

# UPDATE

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## Update on Singrauli

Friends,

You have all been involved in keeping a close watchman the situation in Singrauli vis-à-vis outstanding rehabilitation and environmental issues. Your support to the cause of the people affected by past and on going World Bank investments has been critically important and valuable. The struggle of people affected by on going expansions of ash dikes in Rihand with your timely support compelled the Bank to admit that rehabilitation and environmental mitigation in the NTPC power project (1993) have been problematic and consequently an Independent Monitoring Panel (IMP) has been put in place.

Action Alert from Dana Clark CIEL in April gives you all an update on the status of the Singrauli claim to the Inspection Panel including the activities of the IMP. Here's an update on the situation for April-May-June '98.

Mr.R.Venkatramani, Chairperson, MP visited the project area between 11-12 April and between 20-23 May. During the May visit he was accompanied by Mr. Abhay Jha ( who joined the IMP to establish a local office. His role primarily is to collect petitions from PAPs, tabulate these as well as the response from NTPC, meet and interact with PAPs and NTPC and authorities; randomly cross check the data presented by XIDAS and record of PAPs made available to the IMP and liaise between IMP member /chair and PAPs/NTPC.

The main purpose of the May visit was to introduce Mr.Jha and to report back on the work of IMP till March and the proposed action plan for next three months (April - June ). During the meeting various issues and concerns surfaced.

### Rihand

The process of settling outstanding claims of PAPs and pending compensations for encroached forest land (popularly referred as section four land) are the subject of peoples court (Lok Adalat) being organised when IMP took up this matter at the appropriate levels. The District Judge (Sonbhadra) presided over two sittings of Lok Adalat (April 13 and 25). At these sittings two issues were raised by PAPs.

a) The compensation rate for Bijpur, Adhaura, Dodhar and Sirsoti villages whose land was taken possession of in 1982 itself should be enhanced keeping in view the cost of replacement of land in 1998. These villagers had received part payment according to Rs 10,000=00 per acre as the provisional rate several years ago, balance payment was withheld pending final disposal of their claims in the court of District Judge. The rate being negotiated should therefore fairly compensate them for the loss suffered due to the fact that their land was taken in 1982 but the official date of handing over was 1988. The injustice of the situation is that they are being asked to forgo the payment of compensation, interest for the years 1987-88.

b) The other important concern was rectification of land records in Jhilo and Khamariya villages where NTPC had acquired land in 1986 for permanent ash dike and pipeline. The part payment of compensation was made and in many cases, on the basis of forged land records, where a large number of outsiders in a desire to usurp R&R benefits got themselves included in the list of PAPs in connivance with authorities. Some PAPs from Jhilo demanded that compensation disbursement in

Jhilo should be withheld pending an onsite verification of land records and rectification of list of PAPs. A representation to IMP was made before 25 April, IMP Chairperson has assured that Jhilo-Khamariya disbursement would necessarily await land records settlement.

The next sitting of Lok Adalat will be after Chairperson IMP holds discussions with NTPC Board of Directors on a fair rate.

During the May visit, IMP Chairman also proposed to take up with NTPC the issue of responsibility for bearing registration cost on land which PAPs may want to eventually want to buy from the balance payments. Besides, PAPs raised individual cases such as non-availability of work for stage I PAPs particularly, non- payment of wages for work done etc.

IMP informed that petitions submitted by PAPs to the Panel had been passed on to NTPC for the latter's comments. In case of Bijpur petitions NTPC's response has been received, is being tabulated, will then be made available to the concerned PAPs via the IMP local office. All records and reports will be in local language.

- The 19 PAFs of Mitihini who are refusing to shift unless they are provided with rehabilitation as per their choice expressed fear that their low lying fields would be submerged during the coming monsoon because of continuous ash dumping since August 97 and because the last remaining rain water outlet is being blocked as a result of further earth works. May 11-12 Ellen Schaengold and Sam Thangaraj of New Delhi office of the WB visited the site,( They were accompanied by civil staff among other NTPC officials. As reported by the WB staff on returning from the visit, they did not meet the villagers who fear submergence despite being urged to do so. The reason given was that it was too hot!).

They reported that NTPC project authorities rule out any prospects of submergence and that NTPC wanted the WB to consider permitting them to redeploy heavy machinery. This machinery, it may be emphasized, had been pulled out completely

from the site 2 months ago after the IMP confirmed allegations of harassment by contractors at the instance of NTPC. The Bank was urged to be cautious in not succumbing to suggestion from NTPC on redeployment of machinery with a view to complete the remaining earth work which will block the last rain water outlet. The IMP was requested by the PAPs to look into this aspect thoroughly in their May visit. IMP inspected the particular points on the site and the low laying fields which face threat of submergence. The PAPs and representatives of NTPC project and corporate office were also present. The PAPs refused to believe the assurances by NTPC that no harm would be caused to their fields if the earthwork is continued. They also showed a map to convince the IMP. The PAPs have categorically urged the IMP to intervene such that no further construction is carried on pending the settlement of the dispute over their rehabilitation . In the meanwhile, two days before IMP visit, dumper trucks started to dump earth on the unfinished patch to join the two embankments before dumping becomes impossible because of coming monsoon due to rise in level of Rihand reservoirs. This dumping of earth was being done at peak hot hours and at night when most PAPs are indoors and asleep. The poclairn machinery has not yet been redeployed and is working at an alternative ash dike site- i.e. the central ash dike to raise its height for further accommodation of ash slurry. The PAPs logic is that since IMP hopes that the issue of R&R package acceptable to Mitihini PAPs who remain will be resolved shortly, it makes sense to keep the construction suspended till the time package is finalized and implemented. The NTPC could speed up raising the height at central ash dike which could hold ash slurry for next few months villagers were not inclined to take NTPC assurances seriously because of the past and recent experiences of betrayal . For example, NTPC had used a map to mislead NHRC to deny that no crops had been damaged on 15-16 January. IMP later established the truth in the allegations vide its February report.

- Pass books indicating details of land and property acquired for every individual PAP as well as rehabilitation measures provided have been circulated to Mitihini PAPs. these pass

books suffer from several shortcomings which must be straightened out before similar pass books are made for PAPs of other villages. No two statements provide the same information e.g. information in individual pass books is at variance with information provided in a presentation made for the benefit of IMP in February 1998.

### **Vindhyachal**

- May 22 IMP visit to Atraila and Shahpur villages to assess the condition of some PAPs affected by V, ash Dike who have still not been able to move out because their resettlement has not been arranged for last several years. These villagers are living dangerously close to the ash slurry. Some of them have ash slurry flooding their houses:- It is also learnt that M.P State pollution Control Board has recently issued a show cause notice to vindhyachal (NTPC) for allowing the flow of ash slurry into the Rihand reservoir.

IMP is closely monitoring the condition of PAPs of Atraila and Shahpur. IMP informed that NTPC has promised to construct a wall which apparently would keep the ash slurry from flowing towards the fields and houses of PAPs. In the mean time their resettlement is being negotiated.

May 23 IMP Meeting with Vindhyachal Stage I PAPs

### **Issues**

- Women PAPs complained that Waidhan Metropolitan council extracts a tax from vegetable vendors. Many women in Navjeevan Vihar resettlement colony engage in vegetable vending and pleaded that such tax is unfair as neither they nor their men had been provided with permanent and sustainable livelihood by NTPC / State Government in lieu of land acquisition all these years.
- PAPs complained arbitrary dismissal from cooperative societies who are provided petty contracts; non-availability of work in jobs which are entrusted to contractors- most jobs of perennial nature are such that PAPs can be absorbed without creating an additional mechanism of cooperative societies. In fact

there is a rule in NTPC whereby 60 percent of labour supplied through contractors should be PAPs. This rule is not being complied with and malpractices flourish such as adjusting non-PAPs against the identity cards of PAPs.-

- Complaint was made that PAPs with knowledge of skilled work are asked to take up unskilled, hazardous jobs like jobs in the coal handling Plant etc. Whereas they can easily be adjusted in jobs in accordance with their knowledge and experience.
- School buildings constructed out of R&R funds are in the control of private parties who charge exorbitant fees unaffordable by most PAPs who do not have permanent and sustainable livelihood.
- Harassment in availing project hospital service as well as even the most limited exemptions provided in health insurance scheme were made both at Vindhyachal and Rihand. A review of serious limitation of medical insurance for PAPs was urged during all the visits of IMP.
- The issue of the responsibility of maintenance of resettlement colonies has long been debated, for last several years. Based on the failure of SADA (Special Area Development Authority in M.P. which is now converted into Metropolitan council) to deliver the goods, the maintenance of resettlement colonies had been taken over directly by NTPC. The GHK study reports also reflected similar concerns about dissatisfaction with SADA. Yet, it is understood that the maintenance of resettlement colonies has been already handed over to the Metropolitan council in Waidhan. On the one hand matter concerning maintenance is under review by IMP, why then decisions in opposition to popular sentiments and feelings are being taken in such hurry and without consultation with PAPs/ NGOs. This was raised as a concern before the chairperson IMP. The Metropolitan Council is a new name for the same corruption ridden SADA. It is also a matter of concern that project management sponsored NGOs consisting mainly of NTPC employees are also being similarly handed over maintenance jobs in Rihand. Diamond club, Chetna, Malviya Mission are manned by NTPC employees.

- PAPs from Stage I Protested that preference in Jobs/ allocation of shops etc. being given to stage II PAPs.
- WB, we learn, is contemplating financing a massive loan, for a Regional Development plan for Singrauli. Such a plan was subject of discussion at a two day meeting organised by WB on 10-11 Feb.1998 in New Delhi. Banwaris Sewa Ashram- an NGO in Rihand area, Peoples Science Institute Dehradun were the only two NGOs invited apart from NTPC NCL and state and central government authorities and agencies. The non-transparency of the entire process, inadequate consultation with all concerned and the haste in pushing a regional plan was protested. A signature campaign was organised where memoranda was submitted to Sidhi and Sonbhadra collectors objecting to approval of any plan without proper consultation. April 11-12, Banwasi Seva Ashram held a meeting with 102 representatives of people of Singrauli, NGOs, experts and activists. The two day meeting resolved that unless effects of environmental damages caused by past investments are mitigated, unless the backlog of past resettlement is properly addressed, people of the region will not accept any one- sided plan to expand industries and install new ones. The meeting also resolved that the mitigation of social and environmental damages should be arranged not by financing another WB loan but from the royalty which the various agencies responsible for causing damage in the region are asked to pay as penalty, (Report of 11-12 Feb. meeting -contact Ellen Schachgold, Head, Social Development Team, WB, New Delhi.
- People have been raising the issue of not according PAP status to people whose lands were acquired for transmission lines. In some cases acquisition have been substantive and rendered the PAPs resource less. A large number of compensation cases pertaining to transmission lines remain unsettled for last several years. IMP had earlier assured it would take up the matter with Power Grid Corporation which now deals with transmission net work.
- In spite of a lot of fact finding by NGOs, human rights groups, NHRC, violation of personal freedom of PAPs and activists surveillance

continues unabated. Intelligence wing of CISF have deputed two men at Shivaji Complex to keep a watch on visitors, as well as on Mr Ajay Pathak, one time activist, now an active supporter of struggles for fair rehabilitation and sustainable development. This was also raised as a concern before IMP during May visit.

- As regards the location of local office of IMP the PAPs in Vindhyachal were strongly in favor of its location in resettlement colonies in community centre and not within NTPC premises. This was particularly so because accessibility of PAPs to IMP office will best be ensured. PAPs would feel more confident about IMP if its secretariat is within the community, they felt.
- PAPs arrested in December 1997 had earlier appealed to the Panel for withdrawal of cases. One of them, a school student from Navjeevan Vihar, again mentioned his case that he was not part of the demonstration but was arrested as a result he missed his exam. Mr. Venkataramani urged Mr. Kolhe of NTPC Delhi to pursue the withdrawal of such prosecution as he thought these to be unnecessary.
- Lastly, the Human Rights watch report recommends extension of the term of IMP beyond one year. We need your support in lending strength to this demand. Decades of betrayal, have eroded the faith of PAPs in the authorities, relationships are sour. IMP is reviewing various policy issues and suggesting a frame work for alternate mechanisms. Slowly the PAPs are responding by petitioning before IMP. One of the PAPs remarked "this is the first time we feel satisfied that at least we are being patiently listened to. There should therefore be a wide support for extending the term of IMP beyond one year.

We will keep you informed about further development and look forward to your continued support and solidarity

P.S :

June

Bijpur dharna was called off subsequent to written assurance from IMP that pending resolution of rehabilitation controversy no fresh work will be undertaken on the ash dike. As of now the commitment from NTPC as recorded in IMP record of proceedings (19-6-1998) is being complied with.

- Efforts are on to explore possibilities of Government land for PAPs still in ash dike areas.
- IMP team extended for 6 months beginning July 1998.
- IMP meeting with chairman NTPC to discuss key issues is taking place today (6-7-1998) in Delhi
- Vimal of NAPM and Madhu Kohli meet Ellen Schaingold on 4-7-1998, a summary of meeting is being sent via a separate message.
- Efforts are on to speed up disbursement of compensations at Rihand. A list is being prepared to identify all such cases of non-disbursement.
- Work on identifying jobs even as contract labour for PAPs at Rihand has begun in pursuance of IMP proceedings of 19-6-98 (available with Delhi Forum).

**Ajay Kumar**

**Madhu Kohli**