

India's Sardar Sarovar Project (SSP)

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Introduction

During the 1980s, my major river basin fieldwork aside from Kariba concerned India's Sardar Sarovar (SSP) and China's Three Gorges Projects. Along with the binational Lesotho Highlands Water Project where I began annual visits in 1989, and the Accelerated Mahaweli Project, these projects are among the largest undergoing construction during the initial years of the 21st century. As with the Aswan High Dam, my assessment will emphasize resettlement aspects, but with one major difference. In the High Dam case, a credible and relatively successful resettlement process was completed. In the Sardar Sarovar case, the refusal of the project authorities at the central and state levels to plan and execute even a minimal resettlement program has become the main constraint to project implementation as well as the focal point at the national and international levels for a globally relevant dialogue on opposing development paradigms.

As initially planned the key feature of SSP was to be a 138 meter high dam across the Narmada River in eastern Gujarat that is to provide irrigation water for 1.8 million hectares and have hydropower installed capacity of 1,450 megawatts. How what the Indians refer to as Resettlement and Rehabilitation ¹ was to be carried out was stipulated by the 1979 report of the Narmada Water Disputes Tribunal (the Tribunal). Because the project authorities have ignored the Tribunal's provisions from the start, opposition began to build up in the early and mid 1980s. Several NGOs were involved. Initially their main concern was to improve the resettlement process according to the Tribunal and the guidelines of the World Bank. As it became increasingly clear that the political will to undertake a credible resettlement program not only was absent, but that the project authorities were willing to use the police to harass project affected people, the activities of all but one of the major NGOs shifted to opposition in the second half of the 1980s. Since then opposition has strengthened.

As the World Bank's principal SSP resettlement consultant during the 1980s, I noticed a fundamental shift in the attitudes of affected people between 1985 and 1989. While seeing their removal as involuntary, in 1985 many were at least willing to consider relocation. By 1989, the resettlement activities of the project authorities had deteriorated to the extent that the majority were now anti-dam. While it is true that the NGOs, and especially the Narmada Bachao Andolan (NBA), had played a major role informing villagers of the major threats to their existence, and in organizing their opposition to those threats, their opposition was and is justified as this chapter will demonstrate.

¹ As throughout the text my use of the term 'resettlement' by itself refers to 'resettlement with development.'

In January 1995, because of the demonstrated inadequacy of resettlement, India's Supreme Court required construction to stop at 80 meters. Under pressure from the strong political and economic forces behind the dam, and the development paradigm that it represented, the Supreme Court gave an interim order in February 1999 allowing the dam's height to be increased to 85 meters.

On October 18, 2000 the Court by a two to one majority gave an order mandating construction to go forward in stages to the dam's full height of 138 meters in spite of further deterioration of resettlement implementation contrary to the requirements of the Tribunal, various state resolutions, the High Court of Gujarat, and the Supreme Court itself. So prejudicial, biased in regard to development options, and ill-informed² was the order of the majority, that the third justice disassociated himself from it – "I have read the judgment proposed...I regret my inability to agree therewith." Opposition immediately followed from all levels of Indian society including former judges in India's judicial system, former national and state ministers and civil service secretaries, and prominent religious, human rights and social leaders, and, of course, from affected people and NGOs.

While its resettlement requirements, such as resettlement and rehabilitation six months before inundation, continued to be ignored by the project authorities, the main response of the Supreme Court during 2001 was to issue contempt notices to the most prominent opposition leaders when they questioned the Court's decision. Again outrage was expressed by different levels of Indian society as well as by such prominent outsiders as author Salman Rushdie who asked in a August 7, 2001 New York Times article "Can it be that the Supreme Court of the world's largest democracy will reveal itself to be biased against free speech and be prepared to act the bidding of a powerful interest group – a coalition of political and financial interests behind the Narmada Dam?"

In September 2001 the Government of Maharashtra agreed under pressure to set up a Joint Task Force on resettlement with NBA and other nongovernmental members. The Task Force's 2002 report concluded that resettlement was incomplete with 3,100 families yet to be physically relocated as required, while rehabilitation was incomplete for the 500 families that had moved. Yet in May 2002 the dam was further heightened to 95 meters. Rising waters during the July-September monsoon devastated crops and houses in still to be resettled villages. Further ignoring noncompliance with its requirements, in September 2002 the Supreme Court closed the door to further legal challenges by dismissing, without reviewing the issues, a NBA case challenging the legality of raising the height of the dam beyond 90 meters. The following May 2003, further heightening to 100 meters was approved. The 2003 monsoon began with heavy rains in July with flooding worsened when water was released from the upriver Tawa Dam. By the end of August, over 12,000

² In support of this statement, see L.C. Jain's 2001 96 page *Dam vs. Drinking Water – Exploring the Narmada Judgement*. A former member of India's Planning Commission and High Commissioner to South Africa, Jain was appointed by the Government of India in 1993 as a member the independent Five Member Group for assessing controversial SSP issues. While Indian High Commissioner in South Africa, he joined the World Commission on Dams in 1998 as Vice-Chair.

yet to be resettled families had been adversely affected by flooding. 3,000 of those families lived in Maharashtra's 33 affected villages; 10,000 families lived in over 80 villages in Madhya Pradesh.

Throughout the 2000-2003 period, the project authorities made promises to carry out their legally required R & R responsibilities only after fasting threatened the lives of protestors, including Medha Patkar in both 2002 and 2003, or after visits by prominent persons. Once fasts ended and visitors left promises were either ignored or dealt with in a token fashion. In the meanwhile, police in both Maharashtra and Madhya Pradesh continued to abuse village and NGO protestors while the three governments continued to deny benefits to categories of people covered by the Tribunal. The situation reported from Chimalkhedhi Village in Maharashtra illustrates the unacceptable behavior of government personnel including the police. During the 2003 monsoon, the village became an island surrounded by floodwater. Since houses and some fields had not been inundated, the villagers were denied resettlement benefits. Fearing bad publicity if some drowned, the police arrested and removed 74 people and had some of their houses destroyed while they were absent.³ Across the Narmada in Madhya Pradesh, the Government, claiming no land was available, continued to pressure villagers to accept cash compensation in violation of both the terms of the Tribunal and the Supreme Court.

If constructed to 138 meters, the Sardar Sarovar Project can be expected to require the relocation of the highest number of people involuntarily moved from a single project outside of China. Government assessment of the number involved is incomplete since only very rough estimates exist for the numbers who will be affected during the construction of the 460 kilometer main canal and associated irrigation distribution system. As for tenants and laborers displaced from the thousands of hectares purchased for resettlement purposes, villages displaced to make way for the construction community at the dam site, downstream fishers who would lose livelihood, people displaced from compensatory afforestation and forests released for resettlement purposes, no accurate figures exist. Totalling up all of those whose displacement may be project induced, some estimates are well over 500,000 while others range between 200,000 and 500,000.

India's record with development-induced resettlement I consider to be the worse of any democratically elected government. Not counting those forced to move because of irrigation infrastructure, which Parasuraman estimates might exceed ten million people (1999: 50), Indian researchers Fernandes and Raj (1992) estimate that the total moved in India because of dams and other infrastructure projects, mines and industries falls between 18.5 and 30 million. Estimates of those moved because of dams alone exceed 10 million.⁴ In his 1999 *The Development Dilemma: Displacement in India*, Parasuraman states that "the resettlement and rehabilitation of displaced people remains

³ See for example Lyla Bavdam's "Sardar Sarovar Dam – Woes of the Displaced", *Frontline*, Vol 20, Issue 18 (August 30-Sept 12, 2003).

⁴ This is a very conservative estimate, especially if dam-related irrigation works are included – as they should be. According to Fernandes and Paranjpye 16 – 38 million people may have undergone forced relocation in India due to dam construction (1997: 17).

highly unsatisfactory. Fewer than 30 per cent of those displaced in the 1950s and 1960s have been resettled; the situation for people displaced after 1970 is no different ... Over 50 per cent of the people displaced by development projects are tribals, who account for 7.85 per cent of the total population of India” (1999: 50-51). In its Mid-Term Appraisal 2000, no less an authority than India’s Planning Commission states that approximately 40 percent of an estimated 25 million people displaced by development projects since 1950 are tribal people. Furthermore, “Less than 50% have been rehabilitated – the rest pauperized by the development process.”⁵

Even today there is no national resettlement policy in spite of the efforts of civil society, as well as some in government, to legislate one. Though policy statements and publications refer to “resettlement and rehabilitation” (or R & R), the planning, staffing and implementation emphasis is on “resettlement” by which the Indians mean physical removal and compensation of people as required by the construction timetable. In the SSP case – India’s largest river basin development project to date – the way resettlement is being carried out involves major human rights violations. This is a strong indictment that I believe the case history that follows will justify. Analysis of the situation throughout the 1980s is based largely on my own field notes and records from four visits to India. Thereafter I have used the extensive literature that has been focused on the SSP as well as ongoing correspondence and conversations with participants in the SSP saga.

The irony of the situation is that the Indian project authorities had the capacity to carry out their resettlement responsibilities. In the case of Gujarat, for example, the Financial Adviser within the Narmada Planning Group advocated an acceptable approach to resettlement, while the Centre for Social Studies in Surat had completed “benchmark” studies in the early 1980s of the 19 Gujarat villages requiring resettlement and was subsequently contracted to monitor implementation. A local NGO, ARCH-Vahini, was willing to work with the government in finding land for resettlement purposes. As for those NGOs and civil society leaders like Medha Patkar who are opposed to the dam, in the mid-1980s they would have accepted what could have been a state-of-the-art R & R program (and a model for future dams in India). Their opposition to the dam developed as it became clear that the responsible agencies had no intention of implementing such a program and as their conviction grew that the project was neither viable nor justifiable.⁶

⁵ As quoted by Jain (2001: 3) from the 2000 Planning Commission report.

⁶ ARCH- Vahini (Action Research in Community Health and Development) and Narmada Bachao Andolan (NBA – Movement to Save the Narmada) became the two major NGOs involved in the SSP. ARCH-Vahini was founded in the late 1970s to facilitate medical and social welfare in poor, and largely tribal, communities in Eastern Gujarat. When construction work was initiated at the dam site in 1980, Arch-Vahini staff, already working in affected villages, became increasingly active in working with villagers and the Government of Gujarat to implement resettlement and rehabilitation policies. NBA was founded in 1989 after a number of other NGOs declared their opposition to SSP in August 1988 and is a coalition of partners working throughout the project area. While both organization are staffed with dedicated workers, ARCH – Vahini tends to be associated with the name of Anil Patel while the NBA is associated with those of Medha Patkar and, more recently, Arundati Roy.

There was also willingness at the national level to move forward with a national policy. The Director (Tribal Development) in the Ministry of Home Affairs had been advocating a national resettlement policy for tribal people for years, while India's Council for Social Development contained perhaps the largest number of social scientists with resettlement experience of any country in the world. And while land was scarce in all three states for resettling households as social units of their own choice,⁷ as required by India's Narmada Water Disputes Tribunal, land lords were willing to sell thousands of hectares to resettlers. There were also legal mechanisms – unutilized by the states – such as the Land Ceiling Act, the Land Reform Act, and the 1984 amendment to the 1894 Land Acquisition Act which sanctioned land acquisition for resettlement purposes and which could have facilitated policy implementation. For tribal people there were Tribal Sub-plan areas as well as latitude under the Forest Conservation Act of 1980 for the tribal wings of state departments of forests to involve tribal people in the reclamation of forest areas through community forestry.

In summary, if the project authorities had been willing from the mid-1980s to implement the minimum requirements of the World Bank's guidelines on involuntary resettlement and on tribal people and follow the requirements of their own Narmada Water Disputes Tribunal which stipulated the way in which Narmada basin development was to proceed, quite possibly a 138 meter high dam would have been completed during the 1990s. In that event estimated expenses exceeding one billion dollars (Blok and Haas 2003) due to opposition-caused delays could have been avoided.

The Narmada River Basin and the Sardar Sarovar Project (SSP)

The Narmada River Basin

The largest river in western India, the Narmada is the fifth largest in the subcontinent. It rises in the Western Ghats, and flows from east to west through a relatively narrow valley, averaging about 100 kilometers in width, 1300 kilometers to the Gulf of Cambay. En route it receives water from 19 major tributaries, while draining a catchment of 98,800 square kilometers in the states of Madhya Pradesh (87 percent), Maharashtra (2 percent), and Gujarat (11 percent).⁸ Annual flow averages 45,000 million cubic meters, with over 90 percent of runoff during the four-month (June-September) monsoon season. Estimated at 100 million, the basin population is predominantly rural with only a few major towns and market centers sited on the river itself.

The dam site is approximately 95 kilometers from the coast and is located on the eastern fringe of a north-south range of hills that mark Gujarat's border with the other two states. In the proposed SSP reservoir basin, an estimated 60 percent of the population, and close

⁷ Such as nuclear and extended families, lineages and other kin-based units, castes and sub-castes, and entire villages or village sections.

⁸ Topographical information based largely on an undated World Bank Annex 1 titled "Planning the Sardar Sarovar Project," pp. 15-17.

to 100 percent in Gujarat and Maharashtra, is composed of various tribal sub-groups that live close to the common border. All have been influenced to varying degrees over the centuries by Hindu civilization, though distinctive cultural patterns remain. Further upriver, Hindu peasants, farming the fertile middle plains of the basin, replace the tribal people of the hills.

Throughout agriculture is dominated by food crops for local consumption and sale. Rainfed agriculture, livestock management, and foraging, complemented by flood recession agriculture and fishing along the Narmada, are the main village activities in the tribal areas. Upriver in Madhya Pradesh, wealthier peasants irrigate their fields from wells and by pumping water from the Narmada. Crops are marketed locally with Badwani (35,000 in the mid-1980s) being the largest affected town. Within the peasant villages “class and caste divisions are even more pronounced in the Narmada valley than they are in the rest of the country” (Paranjpye 1990: 8), perhaps due to the middle Narmada basin being relatively isolated from the rest of India.

Conflicting Visions over Water Resource Utilization

By the end of the 20th century, the Narmada River has become a symbol for two cultures in conflict that advocate very different futures for the Indian sub-continent. The first supports a free flowing river without dams, with living standards to be raised by a wide range of community-based initiatives with central and state government and NGO assistance. The second, believing the flow of monsoon rains into the Arabian Sea to be a waste, takes the large project approach. It advocates the most ambitious program of river basin development in Indian history and perhaps in the world. Arising relatively recently, the conflict between these two visions has become a major national issue, with international implications, that has involved the Supreme Court of India as well as the current President and various Prime Ministers.

These conflicting visions for the Narmada’s future arose only recently because of the earlier inability of the three states to agree on how the Narmada’s water resources should be divided between them. As in other river basins throughout India, ambitious development plans had been drawn up in the 1950s and 1960s. Having failed in previous attempts to adjudicate an agreement between the states, the Government of India appointed a “Narmada Water Disputes Tribunal” (the Tribunal) in the late 1960s.

Illustrating the complexities involved, it took the Tribunal over ten years to produce a final report in 1979 that was acceptable to the three states, plus Rajasthan which was to benefit from receipt of irrigation water. Not only did the Tribunal’s Report allocate benefits and financial costs for SSP between the four states, but it also detailed the conditions under which resettlement from the reservoir basin was to be carried out. Gujarat as the main beneficiary would be responsible for all resettlement costs as was the case with Egypt in connection with the Aswan High Dam. The report’s provisions were to be legally binding on the four states for a forty-five year period.

Though plans for commencing SSP were finalized by the mid-1980s, increasing research on, and awareness of, the adverse effects of large dams on ecosystems and dependent people had led to a much-strengthened anti-dam movement which quickly labeled the SSP as one of the five most disastrous in the world.

The Narmada as a Free Flowing River

A strong cultural ethos overlies the entire basin that dates back for centuries (Paranjpye 1990: Chapter 1). Within the Hindu religion, the Narmada is considered India's most sacred river. While the Ganges is "regarded as the head and hands of the country", the Narmada "is its heart and soul" (Paranjpye 1990: 1). While bathing in the Ganges is believed to remove all sins, the mere sight of the Narmada is considered sufficient. Such myths in the Narmada case take on reality in the country's holiest pilgrimage route whereby pilgrims, refraining from sex and living off the land, are supposed to take three years, three months and three days to circle the length of the river. During that time "the pilgrim traces the progress of the material and spiritual history of mankind, beginning with the remains of pre and proto civilizations with their simple, animistic, faiths, the worship of nature and all the elements, to the gradual development towards more settled and complex cultures, and finally, into the realms of recorded history" (*ibid*).

The site for the SSP dam is located where the Narmada breaks through the final set of hills before flowing out onto the coastal plain. In that area, the pilgrim would pass through tribal villages in which the river, its banks and the adjacent forest zone support a diversified production system similar to that along the Zambezi and the lower Mahaweli. Further upriver, near Badwani and still within the SSP reservoir basin, the narrow but fertile alluvial floodplains support over a hundred peasant villages.

The Narmada as Developed by a Cascade of Large Dams

Narmada Basin Development

The scale of the Narmada Basin development program, as well as of the SSP component, is mind-boggling. Addressing the basin as a whole, the Tribunal's report allowed planning to proceed for a cascade of dams on the main stream and on major tributaries. Located furthest downstream, SSP was to be the only one on the main stem of the Narmada in Gujarat, the rest being in Madhya Pradesh. By 1983 plans had been formulated for 30 large dams of which four were to be multipurpose, five for hydropower and 21 for irrigation. 125 medium irrigation projects were also intended along with thousands of small-scale schemes. Trans basin transfers would be involved both in Gujarat, and in the uppermost Narmada basin, in Madhya Pradesh. Including benefits attributed to SSP, hectares to be brought under irrigation could reach five million. In that event approximately 1.5 million farm families would benefit, with the majority in Madhya Pradesh. The intended installed capacity of hydropower was 2,700 MW. Corresponding to the period of effectiveness of the Tribunal's report, implementation of the entire program would take 45 years at a financial cost of \$15 billion.

The SSP Component

If implemented as planned, SSP would create, as a single unit of 1.9 million hectares, the largest irrigation project in the world. An estimated 600,000 farm families would be direct beneficiaries. As planned, the dam would be 138 meters high. Water would be funneled into a river-sized main canal, with a head capacity of 1,130 cubic meters per second that would extend 460 kilometers in a north-westerly direction to Rajasthan where, it is claimed, 100,000 farm families would receive irrigation water. 31 branch canals would supply water to locations along the way. The longest (300km) would extend into the semi-arid and drought-prone Rann of Kutch, while the next longest – the 103 km long Saurashtra Canal – was planned to irrigate over 500,000 hectares in one of Gujarat's poorest areas. Though primarily for irrigation, the conveyance system would serve other purposes as well, including water delivery for domestic use to thousands of water-scarce villages and to the urban industrial sector.⁹

As a multipurpose project, SSP would also have an installed generating capacity of 1,450 MW. While the irrigation benefit would go mostly to Gujarat with a relatively small proportion to Rajasthan, over 50 percent of the electricity generated would go to Madhya Pradesh, 16 percent to Gujarat and the remainder to Maharashtra. The construction phase for the dam and power complex was intended to take 8 years, the completion of the main canal 13 years and the completion of the irrigation system 20 years. Total cost in 1983 U.S.dollars was set at 6.3 billion. Nearly one billion dollars of those costs would be for the dam and the power complex, with an additional \$238 million for the transmission system. The main canal's construction was estimated to cost \$1.381 billion and the distribution and drainage system \$2.15 billion. As stipulated by the Tribunal, \$5.2 billion of total costs would be the responsibility of Gujarat, with Madhya Pradesh's share being \$536 million, Maharashtra's \$320 million and Rajasthan's \$198 million. Resettlement costs would be borne entirely by Gujarat.

The institutional structure for the SSP was dominated by senior engineers drawn largely from the irrigation sector of the economy. It involved the Government of India (GOI) as well as agencies in the four states. At the center, based in New Delhi, was the Narmada Control Authority (NCA). In spite of efforts to broaden its membership, members in the 1980s were all engineers who were appointed to represent the four states and GOI. With the states insisting that project monitoring was their responsibility, the NCA's main responsibilities were to ensure compliance with the Tribunal's stipulations and to play a coordinating role in basin development.

The Narmada Control Authority was complemented by two committees. One was the SSP Construction Advisory Committee which was chaired by GOI's Secretary of Water

⁹ Not only is it important to keep in mind that the above figures relate to plans, but it is also important to ask what proportion of drought-prone areas will benefit if they are implemented. Jain quotes sources that cultivable areas left out of the SSP command area include 98 percent of Kutch, 91 percent of Saurashtra, and 82 percent of North Gujarat (2001: 39). It is also important to ask what constraints financing the SSP's irrigation component will place on funding other options for providing water in areas left out.

Resources, and included representatives from the four states. The other was a Review Committee chaired by GOI's Minister of Water Resources with the Chief Ministers of the four states as members. Its main responsibility was to oversee the Narmada Control Authority, including the right to overturn NCA decisions.

At the state level, departments of irrigation were to be the major implementing agencies. In Gujarat, as the major beneficiary, a second department – the Narmada Development Department – was spun off from the Department of Irrigation to deal with the SSP. An inter-ministerial committee (The Narmada High Power Committee), chaired by the Chief Minister, was established to provide guidance. For planning purposes a Narmada Planning Group, chaired by the Minister of Irrigation, had been setup in 1981 at the request of the World Bank. In 1988 a parastatal organization, Sardar Sarovar Narmada Nigam Ltd (Nigam), to which Narmada Development Department staff were transferred, was established to undertake the necessary construction and resettlement planning and implementation activities. Under Nigam, project acceleration -- as in the Mahaweli case - - was also intended from “17/22 years to 10/12 years” (Nigam 1989: 1). Improved coordination was expected by including officials from the other states as directors. Madhya Pradesh established a somewhat similar over-arching organization – the Narmada Valley Development Authority. Dealing with a smaller number of resettling villages, Maharashtra has continued to rely on its existing government organization.

Numbers of People Affected at the Dam Site and in the Reservoir Basin

Though Gujarat was to receive the major benefits from the SSP, approximately 70 percent of resettlers lived in 193 villages in Madhya Pradesh, of which at least 36 would be totally inundated. The number of affected villages in Maharashtra was 36 and in Gujarat 19. Starting with the Award of the Tribunal in 1979, the number of affected households has been consistently underestimated. Even today, what figures are available cannot be trusted. According to the Tribunal, the estimated number of resettler families in Madhya Pradesh and Maharashtra was 6, 603. Though no figures were provided for Gujarat, a 1983 state government estimate based on the 1981 census was 1,900 families for a total of perhaps 8,500 families in 1979. Figures reported to me in 1983 were 10, 758 families of which 7,500 was the Madhya Pradesh estimate versus 1,900 from Gujarat (the same 1983 one) and 1,358 from Maharashtra (Scudder 1983: 28, Table 1). Of that number, perhaps 23 percent were landless in Gujarat, 30 percent in Maharashtra, and 47 percent in Madhya Pradesh. All 55 villages in Gujarat and Maharashtra were tribal. In Madhya Pradesh the tribal population was estimated at 40 percent, with peasant villages replacing tribal ones in the upper portion of the SSP reservoir basin.

I pointed out in my 1983 report to the World Bank that those figures underestimated the total number of families who would eventually have to move since they did not consider additions from population increase and because governments invariably underestimate resettlement requirements. In 1992, the Independent Review instituted and funded by the World Bank following widespread and consistent protests, estimated that the total number of families to be resettled from Madhya Pradesh and Maharashtra exceeded 25,000. Since they constituted approximately 85 percent of the total estimated population

to be relocated, approximately 30,000 families would be involved if all three resettlement phases were carried out. The current estimate is 41,000 families!

As for the total number of individuals, that depends on one's estimate for family size. Figures provided me in 1983 were approximately 5.5 members per family in Gujarat, 6 in Madhya Pradesh and 8.5 in Maharashtra! At the lower figure the total number of individuals requiring resettlement would be 225,500. Since the large majority have yet to move, population increase at an annual rate of 2.5 percent in the mid-1980s but lower now would have to be added to the total.

For assessing the impact of the SSP as a whole, it would also be necessary to add those requiring resettlement in connection with the construction of the main canal, the distribution system, and the other categories of displaced mentioned earlier. According to a careful and conservative analysis by the Independent Commission, for the canal system alone 1,100 land owners would lose all of their land while between 5,000 and 6,000 would be left with less than one hectare – well below the two hectares considered necessary for meeting a family's basic needs. When tenants and landless laborers dependent on land sold by absentee landlords and others for resettlement purposes and other categories of displaced are added on, plus those forced off new sanctuaries created to compensate for forest land lost in the reservoir basin, those displaced, as opposed to the even larger numbers who would be adversely affected through some loss of livelihood, could exceed 500,000.

World Bank Involvement

Introduction

The Independent Review concluded that the World Bank was willing to disregard its resettlement and environment policies in order to “get on” with the SSP which was seen as a crucial means for increasing India's ability to feed its population and to provide essential water (Morse et al.1992: 354). In fairness to Bank staff, however, it is important to emphasize that unlike the Bank's senior officials and the majority on the Bank's Board of Directors, Bank officials who accompanied me on three post appraisal missions during the 1983 - 1985 period were committed to implementation of the World Bank's guidelines on resettlement and tribal people and of the provisions of the Tribunal. That was especially the case with Chris Diewald, Carlos Escudero, and Gerry Faust each of whom was involved in at least two of those visits as well as in ongoing efforts to bring the SSP authorities into compliance.

1961-1985

The 1961 date corresponds with the beginning of involvement by the World Bank group in Gujarat's irrigation development. By the early 1980s Bank loans were financing at least four-fifths of Gujarat's annual irrigation investment aside from Narmada development (World Bank 1984: 4). First Narmada involvement was a 1978 reconnaissance mission. Fielded shortly after the Tribunal had crafted an acceptable

consensus, the purpose of the reconnaissance mission was “to review basin development plans and to determine an appropriate means for Bank involvement” (*ibid*: 5). The SSP was selected as a possible Bank project and project appraisal followed without, however, assessment of environmental and resettlement issues. To help Indian officials formulate an acceptable resettlement plan before negotiations I was recruited as the Bank’s principal SSP resettlement consultant in September 1983 to join a post-appraisal mission. Focused entirely on resettlement, I joined a second post appraisal mission the following year in November and then participated in negotiations in Washington at the end of the month. In 1985 I joined a “pre-effectiveness” mission in October the purpose of which was to warn the Indian authorities that their failure to address various resettlement issues could jeopardize final loan approval at the end of that year or in early 1986. In spite of our doubts that the necessary issues would be approved by then, the loan was declared effective by the World Bank on January 6, 1986.

That ineffective “last minute” scheduling points up the willingness of the Bank from the start to proceed with the SSP even though the required resettlement plan did not exist. Instead it was agreed that the responsible Indian agencies would provide a detailed rolling plan on an annual basis that would divide resettlement into a number of phases (three were mentioned in the 1980s) linked to the construction schedule. Implementation would be monitored by independent research institutions appointed by each state so that the Bank could take action if results were out of compliance with Bank guidelines. In May 1985 the project agreement was signed by the Bank, the Government of India and the three States for a loan of \$450 million.

Throughout the appraisal and negotiating process, the Bank’s interest was primarily focused on the SSP’s irrigation potential. Irrigation was stressed because of Gujarat’s history of drought and famine, because realizing the benefits of the ‘green revolution’ required a reliable water supply, and because the Bank estimated that three fourths of India’s increase in agricultural productivity between 1960 and 1980 came from irrigation. Irrigation was also seen as the best way for attempting to absorb the increasing labor force in Gujarat’s still predominantly rural population. Large dams were considered appropriate to store monsoon flows in an environment where shallow reservoirs could dry up during drought years and to produce sufficient water to reach an increasing proportion of an arable area where 80 percent of the land continued to support uncertain rain-fed agriculture and where incomes of many farmers had fallen during the 1970s.

Disappointed by the results of earlier irrigation projects which frequently were not completed and which failed to provide farmers with timely and sufficient irrigation, the Bank’s emphasis increasingly dealt with the rehabilitation of existing schemes as well as introducing Gujarat’s (and India’s) irrigation institutions to state-of-the art planning, irrigation technology and operational procedures. As a new project, SSP was seen as the opportunity par excellence to demonstrate the effectiveness of such procedures. Influenced by World Bank assistance, drainage systems were to be built, for example, at the same time as the fully lined distribution system, while conjunctive use of surface and ground water would not only increase irrigation flows but reduce problems of water logging and salinity that might otherwise occur in areas known to be problem-prone.

And, without question, there was also the appeal of getting in on the ground floor not just in the development of a major ‘undeveloped’ river but also of getting in on “the largest Indian irrigation project ever planned and implemented as one unit” (*ibid*).”

The May 10, 1985 Agreement dealt in detail with resettlement issues, with all three states and the Government of India agreeing to adhere to implement a carefully monitored resettlement program in compliance with the requirements of the Tribunal and the World Bank guidelines on involuntary resettlement and tribal people. More specifically, Gujarat was obligated to appoint by November a senior member of the Indian Administrative Service, with appropriate experience, to head up a strengthened Resettlement and Rehabilitation (R & R) Wing within the Narmada Development Department. Required also was forming a committee including social science researchers and resettler interest groups and other NGOs to provide the Resettlement and Rehabilitation Wing with advice on resettlement implementation. Applicable to the other two states as well, a qualified research institution was to be appointed to undertake R & R monitoring and evaluation over the next ten years.

1985 - March 1993

Within several months after signing of the May 1985 agreement it was clear that none of the Indian parties were taking their resettlement responsibilities seriously. When I returned to India that September for a third visit to assess implementation of the phase one resettlement plan, I was joined by Professor L .K. Mahapatra. Over a 16-day period we visited 10 resettlement sites. In my section of our report, I stated “emphatically that the R & R activities of the NDD since May 10, 1985 are not in compliance with the agreement signed between the Government of India and the World Bank” (1985: 3). I noted that little attention had been paid to recommendations for restoring living standards, while the approach of the Narmada Development Department was “more of an adversary approach than a facilitating approach.”

In spite of critical reports during subsequent Bank supervisory missions between 1986 and 1988, as well as reports from the independent monitors, the Bank’s response to this unacceptable situation was merely to postpone deadlines for taking necessary actions while continuing to make disbursements from its \$450 million loan. As the resettlement situation continued to deteriorate, complaints from resettlers, local NGOs, and international organizations, including OXFAM in the United Kingdom and Environmental Defense in the United States, increased. In 1989 the World Bank asked me to make a return visit to India to assess ongoing resettlement planning and plan implementation. While my Bank colleagues felt that the resettlement situation showed improvement, I found that it had deteriorated to the extent that “the chances for successful implementation have decreased” to the point that I recommended that “World Bank disbursements for SSP should be stopped until government action acceptable to the Bank has been taken” (1989: 6). I then outlined, in the form of recommendations, nine issues that urgently needed attention. While chances for successful resettlement would be increased if they were dealt with satisfactorily, they could no longer be “ensured.” I

made a similar recommendation to the Bank's Board in 1990, adding that in the absence of timely compliance the Bank should cancel the remainder of its loan.¹⁰

Though I doubt that either of my 1989 and 1990 recommendations had any impact, the increasing volume of complaints forced the Bank to fund in 1991 an external review of the project. The first such evaluation sanctioned by the Bank, that became known as The Independent Review, was headed by two distinguished individuals. The Chair was Bradford Morse, former head of UNDP and a friend of the then World Bank president – both men having served together in the U.S. Congress. The Deputy Chair was Thomas Berger, a prominent and highly respected Canadian lawyer with an international reputation dealing with environmental, indigenous peoples and human rights issues.

Concluding that implementation of an acceptable resettlement was unlikely, the Independent Review's 363 page report was released in June 1992. In a June 18th letter to the Bank's new president, the chair and deputy chair wrote "we believe the situation is very serious. We have discovered fundamental failures in the implementation of the Sardar Sarovar Project. We think the Sardar Sarovar Projects as they stand are flawed, that resettlement and rehabilitation of all those displaced by the Projects is not possible under prevailing conditions ... Moreover we believe that the Bank shares responsibility with the borrower for the situation that has developed" (1992: xii). In asking how such a situation could arise, the Review concluded that "It is apparent that there has been, and continues to be, deep concern among Bank officers and staff that India should have the means to enhance agricultural production. The Sardar Sarovar Project was seen as offering enormous benefits, especially in terms of delivery of drinking water and irrigation. There developed an eagerness on the part of the Bank and India to get on with the job. Both, it seems, were prepared to ease, or even disregard, Bank policy and India's regulations and procedures dealing with resettlement and environmental protection in the hope of achieving the much-needed benefits" (353-4). That explanation raises a major concern; namely how important are dams with a large reservoir capacity for irrigated food production and employment generation in drought-prone areas.

Rejecting the Review's recommendation that the World Bank Group "step back" and consider the SSP "afresh," the Bank countered with a report in which it outlined procedures for continuing the project. Though a number of the Bank's directors agreed with the Review's "step back" recommendation, the majority voted in October 1992 to "give India five more months, until April 1, 1993, to comply with the terms of the loan" (Caufield 1996: 27). Unable to meet those, India and the Bank agreed to the loan's cancellation on March 31, 1993. Though interpretations differ as to the nature of the dialogue between the Bank and India, with the media reporting that the decision was India's, I suspect that Bank officials had advised their Indian colleagues to take that route to avoid further embarrassment. After all, the low interest loan had already been disbursed with interest rates on what remained not that different from those of commercial banks!

¹⁰ My meeting with the Board had been initiated by Environmental Defense's Lori Udall.

Resettlement

Introduction

To document the duplicity of SSP authorities at both the state and central levels it is necessary to analyze in detail the resettlement planning and implementation process over a forty year period. One issue is pulled out for separate analysis. That describes the lengths to which the Government of Gujarat went to discourage resettlers from Maharashtra and Madhya Pradesh from resettling within the SSP command area – an option that was required by the Tribunal to spread irrigation benefits beyond Gujarat.

Overview: Early 1961 - 2001

The 1960s

In April 1961 Prime Minister Nehru laid the foundation stone for the Sardar Sarovar Dam. Resettlement began that year with the eviction of villagers from what became the Kevardia construction community adjacent to the dam site even though the three states had yet to agree on how to share the Narmada's water resources. Kevardia was carefully designed for the benefit of those overseeing project implementation with little attention paid to how current residents might benefit or to the contribution that the construction colony might make to the future regional development of the surrounding area. As with others resettled before the May 1985 World Bank SSP agreement with the governments of India and the three states, all those involved were to receive, retroactively, the same benefits as those relocated after May 1985. In 1993, when the remainder of the World Bank SSP loan was cancelled, such benefits had yet to be received.

Depending on definitions, six to eight villages were displaced. Number of families involved is unknown. Based on the Land Acquisition Act of 1894, policies for acquiring land not only were restricted to cash compensation, but provided such compensation only to those with legal title to official revenue lands. That excluded those cultivating fields in government declared forests or wastelands regardless of how long such land had been under cultivation and regardless of whether or not it had been previously cultivated under customary tenure. Also excluded were all families and their heirs that had joint use under customary tenure arrangements of "legal" land that the government had listed under only one name. According to the two NGOs working in the area in the 1980s – ARCH-Vahini and the Rajpipla Social Services Society – such joint tenancies often involved three or more families whose welfare depended on continued use. Resettlement placed most at risk since government-recognized owners could now terminate the rights of the other families that had been recognized under customary law. Since some individuals did just that, this aspect of official resettlement policy not only increased resettler poverty, but also created enmity between father and sons, brothers, and other kin who formerly had worked together as joint users.

Informed by Gujarat officials that 165 revenue landholders and 120 landless families were displaced, the Independent Review estimated that 950 individuals would have undergone compulsory resettlement in the early 1960s. Landless families would have received no compensation even though their welfare might have depended on the sharecropping or loan of the more than 50 percent of village lands that were acquired by the project. As for those who received at least some compensation, what evidence is available – and there is no reliable counter evidence from government sources – is that it was insufficient to acquire equivalent lands. Though I did not have time to look into the situation in detail in the 1980s, what I did learn caused me to write in a notebook in 1984 that in general “those who received compensation were miserable and those who did not were even more miserable.” Nine years later the Independent Review noted that the government of Gujarat continued to ignore the plight of those involved (1992: 94).

The 1970s

As far as resettlement is concerned the main event of the 1970s was the release of the Tribunal’s Report in 1979. Though its provisions advanced India’s resettlement policy, they also had major limitations. The advances related primarily to families from Madhya Pradesh and Maharashtra who lost to the project 25 percent or more of the land to which they had legal title. So as to spread the irrigation benefits of the SSP more widely, each such family, as well as their major sons who were 18 years of age or older, had the option to resettle in Gujarat on two hectares of irrigable land within the SSP command area. That land-for-land requirement was a major advance on previous policies based primarily on cash compensation. Landless families had the same option of resettling within the SSP command area, although the only land they would be entitled to would be a house plot. Similar conditions were to apply if resettlers opted to remain in their home state. As with those going to Gujarat, the Tribunal also stipulated as a guiding principle that all resettlers should be moved in social units of their own choice, with new communities to be provided with potable water, roads, schools and other social infrastructure.

As for major weaknesses, resettlers from Gujarat were ignored as were those in Madhya Pradesh and Maharashtra who were landless or cultivators on government lands. Called ‘encroachers,’ the latter were considered as landless people even though they may have been cultivating the land involved for many years and though it may have been land over which they formerly had had customary tenure. Furthermore, even the best features of the Tribunal’s provisions might be relatively meaningless, since the global experience with resettlement suggested that the large majority of MP and Maharashtra resettlers would wish to remain within their home states. That proved to be the case in both states so long as people had an option. In Madhya Pradesh “86 percent of potential oustees [the Indian term for resettlers] stated a preference to relocate within 50 km of their current homes” (Scudder 1983: ii), with 54 percent preferring “resettlement within 20 kilometers of their village” (*op cit*: 29). In Maharashtra 26 of the 36 villages preferred local resettlement.

A year later the Government of Gujarat passed a resolution that provided similar benefits to legal owners of land in their own 19 villages with the exception that it was not

stipulated that the two hectares of irrigable land would be within the SSP command area. That omission provided project authorities with a loop hole that they subsequently used to avoid the two hectare requirement and the need to provide community infrastructure. Knowing that the villagers had a strong preference to relocate no further than 25 kilometers from their current homes so as to remain within village clusters that were linked together by marriage networks, the authorities offered land at a greater distance – 100 km in one case and 220 km in another. As stated in my 1983 report, “That such land was offered at all suggests, at best, insensitivity to the preferences of oustees and, at worst, a conscious attempt on the part of officials to intentionally reduce the number of oustees seeking rehabilitation in government provided centres (such centres not only require government to provide blocks of land, but they also require more time and finance to implement)” (page 36).

When resettlers refused to move to such distant lands among unfamiliar people, they were given cash compensation instead. Though some help was provided in finding land, with a few exceptions, insufficient land was acquired to allow people to resettle in social units of their choice. Moreover, cash compensation was based on the assessed value of the land rather than on its replacement value. In an inflationary land market, monies received were seldom sufficient for purchasing equivalent land. As for the landless and ‘encroachers,’ they were ignored under the 1979 resolution.

The 1980s

Overview

Following the release of the Tribunal’s Report, Gujarat started acquiring in 1981 more village land at the head of the main canal. Called the rock-filled dyke villages because their removal was to be followed by the construction of main canal holding reservoirs that were edged with massive rock perimeters, five villages were involved. The estimated number of families relocated during the 1980s ranged from 833 to 929 (Morse et al.1992: 95).

The World Bank’s SSP process of project identification and appraisal began in 1980. That was the same year that the Bank’s initial resettlement guidelines were published, followed by the 1982 “Statement on Tribal People in Bank-Financed Projects”. Both documents were largely ignored by World Bank officials until the end of the appraisal period in 1983. The discrepancy was finally identified by Michael Cernea, the Bank’s Sociology Adviser, who pointed out that Bank policy required the completion of “detailed resettlement planning” (World Bank 1980) during appraisal and before a loan could be negotiated. He suggested that I be recruited as soon as possible as a consultant to work with Indian officials in drawing up the necessary resettlement plan.

When hired in 1983 as the World Bank’s principle SSP resettlement consultant, I traveled to India with characteristic optimism and, as I realize now, naiveté. I assumed that I would be able to help Indian colleagues plan and implement a resettlement program that would meet the Bank’s guidelines. India, after all, was playing an active role in the Non-

Aligned Movement on behalf of the disadvantaged of the world. A country committed to socialism, it was also the country of Gandhi.

My first visit was during a 20 day period in September-October 1983 as part of what was called a “post-appraisal mission” in which previously neglected resettlement issues played a major part. I found Indian officials at both the central government and state levels very upset by the Bank’s sudden interest, at this late date (for loan negotiations were scheduled for the next year), in resettlement planning. Why, I was asked, was the Bank all of a sudden so interested in resettlement which, after all, was strictly an Indian issue and with which Indian officials had many years of experience that had never before been challenged by the Bank? “Of course”, I was told during a meeting with the Narmada Control Authority, “the Bank can review what the states intend to do and their plans for action. But at this stage criticism will not be appreciated” (field notes, page 35). As for the Bank’s resettlement guidelines, they represented an ideal situation that would have to be adapted to Indian conditions.

After my arrival it did not take long to learn that India’s record with development-induced involuntary resettlement was appallingly bad, a conclusion that I documented in detail in my 1983 report: “Without exception, knowledgeable experts outside of the implementing agencies were highly critical of the way in which the states had handled reservoir relocation since Independence... Report after report emphasizes that the benefits of dam construction go primarily to the urban industrial areas of India and to [irrigated] areas, while the costs are borne disproportionately by the oustees who only rarely resettle in command areas.” (Page 10).

In the paragraphs that follow, I refer to a few of the cases mentioned in that report (pp 10-17), with emphasis on those relating to tribal populations and to Gujarat. Believing that the situation has deteriorated over time, *State of India’s Environment* (Centre for Science and Environment: 1982) noted that dams are “a direct assault on the country’s tribal population” with resettlers in four analyzed cases “made refugees in their own land.” During a visit to the central government’s Department of Tribal Development of the Ministry of Home Affairs, the department head told me that “while the head works of some of these projects are situated in the tribal areas, the irrigation and power benefits are usually availed of in the low country where the tribal population is in a minority.”

In Gujarat, one author, who referred to five projects including SSP in the 1982 CSE volume, noted that “Even in rehabilitation it is the well-off class of the affected people who swallow the greater part of what is offered by way of the cost of rehabilitation. Whereas those who are quite poor and deprived are ruined” (SCE *op.cit.*: 12). Two other authors were especially critical of relocation of a predominantly tribal population carried out in connection with Gujarat’s Ukai Dam in the next river basin south of the Narmada. K. Mankodi (who subsequently led the Centre for Social Studies, Surat, team that Gujarat contracted in April 1985 to do resettlement monitoring) and T. Gangopadhyay did their Ukai assessment (1983) approximately ten years after the dam’s completion. Also noting how the benefits went to the downstream area, they wrote that “practically all the hardships have gone to... the upstream area” (page 34). Contributing to that hardship

was the failure of government to implement promised plans that included “wells, land improvement, bunding, and removal of tree stumps, and electricity ... Perhaps the most glaring example of betrayal of the oustees was the failure to successfully execute the promised lift irrigation schemes” (page 41) for those legal land owners who received replacement fields.

The situation was far worse for the landless as well as for families that lost their joint use rights to lands cultivated under customary tenure but recorded by government under only one name. “After being displaced,” the authors wrote, “there had been a massive increase in the numbers of the unemployed and demoralized” (page 48). Formerly able to support themselves within their communities, now thousands of resettlers, some accompanied by their entire family, were forced to spend months seeking low-paid work elsewhere. In some communities, the authors found “between one third and over three fourths of the huts closed and sometimes sealed” (*ibid*). Where children had accompanied their parents, their schooling suffered with one lower primary school having in attendance only 40 percent of those enrolled. In his 1983 General Report on the 19 Gujarat tribal villages, Joshi also refers to the plight of Ukai resettlers. Less than 20 percent were resettled and that was due more to the work of an NGO than government. For the rest “who were either landless laborers or jungle produce [collectors] or jungle land cultivators...nothing could be done.”

Based on such cases, I compared India’s record unfavorably with dam-induced resettlement in Africa and the Middle East as well as elsewhere in Asia. The problem was not lack of expertise. At the time India probably had more policy-relevant, but largely unused and unappreciated by government, resettlement expertise in its universities and research institutions than any country. Nor was it lack of capacity for planning and implementing poverty alleviation programs, as illustrated by a wide range of imaginative projects being carried out in different parts of the country by government agencies and NGOs. Rather it was lack of political will at the center and, in the SSP case, in the two key states of Gujarat and Madhya Pradesh.

In addition to my suspicion that political will was absent, in my 1983 report I identified seven reasons why the Indian record with reservoir resettlement was so poor. The first was the absence of a national resettlement policy. Inapplicability of the Land Acquisition Act of 1894 which was still being used without revision was another reason, while the third was reliance on cash compensation as opposed to a land-for-land policy. Fourth was resettlement of individual households rather than helping people move in social units of their own choice. Fifth and sixth were failure to use expertise and appropriate institutions that were available in India. Rather resettlement was planned and implemented at the state level by irrigation engineers and revenue department staff on secondment to irrigation departments. They had neither the necessary training nor experience to deal with appropriate rehabilitation and development, their main responsibility being to evacuate those involved with minimum fuss so as not to delay the construction time table. The seventh reason was “insufficient (indeed, virtually no) monitoring and evaluation of oustees following removal” (1983: i). To that list of seven reasons, lack of concern for

the public, and especially for the poor, and for tribal and low caste citizens, should be added as an eighth.

Because three separate states were involved, other serious problems included poor coordination and conflicting policies. The worst coordination and policy conflict related to the Tribunal requirement that resettlers from MP and Maharashtra had the option of resettling in Gujarat's SSP command area. Though only a minority was ready to accept that option, MP officials continued to assume that the large majority would so relocate if Gujarat made available the required land. In the meanwhile MP either ignored planning for the resettlement of those who choose to remain behind or, contrary to their agreement with the Bank and Tribunal provisions, told them that if they stayed they would have to resettle themselves, with government assistance restricted to cash compensation. While such statements presumably were intended to encourage people to move to Gujarat, officials there, as we shall see, delayed preparing the initial pilot sites for MP resettlers at Guttal and Maharashtra ones at Parveta. And when the first resettlers finally arrived they found conditions so poor that few were willing to follow them.

As for why political will was absent, I was hesitant at the time to attribute some of the blame to deeply seated prejudices against the lower castes and tribal people imbedded in the caste system. But such I now believe to be the case. There are NGOs in India who so strongly believe that active discrimination is involved that they wished to have the issue discussed at the 2001 UN Conference Against Racism, Racial Discrimination, Xenophobia and Related Intolerance. In my case, the depth of prejudice was brought home to me during a discussion with one of Gujarat's four chief engineers. At one point, with considerable perplexity, he asked me why I was so concerned about the welfare of Gujarat's tribal resettlers. "Do you know what they need?" he asked. When I asked "what," he said "birth control" by which he meant sterilization. What follows deals more specifically with interactions with SSP officials, policy issues, and what I learned during field visits in 1983, 1984, 1985 and 1989.

Interactions with SSP Officials

1. Introduction

Though the Independent Review seems to place equal emphasis on both Gujarat and Madhya Pradesh being the principal constraints to resettlement planning and implementation, the problem lay, in my opinion, primarily with the Government of Gujarat. SSP was essentially Gujarat's project, with Gujarat getting practically all of the benefits from water for irrigation, and for village, urban and industrial water supply. Yet it was Gujarat's own SSP officials who opposed meeting their commitment to implementing the provisions of the 1979 Tribunal and the 10 May 1985 agreement between the states, the Government of India and the World Bank. I.M. Shah, the chief engineer responsible for dam construction, I found to be an especially tragic figure in that, as I told him in 1985, he was destroying his own project. Though I deleted the paragraph in my section of our 1985 report because of World Bank policy not to mention names, I believed that "I.M.Shah's unwillingness to allow R and R planning, and to

consider seriously a wide range of development options, is ... jeopardizing the success of the larger Sardar Sarovar Project for which he has worked so hard. In effect I believe that he has become a major constraint for it can be argued that the current law suit ¹¹ (and those future law suits which can be predicted, including interstate law suits, if present deficiencies continue) would not have occurred if earlier World Bank recommendations and GOG promises had been implemented.”

Though Shah may well have been under orders from his superiors, his efforts not just to ignore but to undermine resettlement commitments remains a mystery to me. Why, for example, did he refuse outright during the October 1985 mission to observe the requirements set forth in the May 1985 agreement between his government and the World Bank? Or to insist that he continue to be the Secretary in charge of Resettlement and Rehabilitation when it was stipulated that that position must be filled by February 1985 by a separate official with the necessary experience who would have equivalent status and report to the Chief Secretary rather than I.M. Shah? Or to insist that there was no land available for resettlement purposes in the SSP command area when it was well known that absentee Gujarat landlords were willing to sell sufficient land to allow resettlers to move, to an extent at least, in social units of their choice?

Recruitment of a senior Indian Administrative Service person as Resettlement and Rehabilitation (R & R) Secretary was necessary not just because I.M. Shah did not have the necessary experience or concern, but also because as late as October 1985 staffing and effectiveness of the rehabilitation section was totally inadequate to implement the required program. While a separate Director (who reported to I.M. Shah) had finally been hired in April 1985 to deal with rehabilitation as opposed to physical removal and compensation, he had no vehicle, no staff, and no money. As for office accommodation, he received only a single room in the engineering block that was already occupied by someone else, and in which he had no telephone or secretarial assistance.

2. 1983 - 1989

During my four visits to India I found increasing official opposition to queries into resettlement planning and implementation. Such opposition actually predated the first visit. According to the Independent Review both the Bank's India Office and the Government of India opposed the initial 1983 visit to assess the resettlement situation, with “letters sent to the Bank ... stating that ‘necessary steps are being taken to formulate a rehabilitation plan,’ and that no Bank mission ‘should be mounted specifically for this purpose’” (1992: 43). Nonetheless, during that visit I had the impression that reasonably good relationships had been established with the relevant officials in spite of the warning from both the NCA and the States that resettlement, based on sovereignty issues, was strictly an Indian affair.

¹¹ Brought by ARCH-Vahini to the High Court of Gujarat, the Court's decision in 1983 ruled that relocation must not be based on forcible eviction and that temporary submersion and temporary removal prior to the completion of rehabilitation were not acceptable.

One member of the Narmada Planning Group, B.J. Desai, who was financial adviser to the Government of Gujarat, was a strong advocate for an equitable resettlement and rehabilitation program. I found conversations with him to be most helpful, and subsequently I stayed with him at his home and he visited with me in California. But while our friendship continued, it was clear that he had been told to stop discussing resettlement issues with me. Though we were both present at loan negotiations in Washington in November 1984, he was not allowed to even meet with me alone.

In Madhya Pradesh, the key person was S.C. Varma as head of the Narmada Valley Development Authority. A senior and influential member of the Indian Administrative Service, he reminded me in many respects of N. G. P. Panditharatne, the former head of Sri Lanka's Mahaweli Authority. Convinced that he knew what was best for tribal and peasant resettlers, he too believed that they would do what he told them. But like Panditharatne, he was concerned about resettler welfare and subsequently resigned from the NVDA in protest, as I understand it, about an inadequate MP approach to resettlement issues. In Maharashtra, I was impressed by I.V. Ranganathan, the Secretary responsible for Rehabilitation.

While in all three states there were also officials at lower levels who took their R and R responsibilities seriously, during all four visits attempts were made to restrict my access to information, NGOs and resettled communities. In 1983, I was told that it was not possible in the time available to meet with ARCH-Vahini and Rajpipla Social Services Society, or arrange a visit to Madhya Pradesh communities. In 1985 an attempt was first made to abort the resettlement component of the Bank mission and then to curtail my activities by housing me in Baroda rather than at Kevardia. I would be more comfortable there, I was told, and would be driven out daily to the dam site to arrive in time for a lunch and discussions with officials. Going to villages to be resettled or already shifted would not be necessary. It was agreed to house me at Kevardia only after I refused for my luggage to be taken from the car in Baroda and threatened to tell the Bank that the authorities would not allow me to carry out my terms of reference.

Also in 1985, Mahapatra and I were prohibited by both the Bank and the project authorities from meeting with the leaders of an NGO rally at Kevardia. The reason given was the involvement of the NGO in an ongoing lawsuit before Gujarat's High Court. While the NGO leaders were asking to see us, we were kept upstairs until they left. That meeting was crucial in our opinion because we knew that the NGO involved – ARCH-Vahini – had information about the availability of land for resettlement that I.M. Shah claimed did not exist. Fortunately Mahapatra arranged for a villager to travel to Rajpipla on his motor bike to tell ARCH-Vahini that I would be at a certain location in Ahmadabad the next night. The following evening, at about midnight, I was told that a motor bike, with an unknown driver, had come for me. I must admit that I was nervous to join him. A few days earlier the Bank's lawyer had suggested that I not go anywhere alone. Though I considered him over-dramatic, one cannot easily shake off such a concern.

There had been riots recently in Ahmadabad, so that we took a circuitous route to by-pass police and security force barricades. For the next few hours I tried to convince a small ARCH-Vahini group, including Anil Patel who was their leading figure, to provide me with what information on land availability that they had. Their suspicions of the SSP, and of the Bank's association with it, were so serious that I left only with the promise that the next night at about the same time we could continue discussions. And so we did, with me again returning near dawn to my Ahmadabad lodgings with no information. Before parting though, I told my interrogators that I would be in Delhi shortly to join Bank colleagues for a wrap-up meeting at the GOI Ministry of Irrigation at which the Gujarat authorities would be present to claim that implementing the Bank's Guidelines under Indian conditions was impossible because necessary land was not available. I noted my hotel and asked them to please consider providing me there with the necessary data prior to the meeting.

The day of the meeting I noticed on waking a sheet of paper that had been slipped under my door. It listed the names of landowners who were willing to sell substantial blocks of land for resettlement purposes. As expected, at the meeting in the Ministry of Irrigation, I.M. Shah told those assembled that no land was available for allowing resettlers to move in clusters of kin and community members. By then I had given the list of land availability to the Bank's lawyer who then handed it over to the meeting's Chair. Not only was I.M. Shah's position discredited, but he must also have lost face since the Chair was furious at both him and the situation. When the Gujarat authorities finally agreed in the late 1980s to begin acquiring private land in the SSP command area for resettlers coming from MP and Maharashtra, thousands of hectares were acquired.

The major purpose of my 1989 mission was to visit as many communities and resettlement areas as possible in both Gujarat and Madhya Pradesh. In particular I wanted to revisit the communities of Parvota and Guttal which GOG had set aside for resettlers from Maharashtra and MP respectively who were willing to go to the SSP command area. I also wanted to revisit Nisapur Village in MP to see what progress had occurred there since my 1984 visit. While the Gujarat visits occurred as planned, when we flew to MP we were told in Bhopal that village opposition to SSP had grown to the point that the Government could not take the risk of organizing a visit there. Rather we would have to fly back to Gujarat after our Bhopal talks.

Fortunately the planes were booked up, or so we told our hosts, so that Abdel Salam from the Bank's Delhi office and I rented a car for the return trip so that we could drive back through Badwani to visit Nisapur en route. Though MP officials were unaware of our decision, NGOs were not since we had met with Medha Patkar in Bhopal. On arrival in Badwani we were led upstairs to a rousing meeting with resettlers and NBA officials after which we traveled to Nisapur.

Policy Issues

Neither Gujarat nor Madhya Pradesh had a formal resettlement policy. Because of the emphasis on physical removal, both states continued to rely on the Land Acquisition Act

of 1894 complemented by whatever Government Resolutions were considered necessary to deal, on an ad hoc basis, with project specific or donor requirements. Through 1985, both states in effect ignored their commitments as specified in their 10 May Agreements with the World Bank. Referring to the ongoing NGO lawsuit before the High Court of Gujarat, I. M. Shah told me during 1985 that he would state in the court “categorically we will not implement the agreement with the World Bank. The agreement is impossible. I will request not one inch of forest land.” As for the Tribunal’s requirements, he emphasized that they applied to resettlers from Madhya Pradesh and Maharashtra only if the land shown by Gujarat officials was accepted. Yet little land was actually shown until after 1987.

In response to increasing NGO support for, and organization of, local resistance to removal as well as ongoing World Bank pressure and the commencement of construction on the dam in 1987, the Government of Gujarat passed three Resolutions between 1986 and 1988 that would go a long way toward meeting Tribunal and World Bank Guidelines if implemented. As a result one NGO, ARCH-Vahini, agreed to membership on the government-sanctioned land purchasing committee that was chaired by a government official but dominated by local politicians. For Gujarat resettlers, however, the search for land remained primarily their own responsibility which virtually eliminated people’s ability to resettle in social units of their choice – a requirement of both the Tribunal and the World Bank. As for purchasing committee acquisition of land identified, progress only sped up when the project authorities finally agreed in 1988 to the purchase of private land. That was the year that the parastatal organization Sardar Sarovar Narmada Nigam took over construction and resettlement responsibilities from Gujarat’s Narmada Planning Department.

In Madhya Pradesh, no comprehensive policies were produced throughout the 1980s. Senior officials made it very clear in 1989 that they were stalling because they knew that the large majority of their resettlers wished to remain as close as possible to their former villages in MP. Claiming that they had less available land, the officials wanted most of their resettlers – an 80 percent figure was mentioned to me – to choose the option provided by the Tribunal of resettling in Gujarat’s SSP command area. There MP officials claimed they would find more and better land. More land because the coastal plain was wider than in the Narmada Valley in MP and because that land was more available due to a large proportion of absentee landlords. Better land because eventually it would receive SSP irrigation water.

As for those who might want to resettle in MP initial surveys in the mid 1980s, still referred to in 1989, had found only about 2000 hectares, with no pieces said to be larger than half a hectare – hardly sufficient to allow people to resettle in social units of their choice. As a means for further discouraging resettlers from remaining in MP, villagers were told that existing policies remained in force that provided only cash compensation for land and other assets. As for the necessary surveys of 245 affected villages, only 48 had been completed by 1989. By then, the MP strategy appeared to be working since, with the establishment of Nigam in 1988, the Government of Gujarat, for the first time, had begun to take seriously the need to acquire land in the SSP command area for MP

resettlers. By August 1989 MP officials told me that they expected 4,000 hectares to be available which they claimed families were prepared to accept.

1989 Findings Contrary to the May 1985 Agreement with the World Bank

1. Gujarat – The Five Rock-Filled Dyke Villages

All investigators agree that the value of the arable land acquired by the project was underestimated with the result that equivalent land, if it could be found at all, could only be purchased if resettlers used whatever savings they might have as well as compensation received for their houses and other assets. When possible replacement lands were shown by the government they tended to be of inferior quality or at too great a distance from villages of origin. When resettlers rejected them they were told that henceforth it was their responsibility to find land. Only then would government land acquisition assistance be supplied. Unable to find the land necessary for moving in larger social units as required by the 1985 agreement with the Bank, resettlers had to sever community and kinship relationships which were especially important for the landless as a means for establishing share cropping and other arrangements necessary for their subsistence. When I was hired by the World Bank to check out the resettlement situation in 1983, one of the first documents that I read was a letter from ARCH-Vahini to the Bank that described how the people's economic, social and cultural life had been disrupted by officials whose main purpose was the physical removal of people with minimal compensation.

In Navagam village families had to disperse to at least eight sites versus their preference to break the village into three sections at most. In spite of being a rock-filled dyke village where land acquisition started in 1981 and where living conditions were dangerous because of construction activities and movement of large equipment, more than half of the families had yet to move. Reasons why varied. One household head said that after acquiring resettlement land in 1981, he found a tenant living there, with a long law suit required to move him. The problem of encumbrances on land acquired prior to the mid-1980s (after which SSP officials began more careful checks) was not an exceptional one. In three of the other five rock-filled dyke villages, there was also the problem of “marooned” families that had been passed over in regard to compensation and who still lived in the midst of construction activities

In all villages, land had yet to be provided to major sons, families involved in joint use arrangement under customary tenure, encroachers and the landless. Though an extreme example, in one case we found 10 to 15 families of brothers and cousins dependent to a joint use arrangement that was listed in the government land register in the name of only one of those families. Following resettlement, that family severed relationships with the others with the conflict resulting in a lawsuit that further severed previous kinship relationships. Though Gujarat's 1986-1988 policy revisions were intended to upgrade resettlement “benefits” received before that date, by then the extent to which families had been dispersed made it difficult to find additional land without further break up.

In 1992 *The Independent Review* reported that the predicament of the rock-filled dyke villages remained unacceptable: “Ten years after the villages were impacted by Sardar Sarovar construction, and six years after the loan agreement [with the World Bank], nearly 50 per cent of those recognized as oustees had still not been allocated agricultural land” (1992: 100).

2. Madhya Pradesh – the Case of Nisapur

In 1984 NVDA officials had shown us a 49 hectare site on a hill behind the existing village which would be increased to 150 hectares as the site for a new village to be laid out by a town planner. Since the old village had good medical facilities, a new hospital would be built along with other social services and religious structures. As for village involvement, villagers had formed their own resettlement and rehabilitation committee and relationships between villagers and officials were said to be good. On our return five years later, we found that literally no further planning or development had occurred. As a result, from an initial willingness to cooperate, the villagers had turned against the dam. The Nisapur situation represented in one village what existed throughout most of MP’s inundation area.

3. Maharashtra – Island Land at Manibeli

Made famous by the 1994 Manibeli Declaration in which 326 groups in 44 countries called for a moratorium on World Bank funding of large dams, Manibeli was the first SSP affected village in Maharashtra. With relatives in Gujarat, by 1985 42 families of 96 had already shifted to Gujarat’s pilot site for Maharashtra resettlers at Parveta. How they fared will be dealt with in the section on Parveta and Guttal. In 1989 I made my second visit to the old village. At that time the villagers had stopped the government from upgrading the jeep track that was to access Manibeli and eight upstream villages for evacuation purposes. Though the unsatisfactory situation at Parveta and harassment by local forestry officials in Maharashtra had already turned the villagers against the dam, it was the issue of island land (*tapu*) that had mobilized resistance to the road.

In spite of the fact that up to 80 percent of the families cultivated land that would eventually be surrounded by water and 25 percent had houses on what would become islands, no policies at the central NCA or state levels had yet been formalized to provide them with compensation for either those houses or lands. As far as the people were concerned, the road could not proceed until the 80 cultivating families and the 25 with houses had been compensated. They were also unwilling for additional families to shift to Parveta, since the four that had already gone from areas that would become islands, had not received replacement land nor had others received a proper land title. Though the road contractors had already notified the police, with the two that we found in the village threatening to bring in 25 more, the villagers were adamant about resisting until an acceptable solution had been reached. Bearing in mind that inundation was expected in the early 1990s I found the lack of government attention paid to these people’s legitimate needs appalling.

1990 - 2003

Introduction

Since the publication of *The Report of the Independent Review* in 1992, the Sardar Sarovar Project has stimulated more discussion and more publications than any other recent dam project. It is not my intention to summarize this material but rather to show how a previously unacceptable resettlement operation has become even more unacceptable. Since I have not been back to India since 1989, what follows is a time series of vignettes that draws on the experiences and publications of others. Some are modified from unsolicited comments that I couriered to the Indian Supreme Court in November 1999.

1. In his 1999 edited World Bank publication on the *Economics of Involuntary Resettlement*, Michael Cernea refers to the SSP as "a project noted worldwide for its flaws in policy and execution, a project with over 200,000 people slated for displacement and at severe risk of impoverishment." ¹²

2. While researching her critique of the World Bank, Caufield ¹³ visited households from Gadher – one of Gujarat's 19 villages requiring resettlement. That 1993 experience so influenced her that the opening chapter in her book deals with the SSP including the experiences of Gadher villagers. Told by a Nigam official that Gadher had already been resettled, she nonetheless went to the old village site with an NGO representative. There she found 50 families that had so far avoided resettlement as well as approximately one-third of those who had been previously resettled to over 30 different sites but had returned to their old village. They had returned "because of intolerable conditions in the resettlement colonies, ranging from barren land to polluted drinking water and outbreaks of cholera." Those returning from the Timbi site explained how they had been moved fraudulently having previously accepted another site with better land and where the authorities had told them a school and health clinic would be supplied as well as water supplies, electricity and roads. On arrival, however, all they found was barren, waterless land and temporary housing. They returned to Gadher after two years "because they couldn't feed themselves at Timbi and they had no place else to go. It was hard to tell that there had ever been a settlement at Timbi. The people had taken everything with them, including the sheets of tin under which they had lived for two years. The only evidence of their stay was a few blackened firestones, scattered among the weeds. Because the government had never supplied any of the amenities it had promised, there were no roads, no electric poles, no school or clinic, no well or handpump to mark the site of what had once been --- not a village exactly; more a refugee camp." (1996: 6-10).

¹² The recently retired World Bank Senior Adviser for Sociology and Social Policy, Cernea is the author of the impoverishment risks model.

¹³ A former Environmental Correspondent for the *New Scientist*, Catherine Caufield is the prize-winning author of *In the Rainforest* and *Multiple Exposures*.

3. Contrary to the position reiterated by the High Court in Gujarat in 1993 and the provisions of the NWDT that resettlement and rehabilitation for project affected people be completed at least six months before their villages are flooded, there are inadequately resettled and rehabilitated families still living in villages in all three states that are at risk of being inundated at any time during current monsoon seasons. While the Gujarat High Court prohibited further resettlement in Gujarat during the 1993 monsoon, Bhatia provides evidence in the *The Dam & The Nation: Displacement and Resettlement in the Narmada Valley* that "Many families were actually displaced during the month of May" by the Government of Gujarat (Drèze et al. 1997: 270). Throughout 2003 villagers were still living in affected villages in both Maharashtra and Madhya Pradesh that were being inundated by monsoon flows backed up behind the Sardar Sarovar Dam because they had yet to be provided with viable resettlement sites. Volunteers from the villages concerned and NGOs were willing to be drowned by the rising waters as a means to focus attention on their plight.

4. None of the six tasks specified by the World Bank for completion by its April 1993 deadline had been completed by that date, including detailed demographic and socio-economic surveys of the numbers requiring removal and satisfactory resettlement plans in each state which should have been available before construction began in 1987. Furthermore according to the Tata Institute of Social Science (TISS) "Even subsequent to the World Bank conditions (1992), no comprehensive studies were commissioned between October 1992 and April 1993" (Drèze et al. 1997: 196).

5. None of the three states have identified sufficient arable land for resettling oustees. Referring to 11 new sites in Gujarat, the Tata Institute for Social Science noted that most major sons "have not received agricultural land and house plots." Referring specifically to Parveta, TISS found in 1991 that 9% of Maharashtra oustees had yet to receive land while 34% "had applied for alternate lands because of poor quality" (page 202). As for Gujarat oustees resettled at Parveta 65% were dissatisfied with land quality (page 200).

Forest lands eventually released in Maharashtra proved to be either insufficient in extent (4200 ha versus 6000 required according to TISS) or quality or already settled by encroachers. As for the situation in MP the Institute of Regional Studies in Bhopal stated that finding sufficient land for those oustees who did not wish to move to Gujarat presented an "intractable problem" (Drèze et al. 1997: 21), while Amita Baviskar wrote in August 1999 that "for a state with the largest area under forests, the MP government has not found any land where it can settle its adivasi population." ¹⁴

6. Though the Centre for Social Studies (CSS), Surat (which received the Gujarat monitoring contract while TISS received the Maharashtra one) reported better conditions among the 413 tribal households surveyed in 21 sites, CSS also emphasized that 78% of those households came from those of Gujarat's 19 villages which had been most

¹⁴ On the faculty of the Delhi School of Economics, Baviskar wrote her PhD dissertation on the SSP-affected village of Anjanvara in MP.

influenced by Hinduism and therefore could be expected to fit in better with Hindu neighbors. Those households were from the rock-filled-dyke area close to the dam site. But according to CSS the situation for families from the more isolated villages is less likely to be similar: "They are allotted land in as many as 154 villages and far-off places, sometimes more than 175 km from their native villages" (page 234). Furthermore all Gujarat "oustees face acute problems of fuel and fodder and, as a result, their cattle stock is declining. Water is not abundant...The status of women is also adversely affected" (page 229).

7. According to the 1992 *Independent Review* of the SSP "Nothing we saw in Madhya Pradesh led us to believe that the implementation of the resettlement process in the submergence villages was being carried out in the spirit of the various undertaking by which it was supposed to be guided." (page 257). Hence "an inescapable conclusion: there are in place neither the instruments of policy nor the institutions that could ensure that Madhya Pradesh oustees receive that which the Bank holds up as their minimal right" (page 266).

In 2001 Madhya Pradesh continues to violate the human rights of dam resettlers not just in connection with SSP but also in connection with other dams built or under construction within the Narmada basin. In a July 2001 article in the *New Internationalist* Maggie Black reported on three dam projects in addition to Sardar Sarovar that she visited in 2001. At Bargi, she was told that 160 villages with 114,000 people had been submerged by 1991 rather than the 90 villages with 70,000 people that the government believed would be affected. "Some had to be relocated two or three times as their villages were again submerged. None received land in compensation." (page 12). She also visited the Maan dam during its final stage of construction where 5,000 people in 17 villages are under threat of inundation. There she was told that following a 26-day fast in 1999, the government promised 'land for land' compensation and appointed a committee to plan and implement a resettlement program. No resettlement had even begun at the time of her visit in spite of the fact that submergence was scheduled for the 2001 monsoon.

The third dam visited was Maheshwar, a mainstream dam which a private sector firm had begun constructing. The situation there was documented during 2000 in an independent review conducted for Germany's Ministry of Economic Cooperation and Development by a three-person team lead by Richard Bissell of the US National Academy of Sciences-National Research Council. Among the 12 conclusions two are especially relevant to the SSP situation. The first is that "The project has not implemented the land-for-land policy set by the Government of Madhya Pradesh and by international standards, nor, according to the GoMP, does it have sufficient land available to carry it out if it decided to do so." Second, The R & R policy, as currently being implemented, is not adequate and needs to include the landless, major sons and unmarried daughters, encroachers and other affected people within the category of PAP who would receive agricultural land" (Bissell et al. 2000: 9).

8. Contrary to the requirement of the Tribunal that oustees should be relocated in social and community units of their own choice, by the end of the 1990s the Government

of Gujarat has scattered the inhabitants of its 19 villages in 175 sites. This in spite of the fact that all researchers have emphasized that the tribal people involved, in the words of the Centre for Social Studies (CSS), Surat, "comprise a closely-knit tribal society" in which villagers from neighboring villages intermarry. Yet according to CSS researchers more than 50 families were able to resettle in only 11 % of the new Gujarat sites and in 65 of the 175 sites, there are just 3-4 resettler families. There are instances where fathers are separated from sons and brothers from each other. "Those who opted for land at distant places did it not because of better land, but, in many cases, because the land in nearby villages was not available to them. Thus the tribal community of the submerging villages was fragmented" (Drèze et al. 1997: 222).

According to the Tata Institute for Social Science (TISS), "Even padda members (groups of interdependent families), and major sons and daughters have not been resettled together with their families" (*ibid*: 198), while Bhatia notes that PAPs from the 12 hamlets of Gadher Village have been relocated at over 32 sites and those from 14 Vadgam hamlets to over 27 sites (*ibid*: 278). Reporting on her University of Cambridge PhD research in one of the 19 Gujarat villages, Hakim notes that separation of villagers at different sites will be "greatest for women, who often consider this as the worst consequence of resettlement... Women maintain a close relationship with their families, even after marriage" (*ibid*: 156). She also noted that the people's religion is closely associated with the surrounding geography (page 161).

Summing the situation up, CSS researchers note that when "households from 19 submerging villages are resettled in more than 175 villages, it is a moot point whether or not they will be able to cope with the pressures of a market economy." (*ibid*: 221). As for TISS researchers, they concluded that "The adoption of the policy of 'divide and shift' in the villages has devastating effects on the welfare and community life of the originally cohesive groups" (*ibid*: 213).

9. Following a 1993 meeting called by its Minister of Water Affairs to consider resettlement complaints, the Government of India formed an independent Five Member Group (FMG) to assess a wide range of SSP issues. During the two years of its existence, the FMG made a special effort to assess the effectiveness of the Narmada Control Authority in ensuring that the resettlement provisions of the Tribunal were being implemented. Though that required access to resettlement sites in the three states, the Government of Gujarat not only refused to cooperate in any way, including provision of information, but even passed a special resolution prohibiting entry. Inability to visit resettlement sites in the SSP command area, however, did not keep the FMG from learning that the Narmada Control Authority was ineffective, and that resettlement activities were inadequate and were falling behind the construction timetable. A month after receiving their second and final report in April 1995, the Supreme Court "clamped a ban on further construction of the dam till R&R was improved. The ban continued for nearly four years" (Jain 2001: 85).¹⁵

¹⁵ Jain was a member of the Five Member Group "whose composition and terms of reference were decided" by the Government of India and whose reports were also requested by the Supreme Court (Jain 2001: 91).

10. After the Government of Gujarat committed itself to favorable R & R policies for its own resettlers in late 1987, the NGO ARCH-Vahini agreed to work with state government agencies in the implementation of those policies through a Land Purchase Committee. But in September 1997 ARCH-Vahini released a memorandum stating that "Since the World Bank exit from the S.S.P. in March 1993, the situation has continued to deteriorate with regard to R & R in the S.S.P." Furthermore "The R & R bureaucracy, in the final days of the previous regime, decided to scuttle the R&R programme in Gujarat...The norms were violated with impunity, and corruption took its toll...All our efforts to obtain corrective action were rejected by the administration...The final turn of this tragedy came with the new ruling party, which choose to support the administration for no plausible reason" (Anil Patel in Drèze et al. 1997: 91-92).

In a subsequent article, Patel added further detail of the situation prior to ARCH-Vahini's 1997 withdrawal. "There were widespread complaints of shortages in the domestic water supply, the pipelines were breaking down, and the hand-pumps were breaking down soon after installation."¹⁶ The internal roads and the drainage of the resettlement sites were of poor quality. Many sites could not be reached during the monsoon because approach roads were not constructed according to specifications. Several resettlement sites were flooded in the monsoons, and roofs were leaking because roof tiles of extremely poor quality had been provided to the families. People ousted from Madhya Pradesh in large numbers were allotted lands in the post-1993 period, but they could not cultivate them, either because known anti-social elements would not allow them to do so, or because the land was of very poor quality. The standard safeguards of viewing the land with the concerned oustees and representatives of our organization before the land was allotted were set aside...Cumulatively, a large percentage of oustees from the three states had run into serious trouble, which was downgrading the quality of life after resettlement" (Patel 2001: 324-5).

11 In January 2001 the Government of Maharashtra formed a committee under retired Justice S.M. Daud to examine resettlement issues. Submitted June 29, 2001 to the state's Chief Minister, the report stated that the resettlement requirements and governing principles of the Tribunal, the Narmada Control Authority and the state itself were not being observed. Indeed in the letter of submission, the barrister member of the committee wrote that "It is regretted that much of the rehabilitation programme seems to have been carried out in defiance and in disregard of those governing principles" with the tribal people denied "their basic legal rights and constitutional special privileges."¹⁷

12. On July 29, 2003 the United Nations High Commissioner for Human Rights sent a five page letter to the Prime Minister of India signed by its Special Rapporteurs on

¹⁶ It is important to remember that such water supply problems were afflicting people whose villages of origin had been close to the free-flowing Narmada River.

¹⁷ Quotes translated from the Marathi and distributed over the Narmada Bachao Andolan web site in July 2001.

adequate housing, on health, and on the human rights and fundamental freedoms of indigenous peoples. In that letter they stated their concern from reports received that “around 3,000 families in Maharashtra and around 12,000 families in Madhya Pradesh will be in danger of having their homes submerged as a result of the heightened water level, even though no proper resettlement has been given or planned for them.” Placing them at risk was the May 2003 decision to heighten the dam to 100 meters, a decision that “indicates violations of several human rights contained in international human rights instruments that India is duty bound to respect, having freely ratified such instruments.” In closing the authors offered their “services and advice in resolution of this crisis situation.”

The Parveta and Guttal Pilot Projects

Introduction

Parveta and Guttal are by far the most important resettlement sites associated with the Sardar Sarovar Project. They are so important because they were the pilot sites in Gujarat’s SSP command area where resettlers from Maharashtra and Madhya Pradesh had the option of moving under the terms of the Tribunal. By creating that option, it was the intention of the Tribunal that resettlers from the other two states could also benefit from SSP irrigation that otherwise would only be available to Gujarat residents. If Gujarat had attempted to make Parveta and Guttal a success from the start, quite possibly the dam construction phase would have been completed within the 1990s. But Gujarat choose, intentionally I believe, to implement the initial resettlement at those sites in a way that would discourage resettlers from the other two states from wanting to come. This conclusion is based on my own records, including visits to the two sites in 1984, 1985 and 1989. For Parveta I have also relied on published material, especially that of S. Parasuraman (1999: 183 – 207) who was the leader of the Tata Institute for Social Science’s independent monitoring team in Maharashtra. For Guttal, I have also relied on research by Amita Baviskar who served as a consultant to the Independent Review and wrote her PhD dissertation on MP resettlers.

The land was there – both at the two sites which Gujarat had acquired from forest land prior to the passing of the 1980 Forest Conservation Act and in surrounding areas where absentee landlords were willing to sell thousands of hectares. Our World Bank mission documented that fact in 1985 after receiving from ARCH-Vahini a listing of landlords willing to sell nearly 4000 hectares at reasonable prices. Based on that information I recommended the “cluster approach” whereby resettlers would be more able to move in social units of their choice by acquiring blocks of land in adjacent areas. Field staff in the Narmada Development Department (NDD) agreed that such an approach was feasible. It would have required, however, a willingness on the part of the NDD to play a much more active coordination and acquisition role based on the purchase of private land. The NDD was unwilling to play such a role and so lost the opportunity at the expense of their own project. Ironically after 1988 Nigam, having absorbed the Narmada Development Department, began to pursue just such a strategy, but by then opposition to the dam had crystallized among resettlers in both Madhya Pradesh and Maharashtra.

Parveta

I first visited the Parveta site in August 1984 before resettlement had begun. Not only was the neighboring host village of tribal origin, but some families in the first three villages to be inundated in Maharashtra, including Manibeli, had relatives in the vicinity. Presumably that was one reason why 564 families from those three villages were willing initially to come to Parveta. The host village of about 130 families, most of whom worked largely as agricultural laborers in neighboring villages, would also have benefited from a well implemented resettlement program. Though well connected to a tarred road and with access to electricity, they also would have benefited from a much-needed middle school for boys and girls and irrigation.

I concluded from my visit that it was important to get on with the resettlement program and that it “must proceed smoothly.” Unless additional land could be acquired in the vicinity, the biggest constraint was the availability of only 400-500 hectares of arable land, some of which was of poor quality, versus over 800 hectares required by the terms of the Tribunal for the landed resettlers who initially were willing to come.

By our September 1985 visit, 10 families from Manibeli had been in residence at Parveta for nearly six months while another 30 were moving back and forth between the two sites. In my report I wrote “The current resettlement and rehabilitation undertaken for Maharashtra oustees ...is not adequate. Those who have already moved have suggested to those who have agreed to follow them to wait until NDD has, for example, announced what the price is that they must pay for Parveta land since preparing Parveta lands for cultivation has already cost the oustees more than they received for their lands in Maharashtra. The situation at Parveta may well discourage any further oustees from Maharashtra from coming to that site. Since Maharashtra oustees may well be communicating with MP oustees, similar difficulties can be expected at Guttal.”

Resettler concerns about land prices were legitimate. Though they had received only 1,400 to 2,200 rupees per hectare for their own land, rumors circulated that the cost of Parveta land would be at least 4,600 rupees. The problem was that Gujarat, which must pay all resettlement costs, and Maharashtra had not yet agreed on land compensation prices. Living conditions were also poor. Resident families were living in inadequate government-supplied temporary shelters that was ten by ten feet in dimension and made out of iron sheeting. Drinking water was polluted and social services were yet to be provided.

Nearly four years later, in May 1989, not only did the same legitimate complaints exist, but in some respects the situation had deteriorated. Though recent Gujarat resolutions now advocated the purchase of private arable land, no such land had been purchased in the vicinity for resettlers previously willing to come from other villages if farm land was available. In spite of requests for clarification, Manibeli resettlers “were very concerned that GOG had yet to announce how much oustees would have to pay for arable land in Parveta.” As for housing, they did not have the funds to build their own housing and were

still living in the “temporary” iron sheeting shelters that “periodically blew down in high winds” and was “too cold in the cold season and too hot in the dry season” (1989: 21).

People’s health over the years had actually deteriorated, with the Tata Institute for Social Science reporting exceptionally high mortality rates in young children during 1986/87 and 1987/88 during which years deaths among children under four equaled new births. Though the project authorities attempted to rebut such information by referring to lack of confirming information in death registers and drought, Tata stood by their assessment, while our Bank Mission found no such high death rate reported from other resettlement sites. As I wrote in my report the large number of deaths among children from dysentery was “also consistent with the polluted water supplies noted in 1985;” not to mention the crowded temporary living conditions.

I also reported that a World Bank mission that visited Parveta in 1987 found “severe R & R problems, grievances at the time relating to incomplete compensation, uncultivable or uncleared lands, and insufficient grazing for livestock.” Having coped with such conditions over a four year period it was “hardly surprising that the other nine Maharashtra villages are now refusing to come to Gujarat” (1989: 22).

Based on monitoring activities, Parasuraman reports a similar situation among Manibeli resettlers during the second half of the 1980s. Following the March-April 1985 move of ten families he notes a second shift in April 1986 and a third in early 1988. By the end of 1986 the majority had moved. They “went through serious hardship. Until 1987 ... the resettlement site was barren, without basic provisions. Only a few tin sheds had been erected. People suffered serious health problems due to nutritional deficiency and lack of proper water and medical facilities... The host villages were hostile... Food shortages, a lack of proper cooking facilities, and difficulties in obtaining potable water compounded the difficulties... People have had to fight for each and every basic service provided ... Without determined struggle, Parveta would not have received any basic facilities” (1999: 102).

Since the late 1980s, Parasuraman reports that incomes have “increased considerably,” while “the overall economic performance of the Parveta households appears to be good” (pp 196-197), although I am not sure that he pays sufficient attention to significant increases in expenses, with his later statement that “the proportion of households facing economic hardship has been increasing since 1989” (page 206) perhaps supporting that possibility. Nonetheless, the situation for resettlers certainly has improved. A major factor was the final willingness of Gujarat to provide rehabilitation assistance in the form of plow animals, agricultural equipment, and institutional credit. Potable water is now available throughout the year. Educational facilities have been greatly improved with “70 percent of children between 6 and 14 in school.” Living standards can be expected to improve further if the promised irrigation arrives.

One cannot help but to wonder how the SSP might have fared if that kind of resettlement with development had been available from the start for resettlers from Maharashtra and Madhya Pradesh rather than emerging on an “ad hoc” basis as Parasuraman puts it in

response to increasing opposition to the project. The same question applies equally to Gujarat. If land for the landless had been agreed upon in the early 1980s rather than in 1987, if land for major sons had been agreed upon then rather than in 1988, and if the Government of Gujarat (GOG) had been willing to purchase private land from the start, it might have been possible to settle villagers in social units of their choice rather than scattering resettlers from the 19 Gujarat villages at 175 different sites!

Guttal

By 1984 Guttal was the only site within the SSP command area that Gujarat had made available to resettlers from Madhya Pradesh. Land there was limited to less than a hundred hectares. Though other sites had been shown elsewhere those had been rejected by senior officials in MP's Narmada Valley Development Authority who insisted that the terms of the Tribunal relating to SSP command land be followed. When our World Bank Mission visited the site in August, 84 families from the first 14 MP villages to be flooded had stated a willingness to come if promised facilities were available by January 1986. A year later during our September visit, officials in Madhya Pradesh told us that those families, and others, were no longer willing to go there because they had heard about the problems at Parveta!

Even if those families had been willing to move to Guttal, the Gujarat authorities had only slightly increased available land. That situation did not change until June 1988 when Nigam agreed to offer privately purchased land in areas surrounding Guttal and elsewhere, with project officials in Madhya Pradesh requesting 13,000 hectares in March 1989. A month later, however, we found that no MP resettlers had yet come to Guttal where no potable water was yet available nor had construction been completed on a school. Though MP officials remained confident that they could induce MP resettlers to move to Gujarat – they claimed that over 7,000 ha had already been identified and that one MP village with 113 landed and 66 landless families were willing to move to Guttal while others would resettle in the vicinity where 1386 hectares were available – Abdel Salam and I were skeptical since we had been told by NGO activists and villagers in Badwani and Nisapur that opposition to the dam was now such that resettlement to Gujarat was no longer being considered. As I wrote in a May 28, 1989 report to the Bank, "In delaying Guttal preparation for over nine years, GOG has lost the opportunity for planning and implementing a worthwhile pilot project that could have played a major role in attracting a significant number of MP oustees to SSP command areas during the 1980s. As a result of these delays, GOG has placed in jeopardy the entire R & R component of the SSP" (1989: 21).

On the basis on admittedly fragmented information it is my understanding that willingness of MP resettlers to go to Guttal has decreased further during the 1990s. Following her 1999 revisit to Anjanvara (an MP village threatened with inundation during the 1999 monsoon because of the renewal of construction on the Sardar Sarovar Dam), Amita Baviskar wrote "If there is one thing that Anjanvara is sure about, it is this: they don't want to go to Gujarat. They have visited resettlement sites there and they have seen the misery. Waterlogged fields, no livestock, fragmented families, hostile

neighbours, no commons to collect fuel or fodder - this sums up the experience of most adivasis from MP who were given land in Gujarat" (Baviskar 1999).

Concluding Comment

Like so many big projects, on paper the development potential of the SSP was sufficiently attractive that the World Bank was willing to provide an initial loan of \$450 million. Even if plans made sense – and I do not have the knowledge to evaluate the SSP in that regard -- the question must be asked as to whether or not the project authorities had the capacity, integrity and political will to execute the project as planned. India's record to date suggests a negative answer.

Though initially willing in the second half of the 1980s to put the prestige of ARCH-Vahini on the line by agreeing to cooperate with the Gujarat authorities in implementing their improved 'paper' policies on resettlement, Anil Patel appears also to have reached, finally, a similar conclusion: "The SSP is aiming high for something probably potentially possible. The expectations are high, but alas, the state is paralyzed and for a number of reasons is not in a position to undertake a project of such magnitude." (2001: 327). Granted the consistent abrogation by the Government of India and all three states of their resettlement responsibilities I doubt that that capacity was ever present.