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Sites and Submergence of Villages of the Sardar Sarovar Project**

NOTE OF THE GROUP OF MINISTERS DATED 9 APRIL 2006

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A Brief Note on the Assessment of Resettlement and Rehabilitation (R&R) Sites and Submergence of Villages of the Sardar Sarovar Project

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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 Sub-committee 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.

Nisarpur

The GoM finally came to Nisarpur 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 Nisarpur 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 Nisarpur 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 Nisarpur 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 & Resettlement 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.

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