

From the Groundwater Up: Asserting water rights in India

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ABSTRACT *Georgina Drew looks at organized civil society resistance to big multinational corporations monopoly over water that build on the realities of communities in Mehdiganj, India. She argues that place-based oppositions continue to be important and that local fights for the right to water and development will continue to inform the larger movement against water privatization.*

KEYWORDS *place-based politics; Coca Cola; anti-water-privatization movements; market economy; community rights*

Slogans and symbols: an introduction to Mehdiganj

When you first enter the village¹ of Mehdiganj, you might think it looks similar to the numerous other villages in Uttar Pradesh. Adjacent to the new superhighway, the 'golden quadrangle' that connects northern India from East to West, Mehdiganj is 20-some kilometers outside of the holy Hindu city of Benares. Upon turning off the highway, you will see fields of paddy, grain and vegetables among other crops. You will see women and men working on these flat, dry fields spotted patchwork-like with green where water for irrigation could be found. As you begin to pass mud-and-straw homes, brick buildings, and concrete bridges, you will also begin to see a number of handwritten signs in Hindi. Written on a brick wall, the first to catch your eye might read, 'The farmers have shouted that Coca Cola steals water' (*Kisano ne machaya shor, coca cola pani chor*). Another, further down the road and written upon a building next a hand pump reads, 'Coca Cola, have some shame and stop poisoning (us)' (*Coca cola sharam karo, jahar lana mat karo*). As you pass a hand pump, another slogan written in red reads more simply, 'We will fight, we will win' (*Larhenge, jeetenge*).

Slogans such as these are reminders of Mehdiganj's struggle to oppose the excessive water mining and pollution dumping practices of an Indian subsidiary of the Coca Cola Company (Hindustan Coca Cola Beverages Private Limited or Coke). They are also, as I discuss below, a symbol of community building and social organization that has resulted from the fight against the practices of Coke in India. What began as a general concern for dropping groundwater levels and contaminated water grew to be a movement that has successfully networked with other regional, national, and international organizations fighting for human rights to water, corporate accountability, and

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'people-centred development'. In telling a bit of their story, I hope to demonstrate the ways that 'local',² place-based actors engage in struggles for water rights and the right to development.

The Coca Cola Company in Mehdiganj

When Bharat Coca Cola Bottling North East Private Limited, an Indian branch of the Coca Cola Company, opened for business in Mehdiganj in 1999, the bottling plant was greeted with a sense of optimism by many of the villagers. Says Nandlal Master, the leader of the Lok Samiti (People's Committee) that now leads the opposition to the plant, the villagers were happy when the company arrived. With hopes for increased employment and regional commerce, they expected, in his words, 'that development would come, too'.³ After two years, however, it became clear that the company would not produce the hoped-for benefits. Not only did the company choose to mostly hire employees from outside Mehdiganj, but the contract workers that they hired were paid some 66 rupees a day (about US\$ 1.65) for their work.⁴ Efforts to organize workers were even met with oppressive measures after five employees were imprisoned on 'false' criminal charges filed by the company.⁵

Adding to the disappointment was the flooding of acres of agricultural land with wastewater that occurred in October 2002. The spill – caused when the pipes that direct wastewater away from the plant were blocked by the construction of the superhighway – had an immediate impact on women and children's health.⁶ Even after the company was ordered to remove the wastewater by the District Administration under Section 133 in May 2003, farmers found that their fields were rendered nominally fertile. While, five years later, the land has regained much of its fertility, residents of Mehdiganj worry that the groundwater is contaminated from the chemical byproducts of the bottling plant.⁷

Among the hardest hitting effects of the plant's operations has been the loss of groundwater supplies. Residents of Mehdiganj watched in disappointment as the plant's gates sent out continual truckloads of groundwater in the form of bottled Kinley water, Coca Cola, Thums Up, Limca and

Maaza soft drinks. The plant, designed to produce 600 bottles of Coca Cola brand beverages per minute, thirstily drank hundreds of thousands of liters a day (Lok Samiti, 2007). As the water levels plummeted some 40 feet, residents of Mehdiganj began to speak among themselves about the injustice of what they labelled (in English) the 'privatization' of their water supply.

Who manages water?

It is important to note here that the dispute over groundwater resources in Mehdiganj is symptomatic of larger problems in water management throughout India. To begin, a complex array of institutions and regulations govern the use, distribution, and quality of water in India.⁸ The overlapping responsibilities of these organizations confound the resolution of water-related conflicts and the sustainable use of water resources. Decisions over water resource management are further exacerbated by the contradictory attitudes of policymakers that praise community-based paradigms for water resource management while often favouring large-scale, technologically driven, engineering-dominated, and non-participatory projects (Iyer, 2001). These contradictions are evident in the revised National Water Policy of 2002 that recognizes community water needs for subsistence while also advocating more private investment in the water sector.

The question of managing groundwater in Mehdiganj, then, is part of an ideological contest of private *versus* public in a country undergoing rapid economic growth and industrialization. Although Indian laws do indicate that private entities own the water underneath their land, these laws were fashioned in a time when limited technology and capital helped to cap the possible extraction of water resources. Now, in the context of a liberalized market economy (where nominal cess water fees are often the only charges for water use), industries and other private entities with enough capital can extract as much water as they want. While such activity is consistent with the logic of 'free' market enterprise that focuses on the generation of revenue, when it leads to the depletion of vital water resources, it is in conflict with

valuations of water as a common to which all humans have a right.

Despite the regulations favouring the private use of water, there are significant provisions that empower communities to decide how their water should be managed. Responding to concerns on the capacity of private industries to extract massive amounts of water without much regulation, the Joint Parliamentary Committee (JPC) – convened to look into the safety of the beverage industry in India – upheld that water is a public good whose availability for subsistence should be ensured. In their report, they asserted that local governing bodies, or *panchayat*, in conjunction with the State, should regulate water use in order to protect groundwater resource from excessive commercial exploitation through the use of restriction.⁹ In so saying, the JPC upheld the 73rd and the 74th amendments to the Indian constitution that give *panchayat* the power to determine how the natural resources in their area should be used. Because of these powers, some *panchayats* have been able to stop water mining practices that they deem harmful or unfair, albeit after drawn-out legal measures.

In the case of the opposition to the Coca Cola Company's bottling plant in Plachimada, Kerala, for instance, the *Perumatty Panchayat* chose to support the tribal women who were conducting an indefinite sit-in (*dharna*) to stop the loss of an estimated 1.5 million liters of water a day and the depletion of 65 borewells that dropped the water level from 150 to 500 feet. (Ranjith, 2004: 18) After filing a Public Interest Litigation (PIL) in the Kerala High Court, the Kerala Chief Minister ordered the closure of the plant on 17 February 2004. The *Perumatty Panchayat* continues to withhold permission of the company to resume operations. With the support of their *panchayat*, therefore, the residents of Mehdiganj believe that they have adequate grounds to put an end to what they believe is the excessive mining of their water supplies.

The right to water and development

Confronted with dropping groundwater levels and contaminated agricultural land, residents of

Mehdiganj began to organize. Calling the struggle a fight for their 'rights to water' and 'rights to livelihood',¹⁰ numerous residents of Mehdiganj joined in opposition efforts such as peaceful protests and hunger strikes. Among the leaders involved in mobilizing action were the efforts of the Lok Samiti (People's Committee). Begun in 1998, the Lok Samiti was established to promote education and life training programmes in Mehdiganj. Active in improving women's conditions and *dalit* (lower caste) concerns, the Lok Samiti became a key player in regional politics. Citing the Coca Cola Company's operations in Mehdiganj as the chief obstacle to 'development', they have proven to be an important voice in the debate over private *versus* public rights to water resources in India.

Beyond the right to water, the anti-water-privatization movements in Mehdiganj are also about the right to 'development'. At issue, however, is the *kind* of development residents in Mehdiganj envision for themselves *versus* the development being imposed upon them. Consider, for example, the words of the Lok Samiti: 'The approach of the movement has been to see water as an inalienable right which cannot be sold for profit. Integrated within this right is the right to development where communities have traditionally managed natural resources which are increasingly being taken away from them through state policy' (Lok Samiti, 2007: 16). Similar to the arguments of post-development (Escobar, 1995) and post-capitalist scholarship (Gibson-Graham, 2006), residents of Mehdiganj are asserting that they and their resources are being exploited in the pursuit of capital centric, western models of development that are not necessarily in their best interest. In so doing, they are pointing to the 'violence' of the dominant mode of development (Sachs, 2004) and demanding their right to pursue alternatives. Such demands are reminiscent of calls for a 'people-centred development' (Molyneux and Lazar, 2003: 8–9) that recognizes that no 'coherent development strategy' can exist if it is at the cost of negating the fundamental human rights such as the right to water.

Since, like the actions of numerous other industries across India, the Coca Cola Company's operations in Mehdiganj have resulted in the loss and

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contamination of water needed for subsistence, residents are arguing that state-sanctioned models of development are failing. Stating that 'the price for (the) development of India is being paid by (the) current and future generations of Mehdiganj', such residents and their supporters are seeking alternatives to pursue 'sustainable' community-based development practices (Chandrika, 2006: 12). Towards this end, the Lok Samiti in Mehdiganj has begun building water harvesting ponds, or *talabs*, in the village as part of their community development strategy.

The Coca Cola Company, for their part, has claimed – both in India and elsewhere – that anti-globalization movements are unfairly targeting them. In defense of their practices, they cite the rooftop water-harvesting units that they are working to install on some of their bottling plants and other nearby buildings. While these actions have earned them some 'environmental' awards and even the support of some government officials in India,¹¹ the Coca Cola Company is far from being a champion of environmental stewardship. In Mehdiganj alone, rather than listening to the environmental and health concerns of residents, the company has kept them locked out of negotiating circles. When protestors have gathered at the gates of the bottling plant to promote dialogue, for instance, the most common response was the assault and imprisonment of numerous peaceful protesters, including elderly women, at the hands of the police force.¹² After some five years of opposition activities in Mehdiganj, moreover, the company has yet to lessen its water mining practices despite a persistent draught and the continuing drop in groundwater.

Mehdiganj and beyond: networks of opposition

Despite their inability to stop the water mining practices of the bottling plant, residents of Mehdiganj have successfully linked themselves to a larger network of movements asserting water rights and opposing water privatization. United by the common argument that the right to water is a right to life, these networks have gained regional, national, and international attention for their cause.

From Plachimada to Mehdiganj, networks of anti-water-privatization activists continue to grow. The Lok Samiti, for instance, receives regional support from groups such as the Gaon Bachao Sangarsh (Save the Village Committee) and the Sanjha Sanskruti Manch Varanasi. Nationally, they receive support from the Research Foundation for Science Technology and Ecology (RFSTE), the National Alliance of People's Movements (NAPM), and the water harvesting organization, Tarun Bharat Sangh. Internationally, they are supported by organizations such as the India Resource Center, the Campaign to Stop Killer Coke, Corporate Accountability and the Polaris Institute. Together, these organizations share information, resources, and promote the growth of water rights activism. International venues such as the World Social Forums have also provided opportunities for Indian activists to share their stories of struggle and encourage a global boycott of the Coca Cola Company.

Significantly, the educational activities of such networked groups have reached the ears and hearts of students in countries such as the US and UK. Having learned of the unjust, unsustainable water mining and pollution practices of the Coca Cola Company, for instance, numerous universities have cancelled their contracts to exclusively sell Coke brand products.¹³ Such efforts are a way that students and activists outside of India are helping to promote corporate accountability and force the Coca Cola Company to critically analyze their practices abroad. Thanks to the use of the Internet where non-government organizations such as the India Resource Center or the Campaign to Stop Killer Coke publish stories of corporate irresponsibility, students are now able to quote from residents in Mehdiganj, India, for example, when petitioning their university to reconsider its corporate alliances. Such actions affirm that the age of 'globalization' has not led to an erasure of place because of its delocalizing effects (Escobar, 2001). Since place-based oppositions continue to be important, we can expect to see that the fight for the right to water and development in Mehdiganj will continue to inspire and inform the larger movement against water privatization.

Notes

- 1 Although Mehdiganj has 15,000 residents, I refer to it as a 'village' (*goun*) and its residents as 'villagers' (*goun logh*) because that is how people speak about Mehdiganj and self-identity.
- 2 'Local' is used here to delineate the realm of place-based action in which opponents to the Coca Cola Company and the practice of water privatization are operating in Mehdiganj, India. As Dirlik (2000) reminds, however, while the 'local' is defined by its otherness to the global, it is simultaneously globally situated (Dirlik, 2000).
- 3 Interview with Nandlal Master on 19 August 2007.
- 4 These figures are from 2004.
- 5 Interview with residents of Mehdiganj on 22 July 2004.
- 6 Women in Mehdiganj said that a five-minute exposure to the wastewater could cause painful rashes that lasted from two to four months. The water, like the sludge tested in Plachimada, is presumed to contain harmful quantities of lead and cadmium. For more information, see *Women and Water: A Report by the Research Foundation for Science, Technology, and Ecology for the National Commission for Women*. 2005. New Delhi: RFSTE.
- 7 Interview with farmers in Mehdiganj on 22 June 2007.
- 8 At the central level, there are two agencies concerned with the supply of drinking water in India. The Department of Drinking Water Supply under the Ministry of Rural Development is charged with rural water supplies and the Central Public Health and Engineering Organization under the Ministry of Urban Development and Poverty Alleviation is charged with urban water supplies. A host of agencies are additionally concerned with water quality and regulation including the Central Ground Water Board/Authority, the Central Pollution Control Board, the Central Water Commission, and the Public Health Department.
- 9 Report of the Joint Committee on Pesticide Residues in and Safety Standards for Soft Drinks, Fruit Juice, and Other Beverages. New Delhi: Lok Sabha Secretariat, 4 February 2004: 25.
- 10 Interview with Nandlal Master in Varanasi, U.P. on 18 August 2007.
- 11 For more information, please see www.coca-cola.com.
- 12 See www.indiaresource.org for more information on these protests.
- 13 Examples of such universities include New York University, Smith College, Swarthmore College, Rutgers University, Macalester College, and McMaster University.

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