

POSCO NIGHTMARE

## Tears and Blood for 4000 families

[With the clearance of POSCO project by the Ministry of Environment what awaits in store is more bloodshed. POSCO Pratirodh Sangram Samiti issued the following statement on May 3, 2011 detailing the facts about the notorious project]

May 2, 2011. In a sanctimonious order riddled with lies and distortions, the Environment Ministry allowed the POSCO project at Jagatsinghpur, Odisha state, India to proceed. The livelihoods of 4000 families (over 20000 people) and the laws of the land have been sold to the highest bidder. Certain facts should be brought to the notice of the public:

- \* On July 30, 2009, the Ministry said every State government is "required to enclose" certificates from gram sabhas saying the Forest Rights Act has been implemented and that they consent to the diversion. On January 8th, 2010, the Ministry said the forest clearance for POSCO is subject to compliance with this order. But the State government has not complied with these conditions. The Ministry's own Forest Advisory Committee, and the Enquiry Committee, said that the conditions have not been complied with, the Odisha government is in violation of law and the forest clearance should be withdrawn. Documentary evidence has established before three different government committees that we are eligible under the Act. What exactly has changed, except the Ministry's decision to sell its soul in public?
- \* The Forest Rights Act has not been implemented in this area. The Odisha government itself sent a letter showing that no meeting was ever held; the "resolutions" they sent were signed by 34 people (out of 1900), which is not a valid meeting under law. Under section 4(5) of the Forest Rights Act, diverting forest land when the process is incomplete is a criminal offence. The Ministry itself quoted this section two weeks ago. Has the law changed between April 14th and now?
- \* But the Ministry dismissed the resolutions we sent—which were signed by more than 2000 people, the hard copies of which are with them—by accepting the lies of the Odisha government that quorum was not met. What happened to the quorum when it came to the resolutions sent by the Odisha government? Does 34 people become a quorum when the government sends the letter? Does the Ministry expect the people to believe this kind of blatant nonsense?
- \* The Minister states that he passed the order of July 2009 when he "was under no pressure or obligation to do so." We beg to differ -the law required it, as not just we but everyone from the Joint Parliamentary Committee to the Sonia Gandhi headed National Advisory Council has said. Apparently the Minister thinks he is not subject to any "obligation" to follow the law or respect people's rights.
- \* The order goes on to say that the "implementation of the FRA 2006 and August 2009 guideline is a learning and evolving process..." We are not familiar with this novel concept. A law is either followed or not followed. In this case there is an order and a law. They have not been implemented, and to allow the forest land to be taken without implementing them is a criminal offence under two laws. A crime cannot be "a learning and evolving process."
- \* This morning we asked if the Ministry sees its statutory authority as a "joke to be toyed with" by a State government that has lied about everything from whether the land was forest in 1930 to whether it has implemented the FRA. The lies are on record in black and white before the Ministry. The Minister keeps repeating that he must "repose trust in the

State government." He is charged with a responsibility under the Forest (Conservation) Act to ensure that forest land is only diverted in accordance with law and forest conservation. If he wants to "repose trust" in a State government that has lied on record to his Ministry, he is breaking his oath to the constitution and should resign.

Today is a sad day for Indian democracy. In January of this year we said that "it is not the meaningless orders of a mercenary government that will decide the fate of the POSCO project, but the tears and blood of our people." We have put our lives and our bodies on the line for six years to fight this project. We will do so for sixty more, but we will not allow this company to destroy our livelihoods, rob us of our lands and turn us into beggars so it can make super profits by taking India's resources for a pittance.

The Congress-led UPA government has again shown how little the lives or rights of people mean to it - it has torn its own "landmark law" to shreds, it is pushing a project that its own Enquiry Committee called an environmental disaster in the making, and now it tells us, through its Minister, that it is not merely "doing the right thing but doing the thing right." History will remember these words when our people rise as one to defend justice, in the face of the bullets and crimes of this very government, and the fight for justice will go on. □