Jaladhikar :
Water an *Element* of Life
A Research Document

जलाधिकार

Jal,
Vayu,
Agani, Aakash
and Prithvi are
elements of life. All these
constitute life. Water is one of
the basic element on the earth as
well as it is part of life. In other words
we can say that water symbolizes
human existence. Scientists are
searching water at Moon to live.
Life can not exist without water
on this planet.

Jaladhikar
(A project of Center for Social Justice and Democracy, CSJD)

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GROUP DISCUSSION ON
DRAFT DOCUMENT ON WATER

4th March, 2012,
India International Centre, New Delhi

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Acknowledgement :

Over the past few months, in our efforts to understand the issue relating to this important element, we came across plethora of stack holders without who's active encouragement, guidance and constructive interactions this document would not have been possible. We thank all of them. Particularly Shri Avadhesh Upadhyay, Shri Diwan Singh, Shri B S Kalra, Shri Manoj Mittal and Shri Prakash Gaur for their valuable inputs in the document.

This issue involves common men and unless you meet the masses you cannot grasp its true significance. We acknowledge all participants in the discussion on the draft document held at India International Centre, who's names are given in the annexture. We will also like to mention our sincere gratitude to the panelist for the 22nd March, 2012 national convention on water, who have agreed to guide us in this endeavour. All our executive members and volunteers also deserve special mention for their continuos support and effort to make this movement a success.

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Foreword

India at present is caught in a dilemma. The western countries wants us to believe; that the economic thinking has to be within a closed jacket and the perceived solutions are based on certain assumptions which are sacrosanct. There can't be any deviations.

But the fact is that the basic tenets or parameter of capitalist economy are subject to scrutiny. In addition to materialistic world view there is an spiritual aspect to human existence. Where all our actions are guided by natural laws without any interference of subjective considerations. These subjective considerations usually acts as divisive force to universal brotherhood.

India is at the brink of resurgent economic cycle. Every decision at this juncture will effect its future. Future of humanity to a large extent will also depend on India's decision. India has a deep routed philosophical thought in the form of मानव दर्शन. Individual is not supposed to be the exploiter of nature but is considered to be the part of the ecological system complimenting each other.

We believe that the world is made of five basic elements पंचतत्त्व, these are adequately provided by the nature. The purity of these elements has to be maintained and preserved. The day nature is exploited, its balance will be disturbed. This will lead to ecological imbalances and destruction of life.

The concept of private ownership and commercialization of any of these elements is not in the interest of humanity. A concept, which is not good for the humanity can never be beneficial to a Nation.

We found that there was a general consensus on the issue, in a series of our discussions and deliberations on the subject with various stack holders including courts and the government. But still at the implementation level there was a complete divergence. All governmental

actions points towards creating private property with regards to water and its commercialization as a commodity in the name of conservation of this resource. This is being done under the garb of public private partnership (PPP) of distribution and maintenance. This dilemma of the policy maker, whether intentional or otherwise has to be exposed and checked.

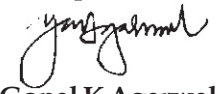
At present we have two categories; an effluent and a powerful class which has dominance on every aspect of our policy making and its implementation. They can afford everything. For them availability is more important then affordability. In their business model, scarcity and commercialization is a means of creating wealth. Though we believe, that the private ownership is a major motivator of entrepreneurship and generation of wealth, but our primary concern is the other class i.e. the common men. Who, under the baggage of historical conditions of subversion and exploitation been left behind in the race.

The society should be structured in a way that all its components or the stack holders are taken care of, without any discrimination of caste, creed, religion or wealth. The government is duty bound to provide for the basic needs of all the citizens of the country. This duty has been cast on it under the adopted constitution by the People of this Sovereign, Democratic, Secular, Republic.

To bring out all these aspects and have a healthy debate on the subject, we at Jaladhikar have been holding discussions, seminars, mass awareness programs and campaigns. This document is a part of our efforts in this direction. I along with my colleagues and co thinkers, hope that we will arrive to a similar conclusion and adopt the Resolution given in the end and agree to most part of this document. We have painstakingly tried to incorporate major thoughts of all of us.

If the mood of the Civil Society movements of the recent past are any indicator, than any adamancy on the part of the powerful about ignoring the aspirations of the common men will lead to major unrest. I have been very closely related to all these movements from the beginning and there has been a feeling that, in dealing with the common men, the ruling class is not sincere in its approach. All political and social dispensations in the country have to be aware of this aspect.

Success of any movement requires intellectual content and determined actions on the ground. With both these in place, we hope our movement will succeed in creating the right atmosphere for the all round development of our Country.



Gopal K Agarwal
President

Date : 22nd March, 2012

John F Kennedy once said *'anyone who can solve the problem of water will be worthy of two Noble prizes – one for peace and one for science.'*

H.H. Pujya Swami Chidanand Saraswatiji
President, Parmarth Niketan

Dear Divine Souls,

Jai Gange!

I am so glad that Jaladhikar, a project of Center for Social Justice and Democracy, is organizing a National Convention on Water. As Mahatma Gandhiji said, "There is always enough to satisfy every man's need, but never enough for one man's greed." This is the case for the water crisis that we are facing today. Over-exploitation and over-extraction of our water resources, one of the most fundamental and vital elements of existence, is not only a sign of man's greed but sas become an act of violence or hinsa onto our environment and all living organisms within it.

India's major rivers the Ganga and the Yamuna are an example of this violence that has been perpetrated by the mismanagement and the greed of a few. In the last fifteen years what we considered the river Yamuna has not had a drop of its original and pristine waters. Ninety-seven percent of Yamuna is diverted from Yamunotri at its very origin! Delhi, on an average, extracts 240 million gallons per day (MGD) from the Yamuna for its fresh water needs, and releases 950 MGD of untreated sewage, rendering the once life-giving river nothing but gutter water. The exploitation, abuse and pollution of our water bodies is by far the most grave concern we face in India today.

The situation of Mother Ganga is also direly grim. The human rights crisis of the polluted waters of the Ganga River have become a growing concern for not only the Indian nation, for whom it is their very national identity, but also for the international community as well. It is common knowledge that the Ganga River feeds one-third of India's population, providing 25% of India's water resources, and irrigates over 40% of the total irrigated land in India. More than 450 million people are dependent upon Her for their very lives and livelihoods.

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The Ganga basin system is the most populous of any living river system, home to a population that is equivalent to nearly eight of the most populous European countries put together. Clearly the Ganga is the life-blood of India. However, nearly 50% of India's poor live on Her banks and Her polluted waters take nearly one million lives each year due to waterborne illness such as typhoid and diarrhea. It's a grave tragedy that so many innocent and preventable deaths occur every year and we as a nation, as a global family have not been able to come together to find and implement an effective solution.

It is indeed true that in the next few years the biggest challenge will be one of WATER. If we remain divided and split in this challenge then a world water war is not far from sight. But is this the way we wish to proceed and is this the future that we want to hand to the next generation?

Water IS life and a basic human necessity, which goes beyond any creed or caste and is universal. Provision of clean water is a basic human right to which all individuals are entitled. Therefore, it is time now that we must work together as one global family in the spirit of Vasudhaiva Kutumbakam, joining hands as one in this challenge. Maintaining our individual identities, while uniting our strengths, we must walk together and serve together as one Ganga Action Parivar.

It is with great pride that I welcome you to the Ganga Action Parivar. In our Parivar, only Ganga Maiya is the head of the family. There is no hierarchy. We are all sevaks who have joined hands to use our time, energy, experience and efforts in Her divine seva. Join us on www.gangaaction.com to find out the many ways that you can help! It is only by working together that can we address the challenges that face our world and ensure a better, brighter, and greener future for the next generations.

It will be wonderful if you organize your next conference here at Parmarth Niketan in Rishikesh. We can make all the arrangements here at your own Himalayan home. Please know you are always welcome.

My love and blessings are with you for a fruitful conference.

In the Service of God and humanity,

Swami Chidanand Saraswati

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CHAPTER-I

WATER AS FUNDAMENTAL RIGHT

Water, like air, is provided by nature for free and man has been using it as such for millennia now. 'The state is a trustee of all natural resources.' This doctrine of Trust *rests on the principle that certain resources like air, sea, waters, and the forests have such a great importance to the people as a whole that it would be wholly unjustified to make them a subject of private ownership. The said resources being a gift of nature, should be made freely available to everyone irrespective of their status in life. The doctrine enjoins upon the government to protect the resources for the benefit of the general public rather than to permit their use for private ownership or commercial purpose. (As stated in the* decision of the Supreme Court in M.C. Mehta vs Kamal Nath (1997) and The Kerala High Court in Coca Cola case (December 16, 2003) Accordingly, the state has the power to manage the resources within the constraints imposed by this arrangement and cannot usurp the ownership of water (or any other natural resource for that matter) from the public.

Access to water has been recognized as one of the fundamental rights all across the world. The right to life guaranteed by most of the countries would be meaningless without the right to water. In Narmada Bachao Andolan vs Union of India (2000), the Hon'ble Supreme Court said that "water is the basic need for the survival of human beings and is a part of right to life and human rights as enshrined in Article 21 of the Constitution of India". The Andhra Pradesh High Court in Wasim Ahmed Khan v Govt of AP (2002 (5) ALT 526) held that the right to safe drinking water is a fundamental right and cannot be denied to citizens even on the grounds of paucity of funds. Kerala High Court in VKKSS V/S State of Kerala said,

"We have no hesitation to hold that failure of the State to provide safe drinking water to the citizens in adequate quantities would amount to violation of the fundamental right to life enshrined in Article 21 of the Constitution of India and would be a violation of human rights. Therefore, every Government, which has its priorities right, should give foremost importance to providing safe drinking water even at the cost of other development programmes. Nothing shall stand in its way whether it is lack of funds or other infrastructure. Ways and means have to be found out at all costs with utmost expediency instead of restricting action in that regard to mere lip service."

There are countries in the world where the Constitution explicitly recognizes a fundamental right to water. The South African constitution says, 'everyone has the right to have access to sufficient water'. Ecuadorian constitution says 'the human right to water is fundamental and irrenounceable'.

The National Commission to Review the Working of the Constitution (NCRWC) headed by former CJI M.N. Venkatachellaiah, which submitted its report on 31st March 2002, recommended the explicit inclusion of right to water as fundamental right. The commission recommended inclusion of Article 30 D which read as:

Art. 30-D. Right to safe drinking water, prevention of pollution, conservation of ecology and sustainable development -

Every person shall have the right –

(a) to safe drinking water;

(b) to an environment that is not harmful to one's health or well-being… … … … ….

The declaration of access to water coming under right to life would be meaningless if affordability (provision of water for only those who can pay for it) is brought into the picture. It would be absurd saying that the state would guarantee the right to life to only those who can pay for it. The whole purpose for the existence of the state is to ensure basic necessities to all its citizens irrespective of their economic standing. In fact, only when the state ensures such provisions its citizens can achieve their full potential. Therefore, it is accepted that the State has the primary responsibility for providing water to all its citizens.

CHAPTER - II

WATER PRIVATIZATION

Creating Private Property in Water: In Whose Interest?

Of late, a lot is being heard about water and its privatization. When the government finally decides to privatize water, like all other government policies, it too would be done in stated 'public interest'. It is therefore, ironical that than why we do not hear the demand for water privatization coming from the public. Why the state that swears to always act in the interest of the public ends up harming it?

Arguments for Privatisation

Higher investment : Poor financial health of public utilities is cited as the main reason for poor water supply, both in terms of quality, quantity and coverage. Privatization argument claimes that the governments lacks necessary financial resources to step up investment in this sector. And private sector, with its deep pockets, would bring in the much needed investment which would increase the coverage of water supply network and improve the quality and quantity of water supplied.

Better quality of service : According to the advocates of privatization, the private player would not only improve the quality of services but also be more responsive to the needs of the consumers It would have a functional grievance redressal mechanism and complaints would be promptly addressed. This will be in contrast to the impersonal, state owned public utility which is insensitive to the needs of the consumers.

Efficient utilization of water : There is a strong belief among the supporters of privatisation that people cannot act in socially responsible manners. Anything that is provided free or highly subsidized would surely be wasted. A differential (or progressive) pricing mechanism is suggested along with the carrot of cross subsidization for the poor. Since water would be priced people would be more careful in using it.

Arguments against water privatization

Higher investment but no lack of funds: Each and every person pays taxes, directly or indirectly, to the government. Government has sufficient funds to manage the basic needs of the people but there is lack of willpower. Government has not prioritized water

as the fundamental need of the people. Once the government gets its priorities right there will be no lack of funds and investments.

Private sector and efficiency : One of the strongest reasons propounded for the privatization of water is the presumed efficiency of the private sector. The hypothetical projected results with privatization have been accepted as biblical truth. Efficiency has nothing to do with the ownership and there are number of examples where the government sector is as efficient as the private sector, if not more. Water is one sector, which by its very nature, leads to the creation of monopolies. Therefore, the projected benefits of privatization would not accrue but it may lead to an outcome where water is auctioned to the highest bidder.

The scarcity argument : Looking at the water availability and demand data (actual as well as projected) there is no major scarcity at the aggregate level. Indeed, there are huge spatial and temporal variations in water availability that make the aggregate figures somewhat misleading, but it should be comforting to know that the country as a whole does not face water scarcity as such. According to the Central Water Commission, the 'estimated utilizable water resources' is 1123 billion cubic meters(bcm). If we look at the projected demand for the year 2025, a Standing Sub-Committee of Ministry of Water Resources put it at 1093 bcm. The National Commission on Integrated Water Resources Development (NCIWRD) has projected the total water demand for the year 2050 at 973 bcm under the 'low demand' scenario and at 1180 bcm under 'high demand' scenario.

'Full Cost' Recovery : Full cost recovery is being promoted as the Holy Grail. What is so sacrosanct about it that it has almost become an end in itself in the arguments forwarded by the champions of water privatization? A financially sound public water company might not need budgetary support from the state which the state can spend elsewhere but what are such priorities that need money diverted from expenditure on water supply? It's only when the basic human needs of *roti, kapda, makaan* are met the state can think of fulfilling its other obligations and till the time such needs remain unmet full cost recovery does not make any sense.

Full cost recovery is not only unnecessary but also quite ambiguous. It cannot be defined. A private water distribution company may provide Maruti 800 to its employees and add its cost to its expenditure or it may decide to provide them with Mercedes! It is not a mere theoretical possibility. Private companies are known to have 'gold plated' their investment to deny the rightful share of the governments. Cost also depends on the efficiency of the operator. A guaranteed full cost recovery would take away the incentive to carry on the operations efficiently since the profit would always be guaranteed.

Water Privatization and the International Financial Institutions

The Indian state has failed in meeting the basic needs of its citizens even after more than six decades of independence. This failure, instead of galvanizing the state into action to provide such basic necessities within shortest possible time, has led to a twisted argument in favour of market provisioning of public services. International institutions like the World Bank, IMF and agreements like WTO promote market mechanism as the panacea to all the ills plaguing the developing world countries like India. The structural adjustment policies of the early 1990s gave them a foothold in the country.They have been influencing policy decisions to serve their covert agenda of finding new markets for the multinational companies.

The World Bank and the International Monetary Fund (IMF) demand deregulation and a prominent role to the foreign private sector (in the name of level playing field) in countries as part of their lending conditions. According to a study out of 40 IMF loans disbursed through the international finance corporations in 2000, 12 had requirements for partial or full privatization of water supply, full cost recovery and elimination of subsidies. Similarly, over 40 percent of World Bank loans approved in 2001 for water and sanitation sector contain privatization of water utilities as a condition (C. Ramachandraiah).

Privatisation attempt in Delhi

There has been a consistent attempt by the government authorities to privatise water distribution in Delhi since the 1990s. An important part of the strategy to do it is by showing high leakage and NRW (Non Revenue Water) and claiming that privatizing distribution would bring it under control. This is to make it politically acceptable. A number of agencies like the World Bank, PwC, JICA (Japan International Cooperation Agency) have studied the Delhi water distribution system and shown high leakage and NRW. However according to sources the study done by the Boards own LD&I showed the actual real loss due to all kind of leakages at 0.129 MGD out of 840MGD supply (0.015%) as against JICA's assumption of 40% real loss due to leakages in DJB network which is completely misleading.

Experience with privatization of water

Most of the 'Public- Private Partnerships' (PPPs) have failed to fulfill the exaggerated promises made by their champions. The recent study by Marin analyses the performance of more than 65 major PPP contracts in the developing world on the basis of four indicators, namely, coverage expansion, quality of service, operational efficiency, and

tariff changes. It shows that very few of these contracts are satisfactory in more than one or two of these criteria (Marie-Helen Zerah et al).

Shivnath River, Chhattisgarh : The Chhattisgarh State Industries Development Corporation (CSIDC), which is in charge of industrial development in the state, commissioned the project to meet the demand on water in the Borai Industrial area situated on the banks of the Shivnath - a non-perennial river. As part of the project, a 23.6 km stretch of the river was ceded to Radius Water through a 22-year renewable contract, under which the company had absolute monopoly over the stretch of river water. In return, Radius Water would provide water to the CSIDC from the Shivnath during the lean 6 months. Furthermore, Radius Water's monopolistic deal with CSIDC and the water resources department covered ground water as well in an 18 km-radius covering the Borai industrial area. The company promptly prohibited fishing in the stretch of the river and also charged local farmers for access to water from tubewells. Ultimately, bowing to public demand and outcry the government had to scrap the deal.

Bolivia : Bolivia privatized the water subsystem in its third largest city Cochabamba in 1999 and granted a 40-year concession to run the water system to Italy based International Water Company and US based Bechtel, with an agreement that user fees would remain the same in dollars. So every time the local currency fell the price would spiral. Soon after bagging the contract the companies raised the water tariff to $20 per month and imposed permits for collecting rain water on roofs. After weeks of intense protests, the government cancelled the contract with private companies and turned the grant to the organization in 2000. Bechtel has dragged Bolivia to court for canceling the contract.

Nicaragua : To service the past debts of the country, the IMF has imposed several structural adjustment programs including fiscal austerity, privatization of water resources in 4 cities (Matagalpa, Jinotega, Chinandega, and Leon) and full cost recovery. In Matagalpa and Jinotega, where the privatization was implemented, the water price increased by 30% for residential customers thus affecting the majority of the population. This was in violation of existing laws requiring 30-day notice for price increase and fixed water tariff for 5 years. In response to public outcry, the National Assembly in Nicaragua unanimously passed a bill in August 2002 to suspend private profit making in the use of water. However, under pressure from international financial institutions, the president promptly vetoed the bill.

Adopted from (Water Privatisation and Implications in India) by Anitha Sampath et.al

Greater financial resources have almost never been materialized. In most of the cases the private companies just took over the existing infrastructure of the state run public utility company and no investment followed. Even when the private water companies borrow

money to invest, its cost would be passed on to the public. A private company's cost of borrowing would almost certainly be higher than that of a public utility company backed by state guarantee. Anyway, in most of the cases the operations of the latter are financed by taxes so they would charge less for water even under full cost recovery.

Problems with the water sector

Lack of investment : The government needs to step up investment in the sector, especially water supply to meet domestic needs. It is the single most important reason for the failure of the government to provide its citizens with adequate quantity of good quality water. Budgetary support to public water utility companies should be increased. Recognizing the right to water as a fundamental right would mean that investment in this sector would take priority over all other 'non-necessary' government expenditure.

Fragmented approach to water regulation : The water sector in India is characterized by a large number of authorities that leads to a fragmented approach. While the different National Water Policies have talked about national perspective for a better management of this natural resource, nothing has been done to achieve coherence in the regulation of this sector.

> *….the Ministry of Water Resource (MoWR) is the principle agency responsible for water in India but water pollution does not fall under its purview, nor does the industrial use of water. Similarly, the Ministry of Industry (MoI) is concerned with the planning and development of water resources for industrial use. It has no mandate to control or regulate water use by industries. The Central Groundwater Board (CGWB) is meant to regulate the groundwater quality and quantity in the country…they have no mandate to charge for industrial groundwater use. While the CPCB and state pollution control boards (SPCBs) regulate industrial water pollution and charge water cess based on the amount of wastewater discharged by the companies, they have no mandate to control sourcing of water from various sources. As a result, water conservation and pollution control measures have not shown any significant success (Aggarwal et al).*

Lack of local level participation : Despite the constitutional status accorded to the local level governments (by the 73rd and 74th amendment to the Constitution) they have not been given adequate power and responsibility in the management of local resources. As a result of this most of the public assets are not put to their optimal use by the government machinery. The Draft National Water Policy (NWP) 2012 may talk about the possibility of amending the Indian Easements Act, 1882 taking away the property rights in groundwater of the landowners, its effective implementation would be possible only if the local level water use committees are adequately empowered. There are a number of successful examples in various parts of the country where voluntary organisations have effectively regulated the use of groundwater to the benefit of all.

CHAPTER - III

STRATEGIES TO MEET WATER SHORTAGE

PRESERVATION & CONSERVATION- A RESPONSIBILITY FOR ALL

The demand for water is increasing with population growth, rapid urbanization and industrialization. The still unknown ways in which climate change would affect water supply also needs to be taken into account. All this calls for an informed decision making on the issues regarding water where the concerns of all the users, competing or otherwise, are taken into account.

Water demand management in Agriculture : Our agricultural production needs to double by the year 2050 to meet the requirements of an increasing population and changing dietary needs. A business as usual approach means that the amount of water required would also double. This is clearly not sustainable. In fact, the projected increase in demand for water use in agriculture by 2050 is only by 45%. Thus, some demand management is expected to take place. Agriculture being the major user of water in India, there is a need to adopt rational use of water in this sector. A small improvement in the efficiency of water use in irrigation sector will result in saving of substantial quantity of water which can be utilized either for increase in irrigated area or diverting the saved water to other sectors of water use. To achieve this there is need to develop appropriate cropping patterns, efficient water conveyance and application methods. New cultivation methods, like Systems of Rice Intensification (SRI) and its extension to other crops and new irrigation techniques, like drip and sprinkler irrigation should be promoted. Coarse grains which are less water consuming like *jowar, bajra, ragi* etc and which were a part of the staple diet of a large part of the population need to be popularized once again.

In a vast country like India, the management of natural resources, like water, cannot be undertaken by top down approach. Local traditional system of rights and enforcement mechanisms evolved by the communities has been made redundant by the imposed top down laws. However, umpteen numbers of successful programs in rain water harvesting implemented by the social leaders or local organizations have demonstrated that cost is not the constraint and the local community raised the whole amount through their personal contributions in cash and kind. In the absence of cumbersome procedures and rent seeking elements, the local community could accomplish the task at much lower cost with superior quality of construction. The immediate solutions provided by such

measures made such investments quite attractive and the local society reaped the benefits immediately. Therefore, such local level institutions need to be viewed as a platform for providing services in irrigation and common property resources like pasture lands and minor and major forests produce.

Constitutional (73rd Amendment) Act, 1993, have created a 3-tier *Panchayati Raj* Institutions (PRIs) for local self-governance, in which *Gram Panchayat* is the village level body of elected representatives. *Gram Sabha* (the general village assembly), which is inseparable part of *Gram Panchayat*, is the forum where all the villagers can influence decisions affecting their lives. But in practice despite devolution, state functionaries continue to have upper hand and there is hardly any diminution in their powers in post 73rd Amendment scenario. The proposals, financed out of state budget, are prepared by the state officials and wetted by the *Gram Panchayat* without discussions etc. In the process, the *Gram Panchayats* have come to stay as the lowest rung of bureaucratic delivery system and are not fully effective in empowering comman man. But, if the grants are not tied up and Gram Sabha is empowered to prioratize their requirement then they can become more effective in identification of needs and its implementation.

Unchecked urbanization is causing problem

We need to understand that water is a local resource. Habits of consumption and culture of conservation must develop accordingly. We have to give due importance to minimum flow requirement of rivers and their ecology. We have to understand and evaluate local natural resources and develop cultures of conservation around them.

Today, Delhi gets more than 60% supply of water from imported sources. It draws its water from three rivers: Yamuna, Sutlej- Beas and Ganga. The riparian states like Punjab, Haryana and U.P are highly based on agriculture and water table is showing rapid fall in most of these regions. The Central Ground Water Board has declared many districts in this region as Grey Zone due to their falling water tables. On other hand, we are overdrawing our own ground water in Delhi by 1.7 times its annual recharge. (Source: Water Mosaic of Delhi by Diwan Singh, a study done for UNESCO). Resultantly, the water table in Delhi too is falling rapidly. The urbanization of Delhi has happened far beyond its Carrying Capacity.

Huge transfers of water to far away places is stimulating human growth to its peak, to an unsustainable level. Its not only happening within countries but also internationally. The only way is to respect water as a local resource. At least, we should put a cap, say 50% on import of water from far away sources for meeting water demand in any region. Just imagine, if Delhi was to follow this rule; it would have conserved its flood plain, its water

bodies and pursued Rain water harvesting in a spirited manner. At the same time, it would not have urbanized itself beyond limits, the way it has now. The positive results would be: Delhi releasing less sewage; Mathura, Brindavan would have been culturally alive with a fresh water Yamuna; downstream Delhi farmers of Haryana, UP would have been growing less contaminated grains and vegetables; Haryana would not have been adopting such war like postures as being forced to do now; the air and water environment of Delhi would have been much safer; health costs of Delhites lower; environmental destruction and social costs due to dams would have been less as there would be less pressure to build more dams; and at same time water security of Delhi much better. The benefits would have been innumerable. Our fetish for human growth and development have made us do a silly mistake; forgetting that water is a local resource.

Revival of indigenous methods of water conservation

India has a rich legacy of water-harvesting technologies and these methods, combined with modern science, could lead to a permanent solution to this problem. Rainwater harvesting, simply put, is putting water back into the soil where it is stored in underground rivers and reservoirs so that it can be drawn when needed. In cities, rainwater harvesting is merely collecting rainwater in large tanks constructed on rooftops, to be used when required.

As a result of the failures and shortcomings of the water system and its distribution network inherited by India from the British colonialists, local indigenous populations have begun to think of innovative alternative solutions to the water problems based on a revival of traditional rain-harvesting systems, which have transformed some of these areas from places of economic backwardness to areas of abundance.

The advantages of traditional methods such as rain harvesting are numerous. They have the potential of providing a solution to rural poverty and unemployment resulting in an overall improvement of the economy. They can give high agricultural returns, their installation and maintenance are cost-effective. They are also highly sustainable.

The spatial and temporal variation in availability can be improved by the revival of and making better use of traditional rainwater harvesting structures like ponds, wells, *baoli* etc. which have come to be neglected under the current water policy regime. This has not only led to lower water availability during the lean season but has also increased the surface runoff during the rainy season leading to a heightened threat of flood downstream. Local level water impoundment would lower the distribution cost and increase the groundwater level. Big water projects have a role to play in augmenting

water supply but they should not supplant the traditional structures and wisdom. Following traditional methods of storing waters can and should be revisited:

Tankas

Tankas (small tank) are underground tanks, found traditionally in most Bikaner houses. They are built in the main house or in the courtyard. They were circular holes made in the ground, lined with fine polished lime, in which rainwater was collected. *Tankas* were often beautifully decorated with tiles, which helped to keep the water cool. The water was used only for drinking. If in any year there was less than normal rainfall and the *tankas* did not get filled, water from nearby wells and tanks would be obtained to fill the household *tankas*.

Khadin

A *khadin*, also called a *dhora*, is an ingenious construction designed to harvest surface runoff water for agriculture. Its main feature is a very long (100-300m) earthen embankment built across the lower hill slopes lying below gravelly uplands. Sluices and spillways allow excess water to drain off. The *khadin* system is based on the principle of harvesting rainwater on farmland and subsequent use of this water-saturated land for crop production.

Vav/Vavdi/Baoli/Bavadi

Traditional step wells are called *vav* or *vavadi* in Gujarat, or *baolis* or *bavadis* in Rajasthan and northern India. Built by the nobility usually for strategic and/or philanthropical reasons, they were secular structures from which everyone could draw water. Most of them are defunct today.

Stepwell locations often suggested the way in which they would be used. When a stepwell was located within or at the edge of a village, it was mainly used for utilitarian purposes and as a cool place for social gatherings. When stepwells were located outside the village, on trade routes, they were often frequented as resting places.

Ahar Pynes

An *ahar* is a catchment basin embanked on three sides, the 'fourth' side being the natural gradient of the land itself. Ahar beds were also used to grow a *rabi* (winter) crop after draining out the excess water that remained after *kharif* (summer) cultivation.

Pynes are artificial channels constructed to utilize river water in agricultural fields. Starting out from the river, *pynes* meander through fields to end up in an ahar. Most *pynes* flow within 10 km of a river and their length is not more than 20 km.

Industrial waste water reuse : The industrial operations in India consume far more amount of water to produce a given value as compared to other countries. Use of obsolete technologies might be one of the contributing factor for it but the most important reason is the wasteful use of water. Since the water is negligibly priced, they use freshwater to dilute wastewater generated to meet the discharge norms which are concentration based (Aggarwal et al IIR 2011). This works out to be cheaper than investing in effluent treatment plants.

Industries should be incentivized to invest in treatment plants and should be encouraged to reduce water consumption. Though they do not consume a significant amount of total available water, the industrial demand for water is going to increase rapidly in the coming years. Water thus saved would be quite helpful in meeting the incremental demand.

Sewage Treatment : This is a major area which needs immediate attention. Less than 30 percent of India's largest cities sewage generation (around 38,254 million litres of sewage each day) undergoes treatment before it is disposed. According to Central Pollution Control Board (CPCB) rules, a city or town's municipality or water authority is responsible for collecting and treating 100 per cent of the sewage generated within its jurisdiction. A study by Centre for Science and Environment puts installed treatment capacity at only 19 per cent of total sewage generation and even this limited capacity reportedly runs at 72 per cent utilization (CSE 2010). A 2007 CPCB sample survey of existing Sewage Treatment Plants classified the performance of only 10 per cent as 'good' with 54 per cent falling into the 'poor' and 'very poor' categories (Pritika Hingorani, IIR 2011). India had a very good tradition of managing sewage in ancient times as can be seen from archeological excavations of old Harrappan and Mohan-jo-daro civilizations. Awareness among the people and the government has to increase about this serious challenge to city life.

CHAPTER IV

NATIONAL WATER POLICY OVER THE YEARS: A CRITICAL ANALYSIS

The government came out with the first National Water Policy(NWP) in 1987. The need for such a policy was expressed in following words….

'water is a scarce and precious national resource to be planned, developed and conserved as such, on an integrated and environmentally sound basis, keeping in view the needs of the States concerned.'

The NWP of 1987 talked about things like time and cost overruns in water projects. Low utilizations of the irrigation projects created problems of water logging and salinity in the command areas and the need to address these issues. These issues have persisted and have been mentioned in the NWP of 2002 and the draft NWP 2012.The policies have not done much in addressing these issues.

The Policies similarly talk about consistency between land use and water use and 'water zoning' but nothing has been done to implement them. Implementing these would require coordination with other ministries and require political will. Matching land use and water use would require providing incentives so that crops grown are consistent with the natural endowment. For example, paddy is unsuitable for Punjab and Haryana but is grown due to

	NWP 1987	**NWP 2002**	**Draft NWP 2012**
Drinking Water	To be provided to the entire population by 1991.	Does not talk about it.	Does not talk about it.
Role of Private Sector Pricing	No mention Recovering Operations and Maintenance (O&M) expenditure and a part of capital cost from various users.	Yes Recovering O&M expenditure and a part of capital cost from various users.	Yes Full cost recovery
Autonomous Water Regulatory Authority (to fix water tariffs)	No	No	Yes

better Minimum Support Price offered as compared to other crops and this gap has only increased over the years. Water zoning would regulate the location of industries depending on their water use and water availability. This too has not been implemented.

The Nation Water Policy of 2002, for the first time, discussed the possibility of private sector participation in the water sector. Section 13 of the act summarized arguments in favour of privatization …private sector participation may help in introducing innovative ideas, generating financial resources and introducing corporate management and improving service efficiency and accountability to users.

As a result of the judicial pronouncements and water movements across the country the government seems to have accepted the 'doctrine of public trust' for water. Section 1.3(iv) and (v) of the Draft National Water Policy 2012 for the first time says:

Water needs to be managed as a community resource, held by the state, under public trust doctrine to achieve food security, livelihood, and equitable and sustainable development for all.

Access to safe and clean drinking water and sanitation should be regarded as a right to life essential to the full enjoyment of life and all other human rights. As such, water for such human needs should have a pre-emptive priority over all other uses.

Accepting that the property right of landowners over groundwater is in conflict with the idea of water as a common good the draft under section 2.2 further says that:

"*……. The Indian Easements Act, 1882 may have to be modified accordingly in as much as it appears to give proprietary rights to a land owner on groundwater under his/her land.*"

The draft policy is, however, contradictory. Starting with the recognition of water as coming under public trust and right to water as fundamental right, it proceeds to impart an economic character to water. The Draft proposes to recognize tradable rights in water. According to section 3.3:

After meeting the minimum quantity of water required for survival of human beings and ecosystem, water must be used as an economic good with higher priority towards basic livelihood support to the poor and ensuring national food security.

Thus the government foresees the possibility of creating tradable rights in water where the demand-supply match would be achieved by prices. Users having higher capacity to pay would pre-empt users lacking that capacity. However, since this

provision is expected to be met with considerable opposition the policy talks about priority treatment to basic livelihood support to the poor and food security to make the policy more acceptable.

The state also wants to transform itself from being a service provider to a regulator of services (section 13.4) where it would come up with legislations and provide guidelines under which the water related services would be "*transferred to community and/or private sector with appropriate "Public Private Partnership" model.*"

The draft therefore shows a clear bias towards using market mechanism to allocate water. This would price out poor and the vulnerable who would not be able to match the price offered by the rich for a given amount of water.

CHAPTER - V

OUR DEMANDS

1. Free supply of pure, hygienic drinking water to the citizens as enshrined in the Article 21 of the Constitution, which provides guarantee of "Right to Life".
2. Privatization of water, as mentioned in the recent draft National Water Policy, 2012 by the Government of India, is against the concept of trusteeship and anti poor. It must be scraped.
3. Empowerment of local level institutions for integrated water resource planning combining modern techniques like Geographic Information System (GIS) and Remote Sensing (RS) and their traditional wisdom.

The crucial failure is the innate resistance in the governments and governmental processes to the fundamental article of democracy, viz. all power and all authority flows from the people and that all public institutions are meant solely to serve the public interest…...

National Commission to Review the Working of the Constitution

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Right to Drinking Water in India by C. Ramachandraiah.

Annexture

Table 1 : Water Availability

Sl. No	Items	Quantity
1	Annual Precipitation (including snowfall)	4000 bcm
2	Average Annual Availability	1869 bcm
3	(i) Per Capita Water Availability (2001) in cu.m	1816 cu.m
	(ii) Per Capita Water Availabilit y (2010) in cu.m	1588 cu.m
4	Estimated Utilizable Water Resources	1123 bcm
	(i) Surface Water Resources	690 bcm
	(ii) Ground Water Resources	433 bcm

Source: Central Water Commission

Table 2 : Water Demand

(By Different Use)

Sector	Water Demand in Km^3 (or BCM)								
	Standing Sub-Committee of MOWR			NCIWRD					
	2010	2025	2050	2010		2025		2050	
				Low	High	Low	High	Low	High
Irrigation	688	910	1072	543	557	561	611	628	807
Drinking Water	56	73	102	42	43	55	62	90	111
Industry	12	23	63	37	37	67	67	81	81
Energy	5	15	130	18	19	31	33	63	70
Other	52	72	80	54	54	70	70	111	111
Total	**813**	**1093**	**1447**	**694**	**710**	**784**	**843**	**973**	**1180**

Source: Basin Planning Directorate, CWC, XI Plan
Document.
Report of the Standing Sub-Committee on "Assessment of Availability & requirement of Water for Diverse uses -2000"
Note: NCIWRD: National Commission on Integrated Water Resources Development
BCM: Billion Cubic Meters
MOWR: Ministry of Water Resources.

Table 3 : Industrial Water Use Productivity, 2000

Country	Industrial value added(IVA), 2001 (in billion constant 1995 US$)	Industrial water use, 2000 (km^3/year)	Industrial water productivity (IWP), 2000 (US$ IVA/m^3)
Japan	1890	16	119.62
Korea, Republic of	286	3	93.66
UK	340	7	47.28
The Netherlands	120	5	25.17
Germany	748	32	23.43
USA	2148	221	9.73
China	594	162	3.67
India	120	35	3.42

United Nations Educational Scientific and Cultural Organization (UNESCO) and World Water Assessment Programme (WWAP) (2006) as cited in Van-Rooijen et al. (2008).

Table 4 : Sewage recycle

Waste water treatment capacity in urban areas in India, 2008

Category	No. of cities	Total water supply (in MLD)	Wastewater generation (in MLD)	Treatment capacity (in MLD)
Class-I city	498	44,769.05	35,558.12	11,553.68 (32%)
Class-II town	410	3,324.83	2,696.7	233.7 (8%)
Total	908	48.093.88	38,254	11787.38 (31%)

Source : CPCB (2008).
MLD : Million Litres Daily.

THE PARTICIPANTS IN THE GROUP DISCUSSION ON DRAFT DOCUMENT ON WATER

4th March, 2012 at India International Centre, New Delhi

1. **A. Wahid Siddhiqui** - Ahind Yuva Sangh
2. **Praveen Kant** - Samarth Siksha Samiti
3. **Dinesh Sharma**
4. **D.S. Bindra** - Jan Chetna Manch
5. **Rajendra Bishta** - SSS Samiti, Almora
6. **M Nizzamuddin** - Hum Hindustani
7. **Raj Kumar Gupta** - Parivartan
8. **Yogesh Andlay**
9. **Anil Sharma** - Bhartiya Vitta Salahkar Samiti
10. **A K Upadhyay** - Urja
11. **Ch. Ram Karan**, Pradhan, 360 Gram, Palam
12. **Dr. Sarvjit**
13. **Diwan Singh -** Natural Heritage First
14. **Rajesh** - Natural Heritage First
15. **Dr AK Tyagi** - Prerna, Noida
16. **Anil Kumar** - Metro
17. **Mayank Tyagi** - Great My Water
18. **Nizam**
19. **Gufran Khan**
20. **Saira Khan**
21. **Ashok Kumar Singh** - Ekta Parishod
22. **Manoj Mittal** - Engineers India
23. **Ila Kumar**
24. **Jyoti Jha** - Volunteer
25. **Deepak Rawat** - Volunteer
26. **Sonali Agarwal** - Volunteer
27. **Tanveer Wani**
28. **Revathi Rao**
29. **Sudha Rao**
30. **Prof M.B. Rao**
31. **Sambhrant Krishna** - Volunteer
32. **Pradeep Shukla**
33. **Raj Kumar Bansal**
34. **Kumar Vikram**
35. **Anil Sood** - Chetna
36. **Prakash Gaur**
37. **Vipul Pachori**
38. **Pravin Sharma**
39. **Sanjay Sharma** - Paryavaran, Noida
40. **Gopal K Agarwal** - Jaladhikar
41. **Kailash Goduka** - Jaladhikar

Jaladhikar
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Date: **22nd Nov.,2011**

To,

Smt.Sheila Dixit
Hon'ble Chief Minister,
Govt. of Delhi
I.P. Estate, New Delhi.

Subject: **Clean Hygienic and free drinking water at public places to all citizens of Delhi**.

Respected Madam,

Our Constitution guarantees every citizen: a fundamental right to equality, life and personal liberty. Article 15 (2) of the Constitution further states that: no citizen shall be subjected to any restriction with regard to "the use of wells, tanks, bathing ghats".

Various courts have ruled that the right to clean and safe water is part of the constitutional guarantee of right to life. For instance, in Narmada Bachao Andolan v/s Union of India (2000), the Supreme Court said that "water is the basic need for the survival of human beings and is part of right to life and human rights as enshrined in Article 21 of the Constitution of India". Further in the case of, M C Mehta v/s Kamal Nath (1997), the Supreme Court declared that "the State is the trustee of all natural resources"; as a trustee, the State has "a legal duty to protect the natural resources," and "these resources meant for public use cannot be converted into private ownership".

It has also been implicitly accepted since Independence that central and state governments have a primary responsibility for providing water for drinking, and, subsequently, for other purposes. Water is life, without life existence of this universe is meaningless.

At present, India does not have an exclusive and comprehensive water law. Water-related legal provisions are dispersed across various irrigation Acts, central and state laws, constitutional provisions and court decisions. Provisions for supplying drinking water have been made in all the Five-Year Plans, and the responsibility was made explicit in the Twenty-Point Programme drafted in 1975 and modified in 1982 and 1986.

Accordingly, a host of programs have been framed and implemented at the central and state levels, such as the Accelerated Rural Water Supply Programme and the Rajiv Gandhi National Drinking Water Mission. A gamut of laws has also been drafted, including:

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- Laws establishing water boards for urban water supply.
- Laws enacted for water supply in metropolitan cities.
- Laws for water supply in the state as a whole.
- Laws on regulation of groundwater extraction and use.
- Laws on protection of water sources.
- Laws for supply of water to specific industrial areas.

But still we can say that, in response to an emerging crisis that threatens the life and livelihoods of millions, no policies have been formulated asserting that water is a fundamental and inviolable right enjoyed by every citizen of the country, unlike In Israel, where: **water law of 1959 states that water sources are the property of the public and there is no private ownership of water resources.** The absence of private water ownership is further clarified in Section 4 of the country's water law, which states: **"A person's right in any land does not confer upon him a right in a water resource situated therein..." In Israel, control over use of water has worked effectively because it is almost a matter of faith among the people of that country that, anyone who abuses water resources is considered 'anti-national'.**

Our Demand

We have observed that: citizen of Delhi are not getting pure, hygienic drinking water at the public places as was available earlier. It has also been noticed that it is a conspiracy of the private water suppliers that the Government shall not provide free drinking water at these places, so that under the compulsion people will buy the water from the private suppliers.

Under the circumstances, **we the citizens of Delhi request to our government that free, pure and hygienic drinking water shall be provided at the Public places**, which is the fundamental right of the people is as enshrined in the Constitution.

With Regards,

Jaladhikar

Anupam Mishra

Kailash Goduka
9818731057

Gopal K. Agarwal
9810C19753

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9958096871

Raj Kumar Gupta
9873419351

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9810054975

DELHI LJAL BOARD : GOVERNMENT OF NCT OF DELHI
OFFICE OF THE CHIEF ENGINEER (C&N)
VARUNALAYA PHASE I : KAROL BAGH : NEW DELHI

NO; F.6/CE(C&N/DJB/2012-/63 DATED: 29.02.2012

Dr Pooja Joshi
Joint Secretary to CM
Government of NCT of Delhi,
Delhi Secretariat
New Delhi 110002

Sub: Clean hygienic and free drinking water at public places to all citizens of Delhi.

Madam,

Kindly refer to your letter No. CM/PG/VIP/2011/5736 dated 12.12.2011 addressed to Pr. Secretary (UD) enclosing therewith a representation received from Jaladhikar, 40, Hanuman Lane, Behind Hanuman Mandir Police Station, New Delhi – 110001 regarding Clean hygienic and free drinking water at public places to all citizens of Delhi. In this regard, it is submitted that Delhi Jal Board provides bulk water supply to the institutions managing the public places such as, Courts, Government Offices, Railway Stations, Hospitals, ISBT, Air Ports, etc. and the charges are borne by the concerned institutions. The institution managing the particular public place makes arrangement for providing free water to the people visiting the place.

As regards as ruling of various courts on the matter, the Government of India is taking necessary steps in this direction to preserve the natural resources and taking steps to make water available to each and everyone in compliance with the Article 21 of the Constitution of India, 'Protection of Life and Personal Liberty'.

(S RAM)
CHIEF ENGINEER (C&N)

Copy to:

1 CEO, DJB for kind information. 2 - Member (WS)
2 Jaladhikar, 40, Hanuman Lane, Behind Hanuman Mandir Police Station, New Delhi – 110001

29.02.2012
CHIEF ENGINEER (C&N)

Discuss

The matter was discussed with Mr. Gopal K. Agrawal He advised to write name and then send at the given address We may again send the letter as discussed.

CE(C&N)

EXECUTIVE COMMITTEE

S.No.	Name	Designation	Occupation
1.	Shri Gopal Krishna Agarwal	President	Chartered Accountant & Social Activist
2.	Shri Praveen Kant	Vice President	Educationist
3.	Dr. J.P. Gupta	Vice President	Business
4.	Shri Kailash Chandra Goduka	Gen. Secretary	Chartered Accountant
5.	Shri Avdhesh Kumar Upadhyay	Secretary	Business
6.	Shri Nijam	Secretary	Business
7.	Dr. Ashish Sarkar	Jt. Secretary	Journalist
8.	Shri Wahid	Jt. Secretary	Social Activist
9.	Shri Diwan Singh	Jt. Secretary	Social Activist
10.	Shri Pramod Kumar	Jt. Secretary	Social Activist
11.	Shri Raj Kumar Gupta	Treasurer	Chartered Accountant

PATRON

1.	Shri Anupam Mishra	Social Activist
2.	Shri Mahesh Gupta	Business

जल गीत

गायें, सिन्धु और हिमालय, प्रथम भोर में, जल के गान,
युगों से कल–कल बहती नदियाँ, बरसाये जीवन की आन,
बसी संस्कृति, बसा धर्म और बसी सभ्यता, जल के तीरे,
हम छोडे, संकीर्ण भाव और गायें मंगल नीरे।

भगीरथ अपने श्रम से, लाये धरती पर, जल सा धन,
जिससे खिल गया धरती पर, मुरझाया बेबस जीवन,
कितने जले जल रक्षण द्वीप, जल संकट उबरने को,
जाने, कौन राक्षस आया, इन्हें बुझाने को।

जल इक व्यवसाय नहीं, यह पुण्य राह है जन्मों की,
नहीं बख्शेंगे, उन गद्दारों को, जो रोके राह भविष्यों की।

जीवन से जल, जल से जीवन, यही हमारा श्रेय है,
इसकी रक्षा करना ही, अब हर मनुष्य का ध्येय है।

करुणा जल से आप्लावित, है प्रभु, मनुष्य हो जाये,
पत्तों पर ठहरी, स्वाति बूँद, फिर वाष्प बन न उड़ जाये।

डॉ.(श्रीमति) निर्मला गुप्ता

शपथ–पत्र

मैं, ...,

भारत का नागरिक, राष्ट्र निष्ठा में यह शपथ लेता हूँ कि, जीवन पर्यन्त :

1. मैं, स्वयं, पानी का दुरुपयोग या बेप्रयोजन बहाव या खराबी कभी नहीं करुंगा ।
2. मैं, अपने परिवार, घर, या अन्य कोई स्थान जहाँ पर भी मैं उपस्थित रहूँगा, किसी भी कार्य, प्रयोजन, या मौके पर पानी का दुरुपयोग नहीं होने दूँगा।
3. मैं, भारत सरकार या भारत के राज्य सरकारों को हर भारतीय के लिये जल उपलब्ध कराने के लिये अथक आग्रह करुँगा।
4. मैं, तन, मन, धन से जलाधिकार अभियान को इसके उद्देश्य प्राप्त करने के लिये हर संभव सहयोग दूंगा ।
5. मैं, अपने देशवासियों के लिये पीने एवं जीवन वहन करने के लिये जल प्राप्त कराने का आज बीड़ा उठा रहा हूँ।

हस्ताक्षर .....

पता : .....

.....

दिनाँक : .....

फोन या मोबाइल नम्बर : .....

स्थान : .....

ई–मेल : .....

प्रस्ताव

पानी जीवन है। यह हम सब जानते हैं। सृष्टि की रचना के साथ ही प्रकृति ने हमें निर्बाध रूप से जीवन के निर्वाह हेतु हवा, पानी व प्रकाष प्रचुरता में उपलब्ध कराया है। प्राणी मात्र के लिए प्रकृति प्रदत्त पंचतत्व अमूल्य हैं। सृष्टि रचना में इनका महत्वपूर्ण योगदान है। अतः प्रकृति के नियमों के तहत ही हमें इनका उपयोग करना होगा। हमारे सविधान की धारा 15(2) में भी "जीवन के आधार" के तहत भी यह कहा गया है। न्यायपालिका के भी पूर्व के कई फैसले इसकी पुष्टि करते हैं। लेकिन सरकार ने प्रकृति के नियमों की अवहेलना करते हुए इसके निजीकरण व व्यवसायीकरण का मन बना लिया है। ऐसा प्रस्तावित राष्ट्रीय जल नीति–2012 से लगता है। सरकार की यह नीति प्राणी मात्र के हित में नहीं है। अतः हम जलाधिकार से जुड़े लोग इसका विरोध करते हुए सर्वसम्मति से प्रस्ताव पारित करते हैं कि :

1. सरकार प्रकृति के नियमानुसार प्राणी मात्र को स्वच्छ व पीने योग्य पानी निःशुल्क उपलब्ध कराये क्योंकि यह सरकार का मूलभूत दायित्व है ।

2. पानी के निजीकरण व व्यवसायीकरण को सरकार बन्द करें क्योंकि निजीकरण व व्यवसायीकरण देश के सम्भ्रान्त लोगों और कुछ विदेशी कम्पनियों को तो लाभ पहुंचा सकता है लेकिन समाज के सभी वर्गों के लिए हितकर नहीं होगा, और जो संविधान के तहत सरकार का घोषित उद्देश्य है, उसकी पूर्ति में सहायक भी नहीं होगा। पानी के निजीकरण एवं व्यवसायीकरण से गृह युद्ध जैसी स्थिति पैदा होगी जैसा कि विश्व के कई देशों जैसे बोलीविया, निकारागुवा आदि में हुयी।

3. देश में पानी की कमी नहीं है, बल्कि इसके संरक्षण एवं उपयोग के प्रति जागरूकता की ज्यादा आवश्यकता है। अतः हम सरकार से आग्रह करते हैं कि पानी के संरक्षण एंव रखरखाव के लिये पारम्परिक तरीके जैसे तालाब, बावड़िया आदि को पुनर्जीवित करे तथा शहरों के अन्धाधुन विकास पर नियन्त्रण करते हुये ग्रामीण विकास की नीति को अपनाते हुए इसके संरक्षण एंव सम्वर्धन की नीति समग्र बनाए।

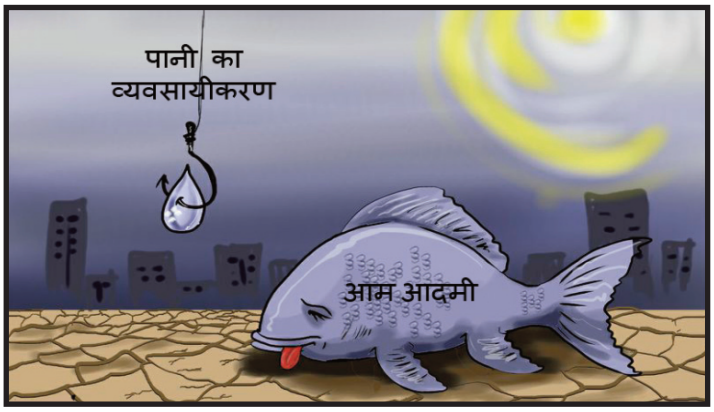
पुनःश्च, पानी वस्तु नहीं है, यह जीवन तत्व है। अतः इसका व्यवसायीकरण एंव निजीकरण नहीं होना चाहिये। इस जीवन तत्व को प्रकृति ने प्राणी मात्र के लिये उपलब्ध कराया है, अतः सरकार का यह दायित्व है कि स्वच्छ व पीने योग्य पानी निःशुल्क जनता तक पहुंचाये।

Jaladhikar

(A PROJECT OF CENTER FOR SOCIAL JUSTICE AND DEMOCRACY, CSJD)

सरकार को पानी का व्यवसाय रोकना होगा

कहावत है जब पानी सिर से गुजर जाये तो किसी भी बात की अति होती है। भारत की शान्ति प्रिय जनता के साथ भी यही हो रहा है। 1947 में जब देश आजाद हुआ था तो सबने यही सोचा था की अब आम आदमी सुरव चैन से जीवन जी सकेगा। हमारी अपनी सरकार होगी। सरकार में हमारे अपने लोग होंगे। हमारी अपनी आवश्यकताओं को ध्यान में ररवकर नीति का निर्धारण करेंगे। परन्तु क्या हो रहा है यह हम सब जानते है।



आजादी के बाद क्या हुआ

- देश में गरीबी हटाओ के नाम पर अमीरों के हित के लिये निति निर्धारण हुआ।
- पूँजी का केन्द्रीयकरण हुआ।
- जाति के आधार पर समाज को तोड़ा गया।
- जनता के द्वारा दिये गये करों को जनता के लिये उपयोग में लाने के बजाय नेताओं और अफसरों ने करोड़ों–अरबों रुपये के घोटाले किये।
- जनहित में कानून बनाने के बजाय नेताओं ने संसद में बैठकर सांसदों, विधायको एवं उनके परिवारो के लिये जीवन पर्यन्त पेंशन मिले ऐसे कानून बनाये।

अब तो हद हो गयी

प्रकृति प्रदत पानी का भी व्यवसाय होगा। क्यों?

क्या प्रकृति के इस अनमोल खजाने पर किसी एक व्यक्ति, एक समाज, एक जाति, एक धर्म अथवा एक देश का अधिकार है? नहीं।

तो फिर सरकार को यह अधिकार किसने दिया? सरकार तो मात्र प्राकृतिक संसाधनों की ट्रस्टी है।

व्यवसायीकरण से क्या होगा?

पिछले कुछ सालों तक हर गली-मोहल्लों अथवा बाजारों में पीने के पानी के नल, हैण्ड पम्प अथवा प्याऊ हुआ करती थी। आज कहाँ गयी ?

क्या यहाँ पर पानी उपलब्ध है? जैसे मेट्रो, अस्पताल, रेलवे स्टेशन, बस अड्डे, बाजार व सामुदायिक भवन आदि। नहीं है।

क्योंकि दिल्ली में ही प्रतिदिन पानी का करोड़ों रुपये का व्यवसाय होता है।

पानी के निजीकरण से क्या होगा? रक्त रंजित क्रांति एवं नर संहार जैसा सन 2000 में बोलिविया में हुआ।

पानी का व्यवसाय नहीं होने देंगे, सभी को निशुल्क पीने का पानी उपलब्ध कराना होगा

दिल्ली सरकार ने तीन रिहायशी इलाको सोनिया विहार, वसंत विहार व नांगलोई में पानी का निजीकरण करने का निर्णय किया है। दिल्ली सरकार को ये हक किसने प्रदान किया?

: निवेदक :

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