

13.35 hrs.

CALLING ATTENTION TO MATTER OF URGENT PUBLIC IMPORTANCE

Narmada Sardar Sarovar Project

[English]

SHRI CHITTA BASU (Barasat) : Sir, I call the attention of the Minister of Water Resources to the following matter of urgent public importance and request that he may make a statement thereon :—

“Issue relating to Narmada Sardar Sarovar Project for review and rehabilitation measures and Government's reaction thereto.”

THE MINISTER OF WATER RESOURCES AND MINISTER OF PARLIAMENTARY AFFAIRS (SHRI VIDYACHARAN SHUKLA) : The Central Government constituted on 6th Oct. 1969 under Section-4 of the Inter-State Water Disputes Act, 1956 the Narmada Water Disputes Tribunal (NWDT) to adjudicate upon the water dispute regarding the inter-State river, Narmada and the river valley. The NWDT investigated into the matter referred to it and gave its Award on 7th December, 1979. The NWDT Award was notified by Government of India on 12th December, 1979, whereupon it became final and binding on the parties to the dispute. The Award specified quantum of utilisable waters to be shared by the four States of Gujarat, Madhya Pradesh, Maharashtra and Rajasthan. The Tribunal specified in detail, various provisions for effective resettlement & rehabilitation (R&R) of the Project Affected Persons (PAPs) due to the submergence behind the reservoir in the States of Maharashtra, Gujarat and Madhya Pradesh. Some of these provisions are as follows :

- (i) Allotment of a minimum of 2 hectares of irrigable land to each land-
ed oustee.
- (ii) Allotment of house plot free of cost to each oustee family, measuring 18.29 m × 27.42 m (60 ft. × 90 ft.).

- (iii) Resettlement & Rehabilitation grant of Rs. 750/- per family in addition to grant-in-aid of Rs. 500/- per family.
- (iv) Compensation for land and houses as per Land Acquisition Act.
- (v) Provision for specified civic amenities.

The project has been planned, designed, approved and is being implemented by the Party States in conformity with the Award parameters. There have been persistent demands for improvement of R&R measures and a review of the project which is at an advanced stage of implementation. According to Clause 16 of the final orders of the Tribunal, the parameters of shares of utilisable waters by the States, FRL, MWL of the reservoir and FSL of Navagam Canal are made subject to review at any time after a period of 45 years from the date of publication of the decision of the Tribunal in the official gazette. According to Sub-clause-6 of Clause-11 relating to submergence, land acquisition and rehabilitation; alteration, amendment and modification of any of the provisions of the Clause-11 is permitted by agreement between all the Party States.

Various provisions of the R&R package stipulated by the Award have been significantly liberalised by the States of Gujarat, Maharashtra and Madhya Pradesh during implementation as per States policies. These packages are being implemented by the States in a coordinated manner in consonance with progress of construction.

The Resettlement & Rehabilitation Sub-group of the Narmada Control Authority comprising States representatives and Non-Government Organisations (NGOs) under the Chairmanship of the Secretary, Union Ministry of Welfare monitors the implementation.

Discussions were initiated towards end of June, 1993 on all issues related to the Sardar Sarovar Project. A five member group was constituted by an Office Memorandum of Ministry of Water Resources

on 3-8-1993 for continuing these discussions. The Memorandum was slightly modified on 5-8-1993. The group has already started functioning and is required to give a report to the Government within a period of three months. Copies of the two Memoranda are enclosed as Annex I & II.

ANNEXURE-I

F. No. 6/4/93-PP

Government of India

Ministry of Water Resources

New Delhi, the 3rd August, 1993.

OFFICE MEMORANDUM

Subject : Constitution of Group to continue discussions on Sardar Sarovar Project (SSP).

The Ministry of Water Resources, Government of India hereby constitutes a "Five Member Group" to continue discussions initiated during end of June, 1993 on all issues related with the Sardar Sarovar Project. The Group will continue to function till further notification. The Group will have following composition :

1. Dr. Jayant Patil, Member, Planning Commission Government of India—
Convener.
2. Shri L. C. Jain, Former Member, Planning Commission, Government of India.
3. Dr. Vasant Gowarikar, Former Adviser (S&T) to Prime Minister of India.
4. Prof. Ramaswamy R. Iyer, Centre for Policy Research, New Delhi.
5. Dr. V. C. Kulandaiswamy, Vice-Chancellor, Indira Gandhi National Open University, New Delhi.

The Group will have following working procedure :

- (i) *Status* : The Group will hold discussions with different opinion groups and will make a consensus report to the Government of India within a time frame to be decided by the Group.
- (ii) *Visit to the Site* : The Group will visit the Project area, if necessary.
- (iii) *Venue* : The Group will hold discussions in New Delhi or if required in project area.
- (iv) *Discussions* : All concerned opinion groups can request for and make presentation and give their suggestions in writing to the Group.
- (v) *Expenditure* : TA and DA will be paid to the non-official members of the Group as per Government rules.
- (vi) *Secretarial assistance* : It will be provided by the Ministry of Water Resources, Government of India.

The Group will frame any additional modalities, if required, in consultation with Government of India.

The consensus report will be considered after receipt, by the Government of India within two and a half months. The Government may refer the report back to the Group for reconsideration of any of the issues.

Sd/-

(A. K. BARUA)

Under Secretary to the Govt. of India

ANNEXURE-II

F. No. 6/4/93-PP

Government of India
Ministry of Water Resources
New Delhi, the 5th August 1993

OFFICE MEMORANDUM

Subject : Constitution of a Group to continue discussions on Sardar Sarovar Project (SSP).

The Ministry of Water Resources, Government of India hereby constitutes a "Five Member Group" to continue the review discussions initiated during end of June, 1993 of all issues related with the Sardar Sarovar Project. The Group will continue to function till further notification. The Group will have following composition :

1. Dr. Jayant Patil, Member, Planning Commission, Government of India—Convenor.
2. Shri L. C. Jain, Former Member, Planning Commission, Government of India.
3. Dr. Vasant Gowarikar, Former Advisor (S&T) to Prime Minister of India.
4. Prof. Ramaswamy R. Iyer, Centre for Policy Research, New Delhi.
5. Dr. V. C. Kulandaiswamy, Vice-Chancellor, Indira Gandhi National Open University, New Delhi.

The Group will have following working procedures :

- (i) *Function* : The Group will hold discussions with different opinion groups and will make a report to the Government of India within a time frame to be decided by the Group or three months which ever is earlier. After presentation of the Report to the Government it will be released to the public within one month.
- (ii) *Visit to the Site* : The Group will visit the Project area, if necessary.

(iii) *Venue* : The Group will hold discussions in New Delhi or if required in project area.

(iv) *Discussions* : All concerned opinion groups can request for and make presentation and give their suggestions in writing to the Group.

(v) *Expenditure* : TA and DA will be paid to the non-official members of the Group as per Government rules.

(vi) *Secretarial assistance* : It will be provided by the Ministry of Water-Resources, Government of India.

The Group will frame any additional modalities, if required, in consultation with Government of India.

The report will be considered after receipt, by the Government of India within two and a half months. The Government may refer the report back to the Group for reconsideration of any of the issues.

This supersedes Office Memorandum of even no. dated 3rd August, 1993.

Sd/-
(A. K. BARUA)

Under Secretary to the Govt. of India.

[Translation]

SHRI HARISINH CHAVDA (Banas-kantha) : The Government has added something therein on the 5th. What is that?

Mr. SPEAKER : The Member whose name has been included in the list can only ask the question and he too can ask only one question and cannot make a speech.

(Interruptions)

[English]

MR. SPEAKER : I will read out the rule for you and if you do not follow that then, I cannot held it.

SHRI CHITTA BASU : It is too much.

MR. SPEAKER : What is too much? What do you mean by too much? You make the rules, you do not follow it and you say it is too much.

SHRI CHITTA BASU : That is not the question. You can say that the Member may complete his question within five or six or eight minutes. Otherwise, there is no need for asking any questions.

MR. SPEAKER : You have to ask a question please. I will read out the rule. You have to follow the rules. You make the rules for the entire country but, you do not follow it yourself.

SHRI CHITTA BASU : Mr. Speaker, Sir, you may say that the Member may take five minutes. That is all.

MR. SPEAKER : I will read out the rule for you.

SHRI CHITTA BASU : If you say one question, then that one question can take ten minutes also. Any way, I do not like ...

MR. SPEAKER : You shall have to follow the rules. Otherwise, I will be discontinuing this method of allowing the Calling Attention Motion. I am repeating it and it is for the benefit of all of you. If you want a pointed response from the Government, the Calling Attention Motion is the device. You have to follow it according to the rules. If you do not follow it according to the rules and if five Members are to be allowed and each of them is speaking for five or ten minutes, then, I cannot have this Calling Attention Motion luxury in the House. Now, the rule says that :

"A member may, with the previous permission of the Speaker, call the attention of a Minister to any matter of urgent public importance and the Minister may make a brief statement or ask for time to make a statement at a later hour or date :

Provided that no member shall give more than two such notices for any one sitting.

There shall be no debate on such statement at the time it is made but each member in whose name the item stands in the list of business may, with the permission of the Speaker, ask a clarificatory question and the Minister shall reply to it at the end of such question.

Provided that names of not more than five members shall be shown in the list of business."

These are the rules made by you and you are expected to follow them. I am also bound by them. And if you follow the rules, you will have many more Calling Attention Motions and you will pinpoint the Government. But, if you do not follow the rules, you will have the luxury of making long speeches, getting nothing from the Government.

SHRI CHITTA BASU : Sir, I will agree with the ruling that you have given. But, I think, we have got a right of seeking clarification.

MR. SPEAKER : It is a clarificatory question. These are the rules; you make the rules for the entire country.

SHRI CHITTA BASU : I shall seek a clarification.

MR. SPEAKER : My point is, you make the rules for the entire country, you expect them to follow it and if they do not follow, you penalise them. But, you do not follow the rule you made for yourself.

SHRI CHITTA BASU : Sir, I cannot change the rule now. But, anyway, I want to seek certain clarifications from the Government.

MR. SPEAKER : "Certain!" Please come out with one question. You are a senior Member and I should not like to remind you about all this.

SHRI CHITTA BASU : I want some clarifications. You cannot say that I should ask only one clarification. If you say that it should be only one question, then, let all this be taken as one clarification.

MR. SPEAKER : This is the rule please.

SHRI CHITTA BASU : That is all right. Firstly, I want to have this clarification and I also want to make my position clear that we are not opposed to the implementation of the project because that must be beneficial to the four States. I am not opposed to that particular approach. During the implementation of this project, I want to know, whether there will submergence of huge quantities of land, which comes to about 3,60,000 acres of forest land, 2,00,000 acres of agricultural land, and about ten lakhs of people will be ousted, constituting a majority of *adivasis*, Scheduled Castes and Scheduled Tribes. Although there are certain provisions for the rehabilitation, I want to know from the hon. Minister, whether it is a fact that those provisions have not been properly implemented and the provisions for the rehabilitation and resettlement needs proper amendments, some kind of changes so that the oustees can be properly resettled and rehabilitated.

May I know from the Govt., after the withdrawal of the World Bank from funding this project, who is going to fund this project? Does the Central Government want to fund the total project or has the State Government been given the responsibility of funding the project? What are the components of the Central Government and what are the components of the State Government? May I also know from the Minister whether a five member Review Committee or Core Committee has been set up? If so, what are the terms of reference for that five member Committee? I would like to know whether that Committee would be entitled to review the whole project or a part of the project and whether its recommendation, which is called a consensus recommendation, would be binding on the Central Government. What follow-up action would the Government take with regard to the consensus report as it is expected?

Lastly, would the Government stop the way of repression let loose on the Narmada Andolan activists? This has created a

great apprehension among the democratic minded people of our country that any genuine movement in tune with the hopes and aspirations of the downtrodden sections of our people are going to be crushed by the way of repression. Would the Government assure the House that the repression already let loose would be stopped?

[Translation]

SHRI GEORGE FERNANDES (Muzafarpur) : Mr. Speaker, Sir, I would like to know from the hon. Minister with regard to the Morse Committee set up by the World Bank to make an independent review. The Committee has reflected many things on the entire project in its report because of which the World Bank has decided not to finance this project. Has the Government paid any attention to it? The Morse Committee has said that almost all the prescribed conditions have not been fulfilled by the Central Government as well as by the State Governments. The conditions which had been accepted by the Government were regarding rehabilitation and usage of water. The World Bank has informed the whole world that these conditions have not been fulfilled by the Government of India. What is your reply in this regard? Have you reconsidered these questions so far? In this context, I would like to know the major points regarding this dispute. What is the height of the dam? The demand of agitators of reducing it by 50 feet cannot be acceded to because Gujarat will not get adequate water. I would like to know from the hon. Minister whether there was a proposal to reduce the height of the dam by 50 feet when the project was being formulated but keeping in view the depth of the river it was not agreed to as it would not have been possible to set up a power station. Sweden has set up several such projects in its country and has assisted in launching such projects abroad also. Is it a fact that Sweden was consulted at that time but the things could not materialise? Is it also a fact that the total supply of water to be made to West Gujarat, Saurashtra and Kutch as per the agreement was to be about 18 per cent.

But today it appears that only 2 per cent water would be made available to Gujarat and that too by 2025 A. D. which means, it will take 35 years to reach water there.

Is the Government prepared to refer all these problems to the Committee set up for this purpose ?

DR. LAXMINARAYAN PANDEYA (Mandsaur) : Mr. Speaker, Sir, I would like to submit to the hon. Minister that he had said in his statement last Friday that there will not be any change, not even of a comma or a fullstop in the Sardar Sarovar Project. Therefore, I want to know as to what kind of review will be undertaken by this committee. Neither height is to be changed nor any other thing is to be changed then what kind of review is to be made ? The notification of the 3rd instant does not have the word 'review'. And in the second notification of 5th, the references made to the Committee for reviewing have already been given. It clearly states :

[English]

"Discussions were initiated towards the end of June, 1993, on all the issues related to the Sardar Sarovar Project." ... all the issues..."

[Translation]

The words "all the issues" have been used here. I want to know as to what are these "all the issues"... (Interruptions) Is there any reference to the displaced persons because the condition of the displaced persons is very miserable there. No arrangement has been made for them. Neither any resettlement facility nor any arrangement regarding their land has been made. The land and other assets they are leaving behind is of lakhs of rupees but no arrangement has been made regarding all this... (interruptions)... Therefore, the hon. Minister should clarify the entire situation. I would like to know as to what he wants to say regarding this review committee because the decision of the Tribunal is final and is binding on everybody. In spite of the binding decision, the hon. Minister has made such

statements outside the House that they can consider certain changes in this regard. Is it possible ? Such statements create misunderstanding among the people in our country and abroad also and it provokes the people. Please clarify it. (Interruptions)

MR. SPEAKER : You have raised a very good question.

[English]

What is it that they want to review. That is the main question.

[Translation]

DR. LAXMINARAYAN PANDEYA : The people of Gujarat are worried over this. They have certain doubts and these should be dispelled. (Interruptions)

[English]

SHRI VIDYA CHARAN SHUKLA : Sir, the figures of submergence of land and forest have been given many times to the House. I will again submit the figures to the House about the land which has been submerged in various States and the amount of forest land that is included in the 'land'.

As far as the number of people affected are concerned, I will give the figures of the people who are affected, State-wise—in Madhya Pradesh, in Gujarat and in Maharashtra.

In Gujarat, a total of 4500 families are to be affected by the construction of the Project of which 301 families are likely to be affected by temporary floods in the current year.

Only 56 families will be affected in the monsoon by permanent bondage—by construction of the dam.

In Maharashtra, an estimated total of 2,731 families are likely to be affected by the construction of the project out of which only 28 families are likely to be affected by permanent bondage in monsoon and about 500 families by temporary floods. As against this, a total of 469 families have been resettled in Gujarat by allotment of agricultural land. House-plots have been given to 301 families.

In Madhya Pradesh, a total of 33,014 families are estimated to be affected by construction of the project. There is no submergence up to the current year. The State has, however, rehabilitate 606 families by allotment of land out of which 371 families have already been allotted house-plots.

The environmental safeguards have been taken as suggested by the Morse Committee. As a matter of fact, the benchmarks that were fixed by the Morse Committee were fulfilled to the expectation of the World Bank which are funding it. They, in their report, had stated that various State Governments have done a good job. They were satisfied with the job that was done in pursuance of Morse Commission's observations by the various State Governments.

But looking to the controversy that was raging about the project in the country and outside the country in various parts of the world, we decided not to utilise the remaining parts of the World Bank assistance in this matter. We decided to fund it ourselves through our resources. Our own resources will be utilised. Central Government's resources and the State Government's resources will be utilised. We will certainly discuss with the States—in the Narmada Review Committee meeting—the percentage of the responsibilities that will be given to each State and what Central Government will do in this respect.

The question of review has been raised. According to the Tribunal's decision, no review in terms of the Inter-State Water Dispute Act can take place before 45 years. But when the Narmada Bachao Andolan people wanted to discuss all these matters with us, we said there was no problem in discussing this. We can review all the things that you want to raise here but not in terms of the law. But for a review, we can sit and give all the papers, all the documents, all the maps and everything. There is nothing in this thing which is classified as 'confidential' or 'secret'. Therefore, you please come to us. We gave all the papers and all the information they

needed. We discussed the whole thing very widely for two days. After that, it was decided to continue this matter so that such questions, which arise from time to time, are settled properly. It was decided by the unanimous consent of all those people who were present in this two-day meeting that five-member group should be set up. It has now been set up with Dr. Jayant Patil, Member, Planning Commission as Convenor and other eminent people in this Committee. They have held one meeting. The next meeting will be attended by Narmada Bachao Andolan representatives. We are sure that this exchange of views will certainly benefit the project-affected persons and environmental issues and other issues connected with this.

We cannot and will not do anything to change the award. The award has a legal binding. As I said earlier that day when this matter was first raised in the House, it can be changed only by the consent of the four party-States. If even one of the States objects to any change, the change cannot be made.

SHRI ATAL BIHARI VAJPAYEE (Lucknow) : What about the Central Government ?

SHRI VIDYACHARAN SHUKLA : Central Government also cannot make any changes without agreement of the party-States.

14.00 hrs.

When the discussions were started, we had made it clear to them that this discussion does not mean reconstruction of the project; the project will go on as it is; we are not going to stop the work on the project; we are not going to reconsider any matter. But we want to discuss this matter.

[Translation]

SHRI ATAL BIHARI VAJPAYEE : (Interruptions) Regarding talks with the agitators, Shri Shukla is saying something

in this House and something else outside the House. That is why he is finding himself in difficulty.

SHRI VIDYACHARAN SHUKLA : The hon. Netaji stands up without hearing me fully and starts speaking. Please listen to me first. If you ask me something, I will be answering that. I had stated in the beginning that the legal position is that we cannot make any change in it at all. If they want to talk on environment and rehabilitation and if they want to have some information or want to go through any document, we are ready to furnish the same. The legal position should be understood. This is not a review. We will sit together and discuss the matter. This was the basis of our discussion with them. I am stating what we have talked. There is no discrepancy at all in it. They were kind enough to decide the issue by holding a dialogue with us. I think Shri Vajpayee and other hon. Members will to agree that instead of starting various kinds of agitations in jungles and hills, we should hold a dialogue with a person who is knowledgeable and whose impartiality and integrity is unquestionable and should present all kinds of problems before him and after understanding the difficulties regarding the Narmada Tribunal Award, efforts should be made to make him understand these difficulties. Efforts have been made to remove the hurdles so that the dialogue continued smoothly. The Government of Gujarat and the representatives of the people there apprehended that something will be done against the interest of the State. Again, I would like to clarify that the interest of Gujarat will not be harmed at all, nor will the interests of Maharashtra, Madhya Pradesh or Rajasthan be affected. Any change in the Tribunal Award is possible only when the Government of India and the State Governments all agree to that change, otherwise not. The activists of the Narmada Bachao Andolan understand this and have come to discuss with us only after understanding it well. This group has already held a meeting and the next meeting has been convened on the 14th August regarding which the Narmada Bachao Andolan activists have stated that they will come and

resume the dialogue. The discussion should be held in such a manner that the issues concerning the rehabilitation of the people and protection of environment are solved. We should not reduce any thing provides benefits to the States. Our efforts are that in the present situation the discussion may continue and the improvement may be made where the common grounds exist. Shri George Fernandes had asked about the height of the dam. It is linked with the Narmada Tribunal Award. If all the States are not ready for any change, neither the Central Government nor the State Governments can do anything. The activists of the Narmada Bachao Andolan have studied the Moth Committee Report thoroughly and they have studied the Inter State River Dispute Law also and they are discussing the things after understanding them properly. Their object is that the people of India should suffer minimally and environment should be protected and displaced persons should be rehabilitated. They want that minimum land should come under water. During the discussion, we will try our best to reach at a consensus on as many issues as possible. Action can be taken under the law on the points that are agreed upon between the Centre and the four States. Otherwise, we will go on persuading each other as far as possible to reach at certain consensus. Therefore, I hope that the process of peaceful dialogue which they already started instead of agitations in forests and hills attracts the cooperation of all the hon. Members to resolve the issue.

[English]

MR. SPEAKER : The House will now adjourn for Lunch to reassemble at 15.05 hours.

14.06 hrs.

The Lok Sabha then adjourned for Lunch till Five minutes past Fifteen of the Clock.