CHAPTER V

ECOLOGICAL MOVEMENT AGAINST

SHARAVATHI TAIL RACE PROJECT
I. THE SETTING

Honnavar, the southern coastal taluka of Uttara Kannada district was famous for its spices and forest produce since times immemorial. Located at the mouth of the Sharavathi river, Honnavar, an important port of great antiquity had extensive trade links with the rest of the world, beginning with the Phoenicians in 1000 B.C., who traded in pepper and sandalwood. The Romans imported from Honnavar pepper and other spices, rice, ivory, textiles, fine silks, diamonds, rubies, tortoise shells etc. The Arabs too established trading links with Honnavar and the local kings imported Arab horses. The Portugese, in the mid-16th century acquired permission from local kings to open factories at Honnavar and Ankola and carried on intensive trade in spices and other goods. Later, the British dominated the trading and considered the pepper from the Gerusoppa region to be the best in the world (UK Gazetteer 1985).

The successive kingdoms too propagated and capitalised on the flourishing and extensive trade. The Saluva Queen, Chenna Dhairadevi was known as the "Queen of Pepper" (UK Gazetteer 1985:135) and the Portuguese maintained cordial relations with her to foster pepper trade. The Sharavathi river, flowing through the region functioned as a water way to ferry the goods from the ghats to the sea port from where they were exported.
With the development of road network, the importance of Honnavar declined and it ceased to be the important trading centre with few people engaged in trade. Being a coastal area, its agriculture was mainly at the subsistence level, and with the non-development of fisheries, the area remained backward. Its population decreased due to migration to Bombay. The rich forest wealth was systematically exploited by the British to cater to the demands of the ship building industry and railway sleepers. The systematic exploitation of the evergreen forests of the Sharavathi valley continued in free India and greatly altered the forest cover of the region (Gadgil and Subhash Chandran 1989).

The rich evergreen forests which were of the climax type supported a large variety of flora and fauna. The wild pepper for which this region was famous grew wildly on the trees in the forest. These finest evergreen forests in the state which are a home to many fauna including the rare lion tailed macque was systematically subjected to logging for industrial softwood trees and to meet the fuel-wood requirements of the nearby talukas and rest of the state. The Sharavathi river which flows through this taluka has both its banks, luxuriant growth of tropical forests and flourishing villages practiseing double cropping and hiring belts of coconut plantations.
The taluka has a fair representation of different castes and occupations. As the carrying capacity of the taluka is limited in the absence of any significant trading, commercial, industrial or agricultural activity taking place, much of its population migrates to cities for livelihood.

II THE SHARAVATHI RIVER

The Gerusoppa or Sharavathi river originates at Ambuthirtha in Thirthahalli taluka of Shimoga district. It flows through two forest districts - Shimoga and Uttara Kannada for 128 kms. before joining the sea at Honnavar in Uttara Kannada district. After its entry into Uttara Kannada district, the Sharavathi river falls down from a height of 252 metres, forming the spectacular and famous "Jog Falls". "During the remaining 27 km to the coast, the river flows between richly wooded banks fringed with mangrove bushes, a broad tidal estuary, brackish in the dry weather but during the rains sweet even close to its mouth (UK Gazetteer 1985:20). The total catchment area is 2774 sq.km. and the heavy rainfall ranges from 1900 mm to 7420 mm per annum with the average rainfall being 3750 mm in the catchment area (KPC 1987). This short, fast flowing river, traversing through two heavily forested districts, was surveyed for its hydel energy generation potential as early as 1935 A.D.
III. HYDEL ENERGY POTENTIAL OF SHARAVATHI RIVER

After the initial survey of the hydel power generation of the Sharavathi in 1935, the first dam on Sharavathi river - the Mahatma Gandhi Hydro Electric Project - was commissioned in 1948 A.D., with an installed capacity of 120 MW, which "harnessed only about 10% of the estimated power potential of this mighty river" (KPC 1991:8). In 1955, the ambitious Sharavathi Hydro Electric Project Plan was drawn to tap the entire river's hydel power potential. In January 1965, the Lingan Makki Dam and storage reservoir above the famous Jog falls was commissioned with the first of the ten units, with a generating capacity of 89.1 MW, installed at the Sharavathi Power House at Anebaitu (AB) site. The Sharavathi Power House is the largest electricity generating station in the state with a main reservoir at Lingan Makki and a balancing reservoir at Talakalale. In 1979-80, the Lingan-makki Dam Power House located at the toe of the Lingan Makki, with an installed capacity of 55 MW electricity generation was commissioned.

The water discharged from the Anebaitu (AB) site, forms the 'tail race' of the Sharavathi Power House. The river flows on to Gerusoppa through a deep gorge at the bottom of the richly forested Sharavathi valley. With the utilisation of the tail race waters, the entire
power potential of the Sharavathi river was deemed to have been harnessed, amounting to 21 percent of the state’s total hydel power potential.

IV. THE SHARAVATHI TAIL RACE HYDRO-ELECTRIC POWER PROJECT

The Sharavathi Tail Race Hydro-Electric Project (henceforth STRP) envisages a storage dam of 60 m. height from the deepest foundation across the Sharavathi river at Gerusoppa village at a latitude of 14° 14' 30" and longitude of 74° 37' 15", and a reservoir with a Full Reservoir Level at EL 55 m. with a gross storage capacity of 5.86 TMC. The power house, to be located on the right bank of the Sharavathi river, would have an installed capacity of a total of 240 MW with 4 units each of 60 MW. It would generate 662 million units of electricity per annum and would partially mitigate the power crisis in the state. At 30 percent load factor, generation of one unit would cost 34 paise. The project’s estimated cost in 1981 was Rs. 212 crores (KPC 1987). The STRP would require 700 ha of forest land out of which 596 ha would be submerged and 104 ha would be required for township, roads and transmission lines (a Chief Secretary’s, Government of Karnataka, letter to Government of India, Ministry of Environment and Forests dated 9.4.1986). The STRP would not submerge any human
habitation or agricultural lands but reserve forests of 596 ha out of which 100 ha comes under the Sharavathi Valley Sanctuary besides submerging 4 kms of the Bangalore-Honnavar Road from the ancient Masti temple up to the Sulekere cross, and two ancient temples (KPC 1991). Therefore, the Karnataka Power Corporation (henceforth KPC) concluded that as it was only 596 ha of reserve forest being submerged, there is no direct impact of STRP on the local population by way of displacement and rehabilitation. The project was considered to be cheap mainly due to the fact that there are no compensation and rehabilitation costs and the area of forest submerged to generate 240 MW of electricity was small when compared to the forest and other lands submerged by other hydel power projects. Hence, STRP was considered a very attractive and cheap scheme by the KPC and the Government of Karnataka.

At the very outset, it is essential to delineate the administrative environmental approval or clearance process for STRP for the following reasons:

(a) it is illustrative of the procedural translation of the declared environmental policy of the central government and indicates to what extent the notion of environment protection has percolated into the administrative process in order to achieve the
integration of environment protection and development projects.

(b) As a corollary to (a), the perception (conflicting/differing/consensual) of the different departments and government organisations concerning the environment rules would be reflected in the conformity or non-conformity of the rules and procedures in letter and in spirit or in letter or in spirit, for example, whether the environmental clearance procedure is completely adhered to by all the concerned departments? Is there conflictual/consensual perception to the conformity to environmental procedures by the different departments and does authority overlap? Is the environmental clearance considered as a mere formality?

(c) The contesting domain of the people and the government in the environmental procedure lies in the differing interpretation of and/or violation of the rules. A close study of the environmental procedure would be indicative of the perceptions of the different departments in the government and the contesting areas would reveal the different perceptions of the movement and the government, vis-a-vis environment and development.
A brief account of the environment clearance procedure of the STRP would illustrate (a) the incorporation of environmental protection principle into the administrative procedure (b) the grey areas in the bureaucratic domain with contesting zones of authority and the perception of different departments vis-a-vis environment (c) conformity and non-conformity of rules and lastly (d) the differing interpretation of the rules by the government and the common people with the inherent difference of perception of environment which is contested in the legal domain and/or non-legal domain.

The necessity to delineate the environmental clearance process for power generation projects (the anti-STRP movement contested the differing interpretation and violation of rules and laws in the court and outside it) and the government's perception of environment and the movements is manifested in its response in court and outside.

The first project proposal of STRP was sent to the Central Electricity Authority [henceforth CEA] and Central Water Commission [henceforth CWC] in November 1973 for technical and economic clearance (KPC 1973). The CEA and CWC gave their comments and sought clarifications on the proposal in 1974. The KPC prepared a modified project proposal incorporating the
clarifications asked by the CEA and submitted it in October 1981, to the CEA.

The CEA, in its 49th meeting held on 5th October, 1983, which considered the techno-economic approval for power development schemes, also considered the Sharavathi Tail Race Hydro-Electric Project (4 x 60 MW), Karnataka which had an estimated cost of Rs.16,059 lakhs and gave the verdict that "the scheme was accorded techno-economic approval subject to clearance from Environmental angle" (CEA 1983:1) (emphasis added). The CEA forwarded the STRP proposal with techno-economic approval to the Planning Commission. The CEA’s partial clearance subject to environment approval is illustrative of the fact that the government had incorporated the environment variable at the crucial project approval stage and had established the necessary administrative procedure involving different departments. Earlier, the CEA’s clearance was considered final and the Planning Commission would consider the financial aspect.

PHASE I: ENVIRONMENTAL CLEARANCE PROCESS

The KPC (an autonomous power generating body of the Government of Karnataka, involved in the planning and drawing up of power projects and power generation), had since 1981 and prior to the CIA’s techno-economic approval, been communicating with the Member Secretary,
Environmental Appraisal Committee [henceforth EAC] of the Department of Science and Technology [henceforth DST] of Government of India [henceforth GOI] for according environmental clearance to the STRP. The Chief Engineer (Investigations) [henceforth CEI], KPC, in his letter No.CI/C3J7 Q/Env dated 14-12-81 to the Member Secretary, EAC, DST, besides furnishing the required clarifications and information said that "since the project does not involve any environmental aspects, we request you to kindly accord clearance for the project from the environmental aspects" (emphasis added). It is evident that the KPC has a different notion of what constitutes environment from the GOI and secondly submergence of reserve forest does not constitute an environmental aspect for KPC. This fundamental perception of (the engineers of KPC) what does not constitute environment by the engineers of KPC is also indicative of the nature of conformity to the laws and rules, as would be evident in the succeeding correspondence for environmental clearance; and in responding to the anti-STRP movement.

The KPC had initiated the environmental clearance process at least two years prior to the CEA's techno-economic clearance of 1983. The KPC was directly communicating with the EAC and urging it to expedite the clearance of STRP from the environmental angle vide
their letters dated 14.12.81 and 10.2.83, telegram dated 6.3.83 and letters dated 7.3.83 and 28.3.83. The CEI stated to the Member Secretary, EAC (letter no.CI C3 J7Q) on 28.3.83, that "Karnataka Government is keen on taking up this scheme immediately. Hence we request you kindly to accord early clearance for STRP from the environmental angle to enable us to take up the infrastructural work for the project." Visits were made to the DST by the engineers of KPC, urging the EAC to expedite the environmental clearance process.

In the letter dated May 24th, 1983, the Ministry of Energy, Department of Power, GOI sent to KPC, the guidelines regarding submission of proposals for de-reservation of reserved forests or for use of forest land for any non-forest purpose under the Forest (Conservation) Act, 1980. It said that (a) prior forest clearance from the state forest department and later from GOI is required for environmental clearance and (b) the required data in detail as asked in the proforma should be furnished.

These guidelines are very crucial and binding on the government especially (b) which requires that the data asked in the proforma has to be furnished. It becomes mandatory on part of the KPC to furnish in detail the required data and consequently, not to arbitrarily withhold it. This important point became
the zone of contention in the court and would be dealt later in the section on the High Court Case.

The KPC had set the process of forest clearance at the state level in April 1983 itself and had communicated to the Chief Conservator of Forests vide letters (1) C1 C3 J7 dated 11-4-1983 and (2) B2 GFL CR 13/83-84 dated 8-7-83. The *Chief Conservator of Forests* (General) in his letter dated 12-9-83 said:

> this is a rich evergreen, semi-evergreen forest, type of which is rarely come across. We have lost good chunks of forest in this district already, because of subversion, laying of H.T. line and for rehabilitation. Hence not recommended (emphasis added).

Thus in 1983, the STRP was not accorded the primary and mandatory forest clearance from the relevant authority in the state i.e., the Chief Conservator Forests (General). Adhering to the environmental procedure, STRP should have been dropped on environment grounds in 1983 itself, but this did not happen. It must be kept in mind that a departmental decision cannot be reverted or overruled normally in the government.

The CFI, KPC again wrote (letter No.CI (3 J7Q) on 13-1-1984 to the Member Secretary, EAC that "the clearance has so far not been received. We have since received techno-economic approval to this project from CEA subject to clearance of the same from environmental angle."
As stated earlier, "the state government is anxious to take up this project for implementation immediately....It is requested that clearance to this project from environmental angle may please be communicated immediately."

On 23-1-1984, the Managing Director, KPC wrote to the Secretary, Government of Karnataka, PW, CAD, Electricity Department, vide letter no. A1 IO(STR)/15/2-14 requesting the necessary orders of the Government for the clearance of forest land in the STRP.

On 25-1-1984, Nalini Bhat of EAC of DST wrote (Letter No.12/30/81-Env.5) to the CEI, KPC asking for additional information because "considering that the scheme involves a destruction of approximately 1068 ha of forest land, 1596 ha submergence and 472 ha for other works, a detailed note highlighting the status of forest, measure for its conservation, compensatory afforestation programme proposed etc. was desired.... So far we have not received the requisite information for consideration of the project from the environment angle." On 7.2.1984, the CEI, sent the requested information (letter no.CI C3J7Q).

On 29-2-1984 in the meeting held in the chambers of the Chief Secretary, Government of Karnataka [henceforth GOK], regarding external financing of power projects in Karnataka, it was proposed to acquire external aid for
STRP preferably from the United Kingdom and Sweden. The Asian Development Bank was already approached for financial assistance. It was also mentioned that the orders from the Government regarding release of forest land was still awaited.

"In view of the above, approval of Government for taking up the work of STR scheme may please be accorded on top priority". (Extract from communication from Managing Director KPC to K.C. Reddy, Secretary to GOK, Public Works, CAD and Electricity Department).

The Government had already initiated the process for acquiring international financial assistance for STRP due to its financial constraints. It is essential to keep the external aid factor in consideration for the following factors:

(a) The financial capability of GOK in constructing STRP was almost negligible, which made it vulnerable to the donor/aid agencies conditions.

(b) GOK would have to abide by the environmental regulations and other financial conditions of the aid agencies.

(c) There was tremendous pressure on GOK to get the entire clearance for STRP, and consequently, it exerted pressure to get the final clearance in order to meet the deadline of the aid agencies.
As the donor agencies enjoyed considerable clout and exercised power over KPC, the anti-STRP movement lobbied at the World Bank (which was ultimately the aid agency for STRP) for withdrawal of aid to STRP on the ground of violating environmental rules.

The Under Secretary, Alok Rawat, Ministry of Energy, Department of Power, New Delhi in his letter (No.28.2.1983 CM) dated 6-7-84 requested the Managing Director, KPC "to expedite proposals relating to the forest clearance for STRP and to furnish the same to the Department of Agriculture and Cooperation by the Forest Department."

The Managing Director, KPC wrote (letter No.AIIO(STR)/7955.57) to the Secretary, GOK, Public Works, CAD and Electricity Department on 30.7.1984 complaining that there had been no progress at government level, despite the reminders of KPC. Moreover, the Under Secretary, GOI, Ministry of Energy, Department of Power has requested to expedite the forest clearance. Therefore, "...approval of the Government for taking up the work of STR scheme may please be accorded on top priority".

The Under Secretary, GOK, Department of Animal Husbandry, Fisheries and Forests on 20-8-1984, wrote (letter No.FFD 229 FGL 83), to the Secretary, Ministry
of Agriculture, Department of Agriculture and Co-
operation, "Krishi Bhavan", New Delhi regarding -

Sub: Release of 530 ha of forest lands in Honnavar Forest Division, Honnavar for construction of STRHEP.

I am directed to enclose herewith a copy of letter No.B3.GFL C.R.314/80-81 dated 12-9-83, of the Chief Conservator of Forests (General) Bangalore, along with the proforma and sketch on the above subject and to state that the Chief Conservator (GC), has not recommended for release of forest land from forest point of view.

Though the Chief Conservator of Forests (General) has not recommended the State Government has taken a decision for the release of land to the above project for the following reasons....

...I am directed to request you kindly to obtain and communicate the approval of the GOI for release of 530 ha of forest land.... (emphasis added).

It is important to note the following points - (a) the decision of the competent authority, the Chief Conservator of Forests (General) has been overruled giving rise to questioning of the limits of jurisdiction of authority of different departments, which besides giving rise to animosity would also indicate the differing perceptions of environment and the nature of conformity to the prescribed rules. For example, the Chief Conservator of Forests (General) had decided that the forest should be preserved whereas the Ministry
overruled his decisions and highlighted its perception of environment and forests.

(b) The intra-department differences on one of the fundamental plans of the Forest Department - Forest Conservation set a bad precedent and administrative snarl up complication.

(c) It was also indicative of the pressures being possibly exercised at the Ministry level to accord forest clearance for STREP.

The CEI, KPC wrote (letter No. CI C3J7Q) on 5-9-84 to Member Secretary, EAC, stating that the State Government’s decision to release the required forest land for STRP had been communicated to the Secretary, Ministry of Agriculture and Cooperation and a copy of this letter has been enclosed for information. He conveyed the eagerness of the state government to immediately begin work on the project.

The copy of the Chief Conservator of Forest’s (GC) letter of 12-9-83, which did not recommend the release of forest land was placed before GOI’s Ministry of Agriculture and not the Department of Environment. The copy of the Under Secretary’s (GOK, Department of Animal Husbandry, Fisheries and Forests) letter to Secretary, GOI, Ministry of Agriculture and Cooperation was given to Department of Environment, by way of information.
Nalini Bhat, Environmental Officer at Department of Environment wrote (letter No.12/30/81-Env.5) on 29-10-1984 to CEI, KPG, that referring to the letters of C1 C3 J7Q of 8-9-84, concerning environmental clearance of STRP and the enclosed communication to Secretary, Ministry of Agriculture, New Delhi and based in the information furnished on the two letters:

...particularly noting that the Chief Conservator of Forest (GL) has not recommended for release of forest land from forest point of view. Considering that the decision in regard to release of forest land is still awaited the EAC has deferred the consideration of the project (emphasis added).

The EAC following the rules, overruled the state government's overruling of the Chief Conservator of Forests' (GC) recommendation and consequently set right the administrative snarl up (complication set by the GOK). The STRP would have to be dropped, if the rules are conformed to, as it did not have the primary forest clearance. But the STRP was not given up.

The Department of Environment's decision to defer Environmental clearance to the STRP was a bombshell and sent shock waves through the concerned departments in the State Government. The KPC could not understand as to why the Department of Environment deferred giving environmental clearance to STRP despite the forest clearance by GOK. All the concerned departments of GOK wrote to their counterparts in the Centre requesting
information and help. The Karnataka Electricity Board (an electricity selling body of GOK which has no connection with either project planning or approval) wrote to the CEA asking for clarifications regarding STRP. The CEA replied (letter no.3/87/84-HEP/105) on 11-1-85 to the Chairman, Karnataka Electricity Board stating that:

Hydro Electric Projects which are submitted to CEA for clearance from techno-economic angle are also referred to Department of Environment for clearance from Environment angle. Clearance from the Department of Environment is essential before a hydro electric multi-purpose project is sanctioned by the Planning Commission....

This communication from the CEA meant that the STRP was a lost case without complete approval, and that the state government would not be able to take it up and acquire aid from International Lending Agencies. Thus, by conforming to the environmental process in letter and spirit, STRP had to be dropped. But this was not the case as shown by the following events.

Beginning with the then Chief Minister (who is also the Chairman of the Governing Board of the KPC), all the concerned departments, Ministers and the engineers of the KPC began a concerted effort to acquire environmental clearance for STRP. The Department of Environment was asked by the KPC the reason for deferment despite the forest clearance given by the GOK. The Department of Environment replied that the forest
clearance must come from the relevant authority i.e.,
the Conservators. The state government pressurised the
Chief Conservator of Forests (Genera) to reverse his
earlier decision, which was refused.

In the meantime, GOK was lobbying for the
reconsideration of STRP at the Centre. The Chief
Secretary, GOK wrote on 16-7-1985 to the Secretary,
Department of Environment, GOI, stating the GOK’s case
for STRP. According to him, STRP was essential in
meeting the state’s power demands and also due to the
fact that Karnataka has no coal reserves. Though GOI
has recently sanctioned an Atomic Power Project of 470
MW capacity, all the four southern states will have to
share the power output and the Atomic Power Project will
take 10 years to be commissioned. He concluded,

Therefore, in relation to the demand in
Karnataka, the atomic power station will not
be able to meet even a small fraction of the
total power demand. The state has therefore
no option except to tap its attractive hydropower potential (emphasis added).

He further built a case for STRP by stating that this
project was conceived 20 years ago, the extent of
submergence is extremely small, and minimum forest
required is 2.2 ha to generate one MW of electricity;
there is no population displacement or agricultural land
acquisition. It was economical sense to exploit the
available hydel potential to meet the increasing power
demand in Karnataka. Karnataka will also do the
compensatory afforestation and is fully aware of the need to protect environment and was one of the first states to take legal measures in this regard.

The intense pressure, political and administrative, experienced by the GOK, finally bore fruit when Nalini Bhat, the Environmental Officer of Department of Environment on 7th August 1985, wrote (letter No.12/36/81-En 5) to the CEI, KPC, regarding Environmental Appraisal of STRP and communicating the order of:

- I(a) the constitution of an Expert Working Group to undertake the Environment Impact Assessment (henceforth EIA) of STRP, and (b) to go on a field visit to the project site by September; and

- II the terms of reference of the Expert Working Group which are as follows:

  i) Preparation of an EIA report of STRP.

  ii) Assessment of the cumulative impact of the various Hydro Electric and other development projects in the region.

  iii) Expert Working Group will do an on the spot survey of the project site and submit a detailed report by October 1985.

The reconsideration of the STRP by Department of Environment raises the following questions - (a) on what
grounds was the STRP reconsidered and (b) would not this reconsideration be violative of the existing rules and procedures (c) how will a fresh forest clearance be obtained which was earlier withheld. Herein lies the crux of the issue - the nature of the conformity to the rules and procedures of GOI and the accommodation of the competing perspectives and interests. One of the reasons on which STRP was reconsidered was the supply of additional information for consideration. This functioned as a loophole to reopen the STRP case. The entire process of environmental clearance had to be done all over again.

G.Prabhu, the Deputy Conservator of Forests, Honnvar Division, sent (letter no.SAS/PTS/1/1983-84) to Dr.Nalini Bhat, Department of Environment on 21-9 35, a brief note on the environmental impact of STRP, which included a detailed list of endangered species of flora and fauna in the Sharavathi Valley. Among the endangered list of fauna were Panthers (black coloured), lion tailed Mocaque, Giant Malabar squirrel, Emerald Doves, Paradise Fly Catchers, Pythons and King Cobras. Regarding the topography of the area he reported that it is very vulnerable to soil erosion. He submitted this to the conservator of Forests, Kanara Circle, Dharwad and the Chief Conservator of Forests (GC) Bangalore. The local people reported to me that Prabhu was
prevented from meeting the Expert Working Group on its field visit but he bulldozed his way and personally handed his report to Nalini Bhat. Prabhu was shortly transferred.

The letter of the Deputy Conservator of Forests, Honnavar Division was very crucial for the consideration of the environment clearance of STRP. Besides the nature of forest, the fauna supported by the forest also carries considerable weight in the environmental clearance of the project. The presence of endangered species of fauna in the Sharavathi valley would have either been the cause for a deterrent or for a non-consideration of the STRP from the environment angle. Hence, it is quite understandable as to the dilution of the contents of this letter and the non-placement of this letter by the KPC and GOK before the Expert Working Group. This was one of the bone of contentions in the court case and will be dealt within the section on the court case.

**Phase II - Environmental Approval Process**

The GOK submitted on 16-1-1986 wide letter no.FFD 229 FGL 83 to GOI, the proposal for release of 530 ha. of forest land for STRP. The GOI sought clarifications in their letter dated 7.3.1986. On 9.4.1986, the Chief Secretary to GOK, submitted the required clarifications
to GOI. In the proforma, GOK furnished the full information.

(1) World Bank has offered to finance the project if it has been cleared from the forest angle. If the approval is given before the World Bank team arrives in the 3rd week of April 1986, the state government can take up the offer of the World Bank and in the Section on Flora and Fauna -

(2) "vi) Rare/endangered species of flora and fauna found in the area

Fauna - Tiger, bison, panther, elephant.

X - X - X

iv) Specific recommendations Recommended for clearance of the Chief Conservator Head of the Forest Dept. for acceptance or otherwise of the proposal with reasons thereof."

The information on the above section on Flora and Fauna was provided by the Chief Conservator of Forests (General) that all other alternatives for STRP had been explored and the required forest area for STRP is the minimum area.

The approval of the Chief Conservator of Forests (General) in releasing the forest land reversed the earlier decision to not recommend forest clearance by the same office 3 years back. The status of the forest and the fauna did not significantly alter or necessitate the revised decision which raises the question on what basis the forest clearance was given?
Moreover, the information regarding the fauna was not comprehensive and nor reflective of the true field situation. Partial information was presented in the Proforma for the forest clearance and this became one of the most contested points in the court case in the High Court, with KPC and GOK insisting that complete information was given and the environmentalists contending that inadequate information was presented and accusing the KPC and GOK of withholding the relevant information. This would be dealt later in the section on the court case.

On 6.5.86, the Advisory Committee of the Department of Environment considered the forest clearance for STRP and asked GOK to explore alternative sites as the true growth density was from 0.6 to 0.8; and due to the susceptibility of the area to erosion. This directive was communicated by the Assistant Inspector General of Forests in the Department of Forests and wildlife on 16-5-86 (letter No.8-19/36-FC) to GOK and the Chief Conservator of Forests (General).

The CEI, KPC responded on 3.6.86 giving technical details and the absence of alternative sites, through his letter to the Chief Conservator Forests (GC) who in turn forwarded CEI’s response to the State Government on 5.6.86. The Secretary to GOK, Forest Department sent the furnished clarifications and details to GOI.
The Advisory Committee met on 22.7.1986 and concluded that diversion of forest land appears to be inevitable with the non-availability of alternative sites and the assurance of the project authorities to raise compensatory plantation. Hence the Advisory Committee recommended on the basis of available information, the diversion of forest lands subject to the standard conditions.

The Central Government accorded approval of Forest land diversion on 22.9.1986, under Section 3 of Forest Conservation Act 1980, and communicated to the Under Secretary, Animal Husbandry, Fisheries and Forest Department, GOK. Consequently, GOK officially released 700 ha of forest land to KPC Ltd. Bangalore, subject to conditions.

The EAC in its 36th meeting held on 23rd February 1987 considered the environmental clearance of the STRP based on the report of the Expert Working Group. The report stated that forests which are of the climatic climax evergreen type yield substantial quantity of timber annually. The rich wild fauna consists of major species like the tiger, elephant and the lion tailed macaque. The Forest Department had suggested two alternative sites. Forests have been substantially and qualitatively been affected by hydel and irrigation projects. On the other hand since 1972, Karnataka has
been facing severe power cuts of 25 percent to 75 percent. The present electricity generating projects do not cater to the power demands of the state. Moreover, there are no coal deposits and the atomic power plant would not be able to cater to the power demand. The Expert Working Group concluded that:

In view of the foregoing discussions, the Committee would normally have not recommended on purely environmental considerations. However, considering that the project was contemplated and should have been completed along with the Sharavathi Generating Project and that the forest area of 530 ha going under submergence is in a narrow line strip along the river banks extending over 16 km, the Committee feels that the environmental impact of the project is going to be minimal and may, therefore, be considered for approval subject to the following safeguards enforced strictly.... (emphasis added).

The 'approval' given by the Expert Working Group for the STRP was contradictory in itself and above all 'not normal' and the Expert Working Group did not comply with the second term of reference, Section 2, which involved the assessment of the cumulative impact of the various hydro-electric and other developmental projects in the region. This was another moot point hotly contested in the court case and will be dealt in the section on court case.

THE FAC on the basis of the Expert Working Groups Report and the information given by the Chief Conservator of Forests (General) regarding wildlife
aspects, accorded environmental clearance to STRP subject to the implementation of certain safeguards.

On 25.3.1987, the Ministry of Environment and Forests (henceforth MEF) conveyed its environment approval vide letter No.12/30/81-E.n.5/IA, to the Secretary CEA and CEI, KPC, GOK.

Here ends the second phase of the environmental clearance process.

Soon after the environmental approval from MEF, KPC began work on the STREP which generated pro-project and anti-project responses from the local people.

II. PEOPLE'S RESPONSE TO STRP

The State Government’s announcement that the STRP would be located at Gerusoppa near Honnavar, some time after March 1987, was reported in the local newspapers in Honnavar. A local doctor Kusuma Sorab, running a social service organisation ‘Sneha Kunja’, perturbed over the destruction of forests by the STRP, called a meeting with a few local people. Based on the available information in the newspapers, the assembled people discussed the project and its impact on environment and the local population and concluded that though the local people and their lands would not be affected directly, with the submergence of the rich evergreen forest with
its equally rich flora and fauna, the local people and the neighbouring forest area would be affected indirectly. Kusuma Sorab said that this priceless forest should be saved. Hence it was decided to protect the Sharavathi valley forest by opposing the STRP.

Many people in the region, especially in the interior were not aware of either the project STRP or its consequences. Awareness generating activities were initiated by Kusuma Sorab's organisation - 'Sneha Kunja' and the environmentally oriented local people of Honnavar, to educate the villagers regarding the environmental impact of STRP. The awareness generating and mobilisation activities were primarily concentrated in the dam's downstream villages situated on the left bank of the river, where Kusuma Sorab's organisation is quite active and in Honnavar town. Soon after, a procession was taken out in the Honnavar town by the villagers from the left bank of Sharavathi, downstream of the dam, protesting against the STRP and the forest destruction; and raising slogans to protect their forests and environment.

Kusuma Sorab formed the 'Honnavar Taluka Parisara Koota' (Honnavar Taluka Environment Association) with the sole objective of opposing the STRP in order to protect the environment and forests. The major activities of the Honnavar Taluka Parisara Koota
(henceforth Parisara Koota) were (a) awareness generation of the project impact and the importance of the forests in the environment and (b) mobilising people for protest activities. Numerous village level meetings, discussions and slide shows were held to generate awareness of the consequences of the STRP and the scientific value of the forests. The sole focus of the Parisara Koota was environment protection and ultimately this formed the basis of the writ petition filed against the STRP in the High Court of Karnataka at Bangalore.

At this juncture, it would be opportune to consider the background of Kusuma Sorab who was one of the key players of the movement against the STRP and exercised considerable influence on the movement direction and dynamics. A native of the nearby area - Sorab, Kusuma Sorab's family had migrated to Bombay decades ago, and consequently Kusuma Sorab grew up in Bombay and from a nurse went on to become a highly qualified doctor and surgeon graduating from one of the well known medical colleges in the country. Some time in the mid 1970s she came to Honnavar to do social work among the poorer sections of the population. Soon after, she founded 'Sneha Kunja' with financial assistance from Netherlands (which continues even today) with the objective (initially) to provide low cost health services to the
people and later on added the developmental objective, by providing financial assistance and infrastructure for developmental activities like farming, fishing etc. Her organisation is very active and exercises considerable influence over the villages on the left bank of Sharavathi, downstream of the STRP. A strong believer and follower of Mahatma Gandhi, her mobilization and protest activities are based on the Gandhian protest tradition and are peaceful, non-violent in nature. Sorab believes that the present development is not right and that without electricity life is possible. High technology can be dispensed with, and alternatives should be explored. She also has the highly extreme and retrogressive attitude that "we can go back to the 17th century and live without electricity and use the natural oil for lighting purposes", which sometimes works against her by alienating the potential supporters. Her philosophy is very strongly reflected in the ideology of Parisara Koota and 'Sneha Kunja' and is imbibed in the various activities. Her very strong personal non-accommodative style of functioning, coupled with her assertion that her ideas and beliefs are final, sometimes acts as an impediment to the cause. Her commitment to the cause of environment protection however is appreciated by many, including her detractors.
Kusuma Sorab was responsible for generating the initial environment awareness among the people in and around Honnavar and especially among the villages downstream of the STRP on the left bank of the river.

Later G.S.Bhat Upponi, a resident of Upponi, a village downstream of the STRP, on the right bank of the Sharavathi river, on one of his visits to his village, some time in late September and early October 1987, discovered the existence of STRP and the activities of the Parisara Koota. He participated in the demonstration on October 16, 1987, called by the Parisara Koota, which had very little turn out. Late in the day, in the meeting at Sneha Kunja G.S.Bhat Upponi said that people have to be mobilised in a different manner and that more participation from the people is required. He also said that it would be fruitful and essential to involve one or two politicians. Kusuma Sorab, vehemently opposed the inclusion or involvement of politicians. G.S.Bhat Upponi argued, that anyone with concern for environment should be involved and they may be politicians or anyone else. There was no harm in involving politicians. This meeting on October 16, 1987, brought out the differing perceptions of the two key players in terms of the mobilisation of people. This also laid the ground for independent functioning of Kusuma Sorab and G.S.Bhat Upponi.
At this juncture, the background of G.S. Bhat Upponi is essential to understand the movement nature and dynamics. G.S. Bhat Upponi, a post graduate in science, worked as a Bank Manager for more than a decade, before taking up a totally different occupation - business. His family is quite influential in the area - socially, economically and politically. His brother is one of the Zilla Parishad members, and politically active. A follower of one of the well-known radical cults, he believes in total structural transformation, the cyclical theory of civilization, and environmentally sound development based on appropriate technology. His beliefs are personal and are not imposed on anyone nor publicised. He believes in a peaceful mode of protest. His commitment to the environment protection cause and his opposition to the present mode of development has been appreciated. Despite his considerable and crucial contribution to the movement’s achievements, he is very modest and humble and unassuming.

According to G.S. Bhat Upponi, as the KPC was going to start work on 26th October, 1987, he felt that before work should begin, protest should take place. He called a meeting to which all the Mandal Pradhans in the area, Zilla Parishad members, the local MLA and villagers were invited. In the meeting held on 24.10.1987, which was attended by 16 Mandal Pradhans, 4 Zilla Parishad members
and villagers, issues like STRP, its impact, ways of mobilising people were discussed. G.S.Bhat Upsoni
presented his perspective which was as follows: The STRP would cause extensive damage to the environment with considerable negative consequences for the local people. Hence, STRP had to be opposed, but not a straightforward opposition. The people would have to be mobilised and given an incentive for mobilisation. There should be some benefits to the local population too from the STRP which would help in the mobilisation.

G.S.Bhat Upsoni’s perspective was accepted by the assembled gathering. An organisation called ‘Sharavathi Tail Race Project Horata Samiti’ (Sharavathi Tail Race Project Struggle Committee) was formed with G.S.Bhat Upsoni as its President by the assembled people. The resolution was passed stating that the ‘Sharavathi Tail Race Project Horata Samiti’ [henceforth Horata Samiti] was concerned about the upcoming STRP; and requested information on the following points:

(i) whether the local people would be given employment in STRP.
(ii) whether the local contractors would be given work in STRP.
(iii) whether electricity would be provided to the district round the clock
(iv) whether the water of Sharavathi had been studied.
v) whether Sharavathi and its tributaries had been desilted.

vi) whether the salt water intrusion into Sharavathi had been studied.

vii) whether twice the area of forest being submerged be afforested?

viii) whether the valuable flora and fauna in the subversible forest area would be protected, etc.

The Horata Samiti was not opposing the STRP as such; it sought information and requested that its demands be met before starting the project.

This resolution of the Horata Samiti was conveyed to the KPC on the same day. An action strategy was discussed and finalised, to stop the STRP and get support from the people.

G.S.Bhat Uponni felt that mere opposition to the project on environment grounds would not be fruitful because (1) the authorities would immediately slot them in the opposition category, and (2) it would be difficult to mobilise people for such an abstract cause which had no direct benefits for them. Therefore, there should be some incentive shown to the people to mobilise them against the project. Hence, he devised a strategy which would (a) present the organisation in a positive light to the authorities and also camouflage its true purpose and (b) to get the initial support of
the people. Hence, the strategy was not to oppose the project per se, but to present a list of demands to the KPC and the government and pressurise them to accept these. In the event that the KPC and the government failed to accept the demands of the Horata Samiti, the people would automatically oppose the STRP. G.S.B. Upponi said that STRP had to be stopped by any means (excluding violence). The list of demands was designed in such a manner that the government in order to meet it would have to (a) postpone the project implementation which would escalate project cost and (b) meeting the demands would be very expensive and time consuming, thus escalating project costs and postponing its beginning, thereby making the STRP redundant and consequently forcing the government to drop the project.

People were mobilised from nearby villages and were told of the demands of the Horata Samiti, two of them being local employment in STRP and provision of electricity round the clock. On October 26, 1987, which was the day, the KPC would begin work on the project site at Gerusoppa, about 1500 people gathered (which is considered a very good turnout in the area) and the leaders requested the contractor to stop work and leave the project area with the labourers. The KPC officials who were present were requested to suspend work and the list of demands of the Horata Samiti was given to them.
The demonstration (called 'strike' by the villagers) was successful with the stopping of work by the contractors and the KPC. A week later, the KPC arranged for a meeting with the Horata Samiti leaders and the Block Development Officer and tried to dispel the doubts of the villagers. This marked the beginning of the dialogue with the KPC agreed to suspend work on the site until the demands were considered. The KPC and the government were told by the Horata Samiti that if their demands were not met, then agitation would begin.

By 24th October 1987, the differences between the Parisara Koota and the Horata Samiti were marked.

The position of Parisara Koota represented by its President, Kusuma Sorab (The Hindu, 23.10.1989) was that STRP would submerge rich evergreen forests of Gerusoppa which are rich in teak, rosewood, poon, ganjam, honne, kindal and jambe woods and the numerous varieties of cane on which the state's cane industry is dependent. STRP by eliminating the forests would render thousands of people dependent on forests jobless. Besides the flora wealth of the Sharavathi valley, the faunal wealth would be destroyed. The Sharavathi valley harbours and supports a rich and diverse wildlife - tigers, panthers, elephants and lion tailed monkey - which would have to flee once the project begins. In addition destroying the floral and faunal wealth of the Sharavathi valley,
the STRP would also destroy the downstream fresh water fauna thereby affecting the livelihood of the fishermen. The lift irrigation schemes on the banks of Saravati downstream of the dam would be affected by silt formation. Due to large scale forest destruction, the region is already experiencing for the past 3 years, the vagaries of nature. Some of the consequences of STRP highlighted by Kusuma Sorab are soil erosion, loss of alluvial soil and the transformation of the vast fertile land into a wasteland.

Other important environmentalists in the district and the state who were approached by the Parisara Koota for their support also opposed the STRP. L.T.Sharma, who earlier in 1980-81 led the breakaway seminar group of the anti Bedthi Hydro-Electric Project movement and who went on to become the President of the Uttara Kannada District Environment Protection Unit, opposed the STRP on the following environmental grounds. He said that Uttara Kannada, which was a forest district, has lost that position due to extensive forest destruction of 10,52,232 ha. He also questioned the capacity of the district to withstand the enormous water pressure of the 7 dams across Kali and Sharavathi rivers.

Shivaram Karanth, the Jnanpith award winner and a person with very strong concern for the environment,
opposed the project and asked the government before taking up the STRP to assess the transmission losses and the amount of silt deposited in the existing dams. He also pointed out that with forest destruction, the Kyasanna Forest Disease would intensify and firewood scarcity would be faced by the nearby talukas of Kumta, Honnavar and Bhattal. KPC had not raised the promised new forests.

Parisara Koota had mobilised support on the environment ground from the local people as well as eminent environmentalists. The main issues on which its opposition rested were - the destruction of priceless forest, siltage problem, transmission losses, fuelwood scarcity, carrying capacity of the district of the 7 dams. Its activities were generating environmental awareness among people in villages and town through talks, meetings, discussions, slide shows etc. mobilising people for processions, demonstration, jathas etc.

Soon after the formation of the Horata Samiti, G.S.Bhat Upponi wrote on 24.10.1987 to the KPC conveying the requests of the Horata Samiti, the Honnavar taluka mandal panchayats, regarding STRP.

The KPC, through its Office of the Chief Engineer (Varalie) responded on 29.10.1987 (letter No.CV/STR) stating that:
(a) It has come to our notice that the Horata Samiti has begun at the project site andolan and small scale opposition to the project's first major work - channel work and other initial works and stalled them.

(b) KPC is giving its responses to the requests of the Horata Samiti.

i) KPC is developing the region. Majority of the project work is done through contractors' labourers. We have decided to communicate to the KPC site officials and contractors to give maximum employment to the locals on the STR work.

ii) KPC is merely an electricity producing agent and not electricity distributing agent. This project would contribute in reducing the states power shortage and everyone would benefit.

iii) KPC is doing compensatory afforestation of the same amount of forest area taken for the project and has already deposited Rs.10 lakhs with KFD, under the directives of MEF and World Bank.

iv) The river flow is not being obstructed. Until the dam is constructed, the river water is only slightly diverted. The saltish sea water will not come upstream because of this. After dam is
constructed then there will be a regular flow of water and there would not be any problem of salt water intrusion.

v) There is no scope for wasteland as there is a large body of water.

vi) Horata Samiti’s doubt regarding the silting by Sharavathi and its tributaries has no base. World Bank’s experts have said that there would be no silting due to dam.

vii & viii) Project officials do their work properly and the World Bank and other Indian experts have commended the KPC for its work. So Horata Samiti’s direction is not required.

ix) We will examine alternative roads.

x) The Horata Samiti’s opinion regarding the negative effects of STR have been examined by the government and it has given the go ahead.

xi) Environmental survey regarding the priceless flora, fauna and fishes has just been completed.

If the Horata Samiti’s members need any more information they can contact Varahi or Kargal.

We are requesting Horata Samiti’s cooperation in completing STR and giving the above information to the public."

This letter was the first response from the government to the opposers of STRP, and which stated the
government's perception of the STRP and the opposer's of STRP. In sum, the KPC had devised the STRP after considering all options. The KPC after conveying to the Horata Samiti KPC's cognizance of its anti-project activities, did concede one demand which was very crucial to the Horata Samiti's mobilisation of its consent to employ local people on the project. It was very tactical (knowingly/unknowingly) of KPC to concede the local employment in STRP demand as (i) it would considerably reduce the number of people opposing the STRP, (ii) it would also neutralise the opposition to the STRP with the assurance of employment which of all other demands directly affects the local population, (iii) it divided the potential opposition into the beneficiaries and the non-beneficiaries and cut into the manpower of the movement, which forms the backbone of the movement.

Of all the demands of the Horata Samiti, the one seeking local employment in the STRP backfired. The KPC by conceding it, considerably reduced the manpower of the Horata Samiti.

On 27.10.1987, R.N.Naik, the Rajya Sabha member from Karnataka who was approached by G.S.Bhat Upponi to extend his support, wrote to the Chief Minister Ramakrishna Hegde, expressing concern and requesting information regarding forest destruction, compensatory
afforestation in the same district and jobs in STRP to be given to the locals etc.

The Chief Minister Ramakrishna Hegde replied on 10.11.1987 (letter No.CM 259:MPC 87) that this matter has been placed before government officials, Irrigation Department and concerned people for due consideration.

In this manner, the supportive effort of R.N.Naik, Member, Rajya Sabha ended in the bureaucratic files. Nevertheless, it did contribute to the general pressure-political and non-political built up by the movement on the government.

On November 2, 1987, KPC's contractors resumed work on the project site, by employing about 200-300 villagers from the villages around the project site, in addition to their regular work force. According to G.S.Bhat Upponi, the KPC had given employment to the people who belonged to the Horata Samiti, and picked up people from all the villages. They were given higher wages and very little work. Hence they left the Horata Samiti. G.S.Bhat Upponi feels that the KPC deliberately picked up the Horata Samiti members in order to break the movement. It was a big blow to the movement when the 200-300 members left the Horata Samiti. The KPC had picked up more villagers from Gerusoppa village which is the nearest village to the project site and which was opposing the STR with its mandal Panchayat having passed
a resolution opposing STRP, with the consequence that Gerusoppa became a supporter of STRP, which meant that there was no opposition near the project site itself. Earlier, many villagers of the Gerusoppa village were supporters of the Horata Samiti and at a short notice manpower could be mobilised. Hence, the demand for local employment in STRP backfired on the Horata Samiti.

The Horata Samiti, protested at the project work site after the KPC resumed work on 2 November 1987. This time, its numerical strength and the ground for protest had weakened. Despite this, a gathering of about 800 people did stop the work, but had to face opposition from the contractors and the newly employed workers. As a result, the Horata Samiti (a) lost its base in the Gerusoppa village, (b) got slotted in the opposition category by the KPC and the newly hired workers. As the mandal pradhan of Gerusoppa village told me, "Earlier even I opposed the STRP and was involved with the Horata Samiti and demanded local employment on the project site. KPC agreed and gave employment to many of us at the dam site, so we stopped agitating. But the others continued because they did not get employment at the dam site and did not benefit from the project."

Hence, the strategy of demanding local employment in STRP boomeranged on the Horata Samiti. In the
demonstration at the project site, the protestors asked the newly employed Horata Samiti members to stop work and join them. This was refused by the ex-Horata Samiti members and almost resulted in altercation, but was contained by the leaders of the Horata Samiti.

Later, considerable reorientation of the strategy and mobilisation of the people by the Horata Samiti took place. By November 2, 1987, a new group emerged which was pro-STRP initially part of the Horata Samiti. Its base was in Gerusoppa village, but the pro-project position did not crystallize into a mobilisation.

Meanwhile, G.S.Bhat Upponi began collecting information regarding the silting of the Sharavathi river and its tributaries, the impact of impounded water and the number of lift irrigation schemes and pumpsets on the Sharavathi and its tributaries. He wrote to the Assistant Agricultural Officer requesting the above information on 7.11.1987, who responded on 23.11.1987, giving the required information of pumpsets and lift irrigation schemes. A total of 1163 pumpsets irrigate 7584 acres of land which grows paddy, coconut, sugarcane and other crops.

The Minister of Agriculture, R.V.Deshpande who was also the Minister in charge of Uttara Kannada district, on one of his visits to the district on 11.11.1987, along with KPC officials met a delegation of Horata
Samiti. The Horata Samiti pointed out the ecological disturbance caused by the STRP and put forth their demands - formation of a small project advisory committee to monitor project implementation and giving preference to the local people in employment in project works. R.V.Deshpande assured them that the government would consider their demands sympathetically. He promised to hold a meeting in Bangalore between November 16 and 18 of KPC high officials and the Horata Samiti's members in order to find solution to the people's opposition to STRP. Later at a press conference on November 18 (Hindu 19.11.1987, Bangalore), K.V.Deshpande informed the press that on December 1, 1987, a meeting would be held in Bangalore to discuss the fears expressed by the people in the STRP area, who had not opposed the project.

On 10 December 1987, the promised meeting between the Horata Samiti and the KPC officials, ministers, experts was held in Bangalore. G.S.Bhat Upponi, 8 Mandal Pradhans, 1 Zilla Parishad member and 4/5 people from the Horata Samiti, and from the government's side, KPC officials, Ministers and other concerned officials besides the relevant experts as requested by G.S.Bhat Upponi were present. In the meeting the Horata Samiti's demand list was discussed, besides other doubts about the STRP. According to G.S.Bhat Upponi, most of the
demands were agreed to by the Government, but he wanted the government’s agreement with the Horata Samiti to be published in the government Gazette, which would be binding on the government. But, this demand was not met by the government giving rise to the doubt about the government’s sincerity to its agreement with the Horata Samiti.

Immediately after the meeting, the then Power Minister, J.H. Patel reportedly told the local newspaper 'Times of India' (dated 11.12.1987) that the fears of the committee agitating against the STRP should not upset the ecological balance and wanted representation in the project progress monitoring committee. According to J.H. Patel, the committee members were told of the vital importance of STRP in reducing the acute power crisis. Once the doubts were cleared, the agitators gave the assurance that they would not oppose the project. Since the doubts of the local people have been dispelled, the government has decided to go ahead with the STRP.

A pamphlet dated 12.12.1987, which was brought out from Honnavar by the Horata Samiti, gave the gist of the discussions in the meeting with J.H. Patel in Bangalore on 10.12.1987 and was as follows:

The Government was represented by R.V. Deshpande, Zilla officials, KPC, Officials from Forest,
Agriculture, Irrigation and other departments and geologists. The Horata Samiti was represented by its President, members of Zilla Parishad, all the mandal Pradhans or their representatives.

Demands agreed to by the government are as follows:

1. Preference to Uttara Kannada people for jobs in the project. Contractors would be informed. All the shops in the project area would be given to the locals. It is not possible to give preference to locals for contract work in tenders. KPC has no jobs for the locals.

2. Alternative forest will be grown in Honnavar taluka in twice the area (1500 ha) taken for the project. Until the alternative forest is fully grown, no trees would be cut in the project area.

3. Protection of the valuable flora and fauna would be undertaken.

4. Study of brackish water of Sharavathi would be undertaken.

5. Desilting of Sharavathi and other tributaries of Sharavathi would be undertaken.

6. The alternative roads would be laid on the advice of the Horata Samiti.

7. Through an independent scientist, the progress work of STRP would be routinely conveyed to the people.
Intrusion of salt water in Sharavathi river will be examined and studied.

Study of the seepage in the hills.

Alternative Scheme

The government will study the Samiti's suggestion of generating electricity by bringing water through pipeline.

Government didn't agree to

(1) 24 hours electricity to the zilla
(2) local representative of the Samiti in the project progress monitoring committee.

Decision of Samiti

Government should implement what it had agreed to do and then only begin work on the project. The Samiti will decide on the future course of action after communicating with the Chief Minister.

The Horata Samiti had succeeded in getting the government's attention to its cause mainly due to the local political support it was able to command, as well as the manpower.

The government and the KPC had their own reasons to respond until now to the Horata Samiti in a positive manner. The first being that the then recent encounter of the KPC with the anti Bedthi Hydro Electric Project movement in the same district in 1979 and later was disastrous with the project being stalked indefinitely.
One of the KPC engineers who was involved in the talks with the Horata Samiti told me (in July 1992) that "The government did not want a Bedthi\(^1\) type of agitation, so the government held talks with them." Hence the government wanted a peaceful implementation of the STRP and thought that this could be achieved by nipping the agitation in the bud by pacifying the agitators and listening to their grievances. The second reason being that, Uttara Kannada was rocked by the anti-Kaiga Nuclear Power Plant agitation and the general environment was charged with pro-environment feeling and response. Hence, the atmosphere was quite volatile, for the agitation to grow into a movement which would get support from elsewhere. The third probable reason, as many respondents told me besides being common knowledge in the region, was the enormous financial stakes involved in the STRP of friends of the Chief Minister. According to the local people R.N. Shetty, a contractor doing dam work pressurised the then Chief Minister Ramakrishna Hegde into taking up the STRP which was languishing in cold storage until then. Moreover, the main dam construction would be given to R.N. Shetty's company. Whatever the truth in the common knowledge, may be it certainly consolidated the people's opposition

\(^1\) See chapter 3 for full details of the anti-Bedthi Hydro Electric Project movement.
to the STRP, gave them the feeling that there were very strong financial interests in the STRP. The Chief Minister's position was also doubted by the local people.

The 11 demands of the Horata Samiti could be broadly classified into three categories (1) Local interest/benefits was confined to only two demands i.e., employment to local people and electricity round the clock to the entire district, (2) Environment issues comprised of demands ranging from afforestation in twice the area submerged by STRP, to studies on brackish water and sea water intrusion into river, to the protection of flora and fauna to extensive studies on water seepage etc. (3) Alternatives to STRP had one demand, which was not destructive of the environment as STRP, and (4) Local control over their environment and the development project which formed the base of the Horata Samiti's mobilisation.

Contrary to what was projected to the public i.e., seeking local employment and electricity, the Horata Samiti, going by its demands and its continued opposition to the STRP was basically concerned with the environmental impact of STRP and sought to protect the environment; had explored viable alternatives and suggested a suitable alternative and also sought participation in a development project which was meant
to alter their lives by improving their quality of life, the perception of participation varied from daily wage employment at the project site asking electricity round the clock to structural transformation itself. The people in the STRP region were placing themselves in the development process (a) in terms of participation or non-participation and (b) in terms of being the beneficiaries victims and left out. Fundamentally, the people were fighting to be a part of the development process which would alter their environment, and consequently, their quality of life. By seeking participation they were seeking to reorient the development process for environment protection and for local people.

An important event occurred in Bangalore, which gave a new ground for opposition by the Horata Samiti and ultimately became one of the grounds of the writ petition. At the meeting in Bangalore, the project report was placed before the Horata Samiti. According to G.S.Bhat Upsoni, while he was going through the first project proposal of 1973, he came across the fact that (1) originally the power house was to be located on the left bank of the river, since the right bank was not suitable. The CEA objected to it on technical grounds and consequently the powerhouse was shifted to the right bank of the river which was earlier found unsuitable.
(2) The Geological Survey of India had raised doubts regarding the topography and rock layer and the deep soil mantle's capability to support the dam and the large body of impounded water, besides the possibility of extensive seepage due to the presence of the thick layer of soil mantle. Thus, technical and geological grounds were found and substantiated by evidence (local knowledge and scientific) and used for opposing the STRP. The Horata Samiti collected information on these two vital grounds which question the technical and safety dimensions of the dam itself and constitute the basis for the technical viability of the dam. Moreover, according to G.S.Bhat Upponi, at last there was considerable solid proof that STRP was not technically viable and which could be used to stall the project. The Horata Samiti concentrated on the technical and geological aspects of the STRP.

The Parisara Koota emphasized the environmental angle, whereas, the Horata Samiti emphasised the technical and geological dimensions backed by sufficient proof. Later G.S.Bhat wanted to take these two dimensions as the main issues because there was sufficient scientific proof and backing to stop the project, but Kusuma Sorab had none of it and insisted on the environmental angle. But G.S.Bhat Upponi continued to take up these issues to oppose STRP with different
organisations, authorities and international funding agencies.

On 15.12.1987, G.S.Bhat Upponi wrote to the Chairman, International Bank for Reconstruction and Development (i.e., the World Bank), Washington D.C., USA which was one of the funding agencies of the STRP, requesting it to consider the following aspects before sanctioning aid (a) the presence of fractured rocks resulting in extensive water seepage which would considerably reduce the quantum of water in the reservoir thus resulting in the non-production of electricity, (b) the sweet river water turning saltish due to the increased content of salt water from the sea consequently affecting the 50,000 odd people dependent on the sweet river water for drinking and irrigation purposes. (c) The agitation of the local people on the above causes against the STRP. This marked the beginning of lobbying at the World Bank through letters for a considerable period of time.

The Uttara Kannada Zilla Parishad which had earlier passed a resolution against the STRP was informed about the meeting with the government representatives and the conceded demands in its meeting in early January 1988 by G.S.Bhat Upponi (Hindu, 7.1.1988, Karwar).

On 6th January 1988, G.S.Bhat Upponi released to the press, the two letters he had written to the Chief
Minister and the World Bank wherein he had highlighted the following points: (a) the Geological Survey of India's observation of the unsuitability of the right bank of the river due to the presence of a soil mantle up to the depth of 30 metres leading to water seepage (b) the high porosity of the area as seen in the (i) barrage across the Gundabala rivulet which has resulted in the increase in ground water table in the neighbouring areas as well as (ii) the increase in water table in the neighbouring state of Goa after the construction of the Supa dam and (c) the decrease of water in Sharavathi river and the admission of the KPC officials of not having considered the water inflow in Sharavathi after 1981 for the STRP reservoir.

On January 19, 1988, the World Bank responded to G.S.Bhat Upponi's letter of December 15, 1987, and stated that the World Bank is confident that the rock layer in the impoundment area is strong enough and unlikely to leak. G.S.Bhat wrote again on 30.1.1988 stating that there would be seepage from the flanks where the soil is at a depth of 30 feet and that from 1980 onwards the data regarding the volume of water discharged from the Sharavathi generating station (i.e., Sharavathi Power House) for impounding in the STRP reservoir was not considered and requested a fresh look at STRP from the World Bank.
The newspapers gave good coverage to the STRP generated responses and regularly carried the events of the movement and the government's response. On 30.1.1988 the Deccan Herald, a state level English newspaper, carried a pro-STRP article stating the KPC's viewpoint, that STRP would contribute to electricity generation in the state and would also generate employment; afforestation work had already been undertaken by the KPC which had deposited Rs.10 lakhs with the Karnataka Forest Department. Though the project was conceived as far back as 1942, work could not begin earlier, due to delay in clearance from Central Government, Environment authority and lack of finance. Rs.2 crore work had been sanctioned.

Soon after the work on the Diversion Channel began sometime in late January and early February 1988, the Horata Samiti through N.I.Bhat, J.D.Naik and S.T.Hegde approached the Court of Principal Munsiff, Honnavar, on 4.2.1988, praying for the issuance by the Court, of temporary injunction against the defendants (1) KPC represented by its Managing Director and the Chief Engineer, STRP and (2) M/s Chinna Nachimuthu Constructions represented by its (a) Managing Partner and (b) the Works Manager-in-Charge of the Works at the Project area of STRP; from (1) digging out the diversion channel at any other place, other than the proposed
place, (2) diverting the river water into the proposed diversion channel, without digging it, in order to form the channel by erosion of the hill due to the river flow and (3) not to let the river water into the proposed diversion channel without first constructing its sides by pitching, until the disposal of the suit.

The suit was filed by G.V. Bhat, advocate on behalf of the members of the Horata Samiti.

On 5.2.1988, the Principal Munsiff, Honnavar, T. Hariyappa Gowda, after hearing the petitioners, ordered the suit to be registered. On the same day he heard the suit O.S.No.21/88s position put forth by G.V. Bhat and ordered (a) ad-interim Temporary Injunction till the next date of hearing on 22.2.1988 and (b) appointed a Commission with R.B. Shanbag, Advocate, as the Commissioner, to examine the impact of the Diversion Channel and the implications of the projects to be executed in the valley.

The temporary stay granted by the Munsiff Court against the KPC from continuing work on the diversion channel (henceforth DC) was a big victory for the Horata Samiti as well as the Parisara Koota, as the entire movement benefitted.

G.V. Bhat, the advocate who prepared the suit and argued and presented it before the principal Munsiff told me that the entire court battle was handled by him.
After discussing with G.S. Bhat Upponi, G.V. Bhat planned the entire case, the aim was to stop the project work by any means. Hence, he hired the best lawyers in the town on behalf of the Horata Samiti enabling a better presentation before the judge. The respondents had to make do with other lawyers. G.V. Bhat handled the entire court battle. When the temporary injunction was violated by the contractors, the Court was approached for help. With the appointment of the Technical Commission project site visit was made under police protection and took photographs of the area before DC and after DC. The case went on until the writ petition got admitted in the Karnataka High Court. When the DC was going on, documents, for example the first project proposal of STRP, were asked to be placed before the court. The KPC removed the relevant section asked by the petitioners i.e., the geological and technical report and presented the rest of the project proposal. According to the KPC, the reports asked by the petitioners do not come in the project proposal. So until the appropriate term is used the required information would not be given. To get the appropriate term and the information it took the Horata Samiti many months, with the KPC being uncooperative. Finally, the relevant information was acquired after lots of time had passed.
Later on, the DC work, went on according to the original plan, and finally completed it much later than the scheduled time. The contractors also had to face further restrictions, as they were violating the rules, by dumping the mud dug from the DC on the river bank itself instead of dumping it far away from the river.

Hence, constant watch was kept on the activities at the project site by the Horata Samiti. At this stage, the Horata Samiti had (a) mobilised people’s support i.e., established a mass base for itself, (b) exercised political support and (c) approached the courts for justice, with success and (d) lobbied at the international level with the World Bank against funding the STRP.

The Parisara Koota, on the other hand was mobilising support on the environment protection plank from the local people and the district level environmentalists. It did not get the response from the government, which was given to the Horata Samiti. The Parisara Koota had kept its mobilisation strictly apolitical and dissociated environment from politics.

On February 10, 1988, G.S. Bhat wrote a letter to the then Chief Minister, S.R. Bommai, updating him of the events and requesting for help.
The state government had approached the World Bank for aid for STR as reported on 24.2.1988 in the newspaper Deccan Herald.

The Save Western Ghats March held during 1988 passed through Uttara Kannada around this time and the anti-STR movement got recognised by the rest of the activist world and the marchers expressed solidarity with the anti-STR movement.

G.S.Bhat kept his onslaught on the international funding agencies and on 5.4.1988 wrote to the Environment Defense Fund, USA highlighting the technical problems and the geological site conditions of the STR, the alternative to STRP and requested intervention in saving the rare flora and fauna of the Gerusoppa forests.

He also wrote a similar letter to the Department of Environment around the same time. On 23.4.1988, wrote to the Chief Minister Ramakrishna Hegde, he updating him about the recent events and requested action against the KPC officials and contractors, who besides violating the court orders were behaving badly. On 23.4.1988, the Chief Minister on his visit to Honnavar met the Horata Samiti representatives and assured them that a high level meeting would be held in Bangalore very soon.

Another key event took place around this time - the Horata Samiti and Parisara Koota were persuaded to work
together. Each organisation was working in isolation until now, as there were considerable differences in ideology, style of functioning, and movement strategy between the leaders of the two groups. It was felt by the neutral and well wishers of both the groups that the achievements of both the groups were being lost due to independent functioning, with the result that the cause was suffering. Hence it was proposed to achieve some kind of working relationship, without subsuming the identity of one organisation with the other. The main architect of this coalition was P.I. Hegde who initiated the proposal and functioned as the mediator. He told me that initially it was very difficult to get both the sides to consent to the proposal and later on too on certain issues there was no compromise. Finally, he got Kusuma Sorab and G.S. Bhat Upponi to agree on the following points: (1) Both organisations while retaining their identity will function together under the Parisara Koota Umbrella, (2) there will be coordination in the activities of the two organisations and open communication would be maintained.

Kusuma Sorab proposed the idea of approaching the High Court on environment grounds to stop STRP. As Bhat Upponi told me that he had nothing to do with it and that it was Kusuma’s idea and initiative in approaching the then well-known lawyers Ravi and Ravi and drafting
the writ petition. He did suggest to her to form the technical and geological problems of the STRP as the base of the writ petition, because there was a clear cut case for victory, whereas for environment lot of time can be taken up. After Kusuma took the decision of filing a public interest litigation with in the High Court, he did help her and gave her whatever material regarding STRP he had and on his trips to Bangalore did meet the lawyers and helped with the necessary information. But he did not see much hope in approaching the Courts.

Kusuma Sorab on the other hand, personally did not approve of approaching the Court as it might not be of much help, but for the sake of the movement was prepared to approach the courts. As the forests were being submerged, she felt that under the Forest Conservation Act, Justice could be sought.

On June 16, 1988, the Honnavara Taluka Parisara Koota’s public interest litigation writ petition, seeking directive to the state government not to implement the STRP under the Forest Conservation Act 1980, was admitted by Justice Rama Jois of the Karnataka High Court in Bangalore. Justice Rama Jois also ordered that a public announcement be issued in the newspapers, inviting the public to file their writs regarding the STRP.
At this crucial juncture, an external intervention occurred, which altered the course of the movement. In response to the public notice inviting objections to the STRP, a Bangalore based voluntary organisation - Samagra Vikas - too filed a supportive writ petition to be considered along with the first petition of Parisara Koota. Samagra Vikas is a trust for integrated development and environment protection and is composed mainly of highly qualified engineers and scientists, with strong BJP leanings and was very active in the Save Western Ghats March. The intervention of Samagra Vikas strengthened the not very strong writ petition of Parisara Koota and brought in their lawyer K.R.D. Karanth, who besides being a nephew of Shivrama Karanth (the noted environmentalist and Jnanpith award winner), was a very successful lawyer in handling such sensitive cases. Thus, Samagra Vikas came into the picture because Kusuma Sorab found it difficult to handle the Court matters while residing in Honnavar.

On July 4, 1988, Samagra Vikas held a symposium at the Centre for Ecological Sciences (Indian Institute of Science) Bangalore, in which the technical and environmental aspects of STRP were proposed to be discussed; the KPC's representative D.K. Sathyanarayana Setty, Director (Technical) put forth the KPC's perspective, while Shenva, the Conservator of Forests's
concept was that the STRP would submerge some of the best irreplaceable forests. A.K.N. Reddy of I.I.Sc., an energy expert, pointed out the need for efficient power projections and improving the quality of irrigation pumpsets thereby saving electricity. Other environmentalists delineated on the environmental aspects of the power projects. Kusuma highlighted the environmental impact and forest destruction of the STRP.

The fall out of the symposium for the movement in Honnavar was as follows: (a) the Parisara Koota came to be associated with the movement against STRP; (b) the Horata Samiti was totally unknown to other environmental groups in Bangalore and as a consequence was relegated to the background (c) the movement got wider publicity among other environmental groups in Bangalore.

G.S. Bhat Upponi explained to me later his absence at the symposium in Bangalore. As Kusuma was initially contacted, she informed him about the symposium without highlighting its importance. G.S. Bhat Upponi, thinking that it would be one of the numerous fruitless symposia did not show much interest, but offered to give the technical and geological information in his possession to Kusuma, which was declined. Later Kusuma phoned him from Bangalore asking him to come as it was an important symposium. At that late stage, G.S. Bhat Upponi could
not go to Bangalore. It was much later, that he discovered the nature of importance of the symposium.

Work had been resumed on the STRP after monsoons and on October 11, 1988, the Horata Samiti and Parisara Koota held a joint demonstration at the project site demanding that work should be stopped as the writ petition had been filed in the High Court. They said that until the High Court gives the decision, work should be suspended. About 300 people marched through the forests to the project site. The project engineer, Nagangauda assured them that after October 15, work would be stopped. The demonstration was called off for the day.

All the participants of the mobilization came from far off places and made their own arrangements for transport. They were from all the castes in the area, without the preponderance of a single caste over the other. The occupations ranged from daily wage labourer to a farmer to a truck driver, shopkeeper, betel leaf merchants, teachers and merchants etc. Women participated in large numbers and primarily belonged to the Parisara Koota group. According to the movement leaders, majority of the participants were the daily wage labourers who had forgone their employment for the day/s when there was mobilisation for an event. Since the numerical strength of the movement was composed of
the daily wage earners who would not be able to participate continuously with loss of earnings, the turnout at the events fluctuated. Moreover, the movement leaders could not pay the day's wage to the participating labourers due to lack of funds. Hence, the participation of the labourers was purely voluntary and many came despite the hardships involved. Similarly, people carried their own food and paid their expenses. Many others contributed in cash and kind. A local owner of trucks who lent his truck for the transport of illegally cut firewood, gave his truck free of cost to the movement because he had concern for the environment. He distinguished between what he had to earn for a living and his concern for environment. Besides this, whoever owned vehicles, ferried people to the project site which was located in the interior.

On November 2, 1988, about 60 people who were protesting against the STRP and the Kaiga Nuclear Plant were taken into custody. They belonged to different voluntary organisations in the state, involved in the preservation and protection of environment. They squatted on the Bangalore-Honnavar highway in Sagar Aaluba and offered 'Dharna' from 11 a.m. to 12 noon. This protest activity was part of the wider protest programme of voluntary organisation in Uttara Kannada district, to protest against the proposed power
projects. This networking with other organisations and groups involved in environment preservation was initiated by Kusuma. Hence, the anti-STRP movement could mobilise support from other organisations at the state level.

On January 16, 1989, the Horata Samiti and Parisara Koota held a joint demonstration at the STRP site protesting against the continuing work at the project site. They were determined to stop the work and maintained a day and night vigil to prevent resumption of work. Many female members of the Parisara Koota were part of the night vigil too. The demonstration continued right up to 21st January, when the demonstration turned violent. The KPC site officials and the contractors did not concede to the demand of the protestors to stop work on the dam which was a waste due to heavy seepage of water, as per the geological report. The assembled gathering was provoked by the KPC officials and the contractors instigated their workers to indulge in small acts of violence. Though the atmosphere was surcharged with high emotions and feelings against the STRP and the officials and the contractors, the assembled gathering functioned in a peaceful manner. After the provocation, the gathering, after laying seige for 5 days and nights realising that the government was not bothered about the local people
and was hell bent upon the implementation of the project, decided that the peaceful method of protest was of no use and that only violence was the answer. All the assembled people including the Parisara Koota and Horata Samiti, spontaneously felt that the government would listen only to violence. Very spontaneously, many members began demolishing the few temporary and vastly constructed buildings at the site, dumped some small machinery and implements into the rivers. The assembled gathering was proceeding to demolish the other major structures at the site when the main leaders Kusuma and G.S. Bhat Upponi arrived. According to many respondents, Kusuma immediately took charge of the situation and exhorted the people to calm down and not to indulge in violence. She is said to have told the people that they had gathered only for a peaceful satyagraha. This speech of Kusuma could not be challenged by anyone as it would have exposed the division in the ranks publicly and secondly G.S. Bhat Upponi gave consideration to the earlier agreement and to her age and experience. Thus, any further action was contained.

Many respondents including the close associates of Kusuma told me that a golden opportunity was lost due to the interference of Kusuma. If she had not interfered, the project would have been finished on that day for ever. The entire gathering was unanimous in its resolve
to stop the project and the high level of commitment and involvement has not been seen since. Not much work had begun on the project site, so there was not much loss to the KPC. More importantly, it is easier to stop a project in its beginning stage than later when considerable work has begun and money spent.

The fall out of this incident was that, there was a division among the ranks which after the agreement were functioning collectively. Much recrimination followed with the Horata Samiti members wanting to go their separate way. More importantly, it reinforced the feeling that after peaceful action, now violence is the only solution.

Meanwhile criminal cases were registered (Criminal Case No.642/89) by the police against Kusuma, G.S.Bhat Upponi and others under Sections 143, 147 etc. of the IPC. The sub-Inspector of Police, Honnavar recounted the events as follows: On 21.9.1989, while on duty at the project site, the accused Dr.Kusuma Sorab and G.S.Bhat Upponi accused-2 came with 350-400 people including 50 girls and proclaimed the work should be stopped. After forming an unlawful assembly, stones were thrown at the workers’ sheds and the working implements were thrown into the river. The foundation stone of the bridge belonging to the project was also uprooted, and the labourers were chased away. When
attempts were made to apprehend the persons indulging in these acts, they escaped into the forest, throwing stones. Only few people could be identified. The project sustained damages of Rs.15,000 to Rs.20,000.

According to G.S. Bhat Upponi, the police very cleverly picked up the poor and backward people as the accused, with the view to break the movement. In a criminal case, the accused have to appear at every hearing even if it is postponed and this involves expenses for the labourers and acts as a deterrent to others from participation. Even a single absence would result in prosecution. In fact, Narayan Subba Harijan was arrested on 19.3.1989 and released subsequently on bail.

On February 6, 1991, more than two years after the incident, the case was declared closed and the accused acquitted by the Incharge, Additional J.M.F.C., Honnavar. Out of the 5 witnesses for Prosecution-3 turned hostile and witness no.1, the complainant-investigating officer himself did not appear despite repeated summons. Therefore the case was closed due to lack of witnesses and proof against the accused.

According to G.S. Bhat Upponi, this case diverted the energy and resources of the movement as considerable support had to be given to the accused coming from the poorer class.
Meanwhile, in Bangalore, Samagra Vikas was raising the issue of STRP at every possible meeting and avenue. One of its members, Sanjay Havanur raised the possibility of availability of water for the STRP’s reservoir at a seminar on "Hydel and Irrigation projects inundating the Malnad region", in early April.

The KPC had asked the Vice-Chancellor of the Mangalore University, K.M. Safeullah who was a botanist, to conduct a study on the STRP’s repercussions on the environment and to submit recommendations. The Vice-Chancellor in his report highlighted the loss of the thick evergreen forests. He criticised the World Bank’s Ecologist’s Consultancy Report that it "does not take into consideration the valuable evergreen forests which will be removed or submerged by the project. It does not take into account the damage to the river bed flora, the ferus, orchids, epiphytes and hundreds of plant species which are rare to that area.... The compensatory forests... recommended... are a poor compensation for the magnificent forests which are going to be lost forever by constructing this Hydro electric project" (1989:3).

He also pointed out the underestimation of the area required for the STRP in terms of submergence, road construction, transmission lines and influx of workers and families at the project site. He made the final
recommendation that if measures to protect the ecology and environment of the Western Ghats are not undertaken, then "the construction of the STRP may be given up in the interest of the ecology and environment of the Western Ghats" (1989:4).

Safeeullah's KPC-Commissioned report substantiated what the Parisara Koota and the Horata Samiti had been saying all along. What was earlier dismissed by the KPC as inconsequential was highlighted by its commissioned study. This report boosted the position of the movement in its battle against the KPC.

The KPC announced the commencement of the STRP's preliminary works and construction of staff quarters, bridge and canals near Gerusoppa. Nayangouda, the Superintending Engineer, announced on 12.8.1989 that tenders had been called for the construction of the dam and the power house.

In response, G.S.Bhat Upponi, in his statement pointed out the large scale tree felling in the Gerusoppa forest area which would cause silt formation in the river due to soil erosion and ultimately affecting the livelihood of the fishermen. He reiterated the resolve of Horata Samiti and Parisara Koota to fight forest destruction in Gerusoppa.

Sometime in August, a jeep carrying protestors while going to a demonstration at the project site,
turned turtle and Gajanan Govind Naik died. This was a big blow to the movement, according to G.S.Bhatt Upponi as it left a negative memory and a bitter taste. Nevertheless, the people fortified themselves to fight against the project and saw Gajanan Govind Naik as a martyr to the cause of environment.

On 4.10.1989, the High Court of Karnataka gave a partial and temporary stay to the STRP work and directed that no more trees would be felled and that work could continue without damaging the environment. This was another victory for the movement, and considerably boosted their morale and built up their confidence.

The KPC continued to violate the stay order, prompting fresh protests at the dam site. G.S.Bhat Upponi continued to write to the World Bank, various Ministers and successive Chief Ministers.

The KPC continued its work at the project site and commenced blasting operations in the second week of November 1989. It violated one of the binding safeguards in the environmental clearance letter by not muffling the blasts, thereby disturbing the wildlife in the area. Wild animals were seen even during daytime near human habitation and consequently two panthers jumped into the well of a farmhouse and one died. A blast disturbed wild bear attacked Rama Ganesh Maruthi who was fighting for his life at Sneha Kunja Hospital.
There had been an increase in the cattle lifting by tigers, while two rogue elephants in Allanki village destroyed crops. The scared villagers performed at Gerusoppa a Vriksha Pooja (tree pooja) hoping that they would be saved from the attacks of the wild animals. Kusuma called upon the people to intensify the protest against the project and asked the forest officials to visit the affected villages and give adequate compensation for the losses and to rehabilitate the wildlife population.

KPC in the meantime entrusted the Centre for Ecology and Environment of Mangalore University with the responsibility of protecting the ecology and environment of the Sharavathi Valley. The Vice-Chancellor K.M. Safeeullah announced that the KPC had accepted his recommendations and had agreed to finance the environmental activities around the STRP which would consist of (a) estimation of the flora and fauna (b) rearing at suitable sites of important flora and fauna specimens, (c) establishment of botanical gardens, glass houses and artificial tanks (d) undertaking research, (e) the money collected from the sale of timber, fuel and plant products from the submergence area to be invested in environmental activities under the guidance of K.M. Safeeullah.
KPC had awarded the turbine and related machinery contract to BHEL in March 1990.

G.S.Bhat Upponi, continued to write to the World Bank, state ministers, chief ministers and minister of state of environment/forests at the Centre etc. and kept the pressure on them. In his letter to Basavalingappa, Minister for Forests at the state government, in July 1990, he delineated the contractor and politician nexus of the STRP. He also wrote to Bangarappa, the Chief Minister on the above lines.

On November 2, 1990, the two judge division bench of Karnataka High Court delivered the two dissenting judgements of Justice M.Rama Jois and Justice R.Rajashekhara Murthy. Justice Rama Jois partly allowed the petition and directed the Centre to reconsider its decision in (a) releasing the forest land for STRP as its Advisory Committee had failed to consider the endangered flora and fauna in its recommendation. (2) The environmental clearance as the environmental impact of all the projects in the region was not considered. Justice Rajashekhara Murthy, in his dissenting judgement said that the forest and environment aspects were considered and hence there was no need for the reconsideration of the clearances.

The judgement of Justice Rama Jois was a big boost for the environmentalists and for the first time an
environment favouring decision was given on environment grounds to a movement.

Due to the absence of a consensual judgement, the case was referred to the Chief Justice of Karnataka High Court, Chief Justice S.Mohan who upheld the judgement of Justice Rama Jois in his judgement on 19.12.1990. The Chief Justice ordered that until the central government re-examines its decision, no further works should be undertaken on the impinged land.

On January 14, 1991, Kusuma Sorab of Parisara Koota and Y.B.Ramakrishna of Samagra Vikas Trust, along with other environmentalists met the KPC Managing Director, Ashwathanarayana and urged him to abide by the court order and warned him that a contempt of court petition will be filed in the High Court against KPC if it does not immediately stop the ongoing work on the dam by 12 noon of January 16. They also alleged that the Chief Engineer of the KPC had visited the site after the court verdict and had requested the Forest Department to release additional forest land for the project.

The response of the Managing Director, KPC was that the corporation’s lawyers were still studying the court order, and after receiving the legal advice, the KPC would implement the order.

On 18 January 1991, the Division Bench of Karnataka High Court admitted the writ petition W.P.No.8170/1988
of Parisara Koota and Samagra Vikas and others. The bench directed the Centre to review the grant of approval and clearance for the project and submit the review work within three months after receiving the judgement. The state government was directed not to undertake the removal of forest wealth until the completion of the review.

The judgement of the High Court of Karnataka was a major victory for the environmentalists. It also opened up the possibility of approaching the courts for environmental violations by other groups and movements. This historic judgement was the first of its kind in India to have been based on environmental grounds and upholding the contentions of movements.

In February 1991, the KPC approached the Supreme Court on a special leave appeal (Civil No.2373 of 1991), asking for vacating the stay given by the High Court, Karnataka as all environmental aspects had been considered.

In 1991, the stay on removal of forest wealth was vacated by the Supreme Court and work commenced on the project site.

People’s activities had come to a stand still since 1989, when the partial stay on the project work was given by the High Court Karnataka. Since the matter was subjudice, the leaders felt that it would be morally
incorrect to continue agitation at the project site. Future course of action would depend on the judgement. The few mobilisations for events were mainly in response to the violation of the court orders by the KPC.

When the Horata Samiti supporters were asked whether they would take recourse to violence if the government wins the court case, 86 percent of the anti-project respondents answered in the affirmative.

Until now, we have dealt with the genesis of the movement, its evolution from mobilisations to movement which happened in a very short time span; the leadership, ideology, event structure and the movement dynamics, as well as, the response of the government and the emergence of a counter group supporting the STRP. This overview would indicate the major trends and events of the movement, but would not throw light on the people who make up the movement, their perceptions, attitudes, social background etc. Therefore, to have a holistic understanding of the movement the following two sections would deal with (a) the movement of people and (b) the government's perception of environment and the movement as indicated in the documents.

THE PEOPLE

The total number of respondents near the project area and Honnavar were 41 out of which anti-project and pro-environment were 29 and pro-project and anti-
environment were 11 and only 1 person was neutral. The random sample gave a good overview of the varied responses to the STRP. The sympathetic support of other groups outside Honnavar is not included here as it might distort the local perception.

The data is divided into the following sections:
I The socio-economic, residential, educational, caste, occupation and the project impact in the respondents profile is presented.
II Respondents' perception towards environment, development and more specifically related to the STRP development project.
III Alternatives.
THE ANTI-PROJECT AND PRO-ENVIRONMENT CATEGORIES
Socio-economic profile and perceptions regarding environment, development and alternatives.
(1) Majority of the participants-41.37 percent were in the age group of 31-40 years, 37.93 percent in the age group of 21-30 years, followed by 13.79 percent in the age group of 51-60 years and 71-80 years.
(2) The educational profile of the respondents is as follows:
44.82 percent of respondents had a relatively low educational level of 6-10th standard at the school level.
17.24 percent came in the educational level of 1-5th standard at the school level.

11-12th standards at the school level and degree at college level had 10.34 percent each of the respondents.

3.44 percent of the respondents came in each of the following categories of uneducated, not available, MA B.Ed. and BA LLB.

(3) **Occupational Profile of the Respondents:** 62.5 percent came in the Thotagar\(^1\) category; 20.68 percent were in the business category; Agriculturists\(^3\) comprised 10.34 percent of the respondents. Occupational categories of driver, headmaster, coolie, doctor, lawyer each had 3.44 percent of respondents.

(4) **Ownership of Land:** 10.34 percent of the respondents did not own any land, and a majority of them i.e., 62.06 percent came under the category of small-scale farmers owning land between 1 and 5 acres. 20.83 percent of respondents owned land between 6 and 10 acres. Data was not available for 10.34 percent.

(5) **Residence:** (a) Length of stay in the area - 72.41 percent of the respondents were original inhabitants. 27.58 percent of the respondents were migrants. 31.03 percent of the respondents had stayed in the area for

\(^1\) Thotagar is a horticulturist.

\(^3\) Agriculturist is a person who cultivtes paddy etc.
200 years, 3.44 percent of the respondents had stayed in the area for 500 years, 20.68 percent of the respondents had stayed for 150 years, and 17.24 percent of the respondents for 91-100 years. 20.68 percent had stayed in the area for 21-30 years and 3.44 percent respondents had each stayed for 31-40 years and 41-50 years. 20.68 percent had stayed in the area for 21-30 years and 3.44 percent respondents had each stayed for 31-40 years and 41-50 years. (b) Distance of the residence from the project site - 75.86 percent of the respondents stayed at a distance of 21 to 25 km from the project site. 6.89 percent of the respondents stayed in each of the following categories - 1-5 kms and 6-10 kms from the project site. 3.44 percent of the respondents each stayed 16-20 kms; 25-30 kms and 31-35 kms from the project site.

(6) **Previous awareness of and involvement with an environmental Movement:** - 20.65 percent of the respondents were aware of the anti-Kaiga nuclear Power Plant movement, through newspapers.

(7) **Respondents Source of Awareness of the Project** through newspapers was 51.72 percent and through word of mouth - 48.27 percent.

(8) **Source of Awareness of Project Impact on Themselves:** 55.17 percent of the respondents were aware of the impact of project themselves through the leaders; through word of mouth - 34.48 percent and through newspapers, 10.34 percent.
(9) **Source of Awareness of Project Impact on Environment:** The source of awareness of the project on environment through activists was 96.55 percent and through books, 3.49 percent.

(10) **The Nature of Awareness of Project Impact on Themselves** was that though they are not submerged nor directly affected (100 percent), but indirectly affected due to (a) saline water intrusion into the river, thereby making their fields alkaline and affecting the pumpsets - (17.24 percent); (b) general change in environment with reduction in rainfall, scarcity of fuelwood (100 percent).

(11) **The awareness of the nature of impact of the project on the environment given by 100 percent of the respondents** was as follows:

i) change in the environment;

ii) less rainfall due to change in climate;

iii) submergence of thick forests;

iv) destruction of rare and valuable wildlife and medicinal plants, and source of honey.

(12) **Participation in movement events**

All 29 people (i.e., 100 percent) participated in movement events.

(13) **Perception of the Development project:** That this project will not bring development was realised by 100
percent; All of them (100 percent) said instead that it was dangerous.

(14) Alternatives to the development project given were wind, solar, tidal, sources of energy. Yet another alternative to the dam was to generate electricity through a pipeline.

(15) Caste Composition of the Respondents: In the coastal area, the caste composition is almost equally divided between Brahmins and non-Brahmins but in the STRP area, brahmins predominate as it is little interior, and hence, there are gardens. The caste profile of the respondents is as follows. Brahmins comprise 72.44 percent, the Non-Brahmin Naiks are 17.24 percent, Harijans are 6.89 percent and the Muslims are 3.44 percent.

We find that though there is a mixture of different castes and religions, the field data is predominantly composed of the Brahmins, because, being Thotagars, they could be easily contacted, whereas, the non-Brahmins and other caste people were not easily accessible due to their mobile occupations as labourers, small businessmen etc.

(16) Class Background of the Respondents: 62.06 percent of the respondents are small scale farmers and 10.34 percent are landless. 20.83 percent own land between 6 and 10 acres. Hence, their level of income is above
subsistence level and they could be classified as lower class to lower middle class category.

(17) Level of education did not significantly determine the awareness of environment impact of the project, nor the alternatives, as 100 percent of the uneducated and 100 percent of the educated exhibited 100 percent awareness of environmental impact of the project and the alternatives to it, as awareness was the result of common knowledge and the dissemination of information by the movement organisation.

(18) The nature and extent of direct dependence on the land also plays a considerable role in perception of the development project and participation. We find that despite the absence of any direct effect of the dam, the land dependent category of Thotagar, agriculturists exhibited 100 percent negative response to the development project and actively participated in the movement. Similarly, the non-land dependent occupational categories of driver, coolie, business etc. also exhibited 100 percent negative response to the development project and actively participated in the movement. In the anti-STRP movement, we find that though no single occupational category is directly affected, opposition to the project is total and is based on purely environmental grounds. Normally, there is greater opposition from a land rooted occupation, but
in the anti-STRP movement, mobile occupations were equally involved in opposing the project on environmental grounds.

(19) 89.65 percent of the respondents felt that a violent method of action would be more successful in the future, whereas, 10.35 percent dissented and said that peaceful mode of protest would be successful.

Thus we find that in the case of anti-STRP movement, caste, occupation, education did not play a significant role in determining the level of awareness of the environmental impact of the project or activism. It was attachment to the very abstract concept of environment that was the base for activism.

The Pro-STRP Group

The data was collected mainly from the Gerusoppa village, which is the nearest village to the STRP site. It was earlier an anti-STRP village which was later on transformed into a pro-STRP village. The KPC gave greater employment to the people from this village and patronised the few shops while conceding the demand by the Horata Samiti for local employment etc.

(1) Age Composition of the Respondents: 27.27 percent of the respondents are in the age group of 31-40 years and 61-70 years each; followed by 18.18 percent of the respondents in the age group of 21-30 years and 9.09
percent of respondents each in the age groups of 41-50 years; 51-60 years and 71-80 years.

(2) **Education:** 81.81 percent of the respondents come under education level of 6-10th standard of school level. 18.18 percent of the respondent’s educational level could not be ascertained due to the fact that they were pre-occupied in their travel arrangements.

(3) **Occupation:** 45.45 percent of the respondents are in the business category. Tailoring category has 18.18 percent and the Postman category 18.18 percent followed by Merchant and Agriculturist each has 9.09 percent of the respondents. Hence, the merchant and business occupational categories have the highest percentage i.e., 54.54 percent of the respondents.

(4) **Ownership and Area of Land Owned:** 36.36 percent of the respondents do not own any land. Of the remaining, 63.64 percent own land with the following breakup - 50 percent of the respondents have 1-5 acres and 12.5 percent have land in each category of 0-1 acres, 11-15 acres and 15-20 acres.

(5) **Residence:** (a) Original inhabitants comprise 54.54 percent and the migrants comprise 45.45 percent. (b) **Length of Stay in Years:** 27.27 percent of the respondents have stayed for 200 years, 18.18 percent of the respondents have stayed for 150 years and 9.09 percent of the respondents have each stayed for 300
years, 91-100 years, 71-80 years, 41-30 years, 11-20 years and 0-10 years. (c) 90.90 percent of the residences are at a distance of 1-5 kms from the project site and 9.09 percent residences are at a distance of 6-10 kms from the project site.

(6) Nature of project impact on the Gerusoppa villagers - not submerged and not affected is 100 percent.

(7) **Nature of perceived environmental impact of the STRP by the Gerusoppa villagers** - 100 percent of the respondents feel that there is no harm to the environment.

(8) Sources of awareness of the project are project work and the anti-project movement’s mobilisations.

(9) Sources of awareness of the project impact on themselves are project officials and anti-project movement mobilisations.

(10) Perception of the Gerusoppa villagers of the developmental dimension of STRP. 100 percent of the respondents felt that STRP brings in development and cited the following reasons:

(a) more trade in the area for construction material for the project works;

(b) hiring of labourers from the village;

(c) the labourers of the STRP shop in Gerusoppa;

(d) electricity is generated;

(e) more number of industries will emerge in the area.
(11) Caste composition of the respondents: Non-Brahmins comprise 63.63 percent and the Brahmins comprise 27.27 percent of the respondents, while Muslims are 9.09 percent.

To sum up, the pro-STRP group has a low educational level with a majority of its population (54.54 percent) involved in business and merchant occupations and 54.54 percent consider themselves as original inhabitants. Their perceived benefits from the STRP are increased trade and employment in the area, which in turn would greatly increase their prosperity, given the fact that they would not be directly affected by the STRP. Hence, in the absence of negative consequences of STRP, the Gerusoppa villagers stood to gain considerably from the STRP. Their perception of the anti-STRP movement was that, it was a case of sour grapes as the benefits of STRP did not accrue to them, and hence opposed STRP.

The pro-STRP attitude in Gerusoppa village and Honnavar town (especially its business community) did not crystallize into a mobilisation. Hence, there was no interaction between the anti-STRP movement and the pro-STRP feeling.

The Government's Perception

The Government's perception vis-a-vis environment and the movement can be gauged by (1) its conformity to
the rules and procedures protecting environment, (2) response to the movement.

One of the major sources of data for the government’s perception of environment are the court documents and the KPC’s responses in the court.

**The Battle in the Court**

On June 23, 1988, the writ petition was filed in Karnataka High Court, which accepted it as a public interest litigation and invited the public to participate in the case by public announcement on 16 July 1988.

The public interest litigation (W.P.No.8/70/1988) was filed under article 226 and 227 of the Constitution of India on environment protection grounds and asked for the staying of the STRP.

The petitioners were - Honnavara Taluk Parisara Koota, Samagra Vikas and 30 others and the respondents were (1) The state of Karnataka represented by its Secretary, Forest Department (2) The Chairman, KPC, (3) The Chairman, Karnataka Pollution Control Board, Bangalore.

The **Petitioners contended that**: (a) The state government has not been conforming to the national policy on environment; (b) The STRP is environmentally disastrous; (c) KPC has withheld information regarding the STRP from the respondents, despite requests; (d) The status of the
forests is 'reserved forests' and harbour many endangered fauna and rich flora of evergreen forest type; (e) considerable amount of timber and cane is harvested from the minor forests of these forests, besides the concessions to the villagers to extract green manure, firewood, timber, and grazing privileges; (f) two alternative sites are available upstream of the site of the proposed project; (g) electricity generated by STRP would be utilised for the rich, urban section of the population; (h) STRP will jeopardise the survival of agriculturist families near the project area; (i) state is destroying the catchment zones; (j) alternative sources of energy could be explored with the World Bank loan for example, wind, solar energy. The petitioners prayed for the stopping the STRP "in the interest of justice and equity" (1988:23) and asked for an interim stay to restrain respondents from calling tenders for cutting trees at the project site.

In response, the Secretary Forests, GOK, being Respondent 1, responded by asking the High Court to dismiss the writ petition [henceforth WP] as it is 'wholly misconceived and imaginary' (1989:1), as the STRP did "not create either environment pollution or ecological imbalance" (1989:2). He substantiated GOK's case as follows:
(1) STRP is an answer to the pressing power shortage, and does not displace any human population. The benefits from STRP are greater than other Hydro-electric projects.

(2) Hence, "objection to the construction of Hydro-Electric Project under the pretext of preservation of environment is a disturbing feature" (1989:3).

(3) "This is not a case of illegal cutting of forest and encroachment, so that, associations like that of the petitioner can agitate for maintaining the forest and forest growth without any imbalance being created" (1989:3). In fact, the approval for the project has been given under Forest (Conservation) Act 1980, and it is for the GOI to decide such matters and not the Court.

(4) The rare species found in the submersible area are also found in the nearby forest and the STRP will not destroy the total habitation of these species.

(5) Compensatory plantation will take care of the fuel needs met by the forests.

(6) STRP has been examined by the Expert Committee of GOI, consisting of "...prominent environmentalists and foresters..." (1989:9) and "...elaborate ecological studies have been conducted before clearing the project..." (1989:11).

(7) The STRP's environmental impact is very small, when compared to the derived benefits.
(8) "... there is neither ecological imbalance nor environmental effect by implementation of the project" (1989:13).

(9) The petitioners have not demonstrated the identity of their violated fundamental or legal right by the STRP.

The KPC being the 2nd respondent, gave the following response on 21.2.1989.

(1) STRP is the most economical and quick result yielding hydel power projects, with minimal environmental impact. It has been processed by all the appropriate authorities from all relevant angles and would considerably contribute to reducing the immediate power shortage faced by Karnataka.

(2) KPC's perception of the petitioners and the movement was as follows:

"The objections raised in the petition proceeds from village politicians self styled as leaders of a section of the villagers, who are purely agitational in approach and refuse to understand the realities of the situation and realise the numerous and substantial advantages as against the few comparatively insignificant disadvantages, if any, from the proposed project for generation of electricity. It has almost become a fashion of the day for some self styled leaders to carry on agitation for the sake of agitation by
raising an accusing finger at any developmental activity under scare of ecological disturbance (1989:1).

"...One state cannot afford to lag behind in the matter of generation of electricity and put the hands of the clock back in order to accommodate the unrealistic, unreasonable, unhelpful, parochial and one-sided view of the petitioner, and thereby, stall the progress of the country in all its welfare activities" (1989:2):

"The environmentalists ought to object to illegal cutting of forest and encroachment and actually agitate against those concerned with such activities" (1989:20).

"...this Respondent prays that this Hon'ble Court may be pleased to dismiss the Writ Petition with exemplary costs" (1989:21).

KPC responded to Samagra Vikas's petition on 23.9.1989 by contending that:

(1) "The Corporation is basically an engineering department and meant for constructing projects which are helpful for the development of the State. It is not an environmental organisation" (1989:12).

(2) "While ecologists are arguing about trees, tigers and tadpoles, people are starving. A forest may be a source of wonder to the well fed person but to a hungry peasant, it is an impediment to a full stomach" (1989:21).
"The petitioners appear to have been lead away by emotion rather than rationale in trying to scuttle the all advantageous project under the guise of protection of environment and maintaining ecological balance" (1989:22).

Hence to sum up:

The Petitioners contended that, GOK through KPC and Forest Department by proposing to implement the STRP are (a) destroyers of the priceless evergreen forest and endangered fauna, (b) perpetrating inequity and injustice and creating inequality through power projects by destroying the resource and survival base of the local population (c) not planning the power projects properly by incorporating the environmental protection measures (d) not exploring alternatives to hydel energy which are environment friendly and (e) violators of the rules and procedures of environment balance. The KPC and the Forest Department of GOK in turn perceive the petitioners to be (a) endowed with mis-placed responsibility, (b) representing vested interests at the local level interested in purely agitation, destructive activities (c) emotional, unreasonable, unrealistic, unhelpful, parochial and one-sided (d) anti-development using the bogey of ecological disturbance.

These competing and conflicting constructions of reality sought legitimation in the arena of the Court.
The Court examined the whole issue in the backdrop of the Forest (Conservation) Act, 1980, and whether the rules and environment clearance procedures had been conformed to in letter and spirit. The KPC contended that all environmental aspects had been duly examined by the expert committee. The petitioners in turn asserted that crucial information concerning the flora and fauna status of Sharavathi valley had been withheld from the Expert Committee by KPC, thereby violating the guideline for forest clearance of GOI and hence the environmental clearance given to STRP based on incomplete information would have to be withdrawn.

Crucial to the case were the two letters of (a) the Deputy Conservator of Forests, Honnavar Division of 1985 listing the endangered fauna and the rich flora of the region, the porosity and susceptibility of the soil for soil erosion and listing alternatives, and (b) The Chief Conservator of Forests (General), Bangalore’s refusal to recommend clearance of forest land to STRP in 1983, which were withheld from the Expert Working Group and would have influenced the final decision of the Expert Working Group resulting in non-approval of the project from the environment angle.

The Court examined whether the environment approval granted by the GOI, was violative of Section 3 of the
Forest (Conservation) Act, 1980 and Rule 5 framed there under.

The Court Division Bench comprising Justice J. Rajashekhara Murthy and Justice Rama Jois gave differing and dissenting judgements on 2.11.1990. Justice Rajashekhara Murthy dismissed the writ petition on the grounds that all environmental aspects had been considered by the Expert Working Group and that the placement of the two contentions letters do not form part of the record. He absolved the KPC of the charge of withholding information and documents from the Expert Working Group.

On the contrary, Justice Rama Jois in his judgement held that (a) the necessary documents pertaining to crucial information of the flora and fauna of the valley had been deliberately withheld by the GOK from the Advisory Committee, thereby violating Rule 5(2) (a) of the Forest (Conservation) Rules, 1981. (b) No systematic study of the plant life in the Western Ghats was done by the KPC to claim that "an evergreen forest contains no rare species of flora and fauna" (1990:14). (c) The project site is a geologically flawed site according to the Geological Survey of India's report. (d) Considering other studies for example, BNHS of the Sharavathi Valley, the area is well endowed with rich evergreen forests of the climatic climax type supporting
a variety of endangered and rare fauna. (e) It was not explained by the KPC and as to how and when the change in the opinion of the Chief Conservator was brought about from not recommending clearance to recommending the forest land and ordered that -

(1) the WP be partly allowed,

(2) the Central Government should reconsider the forest clearance and the environmental clearance and should within three months comply with this direction, and

(3) further work to be stayed by the KPC and Forest department on the STRP.

Since the two-judge division bench differed in its decisions, the matter was referred to a third judge - Chief Justice S. Mohan of Karnataka High Court who upheld the judgement of Justice Rama Jois on 19.12.1990 and deemed that the Central Government should reconsider the environmental clearance and forest clearance within three months from the date of receipt of this order.

The matter was referred back to Justices Rajasekhara directly and Rama Jois, who passed the following orders on 17.1.1991 based on the majority judgement -

(1) admitted the writ petition in the High Court,

(2) ordered total stay on the STRP work,
ordered reconsideration of forest and environment clearances by MEF, GOI and to furnish the reports within three months from the date of receipt of the order to the High Court.

Thus, the contentions of the petitioners were upheld by the High Court. The High Court also held the KPC of violating the rules of the environmental clearance procedure and highlighted the unusual manner of obtaining recommendations and clearances. Hence, KPC and GOK were not conforming to the prescribed rules and regulations concerning environment protection and had not yet internalised and incorporated the environment variable into their system of functioning. We find that the government itself violates the rules it has framed and is deemed to uphold and does not conform to its announced policy and laws.

The perception of the government and its concerned organisations vis-a-vis the environment movement is not positive and is of an antagonistic nature. The government and the KPC did hold dialogue with the Horata Samiti at different levels mainly to contain the movement.

Considering the stakes (financial) and the issues (if the Court gives a favourable judgement, then a precedent is set, which could be used in other cases) involved, there was tremendous pressure on the judges,
concerning the judgement. In addition to this, the subjective inclination of the judges towards environment too played considerable role in determining the nature of the judgement. For instance Justice Rama Jois was known for his concern for environment.

The judgement of the High Court of Karnataka was a major victory for the movement and gave them unlooked for support in their cause. In April 1991, the Parisara Koota took out a protest march in Honnavar town and the project site protesting against the continuance of work by the KPC. Besides the very rare and sporadic protests as a response to KPC violations, there no movement activity as the matter was in the Court and everyone was waiting for the judgement of the Court. Many respondents openly said that in future the movement will take a violent turn, if the Court vacates the stay and work is resumed by the KPC.

In February 1991, the KPC approached the Supreme Court on a Special Leave Petition Civil (No.2373 of 1991) and appealed that the order of the Karnataka High Court is contrary to law, justice and equity and that all necessary environmental and forest clearances had been obtained according to the prescribed rules and procedures and prayed for an ex-parte stay on the operation of the High Court of Karnataka's order dated 17.1.1991 made in WP No.8170 of 1988.
DISCUSSION

The announcement of the decision to locate STRP at Gerusoppa by GOK in mid 1987, sparked off anti-STRP mobilisations in the nearby areas of the project. The STRP had initially the support of the business and merchant class of the area who stood to benefit by it and later on, expanded the support base by the incorporation of the newly employed local labour force on the project work which was the consequence of the acceptance by GOK of the local employment demand of the anti-STRP, Horata Samiti. The pro-STRP support was located in the Gerusoppa village which was the nearest human habitation to the STRP and the nearest town Honnavar. Of the 11 respondents interviewed in Gerusoppa village, 72.72 percent (confining business, tailor and merchant occupational categories) are in the business category, who wholly support the STRP on the grounds that it would bring development with the establishment of industries etc., with the resulting increase in local employment and volume of trade. This category felt that there was no negative environmental impact of the STRP. The educational level is also low with 81.89 percent having 6-10 standard education at the school level. The land owning population is 36.36 percent which 50 percent own land between 1 and 5 acres on which are grown paddy, sugarcane etc. which are
basically subsistence level crops. The prevalence of gardens is on the lower side with the area under garden being very little unlike the upghat situation. 45.45 percent of the population are migrants who had come and settled in the area ranging from 0-100 years. As the STRP did not involve any submergence of the agricultural lands or human habitation, the local population was not directly affected by the STRP and instead looked for the benefits accruing from STRP. Though the residences are only 1-10 kms. away from the project site, the residents are pro-STRP as they are not directly affected. The respondents feel that there could be no better alternative to STRP and that it would result in the development of the area and was not environmentally harmful as it would submerge the forests and not human habitation or agricultural lands. Implicit in the above response is that a dam is considered harmful if there is submergence of cultivated land and habitation of the people. The pro-STRP group did not crystallize or develop into a mobilisation but remained at the attitudinal level of the people. Nor was there any initiative by the anti-STRP to hold dialogue with the pro-STRP group nor the government mobilise them for support for STRP.

The anti-STRP mobilisations which emerged as a response to STRP were mainly located on both the banks
of the river, right up to Honnavar. These areas, like the Gerusoppa village, are not directly affected by the STRP and have similar education level with a majority of the respondents (44.82 percent) having 6-10th standard school level education. In contrast to the pro-STRP group at Gerusoppa, which has a preponderance of respondents from the business category (72.72 percent), the anti-STRP group has only 20.68 percent of its respondents in the business category. The land dependent category of agriculture has 72.84 percent of the respondents, out of which 83.33 percent are above the subsistence level - thotagars. One can tentatively infer that a land dependent population especially above the subsistence level, with greater returns from the land, has a higher awareness of the environmental impact on its fields. Consequently, it is more sensitive to the effects of the dam - directly on itself i.e., submergence, displacement, and indirectly on the existing ecosystem which would affect the agriculture system and consequently the way of life. Here it must be mentioned that the business activity is not based on and dependent upon the agricultural/horticultural produce of the area, as it is primarily at a subsistence level. Hence, people belonging to the occupational category of business are more mobile than their agricultural counterparts, who are rooted to their land.
and hence less mobile. In addition to this, migrants in
the pro-STRP group comprise 45.45 percent whereas, in
the anti-STRP group they comprise 27.58 percent. The
original inhabitants of the pro-STRP group are 54.54
percent and in the anti-STRP group 72.41 percent. At
this juncture, it is appropriate to examine the pro-STRP
response of the original inhabitants of Gerusoppa in the
context of the life style being led by them at present
viz., at subsistence level, whereas the envisaged future
vision of post STRP envisages lifestyle above-
subsistence level. In contrast, in the anti-STRP group,
the original inhabitants are content with their present
lifestyle and envisage the post STRP future lifestyle as
non-satisfying. The migrants comprising 27.58 percent
of the respondents are also satisfied with the present
quality of life and hence oppose the STRP.

The anti-STRP group is aware of and concerned with
the quality of environment due to their emotional
attachment to, and nature of dependence on, the
environment, despite the fact that they had as much to
gain as the pro-STRP support group. The awareness of
the importance of environment was due to the earlier
existing folk environment attitudes and perception,
wrought together with the scientific knowledge or
worldview of the environment disseminated by the leaders
of the movement and experts. In addition to this, the
region was continuously sensitised to the importance of the environment by the then ongoing anti-Kaiga Nuclear Power Plant movement, in which 51.72 percent of the respondents participated in a limited manner, mainly due to time constraints. Thus, we find that prior sensitisation and awareness of importance of environment and participation in environmental activism has made people more sensitive to environmental issues and this increased sensitisation enables the possibility of future environmental activism.

The caste composition in the coastal areas is almost equally divided between the Brahmins and the non-Brahmins but in the STRP area, which is a little interior, Havyak Brahmins predominate due to the prevalence of the gardens. Thus, in the anti STRP movement, 72.41 percent are Brahmins, 17.24 percent are Naiks, 6.89 percent are Harijans and 3.44 percent are Muslims, whereas in the pro-STRP group, 63.63 percent are non-Brahmins. 27.27 percent are Brahmins and 9.09 percent are Muslims. Majority of the non-Brahmin caste categories are involved in non-agricultural activities, hence their dependence on land is of a different nature than that of the Brahmins (some of whom were also business people). Caste, therefore, is not an important variable in opposition to STRP in as much as the nature
and extent of dependence on and the present and perceived benefits from the land.

All the anti-STRP movement's respondents (100 percent) are of the view that STRP would not bring development to the district as it destroys the environment and that it does not alleviate the subsistence level condition of the people. According to them, for generation of electricity, technologies which do not destroy the environment are needed and cite solar energy, wind energy, geothermal energy as non-polluting technologies. Their perception of development is environment protective and envisages whole benefits accruing to the local population and the surrounding area. Hence, they seek development which is equitable, and environment sustaining.

**Mobilisation and Institutionalisation of the Anti-STRP Movement**

The movement against the STRP is rooted in the initial mobilisation by the two key initiators - Kusuma Sorab and G.S.Bhat Upponi - which almost instantaneously organised itself into two formal organisations - Parisara Koota and Horata Samiti. After the formation of the organisations, extensive awareness generating and mobilisational activities were initiated which included, protest marches, demonstrations, gheraoning of KPC officials and contractors, submission of memoranda, petitions and approaching courts for
justice. The formation of the organisation at the initial stage itself helped in giving an identity to the mobilisations and in the mobilisation of and channelising of the resources of the people in the desired and effective direction. Hence, both mobilisation and institutionalisation processes mutually reinforced each other.

Composition of the Movement

Different castes, occupations, religions, rich class, and poor class people constituted the movement. Farmers, business people, coolie, agricultural labourers, fishermen, thotagars, teachers, lawyers, brahmins, Naiks, Harijans, Muslims, women, children and men constituted the composition of the movement. This composite nature of the movement did not function as a drawback with different competing interest operating, but became the movement's strength, with the assertion that all people irrespective of their occupation, caste membership or gender identity would be affected by the change in environment. Hence our sample covers the entire spectrum of the composition of the movement.

Movement Ideology

The basic movement ideology as articulated by both groups was that the present development was destructive of the environment and inequitable to the people, and hence, alternative development which is environment
protective and equitable should be evolved, with the appropriate or relevant technology. This common ideology was perceived in the Gandhian worldview of Kusuma Sorab and by G.S.Bhat Upponi in the radical worldview and was translated in practice to the opposition to STRP on equality and environment along grounds on the following lines - Kusuma Sorab believed in absolute environment protection, a total change in the lifestyle with minimum technology total opposition to dams.

G.S.Bhat Upponi, in contrast, held that equitable and environment protective development was necessary and total structural transformation was essential. The local people should have a say in determining the kind of development projects to be located in the region which would affect them. Alternatives should be environmentally benign and beneficent to the local people and which would not cause economic disparity among the people.

Movement and the Political Party Interlinkage

Regarding the interlinkage between political party and movement the following dimensions have to be examined independently of and jointly - (a) perception of political parties vis-a-vis the movement and its objectives and (b) conversely, the perception of the movement vis-a-vis the political parties. We begin with the movements perception of political parties. There
were two strands within the anti-STRP movement vis-a-vis the political parties. Kusuma Sorab’s Parisara Koota perceived environment to be a non-political issue and kept the politicians at bay. She kept the environment isolated from party politics and mobilised support from other environmentalists and environment organisations on purely environment conservation grounds. In contrast, G.S.Bhat Upponi perceived environment in the context of the larger milieu and enlisted political support for environmental protection, without politicising the issue. He sought and enlisted the support of the local MLA, the Rajya Sabha member from Karnataka, R.N.Naik and other political party members, irrespective of party membership in opposing the STRP thereby creating a political pressure on the state government. Political power was utilised for environment ends and was contained by the cause of environment. He did not make environment party political and had supporters from all political parties. Though both the groups had supporters from all political parties, Parisara Koota utilised the personal support of the people for the cause of environment, whereas, Horata Samiti utilised the political power of the supporters in addition to the individual support to the cause.

The supporters and the party members of both the organizations did not perceive a conflict in their
support to the anti-STRP movement, and party policies, despite the fact that many Janata Party (which had implemented the STRP) members were supporters of anti-STRP movement, and similarly, BJP which was pro-STRP had considerable members supporting the anti-STRP movement. The supporters distinguished between environment and party politics. It is also interesting to note that the political parties did not issue any directives against their 'rebellious' members who were supporters of the anti-STRP movement, which brings us to the perception of the political parties vis-a-vis the anti-STRP movement.

All the political parties, despite their declared policy of promoting hydel energy, did not pass strictures against their members supporting the anti-STRP movement which could be due to (a) retaining the vote base and (b) the opposition to the STRP did not pose adequate threat to the base of the political parties. The local BJP leader M.P.Karki deferred the issue by saying that the opposition is at the personal level and did not see it as violative of the party's policy.

The anti-STRP movement, despite seeking political power, did not build itself as an alternative to the existing political power system, and consequently, did not pose a threat to the established political system. There was conscious dissociation of the environment and
party politics in the anti-STRP movement seem differently in Parisara Koota which was non-political and in Horata Samiti which involved politicians on the basis of their concern for environment, enabling the utilisation of their political power for the non-party political environment cause, thereby removing the conflict between the party and the individual.

Movement and the Government

The most important factor in the genesis, dynamics and the life cycle of the movement is the government. The interaction between the two sets the tone and the nature of movement dynamics. A confrontationist stand of the government would result in a confrontational situation, whereas, a cooperative stand of the government would result in either the co-option of the movement or the death of the movement with the acceptance of its demands.

The anti STRP movement did not perceive the government to be the enemy nor built the movement against the government but seeking government’s help in restoring the balance. The movement utilised the people, political and legal power to pressurise the government to retract its decision.

The KPC perceived the movement to be a group of vested interests and anti-government, irresponsible etc. The government perceives the movement to be a hindrance
to the smooth implementation of the project, but had adopted the policy of appeasement to contain the movement.

**Leadership of the Movement**

The two leaders of the anti-STRP movement were the initial key initiators of the early mobilisation and each had a distinct personality and style of functioning. Kusuma Sorab functions in the prophetic/messianic mode, where she is the saviour of the people. In contrast, G.S.Bhat Upponi functions more as a manager and in a democratic fashion. After the merger in 1988, the collective leadership of Kusuma Sorab and G.S.Bhat Upponi functioned for some time smoothly, but soon differences cropped up. The Horata Samiti was upstaged by the Parisara Koota, which gained prominence outside the region as the sole leader of the successful movement, so much so that many outsiders are not aware of the Horata Samiti's contribution.

The anti-STRP movement emerged at the micro level, in response to local issues and independent in origin which, later on, acquired greater support and spread by networking with other ecological groups and movements in the district. Movement's strength is located at the micro level (i.e., the affected area) where all the actions and battles take place and which by networking with other groups and movements at the district level
which extend support in principle and sporadic physical participation goes into the middle level and, from here, acquires a macro level dimension through the networking of similar groups and movements at the national level form a lobby against the development projects.

Thus, the movement which initially began opposing the STRP on environmental and equity grounds with its own distinctive vision of the development became successful due to its mobilisation of resources and created legal history by winning its case in the Karnataka High Court on environmental grounds. It conveyed its criticism of the present development policy which was environmentally destructive and iniquitous and presented a development perspective which would environmentally protective and equitous.