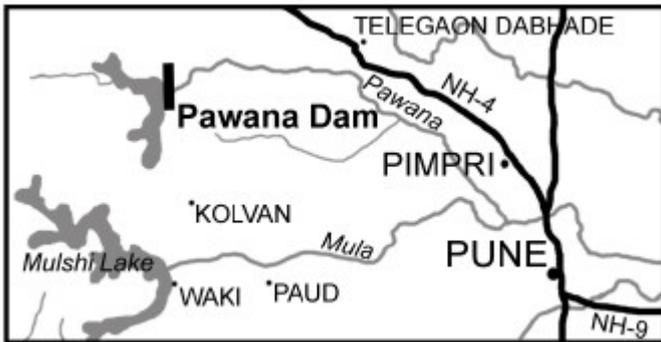


## The Curious Case of Bachchan Land Episode

### The Prosperous grab displaced farmers' land

The curious case of Mr Amitabh Bachchan first buying the land acquired from the dam displaced and then making an attempt to donate that land reveals a lot about how the Indian state and society treats its people. The case may seem like being full of a lot of symbolism, but the symbolisms are all bursting with very significant substance and raise many questions.



The land in question, at Pol in Maval Taluka in Pune district in Maharashtra was forcibly acquired from the farmers for the Pawana Dam. The Pawana dam has been built on Pawana River in Upper Bhima basin (tributary of Krishna Basin). The construction was completed in 1972, so the land must have been acquired in 1960s.

The controversial piece of land was purchased in the name of Amitabh and his son Abhishek Bachchan in the year 2000. However, as per section 63 of the Bombay Tenancy and Agricultural Lands Act 1948, no person can purchase agricultural land in Maharashtra if he is not a farmer. To fulfill this requirement, Mr Bachchan had submitted the certificate that he was a farmer and was in possession of land at Barabanki district in Uttar Pradesh since January 11, 1983. The Pune district collector had ordered an inquiry into the land purchase following reports in April 2005 when villagers objecting to the purchase. In March 2006 the Pune Collector had written to the Barabanki District Magistrate for authentication of Bachchan's testimonial.

On March 24, 2006, the then district magistrate of Barabanki had cancelled the allotment of three bighas of gram sabha land in Daulatpur village of Barabanki district in Uttar Pradesh to Mr Bachchan on the ground that the entries passed in the revenue record regarding the allotment appeared forged. Also, there was no information regarding the change in allotment in the files available with the record room of the revenue dept. It was also revealed that the records had no document whatsoever, which could explain the basis on which the entries regarding the allotment of land to Bachchan were made. Mr Bachchan's lawyer filed a review petition against this order to seek cancellation of the order of March 24, 2006.

Faizabad district court of Uttar Pradesh on 1<sup>st</sup> June, 2007 court upheld the cancellation land allotted to Mr Bachchan in Barabanki. Faizabad additional commissioner ruled that entry in the land records declaring Mr Bachchan as the owner of the particular plot of land was "tampered and forged".

On July 19 2007, the Maharashtra Revenue Minister said that Pune Divisional Commissioner had received a letter from Mr Bachchan, stating that he wanted to return the land in Pune District without any remuneration. This seemed like an attempt of King Akbar that was described by Birbal as *bund se gai so hoj se...* The only difference being that in this case the *hoj* seems smaller than the *bund*.

**The Dam Affected** The Representative of Maval Taluka Dam-affected Farmers Association Mr Baba Adhav said that there are 832 farmers affected by the Pawana dam who have not got alternative land. He also demanded that the 327 acres of acquired land left unused after construction of the dam should be returned to the farmers concerned. The Association has demanded a probe through a judicial commission in these deals as many film stars and other non-farmers have bought huge land plots in Maval taluka. The Pawana backwaters right up to Lonavala has been attracting film stars because of the scenic beauty and close proximity to the Pune-Mumbai expressway.

**The Questions** Many questions arise from this sequence of events, some of the important ones being:

- Why was more land than what was required for the dam acquired from the farmers?
- At the end of the construction, if it was realised that there was excess land, why was it not returned to the affected farmers?
- How can the state justify selling of such land that was forcibly acquired in the name of public purpose? The land was sold at cheap (compared to market rates) to film stars and such others, how can that be justified?
- How can film stars and such others, knowing that the land has been forcibly acquired after displacing farmers, buy such land?
- Why did the Maharashtra govt not check the authenticity of claims of Mr Bachchan and others when they bought the Pawana dam land? Particularly when it is clear that these luminaries are not farmers by any stretch of wildest Hindi film imagination?
- What respect society can have for those indulging in such mal practices?

It is not easy to find answers most of these questions.

## The dismal Performance of the Pawana Dam

The Pawana dam that now falls under the administration of the Maharashtra Krishna Valley Development Corp (MKVDC) has been built for the purpose of drinking water supply, hydropower and irrigation.

### Pawana Dam: Salient Features

Completion year	1972
River	Pawana
Dist	Pune
Type	Eath/Gravity/Masonary
Height (m)	42.37
Length (m)	1329
Gross storage (1000 m <sup>3</sup> )	305000
Live Storage (1000 m <sup>3</sup> )	274000
Reservoir Area (Ha)	2365
Purpose	Hydro/Water Supply
Installed Hydropower Capacity	10 MW

Source: Central Water Commission, 2001, Register of Indian Dams

The designed live storage capacity of the dam was 274 MCM, which now seems to have come down to 241 MCM, as per the website of the Maharashtra Govt's Irrigation Department. This is a reduction of over 12%.

The project supplies 228 MLD drinking water in Ravet village through an open canal for Pimpri-Chinchwad Municipal Corp (PCMC) in Pune district. The MKVDC had proposed to increase the height of the dam in the year 2001. The MKVDC had assured to supply additional 100 MLD water to PCMC, over and above the current daily quota of 228 MLD, if the PCMC issues a grant of Rs 12 crore towards increasing the height of Pawana dam. The PCMC needs the additional quota of 100 MLD as it will help it to cater to the drinking water needs of the 18 fringe villages that had been merged in its limits. Also, the PCMC was not inclined to execute the Rs 64.5 crore pipeline project as the MKVDC had refused to reduce the raw water charges.

The figures giving the last three-year performance of the project is are given below.

### Performance of the Pawana Dam

		2003-04	2004-05	2005-06	2006-07
Live Storage (15 Oct) (MCM)		232.54	230.57	235.68	241
Water Use (MCM)	Irrigation	23.91	25.64	21.99	NA
	Non Irrigation	168.32	140.01	136.1	NA
	Total	192.23	165.65	158.09	NA
Evaporation (MCM)		15.72	23.31	17.55	NA
Hydropower generation (MU)		10	8	13.51	18.4

MCM: Million Cubic Meters; MU: Million Units; NA: Not available

According to the figures from the Water Audit report of Maharashtra, the dam was filled upto an average level of 85% and maximum level of 86% of the live storage capacity during 2003-04 to 2005-06. This signified under

utilisation of the live storage capacity of the dam. In spite of this situation, MKVDC has proposed increasing the height of the dam, which is difficult to justify when even the current capacity does not get filled up. The total water utilisation from the actual live storage was 82.67%, 70% and 67.08% in 2003-4, 2004-5 and 2005-6 respectively. This means that at least 17%, 30% & 33% of the stored water could not be utilised. This raises further doubts about justification for increasing the height of the dam when the existing storage is not utilised.

The Power generation at Pawana, starting from 1990-91 to 2006-7, have been, 9, 8, 9, 0, 0, 10, 7, 14, 18, 11, 8, 6, 14, 10, 8, 13.51 and 18.4 MU respectively. This comes to an average of 0.97 MU per MW installed capacity for Pawana Dam over these 17 years for which we could get figures. It means that the hydropower component has a load factor of just 11%. It is clear from these figures that Power generation at Pawana dam has been much below the potential for which the dam was constructed.

**Out of the 6365 ha of irrigation potential created by the dam, the project on an average could irrigate 2994 ha (47%) in the five years ending in 2002-3 and 3083 ha in 2003-4 (48.4%). This shows that the project performance on irrigation front is quite poor. And yet upto 32% of the water stored in the**

Out of the 6365 ha of irrigation potential created by the dam, the project could irrigate 2994 ha (47%) in the five years ending in 2002-3 and 3083 ha in 2003-4 (48.4%). This shows that the project performance on irrigation front is quite poor.

The Maharashtra govt takes pride in the fact that it has been able to publish the Water Audit and Irrigation Performance Benchmarking reports. However, a review of the last three years reports shows that the information given in these report is very inconsistency, making it difficult to either check inconsistencies or to analyse the performance of projects. To give an example, the benchmarking reports in 2004-05 and 2005-06 do not give the area irrigated by Pawana dam! Similarly the water audit reports do not give the figures of how much water was utilised from Pawana dam for irrigation, water supply and what are the loss figures.

If we look at the Krishna Valley Dams during these 17 years, the generation has been 2.74 MU per MW installed capacity. It is clear from this that even in comparison with hydropower projects in Krishna Basin, Pawana dam has been performing far below its potential. (The Times of India 020607, 230707, UNI 190707, Zeenews, Outlookindia.com, Report on Water Audit of irrigation Projects in Maharashtra, WRD Maharashtra – 2003-04, 2004-05, 2005-06, [www.cea.nic.in](http://www.cea.nic.in))

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