

Project Update: June 2008

Comments

The last three months has seen an ample amount of activities. The first has been the finalization of the Charter of ERC. This took some time in view of the fact that it was decided that rather than be an initiative of a single group, it can be based on a combination of three groups combining together so as to make it into a more comprehensive and long term institutional shape. In December 2007 we were able to achieve what was thought of as impossible: we managed to get the approval of Mega Hydel power and Irrigation project quashed! The Polavaram Dam in the State of Andhra Pradesh is to displace over two hundred thousand people and some valuable forests and wildlife habitats. The battle is not over since the project proponent is not likely to give up easily. However, we are happy that a beginning has been made and we surely are likely to have greater success in the future. One lesson from Polavaram is that they have to take groups seriously. I am also happy to share with you our new logo! Please find below the details of some of our activities. We will be happy to provide more details.

Three Petitions against Mining in the State of Goa

Over three cases were filed before the National Environmental Appellate Authority on the issue of mining in forest and wildlife habitat in the state of Goa. The issue related to the mining activity which would threaten the river which provides drinking water besides being the habitat of Leopard, Bison and Wildlife. Using provisions of the Right to Information it was revealed that the Mine was accorded Environmental Approval prior to the even assessments being carried out.

The NEAA is currently hearing the matter and directed that all documents be submitted for examination as to whether proper application of mind took place while according the approvals. In the meanwhile, till the cases are being heard the Mines have been directed by the State Pollution Control Board not to start operation.

The petitions are important since the state of Goa is a biodiversity hotspot and mining is currently decimating a significant part of its area.

Petition filed against the setting up of thermal power plant in the Western Coast of India.

Two petitions were filed before the National Environmental Appellate Authority against the setting up of thermal power plant which threatens the Coastal ecology as well as the livelihood of the farmers specially the mango farmers. As a time of climate concern, India seems to have embarked on the route of increasing investments in Coal based Thermal Power Plants. The Setting up of one such large unit producing over 4000 MW of power is a cause of immense concern for the local population. Unfortunately, the analysis of the Environment Impact Assessment report as well as the process of according approval to such project reveals a total

lack of concern for climate change issues. The impact on the coast is also significant and unfortunately finds no mention in the EIA Report.

The NEAA has issued Notice and directed that the matter be heard on the merits on the last week of March.

Protecting the periphery of the Great Himalayan National Park from Destructive Dam construction

Over a decade back an area adjoining, the Great Himalayan National Park in the State of Himachal Pradesh was cleared for building a Dam subject to strict compliance of all the conditions imposed to protect the forest and wildlife. Unfortunately, despite conditions being imposed, Muck is being dumped on the river and forests leading to flash floods as well as destruction of forests. Local groups using the Right to Information Act have secured documents which highlight the destruction of wildlife habitats. Using all the material, through advice from ERC, the groups have approached the Central Empowered Committee of the Supreme Court to ensure compliance as well as restore the area in accordance with the Polluter Pay Principle.

Appeal against the Setting up of a Steel Plant in Central India

Despite the fact that the mandatory Public Consultation did not take place, the Ministry of Environment and Forest granted approval for the setting up of Steel plant in Raigarh District of Chattisgarh. The EIA was critiqued by a reputed Civil society Scientific Organisation and an Appeal has been filed before the NEAA

NEAA Directs Site Visit to Ascertain Impact Due to Sponge Iron Production in Orissa

Using field level evidences through investigation in association with local groups, ERC was able to convince the NEAA to undertake a site visit to ascertain the impact of the proposed mining on the Kandadhar waterfalls, the forests as well as the indigenous tribal community of the area i.e. the Paudi Bhuiyan. This is the second time in the history of the NEAA that a site visit has been undertaken.

INVESTIGATION AND SURVEYS

A survey of dams in the North East has been undertaken. As part of the first phase a detailed study on the Dams in Arunachal Pradesh is being conducted. At present the study has covered the proposed dams in Tawang, Dibang, and West Siang District. Owing to adverse weather condition as well as remote location, the study will take some time. Yet occasional reports are expected, and the first report is due in id April.

TRAINING PROGRAMME

Three Training programme on how to use the participate and make use of the EIA process including the use of the Right to Information Act was conducted by ERC at two locations in

Uttarakhand and Arunachal Pradesh. The workshop has participation of over 80 people. An action plan has been worked out based on the threats to the ecology.

DATABASE ON EIA REPORTS

The database on EIA reports has expanded to include over 200 EIA Reports. The process of digitization has also commenced, and we expect that by the 15th of April, all the document would be uploaded in the ERC website. Subject wise classification has taken place and therefore both hard and soft copies of the same would be available to the concerned groups.

INSTITUTIONAL DEVELOPMENTS

For further development of ERC, it was felt that other than there is a need to involve other groups having credibility so as to ensure the long-term development of ERC as an institution. Hence, formal collaboration was made with two other groups viz, The Environics Trust and the Peace Institute. The Environics Trust is headed by Dr R Sreedhar, a geologist by profession and one at the forefront of tackling destructive projects. The Peace Institute is headed by Mr Manoj Mishra, A former Forest Officer and former Director of TRAFFIC India.

Besides a Panel of 15 Experts from different Disciplines have been created who are willing to lend in their time and expertise in commenting on the EIA's of the project.

A charter of ERC has been formulated:

OBJECTIVES OF ERC

Aware that, Natural Ecosystems in India (forests, rivers, mountains, coasts, deserts, wetlands etc.) are increasingly threatened and being destroyed by adverse impacts from activities such as mindless mining, dam construction, highways and other such projects.

Aware that the both the Environmental and Forest Clearances process is based on inadequate assessments of impacts leading to ecological losses and affecting livelihoods whose pace has increased over the last few years

Aware that, Environmental Impact Assessment (EIA*) and Forest Clearance are mandatory requirements and useful decision-making tools to ensure that the adverse impacts from activities from such activities are avoided or at the very least impacts there from are minimized.

Knowing that, the existing Environmental and Forest Legislations including the EIA Notification of 2006 provide potent tools for seeking redress despite certain infirmities

Realising that, the clearance and compliance mechanisms at present leaves much to be desired for various reasons including lack of correct and full information and knowledge and lack of

* EIA is used as a generic term for process of Environmental Clearance under a catena of laws such as the *Environment (Protection) Act 1986 as well as the Forest Clearance (FC) under the Forest (Conservation) Act 1980, Air and Water Acts*

participation of the affected communities and lack of transparency and accountability in the Clearance process

Recognising that, there exists a felt need for an independent mechanism that is able to act as Civil Society Watchdog on EIA related issues

Realising the urgent need for responding to the challenges faced by the communities due to faulty environmental and forest clearances granted to projects.

We the following three independent civil society organisations have come together to form the **“EIA Resource and Response Centre”** (ERC) as a not for profit centre based in New Delhi with the following broad objectives:

- a) Pool our collective experiences and resources towards a common goal of developing the ERC as an independent national level resource centre for EIA ‘
- b) Act as an independent action and advocacy Centre and responding to issues of urgent concern specially for communities and groups impacted by faulty EIA and approvals and also challenge faulty projects
- c) Facilitate the creation of a countrywide network of likeminded and interested groups and agencies