

Editorial

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In recent years, the battle against hunger has been placed at the centre of the development discourse all over the world. The enormity of this discourse is crucial as a large section of people continue to be either struggling for a minimal assured right to feed or in many cases see no durable source of livelihood. This lingering deprivation is a consequence of the non-people oriented policy initiation in the wake of overriding simplification of economic liberalisation without sufficient regional sensitivity; say secured livelihood and equitable development. Though, FIAN India focuses on this fundamental issue of right to food, it also intensively engages with State policies and its impact on people in the wake of industrial projects (Special Economic Zone) and large dams; livelihood, land, natural resources, habitation etc.

This edition of Newsletter, therefore, believes that realizing an equity-based development and empowerment would require ensuring basic entitlements relating to livelihood security such as the right to work, land, gender justice, social security and rethinking ecologically and culturally disastrous economic policies and projects such as big dams and special economic zones (SEZs). It is reported that development projects under India's Five-Year plans have displaced about 500,000 persons each year and over 40% of those displaced from 1950 to 1990 were from tribal communities. After the adoption of neo-liberal policies the figure has risen to 50%.

Therefore, India's craze for modernization should be considerate of risk and potential consequences on the people's lives. The government should also be wary of the alterations that may come from deregulating big investment projects in terms of existing distribution, use, access to, and control over natural resources among different sections of society. Thus, in the face of existing policy contradictions in the country, hunger and displacement remains an everyday experience thereby taking a heavy toll on various other trajectories of rights, say women's rights, access to natural resources and fair growth and development. The issues taken up in this Newsletter come as a part of the need for a countrywide rethinking on existing policies, disaster management and people's rights. With a rights-based perspective, FIAN India regularly conducts several activities which include fact finding mission, case documentation, vulnerability mapping on hunger, public meetings, conventions, media advocacy, and dialogue with members of Parliament and other government bodies. FIAN India's main areas of interventions are on agrarian reform, minimum wages, right to water, and access to government social security schemes, starvation and right to land for women. There has been a commendable response from the community with several success stories. This Newsletter is expected to introduce the readers to the trajectories of FIAN India's commitments and interventions.

Happy reading!

Sanjay K Rai

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UN Committee concerns on Economic, Social and Cultural Rights in India

Prabhu Lal Paswan

Responding to Government of India's combined second, third, fourth and fifth report to UN Economic and Social Council in May 2008 (E/C.12/IND/5) on Economic, Social and Cultural Rights, UN Committee on Economic, Social and Cultural Rights (CESCR) has issued several concerns with the government of India. The concerns expressed by CESCR are crucial for its extent and relevance and these issues constitute core of FIAN's areas of work. FIAN also submitted Parallel Report to UN CESCR (www2.ohchr.org/English/bodies/cescr/doc/info-ngos/parallal/Report_India_Fian.pdf). Some "principal subject" of concerns is as below;

- The Committee notes with regret the position of the State party with regard to its legal obligations arising under the Covenant, specifically, that the realization of the rights it contains are entirely progressive in nature. (D.8)
- The Committee is concerned that, despite the significant role played by the Supreme Court of India in interpreting the Constitution with a view to achieving justifiability of economic, social and cultural rights, the Covenant is not given its full effective mechanisms to coordinate and ensure, at both the federal and state level, administrative and policy measures relating to ESCR. (D.9)
- Concerned with the existing state of human rights and threat and insecurity to the rights activist and the impunity given to the officials who violate human rights. (D. 12)
- Expresses concerns with the rights of disadvantaged; women, Scheduled Caste/ Tribes, minorities, differently able and people living with HIV-AIDS. (D.13)
- The Committee expresses its concerns on the non-implementation of 2006 Rajinder Sachar Committee and regrets the lack of actions taken by the federal and state union governments in India. (D.14)
- In its clause D.21 & 22 the Committee calls for creating effective employment opportunities and increased wages.
- Expresses concerns with the existing high poverty and serious food crisis and inaccessibility to food. (D.28)
- Expresses concern over designation of large areas as tax-free SEZs which has resulted in the displacement of millions. (D.31)
- Expresses concerns with the slow paced performance of Sarva Shikhsa Abhiyan (SSA) and trailing campaign of Universal Education in India. (D.40 & 41)

As FIAN works on ensuring right to food with due cognizance to empowerment of disadvantaged population, the concerns and suggestions issued by ESCR to the Government of India comes as a strong reminder to the government on the need to take rights of people more seriously and fulfill its commitment to initiate and implement various above social security policies. This suggestion of ESCR also reflects the intense campaign launched by various civil rights organizations and subsequent interest and concern generated all over the world. The suggestion of ESCR can be, thus, perceived as a step forward to ensure peoples' rights.

Flood in Bihar: A policy paradox and lessons unlearned

Narayanjee Chaudhary

This time again the state of Bihar is besieged by a gigantic flood in river Kosi devastating property worth millions and lives. The government has declared a national calamity and aids from all around the world has also started to come in. Nonetheless, the real suffering of victims facing this calamity is colossal with homelessness, destruction of crops, hunger, diseases, chaos and weak disaster management. This flood around the Koshi River has affected over 2.5 million people in northern Bihar. The worst affected districts included Madhepura, Bhagalpur, Araria and West Champaran. Despite its enormous havoc played by the flood, the State is not able to come up exact figures of victims and lives lost.

The flood in Bihar is caused mainly by breach on the embankment of the barrage in the Indo-Nepal border. It has been found that there has been reportedly no sufficient review and repairing of the embankments, although the Bihar government spends huge sums on the maintenance of embankments each year. On the other hand, Nepal's Defence Minister has made a statement that Nepal will repair the breach on its own, although it was not made clear when this work will be started. Heavy devastations by calamity such as in present Bihar has been common in India with no commendable management and policy making on water resource management, both at the country and regional level. Therefore, the present situation in Bihar needs to be understood from two aspects; one- the need for a policy rethinking on water management and rivers involving neighbouring countries and second- the invoking preparedness for disaster management and rehabilitation. Thus, flood in Bihar cannot be simply taken as natural calamity as if destined for people in any case. The worst suffer of this flood has been the children.

Affected villages	Population impacted (in lakhs)	Area	Relief Camps	People in relief camps	Food packers airdropped	Food packets distributed	Central assistance committed (crores)
898	25.71 lakhs	1.10 lakh hectares	256	2.81 lakh	77,375	1,58,435	1,600

Source: Disaster Management Deptt figures on September 5 (Ref. Hindustan Times, 16th Sept. 2008, New Delhi)

Children, women and dalits have yet again emerged out to be the worst victims of this flood. Infants and children have been not getting milk and necessary food, helpless women have been reported of physical abuse by officials and dalits have been discriminated in the rescue operations for they could not bribe the officials. Taking advantage of the situation, Human traffickers are targeting vulnerable children in India's flood-affected Bihar state. This situation of calamity which has displaced millions in northern Bihar the government of India should provide more resources with accountability mechanisms, large scale rehabilitation, women and children friendly centres, sufficient food, safe drinking water and medicines.

The government should immediately constitute a coordinating committee with Civil Society Organisations (CSOs) and International Non-Governmental Organisations (INGOs) for voluntary works and resource mobilisation and efficient use of the same. And, the government of India (Gol) and Bihar should lay out an immediate dialogue with the Government of Nepal on water sharing norms and its maintenance. Thus, it is a high time that India rethinks its river policies and preparedness for learning lessons and better crisis management such as flood and other calamities.

FIAN Demands

- Government should take up necessary steps to insure right to food of people
- Government should come out with a concrete rehabilitation policy for the victims
- Compensation to the people who lost the family members
- Government should provide a minimum support of land to rebuild the houses of flood victims
- The rehabilitation package must ensure land for agriculture for the displaced population.

Dams: Questioning development- The case of Tehri

Suman

Tehri Dam is being built under the Tehri Development Project in the state of Uttarakhand in India. It is located on the Bhagirathi River, a main tributary of the River Ganges. Tehri ranks 5th tallest in the world with 855 feet. Tehri dam is expected to be capable of 2400 MW. Despite its promises for better irrigation and electricity and development, Tehri project has been a subject of immense protest for environmentalists and local people. The land acquisition for the project started in 1979, resettlement of affected people is far from complete. There is no master plan for rehabilitation nor even a clear estimate of the number of people affected. Past estimates range from 67,500 to 97,000.

According to the 2002 Status Report of the Public Works Department of Tehri, the Dam was expected to displace 12,547 families. Ironically, this estimate excludes a large number of people who will lose their lands but have not been officially recognized as project-affected. Among those officially recognized, only half of the fully affected and very few of the partially affected families have been resettled. In most cases the land allotted is of poor quality or with multiple ownership claims.

Like all other major projects of dams, Tehri project has also displaced thousands of local inhabitants with potential ecological risks. The potential ecological threat involved in project has also become a global concern as the Tehri dam is located in the Central Himalayan Seismic Gap, a major geologic fault zone. When pro-Dam experts claim withstanding capacity upto 7.2 magnitude earthquake, many seismologists have warned on the possibility of 8.5 magnitude earthquake in the area.

It is reported that since filling of the reservoir in 2005, the flow of Bhagirathi water has been reduced has engulph a stiff resistance from the local for two main reasons; one- with the reduction of water the local people have started to have livelihood difficulties and second- as Bhagirathi is considered to be part of sacred Ganges and local Hindus have shown strong resistance to this dam. The formation of *Tehri Bandh Virodhi Sangharsh Samiti* (TBVSS) in 1978 has given a direction to the movement.

The government's response to reallocate 100,000 people from the area has led to legal battles over resettlement rights which in turn had put the project into a standstill. Though the Government of India had successively overruled any space for rethinking Dams. The coercion involved in the making of these "modern temples" of India shows the contradiction involved in the journey of India's modernisation. Mention can be made of the Hanumantha Rao Committee (1997) whose recommendations were superseded.



Local People Protesting Dam Construction

The potential risk is enormous in addition to the evident consequences seen in terms of displacement, improper rehabilitation and loss of livelihood. The flagging off the project despite various protests all over leaves people living around Bhagirathi with constant threat of a catastrophe as the region falls under a high-risk seismic zone.

Denial of Mid Day Meal: A case of FIAN's Intervention

Bipin Bihari, Advocate

Village Suman Nagar, a new habitat of Tehari Dam displaced people, has been living with a serious life time crisis due to eviction, livelihood problems and denial of children's education. Recently, FIAN had come across a gross violation of mid day meal (MDM) provision for children in the Tehri dam resettled village. In village Suman Nagar, the government runs a primary school with an enrollment of 95 children. In the recent times, this school has been found to be not properly functioning and hence no MDM for children in the area which is mandatory for all schools under the Sarva Shiksha Abhiyan. It can be reiterated that the idea of MDM was to bring more and more children to the school with a basic provision for one meal a day. This policy of India has been widely regarded as crucial in global run up to universal education.

This case of Suman Nagar village hints to the many more existing non-functional schools which in turn deprives children's right to food. In this context, not providing MDM is not only a gross violation of Right to Food of Children. Furthermore, the latest Human Development report shows that 47 percent children of the national are underweight and over 34 percent of Indian population lives on INR 40 a day.

Thus, providing MDM is necessary. As per the again revised guidelines, in the year 2006, by Ministry of Human Resource Development, a child should get 450 calories per day including 12 gm of protein and adequate quantity of micro nutrient iron, folic acid and vitamin A under the MDM scheme. To reach desired standards, some specific suggestions are also included in the revised guidelines like- adopting whole wheat, rice, cereals and pulses, sprouted pulses, leafy vegetables and use of ionized salts and in poor and drought affected area they should provide MDM in summer vacations too. These revised guidelines strongly suggest constituting a monitoring committee at Panchayat (village level local body) or municipality level and mothers & other local women should be involved in cooking the MDM.



Suman Nagar children don't get Mid-Day-Meal

FIAN with associate organizations have acted together to draw the government's attention to the plight of people and children. When "Tehari Bandh Punarvas Vikas Samiti" (victims' collective) approached for support, FIAN, U.P. had immediately extended the much needed support. After a thorough fact-finding, FIAN and Victims' collective have apprised the Chief Minister (CM) -Shri Bhuvan Chandra Khanduri. The demand Memorandum submitted to the CM has received major support from the like minded organizations.

Agro-Fuel in India: Retrospecting Right to food

Sanjay K Rai

The Government of India is planning to make it mandatory for oil companies to sell 20% ethanol-blended petrol across the country by 2017. The National Policy on Bio-fuels, which was cleared by the India recently, has set a target to achieve higher blending of biofuel in both petrol and diesel. The use of blended diesel, however, is yet to kick-off due to non-availability of adequate land for plantation of bio-fuel plants like Jatropha. Agro-fuels, whether in the form of bio-diesel or ethanol, are produced from plants. Bio-diesel can be produced from edible oilseeds, such as rapeseed, soyabean, palm, sunflower, etc., as also from non-edible oilseeds such as Jatropha curacas, Pongamia, neem and Karanja. Ethanol, a petrol substitute, is produced in India from sugarcane/sugar-beet and molasses, and can be produced from corn, sweet sorghum and most forms of wet bio-mass.

To talk about the global trend, the European Commission has set the target to replace the 10 per cent of transport energy needs through bio-fuel and US plans to increase the annual use of renewable fuels, mainly by ethanol up to 36 billion by 2022. The present global perspective on development is guided by the interest of dominant countries. It is high time that an immediate policy rethinking is done at the global level with dominant countries becoming more accountability to the risk inherent in bio-fuel production. Bio-fuel projects all over the world threatens food security all over the world and its ironical that rich countries spent up to USD 5 billion in recent years to enhance bio-fuel production.

When the world continues to face food crisis, the global obsession for bio-fuel as an alternative source of energy may result in converting arable landmass for food stocks into fuel generating fields. In contrast to what has been claimed by United States that consumption of better diet in developing countries was resulting in rise in food prices; a new study has found the increasing hunt for bio-fuels in the rich nations was the factor behind the growing food crisis. According to a recent Oxfam International's report, bio-fuels have already contributed upto 30 per cent to the global rise in food prices and its increasing demand has pushed more than 30 million people into poverty.

The demand for bio-fuels is affecting the climate in another way also. To meet the growing demand for bio-fuel in rich countries like European Union (EU), United States (US) and Canada some countries are expanding their production for bio-fuel. It is estimated that the present craze for bio-fuels could leave 600 million more people hungry by 2025 undermining the Millennium Development Goal of eradicating poverty and hunger.

In addition, bio-fuel production all over the world is bound to take heavy toll on agricultural land and forcing farming to expand into lands that are important carbon sinks such as forests and wetlands. This would set off the release of carbon from soil and vegetation which is potentially dangerous for agriculture and environment. Biofuel production is questioned on various other issues as well. The chairman of the Intergovernmental Panel on Climate Change, Rajendra Pachauri, notably observed in March 2008, biofuel involves emission problem and would raise prices of corn, with an overall implication for food security.

To sum up, biofuel projects all over the world involves critical issues and challenges which needs to be taken care of. The expected massive changes in the land use patterns, clearing tropical forests, using peatlands for cultivation of crops etc. are risky exercises involved in bio-fuel projects as it risk greenhouse effects and conservation of biodiversity. A wide range of scientists and research organisation have warned on the risk associated with switching of existing cultivated land to producing bio-fuel feedstocks. It is high time that the policy makers recognise the embedded crisis in bio-fuel production and the contradiction it has created between food and non-food crops.

- Widespread planting and use of Agro-fuel crops would threaten natural ecosystems
- Reduce food-stock arable land
- Raise food prices
- 30 million people already pushed into poverty

Resist Land Acquisition (Amendment) Bill of India

Noni Meetei

The Land Acquisition Amendment (LAA) Bill of 2007 strengthens the ground for state to have claim over all property within India, say an absolute power to take over private property in the name of 'public projects'. Therefore, the Amendment is not formulated to rethink the contested clauses in the original Land Acquisition Act, 1894. The 1984 of Act has so far provided the state to usurp natural resources, community and properties. It is ironical that such a usurping of civil property is being explicated under the guise of welfare nature of Indian Constitutional ethos as a result of which the poor in India have in several cases become deprived of their meager landholdings and access to natural resources, especially for the tribals and forest dwellers. The idea and emergence of Land Acquisition Act 2007 can be seen in consonance with the neo-liberal policies and Special Economic Zones (SEZ). It is well known in the recent years there has been stiff resistance all over India against the SEZ policy to coercively hand over civil settlement areas and their daily sources of living to few corporations and commercial establishments.

Therefore, challenges to the acquisition notification are made on the ground that the acquisition sought to be made is malafide and does not satisfy the requirement of acquisition being for the benefit of general public or for public purpose. The project planning process envisaged in the Bill completely excludes the participation of local communities, thereby, ignoring the Constitutional mandate and requisites laid out in the 73rd and 74th Constitutional Amendments.

The proposed amendments exhibit a clear bias against the rural-urban poor and landless. In the 1894 Act, the "public purpose" included provision of village sites, planned development or improvement of existing village sites, provision of land for town and rural planning, provision of land for residential purpose to the poor or landless, educational and housing schemes etc. These provisions have been explicitly removed by the proposed amendments. There is nothing in the Amendment Bill to suggest that housing for rural and urban poor by the State or educational, health and other such institutions will be covered in "public purpose". If it is to be presumed that these can be covered under "any other purpose useful to general public", under Section 3(f) (iii), a clause applicable only for private projects, it would mean that the government is leaving all its functions, even those as basic as health, education and housing for the poor, to be handled by private investors.

The amendment, by allowing acquisition on behalf of 'persons', which essentially means companies and private investors, now brings commercial purposes within the ambit 'public purpose'. The term "any other purpose useful to the general public" under Section 3(f) (iii) has not been further clarified thereby leaving public good in the hands of private companies.

The amendment bill of 2007 has no sufficient assured mechanism for compensation. Also, Section 17(1) of LAA which provides that in case of an 'urgency' land can be acquired by the Government within 15 days of publication of notice. 'Urgency' has however not been defined or illustrated in the Act. Thus, leaving ample for room for misuse as it is written in clause (2) of the Section further provides for situations where the Collector is empowered to enter upon and take possession of such land immediately after publication of notification under clause (1) with the

notice of mere 48 hours.

Another dimension of the amendment is that its intention of bringing Scheduled tribes and traditional forest dwellers under the definition of "person affected" seems to be to enable the acquisition of forest areas, particularly for mining and hydel projects which have now been included in the definition of "infrastructure projects". It is essential that the rights that accrue to Scheduled Tribes and other forest dwelling communities under the Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006 and the Provisions of the Panchayats (Extension to the Scheduled Areas) Act, 1996 must be recognized and settled before any acquisition and their rights and interests must be specifically safeguarded under the R&R Bill.

Voice of Concerns

1. The principle of 'eminent domain'/ state's absolute power, on which the Act is based, must also be discarded and community ownership rights over natural resources must be given due cognizance.
2. Clearly specify the definition of "public purpose", incorporate democratic processes and institutions, and aim to establish "no enforced displacement" as a norm.
3. There is no time bound concern for rehabilitation and has no safeguard to rural evictions
4. No Guarantee of Land for land and alternative livelihood based rehabilitation and resettlement should mean social, economic and cultural alternative way of life and hence can't be attained without an alternative livelihood which needs to be land based (to be allotted as private and common property) for agriculturist populations, forest dwellers and nomadic pastoral communities affected. The current Bill does not guarantee land for land rehabilitation.
5. The Bill completely ignores the phenomenon of urban evictions and displacement which have been on the rise in the past few years

FIAN joining the fight for Land Rights in Singur

Ujjaini Halim

Singur in West Bengal has been in news since the state CPI-M government decided to sell 400 hectares (1000 acres) to Tata Motors by acquiring fertile agricultural lands from the peasants in 2006 for construction of a car manufacturing plant in the area. The land acquisition which took place in 2006 destroyed food security of around 30,000 peasants and other small entrepreneurs who were directly and/or indirectly dependent on the acquired land. Singur experience has stood out to be one of the worst onslaughts of neo-liberal policies in the recent times. There has been complete denial of land rights, insufficient compensation and denial of rehabilitation packages. Along with various international and national human rights organizations, FIAN-West Bengal chapter- has been supporting the peasants' resistance against Tata Singur project as it has directly affected the people's right to food.

FIAN West Bengal has been strongly supporting the victims of Right to Food (RTF) violation in Singur by bringing out cases of victims at state, national and International level. In addition, FIAN West Bengal had also filed a Right to Information (RTI) application to District Collector (DC) of Hooghly in 2006 seeking information on various issues of land acquisition. When no response came from the DC office, another case was filed at Calcutta High Court (first of its kind on Singur) to access information as well as to sensitise media and larger civil Society on this issue. In collaboration with FIAN International various campaigns were launched which resulted in the coming together of 14 organizations and it culminated into a national level collective to dialogue on Singur issue. FIAN WB have also been able to organize Peoples Tribunal on Singur issue at Kolkata in early 2007. Several retired high court and Supreme Court judges formed the bench and passed a judgment, highlighting the human rights violations occurred in Singur. More than 10,000 people attended the Tribunal. Afterwards FIAN WB took part in FFM organized by other organizations in Singur and continued its press works on this issue. When the high court of Kolkata rejected all Singur cases, FIAN WB decided to file a case at Supreme Court challenging land acquisition process and compensation package. This case is going on the last hearing was on August 13, 2008

As a result of the people's movement and support generated from various organizations, the land rights issue has been in the forefront of all national debates in India today. Recent local self government election shows that CPI-M's support base is depleting fast. It seems that present government is forced to rethink its Tata Project in the state. After a prolonged movement and loss of lives, the government is compelled to provide compensation money to the victims and also subsequent arrangement of alternative land system. Today, the neo-liberal onslaught seems to have been put on hold by the people's movement because of its outright rejection and taking over of resources and property on which 'local' depend. FIAN is, thus, committed to raise its voice against excesses of neo-liberal economic policies lest it recognizes the rights of people.

Dam: Denial of Right to Land of Women

Dr. Shefali Srivastava

The construction of Sardar Sarovar Dam is one of the most expensive dams ever constructed in India in terms of Rehabilitation and Resettlement package. Nearly Seventy-five thousand crore Rupees is spent alone on Rehabilitation and Resettlement (R&R) of Project Affected Persons (PAPs). Each Project Affected Family (PAF) is considered as separate unit for R&R purpose. Every male member who has attained the age of 18 years before submergence of their land is considered for compensation benefits. The question here is how such a well planned project could overlook the Right of Women. The suffering of women is no less. Surprisingly, the Rehabilitation and Resettlement (R&R) package of Sardar Sarovar Project (SSP) remained silent over the right of women for benefits as other PAPs. The R&R package does not give sense of satisfaction to daughters either.

Some arrangements should be made for their livelihood. As before submergence of their land the woman folk had adjusted themselves in a manner so as to make their sustenance possible. And through this, they had succeeded to acquire useful place for themselves in their respective households. Shifting has shattered the existing set-up drastically. Sources on which they were keeping themselves busy are completely destroyed. In the process of shifting, the style of functioning of household has undergone an unprecedented change. Therefore, the women should also be treated as independent unit for the purpose of compensation. This will enable them to keep themselves alive in the new changed situation. Rehabilitation is a complex human problem. It affects the social, cultural and economic life of the people involved man, woman and children.

Case study of Mr.Surbaan and his daughter Ramli

Mr..Surbaan is upsarpanch of village Kakrana.His family includes his wife and his only child Ramli, a girl of eighteen years old. He is the only person in the village with a single girl child. As per the Rehabilitation and Resettlement (R&R) plan, he alone is entitled for the compensation benefits. He has two dependents on him i.e. his wife and his only child his daughter. He wanted R&R benefits for his daughter too as he has no son/male child. But his request went into deaf ears.

The Rehabilitation and Resettlement package of Sardar Sarovar project has outwardly ignored the Right of women in land possession. It can very well be said as a violation of International Right of Women, National Right of Women and State's Right as well.

The questions here are:
Is it justified to give compensation only to male affected population? Are woman not affected? What about those families where there is no surviving male member? What about those families where there is no adult male child? Are the agonies of pain of uprooting of such families lesser? Why such vital questions are ignored in R&R plan of much publicized Sardar Sarovar project of India.

Dam and Violation of Tribal Cultural Rights

Cultural Rights and Social Rights of the tribal people who are forcibly displaced due to the construction of the Sardar Sarovar Dam (SSD) and the project is popularly known as Sardar Sarovar Project (SSP).The SSP is a project jointly shared by four states namely Madhya Pradesh, Gujarat, Rajasthan and Maharashtra. The SSD is built on river Narmada .The river Narmada originates from Amarkantak in Madhya Pradesh and travels through Maharashtra, Rajasthan and falls in Arabian Sea in Gujarat. The SS dam is constructed in Bharuch district in Gujarat. The Rehabilitation and Resettlement of the Project Affected Persons (PAPs) is shared by the above mentioned four states according to the plans laid down in Narmada Water Disputes Tribunal (NWDT). According to this plan the PAPs of Madhya Pradesh who will be facing complete submergence will be resettled by Government of Gujarat. In Madhya Pradesh the construction of Sardar Sarovar Dam has lead to submergence of 193 villages uprooting more than a lakh of population residing in these villages. Majority of the population who are uprooted are Bhil tribes. The Bhil tribes until submergence maintained their cultural identity. The Bhil are the most ferocious tribes of India. Bhil kills with slightest provocation and indulges in heinous offences viz. dacoity, murder, robbery, theft and kidnappings. They are master archers and indulge in heavy drinking especially their traditional drink called taadi. They choose their life partners mostly through elopement during Bhagoria festival, celebrated during Holi (colorful festival of Hindus).Bhagoria Hat is also famous to settle their old quarrels. The shifting has disrupted the social-cultural fabric of the Bhil tribes beyond imagination.

Kakrana is a small multi-ethnic Bhil dominated village. It is 48 kms from Alirajpur tehsil and 150 kms. from district headquarter Jhabua in western part of Madhya Pradesh. Kakrana is completely submerged. The population residing in Kakrana is forcibly uprooted, displaced and resettled in seven different places in Gujarat state. The whole village is scattered and the social life of the Bhil tribe is completely shattered. The role of culture in the social life of a man hardly needs any explanation. The Bhil of Kakrana describes their culture as laadi, taadi and kheti baadi meaning women, liquor and land for cultivation. The shifting of the Bhil tribe from Kakrana in Madhya Pradesh to neighboring state Gujarat has ignored the cultural and social right of the Bhil population residing thereby. The bhil tribe is deprived of their shelter, possession and sustenance. These are three basic elements indispensable to human survival. The kinship bond is also weakened due to settlement in seven different places in Gujarat state.

Liquor plays a vital role. Taadi is an important drink. It is a sap of a tree Mahua. Taadi is taken as staple diet by the whole family. The nutritional requirements and caloric consumption is fulfilled by Taadi. Gujarat is a dry state and liquor consumption is ban there but for Bhil tribes consuming Taadi, local liquor is a part of their dietary composition. Mahua tree is not found in Gujarat and so taadi making is not possible. In the post settlement colony the tribal find them in a new physical environment, a new culture and new people. Their situation is just like as if they are landed in a foreign land. The tribal are in a state of Culture shock.

Tribal village life cannot be imagined without the availability of adequate community land which is used for various purposes such as grazing land, Gatha writing (a typical Bhil cultural identity. It is writing in honor of their dead ones) and various socio- cultural activities. They are deprived of their community land which is popularly a platform of their socio-cultural life.

FIAN India in Action

FIAN's follow up meeting on UN ICESCR recommendations

As a follow up to the observations made by international Covenant on Economic Social and Cultural Rights (ICESCR) during its 40th session meeting from 28th April to 16th May, 2008, FIAN organized a national consultation on 3rd September, 2008 at Dehi. The consultation was participated Flavio Valente -Secretary General-FIAN International, Suman, President FIAN-U.P, Mr. D. Guruswamy, FIAN- Tamil Nadu, T Ravi Kumar, FIAN AP, John Bosco, FIAN Karnataka, Manimoy Sinha from Jharkhand, Dr. Prakash Tyagi, Rajsthan, Prashant, Orissa, Miloon Kothari and Shivani Chaudhary of IHC-HLRN, Ashok Sinha, Bihar, Neetika Pant, Shurvir Sing from Uttarakhand, Adv. Anup Srivastav, HRLN and various activists from all over India. The deliberations of the day largely debated on the importance of right to food in India. The speakers unanimously held it as a fundamental right and the State should ensure this right of people. Stating the importance of this parallel report, Mr. Sanjay K Rai, National Coordinator, FIAN-India said that it was one of the initiatives of FIAN to increase the accountability of the state for full realization of right to food. This was stated against the backdrop of existing facts in India. To quote Rai "80% of the hungry people in the country reside in the rural areas and there is a large landless population with almost 65% of Indians living under Below Poverty Line."



This follow up meeting has also been organized against the backdrop of the Parallel Report that FIAN submitted in May 2008 to ICESCR. The report draws global attention to the issues of extreme destitution of people with worst sufferers being the women and children. The Report stresses the causality of the deprivation of right to food lies not in shortages of food but lack of accessibility. The report comes as a detailed fact-sheet on the right to food security in India. The report is submitted against the backdrop of ICESCR's article number 11 which implies three basic obligations towards right to food;

- a. The obligation to Respect existing access to adequate food requires signatory States not to take any measures that results in preventing this access.
- b. The obligation to Protect requires measures to be taken by the State to ensure that enterprises or individuals do not deprive individuals of their access to adequate food.
- c. The obligation to fulfill means that the States must pro-actively engage in activities intended to strengthen people's access to and utilization of resources and means to ensure their livelihood, including food security. Furthermore, wherever an individual or group is unable, for reasons beyond their control, to enjoy the right to adequate food by the means at their disposal, States have the obligation to fulfill this right directly.

The report is strong reminder to the Government of India as it is a party to International Covenant on Economic Social Cultural Rights (ICESCR) and each member is to respect, protect and fulfill the right to food and feed oneself. Moreover, the Right to Food is also enshrined in Article 21 of the Constitution as Right to Life.

Main highlights of the Parallel Report submitted to ICESCR

- Providing clear illustration of the state's compliance with overall Human Rights obligations.
- Analyzing the Government's policies towards realization of Right to Food and Feed Oneself.
- Documenting concrete cases of violation of Right to Food and demanding for global attention.
- Increasing general awareness and education about Right to Food
- Developing Network with like-minded civil society organizations, movements, lawyers, state representatives, parliamentarians and other concerned citizens.
- Creating a platform for Civil Society Organisations (CSOs) to raise their voices and influence policy/implementation decisions of the state for full realization of Right to Food and Feed Oneself.

This intervention of FIAN at the global level is to re-affirm its belief in the dictum- FOOD IS NOT A COMMODITY BUT A RIGHT and it is the duty of the Government to ensure that all have fair access to it. It is important to note here that many of the recommendations made by FIAN are being accepted by UN ICESCR.

Parliamentarians meet UN ICESCR, Member

FIAN has been continuously working with the policy makers, political leaders and community. FIAN's activities cover many international issues and forums as well. Revealing such a commitment to work on International issues, a meeting was organized by FIAN India on July 8, 2008 in Delhi to discuss the conclusions and recommendations made in the 40th report of United Nations' Committee on Economic, Social and Cultural Rights (ESCR), Mat 2008. FIAN facilitated this meeting which witnessed the participation of ICESCR member, Indian MPs, CSOs and academicians.

Ms. Maria Virginia Gomez, Member, UN Committee on ESCR was special invitee in this meeting along with Members of Parliament and people from Civil Society. Dr. E.M. Sudarsana Natchiappan, President PFHR, extended warm welcome to Ms. Maria Virginia Gomes, Members of Parliament and other participants. He further shared the objectives and work of PFHR, with the participants, and how the interventions made by PFHR resulted in ensuring human rights of the citizens. Mr. Natchiappan explained the fellow Parliamentarian that expectation from this meetings is that the policy makers should follow up the concluding recommendations of UN Committee report and create awareness at higher level regarding all recommendations so that in 2011 India's presentation report could be submitted on time at next UN committee meeting on Social, Economic and Cultural Rights.



Reaffirming the tone of the meeting, Ms. Suman of FIAN shared the main objective of sharing the report submitted by Government of India at UN committee on Social, Economic and Cultural rights at Geneva. Further she explained the crucial role of Parliamentarian Forum for Human rights in drawing a strategy to follow the recommendation made by this committee regarding India. During the interaction period, it was stressed that the government should ensure release, reunion and

repatriation of the victims with their families and rehabilitation. Separate budget allocation for trafficked victims trafficked children along with their rehabilitation (transitory homes for counseling, vocational training, food, shelter and education). Separate budget for law enforcement officials (including police) for their training, re-orientation and recruitment. Ensure free and compulsory education as per the 86th constitutional amendment.

Responding to the note address, Ms. Virginia said that in order to bring equity among all the Indian citizens to access their economic, social and cultural rights, it is very imperative to follow up, regularly, all the conclusions and recommendation of report made by UN committee on Economic, Social and Cultural Rights as per the presentation made by India on 8 May 2008 at Geneva. She further said that, “we have made recommendations and conclusion on the basis of collecting information from various civil societies, government data and reports, research and studies so these concluding recommendations are concrete facts”. Continuing her views on Indian government presentation at Geneva meeting Ms. Virginia said, “Government of India talked on lots of laws, policies and schemes but in fact such presentation was missing impact of running schemes and policies. They had also failed to present disaggregated data”. Therefore, this meeting of July 2008 takes PFHR to a new level of commitment and focus areas mainly at the international area.

Meeting in Tamil Nadu



At the invitation of FIAN Tamilnadu, Ms. Maria Virginia Gomez visited Tamilnadu. After a traditional and royal welcome, FIAN Tamilnadu organized a field visit to interact with the farmers in the Cauvery basin whose lands have become infertile due to pollutants and effluents from the factories along the tributaries of river Cauvery. FIAN also organized an interactive session with Maria Gomez with over 500 students from different colleges around Coimbatore, listening to her patiently. A question and answer session was an eye opener for many college students who were exposed to ESC Rights for the first time.

On the 10th and 11th July FIAN Tamilnadu organised an interactive session with Maria Gomez, inviting a numerous NGOs from Tamilnadu who work on issues relating to Livelihood, Land, Water, Minorities, Dalits, Fisherfolk and the Rural employment guarantee Act etc. A committee was formed to pursue further the Concluding Observations, with the Government, in the coming three years, by which time, the next country report is due to be presented at the UN.

AGRO FUEL WORKSHOP IN KOLKATA

The new phase of agro-fuel cultivation has begun in India . Agro- fuel issue includes within its fold major policy domains like energy , agriculture , environment and trade. Hence it is imperative to understand the whole debate on agro fuel so as to be able to opt for the right techniques and bring about improvement in such manner that would ensure all round sustainable development for the communities.

To this end a two day national consultation from 31st August 1st September ,2008 on agro-fuel and its impact on the Right To Food in India organized by FIAN International and FIAN West Bengal in collaboration with Heinrich Boel Foundation (India) was held in the premises of Narendrapur Ramakrishna Mission .The consultation was attended by scientists like Prof.Ahindra Nag,Dr.D.P.Bhattacharya,Dr.S.K.Dutta., Prof. T.B. Jha ,retired IAS officer Sr. Deepak Ghosh, Sabine Pabst from FIAN International, Dr. Ujjaini Halim from FIAN West Bengal and Barbara Meincke of the Heinrich Boel Foundation also attended the consultation.. Participants were there from different organizations of India like PIDIT (Chattisgarh & Jharkhand), Ekta Parishad (Madhya Pradesh), FIAN Bangalore section, FIAN Rajasthan, Agramamee Orissa, Cecoedecon (Rajasthan), Gene Campaign (New Delhi) and several other civil society organizations from West Bengal.

The consultation was inaugurated with enthusiastic speeches by Biplab Halim, General Secretary of FIAN, West Bengal and Swami Asaktananda Maharaj, Secretary of Narendrapur Ramakrishna Mission. Mr.Halim briefly outlined the objectives of the consultation with special emphasis on a detailed understanding of the issues concerning agro-fuel policy in India and creating an agenda consisting guidelines for policy formulation and implementation.. Sabine Pabst from FIAN International and Barbara Meincke of the Heinrich Boel Foundation spoke of their respective organizations and their involvement in the issues of human rights, environment, and more specifically, food security and agrofuel.

The goal is to develop a policy framework balancing the need for environment-friendly energy and the right to food (RTF) which in turn would necessitate a precise and effective monitoring mechanism. In the first phase, already under way, an agrofuel watch guideline, consistent with HR, would be developed. The effort would be followed up through the dissemination of the guideline and sensitization of various agencies involved, in the second phase of the project. However the primary focus of the present consultation is sharing information on the current incidence and expansion of agro-fuel in India, getting further inputs, formulating criteria for selection of cases to be studied in more detail, documenting cases, and constituting a task force and an advisory committee.

Four presentations by scientists. (Dr. D.P. Bhattacharya, Dr. S.K. Dutta, Prof T.B. Jha and Prof. Ahindra Nag) on various aspects of agrofuel in India followed.

Dr. Halim concluded the presentation by asserting that any policy regarding biofuel must necessarily give priority to the most vulnerable groups, assuring their right to food and access to resources, especially CPR, actively promote community participation in decision-making and include a clearly defined and practicable monitoring and accountability component. The anticipation of future collaborative work by all participants brought the consultation to an orderly and successful conclusion. As a follow up activity of this consultation, a workshop will be held among the task force members at the end of this month when the different cases of agro fuel in India will be discussed and strategies will be developed.

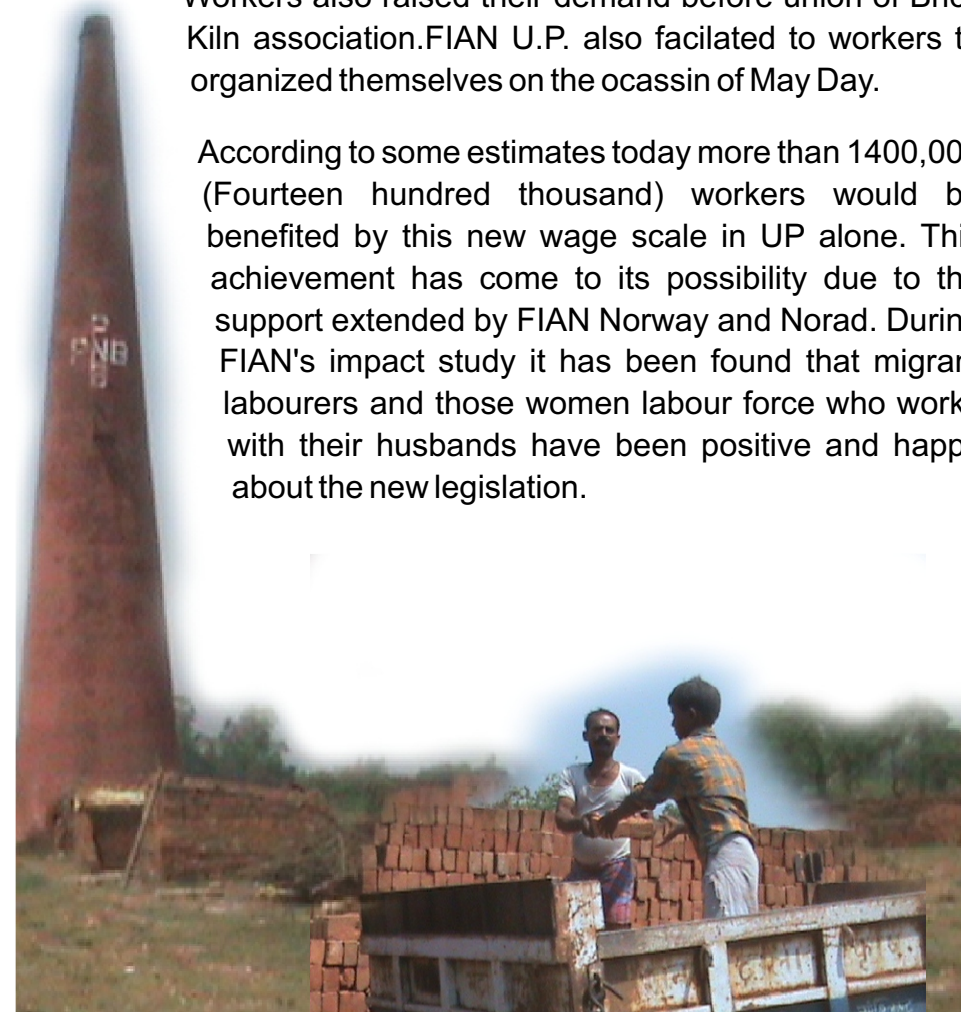
FIAN India Success

FIAN UP and FIAN Norway intervention

Low wage system and underpaid labour has been a global issue. The case of India is no different. It was against this backdrop, Food First Information Action Network (FIAN) in Uttar Pradesh (U.P) and FIAN Norway started a case documentation and campaign in Tikaitganj, Barabanki District. The project started in the year July 2005. The main objective of this project was to make a thorough case study of the area and consequently demand for increasing the minimum daily wage in the state of Uttar Pradesh. The specific demand of FIAN's intervention has been to increase wages from INR 58 to INR 100 per day for 8 hours work. Since the start beginning of its campaigns in 2005, FIAN-U.P. & Norway- have ceaselessly struggled and involved local community, political representatives- local member of Parliament and Member of legislative Assembly (MLA), local civil society organizations (CSOs) and local administrative units. FIAN Norway and UP organized FFM, public meetings, delegation visit to authority and awareness meeting of workers.

Workers also raised their demand before union of Brick Kiln association. FIAN U.P. also facilitated to workers to organized themselves on the occasion of May Day.

According to some estimates today more than 1400,000 (Fourteen hundred thousand) workers would be benefited by this new wage scale in UP alone. This achievement has come to its possibility due to the support extended by FIAN Norway and Norad. During FIAN's impact study it has been found that migrant labourers and those women labour force who works with their husbands have been positive and happy about the new legislation.



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