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Supreme Court-Social Justice bench commences hearing on Sardar Sarovar case

Directs three state govt to appoint Grievance Redressal Authority

Badwani/New Delhi, 13th January: The Social Justice bench of the Supreme Court presided over by Justice Madan Lokur and Justice U.R. Lalit began hearing on the case related to further raise in the height of Sardar Sarovar dam, on 9th of January, 2015. The apex court had received summary submission with data and arguments from the petitioner, Narmada Bachao Andolan through Ms. Medha Patkar, and other Project Affected Person; along with respondents, Union of Indian/Narmada Control Authority and states of Madhya Pradesh, Maharashtra and Gujarat.

The very outset, counsel for Government of Gujarat, Shri Harish Salve and Attorney General of India for Union of India challenged the locus standi of Ms. Medha Patkar, accusing her and Narmada Bachao Andolan with quoting from single judgment on Omkareshwar dam and calling Andolan and Ms. Patkar as obstructionist to the dam and assertive that she should not be heard and the Andolan should not be permitted henceforth to be in the Supreme Court. The Judges listened to all the argument on maintainability and then requested Adv. Sanjay Parikh to plead on behalf of the representatives Petitioners of farmers, labourers and fish-workers in thousands.

Adv. Parikh narrated the history of violations of Narmada Water Dispute Tribunal Award, the state rehabilitation policies as well as the judgments of the apex court of 1992, 2000 and 2005.

The land and livelihood based rehabilitation, he argued, is far from completed and the same is evident from the official documents and reports. Hundreds of cases are pending before each Grievance Redressal Authority, chaired by a former judge and hundreds of orders are not complied with. Land offered and/or allotted to many is un-cultivable and hence against law and judgment.

MS. Patkar was granted permission to plead as party-in-person against the request of the opponents. She on her turn, put forth the situation on the ground as well as the violations. She narrated the story of the big scandal in rehabilitation that has totally derailed the policy and squandered crores of Rupees from rehabilitation funds without completion of rehabilitation.

The fake registries scam, she said, has led to making affected persons landless instead of giving them better standard of living, promised through policies.

The Bench enquired about the present status and functioning of Grievance Redressal Authorities; she got it confirmed before the Bench that hundreds of cases are pending before GRA's while there is no chairman in Madhya Pradesh and Gujarat today. The bench then directed to appoint urgently 5 GRA in Madhya Pradesh and two in Maharashtra and Gujarat each. Further, the Bench stated that it would like to get pending cases redressed and GRA to give their assessment on the differing data presented by parties. The Bench also directed the all the three states to consult respective authorities and come back with names of the GRAs. Next hearing to be held on 16th January

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