

550

Uttarakhand: Perceiving the New State

PUCL
Reference Library

A Report

**People's Union for Civil Liberties
Uttar Pradesh**

1/1 Akashpuri Colony, Allahabad - 211001
Phone: 0532-623569, 667363

Foreword

People's Union for Civil Liberties, Uttar Pradesh (PUCL, UP) has maintained a special bond of relationship with this hilly part of the erstwhile U.P., now Uttaranchal. It initially joined the anti-Tehri Dam movement raising the important questions pertaining to big projects led development vs local needs of the people along with the crucial issues of development like environment and ecology. After 1994 incidents at Rampur Tiraha, Muzaffarnagar, Dehradun, Mussoorie, Khatima and other places of the region. PUCL sent three fact finding teams, headed by the retired Judges of the Allahabad High Court, to inquire into the cases of blatant human rights violations in entire Kumaon and Garhwal regions. We successfully intervened into the Court Cases relating to Uttarakhand people. This finally resulted into a historic judgement by the Allahabad High Court, which found the government machinery of the U.P. State guilty for many heinous and barbaric crimes on humanity. During our visits in various parts of Uttarakhand as human rights activists, we felt even before the creation of the new state that the **RIGHT TO DEVELOPMENT** can be made an important issue in the realm of the human rights. We also thought that it could be realised after the creation of the new state through people's participation and the process of decentralized planning. PUCL teams specially debated with the people issues like development with environmental sustainability, education, health and similar social sector development questions, peoples' empowerment through the formation of local self government in the area conferring to the true spirit of 73rd and 74th Constitutional Amendment Acts, globalization with localization, etc.

Keeping in view this historic association with the people of Uttarakhand, UP PUCL finally decided to organise a series of workshops, conferences and public meetings in the region for visualising the new state. We extensively travelled the entire Garhwal region during June 13-19, 2000 to interact with the people for perceiving the new state, even before the U.P. Reorganisation Bill for the formation of separate Uttaranchal State was put before the parliament of India in

August 2000. Our team including myself, Dr. K.N. Bhatt, Social Scientist, G.B. Pant Social Science Institute, Allahabad, Sri K.K. Roy, Secretary, PUCL, UP and Sri O.D. Singh, General Secretary, PUCL, UP in collaboration with Uttarakhand Mahila Manch organised such conferences, workshops and meetings in Dehradun, Teri Garwal, Srinagar, Karnprayag, Gopeshwar, Joshimath and Gairsain. Apart from these large formal gathering we interacted with hundreds of local people during the course of our journey individually or in several small groups for conceptualising the new state and understanding the problems of social development in the region. Similarly, another expert team consisting of Myself, Dr. K.N. Bhatt, Sri Chitranjan Singh, Vice-President, PUCL, UP, Sri Rajendra Dhasmana, Senior Journalist from Dehli, Dr. D.K. Giri, Social Scientist, Institute of Social Science, New Delhi, and Dr. Mahipal, Social Scientist, Perspective Planning Division, Planning Commission, Government of India, New Delhi visited Kumaon region of Uttarakhand during September 26–October 1, 2000. Like in Garhwal, we performed the similar awareness campaigns in Nainital, Betalghat, Almora, Bageshwar, Berinag, Pithoragarh and Haldwani in association with Pahar and Uttarakhand Mahila Manch. Finally, a two day National Seminar on 'Uttarakhand: Perceiving the New State' was jointly organised by UP PUCL, Pahar, Uttarakhand Mahila Manch and Institute of Social Sciences, New Deljhi at the Institute of Cooperative Management, Dehradun on April 14-15, 2001 to further deliberate on the relevant issues and come out with suitable policy initiatives for the development of the New State.

This report is documented out of these initiatives undertaken by UP PUCL in Uttarakhand. It includes the proceedings of the two days National Seminar organised in Dehradun and the main finding of the UP PUCL teams visits to Garhwal and Kumaon. It also includes the two discussion papers (one in English and one in Hindi) relating to the sustainable development of Uttarachand, which we distributed among the local people during the course of our journeys in the new state.

022

We express our sincere thanks to thousands of people of Uttarakhand who interacted with our teams in the process of a two-way dialogue. We also would like to thank Pahar, Uttarakhand Mahila Manch and the Institute of Social Science, New Delhi for helping us in organising these activities. I would also like to personally thank each member of the PUCL teams who painstakingly undertook the strenuous journeys to the entire length and breadth of Uttarakhand. Our thanks are also due to the local press, which gave our efforts a very wide publicity and helped in the cause of spreading the message for ensuring social development in the new state. Last but not the least, I would like to place on record our heartiest thanks to the members of the national PUCL, particularly Sri Y.P. Chhibar, Sri K.G. Kannadbiran, Sri Rajender Sachhar, Sri Ravi Ray, Surendra Mohan, Justice R. B. Mehrotra (Retd.) Sanjay Parikh Professor George Mathew and Professor Amrik Singh.

We hope the report would prove helpful to all those interested in ensuring peoples right to development and initiate a healthy process of social development in the new state.

Ravi Kiran Jain
Senior Advocate
President, PUCL(U.P.)

Allahabad
March 7, 2002.

National Seminar On
Uttarakhand:
Perceiving the New State

**Organised By : UP PUCL, Pahar and Uttarakhand
Mahila Manch**

14-15 April, 2001

Vanue: Institute of Co-operative Management, Dehradun

A Report

(Prepared by Dr. K.N. Bhatt, G.B. Pant Social Science Institute, Jhusi, Allahabad)

Uttar Pradesh People's Union for Civil liberties

1/1 Akashpuri Colony, Allahabad - 211001

Phone: 0532-623569, 667363

National Seminar On Uttarakhand: Perceiving the New State

14-15 April, 2001

Vanue : Institute of Co-operative
Management, Dehradun

Organised By : UP PUCL, Pahar and Uttarakhand
Mahila Manch

A Report

(Prepared by Dr. K.N. Bhatt, G.B. Pant Social Science Institute, Jhusi, Allahabad)

A two day national seminar on 'Uttarakhand: Perceiving the New State' began in the seminar hall of the Institute of Co-operative Management, Dehradun on April 14, 2001. The seminar was jointly organised by Uttar Pradesh, PUCL, Pahar and Uttarakhand Mahila Manch. It was in continuation to a series of workshops, conferences and seminars organised throughout Uttarakhand by UP PUCL in association with the two organizations on the topic during the months of June and September 2000. Seeking representation from the collaborating organizations and whole of Uttarakhand, this concluding seminar in Dehradun is expected to further deliberate on the relevant issues and come out with suitable policy initiatives. The inaugural session of the seminar started with Shri Surendra Mohan, Former Member of Parliament in the Chair and Shri Ravi Rai, Former Chairman Lok Sabha as the Chief Guest. Shri Ravi Kiran Jain, Chairman UP PUCL, Prof. George Mathew, Director, Institute of Social Sciences, New Delhi, representatives of the PUCL from Allahabad, Pahar, Uttarakhand Mahila Manch, other delegates, social scientists, social activists from all over Uttarakhand and other parts of the country were present in the seminar.

Introducing the subject, Shri Ravi Kiran Jain argued that the Right to development is a basic human right. This, we

feel, is the basic theme of the seminar. UP PUCL wanted to spread the message of the right to development in Uttarakhand to ensure it in the new state. He further said that we wanted to involve in a dialogue with the local people to make the new state as a model state of decentralized planning and healthy grassroots level democracy. We also wanted to expose the forces responsible for the widespread flight of capital from the area, particularly in the context of globalization and open market economy. Shri Jain felt that the state should be politically developed by empowering people as laid down under the 73rd and 74th Constitution Amendment Acts. He argued that ideal conditions exist in Uttarakhand to develop the new state as a unique model of development, which may be replicated elsewhere in the country. He also highlighted the gradual institutional degradation in the country mainly in terms of corruption, consumerism, and centralization of power and political insensitivity. In view of this, the only answer to ensure healthy social development, suggested Shri Jain, is real empowerment of people at grassroots level. Earlier welcoming the delegate, the local organizing secretary of the Seminar Sri Hem Gairola told that only an awakened society can get its rights and can work for true democracy. This seminar is an endeavor in this direction.

Further elaborating the subject, Smt. Kamla Pant, Coordinator, Uttarakhand Mahila Manch said that all those who struggled for the creation of the new state always remained worried about the future of the new state right from the beginning of the movement. She thanked UP PUCL for creating an intense debate on the subject throughout Uttarakhand. We hope that this seminar will lead to some valuable suggestions and policy recommendations for the future development of the new state. Smt. Pant told that people of the area are very simple with healthy minds, great patriotism and nationalist thinking, although they demanded for a separate state but never thought in terms of narrow regionalism. She said that the new state is very rich in natural resources. What we need now is to ensure a healthy social development with suitable checks and balances to unhealthy functioning of open markets and flight of capital from the area. Unfortunately, the new interim government of the state seems

to have a myopic vision towards its development. It is suppressing the popular demands of the people and dividing them over petty issues. Mrs. Pant felt that the so called national political parties seem to be insensitive to these problems.

Prof. George Mathew stated that the new state has tremendous possibilities of development with its well-developed human resources and abundant natural resources. The issue is how to ensure people friendly development. Concentration of power leads to degeneration whereas the devolution of power to people creates healthy social development. Prof. George argued that we claim to be the largest democracy in the world without really understanding its real meaning. After the 73rd and 74th Constitutional Amendment Acts we are getting elected around three million people as peoples representatives from the three-tier grassroots Panchayat system. But, unfortunately, when we evaluate the existing Panchayat System, it surfaces only in terms of letters laid down in our constitution, not in accordance to its true spirit. Most of the states are defying the constitutional mandate. They are withholding timely elections of Panchayats and treating these institutions with a very casual approach. We all were hoping that the Collector Raj would give way to the Panchayat Raj after the Constitutional Amendment Acts. But the Raj once again creating the parallel institutions under its clutches. Prof. George reported the success stories of Panchayat Raj System in the state of Kerala, where 40 percent of the total state budget is directly being given to these institutions and they are performing well at the grassroots level. Uttarakhand have a wonderful opportunity to evolve the system of Panchayats, which can lead to real empowerment of the people. The state must come out with Panchayati Raj Legislation and create a social capital by adopting the system.

Shri Ravi Rai congratulated the organizing partners of the seminar to have raised these basic issues of social development in the new state, which emerged after a prolonged struggle by the people of the area. Shri Rai felt that the greatest enemies of our democracy today are corruption in

higher echelons of power, centralization and rampant consumerism. Who will fight against these forces? The answer, argued Sri Rai, is peoples' movements and their empowerment. It is really praise worthy, stated Shri Rai, to have organised this seminar relating to the wider issue of human rights and human dignity. He quoted Gandhi by advocating that the land belongs to God and industry to the villages. Unfortunately, today's politics mostly is anti-people, anti-god and anti-constitution. Most of our politicians have lost their role and forgotten their duty to the nation. He cautioned the people of Uttarakhand to be alert of the danger emerging from the forces of liberalization and globalization. Sri Rai further said that the new state is born out of the peoples' movement. I hope the people of the area will carry forward their struggle for their own empowerment and development. They, hoped Shri Rai, will not suffer from the slave mentality of copying everything that is western and it would one day become a 'Lok Rajya'.

Delivering his presidential remarks, Shri Surendra Mohan highlighted the weaknesses of our electoral process and unhealthy functioning of the democratic institutions. He called on the people to come forward and change the demoralized system. It is possible only through the people's movement. For the people of Uttarakhand the issues related to *Jal, Jangal and Jamin* are of the utmost importance. Shri Mohan said that the big dams like Tehri must not be constructed in geologically sensitive places. In place of big dams, the people of Uttarakhand should construct small hydro projects, which are eco-friendly and people-friendly. He called for the equal participation and empowerment of women in the new state. Earlier, Dr. Shekhar Pathak welcomed the guests and briefly gave an account of the history of Uttarakhand movement. Shri Hem Gairola conducted the proceedings and purposed a vote of thanks at the end of the session.

Introducing the theme of the second session on 'Resources and Decentralization', Dr. Shekhar Pathak stated that we have five basic resources for the development of Uttarakhand. These are *Jal, Jangal, Jamin*, Himalayan wilderness and human beings. We are today the third in terms

of highest literacy rates according to the preliminary estimates of census 2001. As far as the first three resources namely *Jal, Jāngal, Jamin* are concerned they do not unfortunately belong to the people of the area in reality. They in fact are mostly controlled by the state or hypothecated to business interests or globalised forces. The Himalayan wilderness, however, may become one of the main bases for future development. Dr. Pathak felt that we have so far failed to cultivate political leadership from among the common people. He also hoped that our bio-cultural diversity might become another plank of development. He also emphasised that in the new state we can increase per capita common land in the form of Panchayat forests, *Gramvans, paughat-gochar*, etc. Dr. Pathak informed that the high mountains and foothills are snatched away from people as National Parks, Sanctuaries and Bio-sphere reserves. The Himalayan valleys are coming under the waters of dams. It has taken more than 20 percent of the total geographical area. Sri Ravi Chopra spoke on the water policy for Uttarakhand. He informed that on an average the area receives around 50 inches of rainfall per year. We have so far completely failed in preserving even a minor share of the natural rainfall. Quoting his own study of 227 villages in Uttarakhand, he reported that only 25-30 liter per head per day water is available in the area for domestic use. Only 12 to 17 percent of the agricultural land is irrigated in the hilly sector of the area. The per capita availability of food grains is only 167 Kg. per capita per annum. If we increase 10 percent area under irrigation, the availability may increase to 170 kg. Sri Chopra suggested preserving the rainwater in the hills and not letting it go down the drains excessively.

Ms. Madhu Sareen expressed her views on forest management and peoples' participation in Uttarakhand. She discussed the type of forests existing in the area and the new management practices being introduced. JMF in the area, she felt, is a hidden agenda for controlling even the community owned forests like Van Panchayats, Lath Panchayats, Civil Soyam, etc. Smt. Vani gave a detailed account of the legal framework of the water management. She informed that there are 16,000 *Gools* in Uttarakhand according to small irrigation scheme survey, 1987-88. Shri Arun Kuksal reported some of

the findings of census 2001 relating to Uttarakhand. He told that the ratio of women in the area, except *Tarai*, have significantly improved. Out of 188 industrial units in Uttarakhand, 72 are locked and rest remain as sick units. He informed that 10 units have already left the area after the creation of the new state.

Dr. Mahipal presented his paper on Panchayati Raj in Uttarakhand. He said that the Panchayat Act passed by most of the state governments is not in the spirit of 73rd and 74th Constitutional Amendment Acts. Uttarakhand, he argued, provides a very fertile land for the implementation of the system. The state can suitably evolve the institutions and pass its own law. He suggested that the 1998 Scheduled Areas Extension Act on Panchayats is applicable to Uttarakhand and it may become an important instrument for people's empowerment. The state law should include provisions for the appointment of '*Lokpal*' to independently see the functioning of the Panchayat system. Sri. Rvi Kiran Jain argued that the main resource base of Uttarakhand is its human beings. He suggested to first ensuring the basic minimum needs of the people like water, food, fuel, fodder, education for empowering people. Forest management is the first and foremost need of the new state as the globalised markets are already there to exploit its natural resources. The programmes, like the JFM are in fact the hidden agenda to exploit the rich forest resources of the region.

Presenting his paper on 'Reconstruction and Development of Uttarakhand', Dr. K.N. Bhatt argued that the ideal conditions exist in the new state to evolve the process of decentralized planning and true system of village republics. The people of the area are educated, workforce is highly disciplined, cultural practices are rich and the law and order problems in the society are virtually negligible. Dr. Bhatt said that the new state can learn from the experience of Kerala where the system of the village republics is successfully working. The new state will have to create its own system with compatibility to unique Himalayan ecosystems and social reality. He hoped that the area might present a unique model of social development to the country. Sri. Bhupendra Kainthola

emphasized the need to protect Himalayan wilderness and wild life reserves. Sri. Mohan Kandpal spoke on the condition of open mines of Uttarakhand and its environmental consequences. He suggested not going for such open mines in the sensitive Himalaya. Delivering his presidential remark, Sri Rajendra Dhasmana, the chairman of the session, pointed towards the need for a concrete legislative measure to ensure *gram swaraj* and deliver power to people. He felt that the system would really lead to transparency and social development. Conducting the proceedings of the session, Sri Rajiv Lochan Shah said that the aspirations of the common people who have really struggled for the creation of the new state should must be fulfilled by their empowerment. He further pleaded for evolving an honest and efficient system of governance in Uttarakhand and making the region mafia free.

The third session on 'Education, Health, Culture, Information and Role of Media' started with Dr. Shamsheer Singh Bisht in the chair on 15-04-2001. Smt. Geeta Gairola introduced the subject and informed about the pathetic situation of health services in Uttarakhand. She told that the health services in the region are not oriented to women related health problems. These services only centre around family planning initiatives. She hoped that the future health policy of the state would be addressed to solve the women's health issues. Dr. Laxman Singh Bist said that we want a Uttarakhand with healthy people of sound minds. He informed that our immune system could be made stronger by Himalayan wilderness and closer interaction with it. Quoting some statistical data, Dr. Bisht told that in Uttarakhand only one doctor is available for an average population of 16,000 people against the required average of 5,000 persons. In view of this acute shortage of qualified doctors, quacks are doing havoc to the health of the local people. Dr. Bist informed that 80 percent of the diseases in Uttarakhand are water born diseases. If the local population is aware of our Ayurvedic and herbal medicines, most of the health problems could be solved. Wide spread smoking and intoxication habits are also taking their toll on the health of the local people. Dr. Bist suggested launching school health programmes and awareness campaigns in the area. Dr. K.N. Bhatt suggested to

initiate training of paramedical staff, particularly nurses. He felt that this will empower the women of the area and ensure further strengthening of the social sector programme and thereby bringing in a healthy social development in the new state. Smt. Arunradha Joshi spoke on the system of education in Uttarakhand and suggested for a system based on the local environmental surroundings and its needs. The vision must come from nature and the experiences of the past generations.

Delivering his talk on cultural aspects of development in Uttarakhand, Sri Rajendra Dhasmana said that if the culture of a particular region is not based on its own land, it is rootless. He argued that dividing culture in different parts is not a healthy approach to define cultural values. The problem being faced today in densely populated middle Uttarakhand are non-existent in the peripheral Uttarakhand which by and large is inhabited by the tribals, towns and cities in this belt being exceptions. Sri Dhasmana suggested linking cultural values to development and adopting it according to the changing needs of the society. It must be helpful in making Uttarakhand an ideal state. He further stated that the vehicle of the culture is language and its resting-place is education. If everything is borrowed, how can we remain with our healthy cultural values. Sri M.K. Kapoor deliberated upon the entrepreneurship development in Uttarakhand. The main focus of the industrial policy in the new state, suggested Sri. Kapoor, should be on creating maximum employment opportunities. This can be achieved only when the policy is based on the local resources and skills available. Mahila Mandals and co-operative groups can start a host of production activities like Gujrat and Himachal Pradesh by making provision for improved skills, inputs, finances and marketing facilities. Sri B.D. Kashniyal informed about development of journalism in Uttarakhand and peoples' right to information. He suggested that media will have to play an important role of empowering the common people. Our media should be value based and committed to the changing needs of the society. Prof. Narendra Bhatnagar felt for bringing an effective information technology for Uttarakhand. He argued that the new state could not become a mute spectator to the emerging

technological revolution. Secondly, he suggested evolving a suitable policy for biotechnology, which is expected to be the future technological revolution. Prof. Bhatnagar also pointed towards the dangers of tourism in Uttarakhand.

Sri Sunder Lal Bahuguna cautioned against the ensuing danger of the Tehri Dam. He informed that whereas local people are denied even potable water from the Bhagirathi on the plea of shortage of water for the dam, it is proposed to be used for sugarcane production in western U.P. and fulfil luxury of the people in Delhi. Our basic resources of life *Jal, Jangal and Jamin* are taken away from us. He suggested reducing the extravagance of the government machinery. He also felt the need to lay the foundation of the new state on the traditional wisdom. Sri Bahuguna felt that the highlanders spirit of freedom needs to be revived and the self-confidence of them reinvigorated. This only can lead to make a healthy and prosperous Uttarakhand. In his presidential remark, Dr. Shamsher Singh Bisht appealed to the people of Uttarakhand not to engage in narrow regionalism and sectarianism. He welcomed all to be associated with the development of the new state, based on the vision of grassroots democracy and peoples' empowerment.

The forth session on the State of 'Pending Court Cases and Muzaffarnagar Incident' was chaired by Sri. Chitranjan Singh, and conducted by Dr. Shila Rajwar. In her first presentation Dr. Uma Bhatt talked about the judgement delivered on Muzaffarnagar incident. Dr. Bhatt felt that compensation provided by the court to the women should now be stopped as it is leading to adverse consequences, although it was given as a matter of right of the victims for their rehabilitation. She informed that the role of CBI remained suspicious in this case. The CBI also failed to properly pursue cases against the 13 officials found guilty of atrocities on the people in Muzaffarnagar case. Consequently all these officers are remaining free without any punishment for their heinous crimes. Dr. Bhatt also informed that an important witness of the CBI was murdered. The FIR lodged against this case is not being pursued as to under which circumstances this person was murdered and who killed him. The main question

now, said Dr. Bhatt, is what is the responsibility of the government of the Uttarakhand? Why the new government is not taking initiative to give justice to the people after the creation of the new state? Why all the pending cases are not being transferred to the Uttarakhand High Court now? She felt that the top priority of the new government should be to deliver justice to the people.

Referring to the incidents, Sri Rajendra Dhasmana suggested that the Muzaffarnagar incident being the culminating point of all atrocities inflicted by the State upon the activists of Uttarakhand should be taken with utmost seriousness. He said that it was a case where the State became terrorist, bureaucracy turned wholly criminal and the judiciary at the highest echelons later took side with the State, forgetting the very fact that which way people should go when they have exhausted all channels of justice and got nothing from them. Insofar, as the slow pace of trial courts is going on, that too over the mercy of the state again, there remains little scope for justice. Sri.K.K. Rai elaborated in detail the 2nd October 1994 police atrocities in Muzaffarnagar case. He stated it is most unfortunate that a state, which is born out of the peoples' movement, is insensitive to its own people. The killers of the people are still out of the preview of the punishment and the new state is in deep slumber. The state is even denying to recognize the unfortunate incidence of peoples suppression as a part of the struggle of its own people. Sri Rai appealed to the people of Uttarakhand to take siege of the new government and pressurize it to deliver justice to the people. Sri Trepan Singh Chauhan said that the Muzaffarnagar incident is a blot on the history of the Uttarakhand and even after creation of the new state the justice is not being done to the people.

Sri Ravi Kiran Jain looked into the Muzaffarnagar incidence as one of the most heinous crime perpetuated by the state in the history of human rights suppression. The most unfortunate thing is the denial of justice in the case by the Supreme Court of India. The highest court even refused to read the Allahabad High Court judgement properly before denying justice. He questioned the people why they could not

properly pursue the cases in Supreme Court of India. Making his presidential remark, Sri. Chitaranjan Singh questioned the people of Uttarakhand as to why this Muzaffarnagar blot of history is related only to the women of Uttarakhand? Why whole society and its own government is not taking this unfortunate event of human suffering as their own societal cause. He suggested that the cases in the courts should again be persued by all.

The fifth and the last session on 'Public control on Politics', began with Sri. Surendra Mohan in the chair. Dr. Shamsheer Singh Bisht in his first presentation in the session highlighted the need for the peoples participation and control in politics. He informed about the decline over the years in the *Gram Samaj* institutions of Uttarakhand. He lamented the non-existence of any public institution in the country, which could effectively take control of the petty politics and fight for the cause of the common people. If the peoples movement and electoral politics could be linked together and work cohesively, it would prove to be of immense importance for Uttarakhand. We will have to change the culture of politics in new state. Dr. Shekhar Pathak said that Uttarakhand society during the past 100 years have initiated historic peoples movements, but unfortunately, after reaching at a certain point these movements completely started withdrawing from the land. The need in the new state is to take public movements to their final conclusion and achieve their final goals.

Smt. Sushila Balooni described the suffering of the people during the prolonged movement for Uttarakhand. After these sufferings, lamented Mrs. Balooni, political power is captured by those today who had nothing to do with these sufferings. Now we will have to fight again to set this situation in right direction and give power to those who have actually suffered. Sri. P.C. Tiwari shared his experiences of peoples movements in Uttarakhand since mid-seventies which were particularly focussed to create public control in politics of the area. He questioned the idea of politics v/s peoples movements. When we only talk of this phenomenon we allow our political parties to suppress the peoples' genuine rights. Therefore we will have to reorient our political thinking and find

an alternative to today's petty political interest groups that have captured the power without any genuine claim. He suggested starting a sustainable campaign to educate people and formulate various political cadres to develop the alternative. Miss Pushpa Chauhan pointed towards the movements for prohibition and its consequences in Uttarakhand. She said that the people of Uttarakhand today need a political alternative at the local level which may respect their aspirations. This is the high time for the sons of soil to form the political alternative. Sri Samar Bhandari spoke about the lack of active participation by intellectual in Uttarakhand movement. He also highlighted the failures of the present government. Sri Bhandari supported the regional level political alternative in the new state. Sri Indresh Maikhuri pointed towards the wide spread dissentment among the common public towards the present government. Sri. Maikhuri also supported the cause of alternative regional political party and emphasised the role of students in reconstruction of Uttarakhand.

Sri. S.S. Pangtey expressed his dilemma whether a person like him, who is trying to join the politics, today could effectively run the party politics. He stated that from where an honest person will collect resources for today's corrupt electoral politics. Sri Pangtey felt that a simple political party should not be held responsible for the prevailing corruption in the system. The non-party based political organizations should organize themselves to control party politics found involved in corruption. He felt that the regional political parties are relevant for solving local problems rather than the national political parties. Making his remark on political alternative at the regional level, Sri. Ravi Kiran Jain requested the people to evolve a solid political alternative committed to the cause of the common man. He suggested throwing away the JFM from Uttarakhand, which is an indirect entry of the globalised forces to capture our forests. Sri Jain also suggested that the commission being appointed for recommending a permanent capital for the state, should be boycotted and Gairsain, the peoples capital must remain. Smt. Kamala Pant narrated the process of political learning by Mahila Manch throughout from the days of movement for Uttarakhand. She told that we have

now learnt as to how we are suppressed by the political power. Therefore, we now need to control the petty politics through peoples' movements. The need today is what political alternative we are going to provide in the changed circumstances. This alternative, suggested Smt. Pant, needs to be based on people's aspirations at the regional level. We will always keep distance from those forces who aligned with the anti-Uttarakhand movement.

Sri. Surendra Mohan delivered valedictory address as the chairman of the last session. He thanked UP PUCL for organising the seminar. He also pointed towards the valueless politics of today and suggested to carefully deliberating upon the question of coming into electoral politics. After getting the new state, suggested Sri Surendra Mohan, the people of the area should remain prepared to carry forward the movement to rectify the damage inflicted upon the area. They must fight to take back their full rights over *Jal, Jangal, Jamin*, the basic necessities of the area. Sri. Mohan felt that any political formation without uttarakhand Mahila Manch will not succeed.

More than 175 deligates participated in the seminar. Among the prominent persons who participated included Sri Paripurnanand Painuli, Sri Avadesh Kaushal, Prof. Harish Pokhariyal, Smt. Kamal Negi, Sri. Juyal, Smt. Chandrakala Bisht, Sri Salil Das, Sri Surendra Pundir, Sri R. Shridhar, Prof. Shushila Doval, Prof. M.S. Saklani, Sri Prem Punetha, Sri Lokesh Nawani, Sri Virendra Painuli, Smt Usha Bhatt, Sri Om Datt Singh and many others.

The participating delegates of the seminar unanimously passed the following resolutions:

- ☞ The JMF programme being implemented in Uttarakhand must go and the forests of the area should be restored to the people.
- ☞ The President of India should dismiss the present Uttaranchal government as it has created the constitutional breakdown by not even appointing the State Election Commission and the State Finance Commission and

neglecting its other constitutional obligations. The group of delegates' felt that interim Legislative Assembly of Uttarakhand should be declared totally unconstitutional.

- ☞ One man commission to decide the question of a permanent capital for the new state by a retired judge is wholly misconceived idea. The people have already decided that Gairsain (Chandranagar) will be the capital of Uttarakhand. The assembly calls upon the people to boycott the commission.
- ☞ In the true spirit of the 73rd and 74th Constitutional Amendment Acts, the new state must come out with a Panchayat Raj Legislation for creating a three-tier system of local self-governments and empowerment of the people. Lessons could be learnt from the Kerala experiment of the Panchayat Raj governance and the new state must evolve a village republic in each and every village of the area. The assembly of participants strongly feels that the ideal conditions exists in Uttarakhand for evolving truly decentralized system of local self governments and economic empowerment of the people.
- ☞ A committee will be constituted to prepare a model bill for creating the system of local self government and deliver power to the people. This committee may also include the social scientists, legal experts, activists and the representatives of the common people from Uttarakhand .
- ☞ All court cases against political activists pertaining to their involvement in the struggle for a separate state, particularly Muzaffarnagar incident, should be immediately withdrawn and guilty officials must be punished.
- ☞ The per capita private land available with the people in the area is very less. The used to draw sustenance traditionally from common lands. But today 20 percent of the total geographical area is brought under the perview of National Parks, Bio-sphere Reserves and Sanctuaries which are completely prohibited for the common people. In deep valleys the state is bent upon constructing big dams and submerging the area under water. In these circumstances local people are left with no choice to even

fulfill their genuine day to day needs. The new State must ensure individual land rights to the people and give access to their customary rights over all types of common lands in the area.

- ☞ The provision of the Land Ceiling Act can not be implemented by the new state. They are still left with U.P.. The new state should be free to act according to the provisions of the ceiling law and work out its own provisions in this regard.
- ☞ The surplus land beyond the provisions of the ceiling laws with the big landowners in Tarai should be immediately taken back by the new state. It should be redistributed to the landless and marginal farmers.
- ☞ The size of government in the new state should be maintained to its minimum and the bureaucracy should have minimum interference in the life of the people.
- ☞ The school curriculum up to 12th standard in the new state must include Uttarakhand geography, geology, history, culture, forestry, resources and environmental economics and defense studies.
- ☞ Emphasis must be placed on imparting professional education in the new state. It could be focussed on Information Technology, Sports, journalism, adventure sports, Medical, Engineering and Management Education. The new state must aim to emerge as a 'Knowledge State'.
- ☞ The health policy of the new state must emphasize on preventive medical approach rather than curative one. People should be encouraged to live with the Himalayan wilderness to maintain good health and immune system. Local Ayurvedic and other systems must be revived.
- ☞ Construction activities, particularly relating to the construction of roads, bridges Dams, etc., should be planned in such a way that they have minimum impact on the sensitive local ecosystem. With this objective in view, all villages in the area should be linked with roads.

- ☞ The area enjoys definite comparative advantage in the terms of ready made laboratory like conditions for initiating a host of electronic, precision tools, computer software and hardware and information technology based industries. The new state should immediately come out with a comprehensive plan for its industrial development on these lines.
- ☞ The future of human is being linked today to biotechnology revolution after present days information technology revolution. Keeping in view the enormous biodiversity in Uttarakhand the new state must lay a strong foundation for research and development activities in this direction.
- ☞ The big and organised businessmen from the outside have always exploited the small and unorganized producers and farmers of the area in the open market. The new state must ensure to provide healthy markets and other support services to its exploited producers.
- ☞ Ensuring peoples right to the information should be the basic ideology of the new state and the Uttarakhand government should be very transparent in all its day to day activities.
- ☞ The backbone of the Uttarakhand economy is its highly disciplined and cultured women. The new state cannot imagine for its healthy social development without women's empowerment. This assembly therefore strongly recommends ensuring women's participation in all aspects of the development in the new state.

लोक स्वातंत्र्य संगठन (पी०यू०सी०एल०), उत्तर
प्रदेश द्वारा उत्तराखण्ड में "मानवाधिकार
एवं विकास" के मुद्दों पर की गयी
जन जागरण यात्रा

सार संकलन एवं निष्कर्ष

लोक स्वातन्त्र्य संगठन, उत्तर प्रदेश

1/1 आकाशपुरी कालोनी, इलाहाबाद-211 001

लोक स्वातंत्र्य संगठन (पी०यू०सी०एल०), उत्तर प्रदेश द्वारा
उत्तराखण्ड में "मानवाधिकार एवं विकास"
के मुद्दों पर की गयी जन जागरण यात्रा

सार संकलन एवं निष्कर्ष

लोक स्वातंत्र्य संगठन (पी०यू०सी०एल०) उत्तर प्रदेश की विशेषज्ञ टीमों ने दो चरणों में उत्तराखण्ड के गढ़वाल एवं कुमायूँ क्षेत्र का सघन दौरा किया और सभाओं, गोष्ठियों, परिचर्चाओं एवं प्रेस वार्ताओं के माध्यम से वहाँ की जनता व बौद्धिक वर्ग से सम्पर्क कायम किया। पी०यू०सी०एल० टीमों की यात्रा का उद्देश्य विकास की बुनियादी इकाई "पंचायतों" के अधिकारों के प्रति जनता को सचेत व सक्रिय करना था, तथा केन्द्रीकरण के विरुद्ध विकेन्द्रीकरण के आधार पर जल, जमीन, जंगल तथा प्राकृतिक खनिज व मानवीय सम्पदा पर जन भागीदारिता पर आधारित विकास की रणनीति को सुनिश्चित करना था।

प्रथम चरण में पी०यू०सी०एल० की पहली टीम ने १३ जून से १६ जून, २००० तक गढ़वाल मण्डल का दौरा किया जिसमें संगठन के प्रांतीय अध्यक्ष श्री रवि किरण जैन, महामंत्री, ओ०डी० सिंह, संगठन मंत्री के०के० राय एवं गोबिन्द बल्लभ पन्त सामाजिक विज्ञान संस्थान, इलाहाबाद के समाज वैज्ञानिक डा० के०एन० भट्ट शामिल थे। दूसरे चरण में २५ सितम्बर से १ अक्टूबर, २००० तक कुमायूँ मण्डल के दौरे पर संगठन के प्रांतीय अध्यक्ष रवि किरण जैन, वरिष्ठ उपाध्यक्ष चितरंजन सिंह, समाज विज्ञानी डा० के०एन० भट्ट, डा० दुष्यन्त गिरी, डा० महिपाल, एवं वरिष्ठ पत्रकार राजेन्द्र धस्माना ने इस कार्य को सम्पन्न किया। दोनों ही चरणों में गढ़वाल क्षेत्र के देहरादून, टेहरी, श्रीनगर, कर्णप्रयाग, गोपेश्वर, जोशीमठ, गैरसैण एवं कुमायूँ में नैनीताल, बेतालघाट, अल्मोड़ा, बागेश्वर, बेरीनाग, पिथौरागढ़,

हल्द्वानी, आदि स्थानों में विशेष रूप से गहन विचार-विमर्शों एवं संगोष्ठियों का आयोजन किया गया।

यात्रा के दौरान उत्तराखण्ड के राजनैतिक, आर्थिक, सामाजिक व सांस्कृतिक स्वरूप पर गहन चर्चा हुई और नवगठित राज्य के स्वरूप व विकास की संभावनाओं पर आमजन की राय ली गयी।

इस व्यापक भ्रमण एवं जन जागरण यात्रा से निम्न निष्कर्ष उभर कर सामने आये हैं:

१. सम्पूर्ण उत्तराखण्ड में यह आम राय है कि राज्य की माँग और उसका आन्दोलन केन्द्रीकरण के खिलाफ विकेन्द्रीकृत विकास की ही अभिव्यक्ति है। अतः भावी राज्य का राजनैतिक ढाँचा इस बात की माँग करता है कि इसे समतामूलक विकेन्द्रीकृत होना चाहिए। यदि ७३वें एवं ७४वें संविधान संशोधन अधिनियमों की पृष्ठभूमि में मिले प्राधिकार की मूल भावना के अनुरूप नया राज्य बन पाया तो यह न केवल जन-जन की आकांक्षाओं की पूर्ति का वाहक बनेगा, बल्कि समूचे देश के लिए एक आदर्श भी प्रस्तुत करेगा। इन संशोधनों की मूल भावना - विकास का सामूहिक अधिकार - उत्तराखण्ड के पिछड़ेपन से मुक्ति का मार्ग प्रशस्त कर सकता है।
२. यह आम राय दिखाई पड़ती है कि अप्रत्यक्ष प्रतिनिधित्वात्मक राजनीति के विकल्प के रूप में विकेन्द्रीकृत एवं पारदर्शी जनभागीदारी युक्त राजनीति ही एक मात्र संभावना है। इसलिए उत्तराखण्ड की जन भावना है कि नये राज्य में विधायिका संवैधानिक व्यवस्था पर आधारित ऐसी स्वायत्तशासी व्यवस्था दे, जिससे राज्य के बजट का ५० प्रतिशत

नौकरशाही के नियंत्रण से बाहर सीधे स्थानीय स्वशासी सरकारों को हस्तान्तरित किया जा सके।

३. इन आकांक्षाओं की पूर्ति तथा एक आदर्श विकेन्द्रीकृत राज्य के गठन की गारन्टी के लिए भ्रमण दल ने समूचे उत्तराखण्ड में इस बात पर सहमति पाई कि स्थानीय विकास के लिए एक नयी राजनीति की शुरुआत हो। यह राजनीति ऐसी हो जिसके मूल में विकास एवं समतामूलक विकेन्द्रीकरण हो। चूँकि परम्परागत राष्ट्रीय दल केन्द्रीकरण के ही पक्षपोषक रहे हैं, और क्षेत्रीय आकांक्षाओं की पूर्ति कर पाने में न सिर्फ पूरी तरह असफल साबित हुए हैं, बल्कि समय समय पर वे उनके खिलाफ भी खड़े दिखाई पड़े हैं। इसलिए आज जरूरत है कि ऐसे नेतृत्व को लेकर एक क्षेत्रीय दल का गठन किया जाय तो उत्तराखण्ड की मॉग को लम्बे समय से पूरी ईमानदारी से उठाता आया है और जिसने इसके लिए अनेकानेक बलिदान दिये हैं। यदि वे समय की इस जरूरत के अनुरूप खड़े नहीं हो पाते तो नया राज्य उन्हीं शक्तियों के हाथों चला जाएगा जो अब तक यहाँ के संसाधनों का दोहन करते आए हैं, और यहाँ के पिछड़ेपन के लिए सीधे तौर पर उत्तरदायी हैं। क्षेत्रीय राजनीतिक दल का गठन इसलिए भी आवश्यक है क्योंकि वैकल्पिक विकास की अवधारणा को एक राजनीतिक मंच से ही स्वर दिया जा सकता है। अतः विभिन्न सामाजिक, आर्थिक, राजनैतिक व सांस्कृतिक मोर्चों पर अलग-अलग खड़े तमाम व्यक्तियों व संगठनों को एक राजनैतिक मंच पर इकट्ठा होना समय की मॉग है।

४. महिलाएं उत्तराखण्ड के अर्थतंत्र की रीढ़ हैं। लेकिन उनका जीवन पहाड़ जितना ही कठोर और दुर्गम है। अतः उत्तराखण्ड का विकास यहाँ की महिलाओं की स्थितियों को पूरी तरह बदले बगैर सम्भव नहीं है। इसलिए आवश्यक है कि उत्तराखण्ड के विकास की राजनीति में गाँव से राज्य के

केन्द्र तक महिलाओं की ५० प्रतिशत भागीदारी सुनिश्चित करनी होगी।

५. उत्तराखण्ड में विकास की राजनीति की प्राथमिकताओं में सबसे पहले हर गाँव को पानी, स्वास्थ्य, शिक्षा और बिजली जैसी बुनियादी जरूरतों को वास्तविक अर्थों में मुहैया कराना होगा। उत्तराखण्ड के वन, जो पारम्परिक रूप से स्थानीय समाजों की सम्पत्ति माने जाते थे तथा उन्हीं के द्वारा प्रबंधित थे, को वापस ग्राम पंचायतों के अधिकार में देना होगा। भ्रमण दल ने इस बात पर सर्व सहमति पाई कि जंगल के बिना उत्तराखण्ड के विकास की कल्पना नहीं की जा सकती जबकि जे०एफ०एम० जैसी परियोजनाओं के जरिये वनों पर आज ग्रामीणों के बचे-खुचे पारम्परिक अधिकारों को भी समाप्त करने की साजिश की जा रही है। अतः ऐसी परियोजनाओं को तत्काल प्रभाव से रद्द कर दिया जाना चाहिए तथा सम्पूर्ण वन क्षेत्र को पंचायतों के अधिकार क्षेत्र में दिया जाना चाहिए। क्योंकि आज भी उत्तराखण्ड में सर्वाधिक सम्पन्न एवं संरक्षित वन वही हैं जो सक्रिय वन पंचायतों के अधीन है।

६. उत्तराखण्ड की राजनीति करने वालों को इस क्षेत्र की विशिष्टताओं को ध्यान में रखना होगा तथा स्थानीय संसाधनों की संभावनाओं पर विकास अर्जित करना होगा। उत्तराखण्ड में जल विद्युत, इलेक्ट्रॉनिक एवं सूचना प्रौद्योगिकी, फार्मस्थूटिकल एवं जड़ी बूटी पर आधारित उद्योगों, वन, फलोत्पादन एवं उनसे जुड़े उद्योग, स्थानीय शिल्प आधारित कुटीर उद्योग, पर्यटन तथा तीर्थ-यात्रा, फिल्म उद्योग तथा शिक्षण एवं शोध संस्थान जैसे क्षेत्र उत्तराखण्ड को आर्थिक दृष्टि से मजबूत एवं आत्म निर्भर बनाने में सक्षम है। स्थानीय उत्पादों पर आधारित उद्योगों के समुचित विकास के लिए

स्वस्थ्य प्रतिस्पर्धा पर आधारित बाजार-तंत्र का निर्माण उत्तराखण्ड के आर्थिक विकास की पहली शर्त है।

इस जनजागरण यात्रा के बाद आगामी कार्यक्रम के रूप में सुनिश्चित किया गया कि पी०यू०सी०एल०, पहाड़, उत्तराखण्ड महिला मंच एवं सामाजिक विज्ञान संस्थान, नई दिल्ली के संयुक्त तत्वावधान में दिसम्बर माह के दूसरे सप्ताह में रुड़की विश्वविद्यालय अथवा देहरादून में एक दो दिवसीय राष्ट्रीय विचार गोष्ठी का आयोजन किया जायेगा। इसमें देश के शीर्षस्थ समाज विज्ञानी, चिन्तक, विधि विशेषज्ञ, मानवाधिकार कार्यकर्ता तथा उत्तराखण्ड क्षेत्र के प्रतिनिधियों को आमंत्रित किया जायेगा। इस विचार गोष्ठी में अभियान दल के अनुभवों के आधार पर नये राज्य के लिये ठोस नीति-निदेश विकसित करने का प्रयास किया जायेगा। (प्रस्तावित संगोष्ठी अन्ततः माह अप्रैल १४-१५, २००१ को देहरादून में सम्पन्न हुई, जिसकी रिपोर्ट पूर्व में संलग्न है)

SUSTAINABLE DEVELOPMENT OF UTTARAKHAND

THROUGH PEOPLES PARTICIPATION

A Discussion Paper

Distributed among the participants of various meetings, workshops and conferences at Dehradun, Tehri, Srinagar, Gopeshwar, Joshimath, Gairsain in Garwal and at Nainital, Betalghat, Almora, Bageshwar, Berinag, Pithoragarh, Haldwani in Kumaon by the PUCL teams during their visits to Uttarakhand. The first team visiting Gharwal during June 13-19, 2000 (before formal creation of state) consisted the following team members:

1. Sri Ravi Kiran Jain, Chairman
UPPUCL , 1/1 Akaspuri Colony, Hastings Road,
Allahabad.
2. Dr. K.N. Bhatt, Social Scientist,
G.B. Pant Social Science Institute, Jhusi, Allahabad.
3. Sri K.K. Rai, Secretary
UPPUCL , 105 Ashok Nagar, Allahabad
4. Sri O.D. Singh, General Secretary
UPPUCL , IERT, Teachers colony, Allahabad

The second team visiting Kumaon during September 25 to October 1, 2000 (after the Bill for creation of Uttarakhand was passed by the Indian Parliament) consisted the following members:

1. Sri Ravi Kiran Jain, Chairman
UPPUCL , 1/1 Akaspuri Colony, Hastings Road,
Allahabad.

2. Dr. K.N. Bhatt, Social Scientist
G.B. Pant Social Science Institute, Jhusi, Allahabad
3. Sri Chitranjan Singh, Dy. Chairman
UPPUCL, Allahabad.
4. Sri Rajendra Dhasmana, Sr. Journalist
New Delhi.
5. Dr. Manipal, Social Scientist
New Delhi.
6. Dr. D.K. Giri, Social Scientist
Indian Institute of Social Sciences,
Nelson Mandela Road, Vasant Kunj,
New Delhi.

Uttar Pradesh People's Union for Civil liberties

1/1 Akashpuri Colony, Allahabad - 211001

Phone: 0532-623569, 667363