

100-year poverty poser on Vedanta

R. BALAJI

New Delhi, Feb. 20: The Supreme Court today asked the Centre and environmentalists whether they want tribals to live in “abject poverty for the next 100 years” by insisting a Vedanta bauxite mining project shouldn’t come up in Odisha’s Niyamgiri Hills.

“If the tribals are offered modern benefits, will they not accept? Do you want them to remain like that for 100 years, collecting firewood and *tendu* leaves,” Justices Aftab Alam, K.S. Radhakrishnan and Ranjan Gogoi asked solicitor-general Mohan Parasaran.

The Centre’s law officer was defending a 2010 environment ministry decision to ban mining activity in the region.

The court wondered what could be the objection of the tribals in blending with modernity if the state, which has contested the bar, and the project owners pumped money into welfare measures like hospitals, schools and other employment avenues.

Parasaran told the court that mining had been halted to protect the environment and tribal habitats and that the forest rights act of 2006 gave the tribals a right to livelihood.

Justice Alam questioned the argument by saying “we don’t really understand what the tribals require”.

“What if the area is developed and tribals are made aware. If a large number of tribals say we want to live and stay here, that may be a different situation, nevertheless that is an important consideration. But if the tribals say they want schools, colleges, employment and hospitals, can we say no, you can’t get it? Will this court be right in saying you will not have any schools or such facilities?”

Parasaran argued that the cultural and ethnic rights of tribals could not be destroyed in the name of development. “You can’t seek to dissect religion and customs,” he said.

Justice Radhakrishnan observed: “It is doubtful whether the religious right will come into question or not.”

The court then asked counsel Sanjay Parekh, appearing for some of the tribals, why he opposed the project. “Why are you fighting shy of giving them development. Do you want them to lead a life of abject poverty for the next 100 years?” Justice Gogoi asked.

Parekh cited the court’s recent order banning tourism in the Andamans to protect the Jarava tribe.

Arguments on the Odisha case will continue tomorrow.