

# Editorial

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## Independence Day

### Govt. needs trust to the essence of patriotism to all citizens of India

The ethos of celebrating the nation's 72<sup>nd</sup> Independence Day is to provoke the essence of patriotism to all the people of the state. It is already 71 years that the country witness celebration of the Independence Day but the kind of obstacle face by people of the nation in celebrating the Independence Day at certain part of the country from within the citizen showed that there has been something wrong to the building of the nation after British freed us.

Almost every year sensing probable disturbances from the so called unwanted elements but who are in reality the citizen of the country, security has been beefed up across the country particularly in the capital city New Delhi where the main function of the day is going to observe. In the state of Manipur too the state government is working out whole heartedly to celebrate the day. Security has been beefed up across the state to foil any attempt to sabotage the celebration in the wake of the rebel threats to boycott the most important event of the country. The government has logistic reason to take extra ordinary care for grandeur celebration of the day. Having said so failure to keep the mind free to all the citizen who want to celebrate is a sign that proves that India still is yet to become a successful nation.

In the present context there is no guarantee that various anti social internal forces which are being fuelled by external elements will not try to sabotage the celebration of the day. And every action is justified even though it breaches the privacy of some of the responsible citizen of the country.

The search operation being underway at various part of Manipur as security measures to ensure the Independence Day celebration might also have logistic and justifiable reason. It is the duty of the law enforcers to filter the anti social elements which are potential of making disturbances to the Independence Day celebration. But what need to be properly define is that - Are the law enforcing agency disturbed every citizen in the name of searching anti social elements from a specific area. Is the kind of so called cordon and search area at we hour acceptable by the law of the land. Is the law of the land empowered the government authority to harass the citizen by making them stand for hours in the name of flushing the anti social elements? Since the last few days many people, mostly innocent civilians were called out from their homes and make them stand for hours while the police are conducting verification of one after another. Some were reported to have been picked up for further verification but almost every one of them was released the next day. The kind of message which literary means that the search operations were conducted not only for filtering the outlaws but also to prove to the higher authority on the kind of security measures they are taking up.

So when the police are all out to their way to please their authority, they are harassing the local people who are preparing themselves to celebrate the Independence Day. While standing in row for hours while the men in *khakhi* are verifying one after another, the kind of thinking that, "Are we the second class citizen?" sometimes comes to the mind.

When the state government needs to seriously tackle with those civil society organisation leaders who had openly announced to stay away for the Independence Day celebration, one wonder why they have been directing the police to harass the people in the name of conducting search operation. 72 years is a long year to recognise the importance of human rights of the people.

It is time that government of the free India needs to throw away the colonial attitude of the British government, by reconstituting the nation in the right way correcting the wrongs.

# SCANDALOUS LOKTAK LAKE MISMANAGEMENT

By - Jiten Yumnam

Often referred to as the mirror of Manipur, the Loktak Lake continues to be embroiled in endless controversies. One will not disagree that the Loktak Lake, a primary source of livelihood, cultures and traditions of different indigenous peoples of Manipur, is currently afflicted with deep mayhem. On 12 October 2012, the Tehelka, a New Delhi based magazine, exposed how the Government of Manipur indulged itself in a ridiculous mismanagement of Loktak Lake colluding with several corporate bodies in a "phumdi" clean up contract worth Rs. 224 Crores.

Tehelka questions how a company, K-Pro Infra Works Limited with only 10 lakhs as paid up capital and existing only on paper with none living in the residential flat claimed to be its office in New Delhi received the multi-crores work orders for "Management of Phumdis in the Loktak Lake". K-Pro also turned out to be a brand new corporate body formed only on 22 June 2009 much after the tender notice of Loktak Development Authority (LDA) on 4 June 2009.

One wonders how an absolutely unknown company, who have no work experience, manage to get a multi-Crore project within days of its formation. Despite K-pro the lone bidder, it received the work contracts in violation of the Central Public Works Department norms, which requires at least three bidders for such tenders. Tehelka further questions the hidden agenda of K-pro teaming up with Progressive Constructions Limited (PCL), based in Hyderabad, which received the initial short term work order for phumdi clearance during 2007-2008, without any tender notice etc.

In more technical question related to procedural lapses and signs of high favouritism, question emanates as to why K-pro was given an interest free mobilization advance in violation of CPWD norms. Though the LDA attempts to clarify some of the issues raised by Tehelka through its media circular on 18 October 2012, there are no appropriate answers as LDA tries to justify the questionable decisions of the Government of Manipur due to Planning Department's insistence for speedy cleanup process and slow pace of work by PCL etc. The questions still remain open and one hopes, there's some logical conclusions in days to come.

The nature, intent and lack of transparency of awarding contracts, issues of favouritism, violations of all norms of awarding contracts etc, the legitimacy and experience of the K-Pro company to clean Loktak Lake, the accountability issues, the community participation in Loktak Lake management etc are some key problematic areas emerged out of the ongoing ruckus. The much hyped up efforts to clean up the Phumdis from Loktak Lake by the Loktak Development Authority with K-Pro company, an unknown company, before the award of the contract in 2009 under the controversial Manipur Loktak Lake Protection Act, 2006 (LPA 2006) has already led to the arsoning of floating phum huts and eviction of fisherfolk communities in and around the Loktak Lake in November 2011.<sup>5</sup>

The communities depending on Loktak Lake not only received blames as polluters of Loktak Lake but are also subjected to forced eviction and State brutalities. Never has the Government of Manipur so efficient and swift in implementing any activities less for the merciless arsoning and evicting nearly one thousand traditional phum floating huts used for fishing in November 2011. In sharp contrast, the French

Government supported Imphal Sewerage Project, which should actually be minimizing the pollution of Loktak Lake, is dragging almost a decade's time causing enormous inconveniences to the denizens of Imphal. In the case of Loktak evictions, the Government through LDA used all its machineries, the law enforcers, the paramilitary forces in the eviction. One wonders why the contradictions, inconsistencies and also the unnatural expression of full state fury to guardians of the Loktak Lake and for whose interests and gains.

Communities depending on the Loktak Lake have long experienced sleepless nights and arduous moments ever since the commissioning of the Loktak Multipurpose Hydroelectric project in 1984. The fate of both Loktak Lake and the communities are increasingly uncertain. The project, not only submerged more than 83,000 hectares of prime agricultural land, displaced several thousands of people, but also devastated Loktak Lake ecosystem leading to extinction of several endemic plant and animal species.<sup>6</sup> Communities affected by the project are yet to be resettled and rehabilitated.<sup>7</sup> The communities also underwent several moments of displacements and human rights violations due to military operations in Loktak Lake, such as Loktak Operation in 1999, Operation Summer Storm in 2008<sup>8</sup> etc.

One wonders who is actually monitoring the processes and impact of the cleaning up of Phumdis by K-pro. And if so, whether it's done in a participatory and transparent process and as such, the Loktak Lake cleaning up processes by K-Pro, PCL and LDA involves a big accountability issues. K-pro is supposedly earning Rs. 44 Lakhs every day even if it does not work. Communities depending in Loktak Lake are already witness to the dubious means used by K-Pro companies for Loktak Lake clean up. Explorations in interior areas of Loktak Lake inaccessible to JCBs and machineries of K-Pro would reveal that bamboos are extensively used to hold phumdis, which are fast proliferating too. Will K-Pro and LDA hold this phumdis with bamboos till final release of funds from Planning Commission in March 2013?

The blocking of the Manipur River which drains the waters from Loktak Lake down to the Chindwin and Irrawady Rivers in Myanmar by the Ithai Barrage of Loktak Project and the rapid urbanization in Imphal and unchecked sewage and sewerage discharge from Satellite towns around Loktak Lake are key reasons of phumdi proliferations in the Lake. Earlier communities regulate phumdis by cutting and discharging excessive Phumdis through Manipur River and now it's impossible as Ithai Barrage blocks the Manipur River perennially. Has the Government ever taken seriously what natural Loktak Lake cleaning processes has been disturbed and what new factors led to proliferation of Phumdis in the lake. The irony is phumdis will continue to fast proliferate so long as the natural processes of cleaning itself continue to be disturbed. This natural process needs be revived, no temporary solutions will work.

One needs to seriously introspect why the need for phumdi clearance and whether phumdis can actually be cleaned up from Loktak Lake. And is it really possible for Loktak Lake to be free of Phumdis? Communities in Loktak Lake has long maintained Phumdis are key to

maintain the health of Loktak Lake, contributing in the biodiversity of Loktak Lake, and that there has to be a balanced approach in the management. Has there been any participatory process and consultations with the communities in Manipur to manage the phumdis in Loktak Lake?

Can phumdis be cleared only with JCB's, water masters and heavy equipments from the vast expanse of the Lake? Has the Government ever and actually thought of alternatives? Has the LDA or the government ever studied the existing various traditional community practices of cleaning up the Lake? Ultimately, how sincere is the government and the corporate bodies to clean up Loktak Lake. One wonders what's the next multi Crores cleanup plan of Loktak Lake after March 2013, where the current controversial cleanup project is envisaged to end?

The efforts to clean up the Loktak Lake are also fraught with misinformation and failure to address the root cause of the deteriorating condition of Loktak Lake. For instance, the challenges and issues arising out of the much condemned Loktak Multipurpose Hydroelectric Project has never been acknowledged. The findings of academic or scientific communities hinting the multifaceted problems emanating from Ithai Barrage of Loktak project never been responded. There is no effort to understand the intrinsic interrelationship of the communities with the Lake, which transcends beyond mere physical relationships.

The cleaning up process of K-pro is also problematic as communities living in and around the lake who's been engaging themselves in cleaning and maintaining the Loktak Lake through their traditional knowledge and practices are excluded and their role and responsibilities undermined. Rather, communities are blamed for the deteriorating condition of Loktak Lake. There is heavy politics of blame games and deep within such politics, there are people who indulged in broad day light robbery. There is strong correlation between the phumdi cleaning drive and the eviction drive of communities. The fisherfolk communities in and around Loktak Lake are one of the most vulnerable and most marginalized communities of Manipur. However, they are forced to suffer for the benefit of just few.

One key concern with Loktak lake management is increasing corporatization of the process. The Loktak Development Authority is increasingly serving the corporate interest of the National Hydroelectric Power Corporation (NHPC), the project proponent of Loktak Project. The terms and agreement between government of Manipur and NHPC continues to be shrouded in mystery. The Lake is increasingly converted into commodities for corporate bodies to exploit and gain maximum profits at the cost of the communities depending on it for survival.

The Manipur Loktak Lake Protection Act, 2006 clearly outlined the need for maintaining both quantity and quality of Loktak Lake for NHPC to reap profits from Loktak Project. It's becoming clear that corporate bodies, such as NHPC, the K-Pro, PCL companies has assumed full ownership of Loktak Lake while forcefully evicting the communities out from Loktak Lake, in a clear disrespect and dishonoring the intrinsic relationship of communities with their land, wetlands and nature, all unaccountability for the devastations and violations to communities rights. Unfortunately, corporate bodies like the NHPC, PCL etc enjoys full political, bureaucratic and military patronage

as communities are victimized and pauperized.

Loktak Lake is already a designated as Ramsar Protected Site under the Ramsar Convention and one of the key obligations of the Government is to ensure that communities depending on Loktak Wetlands are fully involved in all management process of the Lake as also endorsed by the resolution VII.8 and VIII.19 of Ramsar Convention's Conference of contracting parties held at Costa Rica in May 1999 and at Spain in November 2002. Notwithstanding these resolutions, fisher folk communities of Loktak Lake are evicted and their intrinsic survival dependence on the Lake curtailed. The efforts of the Loktak Development Authority are more to ensure government control of Wetlands and not for its conservation. True conservation would begin with the communities living with the wetland for generations.

With diverse positions emerged on the controversial cleanup process, it's absolutely important to establish all facts and circumstances of the decisions, all procedural violations and impacts on communities. It is high time for the Government to commission an inquiry by an impartial and credible body to investigate the scandalous phumdi clearance process in Loktak Lake, including processes of awarding contract to K-Pro Infra Works Private Ltd in 2009 and the role of Progressive Construction Limited and the Government of Manipur in such scandals. The nature of awarding contracts, the trend of work implementation, the overall impacts of the works implemented till date, the correlation of Loktak Lake clean up and eviction in Loktak Lake must be fully investigated. The investigation should also cover the correlation of phumdi clearance by K-Pro and arsoning of floating huts, forced eviction and displacement of several thousands of fishing communities from Loktak Lake.

Special investigation is also needed to ascertain as to how the physical health and integrity of Loktak Lake is deteriorating after the commissioning of the Loktak Hydroelectric Project and after enactment of the Manipur Loktak Lake Protection Act, 2006 (LPA) and suggest appropriate action, including to decommission the Ithai Barrage and implement the recommendations of World Commission on Dams, 2000. The LPA Act, 2006 is more focused on control and administration of wetlands by the government, which is very much evident by the trend of violent arsoning of floating huts in Loktak Lake in end 2011. And as such, there should be consideration for repeal of the Act and instead formulate the Manipur Fisherfolks Rights and Welfare Act.

The government should take appropriate steps to formulate a comprehensive Wetlands Management Policies in Manipur with community participation as per guidelines of Ramsar Convention for Community participation and also in accordance with UN Declaration on the Rights of Indigenous Peoples, which outlined indigenous peoples rights to manage and control their land, territories and resources and also to participate in all decision making process affecting their land and resources. It is also high time to stop all forms of corporatization and privatization of Loktak Lake. It's too risky for a wetlands of international importance like Loktak Lake to be left to the clout of profit mongering selfish few groups of people and corporations in complete inconsideration and insensitivity of the delicate symbiotic relationship of peoples and wetlands.

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