



Public hearing on the impact on the livelihoods Resources of the marginalized communities of Karaikkal – due to environmental pollution and degradation of water resources

**Bharti Patel
Director, Svaraj
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Check against delivery**

Justice Gopalswamy, Jury members, Friends and the media

I welcome the decision of Puducherry Environment Council, Karaikkal Joint Action committee, Women Education Social Trust (WEST) and TN environment Council to organize a public hearing on this very important and timely subject.

And I thank the organizers and the people of Karaikkal for inviting Svaraj to participate in this hearing.

My name is Bharti Patel and I am the director of Svaraj - a Bangalore based national NGO with a vision of a just society in a just environment.

In Svaraj, We believe that the solution for a cleaner environment for all lies in mobilizing for collective action in the revitalization, protection and equitable distribution of our natural resources.

Svaraj works across the four South Indian States – Karnataka, Kerala, Andra Pardesh and TN supporting and promoting community centric social and ecological activities to strengthen food, water and livelihood security through an integrated and sustainable management of natural and human resources.

Working at river basin and sub basin level we have seen the injustice and inequality caused to many of our poor and vulnerable communities who are systematically being denied their lawful right to safe and adequate food and water, their right to livelihood and to live in a clean environment.

In a small way and with support from Svaraj many of the communities we are working with have started to mobilize themselves and have taken action to affect change.

Many Communities

1. Have rejuvenated and are protecting their local water bodies from further deterioration;
2. Have changed their agriculture practices to move towards natural farming practices bringing in local bio –diversity
3. Have acted to stop illegal sand mining and quarrying
4. Are actively engaged in public dialogues with local governing bodies on environment pollution, waste management and pushing for wider changes in policy and practices in their regions.

People's right to live in a safe environment as well as our responsibility to protect our natural resources is every citizen's basic fundamental right and responsibility which is enshrined in our constitution 60 years ago. This right is essential of any democracy.

As citizens of Karaikkal and India, you have the right to information which is leading to the daily degradation of your local environment affecting you and your family's life as well as livelihood. You have the right to call public authorities and other agencies to account for this abuse and their lack of responsibility.

Your presence here today's shows that Karaikal and its community is a significant force and a key contributor in bringing change to your region. Your willingness to engage with the partners and with governing bodies is at a new level. You need to build on this and this public hearing offers an ideal tool to do just that.

Today at this hearing I want to highlight our learning from the work of Svaraj supported Fellow -Ms Padmini who has been exposing us to some of the ground reality on people's access to safe water and safe environment. Working with women in the community, Ms Padmini has been able to raise awareness on the state of Karaikkal's environment and the condition of its water.

It is sad for me to see that a country that has an enviable growth rate of the world is turning a blind eye to the consequences of this growth on the countries resources and on its very people. This rapid and unchecked industrialization is coming at a very high price for the people of Karikkal, people of India and our natural resources.

In Tamil Nadu, Traditional water systems are rapidly disappearing affecting its ability to store and recharge its ground water. Over exploitation of ground water, sand mining, quarrying as well as commercial agriculture is destroying our local environment and rivers. The rivers are dry, encroached and water is dangerously contaminated; our air is heavily polluted

The irreparable damage to our natural resources – water, land, air and forests are increasingly threatened.

1. Threats of water scarcity is a daily concern as overexploitation by industries, agriculture and households continues
2. Land degradation and loss of soil fertility as a result of the chemical fertilizer is not only affecting the farming community, but our own food security – India has higher numbers of children suffering from malnourishment than sub Saharan countries (one of the poorest countries in the world)
3. The affects of climate change is only too visible on our farms with lakhs of rupees of loss being incurred to farmers as their crops fail.
4. Our water is already polluted - 1.5 million children every year die as a result of water borne diseases.

I am sure, many of you who have come from far away places to participate at this hearing and share your experience will see that this is also the experience of millions of people in small towns and villages across our country.

This hearing is about the right of the people of Karaikkal to be listened to and their voices heard about their right to clean water, clean environment and safe and adequate food.

You have the right to acquire information about who is responsible for the daily deterioration of our resources; who are the beneficiaries of our natural resources.

The hearing is about your opportunity to raise important and unanswered questions on who decides on how we use our land, our natural resources about its equity in accessibility and in the protection of the natural resources.

I believe and I am sure you too believe that it is the people that should decide. And this is because you care for what is happening to your land, your water and your forest. You care because you know that there are generations after you that too will need these resources for their survival.

Our constitution lays great stress on environment and ecological justice and yet the public institutions, private companies and industries as well as the people continue to fail to address the impact of their action on the health and bio –diversity of our country.

The past three decades India has developed a variety of environmental laws to protect our rivers, forest as well as laws to control and prevent pollution under the Environment protection act 1986 which resulted in the creation of Ministry of environment and Forest. (MoEF). We are also signatory to most international treaties advancing progressive environmental objectives – for instance the UN conference on human environment 1972; the UN conference on environment and development (Rio Summit 1992), The Kyoto protocol – convention on climate change 1997 and several others

The international treaties and our laws provide for an explicit participation of concerned citizens at the relevant levels to have access to information concerning the environment held by public authorities, including information on hazardous materials, activities in the communities, and citizens should have opportunity to participate in decision making process.

The States has the responsibility to facilitate and encourage public awareness and participation by making information widely available and provide effective access to judicial and administrative proceeding, including redress and remedy for those affected.

And yet the international treaties and the government environment regulations such as water (prevention and Control) and air pollution act have completely failed to protect people of India. The government continues not only to fail in its duties, but often acts in favor of companies and industries who have been able to push their growth agenda without due consideration to our environment and the health of our nation.

Policies such as the SEZ and environmental clearance (self Certification Bill) and the national Commission for exploitation of Natural resources Bill 2006 will undermine all environment protection regulation giving industries the freedom of giving themselves an environment clearance through self certification and freedom from the need to comply with public consultations for example.

The Indian judiciary has made some significant contribution in their interpretation of our fundamental rights and duties to include objectives of environmental conservation, the right to life as inclusive of the right to livelihoods and clean environment; .expanding the role and responsibilities of state in environment protection and emphasizing the importance of public involvement in providing for the needs of all people.

But Court proceeding are lengthy and expensive and justice is often denied to the poor and vulnerable.

Whilst the role of local governance is crucial in ensuring protection of local environment it is being ignored. The Environment Impact assessment notification 2006 makes no provision accommodating for the dual role of local governance in any stage of the environmental decision making. This is in violation of the Panchayat Raj Act - 73rd Amendment and the 74th Amendment. This raises vital questions about the notifications commitment to constitutional and legal imperatives of meaningful devolution and local governance.

If we seriously want to protect health and the environment, then we must acknowledge that the current development paradigm is hazardous, and that the effects are uncontrollable and irreversible.

Given the nexus between government and industry, the civil society is left to itself to prove that there is harm to people and the environment from industrial pollution. Governments often cover up effects of industrial pollution in the interest of economic growth.

But these industries will turn their back on the government when they can no longer make profit from our land or our people. They will move to another land to exploit. But for us this

is our land and it is in our interest to ensure its protection and its continued life and livelihood giving properties.

Rich and powerful lobby organization may make the loudest noise. What they cannot do is bring in the power of the real people, who are committed to natural and sustainable way of life and who want to share it with others and sustain it for the future generations. We are the majority.

Organizers of this hearing and the participants - we are here because there is a real need to stop talking and to act. Act to protect our resources.

We need to network, engage in policy debates, mobilize resources and organize for our own development activities.

I wish you all the very best of luck and pledge our support to your campaign for pollution free environment

Bharti Patel
Director
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