

## Sanjay Jaiswal on the use of the Right to Information Act

Interview recorded on 29 March 2013

When the local community protest started, then the Ground water board, Varanasi, Central ground water department, Allahabad and the block office, Raja Talab conducted a joint survey on 01 June 2006 and presented a report. This stated that the area had been experiencing rainfall lower than average. To this, we had the following questions:

1. If there is indeed a case of drought, then according to the groundwater policy, water needs to be allotted first for drinking, then for agriculture, then for essential industries, and finally for other industries such as beverage companies. This is being flouted.  

This is an agricultural area, not an industrial area. Despite than a license has been given to an industry that is extracting ground water. And that too, this is a polluting industry.

The first demand was that this should be regulated, and water be first reserved for domestic uses and for agriculture. In this context, the first application was to find out what the department has done, what is the current status, and what it plans to do in the future.
2. On 28 June, 2007 there was a meeting chaired by the commissioner ,where they said that Sevapuri and Arajiline are on the verge of being declared 'dark zones' due to over-exploitation of groundwater. We requested a copy of the minutes of that meeting and of any related deliberations that followed.
3. In 2007-08, Coca-Cola had published an environmental report in which they described the main parameters of the company, which are water stewardship, sustainable packaging, energy management, climate protection, and waste management. Our question is, who nominated you stewards of our water? This stewardship rests with out community. Assuming that you are stewards, how do you explain the decline in groundwater levels since your company was established here? What is the groundwater departments stand on this self-appointed stewardship.
4. When it comes to sustainable packaging, the company is extracting groundwater, packaging it sustainably and then selling it. What will the future generations say to this? What is the department doing to safeguard the interests of these future generations?
5. In March 2008, Coca Cola issued a press release that they will be water-neutral in Mehdiganj that year, and in all of India by 2009- under normal rainfall conditions, they took care to add. However back in 2006, it was acknowledged that the area does not have normal rainfall conditions. The rainwater harvesting systems set up by Coca Cola were established after 2006. Since it was established that the area is facing drought, designing rainwater harvesting systems on the basis of a rainfall pattern that no longer exists ,and then withdrawing water on the basis of those over-designed harvesting systems is difficult to understand. If Coca Cola is presenting these rainwater harvesting structures as a justification for water extraction, then the groundwater department should assess the functioning of these rainwater harvesting systems, and investigate the actual amount of recharge that is happening.
6. We also requested the air and water pollution figures for the area. Also, since this is an agricultural area, we requested that these figures be made public every month, without requiring that we file an RTI application.
7. The print media revealed the 55% of the tanks in Arajiline block had dried up in 2005, due to the streak of low rainfall since 2001. In 2006, this increased to sixty nine percent. This state of affairs continued till 2011, when several wells in the district dried up. In this

condition, the rainwater harvesting systems set up by the company were ineffective. Physical verification of some systems confirmed that they are not functional not just because of the lack of rain, but also because the systems themselves are broken. Is the department taking this into consideration while giving Coca Cola permission to withdraw water?

8. When Coca Cola was patented, it was patented in the form of a medicine. When and under what conditions did it move from being sold at a chemist's to being sold in general stores? We would like to know the story of this shift.
9. The UP government has a slogan, 'Khet ka pani khet mein, mile bhojan pet mein'. This roughly means that if water is conserved in the fields, the farmer will have food to eat. Their claim is that since the area is in the Gangetic plains, as long as the fields are provided with bunds, water will be recharged. In this area, are rooftop rainwater harvesting systems justified? This is merely a conspiracy to extract water by erecting the shell of a rainwater harvesting system. Is the government doing anything in this regard?
10. The cover page of the environmental report brought out by Coca Cola had an image of tree plantation on it. The report also claimed that the company had planted 1738 trees in their compound. When we studied the list of species, we realised that only eight of those are trees, and the other 1730 are ornamental plants. The company had only provided the botanical names of these species in an attempt to cloud the truth. While the villagers may be fooled, the government has several scientists. Are we to assume that their not raising an objection is a sign of complicity?

When we filed the RTI we did not get any response- people made us run from here to there. It is only later when we appealed that the replies began to come in. The CGWB office in Allahabad recommended that the answers be given to us, but they were very vague and misleading. We were also told that they are not present at the district meetings. However the reality is that the CGWB is in charge. Earlier we were told that the groundwater department only conducts mapping surveys and does not have access to data. Once the appeal was filed though, the numbers began to trickle in.

The CGWB's own survey of 2012 acknowledged that of the rainwater harvesting systems constructed by Coca Cola, all but one or two are very far from the plant; it is not accurate to say that these plants replenish the water extracted by the factory. They also stated that the groundwater levels in the plant premises is 24 meters. The monitoring wells other than these – outside the premises- have depths between 10-15 metres. This shows that groundwater levels are declining because of abstraction.

The plant was established in 2000, and the monitoring well in 2005. This itself is inaccurate since by then the levels had already gone down. The monitoring should have begun before the abstraction. Since 2005, the levels have been going down by about 1 to 1.5 metres per year. This was done to protect the company's interests.

In this way, the information keeps trickling in. When we get information, we analyse and summarise it, and use it to keep the protest moving forward.