

Enviro paralegal

Rajula

18 Village visit:

Rajula, Victor, Patwa, Pipavav, Rampara-1, DAtardi, Kathivadar, Uchaiya, Khakhbai, Aadsang, Bhachadar, Khera, Chanch, Samdhiyala-1, Visaliya, Mahuva, Bherai, Vad, Kadiyali April 2009

Grazing land encroachment & Rampara-2 village

- A case was filed in Gujarat High Court in case of encroachment of grazing land by Pipavav Port in Rampara-2 village. The order received was not Satisfactory so it was decided to go to Supreme Court. Illegal construction

- In Kharediya river illegal construction work of road was done by Pipavav Shipyard Ltd. In this regard written presentations and applications were done to government but no actions were taken. So it was decided to do further proceedings. May 2009

Complain of pollution affected of villagers - Aadsang village

- Helped in preparation of written application to Mamlatdar-Savarkundala and Collector-Rajula and for the stone crusher affected people of Aadsang village. Grazing land - Patva

- Meeting with local women of Patva village of Amreli in case of grazing land being utilized by Nirma Cement Plant. Later it was decided to form a group to save the grazing land. Guidance - Datardi village

- People of Datardi village were guided about where and how to complain illegal theft of river sand/minerals from the river. June 2009

Land acquisition and compensation - Uchaiya village

- Farmers and local people of Uchaiya village were guided to ask for compensation as per reform policy for their agriculture land. Check Dam issue

- Village visits of Samdhiyala, Mahuva, Dudheri to know current situations and guidance was provided to give legal and planned fight on this issue.

- Innocent people were threatened and caught and put into jail. Local lawyer and paralegal Navchetan Parmar visited the place and 23 people were bailed without lawyer fees. Paralegal Meetings

Paralegal meetings on date 14.07.09 and 19.07.09 for discussion of formation of paralegal association. Jhagadia

36 Village Visit:

Vala, Valpor, Dolatpura, Shankoi, Kadwali, Randedi, rajalwala, Talodara, Kantipada, Kadwania, Kanchanpuri, Navagam, Bhotnagar, Mota sorva, Hingoriya, Rampor, Kuarpara, Galiba, Vakhatpura, Bandabeda, Umarkhada, Bhalod, Baleshwar, Gundecha, Dholi, Mohanpari, Anadara, Damlai, Amaljar, Vankhuta, Chaswad, Dhorakuva, Daria, Umalla, Bhilwada, Patar.

April 2009

Land Acquisition:

- Gathered information procedure done after resolution of land acquisition passed in Gramsabha of Sultanpura and conveyed it to local people. Forest Land:

- On the issue of forest land, submitted a written presentation to Collector in collaboration with farmers of Bhotnagar village. Grazing Land:

- Submitted a written presentation to Regional office to notify new grazing land in Hingoriya and Vakhatpura villages. May 2009

Water Pollution:

- Submitted written presentation to GIDC to take immediate steps in case of water pollution by industries during monsoon season. Mining

- Illegal digging of soil was being done in the land of a tribal. Due to intervention of paralegals this digging was stopped.

Land Acquisition

- Visit of GIDC office was done and a written presentation was submitted to GIDC in case of land acquisition. June 2009

Pipeline:

An Application was submitted to GIDC to repair leaking water pipeline.

Quarry

Visit of quarry affected people of Kadwali and Rajalwada village done to understand environmental impacts and health of locals. Paralegal Meeting

A paralegal meeting on 14.06.09 and 22.06.09 for discussion of formation of paralegal association.

Enviro Paralegal Enviro Paralegal course was commenced in this year in collaboration with Indian Institute of Paralegal Studies (IIPLS) at Rajula and Zagadiya taluka of Amreli and Bharuch districts respectively from November 2005 to January 2006. The details of course are described below. INTRODUCTION Human rights movement is faster now in development process. Human rights are a big challenge in social justice sector. Paralegal has played an important role for results of human rights movement. Paralegal is a link between judiciary, society and advocates. Legal procedure is hard to understand for common man. Paralegal can connect the social view in legal process to solve any problem. WHO IS PARALEGAL? Paralegal is a person who has knowledge of legal procedure and can become link between judiciary, society and advocates. He helps common man in solving legal complications. Due to lack of legal procedure and fear of courts common man can not fight for their rights. Paralegal make the legal procedure easy for them. Paralegal knows limitations of judiciary and strategies for using judiciary. He also uses the law in many ways in several cases. ENVIRO PARALEGAL India is the first country in enacting environmental laws after Stockholm summit in 1972. But implementation of environmental law is very poor through out the country. Many reason behind this like lack of knowledge of law, fear of judiciary, lack of awareness about rights, lack of technical knowledge etc. So it is

necessary to educate persons who can overcome these limitations. These persons can be known as enviro paralegal. Enviro paralegal is person who knows environmental laws in depth apart from other laws. He can become link between judiciary and pollution affected people in the process of justice. He is having knowledge of existing environmental laws in India, technical aspects of environmental pollution, its social impacts etc. So it is proposed to run a programme of action research in Enviro paralegal. **OBJECTIVE OF THE PROGRAMME**

- To provide the knowledge of environmental issues
- To develop network between various stakeholder and create dialog between them.
- To create legal awareness of various environmental laws and new policy reform
- To give mitigative measures of various pollution problems to concern person
- To create awareness about industrial obligation
- To develop the concept of Gramsabha and its powers.
- To educate the Panchayat (local village body) about their role and power.

NO. OF PARTICIPANTS Total no. of participants: 15 participants in each Rajula and Zagadiya: Total 30
DURATION OF THE COURSE Three month From November 2005 to January 2006 with total five sessions in each Rajula and Zagadiya
REGIONAL & NATIONAL CONVENTION Regional meeting and Convocation was held on 11 March 2005 at Ahmedabad of all paralegal. Justice D. H. Vaghela & Hon'ble Justice of Gujarat High Court, Mr. Nambothree, reporter of National Human Right Commission at Gujarat and Mr. Gagan Sethi were present to motivate the paralegal and their work. National Convention of paralegal from diff. states was held at New Delhi on 7 & 8 April 2006.

Orientation programs for Paralegals at Rajula and Jhagadia were organized in November and December 2009. Also a 3 days training program for all paralegals was held at Ahmedabad on 21-23 December 2009. In this program following issues were taught to paralegals by different resources persons (Lawyers, media persons, from Government departments).

Role & need of paralegal, Need to react - Environmental problems of Gujarat, Problems relating Grazing land, Land acquisition, Alternative ways to solve problems, Public movement- through Letters & Media advocacy, Problems of fishermen, CRZ, Provisions of Bhuria Committee, Role of Gram Sabha in Environmental conservation, Industrial Safety, Use of RTI, Media advocacy, Role of Media in Environmental Protection, Role of legal institutes, R&R policy, Role of enviro-paralegal, Effects of climate change, Role of individual, Our role in EPH, Future planning, etc w

ELIGIBILITY OF THE COURSE No specific criteria but the person must be sensitive for environmental degradation, should willing to work for environment conservation, having large contacts at grassroot level etc.
METHODOLOGY As per IIPLS criteria Paryavaran Mitra is become FC for Enviro Paralegal Course in Rajula & Zagadiya. Paryavaran Mitra has handled the course with financial support from IIPLS. IIPLS has monitored the course of three months. One common session for basic understanding of environment and pollution was held at Ahmedabad on 19 and 20 November 2005. Prof. J. N. Joshi, Mahesh Pandya, Vipin Makwana, Hiral Mehta, Kinnari Shah and Falguni Joshi were present as a resource person in this session. Second sessions were held separately at Rajula and Zagadiya. It was held at Zagadiya on 10 & 11 December 2005 and at Rajula on 17 & 18 December 2005. During this session Vipin Makwana and Mahesh Pandya remained present to discuss regional environmental problems of Rajula & Zagadiya. Regional officer V. R. Ghadge of Gujarat Pollution Control Board, Bharuch were present to educate paralegal at Zagadiya. Mr. Bhatt from Gujarat Pollution Control Board Bhavnagar was present at Rajula in second session. Based on discussion each paralegal has allotted field work for research on most of the issues. For example, At Zagadiya problems of mines, quarries and GIDC pollution problems were given while in Rajula salinity ingress, industrial problems from Gujarat Pipavav Port Ltd., Gujarat Heavy Chemicals Ltd. etc. were given. Third sessions were held on 21 January 2006 at Zagadiya and on 28 January 2006 at Rajula. Exams were held at both places on basis of training and field work on that day. All 30 paralegal were successful in passing the examination. Certificates have been issued to them by IIPLS. Regional meeting and Convocation was held on 11 March 2005 at Ahmedabad of all paralegal. Justice D. H. Vaghela & Hon'ble Justice of Gujarat High Court, Mr. Nambothree, reporter of National Human Right Commission at Gujarat and Mr. Gagan Sethi were present to motivate the paralegal and their work. National Convention of paralegal from diff. states was held at New Delhi on 7 & 8 April 2006.

APPLICATION OF ENVIRO PARALEGAL Environ paralegal is helpful to societies in its various sector. Like for government organization he can help the law department in solving legal cases of pollution. In NGOs and voluntary organization he can directly deal with pollution victims and advise them in their case. In academic institution he can teach the students about environment laws and its implementation. In corporate organization he can help them in understanding environmental laws and legal process. So in this way enviro paralegal can become helpful to society in many ways. Due to its multi sector applicability, the burden on different courts will be reduced. **ACHIVEMENT OF PARALEGAL SO FAR**

Zagadiya: GIDC has many industries which has adverse impact in Zagadiya Taluka. Industries have spread many kind of pollutions and also affects the roads. Many pucca roads are broken due to truck transportation. Many complains are filed to industrial and govt. authorities by local villagers but no result was achieved. After paralegal training, paralegal had jointly fought for construction of roads. Movement was carried out extensively. So GIDC was forced to construct pucca roads after paralegal movement. **Rajula:** Gujarat Pipavav Port Ltd. (GPPL) is one of the largest industries in Rajula Taluka. It has violated many provisions of Environmental law and conditions of Environmental Clearance. Many letters was written for checking malpractice of GPPL to Gujarat Pollution Control Board but no result was achieved. After paralegal training, a local paralegal has issued legal notice to GPPL, Gujarat Pollution Control Board, Ministry of Environment & Forest. GPPL has contacted them directly and ready to talk on issues.

Work of Enviro Paralegals

