

**FACTS ON CONSTRUCTION OF RED MUD POND AT VEDANTA ALUMINA REFINERY,**  
**LANJIGARH, ODISHA**

There have been reports in a section of the media that have alleged the forced eviction of Rengopalli villagers from the Red Mud Pond area of Vedanta Alumina Refinery on January 21, 2012.

Vedanta would like to put on record the sequence of events, including the history of the case so that the public at large is made aware of what actually transpired.

### **INTRODUCTION**

The Rengopalli village lies in an area that was not acquired by the Odisha Government when it was giving land to Vedanta Aluminium to set up the refinery. People from the other villages whose land was acquired were resettled in the Vedanta R&R Colony. But the villagers of Rengopalli continued to stay in their village.

Vedanta constructed a Red Mud Pond having two cells - East Cell and West Cell for its 1 million ton Alumina refinery at Lanjigarh. The West Cell was in use from August, 2007 up to December 8, 2011.

In 2006, during the construction of the Red Mud Pond, Rengopalli villagers did not allow work to proceed as they wanted to use a pathway that ran through the East Cell of Red Mud Pond.

Some villagers of Rengopalli whose part of the land was acquired for setting up the project received one-time cash compensation and other benefits, although not covered in R&R policy. On June 28, 2006 a clear undertaking was signed that said that both parties will not have any further objection and that a violation of the agreement will be referred to the civil court.

After signing the agreement majority of the work for the Red Mud Pond was completed for both the East Cell as well as the West Cell in 2009-2010. As the East Cell was not being used then, a small opening was kept and the villagers of Rengopalli again started to use it as an unauthorized shortcut to travel to Basantapada village.

### **TIMELINE**

**Mid of 2010:** Vedanta wanted to take the East Cell into operation but the villagers of Rengopalli did not allow to close the opening. They requested for displacement of their village in line with the new R&R Policy. Vedanta agreed in principle for the same.

The villagers continued to stop work from closing of the open ends. Vedanta was therefore, forced to approach the Civil Court through Civil Suit number 261 of 2010 for a final resolution.

**December 30, 2010:** The District Magistrate of Kalahandi called a meeting between villagers of Rengopalli, Vedanta and District Administration. During the meeting, the collector and District Magistrate assured the villagers that the matter of their displacement will be taken up in Rehabilitation and Peripheral Development Advisory Council (RPDAC) but the villagers should not obstruct in closing the East Cell of the Red Mud Pond for the safety of the people as District Administration and the State has the responsibility for ensuring safety of the people as per Odisha Human Rights Commission orders. A press conference was called by the Collector, Kalahandi on the same day to announce the resolution of the issue.

**July 15, 2011:** As per the agreement and commitment made by the Collector and District Magistrate, Kalahandi, RPDAC a meeting was called and a decision was taken to allow displacement of the villages Rengopalli, Kothoduar, and Bandhaguda. The meeting was attended by the representatives of the villagers, Member of Parliament, Member of Legislative Assembly, Member of Zila Parishad besides District Administration and Vedanta.

**August 23, 2011:** IDCO got possession of left out 2.15 acre of land falling in East Cell from the Government and handed it over to Vedanta.

**December 8, 2011:** After completion of all the formalities, permission was taken from the State Pollution Control Board for taking part of East Cell into operation after fulfilling the entire technical requirement set out by them and based on their approval; the part of the East Cell was taken into operation.

**January 8, 2012:** Collector visits Pond site to inspect as Rengopalli villagers were still passing through the East cell and it was causing a serious safety hazard to the community.

**January 10, 2012:** Collector instructed, vide order dated January 10, 2012, to close both the open ends within 7 days and instructed executive magistrate Lanjigarh to implement the same by taking help of local Police to avoid any law and order situation.

**January 13, 2012:** Villagers continued to obstruct the closing of the open ends, forcing the Executive Magistrate to issue notice to all the people under Section 107 of CPC for not creating hindrance.

**January 14, 2012:** The work for closing the open ends was to start, but the villagers did not listen to the Executive Magistrate's order. Hence, Sub-Divisional magistrate issued orders for imposition of Section 144 so that people are not allowed to reach the site.

Since, the judgment of the civil court was pending and it was expected any moment, it was agreed to suspend the operation for closing both the ends till the court order is pronounced.

**January 19, 2012:** The Civil Court announced the judgment as follows:

“All the OP’s of IA number 2 of 2012, their agents and associates are hereby temporarily restrained from entering upon the B Schedule Land i.e. Plot number 263, 264, 274, 326 and 337 under khata Number 29 of Mauza- Kothuduar (As described at the foot of the petition) and not to create any obstruction in the construction of over the said land till the disposal of the suit. The IIC, Lanjigarh, PS is directed to provide necessary Police help to the petitioner/plaintiff company for implementation of the order passed by this Court today on their approach as per law. In order to avoid any sort of untoward incident, the petitioner/plaintiff company is at liberty to approach the Superintendent of Police, Kalahandi for necessary Police help.”

**January 20, 2012:** The IIC, Lanjigarh apprehended that the villagers may still create problems and hence requested for imposition of Article 144 again so that Court orders can be implemented without creating any law and order situation. The District Administration agreed for the same and mobilised additional security force by imposing Article 144.

**January 21, 2012:** On January 21, 2012, the Executive Magistrate, Additional District Magistrate, Sub-Collector, and other senior officers of the Police tried for about 6 hours from Morning 8:00 AM up to 2:00 PM but the villagers did not agree to obey the Court orders and defied Article 144. At about 3:00 PM, some villagers started throwing stones on the Police and Government Officials. During stone pelting one of the lady constable was injured on her forehead and other police personnel were also injured. The District Administration in consultation with the Police ordered arrest of the people to bring the situation under control and to comply with the court orders.

47 people were arrested and later released on bail.

## **CONCLUSION**

- As can be seen, reports in the media have no sanctity of being based on facts.
- There has been no forcible eviction of people from the villages
- On the contrary they are demanding that their land be purchased and they be resettled as per the R&R policy.
- Since this is a Schedule V area, land acquisition is a government-driven process. After acquiring it from the people, this land is made available to the industry on a long-term

lease basis. This process has already been activated and a gram sabha is scheduled to be held shortly.

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