Chapter 5

Delegitimation and Re-legitimation: Concept, Process and Method

5.1 Introduction

In this Chapter, an attempt is made to narrate the contestations between various stake holders including Gujarat government and NBA, who engaged in “truth claims” regarding dam-centric development, displacement and disputed rehabilitation. The meta-narratives within which the contestation took place are discussed. The tilting of the balance of powers and how certain positions gain legitimacy in specific situations is central to the discussion.

5.1.1 Overview

When a dam is planned and implemented, there are certain ‘already legitimized’ ideas that allow the event to take place. We have seen\(^1\) in chapter three that the Nehruvian era, with its thrust on ‘big is beautiful’\(^2\) legitimized mega projects, including SSP. The adoption of modern technocratic science as the gospel for economic and political gains was deeply unproblematic among the makers of modern India. Progress was understood in terms of ‘catching up with the West. The ‘production’ centric economic Growth paradigm was widely accepted as the path to achieve the goals of development. For a young India emerging slowly from the clutches of British Colonial Rule, the frantic search for Identity and Esteem found appeal in the ‘mega’ and the ‘macro’. The strong conviction for speedy development was shared by agents of development.

But such intense material development also meant that there were many negative externalities that required political solutions. Increased social and environmental awareness led to resistance from those who suffered due to the negative externalities. Issue based campaigns and social movements evolved

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1 Refer Chapter three, Section 3.2
2 I have used ‘big is beautiful’ as a comparison with Schumacher’s book title ‘small is beautiful’ (Schumacher, 1973)
centered on legal rights, human rights, gender rights, dignity of all and environmental justice. Thus legitimation of development and resistance to it shared a common domain within which contestations took place.

It is this shared domain of development that forms the backdrop of discussion in this chapter.

5.1.2 Resistance and Suppression

This section introduces the dynamics of how Resistance to domination evokes delegitimation of the ‘already legitimized’ and shared domain, especially in Gujarat. Also, coercive and discursive suppression of resistance to domination is interpreted as the process of re-legitimation of the dominant norms and values or interplay of legitimation and delegitimation.

As discussed in previous chapters, legitimation of Mega Dams happened through ‘already justified’ discourses of modernity and industrial development. But there are situations when coercion becomes necessary to implement projects that are challenged. This happens when a project faces resistance due to negative externalities i.e. large scale displacement, environmental destruction, shifting political/electoral advantages and legal non-compliance. We saw in the previous chapter that contestations based on displacement and placement challenged the legitimacy of projects that cause them. Governments are bound to delegitimize and suppress such resistances in order to maintain the so called ‘public’ acceptability of such projects. In the case of large dams, this suppression process is all the more evident as in the case of SSP.

Nick Cullather\(^3\) (Cullather, 2010) argues that dam construction requires the state to forcefully displace individual people in the name of the common good, and that it often leads to abuses of the masses. State may even resort to coercive force rather than persuasion. He cites an instance in which Morarji Desai, the then Finance Minister of India, in 1960, warning the villagers who were upset by

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\(^3\) He is an American Historian of US Foreign Relations specializing in the history of intelligence, development, and nation-building.
the construction of Pong Dam\(^4\) that if they do not cooperate, he will "release the waters" that will inundate their villages. (Cullather, 2010: 108-110)

The Three Gorges Dam on the Yangtze River in China is another example of state coercion and suppression of resistance. This dam is more than five times the size of the Hoover Dam (USA), and created a reservoir 600 km long to be used for hydro-power generation. Its construction required the loss of over a million people's homes and their mass relocation, the loss of many valuable archaeological and cultural sites, as well as significant ecological change. The resistance by displaced populations coming to lakhs of families was brutally suppressed and silenced though the coercive state apparatus.

It turns out that displacement is a historically indispensible accompaniment of construction of big reservoirs. This indispensability is resisted by those who get marginalized or displaced by it. When the State or constituents who construct such dams overlook/ignore such aspects, they are bound to face contestations challenging and delegitimizing the notions that legitimize their development-centric ‘govern-mentality’. This challenge seems to rattle their legitimacy and trigger subsequent processes that may re-legitimize big dam construction.

The argument put forward here is that such re-legitimation process resort to a politics of generalizations, whereby self interest is projected as common good of the nation, state, region and for the sake of development. A ‘universal’ is constructed, which is prioritized upon the miseries of the ‘local’ or the displaced in such a way that the latter’s voices are unheard ethically, politically or legally. Wherever there is exercise of power, there is resistance.\(^5\) Where there is no evident resistance, it might be because of the perception of futility reasoned by fear of negative consequences. Both the resistances and the responses to it, whether coercive or ideological get enmeshed within a commonly shared domain. In the context of this study, that domain is where development-centric legitimating discursiveness happens.

\(^4\) Pong dam (1974) was constructed on the Beas River in Himachal Pradesh.

\(^5\) See reference to Foucault in Chapter 1, section 1.4.4
5.2 Process of Delegitimation in Gujarat

It was when the claims started slowly getting exposed that the ideological and legal de-legitimation began to perpetuate in Gujarat. One of the major claims by the State government to legitimize the project was that Kutch is a drought prone area and Narmada waters are inevitable for the stability and development of that region. Hence the fact that Narmada Waters did not sufficiently reach Kutch (only 1.2% of the total cultivable land in Kutch is in the command area of the SSP) and Saurashtra (only 9% of the total cultivable land in Saurashtra is in the command area of the SSP) as promised was one of the arguments that was used by NBA to delegitimize the project.

During 1999 to 2002, there was shortage of rainfall in Gujarat (Mudrakarta, 2007) leading to water crisis during the summers. The discourses surrounding scarcity and drought arose especially during this period. This was also the period when the new government took charge in Gujarat. Narmada Water was a major electoral issue and government was expected to speed up actions to complete the project which was, as already mentioned in chapter three, stayed by the SC from 1995 onwards. So scarcity and drought were ideal launching platform to re-legitimize the project. But the years following 2002 saw floods and water logging and havoc caused by rain. But the government continued with arguments of scarcity and drought that might come again. The claims and counter claims aimed at building legitimacy for and against the dam based on changing situations like rain fall kept political interests under cover. The counter argument made by NBA in order to delegitimize the government’s claim is that Government wanted the dam in order to promote industrial agriculture and to meet the increasing water needs of expanding towns and cities, in the name of Kutch and Saurashtra. Such subtle discourse strategies constitute the politics of legitimation and delegitimation.

5.2.1 Resistance as Delegitimizing

In the resistance to forced displacement by NBA, we can see a fresh ‘paradigm’ for social relations emerging. The consensus and collaborations that took place within the movement, to a certain extent, influences the social relationships that happen in regular life situations. Though the social structures
remain intact, there is lot of impact at the functional level. Due to the common interest for survival, security and livelihood, the consensus that are achieved creates a paradigm that transforms the earlier paradigms of social relationships. On many fronts, the perception of the ‘other’ undergoes changes that are affective in nature.

What was legitimate so far are now challenged. Re-legitimation of the newly formed understandings of social relationships, their own sense of identity and belonging, their scope for political empowerment and action within the existing democratic polity, all are undergoing radical changes as a result of the andolan. So it is not just a matter of people vs the state, the dimension of what happens to people when they participate in the andolan is equally significant from a social scientific perspective.

Social transformation is not possible when people hold on to their narrow, parochial interests. It is not very difficult to see through this legitimate conflict once we realize that it is actually people with so many differences, who have come together to constitute the andolan. Their intent was never to sort out differences. Their goal was to represent a strategically united face to convince the government that people are united. When people come together in large numbers under any socially relevant cause that is when the governments actually listen to concerns. The difference does not dilute the objective of coming together. Those people who realized this truth have stood together as andolan, motivating other to participate and strengthen the effort. This is the politics of andolan.

Just as we cannot reduce the ocean to its waves, we cannot reduce life to andolan. Even when wind creates waves and the ocean looks turbulent, an ocean with deep waters remains still at the bottom. But it is the very nature of the water to move when there is wind and unleashes its power upon the static shores. When the wind is stronger, we can even expect a typhoon or a Tsunami that can change the social landscape. Andolan enables life in abundance from a situation of being pushed towards the periphery. It generates sufficient energy for people to live their lives with dignity and without fear of the system, not alone, but in unity of struggle.
In the same manner, an andolan may not disturb the entire society for long. The society is too complex and historically rooted to survive periodic churnings. But the fact is that these historical churnings are so necessary for the socio-political system to re-legitimize its authority, to make necessary adjustments and stabilize itself until the next churning. This is what makes the andolan historically legitimate.

We know that repressive colonial looting and rule deeply hurt the psyche of the Indians, some of whom aggressively fought against oppression. But generally, most people tend to accept the predicament and let time and destiny take its course. A deep rooted thinking that everything happens according to one’s karma and this fate cannot be reverted or diverted by one’s voluntary efforts, was an idea used by the upper castes to keep the lower castes under control for centuries. To overcome this mindset is not easy as it is well ingrained into the collective psyche. To do an andolan, one need faith in possibilities, self belief that enables to re-write the so called destiny, to link up, organize and gather support to initiate disturbances in the hitherto untouched power echelons.

As we discussed earlier, the post independent India saw massive efforts by the State to ‘develop’ India along the lines of the highly industrialized countries. Nehru acclaimed dams as the temples of modern India and private industrial enterprises were encouraged to centralize resources and produce infrastructure and machinery. Energy sector was given high importance as future development invariably depends on the availability of cost-effective energy sources. Millions of natural resource based people - 30 million according to Arundhati Roy\(^6\) (Roy, 1999a) – were displaced from their habitats. The pro-development arguments and campaigns through documentaries, films, government documents and advertisements covered up the under-side of the whole process.

It was almost after 40 years into independent India that people’s movements gained significance and started making an impact on the public mindset. Development was overtly challenged especially by environmentalists and

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\(^6\) Arundhati Roy discusses the issue of displacement and comes up with estimate figures of 30 million people displaced by development projects in India.
social activists who clearly exposed the floppy side of industrialisation and indiscriminate exploitation of nature and people. Adivasis, Dalits, Women organised themselves, upholding their constitutional rights, challenging the legitimacy of current development. 1980s saw challenges that exposed the very fabric of a deceptive development politics that was gradually moving towards opening up the Indian market to the global trade. Those who were students at the turn of the 1970s, and a little later when Indian polity witnessed the dark horse of Emergency, grew up with lot of faith instilled by the anti-emergency struggles and the call for Total Revolution (Sampoorna Kranti) by Jayaprakash Narayan. Medha Patkar was one among those innumerable citizens who grew up during this period.

If it was the historical context and her personal upbringing which constituted Medha Patkar, it was the historical context of innumerable conflicts and contestations that paved the way for the andolan to emerge. Medha and other Activists saw themselves as catalysts guiding and nurturing the andolan. But andolan is not Medha as Indira is India kind of sloganeering. Many andolans like Chipko Movement (Currently in Uttaranchal) and Chhattisgarh Mukti Morcha (CMM) (then it was Madhya Pradesh) emerged during this period. The Narmada andolan was the most complex of these struggles, bringing far-fetched impacts, creating local to global level linkages for campaign against World Bank and other International funding agencies. At its peak, government was really rattled by the power of the people to assert their constitutional rights, knowledgeably, legally and ethnically.

5.2.2 Resistance from NBA

"Maatu hamru, paani hamru, hamra hi chhan yi baun bhi...
Pitron na lagai baun, hamunahi ta bachon bhi"
(Soil ours, water ours, ours are these forests.
Our forefathers raised them, it’s we who must protect them)
Old Chipko Song (Garhwali language) (Sengupta, 2004)

The plethora of legitimate issues, of non-compliance, of adivasi forest rights, of right to life and livelihood, of dignity and self assertion, of the question

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7 Here reference is made to national economic policies of mid-80s, during Congress rule, when India was moving towards liberalization which culminated in opening up of the national economy in 1991 called New Economic Policy (NEP).
of land and water rights, of management of natural resources by the local communities, of organic agriculture, alternatives to irrigation and energy production, of the protection of flora and fauna, are raised by NBA and placed strategically, juxtaposed with the dominant claim that modern industrialized development brings prosperity and peace to everyone.

Medha Patkar, the person who spearheaded the resistance to the Sardar Sarovar Project articulates this contestation of contrasting viewpoints thus:

The struggle and the issues thereof assume greater importance in view of the present development policy and the onslaught of the national and international capital in the age of so-called liberalisation, globalisation and privatisation. This capital has been eyeing the land and water resources. Land has become the prime target. The demand for land on part of the new incoming projects has triggered off number of so-called 'resettlement policies' by various agencies of government and semi-government outfits. The state is also trying to create an atmosphere of consultation with the movements and NGOs so as to get certain measure of legitimacy. The insistence on human rights standards by the international aid agencies has also propelled such efforts. No doubt, the continuous resistance and struggle by the affected people has compelled the government and other interested parties to look at the issue more seriously and incorporate many of the issues raised by these struggles in such draft policies. Also, there seems to be a necessity to have a comprehensive policy to deal with the problems that are sure to increase in coming days. (Patkar, 1998:2432)

She points out the strategic co-optation through consultation which the State embarks as a sign of gaining legitimacy. There is a general atmosphere of legitimacy that people’s struggle have gained since the 90s. It may be this context that induces the governments to take a seemingly serious approach to issues raised by affected groups.

5.2.3 Legitimizing NBA

The factors that give legitimation to the resistance are complex. The Gandhian Principle of Gram Swaraj, Socialist vision of equality before law, the eco-feminist vision of equity and justice in terms of material resources, the capitalist welfare state vision of the eradication of poverty, illiteracy and unemployment have all been integrated into the lobbying for assertion of a shift from unbridled and unaccountable development process and projects that symbolizes such processes. Many individuals who have standing in society due to
credible work done for the nation building support and openly work to vindicate the voices raised by NBA. This adds to its credibility.

5.2.4 Institutional Formation of Resistance

In the Chapter three on Antecedents, only a brief sketch was given regarding the formation of NBA. At this point it is important to once again recall the thorough, localized formation of NBA and its steady evolution into a widespread movement. This may help us to understand the institutional dimensions of legitimacy building as well as delegitimation. The government’s attempt was to subvert the mass base and pin point a few leaders to nail them as anti-nationals or so. But what was happening at the ground level was something different.

As mentioned briefly in chapter 3, initially Samitis emerged in the dam colony and reservoir affected villages of the three riparian States of Madhya Pradesh, Maharashtra and Gujarat.

In Maharashtra, where the Sarvodayis, Lohiaite-Socialists and neo-Marxists has a strong base, they kept challenging the overall Mega development paradigm which was capital intensive and centralized in nature. Maharashtra had a long history of questioning and resisting projects that affect people’s lives and livelihood, which are implemented over against their consent. The increasing awareness in the 1980s with regard to environmental issues created by development projects also created an atmosphere that encouraged authentic resistance. There are instances of resistance against local dams in the prosperous Munshi Valley near Pune which is recorded as the first anti-dam people’s movement in India. (Sangvai, 2002:37)

On February 16, 1986, Narmada Dhariangrasta Samiti (NDS) was formed in Maharashtra. Though a few families from Manibeli and Sindhuri were relocated to Kaledia and Parveta in Gujarat as early as 1980-83, it was in 1985 that people started getting organized on the dam issue. They were not willing to leave their homelands and livelihood base. People like Noorji Padvi of Danel village, had

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8 The basic facts in section 5.2.4 are based on the detailed accounts of formation of Narmada resistance provided in Sangvai, (2002). Sangvai has lucidly narrated the story thick with information and analysis.
been involved in earlier struggles and people’s organizations. Villagers like him, along with Ranyabhai and Sesarya Dahya of Mukhadi, Jatarbhai Vasave and Vitthalbhai Tadvi of Manibeli, Keshav and Murlidhar Vasave of Nimghavan and Medha Patkar, organized the 33 adivasi villages in Maharashtra (Sangvai, 2002:40).

These 33 villages in the Akrani and Akkalkuva tehsils (District Dhule, now Nandurbar) evolved a detailed process of discussions within the villages and in the meetings of the representatives of villages, which must precede any policy decision that affects everyone, in terms of what to do and what position to take. A group called Karbhari Samiti (executive committee) was formed.

When the people found that the government could not respond to the issues raised in terms of the rationale for the dam and displacement, their resistance strengthened. They held padayatras, village level meetings, and magni parishads (demand conference) in Dhadgaon in November 1986. In 1987, the Samiti conducted a ‘people’s survey’ of the number of oustees, and an assessment of their natural resources, to counter the inadequate assessment and misinformation by the governments.

In Madhya Pradesh, it was the raising of the dam height which led to opposition, not to the idea of dam itself. This shows conflicting interests within the state – Gujarat wanting a larger reservoir for getting a larger share of water from Narmada River, while Madhya Pradesh politically threatened, both by the unjust demand of Gujarat as well as by the anger of the strong congress vote bank in Nimad, who may come under the threat of submergence. The local newspapers took up the issue and there was widespread support at the local level, since the interest of the politically powerful farmers was at stake.

The ‘Narmada Bachao Samiti’ in 1972-75 raised vital issues ranging from submergence of fertile lands i.e. the livelihood base, to loss of cultural heritage like temples - Shoolpaneshwar, Hapeshwar etc. It is interesting to note that while commmunal forces were hammering the Babri Masjid to build the Ram temple in Ayodhya, the government of Gujarat was submerging ancient temples, which were also important pilgrim centres on the banks of the River Narmada. The Narmada
Parikrama, the pilgrimage that is very important in the Hindu tradition got disrupted even as the banks of the river got submerged permanently, making travel along its bank difficult in the steep hilly terrain. (Sangvai, 2002:38)

The Narmada Ghati Navnirman Samiti (NGNS) was established in Nimad in 1986 by veteran Sarvodayi leaders like Kashinath Trivedi, Prabhakar Mandlik, Phulchand Patel, Baijnath Mahoday, Shobharam Jat and others. The NGNS held its meetings in Rajghat, on the southern banks of the Narmada. They took out a ‘Narmada Jan-Jagaran Yatra’ from Omkareshwar to Koteshwar in October 1986. They raised awareness about the adverse impacts of large dams on the Narmada valley. The Nimad region was turbulent with the issue of dam since late 1960s. The displacement and predicament of the affected people of Tawa dam also convinced the people in Nimad of the consequences once displacement hits them. The earlier Nimad Bachao-Narmada-Bachao Samiti and later the politically motivated Nimad Bachao Andolan and now the NGNS have all provided a backdrop for the mass-based and comprehensive struggle that emerged after 1987. Nimad region was initially cynical about the idea of having a peoples’ struggle given the background of the failed attempts of Nimad Bachao Andolan. Nimad Bachao Andolan was launched with a total ‘Nimad Bandh’ (strike) on August 23rd, 1978 soon after the declaration of the NWDTA on August 18th, 1978. An estimated 10,000 people participated in the rally held in Badwani (Sangvai, 2002:19). Until then, Madhya Pradesh Government was against a high dam at the proposed site of SSP. Since the award silenced the State’s voice, the strong people’s resistance forced the government to declare that it would try towards reducing the height of the dam, and that it was ready to compensate the loss of electricity to Gujarat, due to the reduced height (Sangvai, 2002:19).

In the winter of 1987, a ‘Meeting Against Large Dams’, convened by veteran social activist Baba Amte was held at Anandvan. Activists from the Narmada valley along with scholars and academics participated and came out with a ‘Declaration Against Large Dams’ which linked a number of issues like displacement, environmental destruction, adverse cost-benefit, over-estimation of benefit etc.
A few months before this event, around mid-1987, Medha Patkar contacted the NGNS activists and held numerous meetings at Rajghat with activists from M.P., Maharashtra and Gujarat. They together launched a campaign to link up the people of the entire Nimad stretch.

On the opposite banks in the Alirajpur taluka of Madhya Pradesh, the adivasis have been fighting for their legal rights from early 1980s. From 1980s onwards, the Khedut Mazdoor Chetna Sangath (KMCS) was working on the issues of land and other resource rights, livelihood and self respect of the adivasis in Alirajpur taluka, village Jhabua of Madhya Pradesh. Chittaroopa Palit and Rahul Banerjee were working as activists along with local activists. With displacement becoming a major threat, they too worked closer with the dam affected people’s struggle.

They had been raising issues of land and other resource rights, livelihood and the self respect of the adivasis. The resistance to the dam and to their displacement has been part of the overall struggle for legal rights of land and forests. Moving out of the valley was always considered as a step down, as the Bhilala adivasis always considered their life and life style were more life affirming and sincere than that of the bazariyas (the market people).

The people in the 6 villages affected by the Kevadia dam colony organized themselves as Narmada Asargrast Sangharsh Samiti (NASS) in early 1988. The Rajpipla Service Society (RSS) worked with the Kevadia Colony affected households during these early days. The villages affected are Kevadia, Waghodia, Koti, Gora, Navagam and Limdi. Their first demand was for the government to consider them as project affected and provide land based rehabilitation. Faced with land acquisition as early as 1961, they got only very meager compensation. The NDS and few urban activists in Gujarat supported the colony affected people in initially organizing themselves. Till today families of Waghodia have not accepted any compensation and continue to reside in their village though much of their agricultural lands have been acquired for the construction of the project colony. Fearing precedence and the lakhs of project-affected who were ignored in other
completed and in-construction projects, government is not willing to yield to their demands, but just give paltry cash compensation for the loss of land or houses.

The major rally held in Kevadia on January 30, 1988, was the first signal that a united struggle of people from all the three States was evolving. By 1988-89 when concerted efforts were made to consolidate the various Samitis under an umbrella, the name Narmada Bachao Andolan (NBA) was preferred by the people to call the collective over against the term Sangatan. By 1989, nationwide protests and action plans were chalked out. The historic ‘Convention against Destructive Development’ took place at Harsud on September 28, 1989. A major contestation took place during December-January 1990, as the government forces blocked the Jan Vikas Sangharsha Yatra (People’s Struggle for Development), a long march of thousands of dam affected people walking from Rajghat in Madhya Pradesh, at Ferkuva, a border village between Madhya Pradesh and Gujarat. The NBA leaders sat on fast for 22 days following which the World Bank announced an Independent Review, first of its kind for an ongoing project. In 1991, Manibeli, the first village affected by the dam in Maharashtra was facing submergence. On 14 July 1991, the Manibeli Satyagraha was launched, protesting impending inundation. By 1992-93, the struggle reached peak intensity as the Morse committee visited the valley and prepared its report. After the Mumbai fast and protest in 1993, the central government agreed for a comprehensive review. But Gujarat government boycotted the procedures and sabotaged the attempt. It is after this event that NBA decided to go to the Supreme Court. As mentioned earlier, by the time the Supreme Court stayed further construction, the dam wall was already raised up to 262 feet (80 meters) causing inundation in the lower hamlets of villages nearer to the dam such as Vadgam (Gujarat) and Manibeli (Maharashtra).

The non-violent protest and its various forms such as Upavas (Fasts), dharnas (sit-in), rallies, assertive slogans and songs and campaigns like candle light vigil enabled NBA to build a strong legitimate base, not only among the affected people but also among the wider national and international civil society.

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9 Bradford Morse headed the two member independent review team of the World Bank for reviewing the Sardar Sarovar project. They presented their report in 1992 known as the Morse Committee Report (Morse & Berger, 1992)
support groups. The collective action of the people, united under one banner ‘Narmada Bachao Andolan’, was a powerful symbol of resistance against internal colonization and subjugation of people and nature. They voiced against indiscriminate economic production and modification of the representation of river, water, forests and people as productive ‘resources’, to be controlled and used for capitalist growth and industrial development. We shall take on the conceptual shades that inspired the name of NBA

5.2.5 What’s in a Name?

The following section attempts to conceptualize the word Andolan to understand how it represents the spirit of resistance.

5.2.6 Conceptualizing Andolan

The word Sangatan means confrontation capable of effecting violence. But the word andolan gives a sense of creative challenge, non-violent in practice and aiming at engaging the contestations that it meets with. Andolan does not have an enemy and therefore not a confrontational practice/attitude. It has only various contestants, placed unequally on a rugged playing field, yet the balance of powers had been in a flux due to assertive actions upon actions and policies which were recognised/conceived or interpreted as illegitimate and non-confirming to legal, scientific and rational logics of contemporary or prevalent thinking.

The word Bachao is not the helpless cry of a child asking to be saved. It is the proclamation that people need liberation from the state which oppresses them. It is like the cry of the child who is strangulated by the father, in this case, the state itself which has objectified and alienated them, forcing them to be victims of development. The terms Narmada and Bachao indicates our responsibility to protect the earth, its life giving sources from total destruction. While the affected

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10 The NBA formed support groups in major cities like Vadodara, Pune, Indore, Mumbai, New Delhi, Kolkata, Bangalore, Kerala to name a few. These groups constituted of NGOs, Social Action Groups, Cultural and Social Organizations, Academic Institutions, Academics, Artists and concerned individuals who shared a common domain of non-violent, peaceful resistance against globalization, communalism and all violations of human dignity and environmental justice.
are in the lead, they are exhorting others to come and join their struggle for life and livelihood.

For the reasons of state, it is legitimate to suppress Sangatan or direct confrontation using violence or any other means.\textsuperscript{11} Therefore, it is very difficult for the state to remain mute when the very basis of its self-legitimacy gets challenged.

The word \textit{andolan} is a masculine gendered Sanskrit word. The lexical meaning is given as Agitation, Movement, Upheaval, Frequent Motion, Oscillation and Trouble. The root word may be closer to ‘dolan’ which means swing, coat or Palanquin. In the Marathi and Hindi languages this term assumes an overall expression of dynamism (KHANDBAHALE.COM).\textsuperscript{12} It is commonly used in the context of working towards social change and sometimes to express the churning of the mind towards perspectival changes and paradigm shifts. In Kabir’s \textit{Doha}, we can see the use of the word \textit{andolan} to express the upheaval of the mind. \textit{Andolan} can be compared to a swing that keeps swinging as long as the one sitting on it generates enough energy to keep it swinging. If someone else pushes it and stops pushing, then the swing stops after a while. If the person sits dormant, then

\textsuperscript{11} For example, Maoists, though fighting for a legitimate cause, do not hesitate to use the means of violence to achieve the noble ends. When this happens in the context of unequal power relations, the struggle gets suppressed as it cannot match the superior power of the state to enact violence. Here the state’s violence is legitimized as they interpret their action not as violence but as defence of the state.

\textsuperscript{12} Marathi Meaning
\begin{itemize}
  \item आंदोलन | aaNdoln = agitation
  \item आंदोलन | aaNdoln = movement
  \item आंदोलन | aaNdoln = oscillation
  \item आंदोलन | aaNdoln = swinging
  \item आंदोलन | aaNdoln = undulation
  \item आंदोलन | aaNdoln = vacillation
\end{itemize}

Hindi Meaning
\begin{itemize}
  \item आंदोलन | aaNdoln = agitating
  \item आंदोलन | aaNdoln = agitation
  \item आंदोलन | aaNdoln = campaign
  \item आंदोलन | aaNdoln = circulating movement
  \item आंदोलन | aaNdoln = drive
  \item आंदोलन | aaNdoln = make an agitation
  \item आंदोलन | aaNdoln = movement
also the swing stops swinging. The swing moves forward and backward, upward and downward and sometimes rotates when sideway jerk is given. The organizing principle underlying the movement of the swing is gravitational force which is pulling it down all the time. Hence the kinetic force that is applied takes it forward and backward in an act of balancing, in an attempt to keep it still and stable.

*Andolan* creates a sense of dynamic positive upheaval that challenges the existing policies and practices with the intent to transform them. In short, it has many signifieds and multiple significations. In its functioning in contemporary times, it has acquired yet another significance. It has become a term, concept and category signifying consolidation or organizing the less organized towards struggle for socio-economic and political changes.

The term *andolan* gains added relevance in the context of social change intended at long term social transformation of the system than short term gains. It is important to note that people rejected terms like revolution, *sangatan* and so on. This shows that the aim was never to create a direct confrontation with the government to speed up rehabilitation by accepting the dam as a *fait accompli*.

When some identified themselves as ‘*andolankaris’*, it meant that they were aware of their political role as participants in a major *andolan*/upheaval; rather they believed so i.e. they were convinced of it. Moreover, for the adivasis, peasants, farmers, fish workers and artisans in the Narmada valley, it did not make sense to confront the government as it was their own people who were in the local government bodies/offices, in the police and in related organs/functions of the state. The adivasis did not have that much political influence but the upper caste farmers did have. Hence it is not fully correct to assume that the affected households were against the state or India’s development. Furthermore, although they are represented by the mainstream as anti developmentalists, and anti-state, their objective was to have development in their own terms. They wanted development as much as anyone else but they did not welcome destruction of their livelihood base in the name of development. Self-recognition, self-identifications and self-portrayals/narratives have been incommensurable with that of the reasons of the state and executional/implementation strategies. The reasons of the state are
conceived as hampering their dignity, self-integrity and self-respect. This had been one of the forces that stirred up the local people to *Sangatan* and *Andolan*.

The adivasi villagers living in the Vindhya-Satpuda range have their own narrative which is worthy of noting for they retain the memories about their ancestors and antecedents. The Bhils still recall or invoke memories about predecessors who waged war against the British and like.

‘Tribal and non-tribal politics in the area affected by SSP and other projects in the valley have a long history, remembered through stories and gayanas. The Bhils of Satpuda ranges waged three long-drawn wars against British occupancy during the mid-19th century (1840s-1860s), pursuing the aliens in the plains of Khandesh. The daring acts of Bhima Naik and Khaja Naik against the British are still recounted in folklore. (Sangvai, 2002: 10)

Their antecedents are strong and they keep their memory intact. They are independent of the modern concept of ‘property’ or still better ‘landed property’ which can be bought, used and alienated at the will by the individual owner. Hence shifting from their lands was something very difficult to conceive. Their organic relationship to land is something that the ‘modern’ rational mind does not value. They celebrated autonomy and lived independent lives in the sense that each new family would build a new house and live separately. The concept of community was superimposed on them by the British (Gilmartin, 2003). They lived a collective life, depending on nature for their livelihood and never liked anyone dictating terms with them.

For them joining the *andolan* was part of a continuum, a matter of ensuring their dignity. They recognized very quickly that they require a unified identity in order to put up an effective resistance to those who exploited them, from the forest officials to the village officers and police men at the local level to the distant governments and institutions at the national level.

*Andolan* can be explained as a wave as writing/erasure that gathers momentum over time, but gradually gains strength, breadth and light, to make an impact on the shore that levels uneven ruggedness and remains deposited on the shore.
We need to pose a question as to why the people chose the term *andolan* for their struggle against displacement and not words like revolution or *sangatan* as mentioned earlier in this chapter. Is it because they were influenced by Socialist or Gandhian ideas? This question needs to be answered for fight against illegalities of the institutions which got self-legitimacy conflated with the actions/activities against them. Answering this question is important, once again, for the social texture of the period which was experienced by the communities/individuals that fall within our frames included in this study. As Max Weber observed, Charismatic individuals also persuade actions and reactions that could emanate from people of different walks and history. If this can be taken as a valid proposition, then, another question crops up; is it because Baba Amte and other social reformers were already using the term *andolan* to indicate their attempts at social transformation? It may be interesting to explore the historical experiences and feelings that paved the way for the acceptance of *Andolan* as the term for naming the struggles of the dam affected people of the Narmada valley. It is also interesting to see whether the people constituted the term *andolan* or did the term constituted the struggle.

The *andolan* is not a fight or struggle for survival demanding justice and rehabilitation rights from the elected governments. It is about asserting one's responsibility towards oneself, others and nature, to protect the habitat from self-destruction for the sake of future generations and to activate the spirit of dignity, peace and harmony among all. Hence the *andolan* applies non-violent methods like Satyagrahas, dharnas, fasts and rallies, challenging the conscience of the authorities and empowering those who participate to live in dignity and freedom.

While the etymological and conceptual possibilities of the term *andolan* fits into the interpretations given till now, it is the researcher's plight to understand which meaning suits the on-field happenings.

Among its several meanings the sense most appropriate for the purpose of our study is “total shaking in order to transform the system”. The usual translation given in English is ‘Movement’. This could be because the usage social movement was already popular in Europe. NBA came to be categorized as part of the ‘New
Social Movements’ which are based on Environment, Human Rights and Identity politics.

*Andolan* creates a sense of agitation but not a bloody one. It is not only about striking, resisting and overthrowing power, it is about re-constructing, re-visioning and transforming existing structures and persons in power.

*Andolan* is about conflict, consensus, cooperation and contestation happening simultaneously among itself and with the state. Towards 1988-89 Narmada river valley was awakening on a wider scale to the call of struggle to resist damming and displacement. The active village leaders along with Medha Patkar launched a campaign to organize, mobilize and link up the people and thus emerged the alliance that was recognized as ‘Narmada Bachao Andolan’.

The Narmada *andolan* constituted of adivasis, peasants, farmers, fish workers and other village artisans. It was a conglomeration of caste, class, tribe and gender groups coming together for a common cause – that of displacement and loss of livelihood. In other words, they had a common identity – Project Affected People – as governments used to address them. The threat of displacement and future security had brought together this multi-complex group which otherwise have very little in common.

The British propagated the 1857 military incident as Sipoy Mutiny whereas the Indians perceived it as the first independence struggle. In the same way, the government and legal documents framed the people affected by dams on river Narmada as PAPs or PAFs. But the same group when united to resist displacement and assert their rights, they constituted themselves as NBA. Governments expected that the people would sign the filled in forms and documents and take what is offered gratefully. Government saw the rehabilitation package as a great favor given to the people who otherwise do not deserve anything. That was what was happening to project affected people in colonial India and many other projects elsewhere in Independent India. But when the ‘andalankaris’ began questioning the project, its efficacy, and proved against reasons of the state that they stand to
lose more than they gain due to faulty rehabilitation policies and corrupt officers, eyebrows were raised.

The myth of power and authority, that government is raja and people are beggars turned upside down. Andolan upheld the idea of sovereignty and asserted that people are rulers in a democracy and government is set up by the people to carry out their wellbeing. Since India has legitimacy only as a sovereign republic based on a written constitution, the governments were bound to justify their actions on the basis of the Constitution of India. The andolan exposed serious flaws in the implementation of the project and ancillary works pertaining to violation of Constitutional rights of Adivasis and other citizens. It tactically accepted the NWDTA (itself later proved to have many flaws) but vehemently kept exposing the constitutional violations that were happening throughout the process of implementation.

The whole issue was sensitive as it was a conflict between one region and another, for the benefit of one region, another region has to be destroyed. Constitution can never justify this scenario but development makes it imperative that one people has to suffer for the sake of another people, in this case, the people of Gujarat are mostly benefitted at the expense of people living on the banks of the river Narmada whose lands and livelihoods will be inundated due to the dams.

It is obvious that the struggle was already on when naming was done in 1988-89 period. As mentioned earlier, many Samitis, sangatans, morchas and abhiyans linked up as NBA. The whole naming centered, not around ideas, ideologies or activities but on a river and the aspirations of the riverine populations.

People expressed their feeling that the river is dammed, valley is doomed and the people are damned. This is a situation equaling death. The andolan-movement of the river is blocked by a gigantic static structure of cement and steel, manifesting human enterprise and mastery over nature. The industries mint money by initiating development which is achieved through centralization of natural

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13 Please refer corruption, scams in rehabilitation discussed in Chapter Four, Section 4.6.3
14 Refer the violations of NWDTA discussed in Chapter Four, Section 4.3 onwards
resources such as fresh water through damming the river and commercially reconstituting the natural waters into a natural resource for further development of the urban and the industrious culture.

People realized that working as mere Samitis of representation in a semi-feudal, crony-capitalistic democratic process or becoming the vanguard of revolution to destroy the state is futile in a democratic context. Instead, they searched into their souls, their intrinsic relation with the river and its habitat; they realized that deep within their hearts (emotions) they worship Ma Narmada as the provider and sustainer of life.\(^\text{15}\) They realized that the spirit that gives them life itself is dammed, not just the river. The historical experience of being threatened of their very life and livelihood, the existence of their collective being under the threat of extinction, they found energy in conceptualizing themselves as andolan, that movement which will set the river flow again, nourishing and sustaining them for generations to come. It was never a struggle against the state. There were no enemies. They were faced with a developmental politics that was snatching away their resources and give it to someone else for accumulating wealth, for becoming prosperous at their expense.

It is this politics of development that is challenged by the andolan (Roy, 1999a). Medha Patkar once narrated how she visualizes the purpose of andolan. For her, global industrial development is a big tree that has deep roots and many branches. It is so huge that it stays beyond challenge, engulfing everything under its shade and always promising to bear fruits makes everyone prosperous. It sucks away the resources from the land with the promise of plenty for everyone. Those few who realized the deception woke out of slumber and started shaking a branch with all their might. People who passed by started to think why a branch is shaking even as there is no wind blowing. This frequent motion or agitation is known as Andolan, making people aware that something is wrong and make them think what it is.\(^\text{16}\) Mere committees of representation cannot achieve this awakening. Only an andolan can

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\(^\text{15}\) Here reference is made to the symbiotic relationship that riverine people hold in relation to the river which sustains their life and livelihood. During field work, the researcher has come across songs and stories that narrate the deep, emotional attachment people had for the river.

\(^\text{16}\) Campaign Material – Poster pasted in NBA Vadodara office. This material was lost after a mob attacked the Vadodara NBA office in 2006 (PTI, 2006).
break the chains of death and enable the flow of the waters of life that may transform the contamination and death lingering over everyone, not just the people of the valley.

The argument is that in the Narmada valley, the formation of NBA was not a fortuitous event. It took immense effort from activists to organize NBA and more effort to sustain it. When *andolan* gained momentum, it left the governments aghast as they found resistance happening in unbelievable terms from the most unexpected people. The colonial divide and rule policy was well in place in post independent India and the *andolan* had to address many external and internal complex and complicated power relations in order to balance the various groups under one umbrella.

What made the *andolan* possible still requires further studies as it goes much beyond the obvious to understand its complex dynamics. At the outset, it is important to note that it is too reductionist to say that Medha Patkar or any other specific Activists or groups were instrumental in constituting the *andolan*. At the same time it would be a blatant blunder if we do not consider the importance of the role played by the middle class activists and groups in the constitution of the *andolan*. It is also too superficial to say that people are the crux and it is they who formed the *andolan*. Which people? Who are these people? How did they decide to come together? Was it just the threat of displacement or were there other factors that brought them together? Where there differing opinions among the affected groups? Did they all understand the *andolan* in the same way? While asking these questions, it is important to remember that without people, there is no *andolan*. Without their deep rooted aspirations and hope, there is no energy to shake the seemingly firm branches of the tree of development.

### 5.3 Non-Compliance and Incompetence – Delegitimizing factors

The following section discusses the aspects contested as areas of non-compliance apart from that of Rehabilitation which was discussed in detail in the fourth chapter. The incompetence of the government machinery and officialdom also props up as delegitimizing factors.

#### 5.3.1 Withdrawal of the World Bank: NBA’s Successful Delegitimizing Campaign

It was during the 80s that environmental awareness was spreading in India following the impact of the Chipko movement, the green-red movement spearheaded by
Shankar Guha Niyogi (CMM), the emerging fish workers struggle, the NBA and multitude of local level struggles.

The NBA was successful in learning from similar struggles and to raise the voice of resistance at various levels of power relations. After identifying that the Narmada dams may be confronted on the basis of four tangible issues – the social impacts, the environmental impacts, the economic cost-effectiveness and viable alternative technologies, the NBA decided to go step by step in terms of strategies. Non-compliance was identified as one of the effective de-legitimizing tools in the given political context. Whether with the Governments, Courts or World Bank, this was a working strategy. This pressured the dam builders to indulge in self legitimation, which when not successful, pressurizes them to compromise or take practical efforts to re-legitimize their authority. NBA was successful in perceiving legitimacy as a domain, a political space where all contesting groups share certain common elements, and maneuver power relations by playing within the rules of the game, at the same time pushing the arguments that exposed the illegitimate ways of the dam builders, making them defensive and forcing them to change their approach and tactics.

As discussed earlier, in 1991, the NBA was successful in forcing the WB to appoint the Morse Committee to evaluate the project. The Morse committee submitted its report in 1992 stating that SSP has failed in complying with the stipulations of the WB in the aspects of Rehabilitation and Environmental fronts. After many deliberations, and against the wish of the central government, the WB withdrew from the project in 1994 which was a major land mark in the history of this resistance movement.

WB was questioned in terms of legitimacy. Afraid of losing credibility and how it may affect their interest of further funding in the third world, WB had withdrawn despite great pressure from the Government of India.

5.3.2 Environmental Safeguard Measures

The Gujarat government claims that they have completed the required environmental amelioration works at the height of 121.92 meters. The NWDTA has stipulated that studies about impacts need to be carried out and corresponding work should be completed. In response to this, the SSNNL has stated that
Recognizing the need of environmental improvement measures, several studies concerning catchment area treatment, sedimentation, afforestation, flora and fauna, water logging, soil salinity, ground water, conjunctive use of ground water, reservoir rim stability, seismicity, drainage, fisheries, health, archeological surveys etc have been carried out through reputed institutions/organizations. Catchment Area Treatment works has been completed in the entire catchment area (29157 Ha) within Gujarat. Compensatory afforestation has been carried out in 4650 hectares of non-forest area in kachchh district as well as 9300 ha degraded forest area. Plantation in 4593 hectares has been completed in the vicinity of the dam, on canal banks and in the colonies. The temples of Hapeshwar and Shoolpaneshwar relocated to higher elevations. (SSNNL, 2014)

We have discussed the matter of environmental issues in the third chapter in some detail (Refer Ch.3 Section 3.11). The SC Minority Judgment (2000) recommended continuing the stay on the dam due to non-compliance of environmental stipulations. Here the important point for this study is that even if legal stipulations are not fully complied with, whether due to lack of political will or incompetence, it is possible to legitimize the dam on other grounds. The transient nature of legitimacy and its flux due to shifting balance of powers becomes evident.

5.3.3 Command Area Development

SSNNL claims that the total Cultivable Command Area of the project is 18,45,655 ha. Out of which 5,70,833 ha (30.93%) has been developed upto Minor Level and 3,69,260 ha (20%) has been developed upto Sub minor level. Work of Command Area Development in additional 9,83,460 ha (53.29%) is under progress (SSNNL website). Apart from the fact that not even half the development of command area is completed, the development of already cultivated lands in Gujarat lies in stark contrast to the fertile lands that are lost due to submergence. Gujarat government projects that the area that is benefitted is numerically hundreds of times more than what is lost due to inundation by SSP reservoir. These figures cannot justify or legitimize destruction of fertile river bank agricultural lands. What is lost cannot be compensated. What has happened is that naturally fertile lands are destroyed for improving already cultivated lands in Gujarat to increase annual agricultural production from two crops to three crops.

The total land submerged due to reservoir is 37533 hectares including 13385 hectares of prime forests. See Chapter One, Table 1. The total area in Command, claimed to be irrigated when the project is completed is 18, 45, 655 hectares. Much of these claimed benefit areas are already under existing irrigation schemes in Gujarat.
This will bring in the political economic question of who loses, who benefits? The Map 5.1 below shows the SSP command area.

Map 5.1 - SSP Command Area – Main Canal and Branches

(Source: GSNGF) Also see Annexure 10
The Map shows the green patch bordered on the east with the Main Canal, with two major Branch Canals, one towards Saurashtra and the other, to southern part of Kutch. The master plan is to flow the Narmada water through a 75000 km network of irrigation canal system to ensure that there is enough and more water to sustain the fast track industrial development of the State. It is to be understood that the major development project named as the Mumbai-Delhi Industrial Corridor\textsuperscript{18} passes through the Command area about which we will be discussing further later in this chapter. As mentioned earlier, Information Technology (IT) based techno parks and Industrial hubs have come up in the region. There are several sugar cane factories, Special Economic Zones (SEZs)\textsuperscript{19} in the pipeline to receive licenses, coming up in the command area of SSP. The fast growing cities of Vadodara and Ahmedabad also require guaranteed sources of water and the SSP ensures it. 8215 villages and 135 urban centers are promised drinking water facilities which were later added to the initial plan, to gain legitimacy for the SSP. The economic rationale and populist strategies were discursive strategies to gain legitimacy for the SSP.

5.3.4 Cost Escalation or Debt Escalation

As per 2012-13 expenditure by SSNNL for the SSP, Rs 2841 crores (45.15\%) was for debt servicing out of a total of 6293 crores. The total income was only Rs 6259 crores (SSNNL Website). The State budget allotment was Rs 4928 crores and Rs 1331 was raised from other sources such as Shrinidhi Deposit, Water Charges, Electricity, Misc. Income and other borrowings from Gujarat State Financial Services Limited (GSFS). The estimates for 2013-14 was 9000 crores with 2840 crores (31.56\%) going for debt servicing. The expected amount from the government is Rs 5000 crores (6.16\%) out of the Rs 81,150.43 crore State budget for the year 2013-14. As per a latest government report, Rs 44249.30 crores is spent on SSP of which more than 30\% has been on debt servicing.\textsuperscript{20} In a written reply to Gadhada MLA Atmaram Parmar the Gujarat government has stated that

\textsuperscript{18} See Annexure 8
\textsuperscript{19} SEZs are already functional in the ‘golden corridor’ from Vapi to Ahmedabad, through which the SSP main canal flows.
\textsuperscript{20} The 2012-13 expenditure shows 2841 crores out of 6293 crores (45.15\%) in debt servicing. In fact, it seems the ratio has come down a bit recently. (SSNNL, 2013-14)
…the amount of Rs 40,091 crores included planned expenditure of Rs 25,954.51 crores. The state government said the present height of the dam was 121.92 meters and the remaining work, of fitting the gates and other items, were pending as the state has not received permission for further construction. The reply said that 484.92 km of branch canal and 2,818.14 km of sub-branch canals were yet to be completed. Also 12,319.52 km of minor and 37,887.55 km of sub-minor canal works are yet to be completed. (TNN, 2013)

To another question by Siddhpur MLA Balwantsinh Rajput regarding the cost of Canal and interest repayment, the reply was that “for the dam's construction, an amount of Rs 4,931.11 crores was spent. Rs 18,050.59 crores was spent on canal works so far. The government, which financed the project by loans, paid Rs 13,232.43 crores as interest on them.”

On the question of power generation the Gujarat government replied that

…so far, in the last two years about 827.89 crores units of power have been generated at the SSNNL power station. Of these, 446.01 crores units were generated in 2011 and 381.88 crores units were generated in 2012.

The government said that the power was sold at Rs 4 per unit and the total value of power generation was estimated to be Rs 3,311.56 crores. (TNN, 2013)

5.3.4.1 Deep Discount Bonds

The Gujarat government had issued Deep Discount Bonds during 1993, when the World Bank withdrew from the project following agitation by NBA. The Narmada Bonds, as it came to be known, was intended to raise domestic funds to continue with the SSP. The bonds were issued to individuals from November 1993 for a price of Rs 3600/- with a maturing value of Rs 1.11 lakhs, which is in January 2014 (20 years). (See Table 5.1 below) The interest rate was estimated at an unprecedented 18.5%. The bond holders were given the option of redeeming the bond at the end of the 7th (2000), 11th (2004) and 15th (2008) years. From over 4.5 lakh bond holders, only a very small percent has redeemed the bonds so far. As a result, the SSNNL attempted to make a decision towards redeeming the bonds forcefully before the maturity date with a value of Rs 50,000 only.

The Board of Directors of Nigam at their meeting held on 3rd November 2008, in terms of the Act, have decided to redeem the DDBs earlier and have determined the date for such redemption as 10th January 2009 with deemed
face value of Rs. 50,000/- per bond (redemption amount). Accordingly, all outstanding DDBs shall be redeemed on 10th January 2009. (SSNNL, 2008)

But this action has not succeeded fully as it faced with opposition from the bond holders who filed cases of cheating.

**Table 5.1 Narmada Deep Discount Bonds Fact Sheet**

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Source: (Business Today, 2013)
5.3.5 Benefit Claims

In order to increase food production, it is claimed that dam based canal irrigation is the cheapest and most effective way. The disruption of environment and village communities is seen as a necessary aberration for development – the interest of the nation. Hydro-power is also justified as the cheapest and sustainable form to produce electricity. Reservoirs of dams are considered as the safest and stable forms of water centralization to safeguard the drinking water requirements of the growing urban life and industries.

We have already seen that in the case of the Sardar Sarovar dam, in 1961 Pandit Jawaharlal Nehru laid foundation stone for a much smaller dam at Gora. By 1979, NWDT gave its award for a 455 ft high (138.68 meters) mega dam at Kevadia. By 1984, hydro-power was added to the project. During the same time, drinking water component was added to the project. The number of towns and villages to get access for drinking water kept increasing throughout the 1990s.

Another economic reasoning that was utilized to legitimize the dam was to contrast between the benefits and the losses. If the benefits are much larger and avails a bigger number of people than the losses, then the project that causes such disparity is legitimate. This has been an argument that has been used for a long time to promote modern development projects. But the questions to be posed are who calculates this benefits and losses, what are the aspects included in the calculation. For example, in the cost-benefit analysis of SSP, it was found that initially the rehabilitation and environmental amelioration costs were not included in the costs of the dam. Moreover, the value of the land and forests earmarked for submergence was not calculated. There are no existing measure to assess the value of indigenous economy and its web of relationships. In spite of all these defects, the dam is legitimized because it augurs capitalist growth and stimulates further growth through increased investment and employment for the urban populations and those who move into the urban areas. With industrialized agriculture, not many are needed in the rural areas to produce what is sufficient for the population.21

21 In Germany, 3% of the population works in the primary sector, sustaining the rest 97%. Before industrialization, the agrarian population was more than 80%. Also refer FN 25
The de-legitimizing of this idea is possible through problematizing ‘benefit’ and ‘losses’. Political economic discourse has already raised questions like who benefits and who losses in a project. For the sake of this study, it is necessary to go beyond this political paradigm. For this, the terms need to be placed in a contextual frame of reference. Benefit and loss primarily comes from a market language where at the end of the day, the business man takes assessment of profit and losses and consider whether the business of the day was beneficial. Another word for benefit is profit. Success, advantage, gain, turnover, yield, winner, achievement, triumph are other shades of meaning. Loss means failure, disappointment, malfunction, let down, break down, collapse etc.

Considering the various nuances and historical happenings, it is clear that Gujarat government has considered the dam as beneficial in the sense of something advantageous for their interests. They, by way of binary thinking, also realize that it may be disadvantageous (loss) for some others. So a situation that requires legitimacy arrives. Until there is no opposition, it is easy to legitimize the project in the name of development. But when the opposition questions the development based legitimacy of the dam and highlights its disadvantageous for those whom it represents, then the factors that legitimize the dam need to be much more in order to win the argument. The Gujarat government achieved this through the idea of ‘national interest’ by overcoming the problem of de-legitimacy due to the perception that the advantage for Gujarat is disadvantage for people affected in Madhya Pradesh and Maharashtra, also the adivasi communities in Gujarat.

This process happened in two ways, one, from the time when the dam project was facing delays due to the slow process of the NWDT (it took 10 years to give the award) the Gujarat government was claiming the dam as a national project projecting the fact that it benefits four States. The conflict with the MP government regarding the height of the dam and Gujarat’s attempt to get a major share of the Narmada waters, both were legitimized by claiming national interest. Two, the NBA, the opposition to the dam was labeled anti-national. By doing this, the dam project indirectly gained national stature. NBA was accused and defamed as working against national interests. Such labeling did play a role in unifying public
opinion in Gujarat against NBA, and projecting the aspirations of the Gujaratis as national aspirations.

Before proceeding to the next session, we need to understand that the usual terms used to discuss a project’s utility is cost-benefit analysis. Here Costs incurred are weighed against benefits accrued or expected benefit claims. As already discussed, the costs are undervalued and benefits claims are overvalued in order to legitimize a project. This study perceives this problem and considers much of the costs incurred as losses for affected people since the cost of the land submerged or the value of adivasi life embedded in their natural environment is invaluable. Moreover, the costs of forests, flora and fauna, archaeological sites are never valued. The government only looks are it from the economic point of view. Hence here the discussion centres on benefit-loss and not cost-benefit.

5.3.5.1 Limits to Cost-Benefit Paradigm

For NBA, the attempts at de-legitimizing the dam involved promoting the interest of adivasis, peasants and farmers over against the interest of urbanization in Gujarat. The expanding atmosphere of the pro-environmental and Human rights discourse gave impetus to the arguments posed by NBA since governments were also influenced by these larger discourses promoted transnationally by Academicians, United Nations Organization (UNO) and NGO sectors. The ‘post colonial condition’ (Gupta, 1998) and poststructuralist\textsuperscript{22} analysis deconstructed hitherto dominant macro ‘myths’ like nation, progress, growth and development. The specific identities and local politics were reaffirmed and a movement towards participatory democracy and eco-socialist vision was in the air. It is in this process of larger discourses that the cost-benefit ratio becomes redundant.

\textsuperscript{22} Here reference is made to Ferguson (1990), Escobar (1995) and Pieterse (2002) to name a few. They have critiqued the met-narratives of development enmeshed with concepts of nation state, modern reductionist science and enlightenment vision of linear progress. They have gone into a method of detailed narration of processes in order to understand what happens when development takes place. This also enabled a different view of the ‘so called’ failed projects as actually beneficial to those who propagated them over against conditioned perceptions.
5.3.6 The White Elephant

The white elephant, mentioned earlier as passing reference, is interpreted in this study to specifically mean an overgrown, incompetent governmental system that sucks the common resources, while constantly giving promises of hope. The white elephant considered as a ‘good omen’, something that gives prosperity and secures the future. The SSP is referred here as one such. Initially the cost escalation was justified by the government as due to the delays that have occurred due to resistance by the so called enemies of Gujarat. But when the incompletion of the canals was exposed i.e. even the water available at the current height (121 meters) of the dam cannot be fully utilized, there was no way they could hide from their own fallacies as no one had resisted the canal construction, the largest in India with 75000 km long network. As of 2015 February, the government records the fact that only 34% of the total canal network is completed and already more than 22000 crores spent on canal construction alone. Gujarat recently claimed that they will finish the canal network constructed by 2015. Business Standard reports:

The work of entire canal network of Sardar Sarovar Dam on river Narmada including the distributary canals to every farmland is likely to be completed by 2015, announced the state government on Wednesday. It further said that the 30-year-old gates have been inspected and were found technically in good condition to be installed on the dam.

On the unfinished work of the proposed 75,000 km canal network (including main canal and distribution network), Patel explained that the work on canal network could not be completed because of various issues including litigation over land acquisition, alignment of canal where it had to pass through forest land or near railway line. “The work on main canal has been completed. Since we faced problems with land acquisition for sub-canal and distributary canal systems some work is remaining which we plan to complete by 2015,” said Patel.

The length of the main canal is 458.318 km which has been completed. Out of the planned 74,622 km network of branch canals, distributaries and minor canals, around 25,000 km (or nearly 34 per cent) has been completed so far. According to state government sources the remaining 66 per cent of canal network, which is necessary to bring water to farmers’ fields is to be completed. The branch network is 90 per cent complete, while only 21 per cent of the distributaries and 34 per cent of minor canal network, have been completed.

Once completed (with dam height 138.68 meters) the water from the dam will be used to irrigate 1.905 million hectares land including 1.8 million hectares in Gujarat benefitting nearly one million farmers. As per
the project plan it will also provide drinking water to 9,633 villages and 131 towns of Gujarat benefiting 29 million people.

The Sardar Sarovar Project will also irrigate 2,46,000 hectares of land in the strategic desert districts of Barmer and Jalore in Rajasthan and 37,500 hectares in the tribal hilly tract of Maharashtra. About 75 per cent of the command area in Gujarat is drought prone while entire command in Rajasthan is drought prone. (Reporter, 2014)

While such statements are issued every year, the SSP and its canal network finds several impediments in the form of incompetence, corruption, resistance from local land owners and lack of funds.  

The complex and difficult process of implementing mega projects leads the government to resort to varying discursive strategies to withstand the challenges from various fronts and maintain credibility.

5.4 Resolving the crisis of Legitimation through Re-legitimation in the following Domains:

With regard to SSP, there was a severe crisis of legitimation that took place between the periods from 1989-93, as the World Bank withdrew from the project. Litigations were going on to prove that rehabilitation and environmental amelioration measures were not complied with as per the requirements of the NWDTA. During this period, the legitimacy of the dam was at its low point. NBA was at its peak of performance during this period, its arguments and positions finding legitimacy among the legal as well as political circles, both nationally and internationally.

As discussed elsewhere, the legitimation crisis was not as much due to the struggle by the people and their campaign but also because of the opposition from the Congress government of Madhya Pradesh under Shri Digvijay Singh, who wanted the height of the dam to be reduced to 436 feet from the proposed 455 ft. This may prevent the submergence of the rich, fertile plains of Nimad which can

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23 Also refer Chapter Four, section 4.5.2
become a politically sensitive issue for the State government. So MP government also filed a case in the Supreme Court in 1998 March (Venkatesan, 1999)\textsuperscript{24}

This situation required that the controversy should soon take a political turn. This required all concerned to find effective tools for relegitimizing the project. This happened in several ways.

5.4.1 Ideological Domain

Ideology is the science of understanding the formation and effects of ideas upon human endeavors. Ideology functions as a strong belief system that has equal or more power upon the human mind than religious and spiritual belief systems. This study conceives development as an ideology\textsuperscript{25} that legitimizes the human actions conducted ‘in the name of development’ i.e. it holds authority to justify human action. There are dominant conceptions whereby Development is reduced to a mere economic process or project. For the purpose of this study, a critical view of development as an ideology is taken as the point of departure for further discussion.

\textsuperscript{24} The Congress (I) Government of Madhya Pradesh, led by Chief Minister Digvijay Singh, filed a complaint with the Centre in March 1998 under Section (3) of the Inter-State Water Disputes Act, 1956, and demanded the constitution of a new tribunal. The issues raised by the Madhya Pradesh Government included a reduction in the availability of water from the river as per hydrological changes, an increase in the number of PAFs in Madhya Pradesh and Maharashtra (there were 6,147 PAFs in Madhya Pradesh and 456 in Maharashtra in 1979; these figures have now increased to 33,014 and 4,000 respectively), an increased awareness about environmental protection, paucity of funds, inadequate availability of cultivable land in Gujarat, and the unsatisfactory R&R efforts undertaken by Gujarat \textit{vis-a-vis} PAFs from Madhya Pradesh. The petition claimed that of the 14,124 PAFs from Madhya Pradesh who had to be resettled in Gujarat, only 2,564 were shifted to Gujarat. It also claimed that while the total requirement of land for PAFs from Madhya Pradesh was 26,714 hectares, Gujarat had provided only 526 hectares.

The State governments concerned are still at loggerheads with each other over the acquisition of an adequate extent of cultivable land for PAFs. The Bharatiya Janata Party Government in Gujarat, for instance, is reluctant to alienate landowners on this count, for they constitute a powerful vote bank. It is widely claimed that only a minuscule portion of Gujarat’s total cultivable land is needed to resettle the PAFs from Gujarat, Madhya Pradesh and Maharashtra. At the core of the Narmada tangle is the refusal of the political class to try and convince the people of Gujarat of the need to sacrifice their surplus land for the sake of adequate water. For the moment, however, leaders of the main political parties of Gujarat and Madhya Pradesh, the BJP and the Congress (I), appear to have overcome their political affiliations across the States’ borders in order to defend the perceived interests of their respective States. (Venkatesan, 1999)

\textsuperscript{25} For detailed discussion on Development, see Pieterse (2002)
5.4.1.1 Ideology of Development Legitimizes

As far as governments are concerned, modernization in the sense of industrialization and urbanization is considered as a legitimate economic process. The sustenance and expansion of urban communities is prioritized in policy circles. The transformation of the rural to semi-urban through industrialization is another occupation of governance. Such constellates require extraneous sources of water and energy. Much of the hydro-power and irrigation dams are constructed and maintained to provide the base of urban-based development. When more populations are moving towards secondary and tertiary sector in the urban areas (Mehta & Mehta, 2010)\textsuperscript{26}, the rural farmers and peasants need to produce food, not only for themselves but also for the bourgeoning urbanites. Urban and rural are not conceived here as binary ideas or merely spatio-temporal realities. They need to be conceptualized as coexisting representations of incommensurable arrangements of life. Rural represents the traditional, ‘underdeveloped’, primitive modes of life and livelihood, while the urban represents modern, developed, techno-savvy, advanced mode of life and livelihood.

5.4.1.2 Development as Modernization - ‘Catching up’

As already mentioned, in the forties and fifties, when the priorities of the new nation State of India were projected in terms of infrastructural development for durable energy sources to enhance sustainable economic production, hydro-electric energy production was considered an important component and a legitimate one too. This implies that the question of the legitimacy of dams was not at all felt an issue; it was already legitimised at least among those who were at the position of planners and executors. The post second world war saw countries all over the world adopting similar strategies to improve economic production, following the lines of already industrialized countries like USA, England, Russia and the like. As already mentioned, the ideology was to ‘catch up with the other’ i.e. the so-called advanced, progressing western economies.\textsuperscript{27}

\textsuperscript{26} Gujarat will be 66% urban with 48 million urban residents in 2030 – See  (Mehta & Mehta, 2010)

\textsuperscript{27} Here reference is made to the concept of Modernization as Westernization (Truman, 1949).
In the overwhelming context of developmental modernity, economic growth in terms of increasing production of goods, having a huge share in the global finance market were seen as symbols of advancement and prosperity. The reductionist modern scientific temper visualized nature’s bounty as natural resources, something that can be hogged and consumed for production of goods and services for economic growth. This presumption is a continuation of the colonial gaze at nature. Nature’s bounty which was untouched by modern technology and preserved from generation to generation reflects the pre-development world view and wisdom of the then populations. The changed world view influenced by modern deterministic science made it quite logical for the planners to think in terms of tapping the resource for increasing production and accumulation of wealth as the central objective of human destiny. The permeating idea was that the Nature needs to be exploited to build a solid base for perpetuating development and for gaining ‘growth’ or to eradicate poverty and to generate employment in the secondary and primary sectors, for achieving a sustainable economic base for the country. Sardar Sarovar Project, which was part of the

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28 One of the Critiques of modern deterministic science is that it reductionist in approach and method. The truth claims of science tend to reduce the object to specific variables in order to control and manage the findings. Just as economic reductionism reduces a forest to timber, science reduces nature and life to mere mechanical processes and resources that can be analyzed, verified, controlled and exploited. The point is that scientific truth claims are highly loaded in perspective and subject to error. Hence its legitimacy is not absolute.

29 It is apt to recall the words of Red Indian Chief Seattle (1851)

How can you buy or sell the sky, the warmth of the land? The idea is strange to us.

If we do not own the freshness of the air and the sparkle of the water, how can you buy them?

Every part of this earth is sacred to my people. Every shining pine needle, every sandy shore, every mist in the dark woods, every clearing and humming insect is holy in the memory and experience of my people. The sap, which courses through the trees, carries the memories of the red man.

The white man's dead forget the country of their birth when they go to walk among the stars. Our dead never forget this beautiful earth, for it is the mother of the red man. We are part of the earth and it is part of us. The perfumed flowers are our sisters; the deer, the horse, the great eagle, these are our brothers. The rocky crests, the juices in the meadows, the body heat of the pony, and man --- all belong to the same family. (Martinez, 1998-2015)

30 The meaning implied here is that modern science makes truth claims that are deterministic in nature. Scientific determinism expounds that events can be analyzed and predicted because there is nothing such as complex. Everything is interpreted on the basis of scientific analysis and the truth is ‘captured’. This value loaded, subjective approach is projected as value-free, objective and all encompassing, creating a ‘hallow’ that scientific method can find answers for everything if sufficient data is available for analysis. The critiques of modern science often refer to it as positivist, deterministic and reductionist in nature. Much of modern development ideas of industry and technology are an outcome of modern scientific world view.
Narmada Valley Development Plan, was just one project in this mammoth master plan.

As mentioned in the third chapter, Jawaharlal Nehru laid the foundation project stone for the SSP in 1961, probably because he was the embodiment of the modernist aspirations of Indians. He was worried about the lack of scientific temper in India and campaigned for developing a positive approach to science and technology.

As we have already seen, he actually laid foundation for the Navagam dam which was a smaller dam (160 ft/50 meters) were the scale of destruction of environment and displacement was much less compared to the Mega SSP (455 ft/138.68 meters) which replaced the original plan.

The colonial perception that India is a vastly agrarian, poverty ridden nation, staying low in the global development map led to a concerted and conscious effort at creating ‘public opinion’ in favor of nation building and catching up with the West. The Indian Bourgeoisie saw Jawaharlal Nehru as the ideal spokesperson for bringing in the desired change in the economic management of the country. They prepared the economic agenda for independent India known as the Bombay Plan (1944/45). They proposed an interventionist state role which protected the internal market and enhancement of public sector undertakings. The Five Year Plans which began in 1950 followed the Bombay Plan on many counts. Here the so called ‘Public’ does not include the vast majority of agrarian and forest communities in India, which was a majority at least during those days. It included the urban and rural elite who could see advantages in the idea of Modern India. They were the ones, who perhaps, became the first objects of developmental discourse. They soon became active bearers of this discourse and turned out to be the subjects of the same discourse; the shift is from the object position to the subject position, one of the factors that legitimized the authenticity of having such Mega dam projects.

31 Here reference is made to Akhil Gupta (1998)
When all the economically successful countries have gone in that path, why not India? The goal is set by the history of the Occident. And the legitimacy has become so much so that it could be taken for granted as the surest one to aspire for. The anxiety of lagging behind was so strong, of course in terms of economic development; development has already become reducible as economic development. Other nations, to prove one’s own worth by comparing with other peoples, a national identity and future viewed through the other or other’s scale of progress, a low self esteem coupled with the emerging scientific temper (which Nehru was vehemently promoting) gave legitimacy to the idea that big projects are the only way (a kind of panacea) to achieve economic security and earn respect from the other nations. The costs such as displacement, Submergence of rich, cultivable land, forests and other environmental impacts did not appear to them as something to be considered while thinking about dam development. They were considered insignificant compared to the benefits that may be derived through such projects. It was presumed that benefits will permeate to all classes of people through the so called trickle-down effect, through planned administrative apparatus. From nomadic tribes to elite business houses, the variety that was India was envisioned by the government as one homogenous entity, who could legitimately have only one vision and ambition i.e. creating wealth through maximum exploitation of nature (hitherto untouched), labor and becoming a global super power.

5.4.2 Political (Electoral) Domain

The Atal Behari Vajpayee-led BJP came to power at the centre in 1998. The Pokhran nuclear tests (1998), the Kargil war (1999) and the permission for the SSP (2000) followed suit. NBA ideologue Sanjay Sangvai observed that “…the Supreme Court paved the way for ‘Development Nationalism’” (Sangvai, 2002:79)

Sangvai argues that the political and ideological atmosphere, which was intensely moving towards development nationalism, reached a frenzied height during the tenure of the coalition government. The ruling government speeded up capitalist development in India, intensifying the growth model of economic reforms opened up in the early 1990s. We have already discussed this aspect. What
is important for our study is that the domain of elected governments and party political policies tend to become populist, especially when they lack political legitimacy. The decisions to implement populist agendas that help the ruling government to gain public acceptance are preferred in such contexts. Legitimacy, as we are now discussing, depends on many factors and the political domain is obviously one of those. What is legitimate not only depends upon ethical or legal or rational basis but also human aspirations of a better life. Hence here we see the interplay of development and national aspirations, were development as power and prosperity determines the national being/becoming.

He further wrote that

The power-holders have all the required weapons to legitimate and propagate their policies, projects and paradigms. Right from socialization, through the education system, to the airwaves, paid advertising and unpaid adherence to the ‘correct line’, their voice prevails over the public perceptions. The *Andolan* has been communicating its position and processes in an attempt to overcome these obstacles, and the deep-rooted media hegemony of the ‘dam-is-development’ notion. (Sangvai, 2002:182)

Antonio Gramsci\(^\text{32}\) reflects on such processes in his ‘Prison Note Books’ during his imprisonment in the 1930s (Gramsci, 1971). He argues that the thinking and attitudes of a dominant class can overtly or covertly impact the social norms of a culturally diverse society. This is achieved through the subtle manipulation of the beliefs, values and way of thinking. Through cooption and conceit, the dominant view slowly gets legitimized as the universally valid norm benefitting everyone, when actually it benefits only the ruling class. The ideology of development follows a similar trajectory. The masses are indoctrinated to have faith in it and hope that one day they too will ‘develop’, while the dominant classes keep expanding their wealth and stature.

But we need to go beyond structural articulations to understand the complexity of how the decision makers (ruling class) succeed in legitimating their activities and its impacts.

\(^{32}\) Antonio Gramsci (1891-1937) was an Italian Marxist intellectual and Politician. His thoughts on cultural hegemony, coercion and consent and civil society-state relation have relevance for the subject matter dealt in this study.
Gramsci rightly observes that there are dominant ideologies into which many of the development affected populations are co-opted. This may be because of the belief that what is good for the other may be good for self also. To take a leaf out of social psychology, the collective self of a society enmeshes or entangles the sub-group selves in such a way that it becomes very difficult for the individual selves to differentiate from the larger whole. This lack of differentiation leads to unhealthy fusion, whereby the proletariats play into the hands of the bourgeoisie, if we go by Marxist terminology. In other words, human core existential tendency to be secured and safe, to ensure the survival of species, is transplanted to the belief in wealth acquisition as the means to achieve this end.  

In this research, it is necessary to go beyond this framework also to see how it is necessary for various seemingly differing forces and alliances to fall in place, if the dominant classes have to have their way. It is also important, as some scholars observed, in modern liberal democracies it is difficult to maintain control without actually sharing access to a larger population than what it used to be. Once this so called ‘majority’, is taken into confidence, it is easier to legitimize development projects at large. With regard to Koodamkulam Nuclear Project or Inter-linking of rivers, this is how consensus is being accrued.

Another political factor that ‘smoothened’ things up towards re-legitimating SSP was the electoral event of the BJP coming to power in Madhya Pradesh. By 2003 BJP government formed government in Madhya Pradesh. Since then things have been quite smooth for Gujarat as Madhya Pradesh government would sign false

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33 Here it may be apt to recognize this as part of the autopoetic power of capital to engulf everything that comes in its way and legitimize its dominance and illusion of indispensability.

34 This is a controversial nuclear project set up in the southernmost tip of India, near Kanyakumari. There is severe opposition to the project from the local residents which is being coercively suppressed by the state.

35 BJP is ruling Madhya Pradesh since 2003. This is not to intend that BJP is siding with Gujarat, but the observation is that this has strengthened Gujarat’s lobbying power and legitimacy building mechanics. This party political aspect becomes glaring when we observe that during emergency (Janata Party) and for two years from 1990-92 (Sunderlal Patwa led BJP government) was in power in Madhya Pradesh. It was during 1979 that NWDT gave its award. At this time both centre and Gujarat were also having Janata governments. During 1990-92, Gujarat was going through political instability with Janata Dal and BJP and later Janata Dal and Congress were ruling alliance with Chimanbhai Patel as Chief Minister. Sunderlal Patwa supported Gujarat’s interest during this phase by attempting to repress the struggle in the valley and elsewhere in Chhattisgarh.
affidavits to support the dam construction, even when R&R works remained to be completed.\textsuperscript{36}

As mentioned earlier, MP Government’s interest was only to protect Nimad region, if possible, as it was a potentially strong vote bank with thickly populated villages. The adivasi regions in Jhabua, Dhar and east Badwani districts did not bother them politically as the population was scattered across many electoral constituencies. Moreover, government’s development work had not reached many of these villages yet, not even re-constituting some of these ‘forest villages’ into ‘revenue villages’.\textsuperscript{37} One major reason for this apathy was that MP had its own hydropower projects in mind (mentioned earlier) and hence the adivasi region was already doomed for submergence.\textsuperscript{38}

Once the Supreme Court gave its order, MP government was under tremendous pressure to complete land-based rehabilitation which was a difficult task requiring strong political will. Moreover it could set a precedence whereby government may face demand from other dam affected regions as well. Hence, as discussed in previous chapter, they resorted to cash compensation, violating the NWDTA and SC orders and the Constitutional rights of the affected households/citizens. What is important for this study is not only how MP tried to legitimize the cash-based rehabilitation process in connivance with Gujarat government and central government and concerned bureaucracies, but also how the MP High Court (Jabalpur) has sabotaged the move\textsuperscript{39}, thus again de-legitimizing the Project and legitimizing the position of the project affected households. This

\textsuperscript{36} The recent controversy regarding the R&R sub-group giving clearance for installation of the dam gates (June 2013) was based on false affidavits filed by MP government. This was proved when MP high court stayed the cash compensation process in MP for MP PAFs and ordered the MP government to furnish full details of people who are yet to be rehabilitated, thus declaring cash compensation illegal. So far, the affidavits which showed that PAFs are rehabilitated were based on this cash compensation.

\textsuperscript{37} During the British days, many adivasi villages were considered as forest villages. After independence, this should have been changed to revenue villages. Since this was not done, most of the PAFs in these villages are ‘encroachers’ and do not find their names in the government’s list of affected families since they have no land title deeds (Patta) in their name.

\textsuperscript{38} The SSP was sure to submerge the hydro power project sites of Jalsindhi and Harinphal planned by MP government. The submergence zone remained the same tribal belt, even if the three dams are separately constructed. Because of SSP, the other two projects were scrapped.

\textsuperscript{39} Refer Chapter Four - F.N. 32
constant flux of legitimacy, bordering the absurd, is the focus of the study. What is happening is that there is no single factor or domain that legitimizes. What legitimizes keeps shifting according to the interplay of complex processes which are difficult to determine from any particular point of view. But we may be able to perceive the processes which initiate this shift.

5.4.3 Legal Domain

The Judiciary plays a crucial function in the process of building democracy in India. The pro-active interventions by the Supreme Court have contributed a lot in ensuring Constitutional rights to the citizens on many occasions. As we have already seen, in the Narmada case too, SC did make judicial decisions that upheld constitutional rights of the dam affected populations. This study observes that even the authenticity of the SC and its decisions have much to do with the general environment in which it functions.

After 1991, we already discussed that Indian government was on a fast track of growth, opening up the economy called famously as “New Economic Policy”. This general environment of developmentalism may have had its impacts on the organs of the state as well. By 1997, the Supreme Court Bench which was hearing the Narmada case until then was reconstituted with Chief Justice Anand, Kirpal and Barucha as judges. Justice Barucha is the only one continuing from the earlier bench. The final verdict in 2000 October, have clear overtones of developmentalism written on it which we have already discussed. Moreover, there are certain spurious facts that need to be considered in order to enlighten our discussion further. The newly appointed member of the bench hearing the Narmada case, Justice A S Anand is known for his corrupt character while Justice B N Kirpal, having clear

40 JUSTICE A. S. ANAND (1998-2001), who succeeded Justice Punchhi, had a very controversial tenure as Chief Justice of India. During his tenure, evidence of several acts of very serious misconduct came to light and came to the possession of the Committee on Judicial Accountability. As a result of this, an impeachment motion was also prepared by the Committee on Judicial Accountability against Justice Anand, which contained four serious charges which are detailed below:

1. That AS Anand, when he was the Chief Justice of the High Court at J&K, heard and passed favourable interim orders in the case of one Krishan Kumar Amla, soon after he had accepted gratification from Amla in the form of a 2 Kanal plot of land at Ganderbal, Srinagar. That Anand accepted this gratification from Amla even though he had been as a judge hearing and dealing with the cases of the companies owned by Krishan Amla and his father Tirath Ram Amla. These acts constitute gross misconduct and misbehavior on the part of a Judge.
developmental bias, evidenced later through his agreeing to join the Board of Advisors for Coca Cola company, after retirement.\textsuperscript{41} The inclinations are clear. Only Justice Barucha had a clean chit in terms of judicial integrity and this is reflected in his minority verdict.\textsuperscript{42} He stuck to the perspective of the earlier bench and gave a strict verdict showing no bias to any party other than the cause of Justice. Also, the verdict showed that he has taken the environmental issues and non-compliance seriously. The study argues that factors such as environmental issues, non-compliance etc legitimates development according to the minority verdict. The irony is that the majority verdict implies that it is development that

\begin{itemize}
\item 2. That AS Anand abused his office and influence as a judge and Chief Justice of the J&K High Court to hold on to the ownership of agricultural land which should have been vested in the government under the J&K Agrarian Reforms Act of 1976. He passed an order favouring a person from whom he had received a plot of land
\item 3. That AS Anand while he was a judge of the Supreme Court abetted his wife and mother-in-law in filing a suit based on false averments in a civil court in Madhya Pradesh. During the proceedings before the civil court, he abused his influence and authority to get the revenue authorities to suppress from the trial court the record of the proceedings before the revenue court. That he subsequently used his influence to get the State Government of MP to withdraw the Special Leave Petition filed by the State against his wife.
\item 4. That Anand abused his office and influence as Chief Justice of the J&K High Court to get from the government of J&K a 2-kanal plot of land at Gandhinagar in Jammu for a price which was a small fraction of the market price. That in doing so, he gave a false and misleading affidavit that he owned no land or immovable property in Jammu. Despite the fact that there was documentary evidence of serious charges of corruption against Justice Anand it was not possible to get the impeachment motion signed by the requisite number of MPs against a sitting Chief Justice of the Supreme Court. MPs are very reluctant to sign an impeachment motion against a sitting judge of the Supreme Court or a sitting Chief Justice of a High Court, even if one has documentary evidence of serious charges of misconduct against the judge concerned. This is because of a fear of judicial backlash against the MP or his political party, most of whom have cases pending in the courts. (Tehelka, 2010)
\end{itemize}

\textsuperscript{41} On 17 December, TNN reported from New Delhi that Coca-Cola India has formed a high-powered advisory board, headed by former cabinet secretary Naresh Chandra and comprising corporate bigwigs SM Datta and Deepak Parekh, former army chief VP Malik and ex-chief Justice of the Supreme Court BN Kirpal, to create a protective ring around the world's best known brand that's recently got a battering. The other members of the nine-member board are, Hero group MD Sunil Kant Munjal, Sarod maestro Amjad Ali Khan, educationist Shyama Chona and Jairam Ramesh. Coke says the board has been constituted to guide the company on future strategies, on issues of corporate citizenship, social responsibility and corporate governance. What it doesn't say is also significant: that the high-profile board will hopefully help Coke — recently stung by the pesticide controversy and a sexual harassment charge — to regain public trust and credibility (Chakravarty, 2003)

\textsuperscript{42} Justice was on the bench in 1995 when Sardar Sarovar Dam construction was stayed in January 1995. Minority verdict by Justice Barucha in October 2000 ordered the dam to remain stayed until Environmental Impact assessment studies are conducted and practical amelioration measures initiated.
legitimizes dams irrespective of social and environmental non-compliance. While the minority verdict showed faith in justice and the necessity to implement it first, the majority verdict reflected the interests of a developmentalist state for damming and development even while damming affected households, environment and legal stipulations. The urgency was to complete the dam to prevent cost escalation rather than to prevent suffering of people and nature induced by the dam. The contesting legal terrain of legitimating debates and discourse remains incommensurable since the developmentalist representations subverts inverse representations that are exhibited by the dam affected populations and their *andolan*.

### 5.4.3.1 Reaching Commensurability without Resolution

The interesting aspect in these legal, ethical debates is who decides right and wrong in India or rather whose rights and whose wrongs? The SC order of 2000 October actually vindicated the position of the NBA that the SSP needs a comprehensive review as many environmental and social aspects were problematic as evidenced by the minority judgment. The project as it is could not go ahead. It could be constructed only ‘pari passu’ (side by side) with completion of the stipulations regarding rehabilitation and environmental amelioration. This doesn’t mean that the project was de-legitimized. Rather the project was considered as important and hence needs careful and efficient implementation to get maximum benefits out of it. NBA’s strategy was that since the existing politico-bureaucratic structures do not have the functional capacity or political will to properly manage the project, the project will remain stalled.\(^{43}\) As against common perception, NBA never intended to stop the Sardar Sarovar Project per se, but it sure did intend to

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\(^{43}\) From the beginning, the State governments were not implementing the rehabilitation and environmental aspects properly. This was the major reason why the dam remained stalled for long periods. Since the political and bureaucratic situations remained the same, the dam may not go ahead legally. Hence NBA kept on exposing the legal non-compliance. It is due to this lack of will to comply with legal stipulations that government found political ways to circumvent legal barricades and go ahead with the dam construction. The scope of this study depends on the possibility of exploring various means of legitimation and delegitimation which happened as a result of these political manipulations by dam builders and the consequent contestations.
stop further construction of dam wall unless and until the NWDT stipulations on social and environmental compensations are implemented at the field level.\textsuperscript{44}

As mentioned earlier, during 1998, the year in which BJP came to power in Gujarat and at the Centre, Gujarat government’s campaign for clearance for the SSP resulted in the SC declaring an interim order in February 1999 that allowed the dam construction to proceed from 80 meters to 88 meters. The argument that was put forward was not that everything is properly done, but that costs are escalating and it may go out of proportions if the project remains stalled. What is already spent will be wasted. Moreover, according to the agreement with the dam building contractor – Jayaparakash Associates – the government had to pay them Rs 820/cu meter in case the dam construction is stopped due to reasons not of their making. Another reason for cost escalation was that since the World Bank withdrew, Gujarat has taken loans and issued Narmada bonds whose interests were also escalating. We have already discussed this earlier. It may be inferred here that political expediency dominated the process of legitimation than legal compliance. The changing balance of powers realigned the channels of power so that a ‘seemingly illegal’ clearance was given, legitimized by the logic of cost escalations.\textsuperscript{45}

So the question of legal and ethical correctness is not all that black and white. They are rather gray areas yet to be explored. What decides right and who decides it varies from context to context and from situation to situation? In the above situation, change in political nexus may be one reason that shifted the balance.

5.4.4 Cultural Domain

Cultural tools are very effective in the permeation and preservation of the legitimacy of development. In the context of Narmada controversy which eroded

\textsuperscript{44} The SSP included not just the dam wall, but all ancillary projects such as hydro-electric power plant, Canal network, Command Area development etc. For NBA it was politically important that the dam wall remained stalled since raising of its height was directly connected to submergence in the valley. Once dam wall is completed, NBA might lose the political bargaining power as well. Also refer FN 20 of Chapter One.

\textsuperscript{45} The SC Judgment 2000 refers to cost escalation as one of the reasons of speeding up the dam wall construction. Also refer Chapter Three, section 3.14
the legitimacy of the dam and its proponents, the study argues that Gujarat government banked on cultural tools to regain legitimacy for the dam.

The re-legitimizing factors in Gujarat seems to be concepts like The pride of Gujarat, the National project, in the name of Sardar Patel, the Life-line of Gujarat all of which the government vehemently projected through media. Full page advertisements are given in News Papers projecting the benefits of SSP and its importance for speeding up development work in Gujarat.46

5.4.4.1 Hollow Claims/Myths

NBA proposed to have a comprehensive evaluation of the projects costs and benefits as what was claimed were not the actual figures, but the possible figures.47 The disparity between what is claimed and what happens needs to be acknowledged. Even the project loss was much less than the actual irreparable loss. Hence rather than stating that there are no benefits or no losses, both sides went on a debate over the disparity between what is claimed and what is actual. This cannot be proved factually as it involves lot of calculation which is not bound by spatio-temporal limits. Hence the vagueness of these arguments, its subjectivity, makes it strategically important in creating ‘myth’. There is an admission of the problem. The disparity and the dispute are legitimating factors for both sides. So, whether the cost is more or the loss is greater is not the issue, but the inconclusive debate, the numerous arguments and counter arguments to prove the other wrong, happens on a flexible legitimating plane enabling both sides to make legitimate arguments. Further discussion is taken in the next chapter.

5.4.4.2 Myth of Indispensability

One of the important aspects in this game of legitimation was the effective construct made by the Gujarat government that the Sardar Sarovar dam is indispensable for its economic growth and development. This myth of indispensability is used to reiterate that dams are indispensable for the increasing agricultural productivity and hydro-power generation. Recently Shripad Dharmadhikary has

46 See Annexure 6
47 See detailed discussion see Section 5.3.5 of this Chapter
unraveled the myth of Bhakra-Nangal project which was believed to have been the back bone of Green revolution. He explored, analyzed and discovered that this notion was a deliberate construct to help the onslaught of modernization projects in India (Dharmadhikary, 2005). The official Portal of Gujarat Government gives us certain leads towards the myth of indispensability of SSP.

...Though Gujarat is self sufficient in its needs for domestic and commercial water consumption, it has initiated plans for the maximum development and utilization of water resources in the state...

The Sardar Sarovar project will provide assured irrigation to 1.8 million hectares in Gujarat with water for domestic and industrial use in about 8,215 villages and 135 townships.

The state has undertaken extensive canal construction to supply water to the arid regions of Kutch. Also underway is Kalpasar, a multipurpose project that aims to build a dam across the Gulf of Khambhat with a tidal reservoir of 872 sq km...

...Another defining feature of Gujarat infrastructure has been that the State has had a long term and integrated vision for development. The State has prepared a long term vision in the form of Blueprint for Infrastructure in Gujarat – 2020 (BIG 2020). The department envisages an investment of around Rs. 12.00 lakh crore by 2020 across various infrastructure sectors. The objective is to put Gujarat in the line of the developed countries in terms of infrastructure and at the same time to see that all the regions, activities and communities are benefited with the same.

The State has initiated projects which will re-define India’s economic history and will put the country in the high growth trajectory...

...The government is planning to cover 75 per cent population through the Water grid by 2010. The existing method of water conservation includes:

87,179 check dams (Small weir constructed across rivulet having minimum discharge of 1 cusec after monsoon)
35,379 bori bandhs (Dams made of sand bags)
1, 30,262 khet talavadi (Farm ponds) and
5,551 deepened ponds.

In regard to this, the government passed the Gujarat Water Users’ Participatory Irrigation Management Bill in the year 2007 authorizing the farmers to constitute Water Users’ Associations (WUA) for management of canals handed over, after rehabilitation by the Government. (Gujarat)

The arguments presented above gives an idea as to how the Gujarat government develops legitimizing discourse for the sake of justifying the Narmada project.

The process of re-legitimation included the attempt to de-legitimize the opposing contestations. For this, scholars use their pens to write extensively and
develop arguments to re-legitimize the dam. For example, an article which appeared in Economic and Political Weekly (EPW) goes like this,

While some of the water development needs can be met by small dams and conjunctive use of aquifers, large dams like SSD cannot be wished away in the monsoonal climate condition of India to produce the food grains needed by the burgeoning population of the country. The seasonal nature of the rainfall and its variation from year to year cause water shortage thereby necessitating storages to be built to use the water when needed. At the same time, the environmental dimensions of water should also receive adequate attention within the irrigation sector as also the resettlement and rehabilitation of project affected people. Unfortunately, instead of striving for mitigating adverse environmental impacts and facilitating the process of R and R the vested interests are only pooling their energies to stop the project construction. For this purpose, they have roped in local illiterates and a misinformed intelligentsia to malign the project and question its benefits. They have created fallacies and myths to displace logical reasoning. Ignoring the limitations of their suggested options and turning a blind eye to the facts, they have been campaigning even in the international fora against the project and its benefits. However, with the Narmada waters flowing into the distant regions of Saurashtra and Kachchh, one of their blatant lies has now been nailed and they have been exposed. We have lost precious time and precious water. The projected benefits for SSP would have been available now but for the delays engineered by vested interests. As the water crisis is deepening particularly in the western region, a strategy has to be developed to educate the public about the project (Menon, 2003: 4096)

To de-mythify this discourse, the best way is to look at what happens at the field level. As we mentioned elsewhere, the difference between what is claimed and what is happening is the fundamental plane that explicitly provides data for delegitimizing the project, as far as NBA is concerned. But for the Gujarat government, one myth will replace another myth and the game of legitimation goes on. The study observes that both are never ending processes. Amidst this complex process, we may, at best, be able to get a glimpse of what is happening but not able to come to any conclusion regarding what legitimizes dams. The legitimating plane is so flexible that factors keep changing and, many a times, multiple factors may work simultaneously to either justify the dam or delegitimize it.
5.4.4.3 *Fait Accompli*

The study would argue that Gujarat government strategically and carefully enmeshed the Narmada waters with the economic projects within Gujarat so that this tangle will make the dam a *fait accompli*. From the latest Gujarat Industrial Development Corporation (GIDC) projects to linking of rivers for ground water replenishment and long term guaranteed drinking water for the growing urban populations, from fulfilling the thirst of Kutch and Saurashtra to alluring foreign direct investments in the industrial and service sectors cascading the availability of water and power\(^\text{48}\), those basic ingredients, apart from infrastructure and cheap labour, that attracts capital, Gujarat successfully cascaded the ‘benefits’ of the dam as far outweighing the loss of the people in the Narmada valley.

5.4.4.4 Myth of Thirst, Scarcity and Drought

To continue with our previous discussion, there are multiple factors that work towards legitimizing dam based development. Thirst, Scarcity and Drought are three ‘myths’ that are used profoundly by the government to justify the project. These aspects make human beings insecure as they are basic material factors of human survival. But how do we understand these representations? Whether they are constructed ideas to legitimize the project, whether already existing situations were used to legitimize the project, we need to inquire further.

As discussed earlier, the myths of thirst, scarcity and drought were initially aired to justify the project. This is particularly discussed in detail by Lyla Mehta showing how drought was socially constructed in Gujarat and later used to justify irrigation projects. She argues specifically that reduced rainfall and drought during a few years in the 1990s was used to manufacture legitimation for the Sardar Sarovar Project. (Mehta, 2001) Amita Baviskar comments on this article thus: “Lyla Mehta argues that the construction of mega-dams like Sardar Sarovar is

\(^{48}\) Here reference is to the Vibrant Gujarat Global Investors Summit. From 2003, there have been 7 such trade summits so far conducted biennially. Continuous availability of Water and Power are two major factors that attract investment apart from other aspects such as government policies on tax, free trade and labor laws. The intensified campaign to complete the Narmada project after the SC clearance in 2000 coincided with these economic development agendas. In Gujarat, Narmada waters have become much more than a question of mere thirst and irrigation.
legitimised through such tactics that conceal the inequalities that have shaped scarcity in the first place.” (Baviskar, 2003)

Lyla elaborates further that this legitimation is achieved through shifting the reasons for drought and reduced rainfall from human and development induced domain and socio-political water use practices to natural forces, projecting its unpredictability. The argument will proceed to rationalizing the need for permanent structures to ensure regular and secure supply of water to sustain uninterrupted developmental activities. She argues that the notion that There Is No Alternative (TINA) was strong in Gujarat. SSP was projected as the solution for the problems of scarcity perceived by the general public,

“With respect to the large dam, there appeared to be unambiguous consent all over Gujarat that the SSP was the only way to mitigate the problem of water scarcity. This consent was, however, largely “manufactured” due to the socio-political processes discussed. Thus, there emerged the need to analyze water scarcity at two levels: One, at the discursive level and two, at the material level as a biophysical problem.” (Mehta, 2001: 2037-38)

5.5 Government Delegitimizing NBA-Categories of Threat/Coercion

Many terms are used for de-legitimation of NBA activities. Terms like foreign funding, sedition, violence, anti-national, anti-state, terrorist, Naxal, extremist, anti-development are quite common in India. In 2012, when the resistance by the concerned people’s struggle against the Koodamkulam Nuclear project became strong enough to cause difficulties for the government, Prime Minister issued a statement that American NGOs are funding to prevent India’s development initiatives (NDTV, 2012). He finds no other reason why so much of resistance should happen when all safety measures, according to him, are met. When a person of the stature of Prime Minister believes in the efficacy of nuclear

49 The politically privileged classes label all activists and activities that affect their interests as either anti-national or anti-development. While NBA always clarified its position regarding development as different from the mainstream aspirations, the governments, acting on the interests of corporate and global economic forces finds the activities of NBA as a hindrance to their smooth sailing. Hence such labeling as become a norm in India in order to delegitimize resistance to state sponsored centralization and privatization of land, water, forests and minerals.

50 Here what is submerged is that fact that the government does indiscriminate borrowing from International Aid Agencies, pulling the national economy into perennial debt in the name of development. What is the problem if the resistance groups are receiving funds from like minded groups in foreign countries to prevent the lopsided development interests from destroying the natural and cultural fabric of this nation?
power plants, he expects everyone to believe it. He is not able to perceive the possible threats that such a nuclear power plant creates in the region, for not only those who live in its precincts but also the whole of the Indian peninsula and the neighboring countries such as Sri Lanka and Bangladesh.

In the last one decade, NBA has been accused of receiving foreign funds to work against India’s development. The government ordered a Crime Branch of India (CBI) probe into the matter and found that there was no truth in the allegations. Yet the dam constructors continuously try to discredit NBA and its leaders. The important point to note here is that India has a democratic, liberal environment that legitimates locally funded genuine people’s movements. The Jabalpur High Court, in a landmark judgment (Jabalpur HC Judgment, 2007) has highlighted people’s right to agitate against the state, but non-violently. The NBA press release states

Today’s verdict is yet another victory for the Narmada Bachao Andolan and people’s movements at large. The verdict affirms the rights of the affected people to agitate peacefully and assert their right to land and livelihood. The peaceful and legitimate agitation by the Sardar Sarovar Dam affected people of the Narmada valley, for right to life and livelihood, continues irrespective of efforts by the authorities to sabotage and suppress the movement of the people (NBA, 2007)

But by 2011, we see that the SC calls NBA (Omkareshwar dam) irresponsible and misleading the court on facts/ground realities. They were charged with a case of Perjury. In an order dated 11 May 2011, a bench comprising of Justice J M Panchal, Deepak Verma and Dr. B S Chauhan commented that

"In view of the above, we reach the inescapable conclusion that the NBA has not acted with a sense of responsibility and not taken appropriate pleadings as required in law. However, in a PIL, the court has to strike a balance between the interests of the parties. The court has to take into consideration the pitiable condition of oustees, their poverty, inarticulateness, illiteracy, extent of backwardness, unawareness also. It is desirable that in future the court must view presentation of any matter by the NBA with caution and care, insisting on proper pleadings, disclosure of full facts truly and fairly and should insist for an affidavit of some responsible person in support of facts contained therein." (SC Judgment, 2011)

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51 In July 2006, Gujarat government asked the centre to order a CBI investigation into NBA funding. In 7 July, 2007, the SC gave its judgment giving a clean chit to NBA and charging a cost of Rs 5000/- against the Gujarat NGO which filed the petition. For details see (Outlook, 2007).
5.5.1 Personal Attacks

If we look at the attempts at trapping one of the leaders of the movement Medha Patkar on account of seditious activity, raising allegations that she is anti-social and anti-national, receives foreign funds to work against national development and recently on ground of perjury shows that such factors, if violated, can effect to de-legitimation. In its verdict in the defamation case against NBA activist Medha Patkar, the SC stated thus: “In our view, the materials in the writ petition consist only of vague allegations without any proper foundation. No case has therefore been made for a direction to the CBI to investigate into the said allegations” (SC Judgment, 2007:para 36).

Across political party borders, the ruling classes have stood together in raising allegations which they were never able to prove in spite of having the entire machinery of investigation at their disposal. To quote Times of India,

An Intelligence Bureau report has accused "foreign-funded" NGOs such as Greenpeace, Cordaid, Amnesty and ActionAid of "serving as tools for foreign policy interests of western governments" by sponsoring agitations against nuclear and coal-fired power plants across the country.

The NGOs, said to be working through a network of local organizations such as PUCL and Narmada Bachao Andolan, have negatively impacted GDP growth by 2-3%, claims the IB report sent to the PMO and other government agencies…

…Environmental activists joined Greenpeace in rubbing the IB report. Greenpeace said it was a conscious attempt by the country's premier intelligence agency to crush and stifle opposing voices in civil society. The organization also wrote to the home minister, requesting him to share a copy of the report "to know and understand impacts of this labeling"…

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52 It may seem outwardly that the factors that legitimize and the factors that delegitimize share common grounds with the difference that compliance legitimates and non-compliance delegitimates. But it is not that simple and deterministic as it seems. The process of legitimation is complex and non-deterministic. If the petitioners were able to prove in Court that Medha Patkar did receive foreign funds or involves in seditious activities, she would have been in deep trouble. But mere accusations do not have any impact on legitimacy. The point is that while NBA is vindicated in Court regarding the issue of incomplete rehabilitation, the government is not able to delegitimize NBA on any grounds, in spite of several attempts. Despite political power relations favor the government, there are complex non-deterministic factors that influences the legitimation process including the ethical, moral, environmental and social meta narratives within which contestations take place.
…According to the report dated June 3, these foreign-funded NGOs are allegedly the influence behind "Praful Bidwais and Medha Patkars". The document, the details of which were accessed by TOI, accuses Greenpeace of having expanded its activities to oppose coal-fired power plants and coal mining and receiving Rs 45 crore from abroad in the last seven years (TNN, 2014)

It is interesting to note how the State Governments and Urban class understand the resistance movement, their assumptions and notions. Given below is the gist of a set of questions that are posed before the researcher by an SSPA official during field visit. Though we may not generalize these questions, the researcher argues that it reflects the dominant view prevalent in our society.

Why do you resist the dam? If you are genuine, come and join in the efforts at rehabilitation and afforestation. You seem to have false motives. You are opposing development. That is why you are fighting against the dam. Is not the dam required for irrigating parched areas in Gujarat? Without it how can we provide potable water to fulfill the needs of the growing cities in Gujarat?

You are anti-Gujarat. That is why you do not want the dam to be built. You are misleading the adivasis and peasants in the valley by turning them against the government. You should actually persuade them to accept rehabilitation which will open the path of development for their coming generations.

You do not want the adivasis to develop. You are anti-poor. You have vested interests in creating all this problems. Who is funding you for this? Whose interest are you keeping? Your activities are seditious and you are anti-national.

Why don’t you understand that all this is for the good of the nation as it will increase economic production and pave the way for prosperity and peace? Remove your blindness and see the reality. Which other dam project has done so much for its affected populations. We have offered the best rehabilitation package ever. Of course there could be minor hiccups. But you work with us and bring to our notice if someone has not received their right, we will do it immediately. Instead you are engaging in destructive work, always suspicious of the government and criticizing all the good works that we do. You are so negative. It is unfortunate. 53

The official who asked such questions is a representative of the bureaucracy, already subjected to development discourse. They now function as its agents, bearers of its symbols, propagators of its gospel. When we self reflexively

53 Field interview by researcher with an SSPA official during a dharna (peaceful sit-in protest) at Kevadia, Gujarat, 2004
grapple with such subjectivities, it may shed more light on the subtle but certain way in which legitimation happens through social power relations.

5.6 Re-Legitimation by the State – A Critique

One major impact of the struggle for life and livelihood of the dam affected was that it brought into public debate, the question of authenticity in the re-legitimating process exercised by the State, especially the Gujarat government. Public opinion in Gujarat was deliberately constructed in support of the dam, projecting the existing scarcities.

It is important to note that in the 1980s dam de-construction has began in USA and France after realizing the problems with certain dams. The Gujarat government still argues that USA can afford it since they have already achieved their goal. But India is in the making as a Super power and hence we cannot think in those terms now.\(^{54}\) Does this mean that what makes the planning and doing legitimate are the goals i.e. development induced prosperity and security. Who sets these goals? Who owns these goals? Who follow these goals? Can the goals which were there hundred years back still hold well? Can the legitimacy attributed to those goals still valid? These are familiar academic questions that are already raised in the respective circles.

Again we are back with the question of what makes legitimacy legitimate. Why do we require it?

Government projects the SSP as a necessity, highlighting its claimed benefits and promises and undercutting its long term impacts on environment, its actual costs and viability of efficient maintenance in the current system. National pride and prestige were projected as factors that legitimized the project overshadowing the problems and limitations. Gujarat being a leading industrial and business State provided an ideal atmosphere for such knowledge generation and propagation through media.

As seen in chapter three, even the Gandhians and Socialists in Gujarat like Sanat Mehta wanted the dam. They followed the official position but wanted

\(^{54}\) See Annexure 3
affected people to be rehabilitated properly. But they were willing to go by the claims of the government regarding the project. One of the leading advocates of the dam, Sanat Mehta, chairman of the Sardar Sarovar Narmada Nigam and former Gujarat finance minister argued that

…"Narmada is the only solution. It is the most widely debated and investigated and least implemented scheme in the country." Adds Dr Y.K. Alagh, member, Planning Commission: "For the Sardar Sarovar project extensive cost-benefit analysis has been done and plans to make maximum use of the river water have been evolved"

… Chimanbhai Patel of the Janata Party (later became Chief Minister) says: "This river is the lifeline of Gujarat. We will not tolerate any nonsense from the environmentalists…”

…While ecologists admit the project could be advantageous, what they question is not just the possible environmental devastation but the way in which the states have justified their schemes by selective use of statistics, unsubstantiated claims and political considerations overriding the objections of the Union Environment Ministry. (Thripathi & Singh, 1988)

The Vadodara Kamdar Union (VKU), a left oriented trade union in Baroda, strongly supported the struggle in the early stages and continues to extend support. The Paryavaran Suraksha Samiti (PSS) workers were also critical of the project and joined hands with NBA. We shall now move on to the discussion chapter to explore the legitimation process that was being traced amidst the contestations and engagements discussed so far.