

Indira Sagar oustees

The NBA will file contempt petition against officials

Press Note, Narmada Bachao Andolan

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**High Court orders Government to produce back water levels
Water level to be maintained at 245 meters till next hearing on 18th July
No coercive measures be taken against oustees
Narmada Bachao Andolan will file contempt petition against officials.**

In the hearing on the public interest litigation filed by the Narmada Bachao Andolan in the matter relating to the rehabilitation of the Indira Sagar oustees, the State Government today gave a proposal to keep the water level at the dam at 258 metres. However on being asked to produce full statistics related to the number of villages and families affected by the backwaters of the dam and the status of their rehabilitation, the State Government and the NHDC stated that these were not available with them and they would be able to compute and produce them only within the next 15 days. The next hearing was fixed for the 18th of July 2005. The Court ordered that the water level at the dam not allowed to be raised above 245 meters and that no coercive measures be taken against the oustees.

When the Narmada Bachao Andolan drew the attention of the Honorable High Court to the fact that the officials are violating the Court Orders with impunity, the High Court said that a Contempt petition may be filed in this regard. In this context, the NBA will file a Contempt Petition against Collector and S.P. Dewas, General Manager, NHDC Shri J.P. Sharma and Land Acquisition Officer, NHDC, Harda and against other officials.

It may be noted that the NBA had demanded in its petition that since thousands of families from the 91 villages being submerged this year have not been rehabilitated yet and since thousands of families who will be additionally affected by the backwaters have not been identified nor the backwaters computed, this would constitute clear violation of the Orders of the Supreme Court and the Narmada Water Disputes Tribunal Award, and that therefore the gates of the dam be kept open and the water levels be kept till 245 meters.

Honorable Chief Justice Shri RV Ravindran and Justice S.S. Kemkar heard the case for three consecutive days on the 29th and 30th of June and the 1st of July. Senior Counsel Shri NS Kale and the Petitioner Ms. Chittaroopa Palit placed the arguments from the side of the Petitioners, while Advocate General Shri RN Singh argued for the State Government and the Narmada Hydro-development corporation (NHDC).

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