

**Public Statement on Supreme Court order on Inter Linking of Rivers
PLEASE PUT THE ORDER ON HOLD AND RECONSIDER**

A number of citizens have made a public statement, expressing serious concern about the Supreme Court's Order of Feb 27, 2012 on the Interlinking of Rivers Project. The statement endorsed by more than 60 persons has respectfully urged the Supreme Court to put this order on hold and reconsider the matter.

The statement first states the concerns relating to the propriety of the apex court making this specific order, and then proceeds to state the concerns relating to the Project itself. The full statement is copied below.

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**THE SUPREME COURT'S JUDGMENT ON THE RIVER-LINKING
PROJECT: A STATEMENT AND AN APPEAL BY CONCERNED
CITIZENS**

We, the signatories to this statement, wish to record our utmost concern at the Hon'ble Supreme Court's judgment of 27 February 2012 on the Inter-Linking of Rivers Project (ILR), on the following grounds:

(1) The judgment gives categorical directions to the Executive Government on a matter which is clearly in the executive domain, namely the implementation of a particular project.

(2) It gives the direction to implement the 'project', i.e., the grand design as a whole, at a time when none of the thirty projects that constitute that grand design has gone through the processes of examination, evaluation and approval and received final sanction. In fact, even the earlier stage of project formulation has not been completed in most cases; only three of the thirty projects have reached the Detailed Project Stage, and even these are not final.

(3) By declaring the project to be in the national interest it not only anticipates the result of the examination that is yet to take place, but also makes it extremely difficult for the various governmental

agencies and Ministries to undertake a rigorous and objective examination.

(4) Its reference to “the unanimous view of all experts” that the project is “in the national interest” is patently untrue, because there is a substantial body of expert opinion that is highly critical of the project. Such a serious error would not have occurred if there had been consultations with scholars of various disciplines who have given thought to the matter.

(5) It fails to take note of, or treats lightly, the strong dissent on the part of several State Governments.

(6) The following is a succinct statement of the case against the project:

(i) Instead of starting from the identification of the needs of water-scarce areas and finding area-specific answers, the project starts by looking at a map of India, decides *a priori* that the rivers of India can and should be linked, and then proceeds to consider the modalities of doing so. This is a reckless and major redesigning of the geography of the country.

(ii) The related ideas of a ‘national water grid’ or the ‘networking of rivers’ give evidence of profoundly wrong thinking about rivers. Rivers are not pipelines.

(iii) The grand design consisting of 30 projects involving upwards of 80 dams is bound to have major environmental/ecological consequences, which might even be disastrous in some cases. Each dam will also mean the displacement of people to varying extents, and may cause injustice and hardship.

(iv) The Project is at variance with the growing recognition that it is necessary to move away from the long-standing engineering tradition of a supply-side response to a projected or imagined demand, and towards restraining the growth of competitive unsustainable demand for water in all uses.

(v) Assuming that some augmentation of supply is necessary, the project fails to consider alternative possibilities, of which there are several very good examples.

(vi) The idea of transferring flood waters to arid or drought-prone areas is flawed because (a) there will be hardly any flood-moderation; and (b) this project will be of no use at all to the drylands and uplands of the country.

(vii) The idea of transferring water from surplus to deficit basins is equally flawed because the very notions of 'surplus' and 'deficit' are highly problematic. The idea of a 'surplus' river ignores the multiple purposes that it serves as it flows and joins the sea, and that of a 'deficit' river is based on 'demands' on its waters derived from wasteful uses of water.

(viii) Careful, economical, conflict-free and sustainable intra-basin management should come first, and bringing water from elsewhere should be the last recourse.

(ix) The project holds the potential of generating new conflicts between basins.

(x) There are international dimensions to this project. Both Nepal and Bangladesh have expressed serious apprehensions that need to be taken into account.

Having regard to the points made above, we, the undersigned, would earnestly and respectfully urge the Hon'ble Supreme Court to put the judgment on hold and undertake a careful reconsideration of the entire matter. We would also respectfully suggest a study of the available literature on the subject, and consultations with several distinguished critics of the project.

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