

GOVERNMENT BOWS TO THE VOICES OF THE PEOPLE

When the ideas and views of the people are strongly voiced through political parties, the government will have no other go but to lend its ears and concede to. This is what happened in Tamil Nadu recently that the DMK led ruling government, bowing to the demands of opposition parties and NGOs, had to withdraw its bid to privatise the sand quarrying in the state.

Sand Quarrying in Tamil Nadu:

The rivers of Tamil Nadu were full of sands twenty- thirty years ago. The sand was mined in order to cater to the construction need of the local villages and government offices. The elders from the river running villages and those who have had frequented visiting rivers can substantiate the fact that water was flowing all through the years in all the rivers and they were abundant with sparkling sand in dry seasons.

Since the rivers had sand all over their pathways, ground water table all along their winding routes was kept intact and the farmers had enough water for irrigation. Since water was flowing in the rivers throughout the years, the surface water bodies also had water in all seasons except summer. So, people used the common water resources for bathing and washing, leaving the ground water resource intact. Due to the abundant water availability, agricultural practices were widespread, using organic manures and pesticides.

The unplanned housing schemes and unrestrained mining of sand paved way for the destruction of rivers. Exploiting the natural resources for the growing needs and wants of the society may be inevitable but destroying the natural resources is something atrocious and fatal to the very life of humans and other organisms on the globe.

As the sand being transformed in to a commodity, sand mafias have grown in the state and with their money, muscle and political power, they ravage the sand resources beyond restoration and let the rivers die gradually. Dearth of effective implementation of environmental laws and death of morality among the people sped up the process of the entry of rowdy politicians and big shots in mining business.

A farmer has to toil all day long, throughout the prime agricultural period to get their crops grown and saved from the attack of pests - just to get the fruits of his labour. Apart from their labour, they have to invest a huge sum of money for procuring resource materials. On the contrary, these miners spend a little money, a little labour, engage modern machineries and earn huge profit.

In those days, mostly bullock carts were engaged in loading sand and men were engaged in mining. Due to this, the resources were not exploited at an alarming rate. Today, the illegal sand miners engage modern machineries in mining sand, which itself is against the principles of mining, and destroy the resources at an alarming speed.

Of course, there are environmental laws to check the adverse impact of sand mining and the like on the environment and the social life in India. The gory deaths of people – the government officials and environmental activists, who opposed illegal sand mining - in the hands of the thugs engaged by the miners are the living examples to illustrate how effective and pro people is the legal system.

The crises ridden capitalism, in order to extend its bedridden life, has launched globalisation - its ultimate weapon – upon the working class of the world. The worst feature of globalisation process is the exploitation of water resources at the cost of the very livelihood resources of the indigenous people in the developing nations by multinational bottling plants like Pepsi, Coca Cola and mineral water companies.

Games Played by the Governments over sand mining:

The government led by AIADMK took over quarrying of sand in 2003, which was in the hands of private contractors before then, in a bid to curtail the over exploitation of miner minerals - as it had pronounced. The government that came to power after - led by DMK - continued the same policy. Unfortunately, on the 19th of May 2008, it announced that mining of sand will be operated via private contractors in the state. Well-meaning people, environmentalists, NGOs and of course, the opposition parties protested the move of the government.

AREDS, with all its experience of struggling against illegal sand mining and police atrocity, immediately held press-meet at Karur on the government's move to privatise sand quarrying. The following is the theme presented by AREDS to the press:

PRESS MEET on behalf of the Forum for Protection of Water and Livelihood Resources (FPWLR) in Karur District

- * **We protest Tamil Nadu government's notification that permits private contractors to mine sand in rivers and the cancellation of government quarries that came in to existence to curb illegal mining**
- * **We demand, whether it is government or private agencies, sand must be mined on the assurance that mining never causes damage to water resources in the areas**

Date: 24.5.2008

Venue: Arthi Hotel

Virtue of Cauvery:

- Cauvery had verdant tress and pastures on either side of its banks twenty years ago.
- Three-crop cultivation per year was in practice and there was high yield of paddy and other food grains.

- There was a high yield of cash crops.
- The drinking water resource was potable all along the pathway of Cauvery.
- Since the river was full of sand, making of a furrow on the surface will spring water.
- Water was available at 5-10 foot depth in the wells sunken on the banks.

Mining on need basis:

Before 1989, sand was mined on the need basis, cater to the needs of building houses and government offices in local or near by villages. Mining was allowed by auction and auction rate never exceeded Rs.200. That auctioned money would be the revenue for the panchayat. Mostly, the auction buyer would be from the local village. Panchayat would levy Rs.2 to Rs.3 for bullock cart and Rs.5 for tire carts and allow them to mine sand.

Sand for trade:

Tamil Nadu government made contract with private agencies for mining sand in the year 1989-90 for the first time, in view of leveling the pathway of Cauvery to facilitate easy water flow for irrigation and Kattali was the first mining location. Mining contract was made then through closed tender for Rs.1,10,000. The contract was yearly then. however, 10% was increased in the tender amount the contract was renewed by the same contractor in the following years. Though the contractors did not follow the minor mineral mining rules, they were in fear of the rules then.

Sand burglary in the name of sand trading:

From 1991 to 2003, sand was transformed in to a commodity and was exported to nearby states. The demand for sand was increasing day by day. Then the miners, in greed of money, engaged machineries in mining in order to supply according to the demand, replacing manual labour.

Tamil Nadu state government too in the exploitation of sand:

Tamil Nadu state government took over mining right on the 5th of October 2003, on the pretext that due to the mining by private agencies agriculture was affected and declared that sand quarrying will be done by PWD there afterwards.

- * **Though supply of sand is done by PWD, it was managed by the sub contractors only**
- * **Out of the revenue obtained per lorry, 1/3 goes to the state and 2/3 goes to the sub contractors**

Through direct monitoring of the people, it has been found out that sand is being loaded on 15,000 trucks per month in a quarry. According to the information obtained through RTI Act, out these 15000 trucks, only 1500 trucks have trip sheets. It puts the fact to the light that all the revenue comes through the remaining 13500 lorries goes to the sub contractors.

The history of movements against illegal sand mining in Karur district:

- License for mining sand (0/0- 2 mile) was allocated to Mr. Palanisamy S/O Marappa Gowndar by the district collector of Tiruchy in 1989.
- Within a month, the ground water table in Kattalai began to dwindle. So, Amaravathi River Small Farmers Development Association, Kattalai Small Farmers' Lift Water Irrigation Association, Kattali Cauvery Women's Association, youth association and other village welfare associations condemned this. Petition was also given in this regard to the collector of Tiruchy. Mr. K. Malayandi, the secretary of Amaravathi River Small Farmers Development Association, litigated (OS.56/90) against this in Kulithalai court and obtained stay for mining. But, the contractor violated the stay and went on mining. In the mean time, Mr. Martin, an environmental lawyer from Tiruchy, sent an appeal to the collector explaining the adverse impacts of sand mining on the natural resources in Kattalai. But there was no response from the collector.
- Mr. P.R. Kuppusamy, president Cauvery Protection Council and Mr. Karikalan, the president of youth association in Kattalai together filed a PIL (W.P.no.16016 of 19997) in 1997
- The Karur district collector, Mr. Ayyar, being aware of the ill effects of sand mining, visited the mining spot in Kattalai and sent a show cause notice to the contractor for illegal mining and penalized him of two crores and thirty four lakh rupees – for damaging the environment and river ecology.
- Road blockade was done against illegal mining – 25.11.91, 27.4.92, 5.4.96, 15.11.96



- The members of youth association Kattalai announced self-immolation by arson on 23.3.96. The district collector intervened and stopped it
- MLA and MP were gheraoed – 5.4.96, 15.11.96
- Chennai High Court ordered on January 25, checking of mining in Cauvery.
- The contractor, as a measure of terrorising the movements against illegal sand mining let their gundas to arson SWATE office on 7.3.1999



- State level women's movements and SWATE jointly held a hunger strike at Chennai on 17.5.99, protesting against setting of fire to SWATE office by the miners and illegal mining.
- Mr. Karikalan, the senior staff of AREDS along with 200 people filed a PIL (W>P>No.5726/1990) in Chennai High Court in 1990. As per the verdict of this case, sand should not be mining on the riverbed of Cauvery.
- The verdict of the PILs (W.P.16010, W.P.6713/98 W.A.1162/98) passed on 30.4.2001 bans mining and penalises the contractor for illegal mining. Further, it ordered CBI enquiry in this matter. The contractor moved the Supreme Court but it too affirmed the verdict of the High Court (IA No.16-20 INCIVIL Appeal No.7270-7274/2002)
- Public Hearing was held on mining on the 19th and 20th of February 2002 at Chennai. Former Chief Justice-Supreme Court Mr.H. Suresh and VR Krishna Iyer, Prof. Vasanthi Devi, Chairperson of Women's Commission and Prof. Markandeyan, Vice Chancellor of Gandhi Gram Rural University recommended the findings of the Public Hearing to the High Court
- In 2003 Forum for Protection of Water and Livelihood Resources was formed comprising 24 organisations, inclusive of SWATE, People's Development Movement (PDM), Karur District All labourers' Union (KADALU), Devendra Kula Peravai, Viduthalai Chiruthai, All India Agricultural Labourers' Association, Women Movement Against Poverty and Violence (Women MAPOVI), and Kattalai Small Farmers' Association.
- A hunger strike was organised in front of Karur District Collector's Office on 31.3.2003 against the illegal sand mining going on at Lalapet.
- In order to sabotage our plan to meet the collector for banning sand mining and preserving livelihood resources, police filed case against 7 of our activists in Lalapet and 3 in Kulthalai police stations. As a result, 7000 members took to road roko and it went for 7 hours
- 28 activists were arrested and jailed in Tiruchy Central Jail on the charge that they damaged the road that was laid inside the river for mining in Thirumukudalore.

- About 25000 people participated in the farmers' conference held in February 2003 in Karur. To ban sand mining in Cauvery and Amaravathi in Karur district was one of the main resolutions passed in the conference.
- Federation for Protecting the Water and Livelihood Resources in Karur District convened a meeting, in accordance with the resolution passed in the farmers' conference. About 2000 farmers took part in the meeting and were discussing the way of appealing the government to check the sand mining. Police intruded and arrested 1000 of them and filed case on 332. Sixteen of them were filed non bailable case and as a result they spent 18 days in jail and spent 22 days in Madurai on condition bail

Impact of sand mining:

- Gunda culture and disintegrating the people's movements are increasing day by day
- Indiscriminately, all political parties are for illegal sand mining and so, they do not raise their voice against sand mining genuinely.
- Rulers change but no change in illegal mining of sand.
- Drinking water resource and agricultural practices are increasingly dwindling.
- One-crop cultivation is possible where three-crop cultivation was in practice.
- Even the villages located on Cauvery River suffer drinking water scarcity.
- As the volume of sand decreases, flood occurs frequently. There are floods during rainy season and drought in other seasons.
- The ground water table goes down with the decrease in the volume of sand.
- Since the sand was mined up to 20 foot deep, the pathway became uneven that hindered the easy flow of water to the tail end. As a result, agriculture is vanishing at the tail ends of Cauvery.



- Many of the sincere government officials and social workers, who tried to check up the illegal sand mining right from the date of auction, have been killed by the rowdies of sand mining mafias. As the consequence, people are scared of going to the river even. Since there is a threat to their lives by the rowdies of sand mafias, people spend days in fear.

In the midst of all these hazards of illegal mining and unmindful of our democratic movements' demands, **Tamil Nadu government has announced a notification that permits private contractors to mine sand in rivers and the cancellation of government quarries that came in to existence to curb illegal mining.**

We strongly protest this endeavor and approach of the government

Our demands:

- * A body of geologists and scientists must be formed and a scientific environmental impact study must be done at the places proposed for sand lifting. If there are no negative impacts on water resources for drinking and irrigation due to sand mining, the state government should publish a declaration on it and then only it should allow sand mining.



- * The available volume of sand to be lifted in a particular quarry area must be assessed, criteria on the volume of sand to be loaded per lorry must be made and the number of lorries must be fixed and the government should strictly stick on to them.
- * A monitoring committee must be formed to oversee the volume of sand being mined and loaded. Local farmers, agricultural labourers and members from the body of geologists and scientists must be the members of this monitoring committee. Women must be given 50% representation in this committee

Irony in the opposition and all party meeting:

Three main opposition parties in Tamil Nadu did not participate in the all-party meeting called by the government on the pretext that they oppose the government's decision to privatize sand quarrying. Staying away from all-party meeting means neglecting the opportunity given for expressing one's view in a strong way. Indeed, the main opposition party and its allied force stayed away. In fact, they cringed to the fear losing the support of illegal sand mining network. If they pour words vehemently over illegal sand mining, they could not openly support their illegal sand-mining supporters, when or if they come to power. The same AIADMK led government nationalised the liquor shops in the state -

simply neglecting the textile workers, who were facing retrenchments due to the closure of textile mills as per the whims of industrialists.

While the present government continues the previous government's policy of state-run liquor shop, tried to revert the previous government's policy of state-run sand quarrying. There is uniformity of thinking and oneness in approach among the political parties in prolonging the factors generate cultural degeneration and environmental degradation. Does not it seem ironical?

The present government backtracked from its decision to privatise sand quarrying - conceding to the voices of opposition parties and NGOs. However, the sand mining is going on, violating the norms of Environmental Laws and Pollution Control Board's norms.

Call of AREDS:

We call upon the media persons, environmentalists, social activists, environmental lawyers and well-meaning government officials to witness the baneful and unsavoury act of the sand mafias at Kattalai.

We call upon the people from all walks of life to pressurize the government through democratic movements to put an end to illegal sand mining and to prosecute and penalize the plunderers.

THE HINDU • TUESDAY, MAY 27, 2008

Government drops move to privatise sand quarries

Special Correspondent

CHENNAI: Bowing to the demand of its allies, the Dravida Munnetra Kazhagam government on Monday decided not to go ahead with the decision to privatise sand quarrying.

In a resolution adopted at the end of a meeting of political parties represented in the Assembly here, a resolution was adopted to the effect that the government would continue sand quarrying across the State. Trucks could be permitted to carry up to three units of sand and the law should be amended to ensure that sand was not smuggled to neighbouring States, it said.

A committee comprising secretaries of the Industries department, the PWD, Revenue and Home departments will be constituted to study the present system and present a report to the government.

The main Opposition party, the All India Anna Dravida Munnetra Kazhagam, its ally, the Marumalarchi Dravida Munnetra Kazhagam and the Desiya Murpokku Dravidar Kazhagam stayed away from the meeting, protesting against the government move to privatise sand quarrying.

Sand quarrying was in private hands till October 2003. The AIADMK government took over quarrying in a bid to prevent overexploitation of the natural resource and to boost revenues. The DMK government continued this policy. It announced on May 19 that sand mining would be leased through tenders and open auction.

At the meeting on Monday, Congress Legislature Party leader D. Sudarshanam, who was highly critical of the government in the last Assembly session over the manner in which quarrying operations were being carried out, asserted that new problems would arise if the government leased quarries.

PMK president G.K.Mani, who had also voiced his concern both on the floor of the House and outside, opposed privatisation and said that stricter rules should be framed and implemented.



Chief Minister M. Karunanidhi at the all-party meeting in Chennai on Monday to discuss "quarrying of sand." - PHOTO: S.R. RAGHUNATHAN