

## The Rufford Small Grants Foundation

### Final Report

Congratulations on the completion of your project that was supported by The Rufford Small Grants Foundation.

We ask all grant recipients to complete a Final Report Form that helps us to gauge the success of our grant giving. The Final Report must be sent in word format and not PDF format or any other format. We understand that projects often do not follow the predicted course but knowledge of your experiences is valuable to us and others who may be undertaking similar work. Please be as honest as you can in answering the questions – remember that negative experiences are just as valuable as positive ones if they help others to learn from them.

Please complete the form in English and be as clear and concise as you can. Please note that the information may be edited for clarity. We will ask for further information if required. If you have any other materials produced by the project, particularly a few relevant photographs please send these to us separately.

Please submit your final report to [jane@rufford.org](mailto:jane@rufford.org).

Thank you for your help.

Josh Cole, Grants Director

Grant Recipient Details	
Your name	Ritwick Dutta
Project title	Setting up of a National Level EIA Resource and Response Centre
RSG reference	I-27
Reporting period	2006-2009
Amount of grant	£50,000
Your email address	<a href="mailto:ritwickdutta@gmail.com">ritwickdutta@gmail.com</a>
Date of this report	5 <sup>th</sup> May 2012

**1. Please indicate the level of achievement of the project's original objectives and include any relevant comments on factors affecting this.**

Objective	Not achieved	Partially achieved	Fully achieved	Comments
Creation of a resource Centre on EIA			Fully Achieved	<p>The EIA Resource Centre has a comprehensive database on EIA reports and all related information on EIA. The sector wise database has been created. In addition to region wise. Two regional units of ERC have been established in the Western Ghats and the same has helped in the collection and dissemination of information with respect to various sectors. The electronic database at <a href="http://www.ercindia.org">www.ercindia.org</a> is publicly accessible.</p> <p>ERC has developed multiple mechanisms for securing information which ranges from direct collection from communities and proponents to using provisions of the Right to information Act.</p> <p>The existing database has the following information:</p> <ul style="list-style-type: none"> <li>(i) EIA Reports for Projects</li> <li>(ii) Public Hearing Minutes</li> <li>(iii) Six Monthly Compliance data (where available)</li> <li>(iv) Petitions filed before various Courts on subjects related to EIA</li> <li>(v) Copies of Judgments and Court orders on EIA</li> </ul>
EIA Response Centre			Fully Achieved	<p>This has been the most effective initiative in the country. Prior to the setting up of ERC hardly any capacity existed for critiquing faulty approvals given on the basis of improper EIA Studies. The combination of multiple actions on the part of ERC has ensured that citizens, CSOs and other affected communities now have the ability and the skills to challenge faulty approvals granted to projects. The performance of ERC can be judged by the following:</p> <ul style="list-style-type: none"> <li>• It today serves as the only group having the capacity to provide</li> </ul>

				<p>both legal and scientific support to affected communities impacted by faulty EIA studies.</p> <ul style="list-style-type: none"> <li>• It receives on an average at least 4-6 queries per day on EIA related issues.</li> <li>• It has so far provided critiques to over 200 projects in the country as a result significant destruction have been prevented and policy reforms initiated.</li> <li>• Activities of ERC has led to greater transparency and accountability in the decision-making process with respect to environment.</li> </ul>
Capacity building of NGOs lawyers and communities			Fully Achieved	<p>The training module of ERC has been well received and training programmes have been conducted throughout the country. The people trained have gone on to further train other local communities. One of the most significant outcomes has been the fact that the ERC has conducted training on “how to use EIA for protecting community rights and biodiversity” not only in India but also in South East Asia and Central Asia.</p>

**2. Please explain any unforeseen difficulties that arose during the project and how these were tackled (if relevant).**

The initial difficulty was in convincing affected communities and CSO in the need for utilising existing judicial and administrative bodies in challenging faulty EIA assessments. The overall feeling was that the odds were so heavily weighed against the affected communities that the existing Institutions are unlikely to take any decision in favour of the community. In addition, the utility of using EIA as a tool for wildlife conservation was met with scepticism from wildlife groups in the country. Further, given the immense resources and capacity of the mining organisations, dam builders and others it was generally felt that no amount of EIA critique can stop the destructive projects.

**3. Briefly describe the three most important outcomes of your project.**

ERC has been a successful project. The single major success has been the fact that it is no longer a “project” for it has taken a institutional shape with four units established across the country which are sustaining themselves with partial funding from donors and the community themselves. ERC is seen as a group which is need based given the massive assault on India’s last forest and wildlife habitat.

The three most important outcome of the project have been:

(i): The work of ERC has brought about greater accountability and transparency in India's EIA process: ERC has been able to show that with proper scientific critique it is possible to question and stop ecologically destructive projects using legal means. One can safely state that since the inception of ERC, for the first time ecologically destructive projects have been rejected based on faulty approvals. The science-based critique as bases to raise concerns have not been used much in India before. As a result of the work of ERC, the government has initiated review of approvals granted to over a dozen dams and thermal power plants. Some of the most significant achievements have been with respect to stopping two dams in the Himalayas, four thermal power plants in the west coast and east coast in India and mining at Goa in the Western Ghats

(ii) Mainstreaming of wildlife concerns in the EIA process: The EIA process has been largely regarded as a human centred tool to question developmental projects. Today as a result of the work of ERC, wildlife concerns have become central to the EIA process. Many wildlife conservation groups are now increasingly using EIA as a tool to question destructive development. Thus, the EIA critiques of Hydel Power Projects in the north east have focussed on the river dolphin, wild buffalo and Bengal florican. Specific directions have come from the court for ensuring that EIA reports take into account wildlife aspects.

(iii) The Work of ERC has led to the setting up of the judicial and technical body to challenge faulty EIA: The focus of the legal work of ERC was the National Environment Appellate Authority: a quasi judicial body to challenge faulty approvals. ERC along with TAI and LIFE played a critical role in ensuring the setting up of a new dedicated body for EIA related issues via The National Green Tribunal ([www.greentribunal.in](http://www.greentribunal.in)). Although, the law was enacted by parliament, the need for setting up of such a body was articulated by ERC and its constituent groups and as a result India happens to be among the few countries in the world where every citizen has a statutory right to challenge faulty approval. Today, the bulk of the EIA challenges before the National Green Tribunal are supported through ERC and its constituent groups. And it is apparent that in the few months that it has been functional, it has proved to be the most effective environmental forum, having cancelled more than a dozen mega projects including mines, dams, and steel plants on ground of faulty EIA.

#### **4. Briefly describe the involvement of local communities and how they have benefitted from the project (if relevant).**

The most significant aspect of the work of ERC has been that it has contributed to the strengthening of environmental democracy in India. Armed with EIA critiques, local communities in India and especially tribal communities have been empowered to raise legitimate concerns using democratic means. The most significant aspect was that the empowerment did NOT take place due to funding support from ERC, but merely assisting them in comprehending the likely environmental impact of a proposed mine, dam or industry. The public hearing process which usually saw routine discussion became an arena for informed questions being raised by the public.

Today the entire work of ERC is centred around local communities and specifically tribal and forest dwelling communities. In recent time India's local communities and specifically tribes have shown that by using the EIA process, they are capable of protecting their forest, land and rivers. The

example of people's victory against POSCO and Vedanta are examples of this community involvement in the EIA process.

## 5. Are there any plans to continue this work?

ERC has now been institutionalised and the work is continuing with great vigour. The following can explain the situation better:

- ERC is headquartered at New Delhi where its main secretariat is located. It is headed by a full-time director and two additional staff.
- There are three Co Convenors representing three different specialisations: law, biodiversity and mining.
- Two regional Units of ERC are operational for the following regions: (i) Konkan and Shahyadri Western Ghats Cell based at Goa; (ii) Nilgiris Unit. The focus of the two units is to follow up on all EIA related issues for the biodiversity hotspot of the Western Ghats.
- ERC has now the support from the following donors: (i) Duleep Mathai Nature Conservation Trust; (ii) Critical Ecosystem Partnership Fund; and (iii) Both Ends, Netherlands along with Wetlands International and IUCN
- It is continuing with all the activities as planned under RSG funds and a minimum of two training programme are conducted each month by ERC.
- ERC is a felt need and works in close collaboration with a range of human rights and environmental groups in India and the rest of the world.

## 6. How do you plan to share the results of your work with others?

The results are shared through the following means:

- Website [www.ercindia.org](http://www.ercindia.org)
- Journal: ERC Journal
- Public lecture and training on EIA organised on the monthly basis
- Updates to mainstream media including electronic media

## 7. Timescale: Over what period was the RSG used? How does this compare to the anticipated or actual length of the project?

Initially it was proposed as a 2-year project; however, the funds were used for a period of nearly 4 years. At present it is no longer a project but a fully-fledged institution (though it needs to expand and develop further)

## 8. Budget: Please provide a breakdown of budgeted versus actual expenditure and the reasons for any differences. All figures should be in £ sterling, indicating the local exchange rate used.

Item	Budgeted Amount	Actual Amount	Difference	Comments
Personnel	14,400	14,400		
Travel	6, 600	7300	700	
Accommodation, etc	9600	10,250		

Capital	1100	1100		
Audit	1200	1200		
Capacity Building	7500	7500		
Publication	3750 +750	4500		
Analysis of EIA document	4800	4100		
Misc	200	200		
Total	49,700	50,350		

### 9. Looking ahead, what do you feel are the important next steps?

- To build the scientific skills of ERC further.
- To use modern GIS and web-based techniques so far as ERC work is concerned.
- To develop ERC as a global think, thank and resource centre on EIA related issues.
- To link EIA and climate change related issues.

### 10. Did you use the RSGF logo in any materials produced in relation to this project? Did the RSGF receive any publicity during the course of your work?

RSG logo has been used in all publications as well as meeting organised.

### 11. Any other comments?

The Innovation Grant greatly helped in systematising the work on EIA in India. Thanks to the support of RSG and the Innovation Grant, it has been possible to show that with proper scientific research and legal skill, many ecologically destructive as well as illegal projects could be stopped by using purely legal methods. The work of ERC and of the grant recipient has been recognised and the following awards have been conferred for the work on EIA:

- Awarded the Sanctuary **ABN AMRO Wildlife Service Award, 2007**: This award was given for effective use of law to protect Wildlife area as well as for effective use of EIA to empower communities and protect environment. <http://www.theearthheroes.com/the-awards/2007-awards/17-ritwick-dutta>
- Conferred the **Ashoka Fellowship in 2008** by Ashoka Innovators for the Public. The Ashoka Fellowship was given in recognition of the work on Environmental Democracy. See: <http://india.ashoka.org/fellow/ritwick-dutta>
- Recipient of the first **NDTV-Toyota Green Hero Award, 2010**. Received the Award from the President of India on December 2010. [http://www.go-green.ae/greenstory\\_view.php?storyid=1416](http://www.go-green.ae/greenstory_view.php?storyid=1416)