

Supreme Court Allows Sardar Sarovar Dam: Was the People's Case Heard?

The Judgement

(Details of the judgement and the events unfolding are available at www.narmada.org)

In an event of far-reaching implications for India's development, the Supreme Court of India, through a 2-1 majority decision, allowed the construction of the Sardar Sarovar dam to resume immediately. The dam, which is currently 88 m high, can go upto 90m immediately, and thereafter proceed in phases of 5m each, on clearance at each step from the Environmental and Relief & Rehabilitation subgroups of the Narmada Control Authority.

The minority judgement by J. Bharucha called for the immediate stoppage of construction and a comprehensive survey of the environmental and rehabilitation aspects of the dam. It refers to the conditional clearance given in 1987 as "no clearance at all" because it bypassed major regulations.

The crux of the majority judgement was that people cannot demand a review of the height or other parameters of the dam as the original agreement between the states "is binding".

Construction of the dam is to resume on Oct. 31.

Legitimate Questions from the Valley

In keeping with AID's philosophy of listening to the voices of the marginalized and exploited, we hear these questions from the people of the Narmada valley, questions that appeal to our sense of justice.

- The Court has ruled that the particulars of the dam cannot be questioned by anyone – either the people or the Court! – because it is a binding agreement between the States. But did the States consult us before making the agreement? Now, after 20 years, can we not even ask for a review based on new information? Is this real democracy?

- The people displaced until now have not been given land even after 7 years, and the Madhya Pradesh C.M. had recently stated that there is no land for rehabilitation. Now, the same committees which have allowed this state of affairs, have been made in-charge of clearing the addition of every 5 meters of the dam – how can the Court believe that the same mechanism will work now? Is there real concern for the 'dam-affected'?

Several such pointed questions remain. The people have received the judgement with disbelief, which has devastated their hopes of real justice from the Court. "For the courts it is a question of law, but for us it is a question of our lives and livelihoods" – they have resolved to continue their fight for justice.

Readers who feel these are legitimate questions can express their concerns to Mr. Digvijay Singh (CM, M.P.), the President, the Prime Minister and the Supreme Court.. Details: www.narmada.org

Where Do We Stand?

In the past, several AID chapters have adopted resolutions in support of the struggle by the people of the Narmada valley. The reasons were - (a) forced displacement in the absence of proper rehabilitation is unjust and unacceptable, (b) thorough independent review of environmental impacts, land availability, etc. is required before dam construction proceeds, (c) the drought areas of Gujarat deserve more sustainable solutions like watershed development and rainwater harvesting. These conclusions were based on learning from the natural wisdom of the native people of the valley, Kutch and Saurashtra, direct work of AID full-timers in India with the Narmada movement, interaction with knowledgeable experts, site-visits, video evidence on rehabilitation, etc

The Court has now given a judgement which does not agree with these points. However, since the fundamental facts that led to these resolutions have remained unchanged, many AID chapters and volunteers have chosen to remain honest to their beliefs and support the people's struggle. We look for solidarity from everyone.

In Support and Solidarity...

"Our (NAPM) fight was not just against the dam but also towards a particular ideology of development. We find this verdict as a result of a false understanding of development and justice"

Thomas Kochery, National Alliance For People's Movements.

"I appeal to the judicial conscience of the highest court and the equity sense of the Gujarat, Madhya Pradesh and Maharashtra cabinets not to put one stone more on the dam until the last and the least human who is rendered homeless, consequence on Narmada Dam, is given shelter in dignity."

Jst. Krishna Iyer, Retd Supreme Court Judge.

"Are bureaucratic decisions without prior consultation with the affected disadvantaged sections a sufficient answer? Is just parroting the refrain that a price has to be paid - without answering why the sacrifice must always be made by the disadvantaged and tribals and the benefits should always go to the powerful, political as well as moneyed, - justifiable?"

Rajindar Sachar, Chief Justice of High Court of Delhi

AID's phone number has changed. The new number is (301) 422 7765

Projects approved

- Vimukti - Raichur Dt., Karnataka - Women's empowerment - Raleigh and State College - \$3450 (6 months).
- Manavya - Maharashtra - Health care - Maryland - \$ 3000
- Swanirvar - Andharmanik, West Bengal - Health care + Contingency for flood relief - Maryland - \$ 3500 + \$500

News and Notes

AID Milwaukee Walk/Run

AID-Milwaukee conducted its second annual fund raising walk/run on Sept.-17th at Nashotah Park. The event was a success drawing about 150 people from the local community.

-S Govindarajan, AID Milwaukee

Fundraising concert in Pittsburgh

AID Pittsburgh and the Center for Performing Arts of India, organized an Indian and Korean classical music concert on September 29th. This sold-out event featured Satish Vyas on the santoor and Hee-sun Kim on the kayagum. There was a presentation about the efforts of AID highlighting the projects supported by AID Pittsburgh.

-Aditya Bedekar, AID Pittsburgh

Towards a New World Order

Dr. M.P.Parameshwaran's talk in Maryland drove home the point that the need of the hour is "production by masses" rather than "mass production". Participatory democracy efforts in Kerala have shown that quality of life equal to that of industrialized nations can be achieved at significantly lower per capita consumption. For more details visit <http://www.aidindia.org/mpp/mpp.html>

-Srinivas Krovvidy, AID Maryland

DID YOU NOTICE THE ADDRESS CHANGE!

If you are not in the Washington DC area or Dallas, it is possible that your self-addressed donation envelope now carries a different address! Don't be puzzled any more - AID has now distributed its administrative functions among different chapters whereas earlier, they were all being handled by the College Park chapter. Depending on your residence, your donations will be handled by the Pittsburgh, Maryland or San Francisco chapter, while you will receive newsletters from Boston, Dallas or San Diego! Please be sure to use the address on the self-addressed envelope to mail donations - that will keep the new Zonal system in AID more efficient.

Living with Dignity

Paschim Banga Kheria Sabar Kalyan Samithi (PBKSKS) has been striving towards the upliftment of the Kheria Sabar tribe, from the dismal pits of poverty and discrimination, in Purulia district of West Bengal. *Denotified* from their previously *notified criminal* status in 1957 by the Govt. of India, they are still perceived as *habitual criminals* by the society. They live in extreme poverty, facing social humiliation and injustice. The same society which shuns them, also employs them in *acts of crime* on behalf of the police, corrupt politicians and smugglers in return for small amounts of money or even a bottle of liquor! Later on, they are conveniently framed for these crimes, beaten up and even killed by the police. Worse yet, they are often killed as mere suspects.

Over the past thirty years, PBKSKS has been running schools for Sabars, teaching them agriculture, organizing their skills in producing handicrafts, drawing national attention towards the athletic abilities of the Sabars, and most importantly, fighting for their rights against discrimination.

AID San Diego and AID Cincinnati have jointly passed a project for \$3650, supporting a lift irrigation scheme to bring water to the Sabar-cultivated lands in Akkarbaid village, in the arid Purulia district. A well dug in the bed of the river will be connected to an adjoining storage well and will ensure a constant supply of water even when the stream runs dry. Water will be drawn up from the storage well by a diesel pump, to irrigate about 20 acres of the hilly Sabar-land for cultivation.

It is not through vast resources of wealth, but through their respect and affection that PBKSKS has brought over a big change in the lives of the Sabars. Eminent writer and activist Mahashweta Devi, the president of PBKSKS, points out that the de-notified tribes are not covered by the rights for S.C./ S.T.s or OBCs in our constitution. Their only identity is "*de-notified*". How can a nation afford to remain callous to the word *de-notified* and yet hope to enter the new millennium with pride?

- Vajjayanti Gupta, AID Sandiego

Mark Your Calendar

The National Conference on Human Rights, Social Movements, Globalization and the Law is being held at Panchgani, Maharashtra (near Pune) from Dec 26th to 31st, 2000. AID India and AID US volunteers will be attending, using the occasion as AID's annual get-together.

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MAKE A TAX-DEDUCTIBLE DONATION TO AID

- By credit card, please call (301) 422 7765
- By check, please send in favor of AID to
**The Association for India's Development,
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AID relies solely on your contributions to fund community development projects in India. AID volunteers work hard to put funds to optimal use in project and awareness work. Every project is visited and monitored. All donors receive monthly updates of our projects and activities. To obtain a copy of the current financial statement please write to AID. Documents and information pertaining to AID can be obtained from the Secretary of State for the cost of copies and postage. Donations to AID are tax-exempt in US (Tax ID 52-1863480)