stall raising the dam's height to 121.92 metres," he said.

The NBA, which has been observing a *satyagraha* here for weeks to press for a halt in the Sardar Sarovar's construction in the absence of resettlement and rehabilitation of thousands of displaced families even at the current dam height in accordance with SC directives, said it too was not satisfied with the review committee meeting's outcome.

See DAM, page 10

18 APR 2006

THE STATESMAN

Narmada dam talks deadlocked ✓

Gujarat Chief Minister Narendra Modi plans to go on 51-hour fast from today

Gargi Parsai

NEW DELHI: The meeting of the Review Committee of the Narmada Control Authority (RCNCA) here on Saturday failed to achieve a consensus on the Centre's proposal to temporarily suspend the construction of the Sardar Sarovar dam till resettlement and rehabilitation of the project-affected families was completed.

The matter would be reported to Prime Minister Manmohan Singh. It is also coming up in the Supreme Court on Monday.

The Government said, "It was open to the Supreme Court to consider whether the construction of the dam should be temporarily suspended till such time as rehabilitation and resettlement of project affected families is done in consonance with its directions."

The Centre moved the proposal based on the report of the three-member Group of Ministers (GoM) led by Water Resources Minister Saifuddin Soz, which visited rehabilitation sites in Madhya Pradesh last week.

"Largely paperwork"

In the report, the Ministerial team has categorically stated: "The reports of the rehabilitation and resettlement sub-group and the Grievance Redressal Authority, on the basis of which the Narmada Control Authority (NCA) granted permission for raising the height, has been largely paperwork and it has no relevance to the situation on the ground." The report was made available to members of the Authority.

The meeting saw a vertical split along party lines with the three BJP-ruled States of Gujarat, Madhya Pradesh and Rajasthan opposing the Centre's resolution, and Ministers of the Congress-led United Progressive Alliance, Saifuddin Soz, A. Raja, and Chief Minister of the Congress-ruled Maharashtra, Vilasrao Deshmukh, supporting



COLLECTIVE PRESSURE: Union Ministers A. Raja (Environment) and Saifuddin Soz (Water Resources), at centre, with Chief Ministers S.S. Chauhan (Madhya Pradesh), Narendra Modi (Gujarat), Vilasrao Deshmukh (Maharashtra), and Vasundhara Raje Scindia (Rajasthan) at the review meeting of the Narmada Control Authority in New Delhi on Saturday. — PHOTO: V. SUDERSHAN

it. There was also lack of consensus on three separate resolutions moved by Gujarat Chief Minister Narendra Modi, Rajasthan Chief Minister Vasundhara Raje and Madhya Pradesh Chief Minister Shivraj Singh Chauhan on endorsing the decision of the Authority to allow Gujarat to raise the height of the dam from 110.64 metres to 121.92 metres.

Speaking to media persons after the meeting, Mr. Soz said the RCNCA recognised the need to construct the dam as it would provide benefits to the basin States. "However, there was no consensus on whether construction of the dam should be suspended in view of the fact that rehabilitation and resettlement

of the affected families had not been done to the satisfaction of the requirement laid down by the Supreme Court."

Modi's criticism

Mr. Modi criticised the UPA Government for attempting to stall the dam construction in the face of the indefinite fast by Narmada Bachao Andolan leader Medha Patkar. He told reporters that he would go on a 51-hour fast from 2 p.m. on Sunday on the banks of Sabarmati in Ahmedabad. This would be against the Central Government's "anti-development and anti-Gujarat" policies, he said.

According to him, the matter could not be referred to the

Prime Minister as there was a tie on that issue as well. "Only the Committee can decide if an unresolved issue can be referred to the Prime Minister for his decision [which would be final and binding]." Asked how the issue could then be resolved, he said, "The Government should evolve a political consensus on it."

Mr. Raja said Mr. Chauhan accepted in the meeting that there was some delay and lacunae in resettlement and rehabilitation of the dam displaced people in his State of Madhya Pradesh.

Commitment

Mr. Chauhan said his State was committed to the rehabilitation of dam displaced people

and was working towards it.

The Narmada Bachao Andolan said it was not unexpected that there would be no conclusive decision at the meeting. "The tie is between truth and untruth, between democratic values and selfish party politics."

To continue fast

Medha Patkar, whose condition worsened on the 18th day of her indefinite fast on Saturday, would continue with it seeking justice for the dam displaced population.

More reports on Page 10

Sardar Sarovar Project - dam minus drinking water

We witness the drowning of reasoned arguments under the din of propaganda masquerading as opinion of honourable academicians

Himanshu Upadhyaya

The protest demonstration by Narmada Bachao Andolan entered the 29th day on Saturday. Meanwhile, the ongoing construction work to raise the height of the Sardar Sarovar dam from 110.64 to 121.92 metres continues.

Following a field visit of a few affected villages by three Ministers on April 12th, the Centre called for a meeting of the Review Committee of the Narmada Control Authority. (The meet held on Saturday ended in a deadlock, prompting Water Resources Minister Saifuddin Soz to recommend to the Prime Minister suspension of the work on the project.) Once again we are going to witness the drowning of not just fertile farmlands and thickly populated villages in the Narmada valley, but also of reasoned arguments under the din of propaganda masquerading as opinion of honourable academicians who argue that raising the dam height to 121.92 metres is the only way to bring drinking water benefits to millions.

While there have been reports

from civil society organisations and Comptroller and Auditors-General stating that Gujarat has failed to utilise the present impoundment in the reservoir, honourable academicians choose to ignore them. From 1991, Gujarat has used the emotive power of thirst to push the dam ahead and create a rift between *achhatgrast* (scarcity affected) and *asargrast* (dam affected). However, it is time to wake up to the truth that these hollow claims do not bear the scrutiny, and endless repetition of propaganda will not quench the thirst of Saurashtra and Kachchh.

The ambitious Sardar Sarovar Narmada Canal Based Bulk Water Transmission Project began in 1999-2000 and was scheduled to be completed by 2002, but was lagging behind due to "defective planning and lack of coordination among different agencies" and not because of litigations or non raising of the dam height, as borne out from the findings of the CAG reports for the year ending March 31, 2003 and 2005.

Audit scrutiny also pointed out a clever trick of the establishment of the Sardar Sarovar Project. It was found during the audit that expenditure on the drinking water supply is being booked not on the balance sheets of the Sardar Sarovar Narmada Nigam Limited, but on the balance sheets of the Gujarat Water Supply and Sewerage Board and the Gujarat Drinking Water Infrastructure Limited. The Saurashtra Pipeline Project was first brought to the drawing board in 1996 with a master plan that talked about augmenting the Mahi Canal Based Water Supply Schemes by supplying 211 MLD (million litres a day) water from Narmada Canals to 1860 severely affected villages of Ahmedabad, Amreli and Bhavnagar districts. Similarly a second route was based on the Maliya Branch Canal of the Sardar Sarovar project with a distribution network through 869 km-long pipelines to supply 500 MLD water to 1342 villages/towns in Jamnagar, Kachchh and Rajkot districts.

Audit scrutiny of the implementation and performance of these projects pointed to the failure of Gujarat to utilise the water available from the impoundment created. As per the CAG report on Gujarat (civil) for the year ending March 31, 2003, "The gross average daily intake during the two years of its operation (December 2000 to November 2002) was 119.80 MLD against the envisaged capacity of 287 MLD (i.e. 42 per cent of capacity utilisation) only. Of the envisaged coverage of 1860 villages/towns, benefit reached only to 543 villages. So, even after two years of execution, at the cost of Rs. 464.17 crores, benefits could be derived to the extent of 44 per cent of the envisaged population only." Further putting a scanner over the utter failure of Gujarat to provide hygiene to its people, the CAG report goes on to state, "of the 1.51 million beneficiaries, 1.42 million (i.e. 94 per cent) in 503 villages/towns was supplied with raw water as there was no filtration arrangements at the headworks, exposing them to the risk of contracting water borne diseases."

The major contention of the audit findings was that shortfall in capacity utilisation was thanks to "a large number of unexecuted distribution networks, canal works and pitching work at Paraj." The CAG report clearly pronounced a note of despair when it said, "there was no prospect of optimum utilisation of the capacity of 287 MLD created, in the foreseeable future." Answering this contention, the Gujarat Government took a position as late as on July 2003 that "network systems are lengthy and it would take more time to implement," while on the lack of filtration facilities, it said, "funds had to be mobilised for creating filtration facilities and these works were in progress." A government that boasts of being able to mop financial resources

and honourable academicians necessary to raise the dam height by five or 10 metres at a regular interval every year was facing financial crunch when it came to provide filtration facilities, even after two years of execution of the drinking water supply project! And yet, if honourable academicians like Y.K. Alagh are to be believed, we shall ignore the protests by affected persons whose homes and hearth are going to be drowned since thousands of villages in Saurashtra and Kachchh have started getting Narmada water! Three years have passed by since the audit report making these comments on the Saurashtra Pipeline Project entered the public domain, without much furor in the Gujarat Assembly, and honourable academicians

kept arguing in favour of raising the dam height.

Delay in execution

The CAG report on Gujarat (civil) for the year ending March 31, 2005 covers the implementation and performance of the second route of Sardar Sarovar Canal-Based Bulk Water Transmission Project. In Para 3.2.8.3 <http://3.2.8.3> the CAG mentions that due to the delay in the execution of distribution works, "only 29 per cent of the installed capacity of water was used and only 415 of 1342 targeted villages/towns (i.e. 31 per cent) were covered. Elaborating on this, the CAG states, "as a result of the delay in the execution of the distribution works, the gross daily intake from May 2003 to June 2005 was 145.17 MLD (29 per cent) against the envisaged capacity utilisation of 500 MLD." The report also put under the scanner six water supply schemes, taken up for execution during the period of the audit review that were incomplete.

Ineffective control

Putting the blame on the failure of the GWSSB as well as the

While there have been reports that Gujarat has failed to utilise the impoundment in the reservoir, academicians choose to ignore them

Shortfall in capacity utilisation due to unexecuted distribution networks, canal works and pitching work

Ignoring the protests will pronounce the deathknell for the last straw of democratic ethos

audit findings was that shortfall in capacity utilisation was thanks to "a large number of unexecuted distribution networks, canal works and pitching work at Paraj." The CAG report clearly pronounced a note of despair when it said, "there was no prospect of optimum utilisation of the capacity of 287 MLD created, in the foreseeable future." Answering this contention, the Gujarat Government took a position as late as on July 2003 that "network systems are lengthy and it would take more time to implement," while on the lack of filtration facilities, it said, "funds had to be mobilised for creating filtration facilities and these works were in progress." A government that boasts of being able to mop financial resources

consultant in the monitoring and execution of works, the CAG held them responsible for "ineffective internal control resulting in cost and time overruns and deprivation of benefits to the targeted population." And still, honourable academicians like B.G. Varghese would quote verbatim from the official propaganda to impress upon the readers that affected people protestings the raising of the dam height without rehabilitation and resultant submergence are the ones to be blamed for cost and time overruns!

The decisive moment has arrived in the Narmada debate, and ignoring the protests of displaced people from the Narmada valley would pronounce the death knell for the last straw of democratic ethos. If the state decides to be indifferent to the Gandhian way of struggle by an indefinite fast and crush this non-violent protest by midnight swoops as we witnessed last week and put charges of attempt to suicide on fasting satyagrahis, while stopping the ongoing dam construction, then by default it privileges and invites violence.

Ineffective control

Putting the blame on the failure of the GWSSB as well as the

Youth Congress workers attack cinema house



Aamir Khan

Special Correspondent

AHMEDABAD: Youth Congress workers in Vadodara on Friday attacked a cinema house showing an Amir Khan film and forced the authorities to suspend the show.

The demonstration later spread to many other parts of Gujarat. Effigies of the actor and Narmada Bachao Andolan leader Medha Patkar were burnt.

BJP supporters and representatives of various voluntary organisations also joined the stir in Ahmedabad, Surat and many other places in the State. Both the Youth Congress and the BJP Yuva Morcha have given a call to the people to boycott Amir Khan's films in protest against his open support to the NBA. The cinema theatre owners in most parts of the State have suspended Amir Khan's films apprehending disturbances from political activists.

Later under the auspices of the Narmada Abhiyan, leaders of political parties, representatives of voluntary organisations, the chambers of commerce and other institutions marched to the Raj Bhavan in Gandhinagar and submitted a memorandum to Governor Nawal Kishore Sharma, demanding early implementation of the dam project.

Dam: Congress turns aggressive

"Chauhan created hurdle to construction"

Special Correspondent

AHMEDABAD: Following the United Progressive Alliance Government's decision to call for a review of the height of the Sardar Sarovar dam, the Congress in Gujarat has adopted a more aggressive stance to demand "no stoppage of construction."

The new president of the party's State unit, Bharat Solanki, warned the Centre of a "confrontation" if it adopted a pro-NBA posture and stopped the construction.

Congress sources said the present hurdle to the construction of the dam had been created not by the Congress Ministers at the Centre but by Madhya Pradesh Chief Minister Shivraj Singh Chauhan of the BJP.

The sources said the Narmada Control Authority gave its clearance for raising the dam height from 110.64 metres to 121.92 metres last month on the basis of the assurances given by the former Madhya Pradesh Chief Minister, Babulal Gaur, for simultaneous rehabilitation and resettlement of the project-affected people. But immediately after the clearance was given, Mr. Chauhan wrote to Union Water Resources Minister Saifuddin Soz saying it was impossible for his administration to

15/4
HD-13

- State Congress warns Centre of confrontation if construction is stopped

- BJP denies that Madhya Pradesh Government is not cooperating with Gujarat

complete the rehabilitation process by the stipulated date of June 15, 2006.

Mr. Soz was believed to be planning to write to all concerned, including the Chief Ministers of the States, calling for immediate stoppage of the construction. However, realising that such a letter would be damaging to the BJP in Gujarat, Chief Minister Narendra Modi is said to have urged some senior Congress leaders in Delhi to stop Mr. Soz from writing it. Sources in the CMO, however, refused to deny or confirm whether Mr. Modi had approached Delhi-based Congress leaders to stop Mr. Soz from writing the letter.

BJP leaders, however, blame the Congress Ministers at the Centre for "playing into the hands of NBA leader Medha and perhaps some hidden hands guiding the agitation to stall the construction of the dam."

15 APR 2006

THE HINDU

Overdrawing water: Get that sinking feeling?

Report heaps blame on colonies, farmhouses and irrigation systems

By Maneesh Pandey

New Delhi: Central Ground Water Board (CGWB) has some alarming news for south and southwest Delhi. Its latest report indicates that these parched areas of the Capital are overexploiting groundwater to such an extent that they are even dipping into the age-old reserves.

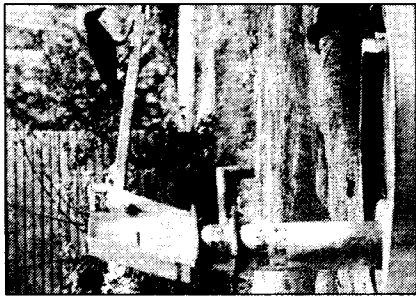
"The groundwater annual withdrawal in south and southwest areas has touched 234% and 214%, respectively (over 100% indicates going into the reserves) — hence the alarming dip of groundwater table to 65 metres below ground level (BGL) in some areas. Even otherwise, in most of south and southwest Delhi, the groundwater is available only between 50-60 metres BGL," it says.

On the other hand, in north Delhi, withdrawal is just 35% and in Central Delhi 88%.

The report does not blame just residential colonies for this alarming situation but also holds groundwater-based irrigation and heavy withdrawal by mushrooming farmhouses in south and southwest.

In May 2003, the extreme range for groundwater level in Delhi was 40-60 metres BGL as in areas of south

Delhi like Asola Bhatti, Tughlaqabad, Lado Sarai, Sathari, Pushp Vihar and Balbir Nagar and in south-



corresponds to areas like Mehrauli, Saket, Neb Sarai, Tughlaqabad and Khanpur.

In the 40-60 BGL range are AIIMS, Green Park, Lalpat Nagar, C R Park, Greater Kailash, Kalkaji, Chhatrapur, Rajokri, Vasant Vihar, Vasant Kunj and Samalkha. Most of these areas were in the 30-40 BGL range in 2003.

The report says the level has gone down alarmingly in the past 20 years. In some areas of south and southwest Delhi, it is going down by 2.5 metres every year. New Delhi's withdrawal rate is alarming too. It has touched 171% followed by northwest, east and north-east — about 130%.

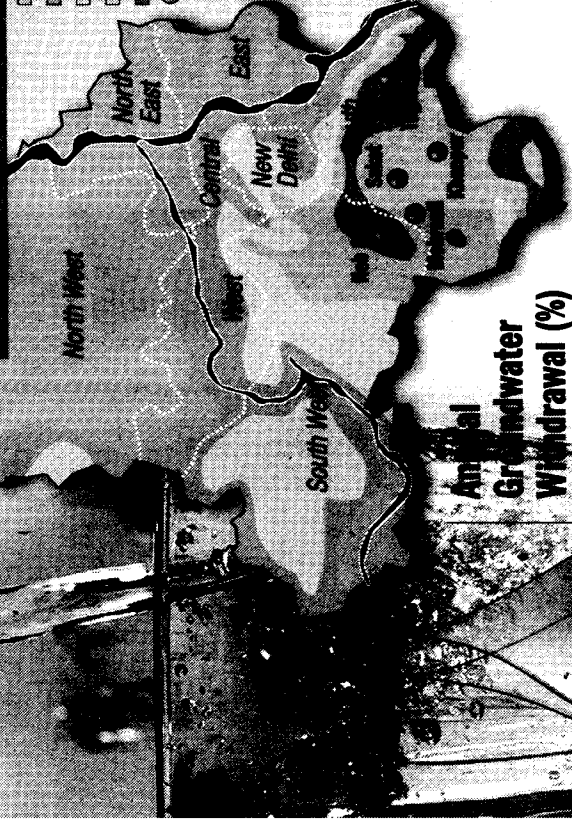
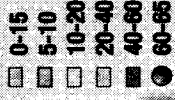
"In New Delhi, the annual decline is between 1 and 1.5 metre BGL in Kidwai Nagar, South Block, Birla Mandir areas. In southwest, this decline is between 1 and 2.5 metres in areas like R K Puram and Palam Road," a CGWB scientist said.

Even areas near the Yamuna riverbed have suffered depletion. The groundwater there was available at a depth of just zero to two metres in 1960.

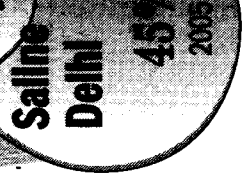
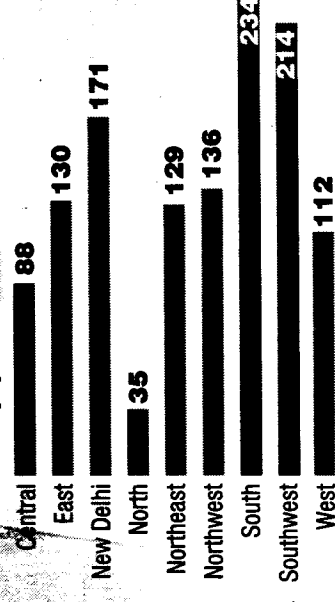
Today water is available at 5-10 BGL. While in west it has gone down to 20 BGL, in northwest and north Delhi, the levels have fallen up to 15 metres.

Ground Reality

Groundwater Level (mbgl)



Annual Groundwater Withdrawal (%)



CGWB's report shows Delhi's water table is sinking to new lows, as farmhouses, colonies & irrigation systems dig into age-old reserves

HOW SAFE IS YOUR WATER?

AREAS WITH HIGH Fluoride LEVELS

Parts of Dwarka, Ghitorni, Munirka, Delhi Zoo area, Nizamuddin, Andheria More and Bawana village



EFFECTS

- Dental problems
- Abnormal bone growths (spurs) in the spine, and crippling due to calcium deposits (calcification) in ligaments

AREAS WITH HIGH Nitrate LEVELS

Pockets of Dwarka, Sarita Vihar, Jeevan Vihar, Khichripur, Kakrola, resettlement colonies and slums



EFFECTS

- Blue-baby syndrome
- Reduction in haemoglobin
- Weight loss
- Renal failure
- Neurological problems

AREAS WITH HIGH Iron LEVELS

Bhalswa, South Najafgarh, West Kanjhawla, Burari in North Delhi, Jagatpuri and Vasundhara Enclave



EFFECTS

- Hair loss
- Gastro disorders and alteration of taste
- Pancreatic dysfunction
- Affects liver, lungs
- Kidney failure

Graphic: Apjit Sharma

Narmada project: the points at issue

Ramaswamy R. Iyer

THE DHARNA of the Narmada Bachao Andolan (NBA) and Medha Patkar's fast give rise to many important questions. (1) Are big dams in general good or bad? (2) More specifically, is the Sardar Sarovar Project (SSP) a good project? (3) Is the SSP, as currently under implementation, in conformity with the prescribed conditions on the environmental and rehabilitation aspects? (4) If there is a failure on the rehabilitation work until that failure has been rectified, as demanded by the NBA? In particular, is the form of protest, including fasting by three persons, right, or does it amount to coercion?

(5) In a parliamentary democracy like ours, is there room for people's movements like the NBA? Are not the people's interests taken care of by their elected representatives in Parliament and the State Legislatures?

The first two questions will not be gone into here. Whether dams are good or bad, and whether SSP is a well-conceived project or not, it is a reality. There is a standing dam wall of 110 metres, and it seems too late to consider hypothetical alternatives in this case, though lessons can and must still be drawn from this case for the future. In the present case, we have to consider how best the dam already constructed can be put to good use, how some benefits can be extracted out of the social and human costs already incurred, how the existing injustices and hardships can be remedied and how further hardship and injustice can be avoided or minimised. As for question (5), it is clear enough that representative parliamentary democracy cannot always be presumed to be fully representative of, or responsive to, the people. Civil society initiatives, people's movements, rallies, public interest liti-

What the NBA is asking for is a suspension of work on the project until the prescribed conditions on resettlement and rehabilitation have been fully met in all respects.

gation, and so on, do have a place. All this is self-evident and does not need to be argued with question (3) and (4).

The NBA has been arguing that even with reference to the stage already reached by the Project, resettlement and rehabilitation are lagging badly in terms of numbers and seriously deficient in terms of conformity to conditions, the result being considerable hardship and injustice to many. To illustrate: certain steps have to be completed a year or six months (as the case may be) before submergence; there has to be land-based rehabilitation and not cash compensation; a choice (real and not illusory) of three sites for rehabilitation has to be given to the project-affected persons (PAPs); villages have as far as possible to be re-settled in clusters and not scattered far and wide; certain facilities have to be provided at the re-settlement sites; and soon. The complaint is that there are failures in regard to most of these matters.

The NBA has provided documentation to substantiate its contentions. It must be noted that it is basing its complaints on the prescriptions of the Narmada Tribunal and the judgments of the Supreme Court. The official machinery refuses to accept the NBA's contentions. Based on official reports, the NCA has come to the conclusion that the height of the dam can be raised from 11 to 121 metres. This will add a large number to the category of PAPs, and rehabilitation will fa-

even further behind. What the NBA is asking for is a suspension of work on the project until the prescribed conditions on resettlement and rehabilitation have been fully met in all respects.

How can one be sure that the NBA is right and the official claims on completion of rehabilitation wrong? My answer to that question is that I have read the NBA's documentation and find it persuasive. Many others — writers, academics, activists, former civil servants, intellectuals, eminent figures in public life — are also similarly persuaded. Even the new Water Resources Minister Saifuddin Soz seemed unconvinced that rehabilitation was satisfactory. D. Raja of the CPI made a public statement at the dharna site in support of the NBA's stand. It seems clear that the official reports on the basis of which the NCA took the decision to raise the height of the dam were questionable; at any rate, the matter needs objective, independent re-examination. Pending such re-examination, the construction work must necessarily be suspended. This demand of the NBA seems entirely justified.

People in the bureaucracy are reported to have asked with real or feigned indignation: "Can we give a veto power over governmental decision-making to an individual?" That falls strangely on one's ears. What veto power? The juggernaut is rolling heedless of protests. The Chief Minister of Gujarat is reported to have said that nothing must be allowed to stop the project. What power have the people been able to exer-

cise? One can in fact turn that around and ask — as some have done — the opposite question: "Are peaceful protests ineffective? Will the state respond only to violence?" As for coercion, if fasting is coercion, so are strikes, bandhs, hartals, and other forms of protest. Unfortunately, it is the absence of response to letters, memoranda, resolutions, and even personal pleas at meetings, that drive people to such confrontational methods. If there had been early and constructive responses to Medha Patkar's pleas she could have avoided recourse to such an extreme step. Let us note that it was only when she went on a fast and her condition started deteriorating that Ministers came to the dharna site. Who then is to blame for her decision?

After the above was written, there have been reports of Ministerial visits to the valley. We await the Ministers' reports, hoping that they will be fair and objective and not guided by advance political instructions.

Meanwhile, one has seen an article severely critical of Medha Patkar in *The Indian Express* of April 10, 2006. The author finds her responsible for delaying the SSP by several years and describes her as perverse, opposed to all development, and an ideologue. The NBA's petition to the Supreme Court led to a hiatus in the project from 1994 to 2000, and the NBA is often blamed for this six-year delay. However, when it filed its petition in 1994, did NBA ask the Supreme Court to take six years to deliver judgment? The Supreme Court could have refused to entertain the petition; it could have refused to order the suspension of work on the project; if it admitted the petition and ordered the stoppage of work, it must have found some substance in the NBA's complaints. Having done so, it could have disposed of the case in six months instead of six years; can the responsibility for that delay be laid at the NBA's doors? In the end, the majority judgment went against the NBA, but at least one judge found the processes of examination and clearance wanting and ordered a re-examination of the project; being a minority judgment it had no legal effect, but it showed that the NBA's petition was not a frivolous or ill-conceived one.

Subsequently, the NBA has been drawing attention to non-compliance with conditions, violations of human rights, hardship, and so on. Faced with these things, should the NBA have kept quiet on the ground that complaints will cause delays? Should the responsibility for such delays be attributed to the complainant or to those whose omissions and commissions made the complaints necessary? Are protests against lapses "perverse"?

As for 'ideology', it is curious that those who equate 'development' with big dams and other big projects, huge shopping malls filled with the world's merchandise, and roads bursting with automobiles, are not described as ideologues, but those who argue that such ideas of development have brought the world to the brink of disaster and that we must pull back from the brink before it is too late, are castigated as ideologues. Ms. Patkar is not alone in holding such views; there is a worldwide groundswell of opinion that humanity must alter its ways if it and Planet Earth are to survive. There are indeed many who hold the opposite view, and they are entitled to do so; but they are not entitled to dismiss those whom they consider wrong with scorn and contempt.

In conclusion, let me put aside the attempt at academic and objective analysis, and make a declaration. The NBA is a great mass movement, one of the most important ones since independence. It — and the Tehri movement — have forever altered our understanding of such projects. Ms. Patkar is one of the great Indians of our time. I salute her nobility of spirit, her indomitable courage, and her steadfast commitment to the cause that she has espoused. I pray for her safe and successful emergence from the ordeal that she has undertaken.

(The writer is a former Union Secretary for Water Resources.)

CARTOONSCAPE



Narmada dam: Soz meets Patkar, talks of 'suitable solution'

EXPRESS NEWS SERVICE

NEW DELHI, APRIL 3

ASSURING "suitable rehabilitation" of the people affected due the Sardar Sarovar Project, Union Minister for Water Resources Saifuddin Soz today met social activist Medha Patkar, who is on an indefinite hunger strike since Wednesday, and urged her to break the fast.

However, Patkar stood firm on her decision and refused to call off her hunger strike unless "concrete action" was taken in the matter. The Narmada Bachao Andolan activists have been protesting the Narmada Control Authority's "unilateral" decision to increase the height of the Sardar Sarovar Project to 121.92 meters without rehabilitating over 35,000 affected families.

"We urge Patkar to break her fast. She is welcome to continue her protest and raise the issue with Prime Minister Manmohan Singh, my ministry and the courts," said Soz, who was accompanied by Union Minister for Social Justice Meira Kumar and Minister of State in the Prime Minister's Office Prithviraj Chavan. He said his ministry would "leave no stone unturned" in the rehabilitation of the tribals.

In a memorandum to the PM, NBA activists, including Nirmala Deshpande, Nandita Das, Jayati Ghosh, Shabnam Hashmi, condemned the decision to raise the height of the dam.

04 APR 2006

INDIAN EXPRESS

Five-year jail term for Salman Khan

Court holds him guilty of killing rare animal; lawyer says he will appeal against verdict

Special Correspondent

JAIPUR: Bollywood star Salman Khan was sentenced to five years' rigorous imprisonment by a court in Jodhpur on Monday and sent to the Central Jail after being held guilty of killing a chinkara, a protected species of gazelle. The heart-throb of cine-magoers was also fined Rs. 25,000 following his conviction under the Wildlife Protection Act.

A visibly shaken Salman Khan, who was present in the court when Chief Judicial Magistrate Brijendra Kumar Jain pronounced the judgment, was immediately taken into custody, bundled into a police van, and despatched to the jail. The actor is likely to remain behind bars for at least two days, as an application seeking bail and suspension of the sentence can be filed only on Wednesday, with Tuesday being a public holiday on account of Mahavir Jayanti.

The 40-year-old actor was sentenced to a one-year jail term by the same court on February 17 this year in a case of poaching of black bucks, though the sentence was suspended for a month. Monday's sentence has been awarded in connection with the killing of a chinkara at Ghoda farmhouse near Mathania on the night of September 28, 1998, when Salman Khan was in Jodhpur shooting for Suraj Barjatya's film "Hum Saath Saath Hain".

Actors Saif Ali Khan, Neelam, Tabu and Sonali Bendre are co-accused in one of the four poaching cases registered against Salman Khan, in which the final judgment is yet to be delivered. Comedian Satish Shah was ac-



SENTENCED: Actor Salman Khan being escorted by policemen out of a court in Jodhpur on Monday after he was sentenced to jail in a poaching case. —PHOTO: AFP

quitted in the case of poaching of black bucks in Bhawad village in the February 17 verdict.

The Chief Judicial Magistrate, convicting Salman Khan under Section 51 of the Wildlife Protection Act on Monday, also sentenced co-accused Govardhan Singh -- who was a guard at Ghoda farmhouse -- to one year's rigorous imprisonment and a fine of Rs. 5,000. Four other accused -- Bal Angre, Pratap Singh, Om Singh, and Dushyant Singh -- were acquitted.

Salman Khan's counsel Hastimal Saraswat said he would file an appeal against the judgment in the Sessions Court and affirmed that his client's case was "strong on merit". The Bollywood actor has already appealed against the February 17

judgment.

The court has also convicted Salman Khan under Section 143 (member of an unlawful assembly) of the Indian Penal Code and sentenced him to three months' imprisonment under this provision. Both prison sentences will run concurrently.

The CJM had on April 7 rejected Salman Khan's application seeking summoning of the main witness in the poaching case, Harish Dulani, who was absenting himself from court appearances for several years. He had reportedly retracted his earlier statement that he had seen the actor killing the animal.

According to the prison authorities in Jodhpur, Salman Khan would be kept in an ordinary cell like other prisoners and

would not be given any special treatment. In the history of environmental laws, this is one of the few instances where a strong punishment has been awarded for killing an endangered animal.

The Wildlife Protection Act provides for a sentence up to seven years and a fine up to Rs. 25,000 for killing endangered animals such as black buck, gazelle, antelope and chinkara, which are protected under Schedule I of the Statute. Such harsh punishment is normally given to habitual poachers and illegal traders in elephant tusks and tiger skins.

The Ghoda farmhouse case was registered against Salman Khan and others under Sections 143, 144, 148 and 201 read with Section 149 of IPC, Section 51 and 52 of the Wildlife Protection Act and Section 27 of the Indian Arms Act at the Mathania police station on October 11, 1998. The charge sheet was filed in the court on May 14, 1999, and charges were framed on April 14, 2001.

The Bishnoi community in Mathania, which worships black bucks and chinkaras and was primarily instrumental in pressing charges against Salman Khan, has welcomed Monday's verdict. Rajasthan Forest and Environment Minister Laxminarain Dave has also hailed the judgment as 'victory of justice'.

Mr. Dave said the judgment would strengthen the State Government's efforts to protect wildlife and check poaching, besides sending across a strong signal to the hunters. "No criminal involved in the poaching of wild animals can be above the law," he added.

11 100 2006

THE HINDU

Medha seeks Manmohan's intervention

WJY Govindarajan
Special Correspondent

ND-1
NEW DELHI: Narmada Bachao Andolan leader Medha Patkar on Sunday urged Dr. Singh to intervene in getting her discharged from the All-India Institute of Medical Sciences where she was removed from the dharna site at Jantar Mantar on April 5 when her condition started deteriorating.

Demanding her right to continue her indefinite fast at the dharna site with the Narmada dam-displaced tribals and villagers, she said it was "unfortunate" and "spoke for the distorted perspective of the system" that she was charged of attempt to commit suicide under Section 309 of the Indian Penal Code and her colleagues were accused of "rioting, criminal assault, obstructing public servants in discharge of their duty and so on".

The fact was, she said, that most of the NBA workers and dam-displaced people were asleep when police swooped down on them in the middle of the night.

In a letter written to the Prime Minister on Sunday, Ms. Patkar said that while this might have to be fought legally, "we know by now that all decisions relating to Sardar Sarovar dam are made on the basis of neither law nor facts, but politics".

10 APR 2006

THE HINDU

Quiet flows the Narmada

MEDHA PATKAR was on Wednesday night removed to AIIMS, in New Delhi, under protective medical custody to save her life. She was on the eighth day of a fast unto death to stop the Sardar Sarovar dam being raised from 110.64 m to 121.92 m, even as a ministerial delegation left Delhi for the Narmada valley to make a rapid appraisal of the rehabilitation situation. The ministers had vainly implored Patkar to give up her fast on the assurance that everything possible would be done to ensure that all affected families were properly rehabilitated.

The Narmada Bachao Andolan (NBA) supporters and environmental activists have reacted with sullen rage, even hysteria. Patkar has gone on fast time and time again to get her way. While such self-inflicted suffering arouses concern and sympathy, democratic governments have a wider ineluctable social and political responsibility, and cannot abandon due process in favour of any one set of demands through emotional blackmail. This is not Gandhian. The Mahatma was pitted against constitutionally irresponsible and unrepresentative alien rule. The situation today is very different. The water resources minister has promised a review of the Narmada Control Authority's (NCA's) decision to permit further raising of the dam. Moreover, an NBA petition on this very issue before the Supreme Court will be heard on April 17.

Patkar's insistence on immediate stoppage of work on the dam is perverse. Work on the SSP dam has been suspended off and on for approximately six or more years at the instance of the NBA. This itself has complicated issues by weakening the oustee's resolve to move, swelling numbers and preventing rehabilitation, which entails steady emotional adjustment to the new dispensation after the initial phases of relocation and resettlement. In



Stopping work would be unwarranted and expensive. The gains will benefit millions

B.G. VERGHESE

the confused parlance of R&R debate, the last phase is treated as coterminous with the first two. Ask even a sophisticated family how long it takes to settle down when it moves house, to say nothing of moving station. It is fallacious to imagine that R&R in the case of many tens of thousands of villagers, spread over three states will be instantly accomplished without a glitch.

The broad facts are that the NCA, chaired by the union water resources secretary, cleared the enhanced height of 121.92 m on March 8. This was done after action taken reports on R&R had been vetted by the high level Grievance

height of the dam immediately. There is a limited working season remaining within which to raise the dam to the newly approved height and take defensive measures for protection of the structure at this level before the July floods. Therefore stoppage of work would be unwarranted and expensive, especially as the dam at 121.92 m will irrigate an additional 3.6 lakh ha, provide drinking water over a longer reach of Narmada canal offtakes, and generate up to 1450 MW of power at the river bed and canal head hydel stations. These are no small gains and will benefit millions, including small and marginal farmers, and

While such self-inflicted suffering arouses concern and sympathy, democratic governments have a wider, ineluctable social and political responsibility

Redressal Authority, set up in Gujarat, Maharashtra and Madhya Pradesh respectively at the instance of the Supreme Court, and thereafter approved by the Narmada R&R and environmental subgroups of the NCA. This is not to say that physical or perceptual gaps and flaws might not still remain in some minds. But these are all subject to review and correction. Indeed the new Water Resources Minister had himself said that he needed to be fully satisfied and had announced his intention of convening a meeting of the ministerial level Review Committee of the NCA to go over the ground again.

There was accordingly no need for an ultimatum to halt raising the

trigger further employment and income generation. Special provision can be made, including a compensation package for those — if any — eligible for R&R but inadequately provided for, or not at all, should they suffer submergence.

The NBA asserts that Madhya Pradesh has been forcing cash compensation on oustees in lieu of land-for-land as stipulated, on the ground that land is not available. When the Narmada Award was made, degraded forest land could be used for R&R. But passage of the Forest Conservation Act in 1985 barred all such diversion. The patent untenability of the land-for-land formula was compounded by the terms offered for eligible "ous-

tees". This provided, with some variations, for a minimum of two ha for each "oustee", or as much as the holding lost; two ha for each coparcener, two ha for each major son, two ha for every encroacher and two ha for each landless labourer employed. Where was all this land to come from? In addition, each "oustee" is entitled to a 500 sq m homestead plot and to be settled in clusters.

The persisting promise of land-for-land is misconceived as an absolute right and only credible form of R&R. Distress migration from the Narmada Valley, as elsewhere, on account of lack of development or employment opportunities has led to hundreds of thousands moving from farms or the countryside to non-farm, non-land occupations. Where land is available, let land be given by all means. For the rest, and for the most part, supervised cash compensation with training and micro credit for asset-creation and self-employment around homestead plots or flatted factories would be a better answer.

As the SSP dam rises, submergence will be partial and seasonal, sometimes only for a few days in a year of high flood. Many millions of farmers all over the country live with such a regime and practice draw down farming or cultivate char lands richly fertilised by receding floods. To treat all of this as total or permanent "submergence" is to misunderstand and exaggerate the problem. Differential compensation is in order here.

Medha Patkar is not specifically opposed to the Narmada dam or any specific aspect or impact. The target varies. She is opposed to all large dams, thermal projects, mines and, indeed, all large projects at all times. For her, small is beautiful; big is bad. Her objection is ideological. Yes, R&R must be humane and just. At the end of the day those displaced must be at least as well or better off than before. Let us all join hands to achieve that objective.

INDIAN EXPRESS

Union Ministerial team leaves for Madhya Pradesh

HD-1
7/4
Gini...

Medha Patkar continues fast in hospital

Gargi Parsai

NEW DELHI: A three-member team of Central Ministers left for Madhya Pradesh on Thursday to visit select resettlement sites of Narmada dam displaced families in Badwani district, even as the Narmada Bachao Andolan leader Medha Patkar continued her indefinite fast at the All-India Institute of Medical Sciences where she was taken to by the police on Wednesday night. Seven more people from various organisations joined the indefinite hunger strike at the dharna site on Thursday.

Ms. Patkar was visited at the Intensive Care Unit of the AIIMS by her brother, Mahesh, who arrived here from Mumbai. He said her condition was worrisome but stable. She was strong mentally and determined to carry on the struggle for the displaced tribals and villagers, he said. She is under observation and nobody is being allowed to visit her.

Refuses saline drip

On Wednesday night, she refused an intravenous saline drip and declared that the dharna and hunger strike would continue. Only one of the fasting villager, Jamsingh Nargave, is with her. The rest are at the dharna site.

The Ministerial team that left for Madhya Pradesh included Water Resources Minister Saifuddin Soz, Minister for Social Justice and Employment Meira

Kumar, Minister of State in Prime Minister's Office Prithviraj Chauhan. Water Resources Secretary J. Hari Narayan and Social Justice and Employment Secretary Sarita Prasad, along with members of the Narmada Control Authority will visit some of the rehabilitation sites. NBA members are not part of the team.

Before leaving for Madhya Pradesh, Mr. Soz told the *The Hindu* that the team would see for themselves the level of resettlement and rehabilitation of the displaced families in pursuance of the Narmada Tribunal award and Supreme Court orders. He said over a period of time they would also see the rehabilitation elsewhere. "Whatever is possible we will do," he said.

Asked about the cash compensation being offered to the uprooted families, he said, "We are examining everything."

Mr. Soz declined to comment on the police action at the dharna site, but said that the Government, Prime Minister Manmohan Singh and Congress president Sonia Gandhi were concerned about Ms. Patkar's health and she had to be taken to hospital. The team will visit Piplod, Dharampura, Khara, Alwada and Nasirpur.

NBA members Dipti and Yogini said the Water Ministry had worked out an itinerary with them about the villages that faced displacement and those that had been submerged and whose inhabitants were sitting on the hills. "However, the programme that the Narmada Authority has worked out for the Ministers is changed and excludes crucial villages and sites. The explanation is that logistics cannot be worked out so they would leave out Dhar villages. Instead of two days, the visit has been cut short to one day."

"Work on dam must continue"

RAJKOT: Gujarat Chief Minister Narendra Modi on Thursday said that work on the Sardar Sarovar Dam should not stop, as it was the lifeline of the drought prone region of Saurashtra, Gujarat.

At a public rally here, from where BJP leader L.K. Advani began the 'Bharat Suraksha Yatra' this morning, Mr. Modi

criticised the Narmada Bachao Andolan activists' demand that work on increasing the height of the dam be stopped. The displaced persons would be rehabilitated. "The Government was fully committed to the rehabilitation of those being displaced or affected by the project," he said. — UNI

09 APR 2006

THE HINDU

Angry Narmada oustees want ministers to prolong visit

EXPRESS NEWS SERVICE

BHOPAL, APRIL 7

THREE Union ministers who visited Sardar Sarovar Project-dam affected villages and rehabilitation sites in Madhya Pradesh on Friday had a tough time as oustees and NBA volunteers wanted them to prolong their visit to hear their tales of corruption and inadequate compensation. Angered by the whistle-stop itinerary, villagers said the ministers should spend at least a fortnight to know the ground situation. They alleged that the compensation/relief given by the state government either did not reach them or was inadequate.

The team comprising Water Resources Minister Saifuddin Soz, Social Justice and Empowerment Minister Meira Kumar and Minister of State in PMO Prithviraj Chauhan had tried to keep their schedule under wraps. In fact, their sudden visit took the Madhya Pradesh government by surprise because it was bracing itself to defend charges levelled by NBA and Medha Patkar.

"We knew they would come but they came unannounced," a government official admitted on Friday. Chief Minister Shivraj Singh Chouhan put up a brave face saying the government had tried to do its best but there could be irregularities, which the official machinery would set right. He claimed that rehabilitation was taking place according to the guidelines laid by the Supreme Court. The team tried to strike a balance by visiting sites suggested by NBA and the MP

Patkar continues fast

NEW DELHI: Narmada Bachao Andolan leader Medha Patkar continued her hunger strike at the AIIMS demanding proper rehabilitation of the families affected by the Sardar Sarovar Project, even as people all across the country staged relay-fast and hunger strikes to express solidarity with her cause.

government. While the Andolan wanted to present worst-affected villages the government wished to take the team to Dharampuri and Nisarpur villages where it claims the biggest resettlement sites are coming up. However, at every place the team had to face angry villagers. The Narmada Valley Development Authority officials accompanying the central team tried in vain to intervene and offer their side of the story but protesters prevailed over them.

At one time villagers tried to resort to *chakka* jam and roughed an SDPO when the policemen tried to restore order. The ministers had a difficult time entering their cars as protesters blocked the way. Soz announced that the team had been deputed by the PM to assess the rehabilitation scene. He said the memoranda submitted by villagers would be studied. The team, however, refrained from making any comment on their assessment and said it would submit its report to the Centre.

Ousteers openly accused the official machinery of corruption alleging that they were often asked for cuts to release compensation cheques.

Damn good dam

On 15 March the Kerala Assembly unanimously passed a Bill to nullify the 27 February Supreme Court order authorising the raising of water level in the Mullaperiyar dam from 136 feet to 142 feet and permitting further strengthening of the 111-year-old masonry dam as suggested by the Central Water Commission. The Kerala Irrigation and Water Conservation (Amendment) Bill, 2006, which is yet to get the Governor's assent, empowers the state's Dam Safety Authority to prevent raising the water level of "unsafe dams". An unprecedented special session of the Assembly after announcement of the election was convened exclusively to pass this controversial Bill.

Ten old dams

Though the Bill is Mullaperiyar dam specific, a special schedule of 10 old dams have been brought under its purview for public consumption. The reservoir level of these dams would not be raised notwithstanding any court order, decree or contract agreement. The Bill gives the DSA powers to stop ongoing works and even decommissioning of dams. Introducing the Bill, Minister for Water Resources, Thiruvanchoor Radhakrishnan, said it was not merely to circumvent the Supreme Court order but to put the safety of the people of Kerala above all other considerations. The chief minister, Oommen Chandy, said the Mullaperiyar dam had outlived its normal life long ago and wanted to enter into a new agreement with Tamil Nadu.

The Supreme Court judgment, given by a three-judge Bench comprising the Chief Justice, YK Sabharwal, Justice CK Thakker and Justice PK Balasubramanian, said the apprehensions of Kerala had been found to be baseless. "In fact, the reports suggest an obstructionist attitude on the part of the state of Kerala", said the Chief Justice. The Bench observed that the report of the experts committee set up by the Union Ministry of Water Resources after inspection of the main dam which was strengthened recently, and the galleries, baby dam, earthen bund and spillway concluded that the dam was completely safe and that no excessive seepage was seen.

The author, a veteran journalist who retired from The Statesman, is based in Chennai

Sam Rajappa

There were no visible cracks in the body of the dam and seepage measurements indicated no cracks in the upstream side of the dam. The Bench was passing the order on petitions filed by the Janata Party president, Subramanian Swamy, who had represented Madurai, one of the five districts most affected by the lowering of the storage level in Mullaperiyar dam, in the Lok Sabha, and the Tamil Nadu government. In the pettifogging so common among rival politicians in Tamil Nadu, the opposition DMK which is a major partner in the ruling coalition at the Centre, tried to obstruct

of the erstwhile princely state of Travancore to Madras Presidency in 1886. The lease agreement, signed by Sri Mulam Thirunal Ramavarma, the cricket-playing Maharaja, and Lord Conemara, Governor of Madras Presidency, on 27 October, 1886, gave Madras the rights over all the waters of the Mullaperiyar and its catchment for diversion to the territory of the Presidency for 999 years for an annual consideration of Rs 40,000.

After Independence doubts were expressed in certain quarters about the legality of the 1886 agreement. After a proper review, the governments of

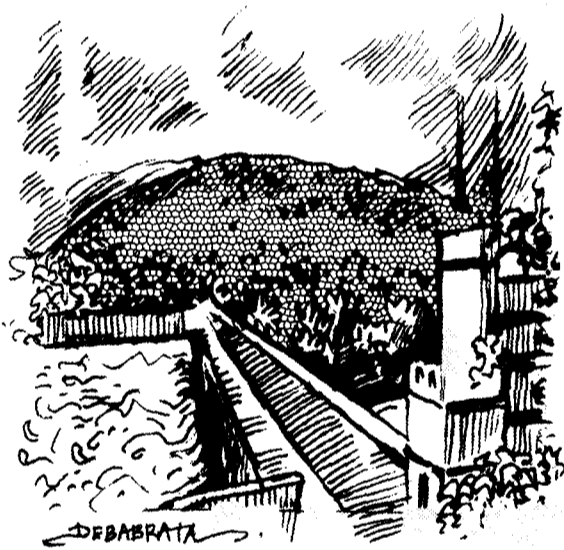
power of its installed capacity. Its engineers recommended to the government that the only way to generate optimum power from the Idukki hydroelectric project was to reduce the storage level of the Mullaperiyar dam from 152 ft. to 136 ft. A scare was created through the media that the Mullaperiyar dam had weakened and could burst any time, drowning thousands of people in Idukki, Kottayam and Ernakulam districts. An expert committee of the Central Water Commission which inspected the dam found it quite safe. However, to allay the fears of Kerala, it recommended lowering the storage level to 136 ft. and certain measures to strengthen the dam.

Storage level

The Tamil Nadu government readily agreed and lowered the storage to 136 ft. Karunanidhi, who was then the Chief Minister of Tamil Nadu, held discussions with the Kerala Chief Minister, E K Nayanar, in Thiruvananthapuram on 5 April, 2000. Nayanar bluntly rejected permission to restore the storage level to the original 152 ft. He said: "Any structural failure of the dam would result in inundation of the districts of Idukki, Kottayam and Ernakulam. You will surely agree that we cannot even remotely consider any such measure which might result in such a major catastrophe".

There is no scope for inundation of Idukki, Kottayam and Ernakulam districts which were, in fact, prone to flooding almost every year before the Mullaperiyar dam was built. The Chief Justice, while delivering the judgment, pointed out that "if the worst thing happened and the dam were to burst, 11 tmcft. water in the Mullaperiyar reservoir (at 142 ft storage) could easily be received by the Idukki dam downstream". Incensed by the remark, the Kerala government plans to move a review petition in the Supreme Court to get it expunged. "Such remarks could not be allowed to remain in the records," said the water resources minister.

The panic reaction of the Tamil Nadu government to the Kerala Bill is uncalled for. Tamil Nadu is the custodian of the Mullaperiyar dam though it is in Kerala territory. All it has to do is to direct its engineers in charge of the dam to set the sluice gates to allow storage of 142 ft. water. Nature will do the rest when the monsoon breaks out in June-July.



The waters of Mullaperiyar have been the mainstay for the supply of drinking water to about 65 lakh people in Theni, Dindigul, Madurai and Sivaganga districts of Tamil Nadu, besides irrigating about 19 lakh acres

the Supreme Court passing the order by giving an ill-conceived affidavit. The DMK's A. Raja, Union minister of environment and forest, said in his affidavit: "Enhancement of impoundment would involve submergence of prime wildlife habitat which is already in a state of ecological equilibrium for more than 100 years. Thus the proposed action of raising the Mullaperiyar reservoir level would not only amount to violation of the Wildlife (Protection) Act, 1972, but could also disturb the wildlife habitat and fauna owing to submergence".

The Mullaperiyar is not an inter-state river. It originates in the rain-rich forests of the Western Ghats in Pirmed taluk of Idukki district, joins the Periyar and empties into the Arabian Sea. The Mullaperiyar dam and reservoir are constructed in an area of 8,100 acres given in perpetual lease for 999 years by the Maharaja

Kerala and Tamil Nadu renewed in toto the original agreement in May 1970. The waters of Mullaperiyar have been the mainstay for the supply of drinking water to about 65 lakh people in Theni, Dindigul, Madurai and Sivaganga districts of Tamil Nadu, besides irrigating about 19 lakh acres. Of the 152 feet storage level, upto 104 feet is dead storage.

In 1976, the Kerala government completed the 555 ft. high Idukki arch dam with a reservoir capacity of 72 tmcft. water spread over an area of 62 sq. km., intended to generate 780 MW power, 48 km. downstream of the Mullaperiyar dam. Due to massive deforestation of the high ranges in Idukki in the 1960s and 70s, the rainfall pattern had changed drastically. The Idukki reservoir never got the anticipated flows and the Kerala State Electricity Board could generate only a fraction of

THURSDAY, APRIL 6, 2006

Smriti
10-10

Time to heed Medha's message

6/12

Medha Patkar's indefinite fast has forced the Central Government to intervene by sending a high-level team to visit the Narmada valley to assess the impact of raising the height of the Sardar Sarovar Project (SSP). But is this enough? For more than two decades, Ms. Patkar and the Narmada Bachao Andolan (NBA) have projected the perspective that mammoth projects like the Sardar Sarovar dam cannot be built on the broken lives of the hundreds of thousands who will be displaced. Yet, despite dozens of appeals in courts resulting in specific orders, government notifications, committees and reviews, this just perspective has not been accepted. The March 8, 2006 order of the Narmada Control Authority (NCA) to allow the height of the Sardar Sarovar dam to be raised from the present 110.64 metres to 121.92 metres is a prime example of insensitivity and callousness. Although thousands of families have yet to be resettled, particularly in Madhya Pradesh, the NCA chose to go by false official reports from the three affected States — Gujarat, Maharashtra, and Madhya Pradesh — that resettlement had been completed up to the present height. In Madhya Pradesh, which faces the largest displacement from the SSP, the Government has continued to violate a provision of the Narmada Waters Dispute Tribunal Award (NWDTA) that oustees must receive land as compensation for displacement. Instead, it has given out cash compensation with which it expects the oustees to purchase land. Not only has this failed to rehabilitate the thousands already affected; nothing has been done for an estimated 24,000 families in 177 villages who will be displaced if the height of the dam is raised to 121.92 metres. Maharashtra too has failed in its task of adequately rehabilitating those already affected. Once the height of the dam is raised, another 3,000 families will be displaced. And in Gujarat, many of those displaced have been reduced to penury owing to the poor quality of land in the resettlement sites.

The central question that the current impasse over the SSP raises is crucial to all future development. Who pays the price for development? Should it always be the poor? Can they be fairly compensated? Projects like the SSP have failed, from their inception, to factor in the social and environmental costs. The NBA's campaign forced these aspects to be incorporated. Yet, at every step, the project authorities try and find ways to bypass their social commitments and legal obligations. Given the clear directions by the Supreme Court that resettlement must precede construction of the dam, it is imperative that further work on the SSP is stopped until all the displaced have been satisfactorily resettled. Meanwhile, Ms. Patkar and her associates deserve a nation's gratitude for raising issues that go to the heart of the matter. Any further procrastination by the Central Government in acting decisively on the NBA's just demand — projected, characteristically, through Medha's Gandhian techniques of agitation — will endanger her life and the lives of others.

THE HINDU

06 APR 2006

End fast, Cabinet appeals to Medha

Union Ministers to visit villages in Madhya Pradesh on Thursday

Gargi Parsai

NEW DELHI: The Union Cabinet on Wednesday expressed concern at the deteriorating health of Narmada Bachao Andolan leader Medha Patkar, and appealed to her to call off her indefinite fast in protest against the raising of the height of the Narmada dam in Gujarat. A delegation of NBA members met United Progressive Alliance chairperson Sonia Gandhi on Wednesday who also expressed concern about Ms. Patkar's health.

The Cabinet meeting, chaired by Prime Minister Manmohan Singh, reviewed the situation arising out of Ms. Patkar's condition even as former Prime Ministers V.P. Singh and I.K. Gujral and several prominent citizens appealed to him to intervene. Doctors examined her twice on Wednesday. At one stage it looked as if she would be forced, but the Government decided against it.

A three-member team of Central ministers, including Water Resources Minister Saifuddin Soz, Social Justice and Employment Minister Meira Kumar and Minister of State in the Prime Minister's Office Prithviraj Chauhan, would visit the displacement villages and resettlement and rehabilitation villages in Madhya Pradesh on Thursday, said Union Defence Minister Pranab Mukherjee. Secretary to the Water Resources Minister J. Hari Narayan, who is also the chairman of the Narmada Control Authority, is likely to accompany them.

Committee meets

Meanwhile, the resettlement and rehabilitation sub-committee met here on Wednesday to review "compliance" on the rehabilitation of the displaced families in the three Narmada riparian States of Madhya Pradesh, Gujarat and Maharashtra. It was on the basis of the recommendation of this panel that the



CONCERN FOR PATKAR: CPI(M) Polit Bureau member Brinda Karat meets Narmada Bachao Andolan activist Medha Patkar on the 8th day of her fast at Jantar Mantar in New Delhi on Wednesday. - PHOTO: S. SUBRAMANIAM

NCA gave its approval to raise the height of the dam from 110.64 metres to 121.92 metres on March 8. The award and Supreme Court order says all displaced families should be resettled fully at least six months prior to raising the height of the dam.

Official sources said the clearance was accorded after giving a

May 15 deadline to Madhya Pradesh to ensure rehabilitation of 4,000-odd families who were paid cash compensation to buy land on their own. The NBA says there is no provision for cash compensation in the award.

Speaking to media persons at the dharna site, Communist Party of India (Marxist) polit bureau member Brinda Karat said

the Government was answerable on why the dam height was allowed to be raised when the Supreme Court order clearly said that unless full rehabilitation was done there would be no submergence. "Instead of pressuring the NBA to withdraw, the Government should take back its decision."

CPI leaders A.B. Bardhan and

D. Raja said the Central Government must intervene. "People cannot be displaced in this callous manner and the health of someone taking up such issues cannot be allowed to deteriorate in this manner."

Editorial on Page 10

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THE HINDU

Medha Patkar says she won't give up fast

Seeks full review of project; Union Ministers Saifuddin Soz, Meira Kumar call on NBA activist

Gargi Parsai *CNN* *AP*
NEW DELHI: Narmada Bachao Andolan (NBA) leader Medha Patkar and two others who are on indefinite fast here, declined on Monday the offer of juice from Union Water Resources Minister Saifuddin Soz, Social Justice and Empowerment Minister Meira Kumar and Minister of State in the Prime Minister's Office Prithiviraj Chauhan, to break her fast.

Mr. Chauhan represented Prime Minister Manmohan Singh.

Looking frail and weak on the sixth day of the fast, Ms. Patkar told the Ministerial team that the indefinite fast would continue till the construction of the Narmada dam in Gujarat ceased and a full review of the project as well as the rehabilitation of displaced families were conducted.

The NBA said more than 35,000 dam-affected families remained to be rehabilitated in the Narmada riparian States of Madhya Pradesh, Maharashtra and Gujarat at the proposed dam height of 121.92 metres.



• 'Construction of dam in Gujarat must stop'

• Supreme Court defers hearing to April 17

• Brinda Karat, Suhasini Ali also visit dharna site

• 35,000 dam-affected families yet to be rehabilitated

ing justice for the displaced families.

The UPA's Left allies have been supportive of Ms. Patkar's struggle and are mounting pressure on the Government to immediately intervene in the matter.

CPI-Marxist Polit Bureau and Raja Sabha member Brinda Karat and Central Committee member Suhasini Ali visited Ms. Patkar at the dharna site.

In a related development, the Supreme Court deferred hearing — originally listed for on Monday — in the matter and posted it for April 17. The NBA has moved the apex court seek-

Another report, photograph: Page 10

Medha Patkar declines to call off fast

Narmada Bachao Andolan demands that construction of dam be halted immediately



STEADFAST: Narmada Bachao Andolan leader Medha Patkar accepts lime juice offered by the former Prime Minister, V.P. Singh, at Janitar Mantar in New Delhi on Tuesday. Beside him is Union Water Resources Minister Safuddin Soz. Ms. Patkar has declined to break her indefinite fast, which entered the seventh day. — PHOTO: S. SUBRAMANIAM

Gargi Parsai

NEW DELHI: Narmada Bachao Andolan leader Medha Patkar on Tuesday declined to break her indefinite fast despite Union Water Resources Minister Safuddin Soz's assurance that a Central ministerial team would visit Madhya Pradesh in the next two days to assess the resettlement and rehabilitation of families displaced by the Narmada Dam.

Mr. Soz made two visits to the dharna site to persuade Ms. Patkar to call off her fast. On his second visit, he read out a statement declaring the Government's intent and the Prime Minister's concern on rehabilitation. The statement was, however, silent on the NBA demand for halting construction of the dam in Gujarat. This led Ms. Patkar to declare that she would not break her fast till Mr. Soz returned from the valley and made his report public.

On the intervention of the former Prime Minister, V.P. Singh, the former Chief Justice, Rajinder Sachchar, and senior journalist Kuldip Navar, she relented and took a few sips of lime juice. On the seventh day of the hunger strike, her health showed signs of deterioration. Asked how she was feeling, she feebly said: "Not good."

Two more persons joined the indefinite fast. There was a massive outpouring of support from people from all walks of life, including Sharad Yadav, Surendra Mohan, Arundhati Roy, Vandana Shiva, Rajinder Singh, Prab-

hash Joshi, B.D. Sharma, Abani Roy, Mohini Giri, Primila Loomba, Swami Agnivesh, Planning Commission members B.N. Yughandar and Mungekar, Dalit activist Vimal Thorat and Raj Babbar, among others.

In a statement, the CPI (M) urged the Government to suspend the Narmada Control Authority's decision to raise the height of the dam.

Mr. Soz said the Prime Minister reaffirmed the Government's commitment to ensure that rehabilitation was done fully and satisfactorily in consonance with the Narmada award and Supreme Court orders.

Mr. Soz, accompanied by Union Minister for Social Justice and Employment Meira Kumar and Minister of State in Prime Minister's Office Prithviraj Chauhan, would visit the affected villages and rehabilitation sites. Mr. Soz said the team would take note of the shortcomings described by NBA in its memorandum to the Prime Minister.

The NBA, in turn, read out its statement, which demanded that the construction of the dam be halted immediately. It said the team visiting the affected areas in the riparian States of Madhya Pradesh, Maharashtra and Gujarat must make their report public immediately, latest by April 9. "Till then Ms. Patkar and her colleagues would remain on indefinite hunger strike."

See also Page 12

Earthquakes kill 70 in Iran

ASSOCIATED Press
Tehran, March 31

THREE STRONG earthquakes and several aftershocks reduced villages to rubble in western Iran on Friday, killing at least 70 people and injuring about 1200 others, officials said.

At least 13 tremors jolted the mountainous region throughout the night, Tehran University's Geophysics Institute said.

The U.S. Geological Survey reported a 5.7 magnitude quake shortly before 5 a.m. local time, followed by a 4.7 magnitude aftershock about 15 minutes later. The area had been hit by a 4.7-magnitude quake the day before, according to the USGS, which monitors earthquakes around the world.

The quakes were centred near Boroujerd and Doroud, two industrial cities about 210 miles southwest of Tehran, the official

Islamic Republic News Agency reported. The regional head of emergency response, Ali Barani, said about 200 villages were damaged, some flattened. Barani said hospitals in Doroud and Boroujerd were full to their capacity.

State-run television said 70 bodies had been recovered so far from houses destroyed in Silakhor, a region north of Doroud. Most people had been sleeping. They ran into the streets in panic and refused to return to their homes. "We are afraid to get back home. I spent the night with my family and guests in open space last night," Doroud resident Mahmoud Chaharmiri said.

Television showed survivors standing next to their destroyed houses in villages north of Doroud. The ground was strewn with the carcasses of sheep and goats killed by the quake.

Such quakes have killed thou-

sands of Iranians in the past, especially in the countryside where construction is often flimsy with many houses built of mud bricks. But initial reports suggested the devastation was not so widespread this time.

Officials called on doctors and nurses on leave to get back to work. Iranians are celebrating Nowruz, or new year, and most government offices are closed and their staff on holiday. Barani told IRNA rescue teams had been sent to the region. He said survivors were in urgent need of blankets, tents and food.

In February 2005, a 6.4-magnitude quake in southern Iran killed 612 people and injured more than 1,400. A magnitude 6.6 quake flattened the historic southeastern city of Bam in December 2003, killing 26,000 people.

Iran is located on several seismic fault lines and is prone to earthquakes.

0 . APR 2006

THE HINDUSTAN TIMES

Rehabilitation work shown only on paper: GoM report

Madhya Pradesh made tall claims to get nod to raise dam height

Gargi Parsai

NEW DELHI: The Group of Ministers who visited rehabilitation sites and submergence villages in Madhya Pradesh last week has exposed the State Government's claim on the basis of which the Narmada Control Authority gave permission to raise the height of the Narmada dam in Gujarat. The team's dissatisfaction with the rehabilitation work and the lack of it is obvious in every page of the 12-page note/report.

Ground realities

The report, which has not been made public so far, but was placed at the meeting of the Review Committee of the Narmada Control Authority on Saturday, clearly stated that the rehabilitation work was shown on paper to get the permission to raise the height of the dam. The State's claims did not have any relevance to ground realities. "In any case, the Project Affected Families, under no circumstances, can be settled before July 1, 2006, when the monsoon sets in," the report states categorically.

The report has been obtained exclusively by *The Hindu*.

The report, signed by Water Resources Minister Saifuddin Soz, Minister for Social Justice and Employment Meira Kumar and Minister of State in the Prime Minister's Office Prithviraj Chauhan, was submitted to Prime Minister Manmohan Singh on April 9.

As Chairman of the NCA Review Committee, Mr. Soz had received several complaints against the permission given to raise the height of the dam. This was the first-ever visit by Ministers to the valley where people have been uprooted in the Narmada basin States of Madhya Pradesh, Gujarat and Maharashtra.

False claims

The three-member Ministerial team, which was deputed by Dr. Singh to visit rehabilitation sites and submergence villages, first met Madhya Pradesh Chief Minister Shivraj Chauhan on April 6. The State Government made a presentation to the Central Ministers and wanted them to believe that concrete steps had been taken to rehabilitate families affected by the project by June 30 this year. This was the assurance given to the rehabilitation and resettlement sub-group on the basis of which the NCA gave the permission to Gujarat to raise the height of the dam from 110.62 metres to

- **Project affected families, under no circumstances, can be settled before July 1**

- **Complaints about bribery in cash compensation system**

- **No infrastructure, facilities in resettlement areas**

- **"Gram sabhas not consulted, everything is happening by force"**

121.92 metres.

The Narmada Bachao Andolan says that more than 35,000 families are to be rehabilitated between the two heights and the NCA is supposed to monitor and check out the claims made by State Governments.

No proper surveys

The ministerial team found that at Khalghat, without conducting a proper survey and the oustees' participation, 407 families were hastily offered uncultivable land. Of these, only two accepted. Several oustees made complaints that were not contradicted by the officials of the Narmada Valley Development Authority.

Ousteas also spoke against the cash compensation that was recently introduced in the State as part of a Special Rehabilitation Package. They said each displaced oustee had to pay a bribe of Rs. 20,000 on receipt of every cheque. Besides, Rs. 10,000 was deducted as "income tax" on every unit of Rs. 10 lakh paid as compensation for purchase of land on their own.

Settled only on paper

The GoM said that in Dharampuri, the Madhya Pradesh Government claimed to have settled 4,000 project-affected families, whereas it was found that they were "settled only on paper." It was not possible for any oustee to settle there as no infrastructure was built. "The GoM was amazed that no sanitation, no drinking water, no system of sewage, no roads, much less facilities like hospital, water reservoir, school, post office etc. had been provided there. There is no hope such infrastructure will be built there soon."

The team said the officials presented a status report on the resettlement and rehabilitation sites indicating that the facilities would be provided whereas the

GoM saw "nothing happening around."

"Dharampuri was shown as a success story whereas it turned out to be the worst example of not doing anything by way of settlement when apparently there was no difficulty in respect of resources. The oustees there showed the GoM two dry water pumps and a heap of stones that had been dumped a day before indicating that roads would be built soon."

Land acquisition

The team said that at Lakhangaon, Borlai 1, 2 and 3 the status report showed 18,965 project affected families as settled, whereas the GoM saw, at the most, 80 incomplete dwellings without the provision of infrastructure. In Piplud, the 2,000 people who had gathered there complained that the Narmada Award had been flouted and even land acquisition proceedings had not been completed.

Several oustees who had been "pressured" to accept cash compensation, had been given amounts that would not buy them even two acres of land, leave alone the five hectares they were entitled to.

"A fraud"

Giving graphic descriptions of their experience in Awalda — a far flung tribal village — the GoM said a group of 1,500 oustees raised slogans against the cash compensation and said that it was a "fraud" and officials insisted on it because they got bribes.

"It was in this crowd that a woman, Sajanbai Yadav from Pipri gaon, narrated how they had lost their home and hearth and were now on the road. The crowd said that the gram sabha was never consulted and everything was happening by force," the report says.

Grievances not heard

By the time news of the Ministerial visit spread, a 4,000-strong crowd had gathered at Nisarpur to narrate that not a single family was settled as per the orders of the Supreme Court. The R and R sub-group and the Grievance Redressal Agency never visited them.

"The claim that they would be resettled as per law by June 30, 2006, was a cruel joke. It was meant only to raise the height of the dam after which nobody would bother about them," the report says.

Text of GoM report on Op-Ed Page and at www.thehindu.com

17 APR 2006

THE HINDU

Narmada project: clearing the confusion

The factual answers to ten relevant questions are clear. Now the Prime Minister needs to act justly and responsibly, in line with the Supreme Court's judgment.

RD-11 17A

Ramaswamy R. Iyer

WHEN I wrote my earlier article on the Sardar Sarovar Project and Medha Patkar's fast (*The Hindu*, April 13, 2006), I thought I had said whatever needed to be said on the subject. Now several more questions have arisen and the situation has become murkier. The Review Committee has met but has been unable to come to an agreed conclusion. The matter has gone to the Prime Minister, but he seems disinclined to act. The fast by three persons ends the 18th day. Gujarat Chief Minister Narendra Modi proposes to go on a retaliatory fast. There seems to be a feeling that the matter must be left to the Supreme Court, which is going to hear the case on April 17. The present article aims at putting these matters in the proper perspective, in the form of questions and answers:

Q1: Why does the Narmada Bachao Andolan not confine itself to talking about rehabilitation? Why is it asking for stoppage of construction?

A1: The answer is that in terms of the Narmada Tribunal's Award, the conditions of clearance of the Project, and the Supreme Court's judgments of October 2000 and March 2005, construction is not allowed to outpace rehabilitation work. That is the meaning of the *pari passu* principle. There is

no question of proceeding beyond the height of 110 metres already reached until the failures and deficiencies in rehabilitation work with reference to that height have been remedied, and the prescribed advance steps have been completed with reference to the proposed further increase in height. The NBA is not asking for something new. It is merely asking for compliance with prescribed conditions, not imposing its own.

Q2: Is the NBA anti-project, anti-development, as alleged by the Chief Minister of Gujarat?

A2: Medha Patkar may have certain views about big dams and 'destructive development,' and not everyone may agree with those views, but that is not the point at issue in the present case. The current protest is about failures in rehabilitation, non-compliance with conditions, denial of human rights, and infliction of injustice and suffering.

Q3: Have the NBA's allegations of deficiency and failure been established?

A4: Many who have studied the matter think so, but leaving that aside, the Minister of Water Resources has found the rehabilitation work to be wanting. That is clear corroboration of the NBA's contentions.

Q5: Is the deadlock in the Review Committee warranted?

A5: If, in fact, rehabilitation work is lagging and deficient, then the suspension of

work until the failure is remedied is a logical corollary, and follows from existing legal requirements. There is no scope for any disagreement here. Political considerations seem to have prevailed over legal and human ones.

Q6: What happens next?

A6: If there is disagreement in the Review Committee, which is a Ministerial Committee, the issue must necessarily go to the Prime Minister. That disagreement at the Ministerial level must be resolved at the Prime Minister's level is a political statement. It is also a legal one, as the Supreme Court's judgment of October 2000 specifically casts this responsibility on the Prime Minister. (I had then questioned the propriety of clothing the Prime Minister with judicial authority, but that is what the judgment does, and as the pronouncement of the apex court it is law.)

Q7: Should the Prime Minister leave the matter to the Supreme Court, which is going to hear it on April 17?

A7: No. The judgment of October 2000 clearly requires the Prime Minister to decide in the event of a disagreement in the Review Committee, and the Prime Minister cannot refuse to discharge that responsibility and throw the issue back into the lap of the Supreme Court.

Q8: What is the Supreme Court going to hear on April 17?

A8: The hearing is only about the admission of the petition. If it is admitted, hearings on the substantive issues will follow, and all this will take a good deal of time. If the Prime Minister is able to resolve the issue, none of this may be necessary.

Q9: What is the rationale of Narendra Modi's retaliatory fast?

A9: Without entering into a discussion of the use of fasts as a form of protest, let me merely say the following. The fast by three NBA persons (including Medha) is a protest against failures in rehabilitation work and the resulting hardship and injustice. There are only two possible answers to that protest: remedy the failure, or show that the protest is based on wrong facts. A counter-fast is a wholly inappropriate answer. It trivialises the issue. If Medha's fast is a fast against injustice, then Modi's fast is a fast for injustice. He is virtually saying: "Rehabilitation is all very well, and I will do what I can, but I cannot be excessively bothered about it. My priority is dam-construction, and I will allow nothing to come in the way of that priority."

Q10: What can be done now?

A10: We can only hope that the Prime Minister will discharge the responsibility cast on him.

(The writer is a former Union Secretary for Water Resources.)

Chernobyl: the final word is yet to be said



MORE AT RISK: Children are more vulnerable as their thyroid gland although small takes in about 50 per cent of iodine present in the body. — REUTERS

Immediate consumption of stable iodine tablets could have prevented thyroid cancer

“A N ACCIDENT has occurred at the Chernobyl nuclear power plant. One of the reactors has been ‘damaged.’”

These were some of the statements made by the Soviet authorities when confronted with evidence by Sweden. And this came more than 30 hours after the accident had occurred.

Playing it down

The word “damaged” failed to reflect the real magnitude of the accident. Radioactivity discharged from the reactor 4 travelled nearly 1,600 km before reaching Sweden and the radioactivity recorded was twice the background radiation levels in Sweden. Background radiation is the radiation present naturally at a given place.

The increased radioactivity was detected in India nearly a month after the accident, first in Rajasthan and last in Chennai.

As if concealing the magnitude of the accident was not serious enough, evacuation of the people from Pripyat, which housed the plant staff and located closest to the reactor, started 36 hours after the accident, according to BBC.

Though many radionuclides were discharged from the graphite-moderated light water cooled reactor for ten long days, only iodine-131, iodine-134, and caesium-137 radionuclides travelled long distances.

“Though uranium and plutonium were also thrown out, they

were not carried for long distances as they are heavier,” he noted Dr. K.S. Parthasarathy, former Secretary of the Atomic Energy Regulatory Board, Mumbai.

The greatest damage recorded till date has come from radioactive iodine in the form of thyroid cancer, particularly in children. With a half-life of just eight days, the damage could have been greatly minimised if immediate steps had been taken.

Solution stable iodine

“The thyroid gland takes in about 50 per cent of iodine [compared with breast and stomach]. So providing iodine tablets would have prevented the thyroid gland from absorbing iodine radioisotope,” explained Dr. Parthasarathy.

Iodine tablets contain stable iodine unlike radioisotope iodine. With the thyroid gland being only a few grams in weight and having a natural propensity to absorb nearly 50 per cent of any iodine, targeting it makes sense.

Radioactive iodine gets into the body through inhalation and ingestion of foodstuffs particularly milk. “Iodine settles on the ground and grass, and milk from

cows that feed on this grass is in turn contaminated,” he explained. “And children are more vulnerable as they drink more milk.” Added to this is the fact that the gland is small in children though it still takes in about 50 per cent of iodine present in the body.

The delay in acknowledging the accident meant that many children were put to easily avoidable risk. Till date, more than 4,000 thyroid cancer cases have been diagnosed during the period 1992-2002 in those who were children at the time of the accident, according to the United Nations Chernobyl Forum report.

The Chernobyl Forum report states that residents of Pripyat were given tablets containing stable iodine 6-30 hours after the accident. Dr. Parthasarathy notes that for maximum benefits to be gained, tablets need to be taken within eight hours after an accident.

More cases expected
It is expected that the increase in thyroid cancer incidence from Chernobyl will continue for many more years

though the long term risk is difficult to quantify, the report underlines.

A paper published online in Nature also points out this uncertainty. It states that early incidence of thyroid cancer was seen in children — the first case was seen in four years’ time.

This put to rest the common perception that it takes about ten years for the cancer to show up. This surprise was essentially because assumptions were made based on adult exposure risks.

“The early tumours were clinically aggressive and pathologically unusual. The later ones were more typical and less aggressive,” the Nature paper noted. “The future epidemiology even for thyroid tumours is unpredictable.”

Caesium-137 has a half-life of 30 years and is distributed in the body’s soft tissue. If iodine is spread on the soil and vegetation, caesium, apart from settling on the soil, gets accumulated in wheat, vegetables, mushrooms and lichens, to name a few.

Reindeer, which eat lichens and in turn are consumed by humans for meat, is one route for the radiocaesium to enter the human body. High transfer of such radiocaesium has been seen in the Arctic and sub-Arctic regions.

Caesium has a potential to cause leukaemia if present close to the bone marrow. While thyroid cancers show up quite quickly, incidence of leukaemia would be seen later. Solid tu-

mours, on the other hand, would take as much as 30-40 years to show up.

About 20 years after Hiroshima and Nagasaki were bombed, significant increase in thyroid cancer and leukaemia were seen. And it took another ten years before other cancers showed up.

“Even today people in Hiroshima and Nagasaki are getting solid tumours,” Dr. Parthasarathy said.

Though the Chernobyl Forum report claims that fewer than 50 people were killed, mostly emergency workers, and only nine children have died from thyroid cancer, the final word is yet to be said.

More deaths expected

The report indicates that another 4,000 casualties are estimated during the lifetime of the six lakh people who were living in the immediate vicinity of the reactor.

The 600-page report also points out that 5,000-odd people who had lived further away from the reactor and who received relatively smaller doses of radiation would face the same fate.

The report did not look at the risk of people dying from accident-induced radiation in countries in Europe.

Only time will tell who is right, the world body or the environmental groups that claim the toll will be several times more than the Forum report.

R. PRASAD
in Chennai

29/3 Making water a basic right

By failing to declare water a basic human right, the Fourth World Water Forum (WWF) held in Mexico City has missed a major opportunity to empower the one billion people who are without a source of clean water. With their current policies, national, state, and local governments may not be able to deliver on their commitment articulated by the Millennium Development Goals for 2015 to bridge the gap for the deprived sections. In the last few years, it has also become clear that privatised water supply attempted by some countries, notably in Latin America, is no panacea. The private sector can never lose sight of financial returns on investment and has, not surprisingly, met with more opposition than commendation. If governments have failed, the hefty price for their poor performance is invariably paid by those mired in poverty. The UN World Water Development Report released at the Forum states that nearly 6,000 people, mostly children, die of water-related causes every day. There was great expectation that global interaction would result in an enlightened, community-oriented declaration. The final document signed by 140 nations, however, is disappointing in that it has missed out on many opportunities to strengthen the claims of the deprived. The Forum has also chosen to support big dams, rather than smaller, community-led initiatives that many groups have suggested as an ecologically sound alternative. In a move that is bound to set off a great deal of controversy, the WWF has proposed mega hydroelectric projects to mitigate environmental disasters such as floods and droughts linked to climate change.

The Common Minimum Programme of the United Progressive Alliance Government has commendably prioritised water security and announced support for schemes to strengthen watersheds, women's collectives in resource management, and drinking water networks for urban and rural areas. These intents can become actionable if there is recognition of water (and by extension of sanitation) as a fundamental right. This would cast a duty on the Central and State Governments to come up with time-bound plans to protect watersheds, rivers, and wetlands and work with local bodies to establish distribution systems. Several thousand wetlands that constitute the water security of vast areas do not enjoy legal recognition and are being filled or severely polluted. A statutory right will also compel governments to make their water utilities more transparent and accountable; there is little merit in the argument that the corrective for inefficient and corruption-ridden schemes in the public sector is privatisation. Unlike at the 2003 summit in Kyoto, WWF has avoided making any recommendation in the Mexico City declaration for private sector participation. It has rightly emphasised the need for a bigger role for local governments in slaking the thirst of communities.

THE HINDU

Damned if he does

The water minister is ^{is} looking at Narmada as a ^{environment} reservoir of publicity. Will the PM step in?

ASSEMBLE a horde of exceedingly photogenic protestors at the gates, and weak administrators can't desist the temptation to perform to their chants. As Union minister for water resources, Saifuddin Soz may argue he should take note of Narmada protestors' angst. But given the technical and procedural groundwork that preceded the Narmada Control Authority's decision to hike the height of the dam, he is far more obliged to lay out the proprieties of the case to protestors. Shockingly, he has chosen to sacrifice administrative diligence for the — anyway paltry — gains from popular grandstanding. He now says he isn't happy with the decision to raise the height of the dam — from 110.64 m to 121.92 m — for which clearance was obtained this month from the NCA. This could set the clock back on the project, even after environmental as well as relief and rehabilitation issues had been at long last settled in the four affected states of Madhya Pradesh, Gujarat, Rajasthan and Maharashtra.

The minister's attention needs to be drawn to the continued shortages that could be sustained due to his misguided intervention in the Narmada project. He must know that his enthusiasm to settle scores with state governments

would have obvious consequences for the millions of households that stand to get water and electricity from the dam. The dam is expected to provide irrigation water for about 1.8 million hectares, directly benefiting 800,000 families in severely drought-prone areas, mainly in Gujarat but also in Rajasthan. In addition, it will provide domestic, municipal and industrial water for about 30 million consumers, in areas where malnutrition and unsafe domestic water supply cause a wide array of diseases. The dam will have a power generation capacity of 1,450 megawatts and will provide electricity to the power-starved states of Gujarat, Madhya Pradesh, and Maharashtra.

Soz talks about guaranteeing the rehabilitation of those affected by the project. There can be no arguing against that. But the NCA — chaired by his own secretary — has put on record its satisfaction with the relief and rehabilitation as well as the grievance redressal mechanisms in place. If Soz can't see where his duty lies following his secretary's careful deliberations, the prime minister must make him see that. Dr Singh, we are sure, understands that the dam is a lifeline to people, not a politician.

INDIAN EXPRESS

Narmada Bachao Administration

THE Incredible India campaign has a line, "a nation in permanent rebellion", illustrated by a picture of a fleeing dharna. Seeing it for the first time on an international flight, the jaw of a lady sitting next to me fell. I explained to her the innate anti-establishment/anti-imperialism of the average Indian, but I also added that we are also a fairly disciplined society. As vice-chancellor of one of India's leading universities, I once went on satyagraha so as not to give up the moral space. However, that "nothing holds" is in fact not the idiom of the freedom movement. The perennial urge to review Sardar Sarovar Project (SSP), therefore, intrigues me. The Union minister for water resources meanwhile wants a review of the decision taken by bureaucrats on raising the height of the Narmada dam. This is echoed by a respected journal which, in its special number on conflict resolution, pitches for stopping the project at the dam height of 107 metres, rather than 140 metres.

The major contribution of earlier reviews was delay. The so-called arguments and agitations did not stop anything, since they were not based on facts, but only delayed matters. It also cost the country a lot — with its people having to pay for it. It is wrong to say that protests led to a rehabilitation plan. The Sardar Sarovar Rehabilitation Agency, a multi-disciplinary rehabilitation body, an independent evaluation procedure evolved by the Centre for Social Studies at Surat and the Tata Institute of Social Sciences, an accredited grievance redressal machinery, were all agreed to in the mid-eighties. Land for land, for example, is still not a part of the National Rehabilitation Policy.

In 1988, when the country approved the project, the then prime minister, Rajiv Gandhi, at the instance of the Planning Commission laid down a parri passu clause, which said that the construction



27/3
Environment 98-8
The last mile to Narmada dam must be covered without the delay of squeamish reviews

YOGINDER K. ALAGH

would be cleared only with the pace of rehabilitation and an environment plan. I know this for a fact, since I was the Planning Commission member who bore with the hours of grilling by the PM on technical, environmental and rehabilitation details. He then cleared the project and became one of its advocates. Finally grievance redressal authorities were set up, chaired by a retired judge approved by the chief justice of India, to which a dissatisfied project-affected person can go and, if they are not satisfied with the action of the authorities, they can move the Supreme Court.

I am not big on dams, in principle.

The minister must find ways to expedite the project. The benefits of covering the last mile are tremendous for the people of MP, Maharashtra, Gujarat and Rajasthan

I believe that there are good projects and there are bad ones, too. As a minister, I delayed Tehri by getting reviews of high-powered committees of the rehabilitation plan and the safety aspects. More recently I asked the Ken Betwa link to go back to the drawing board since it had obvious limitations. It is true that lakhs of persons are dislocated by projects which do not have a rehabilitation plans and they never get attention. With much less preparation, Indira Sagar has been completed. It is just that SSP is not one of them.

The decision to allow the dam height to reach 121 metres was taken by the Narmada Control Authority after going through the en-

tire drill. They were empowered to do so by the Supreme Court in 2000, since the resettlement, rehabilitation and environment issues are in detail looked into by their bodies and what was earlier called the parri passu link of these issues with the construction would become transparent. There can therefore be no question of opening the issue again.

Some of the so-called larger issues being raised are tiresome repetitions. The argument of a small dam is based on the entire river being diverted into the Narmada main canal, sending more water into Saurashtra. This was earlier pooh-poohed but is at least now being ac-

cepted as a great engineering feat. That Saurashtra needs a larger inflow of water is beyond doubt, although some environmentalists contested this earlier. A well-known study by the present writer with Vora and Parikh has provided rigorous hydrological proof that the Saurashtra reservoirs (small dams?) do not help much. When it rains the farmer does not need water, and when it does not there is no water in the dams, since the catchment and command have the same rainfall regime. Hence the SSP water was doubly blessed.

The Narmada planners had wanted to take more water into Saurashtra by a higher lift and a gar-

den canal in the plateaux, and proposed this in the published plan in a chapter called 'Planning for Augmented Options'. But they knew that when Madhya Pradesh and Maharashtra use up their share there would not be enough assured water. The proponents of the small dam proudly give Gujarat more water with a small dam, but don't say that they are taking it away from the other states or other regions in Gujarat. The further arguments that the deficits would be met by integrating canals with village ponds and groundwater is ridiculous, since this integration was there in the SSP plan from the word go. In fact the famous Sherdi branch experiment in the Mahi canals was done on the SSP model to show that this was physically feasible. It does not take any reviews to show that there are no free lunches.

The union water resources minister and my friend and former colleague, Saifuddin Soz, has every right to review the progress of the implementation of decisions. He is in fact obliged to do so every quarter, since he is the chairman of the review committee of the Narmada Control Authority.

We are sure he will find ways to expedite the completion of the project for we have gone very far and the benefits of covering the last mile are tremendous for the people of MP and Maharashtra, who need power very badly and will now get most of it. The people of Gujarat and Rajasthan, who also need water, will also benefit. Anyone travelling the Narmada valley can see the Adivasi coming of age and thirsting for more energy — as a farmer, an artisan and a householder. This should not be allowed to come only from big companies importing gas when hydel energy is allowed to go into the sea unutilised.

The writer is chancellor, Nagaland University, and former union minister for power, planning and science

27 MAR 2006

INDIAN EXPRESS

The fight will continue: Patkar

Narmada Bachao Andolan leader, scores of activists detained, released

Staff Reporter

NEW DELHI: A day after a delegation called on Prime Minister Manmohan Singh and reportedly extracted an assurance from him, Narmada Bachao Andolan leader Medha Patkar and scores of activists camping outside Shram Shakti Bhawan here on Rafi Marg were detained by the police on Sunday.

They were released only after they agreed to continue their protest at nearby Jantar Mantar. Around 2-30 p.m., the police

forced the protesting farmers into their vehicles and transported them to Parliament Street police station where they were kept confined for about three hours.

"They were detained under Section 65 of the Delhi Police Act," said New Delhi Deputy Commissioner Anand Mohan. The provision pertains to detention for disobeying the lawful directions of the police.

Questioning the "conduct" of the United Progressive Alliance Government, Ms. Patkar said action was taken despite the assur-

ance given on Saturday by the Prime Minister to the protesters that in the next two days he would inform them about the developments following talks with Ministers on resettlement and rehabilitation of the displaced people.

"Such a step seems to have been taken under some pressure," Ms. Patkar said, adding that the protest would continue till their demands were met. "We had been sitting there for the past nine days, during which the police did not take any action

against us. Then what happened so suddenly that led them to remove us from there," she asked.

Addressing the detained protesters, Ms. Patkar said the fight for their rights would continue. She also offered some eatables to those on hunger strike after the police announced that the protesters would be released and allowed to camp at Jantar Mantar.

See also Page 14

Medha's plea to Manmohan

"Reverse decision on raising Narmada dam height"; Dr. Singh to talk to Ministers



RELENTLESS FIGHT: Narmada Bachao Andolan leader Medha Patkar staging a dharna outside the Water Resources Ministry Office in New Delhi on Saturday.

— PHOTO: SHIV KUMAR PUSHPAKAR

Gargi Parsai

*25/3
NBA
110-1*

NEW DELHI: Prime Minister Manmohan Singh on Saturday is said to have assured a delegation led by Medha Patkar of the Narmada Bachao Andolan (NBA) that he would talk to the Ministers concerned in the next two days on resettlement and rehabilitation of the Narmada dam displaced people. There was no official word on the meeting.

Protests continue

Nearly 350 farmers and NBA activists have been protesting outside the Water Resources Ministry here since March 17 challenging the decision of the Narmada Control Authority to raise the dam height. Even as the dharna entered the ninth day on Saturday and seven villagers went on relay fast, Ms. Patkar said the next step of the displaced persons would depend on Dr. Singh's action. Ms. Patkar sought Dr. Singh's intervention in stalling the construction of the dam. She sought the reversal of a decision of the Narmada Control Authority permitting the Gujarat Government to raise the dam height by over 11 metres without prior and proper resettlement and rehabilitation of the displaced families in the riparian States of Madhya Pradesh, Maharashtra and Gujarat. The decision was against the Narmada award and Supreme Court orders, she said.

In a memorandum submitted to the Prime Minister, the delegation asked for a review by the Planning Commission on various aspects of the project and the claims of benefits accruing at the current level of 110.64 metres.

The team appealed to Dr. Singh to direct Minister for Water Resources Saifuddin Soz to immediately convene a meeting of the Review Committee of the Narmada Control Authority. The decision to raise the height would affect 35,000 families, it said.

26 MAR 2006

THE HINDU

22/7 Heat over water row

Statesman News Service

NEW DELHI, March 21. — The Lok Sabha witnessed considerable heat over water as BJP members from Rajasthan created an uproar against Punjab's stoppage of water from Pong dam and accused it of not giving the state its share of inter-state water.

Demanding that Punjab should release the water forthwith, they stormed the well during Zero Hour leading to abrupt adjournment of the House for an hour ahead of the lunch recess. Mr Ram Singh Kaswan raised the issue and found instant support from his party colleagues, Mr Girdhari Lal Bhargava and others. They all stormed the well of the House, carrying placards to

draw the government's attention to the plight of water starved Rajasthan.

The deputy Speaker, Mr Charanjit Singh Atwal, adjourned the House to restore calm. Later, the members also staged a *dharna* at the main gate of Parliament House on the issue. The MPs also met the Prime Minister, Dr Manmohan Singh, seeking his intervention to release water from the Pong Dam through the IGNP canal. While protesting against the decision taken by the Bhakra Beas Management Board (BBMB) to stop water supply to Rajasthan, the MPs said that the decision would not only affect the Rabi crops worth several hundred crores but will also create a serious law and order situation in the state.

Last year farmers from Ganga Nagar and Bikaner had resorted to violent protest owing to shortage of water supply for their fields. "On one side, water is not being given to farmers to save the Rabi crops, and on the other the Centre is importing wheat. This is totally wrong and is an injustice to the farmers," the MPs submitted before the Prime Minister. Dr Singh assured the delegation that the government would try to solve the problem. As per the inter-state agreement between Punjab-Haryana and Rajasthan in 1981, it was decided that 8.60 MAF water will be allocated to Rajasthan but out of this, Punjab uses 0.60 FM share of water. Despite the agreement, Rajasthan has never been given its full share.

The world's biggest dam is to open in May, months ahead of schedule. The Three Gorges dam is viewed by supporters with pride as a symbol of China's economic and social change but environmentalists believe it is a catastrophe waiting to happen. CLIFFORD COONAN reports

ENVIRONMENTALISTS view the Three Gorges dam in China, the world's biggest, as a monstrous natural catastrophe waiting to unleash itself on the hundreds of millions of people who live near the Yangtze river.

The Chinese government is fiercely proud of the dam, which is due to open in a few weeks, saying it will stop the river flooding all the time, provide much-needed clean hydro-electric power and give ships from booming coastal cities such as Shanghai better access to central China.

Standing on top of the Three Gorges dam, looking down at the mighty Yangtze flowing below, which the dam seeks to tame, you are more aware than ever before of tension between the desire to maintain ecological balance and the need for progress and energy.

Everything to do with the Three Gorges project, sometimes known as the Great Wall of the Yangtze, is closely monitored - this correspondent was hauled in by the police for talking to a local activist who represents some of the million people whose homes were flooded by the dam and have been relocated to new towns in the region. The 185-metre high dam goes live in May, months ahead of schedule, and the project is as potent a symbol as you will find of massive social, economic and technological change in China.

It's a stunning creation, and it is astonishing to watch the way the dam manages physically to hold back the third-longest river in the world, or how large container ships are floated up like toy boats by the dam's locks or how the surrounding mountains have been blasted, and towns and countryside flooded, to create the dam.

The dam is 1.4 miles wide, 10,000 people are working on its construction and it will cost £13bn, the government says, while others estimate the real cost is nearer to £40bn.

Beijing proudly trumpets the benefits for the 220 million people who live in the region around the Yangtze and will be served by the huge reservoir it creates.

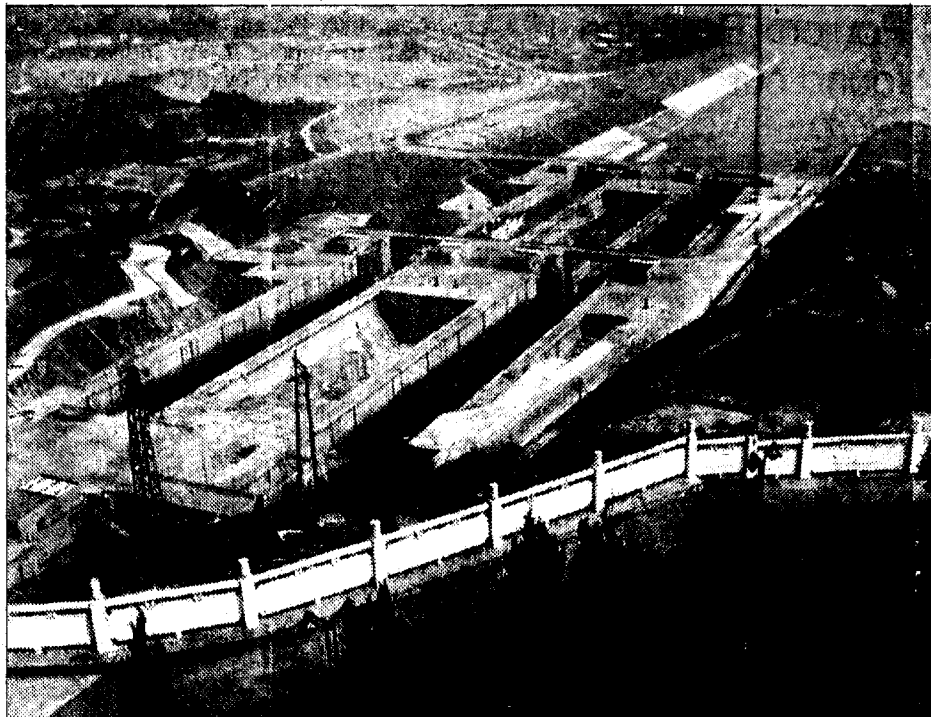
"There will be an environmental impact but the benefits outweigh the harm and the loss. We had to move one million people and, sure, we flooded some areas but you can't compare the loss of millions of hectares of farmland to the safety of 50 million people," said Zhang Shuguang, one of the project's top engineers.

When the dam opens in May, its first function will be flood control — the Yangtze regularly bursts its banks and nearly one million people have drowned in floods in the past hundred years or so. The dam is supposed to stop this happening.

But building the biggest dam in the world involves social change on a massive scale, and even the most fervent backers of the dam agree that relocation has been a tough process.

Simon meet 5/7 2/3

The damned



"The Three Gorges dam is the biggest in the world, which means there were issues about technology, investment and migration. I think migration was the most challenging," said Zhang.

The government says one million people have been relocated, while other estimates vary between 1.3 and two million people moved because their homes have been flooded by the rising water of the reservoir.

In one of these new towns, Maoping, the dam forms a dramatic backdrop to a pleasant town where thousands of people were relocated during the 1990s. The new arrivals are pleased with the dam as they believe it will boost China, and they like the new houses, but many have nothing to do in their new homes.

"I used to be a farmer and I lived near a town that is now under water. A lot are doing unofficial transportation work, using motor-bikes," said one villager. One middle-aged woman, knitting in a group with her friends, said she had a very nice flat which she liked and as whole communities were moved together, she still has her friends around her. "But me and lots of other people have nothing to do." As we speak we are approached by Fu Xiancai, who says he represents relocated people who have not yet received their full

compensation. Predictably, the dam has attracted huge amounts of corruption — one local official was executed in 2000 for taking more nearly £6,000,000 in bribes and scores of bureaucrats have been arrested for corruption. "Around 80 per cent of the migrant people I talk to are dissatisfied. We've nothing against the project, it's a good dam. But we want our compensation," said Fu.

Later he takes us to see where his house used to stand — it is not under water, but is part of a subsidiary dam near the main project. He has a new house near the site of the old one, complete with Mao portraits.

As two Finnish colleagues, a Chinese editorial assistant and I leave down a dirt road, we are stopped by police and local officials and held for nearly four hours in a chilly government building, before being taken into rooms and interviewed separately. Talking to Fu, no matter how innocently, is a breach of Chinese rules governing how reporters can work. They demand our notes and any photos we have and we are eventually released after signing a statement.

It is hardly surprising that the world's biggest dam should prove a sensitive area in a single-party state. But the dam also sparked the biggest ever political debate in Communist China's history.

The official dispute over whether to build the dam rocked the National People's Congress, China's annual Parliament, back in April 1992 and a dam project centre near the Three Gorges has a display showing how nearly one-third voted against the dam or abstained — an unprecedented figure.

Li Peng, then Prime Minister, who was a fan of the project, declared debate over but final approval was not granted until 1992.

The most famous opponent of the dam in China is the energetic environmental activist and journalist Dai Qing. She opposes the dam because of the lack of public debate about such an enormous project, the fact that the warnings of independent analysts have been ignored and also because she sees it as a huge waste of money.

Her book criticising the project, *Yangtze! Yangtze!* earned her 10 months in a maximum security prison, during which she was threatened with the death sentence. "Our efforts may look weak and limited in comparison with the government's strong and thunderous media campaign. Whether history proves the project to be a success or a failure, the fact remains that we were simply a group of journalists who took our profession very seriously. We tried to do what we felt was right at a time when we were needed," Dai said.

Environmentalists believe that as the dam slows down the Yangtze, it will lose its ability to generate oxygen, while the waste flowing into the reservoir could turn it into a giant cesspool — 300 miles long. Silt deposits could also prove a problem as they could choke parts of the river, blocking key ports like Chongqing.

The engineers are upbeat. They point to the fact that hydropower is a very clean source of energy compared to the coal-fired power stations that provide the lion's share of China's energy needs. And the government engineers believe the amount of sand and sediment in the river will balance out over the years.

"And of course, cleaning the reservoir is a vital aspect to us, all refuse will be cleaned away and the central government has imposed strict standards on this," said Zhang.

The cultural activists have already lost the battle — most of the 8,000 areas of historical and social interest have all been flooded. A warning here for other areas along the Yangtze perhaps? Further along the river, construction of Xiloudu dam has begun, which will be the third biggest in the world when it is finished. Three other dams are in the exploration stage near Xiloudu — including one that will flood the beautiful Tiger Leaping Gorge in Sichuan province. All four of these dams together will produce more electricity than the Three Gorges dam.

— *The Independent*

21 MAR 2006

THE STATESMAN

Gujarat raising dam height surreptitiously, says Medha Patkar

Narmada Bachao Andolan seeks intervention of Manmohan and Sonia

Gargi Parsai

NEW DELHI: "Narmada Bachao Andolan" leader Medha Patkar on Saturday alleged that the Gujarat Government was "surreptitiously" raising the height of the Narmada dam even though Union Water Resources Minister Saifuddin Soz had put on hold the permission given by the Narmada Control Authority to raise the height of the dam.

On the second day of their indefinite dharna outside the Union Water Resources Ministry here, Ms. Patkar said the NBA had sought a meeting with Prime Minister Manmohan Singh and Congress president Sonia Gandhi for their intervention.

She said the Prime Minister had intervened earlier too and asked the former Water Resources Minister Priya Ranjan Dasmunshi to visit the valley and assess the plight of the affected families. As Mr. Dasmunshi could not make such a visit, the NBA has now requested Mr. Soz to do so.

Ms. Patkar said taking the dam from the current level of 110.64 metres to 121.92 metres without prior resettlement and rehabilitation of the displaced families in Gujarat, Madhya Pradesh and Maharashtra was a violation of the Narmada Disputes Tribunal Award and Supreme Court orders.

The representatives of the displaced families would continue with the ongoing dharna here till construction stopped and the decision was reviewed, she said.

In a letter to Mr. Soz, the NBA has urged him to uphold the Constitutional guarantee of protection of life and livelihood of people including tribals under



IN PROTEST: Narmada Bachao Andolan activist Medha Patkar along with displaced villagers sitting on a dharna outside the Water Resources Ministry in New Delhi on Saturday. -- PHOTO: V.V. KRISHNAN

the International Labour Organisation Conventions and 107 other human rights instruments. According to Ms. Patkar, thousands of families in more than 230 villages of which at least 150 were thickly populated faced displacement.

Responding to demands from NCA officials about the families that needed to be rehabilitated, Ms. Patkar said there were several villages in Madhya Pradesh that did not have rehabilitation sites chosen for them and at the present height there were villages where land acquisition was yet to be completed.

The Maharashtra Government itself had admitted that not all the families were rehabilitated. The Government needs to acquire 5,000 hectares of land to resettle those displaced and those who are yet to be declared eligible for the rehabilitation package, which it had not.

Ms. Patkar said that in Gujarat thousands of major sons remained undeclared even though they fit the criterion. Land rights were not given to several widows. "In addition, much of the land allotted to tribal families was bad, got waterlogged during every monsoon leading to crop

failure. Due to these reasons Gujarat adivasis are not able to survive in the resettlement sites and were returning to the valley for sustenance. But life there too is difficult as most of it is submerged and forest officials harass the adivasis. So they are neither here nor there."

The NBA has urged Mr. Soz to set up a joint committee of land/agriculture experts along with village representatives to assess the cultivability of farm lands being offered to the project affected families in the three States "who were giving up their all for generations to come".

C. K.

19 MAR 2006

THE HINDU

Water meet to kick off in Mexico

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MEXICO CITY: The fourth World Water Forum, a platform to discuss water problems throughout the world, will be opened on Thursday in Mexico City.

Ministers, experts and members of civil groups from 120 nations will take part in the event. Mexican President Vincent Fox is expected to give the keynote speech.

Residents of Mexico City will see marches organised by civil groups, calling for public awareness on the problem of water shortage.

During the event, which will last into next Wednesday, the participants would discuss how to tackle global drinking water shortage, as well as uneven distribution of water resources in the world.

A recent U.N. report "World Water Resource Development" showed that some 1.1 billion of the world's more than 6 billion population are suffering from drinking water shortages, with Africa and West Asia most affected. Only around 1 per cent of the world's water is drinkable, according to the report.

Meanwhile, climate changes, population growth, under investment, inadequate protection and uneven water resource distribution have made the situation more complicated.

The Latin American Water Tribunal has warned that a water crisis would soon hit Latin America unless swift measures are taken to avert it. — Xinhua

THE HINDU

Kerala Assembly passes Water Conservation Bill

Environment
#D-7

'Safety of people living downstream of Mullaperiyar paramount'

Special Correspondent

THIRUVANANTHAPURAM: The Kerala Assembly on Wednesday unanimously passed the Kerala Irrigation and Water Conservation (Amendment) Bill, 2006, which seeks to strengthen the powers of the Dam Safety Authority in taking decisions on matters pertaining to the safety of 22 major and minor dams in the State.

The Government had called a special two-day session of the Assembly to get this Bill passed in the context of the recent Supreme Court verdict in the Mullaperiyar dam case, ordering Kerala to cooperate with Tamil Nadu in increasing the reservoir level to 142 feet from the present 136 feet. The permissible water level in this Kerala reservoir, dedicated entirely to Tamil Nadu, was brought down to 136 feet

in 1979 following fears about the safety of the 111-year-old dam.

'Strong sentiments'

Chief Minister Oommen Chandy said the unanimous passing of the Bill reflected the strong sentiments of the whole State on the Mullaperiyar issue. He reiterated that Kerala had no intention to deny Tamil Nadu the waters being diverted across the interstate borders. The concern was solely about the safety of the people living downstream of the dam that had outlived its normal life long ago, he added.

The Bill specifically fixes the maximum permissible water levels for 22 major and minor reservoirs, including the Mullaperiyar reservoir, in the State. The permissible limit for Mullaperiyar reservoir is 136 feet.

The original Act (Kerala Irrigation and Water Conservation Act), envisaging the setting up of the Dam Safety Authority, a body of dam and legal experts, was passed in 2003.

The new Bill adds new provisions giving the Dam Safety Authority powers to direct the 'custodian' of any dam to suspend the functioning of a dam, restrict its functioning and even decommission it if it posed a threat to human life or property. In the case of Mullaperiyar dam, the 'custodian' is the Tamil Nadu Government.

Irrigation Minister Thiruvanchoor Radhakrishnan, who piloted the Bill, regretted that Tamil Nadu should have chosen to press for increasing the permissible level of the Mullaperiyar dam disregarding the concerns of the people of Kerala about the safety of the dam.

THE HINDU

16 MAR 2006

"Panchayats' involvement in Narmada dam rehabilitation justified"

environment
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Gandhian writes to Union Minister

Special Correspondent

NEW DELHI: Noted Gandhian and former member of the Planning Commission L.C. Jain on Wednesday urged Minister of State for Petroleum and Natural Gas Dinsha J. Patel to drop his objection to the involvement of gram sabhas in the resettlement and rehabilitation of Narmada dam affected families in Madhya Pradesh and other States.

In a letter to the Minister on Wednesday Dr. Jain said: "The gram sabhas are constitutional entities responsible for economic development and social justice at the village level under Article 243 of the Constitution. It is also an article of faith for the party you represent in Parliament, which under the leadership of Rajiv Gandhi, pioneered the Constitutional Amendment

for Panchayat Raj Institutions," he said.

Dr. Jain, who along with Swami Agnivesh and Shabana Azmi, had visited the Narmada displaced families in 2003, sent copies of the letter to the Prime Minister's Office, Congress President Sonia Gandhi, Water Resources Minister Saifuddin Soz and the former Madhya Pradesh Chief Minister, Digvijay Singh.

Reacting to the objection raised by the MOS who belongs to Gujarat, to the involvement of gram sabhas, Dr. Jain said he was "astonished" to see reports in newspapers that he wanted Mr. Soz to withdraw, what he called, the Minister's "unilateral directions" to the Madhya Pradesh Government.

Dr. Jain said the decision to get rehabilitation claims verified

by gram sabhas was not Mr. Soz's. The Minister had put on hold on Friday a decision to raise the height of Narmada dam in Gujarat, asking States to have the rehabilitation claims verified by gram sabhas/panchayats.

Dr. Jain pointed out that a decision to this effect was taken by the then Madhya Pradesh Chief Minister, Digvijay Singh, on August 29, 2003.

"It requires district officials to provide full information on displacement/rehabilitation to the gram sabhas. The object is laudable. It is to take the assistance of gram sabhas to ensure that the government had the maximum assurance that justice was done to every single displaced family."

"Where is the conflict between the role of the Grievance Redressal Agency (GRA) and the gram sabha? The GRA, located at

the State level, is still the last resort but gram sabha, that is easily accessible to every one of the thousands of affected families, provides the first level of ground verification for the State Government. The arrangement is sensible from the human viewpoint and is downright practical," he said.

Dr. Jain had earlier written to the then Water Resources Minister Priya Ranjan Dasmuni drawing his attention to the "wide gap between ground reality and official reports on progress of rehabilitation" at the current height of the dam at 110.64 metres. He had urged the Minister to get a direct first hand report from an independent group. Several thousand families are displaced by the dam in Gujarat, Maharashtra and Madhya Pradesh.

16 MAR 2006

THE HINDU

Coastal Zone Management Plan to replace CRZ

Swaminathan
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Plan to be based on the vulnerability line

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CHENNAI: The Ministry of Environment and Forests will shortly put in place a Coastal Zone Management Plan. It will replace the Coastal Regulation Zone (CRZ).

Ministry sources told *The Hindu* that the new plan, which will take effect in a few months, will be based on the concept of vulnerability line. Vulnerability line will be the setback line demarcated along the coast. It will be based on the hazard assessment of each coastal area. The Space Applications Centre, Ahmedabad, will be the nodal agency for mapping this line. The map and data would be in the public domain once it is cleared by the Ministry of Defence and suitable amendments were made to the legislation.

The Ministry set up the Swaminathan Committee in 2004 to review the CRZ and the report was submitted in February 2005. The committee feels that the current practice of fixing CRZ based on high tide line is not the best of practices and is less scientific. It has also widened the scope of definition of a coastal zone.

The coastal zone is to now include "an area from territorial limits (12 nautical miles), including its sea-bed to the administrative boundaries or the biological boundaries demarcated on the landward side of the sea coast." The coastal zone

management will also "include the inland tidal water bodies influenced by tidal action and the land area along such water bodies." Most of the committee recommendations have been accepted. The Ministry has had consultations with the Survey of India and other organisations to finalise the vulnerability line.

Seven parameters

The Committee has recommended seven parameters for mapping the vulnerability line and has issued guidelines for this. The parameters are elevation, geology, geomorphology, sea level trends, horizontal shoreline displacement, tidal ranges and wave heights. These are based on the best practices adopted in countries such as the United States. While some data are readily available, some are being collected anew. Information such as elevation, which is under the purview of the Survey of India, awaits clearance.

Unlike the CRZ, the plan will be oriented towards managing resources, development and regulation. The Committee has proposed four Coastal Management Zones (CMZ). CMZ I would con-

sist of areas designated as ecologically sensitive. CMZ II would include areas identified as Areas of Particular Concern such as economically important areas, high population areas and culturally/strategically important areas. CMZ-III would include of all other open areas, including the coastal areas, excluding those areas classified as CMZ-I, CMZ-II and CMZ -IV. CMZ -IV pertains to the Andaman and Nicobar islands and Lakshadweep.

The proposed vulnerability map is for the CMZ II and CMZ III. The proposals would be part of the Central Act and State Governments have to make their respective management plans. It is claimed that the new vulnerability line is scientific and objective

It is expected to discourage inconsistent interpretations. However, when the vulnerability map and data are published, it would be subjected to public scrutiny. The issue many a time has not been about dearth of legislation or method, but that of implementation and monitoring. This time, the hope is that the new map and legislation would be effective.

- Vulnerability line will be the setback line demarcated along the coast
- CRZ based on high tide line not scientific
- Committee has proposed four coastal management zones

12 MAR 2005

THE HINDU

Centre puts on hold decision on Narmada dam

'I have taken this seriously... I am not at all satisfied with resettlement and rehabilitation ...': Saifuddin Soz

Gargi Parsai

NEW DELHI: Union Water Resources Minister Saifuddin Soz on Friday put on hold the Narmada Control Authority decision on Wednesday to raise the height of the Sardar Sarovar dam on the Narmada from 110.64 metres to 121.92 metres.

"I have taken this seriously. I am not at all satisfied with the resettlement and rehabilitation of the project-affected families. Neither Gujarat nor Madhya

Pradesh has given me a credible commitment that the Action Taken Reports would be verified by gram sabhas/gram panchayats so that the displaced people are not deprived of their legitimate rights. Consequently, the clearance given by the resettlement and rehabilitation subgroup of the Narmada Control Authority to raise the dam height was premature," Mr. Soz told *The Hindu*.

The NCA review committee, which Mr. Soz chairs, would take

another look at the decision. The Chief Ministers of Gujarat, Madhya Pradesh, Maharashtra and Rajasthan are members of the committee.

Mr. Soz said he would visit the Narmada Valley to assess the rehabilitation and resettlement claims made by the States. He has written to Gujarat Chief Minister Narendra Modi and Madhya Pradesh Chief Minister Shivraj Singh Chauhan to express his dissatisfaction with the rehabilitation process. "My Min-

istry and myself are committed to ensuring that the rehabilitation of the project-affected families is carried out in letter and in spirit, and in consonance with the orders of the Supreme Court," he said, adding that he would also speak to Maharashtra Chief Minister Vilasrao Deshmukh.

Mr. Soz has asked Mr. Shivraj Singh Chauhan to either adopt a letter written by former Madhya Pradesh Chief Minister Digvijay Singh in 2003 to the Centre that

the resettlement and rehabilitation of the project-affected families would be verified by gram sabhas/gram panchayats or give him a similar credible commitment".

According to official estimates, 177 villages are affected in Madhya Pradesh alone between the dam height of 110.64 metres and 121.92 metres.

See also Page 3

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THE HINDU

Revealed: Antarctic ice sheet shrinking

MARK HENDERSON

London, March 3: The Antarctic ice sheet, which holds 70 per cent of the world's fresh water, has shrunk significantly in the past four years, the first observations from a pair of satellites show.

The frozen continent is shedding about 152 cubic km of ice every year — enough to supply the city of Los Angeles with water for 36 years — according to research which suggests that global sea levels could rise more rapidly than predicted.

Scientists had expected that over the coming century

global warming would increase the size of the Antarctic ice sheet, as higher temperatures brought increased snowfall, but the new data suggest that it is losing mass.

The findings, from the twin satellites of the Gravity Recovery and Climate Experiment (Grace) launched in 2002, are a concern because the ice sheet would increase sea levels by as much as 45 metres if it were all released.

The West Antarctic ice sheet, where the bulk of the melting is taking place, alone holds water that would raise the sea level by more than 6 metres.

The East Antarctic sheet, which is eight times larger, appears to be more stable.

The results indicate that rising temperatures are having a major impact on both the world's ice caps: two weeks ago, a separate study found that the amount of ice dumped into the ocean by glaciers in Greenland has doubled over five years.

The Grace experiment is the first to conduct a comprehensive survey of the Antarctic's ice sheet, the first results of which are published today in the journal *Science*. It uses two satellites to detect minute changes in the Earth's gravity

field, which is influenced by the amount of ice locked in the polar cap.

It found that the volume of ice being lost from the ice sheet, which is up to 2,000 metres thick, is raising global sea levels by 0.4 mm a year. Melting ice from Greenland is contributing another 0.5 mm to sea level rise.

"This is the first study to indicate the total mass balance of the Antarctic ice sheet is in significant decline," said Isabella Velicogna, of the University of Colorado at Boulder, who led the research.



The Ross Ice Shelf in Antarctica

THE TIMES, LONDON

SPEAKING OF SCIENCE

The health effects of white asbestos

Chrysotile is an established carcinogen and there is no safe threshold

WHEN THE towers of the World Trade Center (WTC) in New York collapsed in September 2001, they released a cloud of hazardous material that included 2000 tonnes of asbestos.

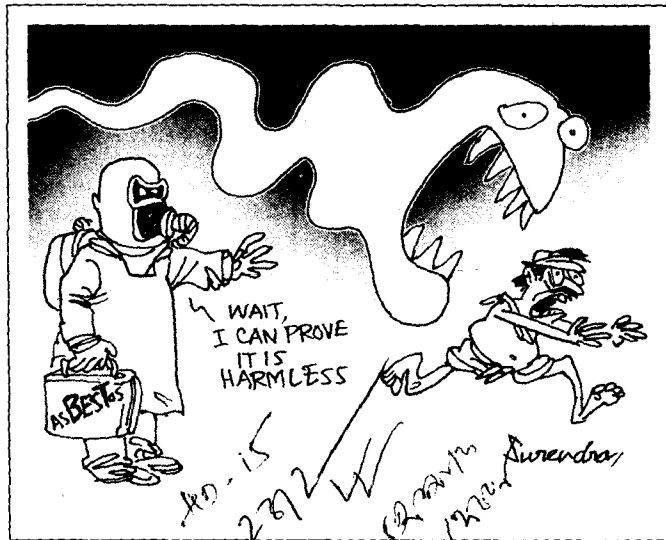
In a ruling on a class action suit filed by people who say they were exposed to this hazard, on February 2, 2006, Judge Deborah Batts chastised the US Environmental Protection Agency for having first assured that the clouds were safe from asbestos and later admitting to this misinformation, calling their assurances as 'conscience-shocking'.

The asbestos used at the WTC is what is known as 'white asbestos' or chrysotile as it is chemically known. This form of asbestos is being used in the U.S., India and many other countries with the belief that of the various forms of asbestos, chrysotile is the safest.

The basic message

The Asbestos Cement Products Manufacturers Association of India (ASCMA), during the Clemenceau controversy, issued a public interest advertisement stating that (a) chrysotile or white asbestos, when used under controlled conditions, does not pose any risk to health (b) chrysotile fibres are locked as a 8-9 per cent component in a cement matrix which prevents them from escaping into the air, and (c) asbestos occurs in nature and a lot of asbestos fibres are inhaled by us everyday.

The basic message here is that chrysotile is used in India under controlled conditions and is therefore completely safe. Asbestos occurs in nature in six forms, broadly classified into two families. One is the amphiboles (or the two-sided) wherein the molecules form railway track-like double chains.



Blue Asbestos (or crocidolite) and Brown Asbestos (or Amosite) are two common examples.

The other is the serpentine family, best typified by chrysotile.

Source of controversy

These form extended sheets, which wrap around themselves into curved tubular structures (serpentine) in contrast to the 'straight' amphiboles.

The chemical properties of all classes of asbestos are pretty much the same, but it is their relative health effects that have been a source of controversy.

There is a group that holds all asbestos – amphiboles or serpentines – are equally dangerous to human health; there is another, which has been staunchly holding that the culprits are the amphiboles, and chrysotile is safe.

The ASCMA belongs to this class of 'chrysophiles' while the former are the 'chrysophobes.' What is the latest in this confrontation between the two? An educative and remarkably readable analysis of the white asbestos controversy has been

published by Drs. G. Tweedale of the Manchester Metropolitan University Business School, UK and J. McCulloch of the RMIT University School of Social Science and Planning at Melbourne, Australia.

Called the Chrysophiles versus Chrysophobes, this paper in the journal *Isis* (2004, 95: 239-259) gives a historical account of the gory story where science was repeatedly given the short shrift by commerce.

No distinction made

Until the 1950s scientists, while admitting the health hazards of asbestos, made no distinction between its types in their ability to cause diseases. When in 1960, it was found by one Dr. J.C. Wagner in South Africa that blue asbestos caused malignant mesothelioma (cancer of the linings of the lungs, chest and abdomen), it caused a furore in the industry there.

Interestingly, since it was chrysotile that was the major asbestos of commerce and use in U.K. and U.S., industry seized blue asbestos as the culprit, declaring that white asbestos has

not been similarly implicated and so it is safe.

Tweedale and McCulloch give a detailed history of how industry interests in U.S. and in particular Canada (a major world source of chrysotile) campaigned and raised funds for research purporting to show that chrysotile was safe.

As the *Isis* article points out, when covering the controversy in the period 1950-2004, political, economic and social factors have militated against a speedy resolution of the debate, facilitating the continued production and use of asbestos in the developing world. Let us now look at developments in the biomedical literature during the last few years.

Many published articles

The PubMed database, maintained by the US National Library of Medicine, cites 141 published articles in the last three years on the health effects of chrysotile and just about every one of them reports its ill effects on proteins and DNA, cells and tissues of the body.

Dr Qamar Rahman of the Industrial Toxicology Research Centre at Lucknow was one of the early ones to show how chrysotile induces oxidative stress in experimental animals (*J. Biochem. Mol. Toxicol.* 17, 366, 2003).

Later studies support her and show that it does so by producing reactive oxygen species, which damage cellular molecules and components. It damages DNA, producing 8-oxo-guanine, and it affects the cell cycle and proliferation of cells.

These effects are also seen to be specific to the cell type; mesothelial cells are specifically targeted by chrysotile, producing cancer there, while fibroblasts (cells that make up the connective tissue) are not (Kopnin and

coworkers: *Oncogene* 23, 8834, 2004).

Li and coworkers in Hangzhou, China did a meta-analysis (which combines the results of several studies addressing a given issue) of cancer mortality among workers exposed only to chrysotile (*Biome. Environ. Sci.* 17, 459, 2004), concluding that there are excessive risks of lung cancer and mesothelioma among workers exposed to white asbestos alone, and little association between its exposure and cancers at other sites. In other words, chrysotile affects the lungs and pleura specifically.

When discussing epidemiological associations of this type, rigour is provided only when all causal criteria are satisfied.

The British medical statistician Sir Austin Bradford Hill has listed nine such criteria: strength and association, consistency, specificity, temporality, dose-response, biological plausibility, biological coherence, experimental evidence, and analogy.

Causal factor

And, the former Assistant Surgeon General of USPHS, Dr. R.A. Lemen, has applied these nine to the chrysotile-mesothelioma connection (*Int. J. Occup. Environ. Health* 10, 233, 2004), found them all satisfied, and concludes that chrysotile asbestos is not just associated with, but a cause of mesothelioma.

It has been held that controlled use of chrysotile makes it safer. It is interesting to note here that the Appellate Body of the World Trade Organization, in upholding the French ban on asbestos, ruled in 2000 that chrysotile is an established carcinogen, there is no safe threshold and 'controlled use' is not an effective alternative to a national ban.

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Plea on Forest Rights Bill for STs

10-12
9/29

Left parties, BJP demand its early tabling

Special Correspondent

NEW DELHI: The Left parties on Tuesday joined the Bharatiya Janata Party (BJP) in demanding that the Parliamentary Joint Committee on 'The Scheduled Tribes (Recognition of Forest Rights) Bill, 2005' table its report in the Budget session itself. The demand was made in the Lok Sabha after Chairman of the Committee V. Kishore Chandra S. Deo sought the permission of the House to extend the deadline to the first day of the Monsoon Session.

Questioning Mr. Deo's request, Vijay Kumar Malhotra (BJP) said the report should be tabled in the post-recess part of the Budget session while wondering whether the Government was trying to delay the Bill. Mr. Malhotra found support from Basudeb Acharya (CPI-M) and Gurudas Dasgupta (CPI), forcing an intervention from the Leader of the House, Pranab Mukherjee.

Conceding the point made by the BJP leader, Mr. Mukherjee said the recess was just a fortnight long and all the Parliamentary Standing Committees would be busy examining the Demands for Grants of various Ministries. Also, some members would be caught up in the coming Assembly elections. "The consideration of the Bill should not be a victim of constraints of time," was his contention.

Earlier, Speaker Somnath Chatterjee said Mr. Deo had

• Is the Government delaying the Bill, asks the BJP

• The committee would do its best to submit the report early: panel chairman

sought an extension since the Committee had received a large number of representations from various quarters and members wanted to go through all of them before arriving at any decision.

Examination

Further elaborating, Mr. Deo said members wanted to undertake a detailed clause-by-clause examination of this proposed legislation that seeks to give forest-dwelling Scheduled Tribes the right to collect, utilise and sell minor forest produce.

Report soon

Mindful of the sentiments expressed by members, Mr. Deo said the committee would do its best to submit the report as early as possible while placing on record the fact that the Bill was an attempt to deliver a promise made to tribals several times since 1927.

The proposed legislation seeks to correct the colonial oversight of not acknowledging the inseparability between forest dwelling tribes and forests.

THE HINDU

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Get serious about wetlands

MZ

Wetlands, which cover seven million hectares in the country, are rightly described as the "kidneys of the ecosystem." They ensure the health of the land by filtering out excess water and waste. They are vital also because they provide a range of services, such as prevention of storm damage, control of flood and water flows, and support of fisheries. Many smaller human-made wetlands exist, fulfilling key community needs, not the least of which is providing water security. Given the significant role they play in natural processes, wetlands should qualify for sound protection on the lines of forests and wildlife. That this is not the case is a tragic instance of national policy not recognising larger environmental values. State Governments have generally failed to classify wetlands separately in their revenue records; in most cases, lakes and marshes are treated as wasteland. On its part, the Union Ministry of Environment and Forests (MoEF) has failed to make adequate use of an excellent opportunity to protect more wetlands under the Ramsar Convention of 1971: it has designated only six new sites (Hokera and Surinsar-Mansur in Jammu and Kashmir, Chandertal and Renuka in Himachal Pradesh, Rudrasagar lake in Tripura, and Upper Ganga River in Uttar Pradesh) on World Wetlands Day this year. There are now 25 national sites listed under the Convention, which seeks to conserve and facilitate judicious use of wetlands through local, regional and national actions, and international cooperation.

The national report submitted to the Ramsar Convention in Uganda last year acknowledged that there were 199 wetlands in the country — assessed by the Salim Ali Centre for Ornithology and Natural History — that met more than one criterion for inclusion. Thus far the MoEF has not consulted the States with any degree of seriousness on the subject. India's wetlands suffer more than other ecosystems. Many are encroached upon for short-term gain, for example to be developed as house-sites. In its report on inland wetlands, the Salim Ali Centre points out that nearly half the water bodies in the country have been lost over the past decade. Those that survive are being heavily polluted with pesticide, fertilizer, sewage and industrial waste, putting at risk the local communities and a large number of threatened bird species. This awful rate of attrition must be reversed through urgent intervention at all levels of policy. The Central Government must give priority to a law that affords the highest protection to all identified wetlands, similar to the Forest and Wildlife Protection Acts but with provision for compatible community use. There is enough scientific evidence to show that the wetland ecosystem, whether inland or coastal, is vital for human survival. These water bodies with rich biodiversity handle natural calamities such as hurricanes and floods while providing for the basic needs of communities. Such knowledge needs to be turned into enlightened policy.

THE HINDU

নৈতিক জয়

অবশেষে ফরাসি জাহাজ ক্লর্মসু লইয়া সৃষ্ট জটিলতার অবসান হইল। ফরাসি সেনাবাহিনীর নিকট এই যুদ্ধজাহাজটির প্রয়োজন ফুরাইয়াছে, অ্যাসবেস্টসবাহী জাহাজটিকে ধ্বংস করিয়া ফেলিবার পরিকল্পনায় তাহাকে গুজরাতের আলঙ উপকূলে আনা হইতেছিল। সমুদ্রে ধ্বংস করা হইলে তাহা হইতে প্রভূত দূষণ ছড়াইয়া পড়িবার আশঙ্কা ছিল। গ্রিনপিস সহ কয়েকটি আন্তর্জাতিক পরিবেশবাদী সংস্থা এই প্রচেষ্টার বিরুদ্ধে প্রতিবাদ জানায়, ভারতীয় সুপ্রিম কোর্টও ভারতের সমুদ্রসীমার মধ্যে জাহাজটিকে নিষিদ্ধ ঘোষণা করে। দেশ জুড়িয়া বিভিন্ন পরিবেশসচেতন সংগঠন এবং সাধারণ মানুষ এই সিদ্ধান্তের বিরুদ্ধে প্রতিবাদ জানান। ফ্রান্সেও জনসমাজে প্রতিক্রিয়া রাষ্ট্রের সিদ্ধান্তের পক্ষে বিশেষ অনুকূল হয় নাই। অবশেষে, ফ্রান্সের সর্বোচ্চ আদালতও ভারতের ভৌগোলিক পরিসীমার অভ্যন্তরে জাহাজটি ধ্বংস করিবার বিপক্ষে রায় দেয়। ফরাসি রাষ্ট্রপতি জাক শিরাক জাহাজটিকে দেশে ফিরাইয়া আনিবার আদেশ দিয়াছেন। বলা যাইতে পারে, আন্তর্জাতিক প্রেক্ষিতে ইহা ভারতের একটি উল্লেখযোগ্য নৈতিক জয়। অনুমান করা চলে, একটি দেশের বিযুক্ত-পণ্যবাহী জাহাজ অপর দেশের সমুদ্রসীমার অভ্যন্তরে ধ্বংস করিবার মধ্যে প্রথম বিশ্ব বনাম তৃতীয় বিশ্বের পারস্পরিক শক্তি-সম্পর্কটি গুরুত্বপূর্ণ ভূমিকা লইয়াছে। প্রথম বিশ্বের অর্থনৈতিক ভাবে উন্নত দেশগুলি তাহাদের দেশের বিপজ্জনক বর্জ্য পদার্থ বহু দিন ধরিয়াই অপেক্ষাকৃত অনুন্নত তৃতীয় বিশ্বের দেশগুলিতে চালান করিয়া আসিতেছে। তৃতীয় বিশ্বের দেশগুলি হইতে যে ক্ষীণকণ্ঠ প্রতিবাদ উঠিয়াছে, অর্থনৈতিক সহায়তা এবং ঋণ ইত্যাদির উল্লেখ করিয়া সেই প্রতিবাদকে স্তব্ধ করিয়া দিতে প্রথম বিশ্বের দেশগুলিকে বিশেষ সময় অথবা শ্রম ব্যয় করিতে হয় নাই। মার্কিন যুক্তরাষ্ট্র সহ প্রথম বিশ্বের প্রায় সমস্ত দেশ তাহাদের দেশের বিপজ্জনক এবং পরিবেশের পক্ষে ক্ষতিকর বর্জ্য পদার্থ ফেলিবার জন্য আফ্রিকার বিভিন্ন দেশকে প্রায় আবর্জনার পাত্র হিসাবে ব্যবহার করিতে অভ্যস্ত, তাহার বিনিময়ে কিছু আন্তর্জাতিক অর্থসাহায্য লইয়াই দেশগুলি চুপ থাকিতে কার্যত বাধ্য হয়, কারণ তাহাদের আন্তর্জাতিক সাহায্য ভিন্ন উপায় নাই। বর্তমান ঘটনায় এই অভ্যাসের একটি তীব্র ব্যতিক্রম হইল।

আন্তর্জাতিক প্রেক্ষিতে জোরের সহিত নিজে বক্তব্য রাখিবার অবস্থানে ভারত বিনা কারণে পৌছায় নাই। এই বিশ্বায়িত পৃথিবীতে বাজার মহাশক্তিমান, আর ভারতের বিপুল বাজারটি সকল দেশের পক্ষেই আকর্ষণীয়। ভারতে ভোগ্যপণ্যের বাজারটি যেমন উন্নত দেশের পণ্য-উৎপাদক সংস্থাগুলিকে এক অ-পূর্ব ব্যবসার সুযোগ করিয়া দিতে পারে, তেমনই এ দেশের বিনিয়োগ তথা পুঁজির বাজারও যথেষ্ট আকর্ষণীয়। সুতরাং, আপন অর্থনৈতিক স্বার্থেই বিভিন্ন উন্নত রাষ্ট্র ভারতের সহিত সুসম্পর্ক বজায় রাখিয়া চলিতে ইচ্ছুক। দেশের বাজার যে ভারতকে আন্তর্জাতিক সম্মান দিয়াছে, তাহা নিঃসংশয়। তবে, সম্পূর্ণ কৃতিত্ব বাজারের প্রাপ্য নহে। দেশের গণতান্ত্রিক পরিবেশ, প্রতিবাদের স্বাধীনতা ইত্যাদি থাকিবার ফলে এই রূপ একটি ঘটনায় এত দ্রুত জনমত সংগঠিত হইয়াছে, সেই জনমতের চাপ দেশের আইনসভা বা বিচারব্যবস্থা অস্বীকার করিতে পারে নাই। ক্লর্মসু ফিরাইয়া লইবার ঘটনাটি অবশ্যই ভারতের গণতান্ত্রিক স্বাধীন পরিবেশের জয় ঘোষণা করে। আর একটি বিষয় অবশ্য উড়াইয়া দেওয়া চলে না। কেহ বলিতে পারেন, ফরাসি রাষ্ট্রপতি জাক শিরাকের ভারত সফরের প্রাকমুহূর্তে এই বিতর্কটি উঠিয়া আসায় ফ্রান্স অস্বস্তিতে পড়ে। রাষ্ট্রপতির সফরে যাহাতে এই জাহাজটি লইয়া অনাবশ্যক উত্তেজনা বা সংঘাতের পরিস্থিতি সৃষ্টি না হয়, ফ্রান্সের তরফে তাহা সুনিশ্চিত করা জরুরি ছিল। সেই কারণেও জাহাজটিকে ফিরাইয়া লইবার সিদ্ধান্ত এত দ্রুততার সহিত লওয়া হইয়াছে। তবে, এই যুক্তি বিশ্ববাজারে ভারতের গুরুত্বকে খর্ব করে না। ফরাসি রাষ্ট্রপতির ভারতের সহিত সুসম্পর্ক বজায় রাখিবার বাসনায় অর্থনৈতিক মাপকাঠিতে ভারতের বিশ্বশক্তি হইয়া উঠিবার সংকেত রহিয়াছে।

17/11/2006

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Greenpeace hails recall of Clemenceau

Upgrade to international standards, the environment group tells Alang ship-breaking industry

Special Correspondent

NEW DELHI: Describing the recall of the toxic ship Clemenceau as a victory for the environment, Greenpeace on Thursday called upon the Indian ship-breaking industry to take advantage of the opportunity to upgrade it to international standards and in line with national and international laws on human rights and environment.

"We urge the Indian and the French Governments to use the opportunity presented by French President Chirac's visit to create a new model for Indian-European trade, one that equally emphasises economic benefits, environmental sustainability and human rights," G. Ananthapadmanabhan, executive director of Greenpeace India told reporters a day after Mr. Chirac recalled the ship.

"The French expressed their concern for Indian environment and worker safety, manifested in their offer to transfer technology to Alang. We expect President Chirac to commit firmly to this offer during his visit to India," Mr. Ananthapadmanabhan said.

According to Ramapati Kumar, Toxic Campaigner the industry must acknowledge that there was an urgent need for new vision and leadership in Alang. "We have written to the ship-breakers association offering to work closely with them to ensure that Alang becomes the destination of choice for responsible dismantling of end-of-life ships," he said.

Seeking resignation of Union Environment and Forests Minister A. Raja in the wake of the developments, H. Mahadevan of the All-India Trade Union Con-

gress said the union would take steps to ensure that the organised workers of Alang were aware of their rights and demand improved facilities from authorities.

Trade unions, Corporate Accountability Desk, The Other Media, and Ban Asbestos India have welcomed the recall of Clemenceau.

While commending the French Court for upholding justice, the organisations came down heavily on the Union Environment and Forests Ministry and the Centre for "blatantly arguing for the violation of international and national laws by accepting the toxic-laden ship from France."

The Indian authorities failed miserably, Madhumita Dutta of the New Delhi-based Corporate Accountability Desk and The Other Media said.



VICTORIOUS: Executive Director of Greenpeace India G. Ananthapadmanabhan (left), General Secretary of AITUC H. Mahadevan (centre) and Greenpeace Toxic Campaigner Ramapati Kumar address a press conference in New Delhi on Thursday. - PHOTO: AFP

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Greenpeace

Chirac orders Clemenceau back home

Says France must "set the example and act with the greatest transparency"

PARIS: President Jacques Chirac on Wednesday ordered the asbestos-lined warship Clemenceau back home after France's highest court blocked its transfer to India for scrapping.

"Given the situation, the President of the republic has decided to repatriate the ship to France," Mr. Chirac's office said on Wednesday.

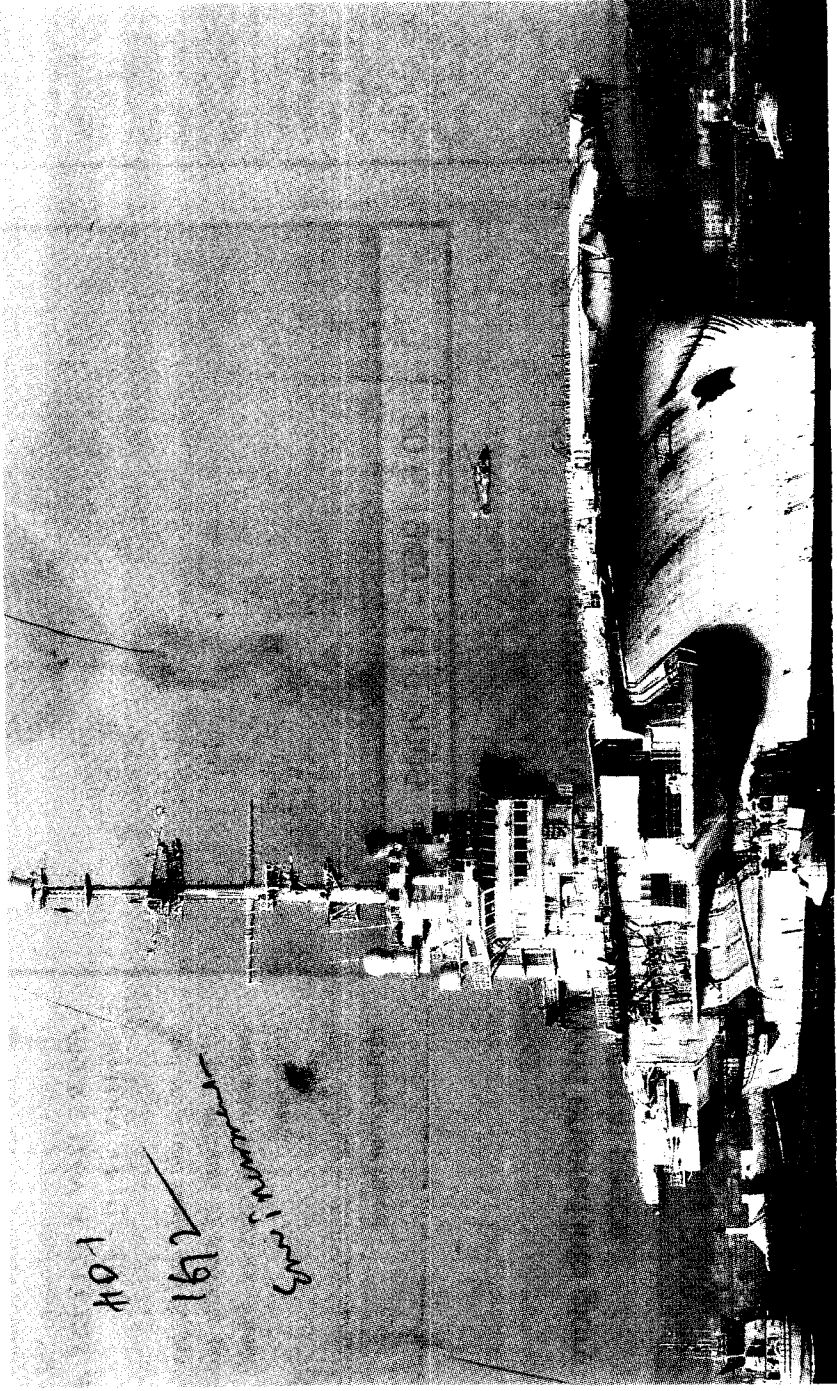
France's State Council cut short the debate on Wednesday with a fast-track ruling ordering the transfer to be suspended, in response to complaints by Greenpeace and three anti-asbestos groups. The State Council's decision will take effect immediately, while the case goes back to a Paris administrative court for a detailed legal ruling which could take up to six months.

The French climbdown will be seen as a major victory for environmentalists, who fought tooth and nail to prevent the ship from being sent to India, where they say it would have posed a serious environmental and health hazard.

Export of pollution

Accused of exporting its pollution to the developing world, the French Government has been sorely embarrassed by the warship debacle, which threatened to overshadow Mr. Chirac's upcoming state visit to India.

Paris had been under mount-



ABOUT TURN: The Clemenceau is towed from the military harbour of Toulon, southern France, in this December 31, 2005 picture. - PHOTO: AP

ing pressure at home to bring back the ship, with the Socialist opposition denouncing the affair as a "fiasco" and part of the press slamming the government for

what it called incompetence.

Mr. Chirac ordered the ship to be brought back to French waters "to wait in full security conditions until a definitive solution

is found for its decontamination," his office said.

"France must set the example and act with the greatest transparency" when disposing of used

ships, Mr. Chirac said, calling for Europe to build up its own dismantling capabilities.

He said a Europe-wide effort to set international norms for

disposing of used ships abroad should include "respect for labour laws, workers' health and the environment."

Mr. Chirac also called for a counter-expertise to assess the exact amount of asbestos still left inside the decommissioned ship — the figure quoted by environmentalists is 10 times that given by the government.

The French Defence Ministry said the ship still contains 46 tonnes of asbestos, which it says cannot be removed without dismantling it entirely. But Greenpeace quoted two expert reports as estimating that there are 500 to 1,000 tonnes of asbestos-contaminated materials on board.

The organisation hailed Wednesday's decision, saying it was "satisfied" the transfer had been called off despite "the obstacles to truth and transparency in this case." The former pride of the French Navy, the decommissioned ship has been marooned in the northern Indian Ocean for several weeks, awaiting a decision by India's Supreme Court on allowing it into the country. But the court called on Monday for a new evaluation of its exact contents before issuing a final ruling on allowing it into the country. — AFP

THURSDAY, FEBRUARY 16, 2006

Stifling democratic discussion

National discussion and debate on so crucial a matter of public concern as the entry of the decommissioned French aircraft carrier Clemenceau into Alang for dismantling have been sought to be stifled by a Supreme Court gag order of far-reaching consequences that has few precedents. The apex court bench, which is hearing a public interest case on the entry of the ship into India, has prohibited demonstrations and articles expressing a "pro or against or a middle line" opinion on the ground they would constitute *prima facie* contempt of court. This order is not restricted to parties before the court; nor is it confined to a discussion of the legal issues. Traditionally, courts have frowned upon a public discussion of the issues before them for the reason that this may pressure the judge or the parties to act in a particular way, and also that it may, by pre-judging the case, sway the public one way or the other, undermining their confidence in the court's decision when it comes later. Neither of these reasons applies to the present case. Judges, particularly in the higher courts, are by practice and disposition insulated against outside influences. They are trained to decide on the basis of the material before the court and the arguments made. As for the public, it is far-fetched to claim that an open debate will influence them one way or the other in advance and erode their faith in a final judicial verdict.

The Supreme Court's order runs counter to the tendency of courts the world over to allow greater latitude for the discussion of matters of wide public interest and concern. The European Human Rights Commission, for instance, ruled that the effects of the drug thalidomide were of such crucial concern to so many victims that the publication of an article by *The Sunday Times* could not be banned on the ground it might prejudice a pending case. In the Clemenceau affair, the debates extend far beyond the merely legal. Issues of health and safety of workers, good business ethics, political morality, and international relations have transformed the episode into a matter of widespread public concern. What is involved is not just the right of the newspapers to publish information and opinion but of the public to receive them as well. To consider a discussion of such issues contempt of court because of the pending litigation and to resort to prior restraint on any publication would do incalculable harm to the democratic fabric. At a time when issues of public policy are increasingly being brought before courts, such a stand would open the door to stifling discussion by taking an issue to court. The Supreme Court over a period has emerged as a staunch defender of the democratic rights of citizens against the excesses of the executive and the legislature. It would be unfortunate if it were to be seen as not showing the same degree of sensitivity to democratic rights where its own functioning is involved. It is ironic that even as the imposed silence reigned in India, the campaign continued to gather momentum in France, with the highest court ruling against the transfer of the ship, leading to its recall.

16-04-2006

ENTRY ■ No for or against reports in media, demonstrations, warns court

Clemenceau: Media trial contempt, SC asks govt for expert opinion

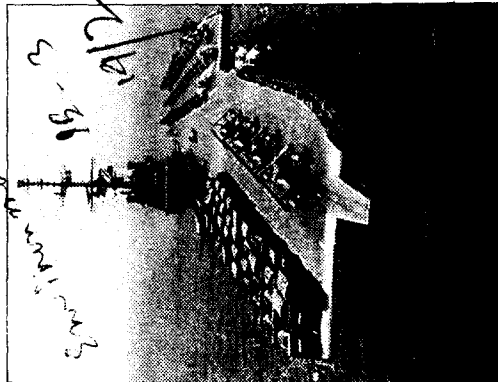
EXPRESS NEWS SERVICE
NEW DELHI, FEBRUARY 13

THE Supreme Court today ordered that any media report in favour or against the entry of French ship *Clemenceau* into India, or those who stage demonstrations for or against its entry would invite contempt of court proceedings.

The court took exception to the "media trial" on whether the ship ought to be allowed to enter Indian waters or not, after the Supreme Court Monitoring Committee submitted its reports on the ship and its hazardous content, asbestos.

A bench of Justices Arijit Pasayat and S H Kapadia ordered the Centre to file a list of "experts", preferably retired, to constitute another committee to assess the hazardous waste in the ship, which has been prevented from entering Indian waters till further orders of the court.

The Bench ordered that Naval experts from Mumbai, Cochin and Visakhapatnam be engaged in the task and, if the Ministry of Defence so desired, to also include "retired officers" of the Defence Research Development Organisation (DRDO) in the new committee.



Twice as much asbestos: Daily cites leaked report

► **LONDON:** The French warship *Clemenceau* contains almost twice as much asbestos as the French government had previously suggested, a media report said on Monday, quoting a leaked report. Admiral Alain Oudot, the Chief of Staff of the French Navy, had said last week that the vessel carried 45 tonnes of asbestos, banned in France since 1997. However, now a leaked note suggests the government actually put the figure at 75 tonnes, *Daily Telegraph* reported.

"notwithstanding our direction that the ship shall not enter the EEZ (Exclusive Economic Zone of India) so that customs officials could also take the help of the Central Pollution Control Board (CPCB) to assess the ship.

The Bench posted the matter to February 17 for further hearing. The court said its earlier order restraining the ship from entering India's EEZ would continue and asked the customs department to give its view on whether the ship could be allowed to enter the Indian waters.

The court also made it clear that its order for filing the bill of entry was "without prejudice to the rights of the owners of the ship". "Even if the high-level committee on Hazardous Waste Management clears dismantling of *Clemenceau*, we will not permit it to enter without examining the stand of the customs department and the report of the experts committee", the court said.

Owners of the decommissioned ship had earlier given an undertaking that they would not bring the vessel to within 220 nautical miles of the Indian coast that forms the EEZ till further orders. The court also wanted to know from the parties as to why the French authorities had not allowed the ship to be dismantled in their country.

We are shocked to find, notwithstanding the case here, here, demonstrations being organised and articles... written. If any person is found to be involved, prima facie contempt of court will arise

Referring to media reports for or against the ship's entry into Indian waters, Justice Pasayat, the presiding Judge of the Bench, called the media the "Third Umpire", and observed: "Media trial is on in the matter, despite the case being adjudicated here..."

Later, in the interim order, the Judges said, "We are shocked to find,

Court for new panel on Clemenceau

Environment

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19/2

Let retired naval officers look into issue, say judges

J. Venkatesan

NEW DELHI: Not satisfied with the report of its Monitoring Committee on Hazardous Wastes, the Supreme Court on Monday directed the Centre to suggest a new panel to go into the issue of allowing the French warship, Clemenceau, into India.

A Bench consisting of Justices Arijit Pasayat and S.H. Kapadia asked Additional Solicitor-General Gopal Subramaniam to suggest the names by February 17.

Three or four retired Navy officers could be included. They could be those who headed the dockyards in Mumbai, Visakhapatnam and Kochi, it said. The Defence Ministry should consider experts from the Defence Research and Development Organisation (DRDO) also for this purpose.

It was hearing a petition filed by the Research Foundation for Science seeking a direction to stop the entry of the ship into the territorial waters of India on the basis of the interim report of the court-appointed Monitoring Committee on Hazardous Wastes.

The Bench, after perusing its report, pointed out that the committee did not have the required expertise to go into the issue of dismantling of warships.

A peculiar situation arose as since members of the committee were divided on whether or not the warship could be allowed entry.

The Bench asked counsel for the French Government and other parties why French authorities had not allowed the dismantling in that country. "Why are they [the French authorities] objecting when they have technology available to dismantle the ship in France?"

The Bench said its earlier order that the ship, containing contaminated asbestos sheets, should not enter the Indian Exclusive Economic Zone would continue, after senior counsel Mukul Rohtagi, appearing for the company, which imports the ship, submitted that it was wait-

ing outside India's territorial waters.

The Bench asked the French Government and others to indicate the quantum of asbestos in the ship. It also wanted to know the legal position whether a ship once imported could be sent back.

It directed the company to file the Bill of Entry with the Customs Department though it would not enter the Indian EEZ. It asked the Customs Department to examine the Bill, if necessary with the help of officials of the Central Pollution Control Board to find out whether or not the contents of the ship were hazardous. The Bench adjourned the proceedings to February 17.

Protests, articles banned

J. Venkatesan

NEW DELHI: Expressing shock at media reports and demonstrations, dharnas and rallies organised against the entry of French ship, Clemenceau, the Supreme Court on Monday banned holding of protests and

publication of articles one way or the other. A Bench consisting of Justices Arijit Pasayat and S.H. Kapadia said that holding demonstrations or writing articles "either pro or against or a middle line" during the pendency of proceedings would amount to prima facie contempt of court.

13 FEB 2006

THE HINDU

The battle over a warship continues

Opposition is growing in France to the Government's efforts to get the *Clemenceau* dismantled in India.

Vaiju Naravane

EVEN AS France launched an intense media blitz aimed at convincing the Indian Supreme Court to allow the dismantling of the asbestos-laden former French aircraft carrier, *Clemenceau*, at the Alang ship-breaking yard in Gujarat, a hundred French personalities, including senators, MPs and former environment ministers, signed a petition asking President Jacques Chirac to repatriate the ship.

The signatories included Corinne Lepage who was Environment Minister in the conservative government led by Alain Juppe, a close confidante of President Chirac, and Nicolas Hulot, a well-known environmentalist and TV personality, also said to have close links with the French leader.

An opinion poll published on Thursday showed that 68 per cent of the French oppose the *Clemenceau's* decontamination and dismantling in India. "The French interest in the fate of the *Clemenceau* has not waned and people are calling for its return," Daniel Levy, the director of the polling institute CSA which carried out the survey, said in Paris.

Of those questioned, 54 per cent said they were "shocked" that the ship was sent to India for decontamination and dismantling. "Above all," Mr. Levy said, "this is an ethical and moral question of man's place on the planet. News reports showing the working conditions in the ship breaking yards in India have generated an emotive response. The French say: 'We cannot do this to them [the Indians] when we are incapable of offering adequate protection against asbestos to our own workers.' The increased awareness about problems related to health and safety in the workplace is quite significant."

The pollster said that with the *Clemenceau*, "the French are questioning a developmental model that no longer appeals to them. They want responsible development, they are concerned by the environmental aspect and they want polluting countries to assume the ill-effects linked to development."

The survey showed that 84 per cent of the French do not wish toxic wastes produced by the North to be exported to developing countries and, on the contrary, insist they should be treated in the country of origin or in another industrialised nation.

"What is truly interesting in this poll is that whatever the sex, age, political opinion or socio-professional category of the persons questioned, they all have the same opinion on this dossier," Mr. Levy said.

Since details of the split within the Supreme Court Monitoring Committee (SCMC) on Toxic Wastes reached France, the French Defence Ministry appears increasingly confident of a favourable ruling by the Indian Supreme Court. In a last minute media blitz before the apex court takes its final decision next Monday, the French Defence Minister said France was willing to repatriate all the asbestos that would be removed from the *Clemenceau*. Michele Alliot-Marie also said that workers decontaminating the *Clemenceau* in Alang would be subjected to medical tests before and after the completion of the work and for a third time a year later.

Media criticised

In a propaganda "interview" sent out by the Defence Ministry, France's Ambassador to India Dominique Girard said he had toured the *Clemenceau's* future decontamination site and was satisfied with the working conditions there. Ambassador Girard accused the media of using "ten-year-old



WIDESPREAD PROTESTS: A Greenpeace banner in front of the French Embassy in New Delhi. - PHOTO: PTI.

footage which has nothing to do with the reality of today."

However, a documentary report by *France 3rd* channel using a hidden camera showed workers dismantling an ocean liner in hazardous conditions without protective gear. "These are not archival pictures but shots taken today," the documentary said.

The Ambassador also issued veiled warnings in his "interview" to the effect that the Indian shipbuilding industry would lose all credibility if the *Clemenceau* were barred entry to this country. "All ships contain asbestos and all of them hold a risk for the environment. If the arrival of the *Clemenceau* is not seen as an opportunity to modernise the industry, it will show a lack of confidence in the future of the industry." If the *Clemenceau* did not come to India, he warned, it could go to China, Pakistan or Bangladesh, and India would have difficulty finding new clients.

French Navy Chief Admiral Oudot de Dainville in a long deposition before the French Parliament on February 8, reiterated France's position *vis-à-vis* the Basel Convention, which bars the trans-boundary export of toxic waste.

"The particular nature of the *Clemenceau*, considered war material under the legislation of the exporting country, France, means that the French state has no intention of disposing of it, since it will, after asbestos removal and dismantling, become steel... It does not constitute, in the sense of the Convention, a waste, given that it will at no moment be disposed of, only transformed."

This is like saying that a sari, cut up to make dishrags, will not be eliminated but get added value during its transformation from sari to dishrag. This to say that ships made

into razor blades or rolled into steel sheets are not eliminated. According to the rules of science matter cannot be eliminated. Burn something and it becomes ash. But can this be applied to the *Clemenceau*? The point is that the *Clemenceau* will cease to be a ship. It will be eliminated as a ship and in that sense it does fall under the definition of the Basel Convention.

What the law says

Article 2 of the Basel Convention is extremely clear about the definition of wastes: "Wastes are substances or objects which are disposed of or are intended to be disposed of or are required to be disposed of by the provisions of national law; ... 'Trans-boundary movement' means any movement of hazardous wastes or other wastes from an area under the national jurisdiction of one State to or through an area under the national jurisdiction of another State or to or through an area not under the national jurisdiction of any State, provided at least two States are involved in the movement; ... 'Disposal' means any operation specified in Annex IV to this Convention."

Under Disposal Operations of Annexe IV, the Convention lists "A: Operations which do not lead to the possibility of resource recovery, recycling, reclamation, direct re-use or alternative uses," and "B: Operations which may lead to resource recovery, recycling reclamation, direct re-use or alternative uses." Included in this list is: "(R4) Recycling/reclamation of metals and metal compounds" and "(R5) Recycling/reclamation of other inorganic material."

The French state has clearly sought to mislead the country's lawmakers.

French newspapers have reported on the split within the SCMC said to be divided 7-3.

The Committee has issued two reports one calling for the return of the ship to France, the other requesting the court to apply stringent entry pre-conditions. The majority report, compiled by government representatives to the SCMC, calls for a pre-entry deposit of up to three times the value of the ship - an estimated 24 million Euros or roughly Rs.120 crore. This sum will be forfeited if the asbestos on board is found to be over the declared 45 tonnes. Sources indicate that the report calls for the permanent posting in India of French engineers for the duration of the asbestos removal to oversee the work and for the repatriation of all the toxic wastes removed.

Future problems?

The French Navy Chief in his declaration before the National Assembly raised the question of other French warships built before 1995 that will come up for decommissioning in the coming decade. All these ships are full of asbestos and other toxic substances. The *Clemenceau's* entry into India is crucial for the fate of these other ships lined up for dismantling. French trade unions have already brought this to the notice of the Navy in the past and have suggested setting up a proper industrial base within France for the decontamination and dismantling of French warships; a suggestion that, for purely economic reasons, the French state appears loath to consider.

Admiral Dainville said that if India refused entry to the *Clemenceau*, two solutions were under consideration - the use of the ship for target practice to test the efficiency of new armaments, which would lead to its sinking at sea; or its dismantling in another ship-breaking yard elsewhere in Asia.

France offers to take back toxic waste

9/12
Environment
HP-1

Inventory to be submitted to panel today

Manas Dasgupta

BHAVNAGAR: France will take back all the toxic material that came out of its decommissioned warship Clemenceau if the Government of India or Supreme Court wanted, French Ambassador Dominique Gerard said here on Wednesday.

The ship is on its way to the Alang ship-breaking yard in Gujarat for dismantling.

Mr. Gerard, who visited the yard along with a delegation of the French embassy, said an inventory of the material aboard the ship would be submitted to the Supreme Court Monitoring Committee in New Delhi on Thursday.

All hazardous material had been taken out and the ship carried now only about 45 tonnes of asbestos. "We are ready to take back for disposal any amount of asbestos found on the ship after it is dismantled," he said.

Envoy optimistic

The envoy was optimistic that the Supreme Court and Government of India would not object to the ship reaching Alang.

Mr. Gerard said he had seen the facilities at the yard and was satisfied that a vessel of the size of Clemenceau could be handled and hazardous material disposed of. He also offered to get French labour for the dismantling work.

The Ambassador and his team enquired about the working conditions, went round the landfill sites and visited the health institute at Alang.

Decision taken in March

He said the decision to send the ship to Alang was taken in

• Visits Alang and says the yard has adequate facilities

• Offers to get French labour

• Shiv Sena men raise anti-Greenpeace slogans at site

March after going through all relevant provisions of Indian law, and after thorough discussions with the Union and Gujarat Governments.

"All hazardous material on the ship had been taken care of by the French Government," he said.

'Company has capability'

Mr. Gerard said the Sri Ram Ship Breaking Company that had bought the vessel had handled a 31,200-tonner and pointed out that Clemenceau weighed only 26,000 tonnes.

Five workers had been trained by France to handle Clemenceau and more would be given training before the ship arrived.

A group of Shiv Sena men, along with some local workers, staged demonstrations against environmental activist group Greenpeace for opposing the dismantling of the ship at Alang.

The Sainiks said ship-breaking provided jobs to about a lakh workers at Alang. They alleged that the "so-called environmentalists" were out to ruin the industry and render the Indian workers jobless.

Photograph on Page 12

9/12/2006

THE HINDU

Clemenceau: committee decision to be referred to Supreme Court today

“Court order will be a turning point in environmental awareness”

Special Correspondent

Guiminh...
CHENNAI: Putting a cap on animated discussions on whether the decommissioned French aircraft-carrier Clemenceau must be allowed to enter Indian waters, the Supreme Court Monitoring Committee on Hazardous Waste which met here on Monday has arrived at a decision on the ship's fate.

The decision will be referred to the Supreme Court on Tuesday, following which it will decide on February 13 whether the ship, said to be carrying an unspecified amount of toxic asbestos and asbestos containing materials, will be cleared for being broken down in the Alang ship breaking yard in Gujarat.

Options likely

Sources in the SCMC, however, indicated that the committee might open up the issue for further discussion and suggest a set of options for the court to consider.

Though he cited “protocol



G. Thyagarajan

reasons” for not revealing the exact outcome of the meeting, G. Thyagarajan, chairman, SCMC, told reporters that the apex court decision, when it came, would be “an important decision and a turning point in environ-

mental awareness” in the country. “There is hope for India,” he said, adding the Clemenceau issue had opened up a number of issues — legal/technical/procedural/toxicity and more such — that would go beyond the warship.

“Can't France end the agony?”

“France has a rich tradition of culture and sensitivity. Why should the Clemenceau — which had been the flagship of the French Navy and done so much service to the country — be made to go through this humiliation [of not knowing what its fate would be]? Can France not end its agony by simply taking it back,” Dr. Thyagarajan asked.

“When a ship comes [to India] for breaking, though [the concerned] companies may think of profit, [we need to examine issues such as] whether we should pledge our environment and our earth to bury such wastes and what would be a manageable quantity of such waste. The

SCMC experts have come to a broad consensus and analysed questions such as whether breaking a warship is the same as breaking a cargo ship,” he added.

Inventory sought

The French Government was yet to submit a detailed inventory on the ship's contents, the SCMC chairman said and added that they had been asked to come up with a “detailed, dependable inventory.”

The committee had analysed issues such as the correctness of the credentials of the ship as per international conventions, its eligibility to enter Indian territorial waters, whether it satisfied the hazardous waste and management rules and ship breaking conditions in India.

The meeting was attended, among others, by representatives from the Central Pollution Control Board, the National Environmental Engineering Research Institute, and the Maharashtra and Gujarat Pollution Control Boards.

THE HINDU

7 FEB 2006

Clemenceau to show flexibility on protest

Pervez Musharraf

Way to positive engagement”

Social activists

Siddharth Narrain

NEW DELHI: Urging the Central Government to take a proactive stand to ensure that workers in shipyards in Alang are not put at risk by the decommissioned French aircraft carrier Clemenceau, Greenpeace has initiated a campaign among the public to protest against bringing the vessel to India by filling bags with garbage and writing comments on them.

Said Vinuta Gopal, Greenpeace Toxics Campaigner: “We plan to dump the garbage bags collected through this campaign on the French embassy in New Delhi to send a clear message to the French Government to take the Clemenceau back in its current state and not use India as their waste dump.”

Warning that the vessel had entered the Arabian Sea, Ms. Gopal urged citizens to register their protest by calling their volunteers in New Delhi or write to them on their website.

Social activists Swami Agnivesh and Nafisa Ali and singer Rabi Shergill have joined the chorus of voices opposing the entry of the ship into the Indian territory. At a press conference here on Saturday, Ms. Ali pointed out that the issue was not just about Clemenceau but also about all toxic ships that were being dismantled in Indian shipyards. “Heinous toxic chemicals are being put into the lives of workers without even basic medical facilities and safety equipment,” said Ms. Ali.

Referring to the example of French nuclear testing in the South Pacific, Swami Agnivesh said this was not the first time the French Government had dumped toxic waste on other countries.

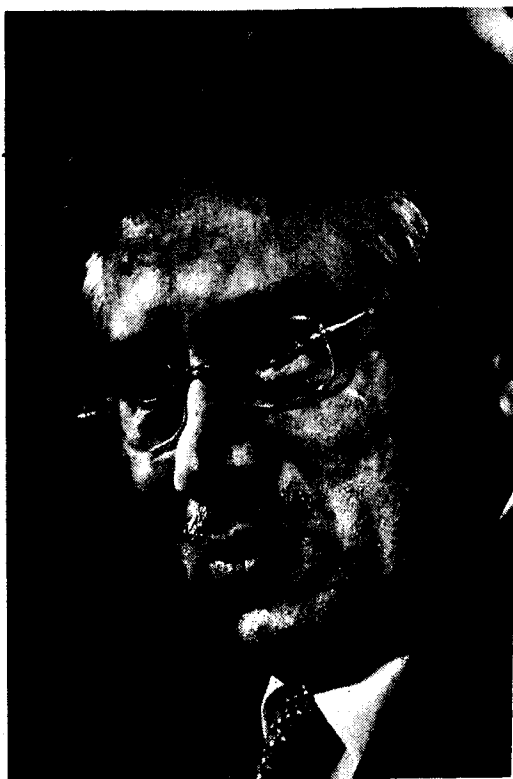
He stressed that those oppos-

• President calls for enabling for the success of the peace process

• Improve human rights situation in Kashmir: Aziz tells India

to release all political prisoners without further delay. We have taken several initiatives to ameliorate the hardships of the Kashmiri people. The international community must also take serious notice of the plight of the Kashmiri people and push for the realization of a settlement in conformity with the aspirations of the Kashmiris”, he said.

Mr. Aziz said Kashmiris are a party to the dispute and have to be part of the peace process to make it sustainable and durable. “We believe that the visit to Azad Kashmir and Pakistan by the APHC leadership was a step in the right direction. We are confident that the just Kashmiri struggle will triumph soon,” he said.



Gen. Pervez Musharraf

Energy pact

hydro power plants that India proposes to set up in various States, the application of which will bring about metamorphic changes in the Indian hydro sector. In fact, talks are also on for an exchange of technology, Dr. Clini said.

Senior Climate Negotiator and Special Representative, U.S. Department of State, Harlan L. Watson also offered U.S. cooperation to help India achieve its rural electrification programme through its technology for tapping the sources of non-conventional energy. The U.S. under its Asia Pacific package was examining the possibility of extending its cooperation to India, Mr. Watson said.

“Irregularities”

MUMBAI: The Bombay High Court has admitted a public interest litigation petition by Jagdish Daswani, a devotee alleging irregularities in the appointment of trustees of the Sri Sai Baba Sansthan in Shirdi.

Justice R.M. Lodha and Justice Anoop Mehta posted the matter for further hearing to April 5. In August 2004, the Government had taken over the trust following allegations of malpractice. — PTI

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1-5 FEB 2006

THE HINDU

Tackling global warming

A

According to the World Meteorological Organisation, 2005 missed becoming the warmest year on record by the merest fraction of a degree Celsius. The past decade, 1996-2005, is the warmest on record (if 1996 is taken out of the calculation). The earth's surface has warmed by about 0.6 degrees C since the late 1800s, and the temperature is expected to increase by another 1.4 degrees to 5.8 degrees C by 2100. The culprit is 'greenhouse gases,' notably carbon dioxide, methane, and nitrous oxide. These are accumulating to unprecedented levels in the atmosphere as a result of profligate burning of fossil fuels, industrial processes, farming activities, and changing land use. The greenhouse gases act like a blanket around the Earth, trapping too much of the heat that would otherwise have escaped into space. If the Earth warmed further by more than one degree C, it would be warmer than it has been in a million years. James Hansen, a doyen of the science of climate change, recently warned that if carbon dioxide emissions from fossil fuels continue rising at about two per cent a year (as in the past decade), the additional warming would be two to three degrees C this century, implying changes that would mean practically a different planet. Global warming is likely to trigger disastrous changes in rainfall and snowfall patterns. More violent storms, floods, and droughts could occur. Melting polar icecaps would raise sea-levels and inundate vast areas. Already, there are indications that glaciers in the mountains of all continents, which feed many important rivers, are receding.

There is a growing global consensus about the threat posed by climate change. The disagreement is on how to go about altering human activities that unleash greenhouse gases. The United Nations Framework Convention on Climate Change, signed by 189 countries (including India), set the goal of stopping dangerous human interference with the climate system. Under the subsequent Kyoto Protocol, most industrialised countries committed themselves to legally binding cuts in their total greenhouse gas emissions. However, the United States, which emits much greater quantities of greenhouse gases than any other country, and Australia have refused to ratify the Protocol. India, China, and other developing countries have argued they cannot accept binding cuts in their greenhouse gas emissions without being provided suitable technology and adequate financial help. But doing nothing cannot be an option for developing countries, which according to one study will be putting out more greenhouse gases than the wealthy nations by 2020. India can do much more by way of establishing good public transport in all important cities and towns — making the railways the preferred mode for long-distance transport of goods and encouraging the development and adoption of cleaner technologies as well as of renewable energy. This process of change must receive wholehearted support from the public and the political system.

4 FEB 2006

THE HINDU

Fears of rising ocean in Greenland glacier rush

St Louis (Kansas), Feb. 17 (Reuters): Greenland's glaciers are dumping twice as much ice into the Atlantic Ocean now than 10 years ago because glaciers are sliding off the land more quickly, researchers said yesterday.

This could mean oceans will rise even faster than forecast, and rising surface air temperatures are to blame, the researchers report in today's issue of the *Science* magazine.

Glaciers around the world are disappearing quickly, several researchers told a meeting of the American Association for the Advancement of Science, which publishes *Science*.

"Greenland is probably going to contribute more and faster to sea level rise than predicted," Eric Rignot of Nasa's Jet Propulsion Laboratory at the California Institute of Technology said.

Between 1996 and 2006, the amount of water lost from Greenland's ice sheet has



One of the glaciers on Greenland's east coast

more than doubled from 90 cubic km to 220 cubic km a year, Rignot said.

"One cubic km is the amount of water Los Angeles uses in a year. Two-hundred cubic km of water is a lot of fresh water," Rignot said.

Other experts agreed that this could mean scientists have underestimated how much the sea level will rise in the future as the planet warms.

"At 1.7 million square km, up to 3 km thick and a little smaller than Mexico, the Greenland Ice Sheet would raise global sea level by about 7 meters if it melted completely," Julian Dowdeswell of the Scott Polar Research Institute at Britain's Cambridge University wrote in a commentary in *Science*.

The study did not explore what is causing the rising air temperatures in Greenland,

but most scientists agree that human activity, notably the burning of fossil fuels, is playing an important role in global warming.

Rignot and Pannir Kanagaratnam of the University of Kansas used satellite data to track the movement of Greenland's glaciers, which slide slowly down to the sea and deposit ice. They calculated that Greenland contributes about half a millimetre to the annual 3 mm rise in global sea levels.

Since 1996, southeast Greenland's glaciers have been flowing more quickly and since 2000, glaciers farther north have also sped up.

One glacier that once was stable is now disappearing at the rate of 14 km a year, Rignot said. Rising air temperatures are clearly a factor, the researchers told the meeting. "This is clearly a result of warming around the periphery of Greenland," Rignot said.

U.S. using gangster tactics: report

Human rights agency accuses European nations of indifference to torture

Nicholas Watt

10-17 27
STRASBOURG: Europe's human rights watchdog accused Washington on Wednesday of using "gangster tactics" by flying in terrorist suspects to countries where they would face torture, and criticised European countries which appear to have done nothing to intervene.

"If a country resorts to the tactics of gangsters I say no," Dick Marty, a Swiss Senator, said at the Council of Europe's winter session in Strasbourg. "There are different elements that allow me to say that Governments were aware of what was happening."

Mr Marty, who is investigating allegations of "extraordinary rendition", estimated that more than 100 people have been flown to prisons in third countries where they may have been tortured. "There is a great deal of coherent, convergent evidence pointing to the existence of a system of 'relocation' or 'outsourcing of torture'," Mr Marty told the 46-nation council.

"Individuals have been abducted, deprived of their liberty and transported to different destinations in Europe, to be handed over to countries in which they have suffered degrading treatment and torture. It is highly unlikely that European governments, or at least their intelligence services, were un-

aware." Mr Marty highlighted two examples. One is the abduction by suspected US agents in 2003 of Abu Omar, an Egyptian citizen who had been granted political asylum in Italy. Another example is the arrest in Macedonia of Khaled al-Masri, a German citizen of Lebanese origin who was reportedly flown to

Kabul for interrogation. "I am scandalised that a few kilometres from where I live people can be lifted by foreign governments. When someone goes on holiday in Macedonia they are lifted by foreign agents," said Mr Marty.

Mr Marty is frustrated with the US and some European governments for offering little cooperation as he seeks to unravel allegations, which surfaced in the Washington Post last year, that the CIA has been hiding and interrogating suspects at secret detention centres in eastern Europe or flying suspects to third countries where they are tortured.

While Mr Marty believes that "extraordinary renditions" do take place, he appeared to back away from allegations that the CIA set up secret detention centres in eastern Europe. "There is no formal, irrefutable evidence of the existence of secret detention centres in Romania, Poland or any other country," he said.

— ©Guardian Newspapers Limited 2006

Cheney may have to testify

BRUSSELS: A European Parliament investigation into alleged CIA secret prisons could call top U.S. officials, including Vice-President Dick Cheney and Defence Secretary Donald Rumsfeld to testify, an official said on Thursday.

"Very senior people" would be asked to answer the allegations of human rights violations on E.U. territory, said Sarah Ludford, vice-president of an investigation into the alleged prisons being conducted by the European

Parliament. "I don't see why we should not invite Donald Rumsfeld and Dick Cheney," Ms. Ludford said.

"I'm sure they would be very welcome and they would be heard with great interest, or (U.S. Secretary of State) Condoleezza Rice perhaps, why not?"

But Ms. Ludford, a British Liberal Democrat party member, acknowledged that Parliament had no legal power to subpoena them.

— AP

THE HINDU

2006

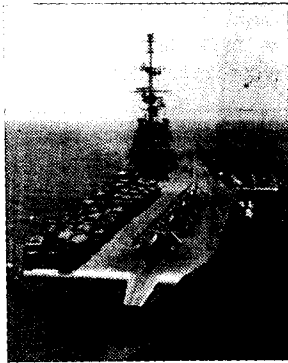
SC disallows *Clemenceau* entry into India till February 13

EXPRESS NEWS SERVICE
NEW DELHI, JANUARY 16

THE controversial French ship, *Clemenceau* allegedly carrying hazardous asbestos wastes, will not enter Indian waters at least till February 13. On an undertaking to this effect by the ship owners, the Supreme Court ordered on Monday that the ship would not enter the 220 nautical mile Indian exclusive economic zone of India till the next hearing of the case.

Jean-Claude Giannino, president of SDIC Ltd, which owns the *Clemenceau*, gave the apex court an undertaking on this. The company's senior counsel Mukul Rohtagi said that the ship needed to reach the Gujarat coast but "it would not reach Indian waters until further orders of the courts and till February 13, as the case is slated to be heard further".

The *Clemenceau* matter was brought to the court's notice through a PIL filed by Research Foundation for Science. Counsel Sanjay Parikh stated that the Supreme Court Monitoring Committee, headed by Dr G Thyagarajan, former director of



**Ship needs to reach
the Gujarat coast
but 'would not
reach Indian waters
till further orders',
says firm's counsel**

the CSIR, had recommended stopping of the ship as it was contaminated. Parikh told the court that 45 tonnes of asbestos were still in the ship and would endanger India's EEZ besides violating an earlier order of the apex court on hazardous wastes.

The monitoring panel had already submitted its report to the court, the Central government, Environment and Shipping ministries, besides the Gujarat Pollution Control Board. According to the report, the Paris Administrative Court had stayed the movement of the ship outside French waters.

The report said that as per

“The Clemenceau is a scandal”

Two men who worked on board the French warship and now have asbestosis speak out.

Vaiju Naravane

“I GAVE seventeen and a half years of my life to the *Clemenceau* and her sister-ship the *Foch* and when I developed asbestosis the Navy said to me: ‘You cannot prove there was asbestos on those ships!’”

“Their patent bad faith stunned me. Well, I did prove it and proved it so well, they dropped their appeal. My case made medico-legal history, set a precedent, created jurisprudence. How could they say there was no proof? I was working in some of the hottest areas of the ship — operating the steam chambers where the temperature of the steam was as high as 300 to 400 degrees Celsius. I also worked on the forward catapults and looked after the heating and the engines. These were the areas that had the most asbestos! So I am not surprised at the attitude of the Navy now. I know the *Clemenceau* like my pocket and I know it is chock-a-block with asbestos. To suggest, as the French government has done, that only 45 tonnes of the substance is now left on the *Clemenceau* is simply ludicrous,” says Etienne Le Guilcher, the president of the Breton branch of ADDEVA, the Association to Help Asbestos Victims.

A thin, stooped man who looks older than his 62 years, Mr. Le Guilcher has a permanent wheeze that gives way to bouts of coughing.

At the age of 55, he was diagnosed with asbestosis — an incurable, degenerating disease wherein asbestos fibres lodged in the lungs provoke a reaction leading first to fibrosis and finally to lung cancer.

“I was 55 and at the height of my capabilities. The news shattered me of course — I had a severely handicapped wife and young children to bring up. But the legal battles I fought and won, firstly to have my case recognised as caused by hazardous working conditions and then to win compensation from my employers convinced me I had to help others like myself. I started this association in 1999. We were just a handful of members then. Now there are 1,200 members of whom 1,150 are asbestosis sufferers,” he told *The Hindu* in an exclusive interview at the offices of the association in the ship-building town of Brest.

“When my illness was first diagnosed, I had an invalidity of 10 per cent. During the past seven years that has risen to 70 per cent. I suffer from terrible fatigue, the constriction and pain in my lungs results in insufficient oxygen for the body and the heart has suffered strain as a result. My heart attack was not counted as part of a work-related illness. We now have increasing evidence that certain types of colon cancers are also linked to the involuntary ingestion of



TIRELESS CAMPAIGNER: Etienne Le Guilcher outside his office in Brest, France. — Photo: Vaiju Naravane

asbestos fibres. Just as these lodge in the lungs, they lodge in the intestinal tract and cause terrible damage.”

Despite the fact that the dangers posed by asbestos were well known in the late 1970s, it was only in 1997 that France banned the substance and that too after intense pressure from NGOs. “Already in 1977 there was a note in the DCN (Department of Naval

Construction) saying that workers should wear masks. But the protection they provided us was derisory. Everyone knew of the hazards and once again money interests took precedence over the lives of workers. The story of asbestos in France is a scandal. By 2015 there will be 100,000 deaths due to asbestos poisoning. And all this could have been prevented if the government had acted

much earlier. Ever since I started this association I have seen some 150 deaths, some of them were close friends,” Mr. Le Guilcher said.

Concerning the *Clemenceau*'s departure to India, he said: “We know Indian workers need the work. This dirty job of ship breaking is reserved for the poorest of the poor; which is why France and other developed countries should pool their resources to set up an ideal ship breaking yard with proper housing for workers, proper equipment, and not tolerate the horrors I have seen about Alang in several television documentaries. This should not be left to ship brokers and middlemen who are interested only in profit. How can something that has been so disastrous for public health in France bring any good to Indian workers? The *Clemenceau* is a scandal. The ship should be brought back and decontaminated here.”

Brest is one of France's major ship building centres with a large naval base. The sprawling town with its huge protected natural harbour throbs with shipping activity. Daniel Leduff lives in a council flat on the outskirts of the city. He too has been diagnosed with asbestosis and says it has destroyed his life.

“I live on the 5th floor and when the lift is out of order it takes me a very long time to climb upstairs. Like Etienne, I too worked on the *Clemenceau* and on other ships.” Mr. Leduff also had to take recourse to the courts.

“They offered me the ridiculous sum of 1,600 Euros. So I sued them and was awarded 36,000 Euros. Since then I have tried to help others like myself. Every week I go to the office of the association to advise people about the forms to fill, officers to contact and the documents required. New cases are coming in all the time.”

Asked how he reacted to the news that he was ill, Mr. Leduff suddenly broke down. “How can I tell you what it feels like? I was 58 and looking forward to a good, healthy retirement with my wife and children. I am not one of the worst hit and the illness does not for the moment seem to be getting worst, but I still feel robbed, cheated,” he sobs.

Asked about the *Clemenceau* he said: “The cabling on that ship is hundreds of kilometres long. Most of it could have been taken out without damage to the structure. I have heard they have not done that. I don't believe there is fibreglass and not asbestos in the funnels — in the 50s when that ship was built no one even thought of fibreglass, it was asbestos all the way. It is criminal to send this ship in its present state. I have been to India and seen the working conditions there. Breaking the *Clemenceau* in India in its present state of contamination would be tantamount to a crime against humanity.”

Clemenceau will not enter India till court makes decision

8-10-1 1071
"We will ask the ship to stay outside Indian territorial waters till the matter is heard"

Legal Correspondent *Environment*

NEW DELHI: The Shipping Decommissioning Industry Corporation (SDIC) on Monday gave an undertaking to the Supreme Court that it would not permit the French ship, Clemenceau, containing asbestos to enter the Indian Exclusive Economic Zone.

Senior counsel Mukul Rohtagi appearing for SDIC, which owns the decommissioned ship, made this submission before a Bench of Justice Arijit Pasayat and Justice S.H. Kapadia during the course of the hearing of a petition filed by Research Foundation for Science seeking a direction to stop the entry of the ship into the territorial waters of India on the basis of the interim report of the court-appointed monitoring committee on hazardous wastes.

Counsel for French Government Pinky Anand denied that the ship contained asbestos. Asserting that the French Govern-

ment had not violated any law, she said, "We will place all the materials before the committee at its meeting on January 20."

Sanjay Parikh, counsel for the petitioner, submitted that the ship should not be permitted to enter India. He said that by allowing the ship, India would be violating the Basel Convention and other environmental laws. He said the ship should be decontaminated completely before allowing its entry.

Advocate S. Murlidhar, who also filed an application, submitted that the committee had earlier permitted a Danish ship to enter India for ship breaking. He said the committee must explain "what is the difference between the Danish and the French ships."

However, the counsel for SDIC submitted that the committee was yet to give its final recommendations and the apex court should await the outcome of the committee's report.

The Bench observed, "We do

not want the environment to be polluted. When the French Government had not permitted the ship to be broken there, why should we allow the ship to come to India? Whether breaking the ship will result in pollution or not is immaterial. The best thing will be to ask the ship to go back from where it started."

The Bench asked senior counsel for the Customs department A. Subba Rao to file an affidavit indicating the steps it had taken to allow or not allow the ship to enter Indian waters. It observed, "You cannot wash off your hands. Tell us whether we can allow such a ship to enter." The counsel conceded that a Bill of Entry had to be issued by the department to permit the ship to come to India. He said the Egypt Government had on Sunday cleared the ship to sail further.

When counsel for the petitioner insisted on interim protection, Mr. Rohatgi gave an undertaking that the ship would not be allowed to enter Indian

waters during the pendency of the matter before the apex court. He assured the court "we will ask the ship to stay outside the Indian territorial waters till the matter is heard." The Bench adjourned the hearing to February 13.

The committee at its meeting held in Mumbai on January 6 had in its report asked the Government, the Gujarat Pollution Control Board and the Gujarat Maritime Board not to allow the ship to enter India.

The committee decided to hold another meeting in Mumbai on January 20. The committee sent its report to the Supreme Court and the report was taken up for consideration on Monday.

The report states that "the entry of 'Le Clemenceau' in Indian sovereign territory, specifically, within the 220 nautical miles exclusive economic zone of the Indian Union would be a violation of the directions given by the apex Court by its order dated October 14, 2003."

THE HINDU

Egypt approves Suez transit for French ship

Environment
"Ship not covered under 1989 Basel Convention" *NO 1671*

CAIRO: Egypt on Sunday approved the transit through the Suez Canal of a decommissioned French warship heading for an Indian scrapyard that had been stranded for three days over fears it was an environmental hazard.

The Environment Ministry said documents provided by Paris proved the asbestos-insulated Clemenceau did not fall under the 1989 Basel Convention banning the export of toxic waste.

"Following the agreement by the French Government to export the Clemenceau in its current state and India's agreement to take it for dismantling, the French aircraft carrier does not pose an environmental threat to Egypt," the Ministry said in a statement carried by the State news agency MENA. Experts from the Ministry and the Suez Canal Authority were due to inspect the ship on Monday.

The Clemenceau — a former pride of the French navy — left

the French Mediterranean port of Toulon on December 31 but was anchored some 15 nautical miles off the coast of Egypt since Thursday, pending a green light from the Egyptian authorities. Two protesters from the environmental watchdog, Greenpeace, boarded the 40-year-old ship off the coast of Egypt, claiming the Clemenceau's asbestos insulation posed a health and environmental threat.

"The documents received by the French embassy in Cairo assert that the Clemenceau is still a State-owned warship, which means that it does not legally contradict the Basel convention," the Ministry said.

The Egyptian authorities had previously claimed that the Basel Convention applied to the ship, causing a standoff that briefly threatened to strain relations.

French Defence Ministry spokesman Jean-Francois Bureau confirmed the deadlock had been broken. The Clemenceau's

compliance with the Basel Convention "no longer seemed to be an issue," he said. "We are now looking at technical aspects and sharing practical information on the conditions of the transit" through Suez.

Port authorities said the Clemenceau had finally entered Egypt's territorial waters and was approaching Port Said.

"It's a purely political decision. It is scandalous that France managed to pressure Egypt," Greenpeace spokesman Martin Besieux, whose organisation has called for the disarmed vessel to be decontaminated, said.

Greenpeace has been fighting to block the ship's transfer for months, arguing that Indian shipyard workers will be at risk of asbestos poisoning. According to the French Government, the vessel is carrying 45 tonnes of asbestos insulation. According to the firm that helped partially decontaminate it before the trip, the amount is between 500 and 1,000 tonnes. — AFP

18 JAN 1991

THE HANCO

RIVER LINKING RISKS

Planners who try to redistribute surplus water into deficit areas by river linking forget that in the dictionary of Nature, there is no word like 'deficit' or 'surplus'

As a member of the National Commission of Agriculture, I made an in-depth study on the river-linking project to solve a host of problems connected with water. In his Independence Day speech, President APJ Abdul Kalam reminded the nation in general and the scientific community in particular of the need for linking the Indian river system for, among other things, energy security within 15 to 20 years. Recently, a report appeared in newspapers that one part of the project would be launched shortly.

A few years ago, the Indian Water Resource Society showed that by the year 2050 AD, water famine would be a certainty because of explosion of the world population to 160 crores. To sustain this population, the required food would be of the order of 450 million tonnes. After meeting the water requirement for this food bundle, which would have to be the number one priority, only 15 per cent of water would remain to serve the needs of drinking and related use for living and industrialisation.

A list maybe considered for fixing the priority: drinking, irrigation, hydroelectricity, ecological balance, industry, water transportation. It is seen that in all the river valleys, the volume of water unused exists in varying quantities. The moot question is whether it is possible to meet the needs of the deficit areas from the surplus areas.

To solve the water famine, political leaders naturally toyed with the idea of river linking. In 1982, the water resource ministry set up the National Water Resource Development Board.

The author is former vice-chancellor, Calcutta University

By SUSHIL KUMAR MUKHERJEE

After about 18 years the government focussed its attention on implementing the recommendations of the board, particularly after the Supreme Court passed an order that the government should complete the project within 12 years. In the light of the order, a task force was formed under the leadership of Suresh Prabhu. At the first level of their deliberations, it was found that nowhere in the world had a project of such magnitude

been undertaken earlier. The cost was also staggering — the amount of money required to implement the project would be of the order of the total plan expenditure for all the development projects. Only last year the project was put on the website, but the public was kept in the dark about the feasibility of the project. This attitude of secrecy on the part of the government is dangerous.



It is a wrong notion that irrigation water is the sine qua non for additional food production: alternative technologies would also have to play their part

The idea of river linking first came to the venerable irrigation engineer Visveswaraya. The other notable names in this context are of KL Rao, the then irrigation minister and Pilot Captain Dastur. Rao's thought revolved around how to use the surplus water. On the other hand, the idea of constructing a series of "garland canals" was in Dastur's

head for distributing the surplus sub-Himalayan waters through pipe-lines. The then water resource ministry rejected both the projects. In this context, one cannot understand why Rao's project has been reactivated. We must not forget that our river valley water resources are connected with international water resources. Some gain somewhere should not cause some a loss elsewhere. Again, it is a wrong notion that irrigation

water is the sine qua non for additional food production: alternative technologies would also have to play their part in this regard. Besides, with education, the explosive growth of population could also be checked, giving some respite to water management. Attention may be drawn to another subject. Rivers are made by rain, and rain depends on the local environment. The environment is produced by nature. The sea is the offspring of mother nature. How the river meanders and what track it follows to reach the sea are unknown to human beings. Man has from time to time tried to obstruct the course of a river by erecting a dam. The river does not like it, she wants to go on forever. Man makes a dam for hydroelectricity,

and there is flood when the dam is full. We make electricity, and destroy a vast habitation. Nature abhors obstruction.

The same consideration applies when we think of river linking. The planners proceed on simplistic logic: redistribute the surplus water into the deficit areas by river-linking. They fail to understand that in the dictionary of Nature, there is no word like "deficit" or "surplus". Everywhere reigns the supreme equilibrium.

There has been a lot of speculative thinking on de-salination of seawater. This activity is not cost-effective, and only the petro-dollar countries of the Middle East can afford it. De-salination is being done by the sun from time immemorial with the help of its intrinsic atomic energy. How about creating some small suns instead of making atom bombs? The need for water can be met for all time to come.

It is common knowledge that rain water is the source for river formation. Rain is again caused by water evaporated from the oceans, but without any significant change in the salinity of oceans. In fact, at one time ocean water was used as a standard solution for silver nitrate titration.

Rain water movement on the earth's surface has a special feature. It moves to a lower level until it meets resistance. It then changes its course so as to move further down. This is what has been termed as meandering, a special phenomenon associated with river formation. If the meandering process is halted, floods and consequent devastation cannot be avoided. Meandering is, therefore, a natural phenomenon and must be allowed to happen, if undisturbed river formation is to be assured.

15 JAN 2006

THE STATESMAN



Roy: Firm stand

Arundhati rejects Akademi award

New Delhi, Jan. 14 (PTI): Author and activist Arundhati Roy has declined this year's Sahitya Akademi Award, saying she cannot accept the honour from an institution linked to the government whose policies she opposes.

Roy, who won the 1997 Booker Prize for her first novel *The God of Small Things*, has rejected the award in a single-page fax message, Akademi secretary K. Sachidanandan said.

A leading environmental activist and opponent of big dams, Roy has slammed India's economic policies that she says have caused unsustainable environmental damage.

Sachidanandan said the author declined the award because she did not want to have it from an institution she believed was linked to the government.

"But we are trying to persuade her to reconsider her decision. We are telling her that the Akademi is intellectually and culturally purely autonomous although it is funded by the government," he said.

Sachidanandan, however, added the Akademi would not replace her nomination.

"There have been many occasions when we opposed government policies ourselves. There is absolutely no question of replacing Roy with anybody else. She will remain our awardee."

Roy was named for the award for her book *The Algebra of Infinite Justice*.

15 JAN 2005

Climate plan may not stop warming

The Programme Takes Heat Off US, Australia

Sydney: While environmentalists contend a climate change plan agreed by some of the world's worst polluters this week will do little to halt global warming, analysts say it will reduce political pressure on the US and Australia to sign the Kyoto Protocol.

Both Canberra and Washington have refused to ratify the protocol because they say its greenhouse gas emission targets unfairly impact on their economies while favouring developing nations. This week's inaugural Asia-Pacific Partnership on Clean Development and Climate (AP-6) meeting in Sydney was designed to find an alternative strategy palatable to business, developing nations and the Kyoto rebels.

The meeting brought ministers from the United States, Australia, Japan, China, India and South Korea together with more than 100 top executives from big business.

Analysts said the two-day meeting ended with little concrete outcome, aside from the allocation of a relatively small amount of money to address climate problems and the articulation of a number of core principles. These included assigning private enterprise the bulk of work to halt global warming, acknowledging fossil fuels will continue to provide most of the world's energy needs for the next 50 years and refusing to sacrifice economic growth in order to stop global warming.

The key to achieving this,

State of the **WORLD**

- **India and China** are shaping global biosphere and are affecting world economic policies
- **Their demand for resources** has spurred surging worldwide oil and commodity prices
- **If they were to match per capita use of resources of Japan by 2030**, "they would require a full planet Earth to meet their needs"
- **With their shrinking and environmentally stressed farmland**, both will also buy more grain abroad, pushing up prices for consumers
- **US needs to embrace India and China as decision-makers** in global efforts to pursue sustainable energy

Source: Washington-based Worldwatch Institute's 'State of the World 2006' report

according to Australian Prime Minister John Howard, is encouraging industry to develop and commercialise high-technology methods of reducing carbon emissions. The strategy won support from an unexpected quarter, Australia's Labour Party opposition, which is normally opposed to initiatives from Howard's Conservative government.

"It's time to abandon the political correctness espoused by the green movement," Labour's resources spokesman Martin Ferguson wrote in the Australian newspaper. "Let's be real: without getting business on board we cannot achieve anything. The environmentalists are simply attacking the coal industry for the sake of it." The Australian Cham-

ber of Industry and Commerce (ACCI) also welcomed the AP-6's approach, which does not include the mandatory emission reduction targets contained in Kyoto.

"(It) represents a significant step beyond the flawed Kyoto Protocol as it involves business, and deals in the practical aspects of implementing low emission technologies," ACCI chief executive Peter Hendy said.

However, Clive Hamilton, the chairman of Australia's Climate Institute said the conference was a "talk-fest" that did not live up to even minimal expectations.

"The main purpose of the partnership, which was always to give diplomatic cover to the US and Australia, seems to have been achieved," he said. AFF

Global warming: blame it on forests

ALOK Jha

THEY HAVE long been thought of as the antidote to harmful greenhouse gases, sufferers of, rather than contributors to, the effects of global warming. But in a startling discovery, scientists have realised that plants are part of the problem.

According to a study published on Friday, living plants may emit almost a third of the methane entering the Earth's atmosphere. The result has come as a shock to climate scientists. "This is a genuinely remarkable result," said Richard Betts of the climate change monitoring organisation the Hadley Centre. "It adds an important new piece of understanding of how plants interact with the climate."

OFFENDER ENVIRONMENT

Methane is second only to carbon dioxide in contributing to the greenhouse effect. "For a given mass of methane, it is a stronger greenhouse gas, but the reason it is of less concern is that there's less of it in the atmosphere," said Dr Betts.

But the concentration of methane in the atmosphere has almost tripled in the last 150 years, mainly through so-called biogenic sources such as the rise in rice cultivation or numbers of flatulent ruminating animals. According to previous es-

timates, Frank Keppler, of the Max Planck Institute for Nuclear Physics, who led the team behind the new research, estimated that living plants release between 60m and 240m tons of methane per year.

David Lowe, of the National Institute of Water and Atmospheric Research in New Zealand, said the new work is important for two reasons. "First, because the methane emissions they document occur under normal physiological conditions, in the presence of oxygen, rather than through bacterial action in anoxic environments. Second, because the estimated emissions are large, constituting 10 to 30 per cent of the annual total of methane entering Earth's atmosphere."

The Guardian

Climate scientists shocked by surprise findings

Researchers in North Carolina found that planting trees to soak up carbon dioxide can suck up water and nutrients from the ground, dry up streams and change the soil's mineral balance

A recent study in *Nature* found cutting air pollution could trigger a surge in global warming. Aerosols cool the earth by reflecting radiation back into space. Scrapping them would have adverse consequences

In 2003, scientists noticed levels of sunlight reaching the earth had dropped by 20 per cent in recent years because of air pollution and bigger, longer-lasting clouds



India will not agree to emission caps

Environment 2
1371
HT 9

REUTERS

Sydney, January 12

INDIA SAID on Thursday it will not agree to binding cuts to greenhouse gases under the Kyoto Protocol, but hopes boosting its nuclear industry will save its cities from choking air pollution. Speaking after the first meeting of a climate change group created by six of the world's top polluters, environment minister A. Raja said on Thursday that India would accept help to reduce emissions but would not be forced into cuts.

India has signed the Kyoto Protocol, which obliges about 40 developed countries to cut their emissions by an average of 5.2 percent below 1990 levels by 2008-2012. But, along with China, is exempt from the mandatory cuts because it is a developing nation. India is also part of the Asia Pacific Partnership on Clean Development and Climate that met in Sydney, along with the US, Australia, South Korea, Japan and China, which hopes to tackle climate change without hindering economic growth.

"Neither the Kyoto Protocol nor this partnership can stipulate anything upon the government of India to reduce emissions," said Raja.

Environment ministers from around the world agreed in Montreal in December to a road map to extend the Kyoto Protocol climate pact beyond 2012 and to launch new, open-ended world talks on ways to fight climate change that will include Kyoto outsiders such as the US and developing nations.

But Raja was adamant India would not agree to binding cuts. "We are developing countries, we have our own agendas for our development activities, so we cannot give any promise, any commitment to reduce further our emissions," he said.

The Asia Pacific Partnership ended two days of talks on Thursday pledging a multi-million-dollar fund to develop clean en-

Future powers

INDIA AND China are positioned to "leapfrog" today's industrial powers and become world leaders in sustainable energy and agriculture within a decade, says the Worldwatch Institute's State of the World 2006 report. In line with this emerging trend, it wants India and China to be inducted into the G-8 (Group of Eight industrial nations), and the International Energy Agency. Additionally, it says India should get a permanent seat in the United Nations Security Council.

The report says the two Asian giants can hold the world in balance in the next few years, but much will depend on the choices they make in this period — choices that lead the world to ecological and political instability or to a development path based on efficient technologies and use of resources.

HTC, Washington

ergy, but said polluting fossil fuels would continue to underpin their economies for generations.

India is mainly dependent on coal for its energy, but has about 15 nuclear power plants and is under pressure to boost energy production to meet a furious pace of industrialisation. "We believe that nuclear power should be used in India to promote our emission reductions," Raja said.

In July 2005, the US signed a deal to give India access to nuclear technology, including fuel and reactors that New Delhi has been denied for 25 years.

THE HINDUSTAN TIMES

13 JAN 2006

Green activists board toxic ship

HT Correspondent

New Delhi, January 12

ACTIVISTS OF Greenpeace, which is protesting the French government's decision to send its aircraft carrier *Clemenceau* to India for decommissioning, on Thursday intercepted the ship on the high seas near Egypt. The ship is expected to take two months to reach Alang in Gujarat, the world's biggest ship-breaking yard.

At about noon, two Greenpeace activists boarded the carrier with banners crying 'Asbestos carrier: Stay out of India'. Greenpeace has also appealed to the Egypt government not to allow the ship to enter the Suez Canal and move ahead towards Alang. This isn't the

first protest by Greenpeace activists. They had earlier protested at the Indian embassy in Paris, then in Toulon where the ship was parked, and finally before the French embassy in New Delhi.

"The *Clemenceau* presents an immediate danger to the Indian environment and to workers at the Alang ship-breaking yard," said Jacob Hartmann, Greenpeace campaigner on board the vessel, on Thursday. "There is more than sufficient evidence to establish that the French government has failed to decontaminate the ship even to the standards they agreed to, let alone international standards. We simply can't allow the ship to get any closer to its destination", he added.

Clean energy tops climate meet agenda

Sydney: Business leaders and government ministers from countries that pump out half the world's greenhouse gas emissions gathered amid tight security on Wednesday for the inaugural meeting of a US-led group aiming to promote the development of clean energy.

Police sealed off a road around the Sydney hotel hosting the two-day meet of the Asia Pacific Partnership on Clean Development and Climate amid fears of protests.

The meeting brings together senior ministers from the US, Australia, Japan, China, South Korea and India along with executives from energy and resources firms. The countries account for 49% of world GDP, 48% of world energy consumption, 48% of global greenhouse gas emissions and 45% of the world's population, the Australian government said in a statement.

Environmentalists have branded the meeting a stunt designed to divert attention from the US and Australian governments' refusal to sign the Kyoto Protocol that commits countries to targets for cutting greenhouse gas emissions by 2012.

Washington and Canberra insist the new partnership complements Kyoto by driving investment in new technologies that will generate fewer emissions blamed for global warming.

Australian media have reported that Prime Minister John Howard is expected to announce on Thursday a \$75 million fund to promote development of clean energy technology.

But Greenpeace has branded the partnership a "coal pact" serving fossil fuel companies. AP

THE TIMES OF INDIA

12 JAN 2006

French ship must not enter India

✓
✓
Environment
HD-1

7/11/06

Says Supreme Court committee

Kalpana Sharma

MUMBAI: The Supreme Court Monitoring Committee on Hazardous Wastes Management on Friday decided that the French warship Clemenceau, headed towards India, should not enter the country. This recommendation would be sent to the Supreme Court in two days.

G. Thyagarajan, chairman of the committee, said that in the light of new and additional information, which became available through the media and other sources, about the nature and character of the ship, the committee concluded that "it is not desirable for the ship to enter India's sovereign territory."

The committee, which met here, also heard two representatives from the French company, Technopure, contracted to decontaminate the ship. In a 15-minute presentation, Eric Baudon and Jean-Claude Giannino, who flew down to India on Friday at their own expense, explained the size of the Clemenceau, its structure and the fact that it had been specially built and had a vast amount of cabling containing asbestos. They said their company had only partially decontaminated the ship. According to their estimates, the ship still contained at least 500 tonnes of asbestos.

In the light of the conflicting information on the quantity of asbestos still on the ship, the estimates of which varied from 15-500 tonnes, Dr. Thyagarajan said the committee felt it needed

more information. "People have not been transparent in the disclosure of information." For this reason, the committee would wait another two weeks, during which it was willing to receive any more depositions or information, before giving its final recommendation to the Supreme Court. "At present, the information is incomplete and unhelpful. It doesn't present an encouraging picture."

The committee arrived at its decision after considering several issues. One, whether the decision to send the ship to India conforms to the Basel Convention on Transboundary Movement of Hazardous Wastes and two, whether India should accept the ship.

Dr. Thyagarajan emphasised that even if the Convention does not specifically mention ships, "or aircraft or mules," any movement of hazardous wastes in any kind of container constituted a violation. "If India accepts the ship, then India will be seen as abetting a violation of the Basel Convention," he said. "Why should India spend Rs. 40 crore in foreign exchange to buy trouble? Why should we sacrifice our precious soil to bury some other country's junk?" he asked.

To a question on the position taken by the Gujarat Pollution Control Board, that it was capable of handling the hazardous wastes on the Clemenceau, Dr. Thyagarajan said: "If a ship comes with 100,000 cobras, will we accept it just because some Indians can catch cobras?"

THE HINDU

7/11/06

SATURDAY, JANUARY 7, 2006

A ship we can refuse

It is heartening that the Supreme Court Monitoring Committee has responded firmly and with sensitivity to the despatch of the French Navy's decommissioned aircraft carrier, *Georges Clemenceau*, to India for dismantling. Was it right for France to despatch a vessel reportedly laden with toxic material when it is a signatory to the Basel Convention on Transboundary Movement of Hazardous Wastes? And independent of what France has done, should India allow it in? The Committee rightly believes that the ship must not be allowed to enter India's waters. Thus far the debate has been preoccupied with the quantity of asbestos, banned in 36 countries worldwide including France, on the ship, and the question of whether "warships" are covered by the Basel Convention. The Basel Convention, signed by most countries but not by the United States, came about precisely because developing countries feared they would become the dumping yard of the North. As environmental regulations at home made the production, use, and disposal of hazardous materials increasingly difficult and expensive, many developed countries were, unsurprisingly, inclined to choose the cheaper option of sending the stuff to countries where wages were lower and laws relating to the environment and workers' safety lax. The French government has clearly defied the spirit of the Convention. But then the Basel Convention gives India the right to refuse entry to the French warship. Every year around 700 ships are dismantled, mostly in Asian ship-breaking yards. India hosts one of the largest of these in Alang, Gujarat, and there is copious documentation to show that workers dismantling ships in Alang labour under horrific conditions and are continuously exposed to poisonous and hazardous substances without the mandatory protective gear.

The ships being dismantled were built in the 1960s and 1970s when the use of asbestos was not banned. In Western countries, asbestos has long been acknowledged to be a deadly workplace killer. The considerable death toll in the United States and Western Europe from asbestos-related diseases led to a ban on further use of the material. The European Union banned asbestos as recently as January 2005. India has been quite permissive and, to make matters worse, there are no reliable data on the incidence of asbestos-related diseases. What the Government needs to do is simple. It must value the safety of workers and of the environment higher than the so-called economic benefits of allowing the ship-breaking industry to do someone else's dirty and dangerous work. Ship-breaking is profitable business and the *Clemenceau* will yield 26,000 tonnes of steel worth crores of rupees. But the profit will come at the cost of the health of hundreds of workers and the poisoning of land used to bury tonnes of toxic asbestos. The next stage will reveal to the world the value priorities of the Indian establishment.

THE HINDU

7 JAN 2006

ব্রহ্মসূর দেশে ডোকা বারণ

মুম্বই, ৬ জানুয়ারি: বাতিল ফরাসি বিমানবাহী জাহাজ 'ক্রুসু'কে ভারতে ঢুকতে দেওয়া যাবে না। এই রায় সুপ্রিম কোর্টের বিপজ্জনক ও দূষণকারী বর্জ্য পদার্থ পর্যবেক্ষক কমিটির। ওই কমিটির চেয়ারম্যান জি ত্যাগরাজন আজ জানান, ওই জাহাজে ক্ষতিকারক অ্যাসবেস্টসের পরিমাণ ৫০ টনও হতে পারে, ৫০০ টনও হতে পারে। তাঁর কথায়, "বিভিন্ন পরিবেশ সংস্থা থেকে পাওয়া তথ্যের ভিত্তিতে যে চিত্র আমাদের সামনে এসেছে, তা আশাশ্রদ নয়। ফলে জাহাজটি যদি গুজরাতের আলং বন্দরে আসে, তা হলে আরও ক্ষতির সম্ভাবনা রয়েছে।"

অভিযোগ, ওই জাহাজটি আলং বন্দরে ভাঙা হলে অ্যাসবেস্টসের বিক্রিয়ায় বহু শ্রমিক মারা যেতে পারেন। উপকূলবর্তী অঞ্চলে পরিবেশ দূষণ ছাড়াও ওই এলাকার মাটিরও প্রবল ক্ষতি হবে বলে কমিটির মত। জাহাজটিকে দেশে ঢোকার অনুমতি দিলে বিপজ্জনক ও দূষিত বর্জ্য সংক্রান্ত বাসেল কনভেনশনের বিরোধিতা করা হবে বলে জানান ত্যাগরাজন। — পিটিআই

ANADABAZAR PATRIKA

2008

Asia-Pacific group to discuss cleaner fuel

India Among Six Nations Searching For Alternative To Kyoto Protocol

Washington: Washington: Producers of half the world's "greenhouse" gases are angling for more private investment to create cleaner energy technologies and help slow global warming.

US secretary of state Condoleezza Rice, energy secretary Samuel Bodman and presidential adviser James Connaughton will meet next week in Sydney, Australia, with representatives from five Asian and Pacific nations. Along with the United States, these countries account for nearly half the world's population, energy use and economic output.

The White House said its talks with Australia, China, India, Japan and South Korea will enhance rather than replace the Kyoto climate treaty that President George W Bush rejected because of its mandatory cuts in carbon dioxide, methane and other gases.

"It's a complement to it," Connaughton, chairman of the White House Council on Environmental Quality, said on Wednesday. "For the countries in Kyoto, it will be a very useful tool for them to meet their obligations."

Among major developed nations, only the United States and Australia reject the 1997 treaty negotiated in Kyoto, Japan, that mandates specific cutbacks in emissions of carbon dioxide and

five other gases by 2012 in 35 industrialised countries.

China and India signed the treaty as developing nations, exempting them from the first round of emissions cuts. Japan must cut emissions by 6% below 1990 levels, and South Korea by 5%. Fossil fuel-burning in the United States produces one-quarter of the world's gases that scientists blame for trapping heat in the atmosphere like a greenhouse.

The Bush administration advocates slowing the growth rate of those gases, not reversing the trend.

Connaughton said the "Asia-Pacific partnership" announced last July would drum up more private investment for common goals. They include United States and Chinese plans to improve energy efficiency in coal-burning power plants and cut acid rain-causing sulfur dioxide emissions.

"This is harder than negotiating a diplomatic document, because this is creating real work plans," he said. "The only way to reduce the environmental impact of growth in key developing countries like China and India is through growing the economies that will pay for the efficiency and pollution controls that make the cuts possible. We welcome their growth." AP



India must take a lead in cleaning up its ship-breaking industry, says SONU JAIN

Alang awaits its hazardous diet

CLEMENCEAU, the French flagship aircraft carrier, was berthed at the Toulon military harbour for seven years before it set sail for Alang shipbreaking yard in Gujarat last week. Fourteen years after it was drafted for the Gulf War, it is now a pale shadow of its old self, its name visible in fading white and its exterior a rusty grey.

This massive hulk of steel weighing 26,000 tonnes is a nebulous entity legally. Amidst the controversy that surrounds it on the amount of asbestos its innards contain, it raises questions for India, one of the four surviving ship-breaking yards (the others being China, Bangladesh and Burma), and developed countries like France which will have many more ships to decommission in the next five years.

Who owns the end-of-life ship? Who regulates its break-up? Who is responsible for the dangerous contaminants in its steel skeleton? In the absence of clear answers to these questions, it is the money and trade transactions that set the rules. Since cleaning dirty substances like asbestos is expensive, it is logical to expect that it will not be high on the priority list.

At present, these decommissioned ships are out of the purview of legally-binding international treaties. An effort is being made to hammer out one and, going by the present negotiations, it is clear that even when a treaty is worked out, the burden of responsibility will be on countries where the ship is broken up. India will have to put in place some environmental regulation if it is serious about retaining ship-breaking as a viable industry.

Take the case of Clemenceau which came on the public radar as the French state is involved. There are, in contrast, hundreds of huge ships that quietly land up in Alang to be broken up with huge amounts of asbestos.

In the present framework, the resp-

onsibility for the clean-up of hazardous substances like asbestos lies with private companies. There is little reason to assume that will not cut corners to maximise profits in this cut-throat industry. There is certainly no incentive for them to budget for clean-up operations that costs millions and are mandatory in Europe. In these cases, there is simply an attempt to try to arm-twist the Indian ship-breaker to clean up the mess.

Since it was decommissioned in 1997, ownership of Clemenceau passed from the French Navy (which now has a merely custodial role) to the French state. The decision to send the ship to India was taken by Prime Minister Dominique de Villepin.

With Chinese competition unnerving Alang and ship prices falling, profit margins are getting slimmer. Regulation is therefore urgently needed to enforce the clean-up of toxic materials

According to the contract, a private company registered in Panama called the Ship Decommissioning Industry Corporation (SDIC) purchased the ship from the French state. However, the title deed will only be transferred to SDIC once it is cleared of asbestos; in other words, when it is broken up. The contract states that SDIC will carry out the decontamination of all directly visible, friable and accessible asbestos without either dismantling the ship or affecting its structural integrity.

Disputes over clean-up started much before all this became controversial. SDIC actually terminated a contract with another agency, Technopure, contracted for extracting asbestos as they were "damaging the ship" last year — in other words, taking out more parts and thus cutting into their profits. Though they claim to have spent 5 million Euros on removing asbestos, they claim this has ensured that they incur losses on the deal.

Meanwhile in India, a private company, Shree Ram Vessels, has already committed to buy Clemenceau. On paper, the contract said it had to be

decontaminated by 98 per cent before it came here. The reality is that more clean-up means more ship parts and steel being removed, thereby reducing the amount of scrap and profit. Most of the asbestos used for insulation is embedded in steel parts.

Sources say that there is bickering between the two private companies on the two continents. Shree Ram Vessels has alleged that steel is being taken out

prices falling, profit margins are getting slimmer. It is anybody's guess as to why shipbreakers will spend money on handling dangerous asbestos.

The French government has managed to stay clear. It argued that no civilian court within the country was competent to pass judgement on Clemenceau since it was "a warship" and thus outside the purview of the court's jurisdiction. France's stated case



REUTERS

Warships remain outside the purview of existing conventions

of the ship in the guise of asbestos. It had also resisted attempts to tackle asbestos in Alang initially, being completely new to any form of environmental good practice. It has been forced to hire a private company called Gujarat Enviro Protection Limited to do the clean-up in India.

The ship actually left the Toulon port without the deal with the Indian company being concretised or any proof of the extent of decontamination. They are still squabbling on the price of steel, factoring in the clean-up cost once the ship reaches India.

With Chinese competition pressurising the shipyard at Alang and steel

is that the Basel Convention does not apply to "war material", a stand upheld by French courts.

On the world's oceans are hundreds of warships waiting to be decommissioned. There was a spate of new ships in the 1990s and the old ones need to go. There cannot be a stronger case for a treaty on these ships which pins down responsibility.

Greenpeace has been arguing that end-of-life ships should be treated like any other toxic material under the Basel Convention. Basel bans the dumping of toxic waste by OECD countries in non-

OECD countries. However, the shipping industry and the International Maritime Organisation, fearful of ships becoming subject to a strict environmental justice regime, claim that the Basel Convention has no competence over waste ships.

The IMO, the Basel Convention and the International Labour Organisation met last month to discuss ways to bring the ship-breaking industry under control. The IMO has resisted any attempt to loosen its grip on all ship related regulation and bring the industry under the control of the Basel Convention. As a concession, earlier this month, the IMO announced plans to develop a new treaty on ship scrapping.

Graft alleged in oustees' rehabilitation

SSP: Medha Patkar accuses
Centre of mismanagement

Gargi Parsai

NEW DELHI: Narmada Bachao Andolan leader Medha Patkar on Wednesday accused the Centre and its agencies of mismanagement in the rehabilitation of Sardar Sarovar Project oustees and alleged that officials usurped funds meant for compensation to the displaced tribals and villagers.

She demanded a "full, impartial inquiry" into the "corruption" exposed in Madhya Pradesh and Gujarat and said only gram sabhas could give proper information on the families displaced and to be rehabilitated.

Leads a rally

Leading a rally of more than 800 displaced people from Madhya Pradesh, Maharashtra and Gujarat here, Ms. Patkar said that despite assurances from Central Ministries and agencies, none visited the valley to assess the ground situation. The dam would displace more than 40,000 families in three States. Thirty dams were planned on the Narmada.

She alleged that it had come to light in Madhya Pradesh that up to Rs. 400 crore had been usurped by officials as "cuts" for giving cash to people other than those displaced. Those whose homes and farmland had either submerged or were going to be submerged had been shown as rehabilitated and settled on paper.

Meets Meira Kumar

"This is just being done to somehow raise the height of the Narmada dam in Gujarat from the present level of 110.64

metres to 121.92 metres this monsoon," said Ms Patkar. She later met Union Minister for Social Justice and Empowerment Meira Kumar and Water Resources Secretary and Chairman of the Narmada Control Authority (NCA) J. Hari Narayan. Ms. Kumar assured her that she would visit the valley.

Picketing by tribals

Surrounded by a big posse of police and Central Industrial Security Force personnel, the affected families picketed the Ministries of Water Resources and Social Justice and Empowerment seeking land — as provided for in the Narmada Disputes Tribunal Award — for their rehabilitation and resettlement instead of cash compensation. "First it was cash, then it was land for land, then again it became cash and now we have nothing," said Sonabai and Rajkorbai, both widows, from Pichauri in Madhya Pradesh.

Charge against officials

Ms. Patkar alleged that some officials had pocketed half of the first instalment of money given by Gujarat to Madhya Pradesh for the rehabilitation of displaced people. "False names of oustees have been given and even banks have disbursed the amount to false beneficiaries without conducting any checks. Even in Gujarat there is big corruption in purchase of land for oustees. A Deputy Collector has been jailed. It is clear the dam is being pushed through corruption. How can the Centre be a mute spectator and leave it to the States? By taking no action, the Central Government is in silent connivance," she said.

Expert against aping Pacific tsunami-warning system

Statesman News Service

HYDERABAD, Jan. 4. — Renowned earthquake expert Mr Harsh Gupta today said that India should not emulate the Pacific Tsunami Warning System as it generates seventy per cent false alarms.

"The Pacific warnings are given only on the basis of earthquake location and magnitude. This is not suit-

able for India, which has large coastal populations and intense coastal operations," he told the Indian Science Congress session on Science and Disaster Management. Mr Gupta is former director general of National Geophysical Research Institute and the Department of Ocean Development.

He said India has everything required to have its own system. Now deploy-

The Pacific warnings are given only on the basis of an earthquake's location and its magnitude... This is not suitable for India — Mr Harsh Gupta

ment of research vessels, tide gauges, data buoys, satellites, connectivity, among others were needed, he said, adding that indigenous data buoys are already available. Data from this network of sensors would be relayed to satellites that would for-

ward it to ground stations for immediate issuance of warnings, he said. Mr Gupta said the proposed tsunami system for India should develop models for tsunamis and storm surges with all associated data inputs. It should generate coastal inundation

and vulnerability maps. A dedicated Tsunami Warning Centre should also be set up, he said.

He said India already has a well connected seismic network. "If there is a quake in the Andamans, we have seismic centres in places from Chennai to Rajkot to Shillong and these systems should be able to tell us whether the quake would generate a tsunami or not," he said.

Prime Minister Dr Manmohan Singh, who is on a three-day visit here, said: "You have suffered a great deal. But you have my assurance that the Central government stands behind you. We will make every effort to wipe every tear from the eyes of the people."

The Prime Minister was reviewing rehabilitation work being undertaken in the archipelago, adds PTI.

Greenpeace activists protest outside French embassy

"France has lied about amount of hazardous materials on ship"

Bindu Shajan Perappadan

NEW DELHI: Twelve Greenpeace activists were detained for over two and a half hours at the Chakrapuri police station here on Tuesday after they staged a demonstration outside the French Embassy against the sending of Georges Clemenceau, French aircraft carrier, carrying deadly asbestos, to India for dismantling.

The activists held aloft posters and pictures of the poor working conditions at the ship-breaking yard at Alang in Gujarat, where the decommissioned ship was headed.

They later met Ambassador Dominique Girard and asked him to take positive action.

"France has behaved shamefully as far as the Clemenceau is concerned. They have lied about the amount of hazardous materials on board, tried to hide behind confidentiality clauses, and deliberately misrepresented facts," said Ramapati Kumar, Toxics Campaigner, Greenpeace India.

"France clearly has no respect for international laws it pur-

ports to support, let alone the environment or the welfare of workers on the ship-breaking yards, who would be exposed to the toxic wastes on board this ship," he said.

"Panel misled"

Activist groups said the Supreme Court Monitoring Committee (SCMC) in India had been misled by the ship-decommissioning agency and ship-breakers.

While the SCMC was assured that 98 per cent of the wastes on board the Clemenceau would be removed in France itself, the reality was otherwise.

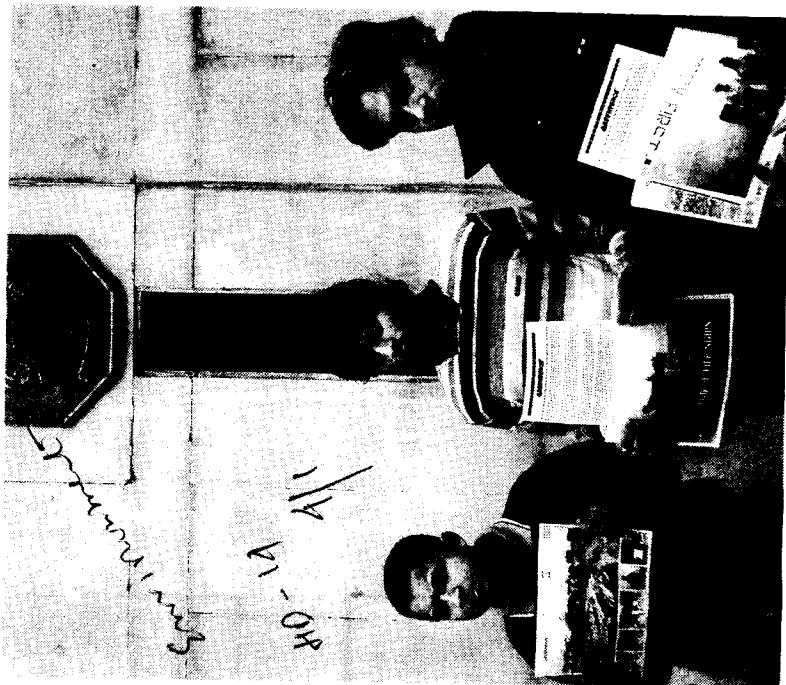
"Considering that none of the conditions laid down by the SCMC has been met, Greenpeace calls on the Ministry of Environment and Forests to revoke its clearance for the Clemenceau and prohibit its arrival. The French Government must fulfil its obligations under the Basel Convention and take full responsibility for proper decontamination of the Clemenceau, instead of dumping it on ship-breaking yards in India or elsewhere," said a Greenpeace vol-

unteer here.

"The Clemenceau is French property as is all the hazardous waste on the ship. They cannot be allowed to dump this waste in India simply because the country's scrap-yard labour is unorganised, cheap and exploitable. It does not allow France to inflict further harm upon these workers," P. K. Ganguly, a member of the National Working Committee of the Centre of Indian Trade Unions, said in a statement.

"A national shame"

"Apart from the havoc the Clemenceau will wreak on the Indian environment and workers' health, it is a symbol of the developed world's arrogant assumption that India can be a recipient of its refuse. This is a matter of national shame that should sting every Indian. The Indian Government's passive acceptance of this dumping is certainly not in keeping with India's growing international stature," said G. Ananthapadmanabhan, Executive Director of Greenpeace India.



AGAINST CLEMENCEAU: Greenpeace activists hold protest literature in front of the French Embassy in New Delhi on Tuesday against the arrival of the ship from France. — PHOTO: AFP

11-18 Troubled Waters

French warship headed for Alang's scrapyards is a health hazard

THE decommissioned French aircraft carrier Clemenceau — that was deployed in the 1991 Gulf War — has set sail for India, its final destination being Gujarat's Alang ship-breaking yards. Like most superannuated ships, this one too will be taken apart, its innards and frame dismantled, segregated and sold as scrap. The story, however, does not end there. The manner in which the French government closed the deal to get rid of Clemenceau has raised a storm. Technopure, the agency that undertook to carry out the ship's decontamination, has ended its contract with the French government and SDIC (Ship Decommissioning Industries Corporation), accusing them of choosing the cheaper but dangerous option of leaving on board nearly 500-1000 tons of harmful asbestos. Disposing large quantities of asbestos by inadequately protected labour working in unsuitable conditions will expose them to risk of fatal respiratory disease. The French government claims, however, that only 160 tons of asbestos remains on the now dispatched ship, and that the amount is well within international convention and norms.

As the world's cheapest scrap yard, Gujarat is one of the most sought after destinations, not only of agents getting rid of retired ships, but also those junking obsolete electronic hardware. Gujarat is reportedly making more than Rs 3,000 crore through recycling businesses. It is evidently not factoring in the high cost in terms of public health, fatalities, and long-term environmental effects. Scrap yard conditions remain both hazardous and appallingly unhygienic. It is not uncommon to find spent bombs and ammunition, rocket launchers and toxic chemicals in the rust-ridden yards. Rules and regulations are flouted or bent as a matter of routine, endangering not only unprotected workers' health but compromising the entire area's biodiversity. India's recycling industry should be made to conform to international safety, health and environmental standards to protect workers' interests and public health at home, and remain competitive and controversy-free abroad. Disregard for industrial safety and poor working conditions make the recycling industry in India dangerous. Globalisation does not mean that we have to turn ourselves into an international garbage dump.

A shipload of trouble from France

Have the French authorities really removed all the asbestos they could have without damaging the structure of the ship or could more have been done?

Vaiju Naravane

FRANCE HAS sent India a New Year's "gift" in the shape of a 265-metre-long, decommissioned aircraft carrier, a gigantic, rusty, floating tub, denuded of men and equipment, and allegedly carrying an estimated 500 tonnes of deadly asbestos. It is a present India could clearly do without.

The French authorities and the SDIC, the private company that acquired the Clemenceau for scrap, deny these allegations saying the Clemenceau had an estimated 160 tonnes of asbestos aboard of which they have removed 115 tonnes.

The Clemenceau, once the flagship of the French Navy, set off for India on December 31, 2005 on its way to the knackers' yard at Alang in Gujarat, where it is to be dismantled. Once the ship has been dismantled (by Shree Ram Scrap Vessels Pvt. Ltd), it will yield 26,000 tonnes of steel valued at eight million Euros. But the path to that manna is potentially so dangerous for Indian workers and the environment and so strewn with unanswered questions that it may be wiser not to attempt it at all.

There are two types of arguments that militate against the Clemenceau coming to India to be broken up: moral and technical.

Since it was decommissioned in 1997, the ownership of the Clemenceau passed from the French Navy (which now has a merely custodial role) to the French state and naval officers have been keen on underlining that the decision to send the ship to India ultimately belonged to Prime Minister Dominique de Villepin. The Clemenceau will remain the property of the French state until its demolition is complete. Only then will the title deed be transferred to SDIC (Ship Decommissioning Industry Corporation), the Panamanian-registered private company that has acquired it. So, right up to the point of its demolition, the French state is involved and responsible for the fate of the Clemenceau and the toxic waste aboard.

France is a signatory to the Basel Convention of 1989, which bans the trans-boundary movement of hazardous wastes. The Convention defines wastes as "substances or objects which are disposed of or are intended to be disposed of or are required to be disposed of by the provisions of national law."

Commercial ship owners have tended to argue that an end-of-life ship, as long as it floats, even if clearly intended for demolition, does not constitute "waste." Under this pretext, several commercial ships, shot full of asbestos and other toxic industrial products, have ended up in the ship-breaking yards of India, Bangladesh, or China where they have been torn apart by workers, often without any kind of protective clothing or equipment, causing death, injury, and disease.

Legal challenges

The French Government has taken this argument one step further. In response to legal challenges from several anti-asbestos and ecologist associations contesting the Clemenceau's dispatch to India, the Government has argued that no civilian court within the country was competent to pass judgment on the Clemenceau since it was "a warship" and thus outside the purview of the court's jurisdiction.

France's stated case is that the Basel Convention regulations do not apply to "war material," a stand upheld by French courts. Asked to explain the difference between asbestos contained in a suitcase and asbestos contained in the empty hull of a decommissioned warship, (the export of asbestos per



DEADLY GIFT: A November 19, 2004, file photo of workers aboard the former French aircraft carrier Georges Clemenceau at Toulon in southern France. The Clemenceau is now on its way to Alang in Gujarat. The placard at right reads: "Building site, No entrance to the public, asbestos decontamination." - PHOTO: AP

se is banned), a clearly discomfited French Admiral refused to reply, saying only that the courts in his country had ruled on the issue.

G. Thyagarajan, Chairman of the Supreme Court's Monitoring Committee, had this to say: "A warship is a container like any other. When it comes to the Basel Convention, it talks about toxic materials but does not specifically mention ships. My position is that there should be no import and no export of hazardous substances and no exceptions to that rule. We expect that countries belonging to the OECD such as France, who are signatories to the Basel Convention, have a moral responsibility to ensure that they do not allow anything containing hazardous materials to be sent to friendly countries."

Does sending the Clemenceau to India with toxic waste aboard constitute an unfriendly act? The Clemenceau has in the past been turned back by both Turkey and Greece which denied it entry in October and November 2003 respectively on the grounds that the ship had not been decontaminated. Although the ship has now been partially decontaminated it still contains at least 45 tonnes of asbestos on board, going by the Navy and SDIC's own extremely conservative estimate. Other sources, including the French company Technopure that removed 70 tonnes of asbestos from the ship, say the ship has been allowed to leave for India with huge quantities of asbestos (upwards of 500 tonnes) that could easily have been removed without damaging the ship's structure or navigability.

Complex case

As for the practical or technical aspects of this extremely complex case, there are several disquieting factors that emerge. The Clemenceau was contracted to be sold to SDIC, a private company, registered in Pan-

ama by Eckhardt Marine GmbH, a wholly owned subsidiary of the German industrial giant Thyssen-Krupp for a mere euros 100,000. Strangely enough, the signature of Briac Beilvert, the president of SDIC, appears under the title of both executor and guarantor in the contract for the acquisition of the ship. Also, since April 2005, Eckhardt Marine GmbH no longer belongs to Thyssen-Krupp, Mr. Beilvert having bought over the company from its owners.

The contract states that SDIC will carry out the decontamination of all directly visible, friable, and accessible asbestos without either dismantling the ship or affecting its structural integrity. This is where the contradictory claims and counterclaims about the exact amount of asbestos on board become relevant.

Christian Piotre, Deputy Chief of Staff of French Defence Minister Michele Alliot-Marie, in a letter dated February 11, 2005 addresses the concerns of the NGO Ban Asbestos: "... It is necessary to preserve the structure of the ship to allow its export to a demolition site. In practical terms, 90 per cent of the asbestos will be removed, the remainder, roughly 22 tonnes will be treated in India by the company Luthra Group under the supervision of Technopure, in charge of the decontamination in Toulon..."

Shree Ram Scrap Vessels Pvt. Ltd in its deposition before the Supreme Court Monitoring Committee on Hazardous Waste on February 2, 2005 said that the French Government had promised to remove as much as 98 per cent of the asbestos on board the Clemenceau and that the company expected to find between 15 tonnes and 25 tonnes when the ship reached India, although that figure could vary slightly.

The Navy and SDIC now claim there is far less asbestos on board than the 220 tonnes indicated by the Defence Ministry letter.

Technopure, the company which was in charge of the entire decontamination project, challenges that, saying at least 500 tonnes of asbestos remains on board and that a great deal more could have been removed such as 300 tonnes of cabling containing lead and asbestos, flooring with paint and glue containing asbestos, the ship's funnel, boilers and engines, etc.

The crux of the matter is: have the French authorities really removed all the asbestos they could have without damaging the structure of the ship or could more have been done? There is strong indication that the latter might be the case, since Technopure itself sent in two quotations, one for three million Euros for "minor" decontamination and another for six million Euros for "major" work. The fact that the cheaper option was retained indicates that the intention was to do a cheap cosmetic job leaving the major decontamination to Indian companies who would do it for a fraction of the cost.

When asked, SDIC refused to give a detailed inventory of the asbestos that remains on board. Luthra Group and Shree Ram Vessels Pvt. Ltd have yet to receive this detailed inventory.

Even presuming that Shree Ram Scrap Vessels Pvt. Ltd and the Luthra Group are capable of handling this extra tonnage of asbestos in a safe and scientific manner the question still remains as to why India should accept and bury such large quantities of toxic waste on its soil. Going by the "polluter pays" principle, should the extracted asbestos not be shipped back to the country of its origin?

The Supreme Court Monitoring Committee on Hazardous Waste, which meets on January 6, should look into all these disquieting aspects to prevent India from becoming an international garbage dump.

Norms in ship-shape?

The 'Clemenceau' controversy gives India an opportunity to clean up its vessel breaking act

THERE'S a paradox at the heart of India's ship breaking sector. While it happens to be the biggest in the world, it is also arguably the dirtiest. The Alang scrap steel yards, dotting Bhavnagar's coastline, which are estimated to dismantle around half the world's ships, have come to be known as the "armpit of the world". One of the reasons for the international popularity of the Alang yards is that it offers a cheap, and lucrative, alternative to what is otherwise an extremely expensive business. Indian ship dismantling yards do this by bending the norms. Most of the dismantling is effected in primitive conditions, manually. Those appointed to do this run the risk of incurring asbestosis (the scarring of lungs which cause deathly respiratory problems) and cancers, or have to reckon with unexpected explosions, even as the environment in which they work is intensely degraded.

The status of the Alang ship breaking yards has suddenly become a live one, with the French courts ruling that the French aircraft carrier, 'Clemenceau', can go

to India for dismantling. As *The Sunday Express* has just reported, there is a sorry lack of transparency on the exact percentage of asbestos in the ship's structure, apart of course from the other toxic substances inherent in vessels of this kind, like polychlorinated biphenyles, poison gases, fuel oil and lead.

This is not to argue that India should shut down its ship breaking sector, which fetches the Gujarat government over Rs 3,000 crore annually. The 'Clemenceau' controversy should, instead, goad India into transforming itself into a modern ship recycling centre of the world, conforming to international standards. Indian courts have long been demanding that the industry cleans up its act. Apart from obvious environmental and health benefits, such a move makes economic sense. Ship breaking is becoming increasingly competitive, with China also throwing its hat into the ring, claiming that its ship breaking sector conforms to international safety, health and environmental standards. For India then, it's a case of either being ship-shape, or shipping itself out of the market.

Gujarat unaware of toxic ship

AHMEDABAD: Even as environmentalists are crying hoarse about the lurking danger from decommissioned asbestos-laden French aircraft carrier 'Clemenceau' has set to sail for Alang ship-breaking yard anytime, Gujarat is blissfully unaware of it.

As per reports reaching here, the French Government has cleared the decommissioned warship of 26,000 light displacement tonnage (LDT), embedded with 40-220 metric tonnes of carcinogenic (cancer-causing toxin) asbestos in the structure, for dismantling in India. Strangely, not even French authorities seem to have any idea about the exact amount of asbestos the ship contains.

The environmentalists plead it is nevertheless toxic even if it contains one tonne of asbestos.

They argue that the ship-breaking yard in developing countries do not have the infrastructure nor the ma-

chinery to scrap toxic substance embedded in the ship's body. The job is carried out manually under hazardous conditions.

Meanwhile, several environmental groups, notably Greenpeace, have strongly objected to developed nations dumping poisonous junk ships in developed countries for scraps.

Both France and India are signatory to the Basel Convention on Toxic Wastes, which prevents export as well as import of toxic substance.

Greece and Turkey have reportedly refused to let 'Clemenceau' enter their shores. Now, if the ship-breakers at Alang refuse to accept the ship, they will stand to lose 26,000 tonne of steel scrap, prevailing price being around \$250-300 (Rs 13,000-18,000) per tonne. Apparently caught between the proverbial dilemma of Scylla and Charybdis, the Gujarat Maritime Board (GMB) pleads total ignorance about any

such ship's likelihood of beaching at Alang on the Saurashtra coast. GMB is the state-level nodal agency to regulate eleven intermediate and 29 minor ports, besides Alang ship-breaking yard, along its 1,600 km long coastline.

When contacted, GMB Marine Engineer M M Khatri told UNI, "we do not have any information about any toxic ship coming to Alang. We might come to know of its approaching the shores two-three days before it actually beaches. We will enquire from the ship-breakers."

There are nearly 200 registered ship-breaking agents in the region. "The worse, if we say no", the toxic ship may sail to Bangladesh, Indochina, China and other countries," he added. Even otherwise, Mr Khatri pointed out, Bangladesh breaks about 30 per cent of oil tankers, which are more toxic in nature. — UNI

Decommissioned French warship on its way to India

Court ordered the environmental group Greenpeace to keep clear of the ship

TOULON (FRANCE): The asbestos-insulated decommissioned warship, *Clemenceau*, began the first stage of its final voyage to an Indian breaker's yard on Saturday after a court reportedly ordered the environmental group Greenpeace to keep clear of the ship.

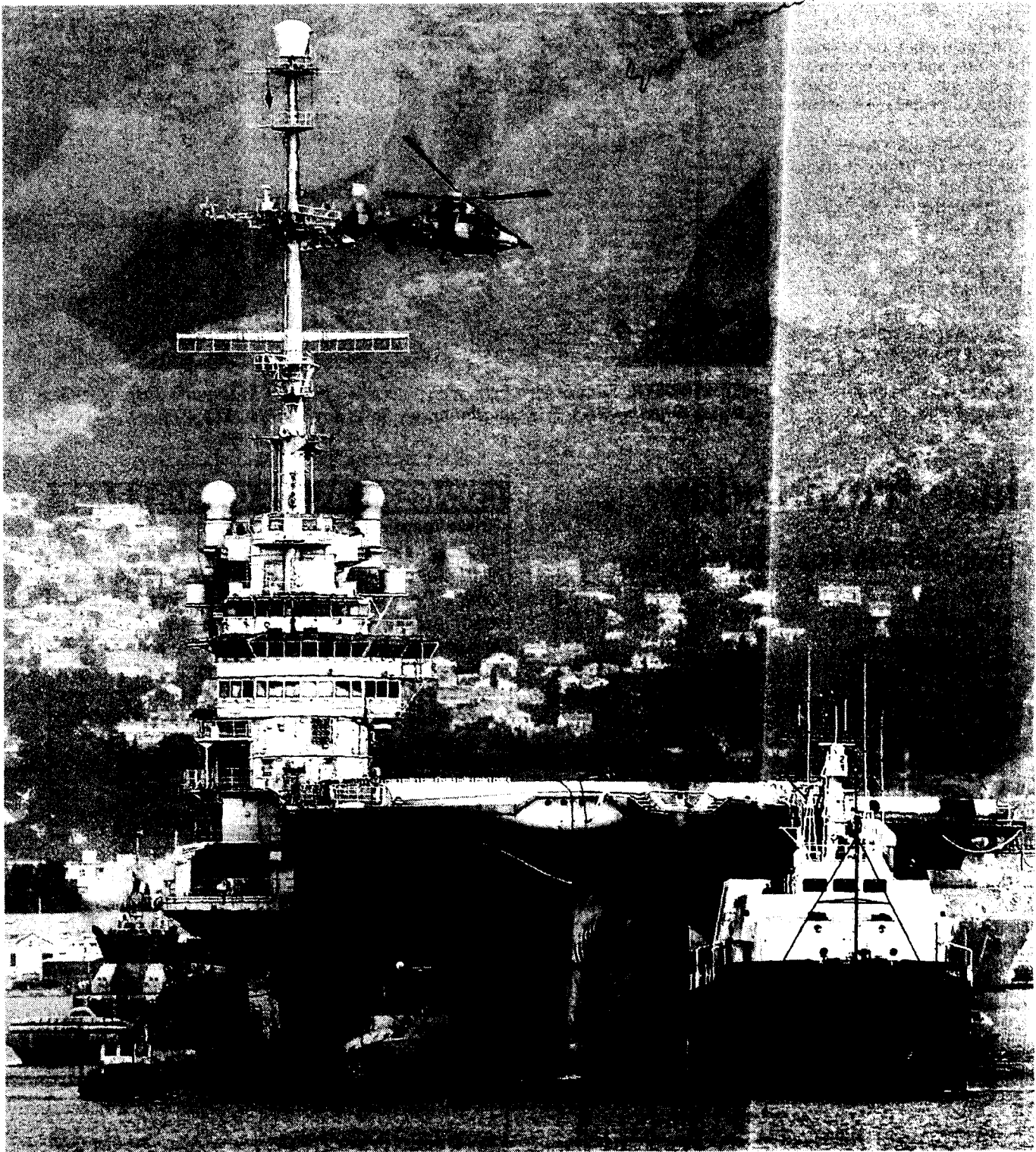
The aircraft carrier left the quay at the Toulon military arsenal without incident, an AFP reporter said, and marine boats set up a 200-metre security cordon as a helicopter and a navy plane guarded the skies.

Officials said the carrier would be taken out of the harbour by several tugs, before being towed to Alang in north-western India, home to the world's biggest ship-breaking yard. It was expected to arrive in India in two months' time. The Panamanian-registered Ship Decommissioning Industry Corp. said before the ship's departure that it had obtained an injunction from the Paris court preventing Greenpeace from coming closer than 300 metres to the old aircraft carrier. The claim could not be confirmed with the court.

Hazardous material

Greenpeace and three other environmentalist groups have tried for months to block the operation, on the grounds that Indian shipyard workers are not properly protected from the hazards of working with asbestos, which can cause fatal lung diseases. A French court on Friday ruled that the four groups had raised "no serious doubts" about the legality of the *Clemenceau*'s transfer from this Mediterranean port.

Another environmental group, Robin des Bois (Robin Hood), said the French state had taken an important step in carrying out 90 per cent of the asbestos decontamination work itself, which it said was a first in European shipping. The *Clemenceau*, which took part in the 1991 Gulf War, was taken out of service in 1997 when it was superseded by France's new, nuclear-powered aircraft carrier, the *Charles de Gaulle*. — AFP



SPREADING POLLUTION: The asbestos-insulated decommissioned warship *Clemenceau* leaves Toulon, on Saturday for a breaker's yard in India after a court reportedly ordered the environmental group Greenpeace to keep clear of the ship. — PHOTO: AFP