Fact Finding Report on the Suppression of Democratic Dissent in Anti-Nuclear Protests by Government of Tamil Nadu

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April 2012
INTRODUCTION

On 19 March, 2012, the Tamilnadu Chief Minister announced her decision to allow the commencement of work at the Koodankulam Nuclear plant. In anticipation of this decision, the police forces deployed for maintaining law and order during the SankaranKoil bye-election were re-deployed to the areas in and around Koodankulam.

Idinthakarai is a medium-sized fishing village, with a mixed Hindu-Roman Catholic fisher population, and a smaller proportion of other communities. Since August 2011, Idinthakarai has been the epicentre of the protest against the KKNPP. In the seven months of agitation, members of KKNPP have been subject to numerous provocations, including being pelted with stones, harassed, and having their vehicles damaged. By and large, the response of the protestors has been non-violent and democratic. Using established satyagraha tactics such as hunger strikes, dharnas and road blockades, they have managed to keep a struggle alive in the face of propagandist campaign by the Central Government and their paid scientists.

The protest site, which was encircled by more than 7000 armed men, including those from Central forces and the Coast Guard, until March 23, was occupied (at the time of writing) by more than 10,000 people of whom 946 were elderly people, and 1500 children, including 715 below the age of five. Kuthenkuly is another village neighbouring Idinthakarai, which was also under a state of siege by the forces. This village has 553 primary school children, 198 children below age 5, and 462 elderly people. Idinthakarai is totally dependent on outside sources for drinking water, medical facilities and fuel. Each day, nearly 50 tanker lorry loads of water are purchased at the rate of Rs. 2.50 per pot. Since the time of the announcement by the Chief Minister, no tanker lorries were permitted to enter Idinthakarai. Since all main roads have been blocked, food supplies, milk and water had dwindled as has the reserve of fuel, oil and diesel. On 20th and 21st March, even the media (NDTV, Headlines Today and Puthiya Thalaimurai) was prevented access to the site, and this access was restored only after concerted public pressure was mounted.

Shopkeepers in nearby villages had been instructed to boycott Idinthakarai and Kuthenkuli villagers, and out of fear of reprisal, many of the shopkeepers were refusing to sell goods to Idinthakarai villagers.

It is learnt that road access to all coastal villages from Tiruchendur to Kuthenkuly had been blocked by the police, and that only coastal access was possible, and even that only to a limited extent. Women form the bulk of the resistance at Idinthakarai. If the Government of Tamilnadu's intent was to facilitate entry of technical personnel into the plant site, that has been accomplished, and there is no possibility of that being blocked given the overwhelming presence of armed people in the region. Under these circumstances, the intimidating show of force by the police forces, and the embargo on essential commodities seems to be a means to teach people a lesson for voicing their concern and challenging the Governments. Even as a Fact Finding Team was being constituted to look into the matter, public pressure resulted in the easing of the situation. Movement of essential supplies was restored, although movement of people, particularly from the village to the outside world remains problematic as many villagers fear that they will be jailed under false pretexts if they ventured out.
FACT FINDING TEAM

A fact finding team comprising the following people visited the areas around Koodankulam nuclear plant on 30th and 31st March 2012, to study the impacts caused by curfew imposed on the areas in and around Koodankulam.

- Mr. Sam Rajappa, Senior Journalist & Director, Statesman School of Print Journalism, Kolkata
- Dr. Gladston Xavier, Senior Lecturer, Loyola College
- Mr. Mahadevan, President, PUCL-Kanyakumari District
- Ms. Porkodi, Advocate, High court – Madurai bench
- Mr. Rajan, PUCL Kanyakumari

Day 1 (30th March 2012) -

The team visited Idinthakarai, a coastal village where around 4000 people from various coastal villages had gathered to protest democratically against the nuclear plant. The team interacted with the people and inquired about various issues faced by them during the curfew. The team also met the co-ordinators of the protest, including Dr. S.P. Udhayakumar and Mr. V. Pushparayan. Later in the day, the team visited SACCER at Nagercoil, the school run by Ms. Meera Udhayakumar, the wife of Dr. S.P. Udhayakumar, which was attacked and heavily damaged by an unknown mob on 21st March 2012.

Day 2 (31st March 2012) -

The team visited CASA Nagar, a tsunami rehabilitation colony located about 700 meters from the nuclear plant and interacted with residents of the colony. The team then visited the Koodankulam village and interacted with villagers who immediately gathered in large number to address the fact finding team. Later in the day, the team along with Supreme Court Adv. Prashant Bhusan, met Mr. Vijayendra Bidari, Superintendent of Police, Tirunelveli district.
FINDINGS

In spite of a prohibitory order to prevent people from entering Radhapuram taluk in Tirunelveli district where the Koodankulam nuclear power plant is located, we found three to four thousand people had gathered at the nearby Lourdes Churchyard in Idinthakarai, where a relay hunger strike was in progress for the five months. The agitators were strictly adhering to the Gandhian principle of non-violence.

As we entered the villages in the vicinity, we found all shops closed except the lone liquor shop run by the State government. Finding no customers, liquor was offered at discounted prices. Shopkeepers complained that the police was forcing them to open their shops but they stood their ground and refused to open. Similarly, fishermen were compelled to put out their boats and resume their fishing activities. None obliged. The government, on its part, stopped supply of milk and drinking water to the villagers. For denying drinking water supply in tanker lorries, the government blamed the protesters for putting up road blocks. But these were by thorny bushes and stones which any one could have removed. We had no difficulty in taking our car to these villages, notwithstanding the so-called road blocks. The government also suspended bus services in the area, causing untold hardships to the aged, ailing, and pregnant women needing urgent medical attention.

A cluster of loudspeakers was in full blast as we reached Idinthakarai, the centre of the anti-nuclear power plant agitation. Six or seven boys and girls, all below the age of 10, were at the mike. “Again and again we’ll rise and establish a new tradition. Nature is our mother. You have no right to destroy it. Come soon, come soon. Come to close down the nuclear plant,” they were heard shouting in unison in Tamil, like children of their age reciting nursery rhymes. Another group of children was squatting on the floor with a notebook scribbling away merrily. Asked if they were doing their school homework, they looked aghast. They stopped going to school to take part in the agitation which was a matter of life and death for them. They were composing newer slogans to replace the group at the mike. Yet another group of same age-group of budding playwrights was scripting a play to be staged in the evening. Talking to these youngsters, we were amazed at their knowledge of the inherent dangers of a nuclear plant in their midst.

The sea shore next to the church was deserted with rows and rows of fiberglass fishing boats beached. The fishermen in the surrounding villages have stopped taking out their boats to protest resumption of work at the nuclear power plant, following betrayal of the Tamil Nadu Chief Minister, Ms. Jayalalitha, who had assured them earlier that her government would not allow work to be resumed till their fears were allayed. Neither former President Mr. Abdul Kalam, nor the technical committee appointed by the State government, cared to visit the protestors at Idinthakarai to clear their doubts about the safety of the plant, said a group of fishermen at the churchyard.

Even as we were talking to the fishermen in groups, another batch of children was seen in front of the mike. “Amma, Amma, we called you. You have made us orphans. Abdul Kalam, Abdul Kalam, who are you to speak about nuclear safety?” and ended with the slogan “Narayanasamy, Narayanasamy, you shut your mouth.” These children were not tutored by their elders or leaders of the agitation like Dr. S.P. Udayakumar or Mr. Pushparayan. Women in clusters were busy rolling bidis as they were listening to the various slogans coined by their young ones. The women said they earned Rs. 60 for rolling 1,000 bidis. As their men stopped fishing, the meager income from rolling bidis kept them going. As we were leaving the churchyard to visit the next village, the children on the mike were getting louder and louder. After asking whether their shrill voice has not fallen on the ears of the Prime Minister, the booming sound of the youngsters could be heard from a distance shouting “We’ll not go, we’ll not go, till the plant is closed, we’ll not go to school.”
On the first day of our visit, we saw a group of fishermen from Chinna Muttam in neighboring Kanyakumari district to express solidarity with the Koodankulam agitators and joined the relay fast for a day. Before leaving, they presented Rs. 125,000, as a token contribution to keep the agitation going. We could see that it was contributions like this that was keeping the agitation alive and not foreign donations as alleged by the Union government and it’s Minister Narayanasamy.

Between Idinthakarai and Koodankulam we saw a tsunami resettlement township of 450 houses built CASA, a Catholic NGO. The site was chosen by the Tirunelveli district collector in 2006, about 500 meters away from the nuclear plant where work was in full swing. The collector perhaps nursed the sentiments of the protestors and believed the plant would be abandoned at some stage or the other. Otherwise, he would not have chosen the land for a housing colony so close to the nuclear plant. In the unlikely event of the plant getting commissioned, the entire colony of more than 2000 people and their brand new concrete houses will have to be evacuated.

Throughout our two-day visit, we could not find any trace of the agitation being instigated by Mr. Udhayakumar or any other leader. It is a genuine people’s movement. Since the people are not well educated, they sought the help of people like Mr. Udhayakumar to articulate their feelings to the government and to the concerned authorities. By hoisting false cases under all conceivable provisions of law, the government is under the mistaken belief that once he is arrested the protest will die down. Should the police lay its hands on Mr. Udhayakumar, there is every possibility of the hitherto peaceful agitation getting out of hands and turning violence. Just between 10.9.2011 and 23.12.2011, the Police had filed 107 FIRs against 55795 people and “others”. Of this, 6800 people have been charged with “sedition” and/or “waging war against the State,” perhaps the largest ever number in British or independent India for one police station. This is a parody of law. The frequency and manner in which the Police have filed cases against peaceful protestors clearly exposes that the police's intent never was to uphold the rule of law, but to crush any dissenting voices.

On the day Ms. Jayalalithaa gave the green signal for the nuclear plant, 5,000 police personnel, including an ADGP, were deployed, and tasked with arresting Mr. Udhayakumar. The 7,000-odd people who had assembled at the Lourdes churchyard at Idinthakarai made it clear that only after arresting each one of them, men, women and children, would they allow Mr. Udhayakumar to be arrested. The police was forced to beat a slow retreat.

To avenge their inability to arrest Mr. Udhayakumar, a school run by him and managed by his wife, Meera, in Nagercoil, about 30 km. away, was ransacked, its library and furniture destroyed, and compound wall demolished. Such harassment has only strengthened his resolve to intensify the agitation by all available peaceful means.