



ENVIRONMENT PROTECTION MOVEMENTS AND HUMAN RIGHTS IN PROPOSED POLAVARAM PROJECT REGION, INDIA: A CASE STUDY

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Abstract

During the last two decades, educated people and environmental activists from various corners of union of India have begun non-violent action movements to protect their surrounding environment for the sustainable utilization and conservation. In recent years, immense construction of dams and overexploitation of forest lead to disturb the ecological balance, displacement of the native and rural people to other plain areas. Subsequently, it leads to violation of human rights. One of the main important projects in south India is proposed on the Godavari river, named it as polavaram. The dam is to be constructed about 15 km. The project brings misery to more than 2.5 lakh people by submerging and displacing 307 villages (276 from Andhra Pradesh, 13 from Chhattisgarh, 8 from odisha and 10 villages from Madhya Pradesh) and an area of 1 lakh acre including forest land (8,500 acres of forest area) are severely under threat. All these consequences lead to human rights violations that associated with the displacement of people other than their habitats and threat to wildlife. Extensive field trips will be conducted to know the present condition of the inhabitants, soil, disturbance, degradation, forest ecosystem, deforestation and how the natural resources are being overexploited in the polavaram project region in view of socio-economic, cultural intrusion, natural disturbance and wildlife threat. The main aims of the present study are to study the current scenario, impact of overexploitation of the nature and natural resources, pros and cons with the establishment of the polavaram project, environmental changes and impact on living beings in the region.

Keywords: *Environment Protection, Human Rights, Environment and Social Implications.*

Introduction

During the last two decades, educated people and environmental activists from various corners of union of india have begun non-violent action movements to protect their surrounding environment for the sustainable utilization and conservation. In early of 21st century, the awareness among the people to protect the environments has reached topmost point due to the overexploitation of nature and natural resources. Day by day, the environmental protection movements are getting progressed towards the stabilize the ecological imbalance and to gift the healthy environment to the future generations. Now-a-days, the environment conservation movements have initiated a new political struggle for safeguarding the interest of the poorest of the poor and the marginalized people such as women, tribal groups and peasant farmers in particular and local people in general.

Meanwhile, 42nd amendment of the Indian constitution act 1976 explicitly incorporated the environmental protection and improvement as part of state policy through the insertion of article 48a. Article 51(a) imposed a similar responsibility on every citizen of Indian union “to protect and improve the natural environment including forests, lakes, rivers and wildlife, and to have compassion for all living creature”. It assumes that the protection of environment is one of the rights to every citizen and responsibility of each state which provides a chance to each and every creature to reside in healthy and safe environment. Though it is one of the main objections to an independent right or rights to the environment, lies in the difficulty of definition. In this regard, the Indian Supreme Court has made a significant contribution. Accordingly to it, prepare to find a risk to life, or damage to health, on the



facts before, it would set a standard of environmental quality in defining the right litigated. Instead of guiding the people to protect ecosystem, the telangana state is constructing many bid dams and encouraging corporate entities to utilize nature and natural resources mainly water, forests, valuable agricultural lands for the establishment of projects, various industries, etc. For the economic growth of a few individuals.

The link between human rights and environmental protection has become increasingly clear in recent years. Environmental damage is often worse in countries and in areas with human rights abuses. Where human rights are weak, civil, society groups are not able to raise environmental concerns effectively. Rights of association, access to justice, access to information and freedom of expression, are critical for the success of a country's environmental and human rights movements. The late twentieth century has witnessed an unprecedented increase in legal claims for both human rights and environmental goods. Never before have so many people raised so many demands relating to such a wide range of environmental and human matters. And never before have legal remedies stood so squarely in the centre of wider social movements for human and environmental protection. It is likely that legal historians writing in the twenty-first century will look back on the last quarter of the twentieth century as the period in which both environmental law and human rights reached a kind of maturity and omnipresence. In recent years, law making activities in these areas, at both the international and domestic level, have been marked not only by speed and proliferation, but also by remarkable innovation. Like human rights, environmental law houses a hidden imperial ambition; both potentially touch upon all spheres of human activity and claim to override or trump other considerations.

Present Scenario of the projects

The present polavaram project is also known as the armada sagar project, and it is getting late to complete the project due to political issues and some other reasons. Also, due to the modification of the project, the project cost has increased. The project has gotten all the necessary approvals and the government of india has designated the polavaram project as a national project (section 90 of the ap reorganization act 2014). The project is expected to be completed by the end of March 2018 (excluding the installation of dam gates). The anticipated cost of this project is Rs. 16010.45 crores after the planning commission have given its final approval (price level based on 2010-11 rate). However, in the case of their dam, a benefit-cost study by the Indian national trust for art and culture heritage (intact) found that the project costs would be at least twice the anticipated benefits, and more than us \$2.5 billion was spent on the first phase in July 2006, compared to an estimated us \$12 million in July 2006.

Statement of the problem

Since 1990's due to introduction of new economic policies in India, Telangana state started to allocate the natural resources to corporate companies in the name of sustainable development to immense growth of population. It leads to corporate control over public and natural resources, and the destruction of nature which leads to degradation of natural resources and deforestation. At the same time, the human rights system would be strengthened by the incorporation of environmental concerns, enabling the expansion of the scope of human rights protection and generation of concrete solutions for cases of abuses. In the modern days, immense construction of dams and bring the forest into utilization lead to disturb the ecological balance, displacement of the native, rural people to other plain areas who purely depend on nature without any destruction to the environment. Subsequently, it leads to violation of human rights in the state.



Review of literature

If we look at society from a historical perspective, we realize that the protection and preservation of the environment has been integral part in the culture and religious ethos of most human communities. Nature has been venerated by ancient Hindus, Greeks, Native Americans and other religions around the world. If we concentrate it from human rights perspective, there is increased awareness about the relationship between environmental degradation and human rights. It is clear that poverty situations and human rights abuses are worsened by environmental degradation.

The first principle of the 1972 Stockholm declaration stated that man has the fundamental right to freedom, equality and adequate conditions of life, in a quality environment that permits of life of dignity and well-being, and he/she bears a solemn responsibility to protect and improve the environment for present and future generations". In 1992, the United Nations conference on environment and development (unced), also known as rio summit or rio conference or earth summit, was held in rio de janeiro, brazil from 3 June to 14 June, 1992, to reconcile global economic development *vis-à-vis* protected environment. The declaration on environment and development (rio declaration) laid down 27 broad, non-binding principles for environmentally sound development. There are 117 heads of states and representatives of 178 nations have participated in it. The explicit aim of the rio summit was to integrate efforts to protect planetary ecosystems with economic development of the poor nations of the world. To that end it produced five documents. The best known of these is the rio declaration, originally conceived as a kind of "earth charter". The rio declaration, signed by all participating nations, affirms environmental protection as an integral part of development. In this convention, all countries agreed to (i) protect the biological wealth of nation(s), (ii) utilization of genetic diversity at optimum levels, (iii) protection of biodiversity at all levels, (iv) *in situ* and *ex situ* preservation of genetic diversity, (v) giving legality and supervision of the decisions taken at the summit, (vi) need for research and training in protection and conservation of biodiversity.

One of the main important projects in south India is proposed on the Godavari river named after the closest town west godavari district, it is polavaram project. The dam is to be constructed straight across the godavari river about 15 km above Rajahmundry in east Godavari district up to the borders of neighbouring states Odessa and Chhattisgarh.

The polavaram project brings misery to more than 2.5 lakh people by submerging and displacing 307 villages. According to the latest estimates, the number of villages to go under submergence is 276 from Andhra Pradesh, 13 from Chhattisgarh, 8 from Odessa and 10 villages from Madhya Pradesh in addition to this the tribal villages around an area of 1 lakh acre including forest land (8,500 acres of forest area) are severely under threat. The situation thus would lead to many social and political conflicts.

Though the environmental clearance has given in spite of all the violations committed and serious impact on environment due to the project implementation. From the inception of the polavaram, many individuals and organizations are fought against the project. But the government, with its power and willingness to build the project, is recommended for clearance in its meeting on october 19, 2005 and of these, some state governments are supported to the project, so the central government has issued an environmental clearance (ec) letter to the polavaram on october 25, 2005 in accordance to the environment impact assessment (eia) act, 1994.



All these consequences lead to human rights violations that associated with the displacement of people for the construction of massive dams are growing and problem yet neglected. An estimated 30 to 60 million people worldwide have been forcibly, which against to their rights, moved from their homes to make way for major dam and reservoir projects. These “reservoir refuges” are frequently poor and politically powerless, many are from indigenous groups or ethnic communities. The experience of more than 40 years of large dam building shows that the displaced are generally worse off after resettlement and more often than not they are left economically, culturally and emotionally divested.

Objectives

- To assess the impact of overexploitation of the nature and natural resources in the region.
- Pros and cons with the establishment of the polavaram project will be clearly focused in a scientific manner.
- Considerable recommendations will be proposed for the protection of the forests and natural rivers.

Methodology

The present study based on secondary data. Secondary data based on published books, literature, articles, journals, history of the area contained books, forest related literature, and daily news papers covered information will be also considered for the study.

Environmental and ecological impacts on dam

The polavaram project includes a large area consisting of agricultural, forest, and barren land. This area is becoming a submergence area due to dam construction. Natural, wildlife, and other species will suffer badly due to submergence of forest land area. Sloth bears and tigers are being degraded due to habitat loss and over-hunting of wild creatures such as tigers and gaurs. Therefore, the loss of wildlife will disturb the diversity of the region, and the famous tourist spot ‘papikondalu’ is completely getting submerged due to its construction. The polavaram dam is affecting the state of Andhra Pradesh but also has minor effects on the adjacent states of Orissa and chhattisgarh. In the proposed area, there are so many agricultural areas from which various types of crops and food grains are generated. But after the dam is constructed, there may be a shortage of food security for people. Thousands of crores of rupees are expended to obtain the clearance for this project and the re-habitation of people. This project has gotten clearance after certain modifications by the government, and its design procedure is outdated. So, it’s design procedure cannot be taken into fully consideration. It needs to consider the present status, otherwise it may cause damage to the ecology and people. According to the ncaer study, some of the submergence areas contain deposits of minerals, e.g., iron ore, chromite, graphite, etc. So, it is essential to collect information about this and make an assessment of the various impacts of submergence on this area. A coal field is coming under submergence area that contains a large amount of coal, which is part of the sigaroni coal fields, one of the important coal fields in the south of india. Because these detailed investigations are not being conducted, it is impossible to predict what the true impact of these submerged areas will be. However, in the case of the tehri dam, the protests have been led by environmentalists and residents of the area. Environmentalist sunder lal bahuguna was the driving force behind the anti-tehri dam campaign from the 1980s and extending up to 2004. The anti-displacement movement sparked the demonstration, as did the environmental consequences of a degraded ecosystem, which sparked the anti-displacement movement.



Role of NGOs & civil society organizations

Human rights groups are opposed to the displacement of such a large number of tribal people from their habitations. It is feared that about 1.06 million people in 10 towns, including rajahmundry city, and 3.1 million rural people in 50 mandals from west and east godavari districts have to live in perpetual anxiety about their as well as the dam's safety, in case the indira sagar (polavaram) dam breaks. Though several agitations and massive protest are being raised by the people affected by project, tribes and other traditional forest dwellers, against the construction of the dam, the state government is giving prime importance to completing the dam by 2019. In the first phase of implementation of the r&r, many displaced population have raised their voice that many of displaced families have not been paid full compensation on their loss of assets.

Construction of polavaram dam is in the news on a daily basis. The dam has generated major controversies, criticism, legal challenges, public demonstrations, and political polarizations. Some are already comparing the polavaram dam with narmada dam. Some civil society organizations are threatening to launch an agitation to oppose the dam. On the other hand the local people are also agitating by saying that "this is our birth place. How can the government ask us to move away from out motherland? We will resist the government". The topic of the Indira Sagar (polavaram) dam has become a controversial political issue; many debates and agitations have taken place by political parties, civil society organizations, independent researchers and NGOs. In spite of many agitations by the people, work on the project gained momentum in the year 2004. For construction of the dam and for resettlement and rehabilitation of people ousted from their habitation, a land area of 52,623.91 ha was required. Of this area, 48,790.520 ha was non-forest area, and 3,833.39 ha was forest. A total of 296 villages were to be submerged; of which 276 were in AP, 10 in odisha and 7 in Chhattisgarh. The project displaced families were not resettled properly. Many of displaced families are not compensated on their loss of assets due to lack of documentary evidences, litigations, dual names and other reasons. The project affected people are not fully aware of the rehabilitation packages being offered and in short the state administration has failed to make the affected people in remote villages understand the implications of the displacement. The people are by and large kept in dark about the adverse impact of the project in their lives.

Conclusion

Water has always been a vital plus critical resource for the survival of civilizations around the planet. In some regions around the world, an imbalance between demand and accessible water, food, and energy threatens life's survival. Dams and reservoirs can and should cohabit with the social and natural environment of the region. The next challenge will be to employ dams and reservoirs to prudently manage the world's water supplies as part of each nation's social and economic development goals. The dam's negative environmental consequences can be reduced or eliminated with thorough planning and design that includes public participation and input early in the process. When relevant mitigation measures are discovered early in the dam and reservoir planning and design phase, they can be included effectively and efficiently into the project design, construction, and operation. These projects have undeniably substantial and significant benefits. With increased electrical generation, irrigation canals and food production have improved. Dams protect downstream residents from floods. Dams can be decided after weighing the costs and benefits for a long time, and the benefits of dams may outweigh the drawbacks in the future. But these massive engineering feats should warn us that we cannot modify the entire environment. Because ecology connects entire chains a single broken chain link or cog piece will destroy the entire system. So, when planning, the environment should be thoroughly evaluated. Precautions should be taken to avoid major risks caused by minor sensitive



responses. Aside from their significant social and environmental benefits, dams must be minimized in order to achieve sustainable development. The environmental impact assessment concept takes into account the above impacts and solutions. In addition, the overall summary, the environmental changes caused by dams vary in magnitude and impact. Hence, it is impossible to predict the positive and negative impacts of these interactions in advance. Each dam and reservoir should be estimated separately. However, it is incorrect to interpret the consequences negatively.

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