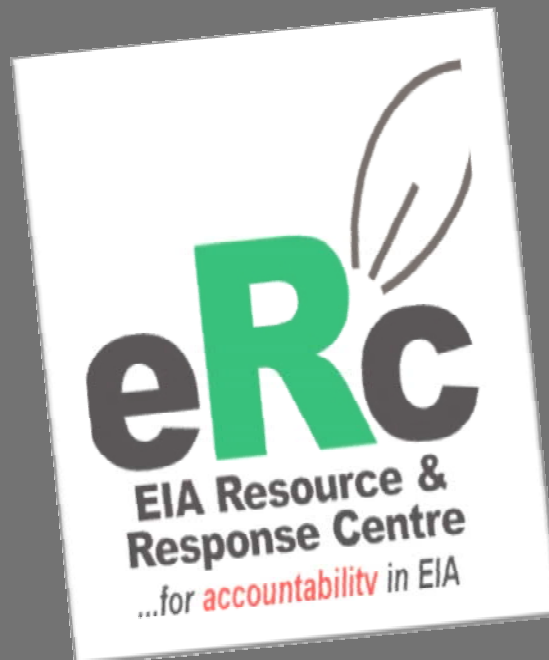


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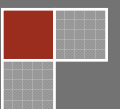
SECOND REPORT ON THE EIA RESPONSE CENTRE

Innovation Grant 27



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www.ercindia.org
11/5/2008



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Introduction

The Environment Impact Assessment Response centre (ERC), has been created with effect from April 2007 as a National Level centre to scientifically critique and legally challenge projects/industries which are based on faulty EIA's.

Since its inception last year the information about TAI has spread throughout the country. Some of the most significant outcome of the current reporting phase has been as follows:

- Memorandum of Understanding (MoU) entered with Environics Trust and Peace institute Trust to give a formal institutional shape to ERC. The MOU states that ERC will comprise of three groups i.e **Legal Initiative for Forest and Environment (LIFE)** represented by Ritwick Dutta which will serve as the legal wing of ERC, **The Environics Trust** led by R Sreedhar responsible for EIA analysis on Dams and Mines, and PEACE Institute led by Manoj Misra responsible for EIA assessments related to Rivers and Wildlife/ Biodiversity.
- The launch of the website www.ercindia.org as the first comprehensive website of EIA related information.
- The launch of the quarterly **ERC Journal** (electronic) which is the only journal on issues concerning EIA governance in the country.
- The comprehensive assessment of the EIA process in respect to access to justice, Public Participation and access to justice in association with the Access Initiative *TAI- A Global coalition of Civil Society Groups working on access to justice*, Public participation and access to Justice.
- Detailed study on dams coming up in the North East has been undertaken. This will be used to draw the attention of the Government and other concerned agencies about the harmful impact of the big dams.
- Scientific critique on Thermal power plants coming up in the West Coast of India. Thus ERC has now expanded to intensive critique and public awareness about the harmful impact on Thermal Power Plants. The increasing approval being granted to thermal power plants are cause of concern specially in the context of global warming.
- First ever instance of an Environmental Approval/ Granted to a mega project quashed by the National Environment Appellate Authority. The approval granted to Polavaram Multipurpose project which would submerge significant forests in the state of Andhra Pradesh.
- Over 15 EIA challenged before the National Environmental Appellate Authority.

- An intensive tracking of Public Hearing Process : i.e the mandatory process for eliciting public comments so that training can be done and build capacities of the public to give effective input in the process. The list of forthcoming public hearing happening throughout the country are now uploaded on the website www.ercindia.org

SUMMARY OF ACTIVITIES

The objective of ERC is two fold:

- To serve as a Resource Centre for EIA reports;
- To serve as a Legal response Center to legally challenge faulty EIA's based on scientific critique of EIA's.

Resource Centre

The Resource Centre have managed to **collect over 235 EIA reports** from projects across the country. This is the single largest collection of EIA Reports outside the Government. A data base on the projects is prepared and the same is put online and the process is continuing . Many of the

Our collection of EIA reports revealed many stark facts:

- Almost all mining projects in the country were approved based on Rapid EIA Assessment i.e collection of one season data instead of 12 month data. Thus significant biodiversity was being lost due to lack of proper assessments. Rapid EIA which should have been the exception is the norm although the law does not provide for this. **Action Undertaken:** *Legal challenges to projects have been undertaken and the issue has been brought before the National Environmental Appellate Authority through series of litigation and there is probability of significant judicial pronouncement on to make Comprehensive Impact Assessment the norm.*
- In respect of Dams although the projects were approved on the basis on Comprehensive EIA , yet most of the data were secondary in nature and almost negligible concern for wildlife and biodiversity related issues. Species like Otters (Smooth Coated Otter and Oriental Otter) and Mahsheer (Tor tor etc) were completely ignored in the EIA reports.

The One year of the ERC project has clearly reveled that India's EIA regime is almost non existent. A project stands only about 0.5 % chances of being rejected on environmental grounds.

- The regulatory agencies take the information provided by the project proponent on the face value.
- The regulatory mechanism is highly ineffective. Information obtained under the Right to information Act revealed that whereas in the last two years 630 non coal mines were approved only three were rejected in terms of its environmental impact. Similarly, whereas 1073 construction and industrial projects were approved only 4 were rejected. Thus only 0.3 to 0.5 % EIA are rejected.
- There is no Cumulative Impact Assessment of the series of thermal or hydel power projects coming up in a region. Each project is considered in isolation of the other projects. **Action Planned: A comprehensive PIL is being drafted to seek directions that EIA reports must be prepared independent of the Project proponent.**

RESPONSE CENTRE

The response Centre aims to respond to direct queries from affected communities and NGO's on EIA Related issues. In order to facilitate this process, the following has been done:

- **A dedicated person appointed to respond only to queries received** from concerned people and to respond in a time bound manner.
- **Legal Notices regularly sent to the concerned agencies** in order to draw attention to violation of the EIA process based on request from NGO's and local people.
- Participation and observing the process of Public Hearing in order to ensure that it is conducted in accordance with the stipulated procedure.
- **Critiquing and commenting on the EIA report** through expert comments and alternative EIA and fact finding studies. **Over 10 EIA critique was done during this reporting period and the same was used by local groups.**
- **Conducting training programmes** in areas where project are coming up or proposed to come up on how to use the provision of the EIA Notification as well as the Right to Information Act.
- To take up issues before the National Environmental Appellate Authority, the Central Empowered Committee and High Courts as well as Supreme Court through assistance to local NGO's and group.
- To make representation before the Expert Committees of the Ministry of Environment and Forests wherein views of concerned people are taken into consideration.

Although, the outcome of legal proceedings are relatively long. We took up the initiative of challenging projects based on faulty EIA's immediately after the grant of the project.

During this reporting period around 10 cases have been filed before the different authorities. A detailed list of cases and the issues involved is provided in **Annexure A**.

Most of the cases are currently pending before the concerned Authorities. In respect to two projects there were positive results :

- **Demolition of a hotel in a fragile Himalyan Forest:** A Hotel project in a Himalayan Forest Reserve in the state of Himachal Pradesh, the Special Committee of the Supreme Court has recommended for the demolition of the hotel as well as imposition of exemplary cost on the project proponent.
- **The approval granted Polavaram Hydel and Irrigation Project was quashed by the National Environmental Appellate Authority.** However, it is important to mention about the issue of process achievements. Although the Superior Court stayed the operation of the order, the battle goes on at the High Court.
- **Challenging the Thermal Power Plans on the west Coast of India:**

Although three EIA has been legally challenged where decision is still pending. However, the challenge to these have led to the Expert Appriaisal Committee of the MoEF to reject the proposal for expansion of the extisting thermal power plant at Ratnagiri, Maharashtra as well as three other plants coming up in the region which is highly sensitive for agricultural and wild coastal biodiversity.

For the first time ever an approval granted by the Ministry of Environment and forests was quashed by the National Environment Appellate Authority

Critiquing and Challenging Faulty EIA's

Mining in Elephant Habitat

Malangtoli Iron Ore Mining Project by M/s Orissa Sponge Iron Ltd., District Keonjhar, Orissa.

Summary of the issues involved

The mining of iron ore proposed falls within the Elephant Habitat Zone-II and the proposed Baitarani Elephant Reserve. The mining site has a high level of floral biodiversity as well as presence of rare varieties of reptiles, amphibians, insects and other animal species. Three reserved forest and protected forest Khajuridihi RF (2144 ha), Sarkanda RF, Khajuridihi PRF (3634 ha) is in the project area and the wild species found include Bear, Wild Boar, Fox, Hyena, Jungle cat, Barking Deer, **Tiger , leopard, Elephant**, Hornbill among others. It is contiguous to another forest, which is a habitat of tiger and leopard. All these facts have been completely ignored while considering the case for environmental clearance; a case has been filed before the National environment Appellate Authority to challenge the same.

The project

Malangtoli Iron Ore Mining Project for 1.0 million tonnes of iron ore per annum of M/s Orissa Sponge Iron Ltd. is located in Villages Luhakala & Kadakala, Tehsil Telkoi, District Keonjhar, Orissa. The total mine lease area of the project is 459.0 ha, out of which 5.0901 ha is an agricultural land, 274.5188 ha is forestland and 179.3911 ha is wasteland.

Clearance

The environmental clearance has been granted by Ministry of Environment and Forest by Order dated 16-05-07 (No.J-11015/49/2006-IA.II (M)), with specific conditions, for the project Malangtoli Iron Ore Mining Project of M/s Orissa Sponge Iron Ltd.

EIA Study and Critique

“GEOMIN Consultants (p) Ltd” has prepared the EIA Report of the Malangtoli Iron Ore Mining Project. EIA Elephant Reserve. The EIA report has completely failed to assess the presence of fauna in this area and the impact of mining on it. There is no mention of the 3 Reserve Forests and Protected forests (part or completely thereof) that fall within the buffer zone of the mining lease area. The forest is rich in faunal diversity and the mining area is contiguous to another proposed reserved forest, which is a habitat of tiger and leopard. There is no mention of the biodiversity of the area in the EIA report. Given the forest cover, the highly precipitous topography and presence of number of perennial stream, the mining site is has a presence of high level of floral biodiversity as well as presence of rare varieties of reptiles, amphibians, insects and other animal species. Open cast mining will destroy the biodiversity.

There are other important issues with the EIA, like it:

- Provides false information regarding the faunal status of the Core & Buffer zone.
- Has failed to study the impact of mining activity on the famous Khandadhar Waterfall.
- Doesn't provide any specific information about legal status of the forestland and the forest type.
- Has tried to hide the extent to which the forests will be affected by the mining and has provided false information on the density of the forests
- Has not properly assessed the Bio-diversity of this area.

ROLE OF ERC

Challenging the clearance granted:

- ERC did a critique of the EIA report.
- A local organization called “Keonjhar Surakshya Parisada” which is working on various social and environmental issues in this area has challenged the Environmental clearance granted to the project through LIFE.
- Legal assistance and advise to the local groups challenging the project before the Orissa High Court.
- Mobilizing the media on the issue.

STEEL PLANT IN ELEPHANT CORRIDOR

Expansion of Integrated Steel Plant (1.20 MTPA to 2.20 MTPA) and Captive Power Plant (430 MW) by M/s Bhushan Power & Steel at Thelkoli, Rengali, Sambalpur, Orissa.

Summary of the issues involved

The project is in the area of a proposed elephant corridor. It has seven-reserved forest and various Endangered species like the python, elephant, bear, and wolf are found around the plant site. The expansion of steel plant and thermal power plant will lead to exertion of more pressure on the surrounding biodiversity in future. The area was previously the bridge between two massive forest patches, one comprising of Badarama /Ushakothi and the other comprising of forests northwest of Hirakud Dam. The scattered forests between Rengali and Jharsuguda were the only link between these massive forested areas. The company has illegally cleared large number of plants from the community protected forest area and is dumping the waste in the nearby Babukhinda forest.

Project

It is the expansion of Integrated Steel Plant from 1.20 million T/annum to 2.20 million T/annum) and Captive Power Plant (430 MW) at Thelkoloj, Rengali, Sambhalpur, Orissa by M/s Bhushan Power & Steel. The expansion project will be located within 1,721 acres land and 146.18 acre (59.16 ha.) forest land is involved. And the total cost of the project is estimated to be about Rs. 5,500.00 Crores.

Clearance

Environment granted by Ministry Forest by its order J-11011/372/2006-IAII of Integrated Steel 2.20 MTPA) and (430 MW) by M/s Steel .

Wildlife Corridors find limited mention in an EIA report and for that matter, most EIA avoid mentioning endangered species for fear of not getting the required approval.

Clearance was of Environment and dated 29-03-07(F. No. (I)) to the Expansion Plant (1.20 MTPA to Captive Power Plant Bhushan Power &

EIA Study

A rapid EIA study has been conducted by MECON Ltd. The sampling has been taken in the radius of 7 KM avoiding the biologically rich Hirakund Reservoir, which falls within the radius of 10 km from the site. Hirakund Reservoir is also a site for the migratory species. The sampling sites for ecological monitoring have been deliberately not mentioned in the EIA report although there are seven-reserve forests located surrounding the project site. The floristic study was carried out in summer season deliberately ignoring the floral composition of monsoon season, which may comprise rare plants and endangered plants. The time of data collection was made in summer days intentionally, so that the endangered migratory birds will not come into picture and the ambient air quality monitoring stations, noise monitoring station was made in areas where there is no industrial activity. The EIA report has completely ignored the impact of water pollution on the surrounding water system and air pollution due to the expansion work. The fact is that various endangered species like the python, elephant, bear, and wolf are found in the forest around the plant site. This area acts as a connecting bridge between two massive forest patches, one comprising of Badarama

/Ushakothi and the other comprising of forests northwest of Hirakud Dam. The scattered forests between Rengali and Jharsuguda are the only link between these massive forested areas. Even this area is coming under the proposed elephant corridor.

THREE DAMS ON THE GANGA

PRINCIPAL ISSUES OF CONCERN

- *Submergence of Himalayan Forests*
- *Impact on smooth Coated Otter and Mahasheer Tor tor, Himalayan trout not assessed.*
- *Environmental flow i.e the amount of water required to maintain the ecological characteristics of river not assessed.*
- *Carrying capacity/ cumulative impact assessment of the series of dam not assessed.*

KOTHLI BHEL I A

The Kotlibhel HE Project (Stage 1-A) is a “run-of-river” dam, which will accumulate 46.17 million m³ of water and submerge about 217.629 hectares of land. Ninety two percent of the total land required for the project is the forestland. The project requires creation of a reservoir, which will result in a reduction of current velocity and increase of residence time within the impoundment it may still occasionally modify peak flows, reduce low flows downstream and prevent upstream movement of small fishes. Thus, the project will affect the fishes downstream. The EIA is lacking in much vital information for e.g. the baseline information in the EIA does not present quantitative information about the population density of wildlife species that would be affected directly or indirectly by the project. Many studies have shown that Run-of-river dams may be less destructive than storage dams, but they can also be just as capable of pushing species to extinction for e.g. Lower Kihansi Hydropower Project in Tanzania.

EIA Study

The Environment Impact Assessment (EIA) of the Kotlibhel HEP Stage-1A -195 MW (3 x 65 MW) project is done by Hemwati Nandan Bahugana Garhwal University, Srinagar (Garhwal), Uttarakahnd. EIA has serious methodological flaws, mainly the EIA lacks a scale and valuation of the significance of the environmental impacts. The baseline information is incomplete with regards to the areas directly and indirectly affected by the project. The baseline information does not present quantitative information about the population density of wildlife species that would be affected directly or indirectly by the project.

ROLE OF ERC

- The Local community and village level institution had challenged the Environmental clearance granted to the project through LIFE/ ERC. The local community mobilized the resources but ERC guided and assisted them;
- The Critique the EIA was done by Mark Chernaik and Meche Lu of the Environmental Law Alliance Worldwide on the request of ERC.
- Organising fact finding mission to the dam sites and organizing meetings at the local level to mobilize opinion on the adverse impact of this project.

KOTHLIBHEL I B

Kotli-Bhel Hydroelectric Project (Stage-1B)-320 MW(4x80MW) is construction of 70.5m high concrete gravity dam across river Alaknanda, a surface power house with four units of 80MW each on the right bank of the river. The total land required for the project is about 550.619 ha out of which 496.619 ha is reserve forestland. That means ninety percent of the area required for the project is the forestland. The Environment Clearance was granted by Ministry of Environment and Forest by its order dated 14-08-07 (J-12011/21/2007-IA.I) the Kotlibhel HEP Stage-1B -320 MW (4 x 80 MW) in the Districts of Pauri & Tehri Garhwal of Uttarakhand by National Hydro Power Corporation Ltd. with specific conditions.

The area is rich in biodiversity –both floral and faunal. Ninety percent of the area required for the project is the forestland. Butterflies of Nymphalidae and Papilionidae families are more likely to be affected by the proposed project. The impact is serious as these butterflies are host specific and the disappearance of host can lead to the extinction of these creatures. Along with this the life cycle of other life forms may be disturbed and can lead to various unexpected changes. There is also a greater chance of change in local climate: high humidity and increase in temperature which will breed vectors like mosquitoes which are not only a threat to humans but are a danger to fauna. (http://www.landcareresearch.co.nz/research/biocons/invertebrates/mosquitoes/mosquitoes_disease.asp)

Strangely, each Dam in the river Ganga has been considered in isolation. There has been no effort to do a cumulative impact assessment of the series of Dam coming up on a river. Impact assessments on species such as otters and Mahasheer has not been done

Critique EIA Study

- The EIA agency has only highlighted the positives of the big hydropower projects. The impacts of it have not been assessed properly and completely. The EIA mentions that butterflies of “Nymphalidae and Papilionidae families are more likely to be affected as the life history pattern are highly influenced host plant specificity”.
- That the EIA report does not mention existence of Otters. Mention is found only in KB1B. However, there seems to have been no survey done. As per reports of Otter expert S.A Hussain of the Wildlife Institute of India, The entire Alaknanda Valley is suitable for Smooth Coated Otter habitation: “Along the entire Alaknanda, fallen rocks and boulders, deep crevices and caves provide suitable den sites for otters”.
- The IUCN- Species Survival Commission, Otter Action Plan, 2000s have opined that “Otters are not getting adequate attention while conducting EIAs”

ROLE OF ERC

- ERC is assisting Dr.Bharat Jhunjhunwala , formerly Professor of Economics at Indian Institute of Management, Bangalore , belongs to the project affected area ,Mr.Vimal Bhai ,a social activists working in the field of environment and peoples right to natural resources, Ms.Devki Devi and Mr.Sunder Singh Negi who are project affected person of the affected villages to challenge the Environmental clearance granted to the project through LIFE.
- The Critique of the project has been done by Meche Lu and Mark Chernaik of ELAW on the request of local communities facilitated by ERC

Kothlibhel HEP Stage II

The project activity will cause massive habitat loss especially for the population of Otters (Smooth Coated Otter) and Fishes (Mahasheer and Himalayan Trout). Dam site and adjoining forest area have other wildlife species like Leopard and Himalayan Black Bear. The project is the last of the cascade projects and therefore it will have a cumulative impact of both Kotli-Bhel 1-A and 1-B projects respectively and also other projects in Alaknanda and Bhagirathi basins. The basin is rich in aquatic biodiversity and contains fishes of ecological importance. Himalayan Trout and species of Mahseer are the two fish species threatened by the project. It is therefore important that along with biodiversity, the ecological significance of the fish species and aquatic biodiversity is also assessed, which unfortunately has not been done in the EIA Report.

EIA Study

A series of dams are planned on the river but the cumulative impact of these dams on the ecology has not been taken into consideration. EIA admits to the fact that area is rich

in flora and fauna and many species of butterflies and birds are found in the area. The project will cause habitat loss and it will be difficult to replace the species once it is gone. But, it concludes that these are general to the Himalayas and not included in the IUCN Red List. Similar conclusions have been given for presence of species like Leopard and Himalayan Black Bear have also been observed in the dam site and adjoining forest area. Due to several dams in the upstream of both Bhagirathi and Alaknanda, the fish species is threatened especially the Himalayan Trout and species of Mahseer. Tehri dam has also contributed much to this dwindling of the species. So, it becomes necessary to take into consideration the cumulative impacts of the series of dams.

ROLE OF ERC

- ERC has been assisting Vimal Bhai, a social activists working in the field of environment and peoples right to natural resources , Mr. Govind Prasad and Ms. Saroj Rawat who are project affected person of the affected villages.
- The EIA was critiqued by the ELAW scientists.
- ERC is using the case in order to put into affect some of the recommendation of The IUCN report on Environmental Flows.

THERMAL POWER PLANT IN WEST COAST AREA

Thermal Power Plant Project (4x300 MW) at Jaigad, District Ratnagiri, Maharashtra by M/s JSW Energy (Ratnagiri) Ltd.

Summary of the issues involved

The area proposed for setting up of the thermal power plant is rich in costal biodiversity and it falls within the proposed costal biosphere reserve. Mangrove areas of high conservation value are present in the Jaigad Creek, in close. The area also have corals and rich seaweed flora .One of the most critically endangered species of White Backed Vulture is reported from the area.

Thermal power stations are proposed in massive scale in Maharashtra especially along the Konkan coast which includes Jaigad TPP. The cumulative impact from these projects coming up along the Konkan coast would be severe as it would devastate the environment and would almost wipe out the thriving marine life, fisheries and agriculture along this coast. The plant is at the distance of 500m from the sea, which will cause acidic depositions, coal dust and fly ash pollution. This would negatively affect the marine life. The silt load due to project activity would also destroy the corals and rich seaweed flora. This will reduce the food availability for the marine life.

Direct heat radiation and emissions from the plant contributes greatly to the local heating up and resultant change in the climatic conditions. The severe impact is predicted for the mango orchards and local agriculture.

EIA Study

- The EIA Report is completely silent on the issue that the area is rich in costal biodiversity and it falls within the proposed costal biosphere reserve. Again the proposed project site is a tableland of laterite layer and is a crucial water catchment area critical for ensuring the fresh water.
- Sensitive ecosystems such as mangroves would be affected; EIA has not quantified such impacts on fisheries, mangroves and coral reefs.
- The area is ecologically sensitive and it is evident from the fact that the area falls within one of the proposed coastal biosphere reserves .The project poses serious threats to local agriculture, especially to the Mango Orchards and paddy fields.
- No alternative site was considered by the proponent.
- The EIA lists endemic wildlife species as 'Cow, Dog, Goat and Buffaloes' !
- Only a rapid EIA comprising three months data has been collected instead of a comprehensive EIA.

ROLE OF ERC

- ERC provided assistance/advise to local community members to challenge the project based on the scientific critique by P.R Arun of the Green Alternative and additional critique done by ELAW as well as in house team of ERC.
- The Expert Appriaisal Committee of the Ministry of Environment and Forests has taken note of the same and have stopped three new plants coming up in the region as well as expansion of the current plant.

MINING IN WESTERN GHATS

Sarvona Iron & Manganese Ore Mining Project by M/s Zantye Private Ltd.

Summary of the issues involved

The mining is proposed in a forested area, which is rich in species diversity. The proposed strip mining in the area if permitted nothing of the forest will remain intact and the species diversity will be affected. The area has rich aquatic bio diversity as river Bicholem flows immediately adjacent and along the lease area. Major faunal species present in the area include: Tiger, Mongoose, Peacock, Porcupine, Wild boar etc.. The river is a source of drinking water and irrigation water for crops and cultivation. The

mining operations would destroy it and one hundred thousand sq.m of areca nut cultivation would be seriously affected by it. The presence of forest cover has been denied by the proponents and the ministry has not imposed any environmental safeguards to ensure that the Bicholim River is not destroyed or negatively affected and that the environment is not devastated beyond repair. Environment Clearance was granted by Ministry of Environment and Forest by its Order No., J-11015/396/2006-IA.II (M) dated 21st August 2007 to Sarvona Iron & Manganese Ore Mining Project by M/s Zantye Private Ltd.

EIA Study

A rapid EIA has been conducted. The presence of forest cover has been denied in the report so there is no mention of the area being rich in floral, fauna and aquatic biodiversity. The proponents have not bothered to bring it to the notice of EIA committee that Bicholim River flows adjacent to the mining lease area and impact on aquatic life.

- The study has not identified the affected villages properly. The presence of the agricultural activity in the area has not been acknowledged in the report.
- No disaster management plan, which is mandatory, has been submitted.
- The EIA was not prepared in accordance with the TOR set by the Ministry of Environment and Forests.
- The Ministry of Environment and Forests failed to take into account the large scale opposition to the project.

Challenging the clearance granted

Mr.Ramesh Gauns, a social and environmental activist and resident of Goa ,has challenged the Environmental clearance granted to the project before the National Environment Appellate Authority (NEAA)through LIFE.

THERMAL POWER PLANT -II

(4000 MW Natural Gas & Coal based Power Project at Shahapur, District. Raigad by M/s Maharashtra Energy Generation Ltd)

ISSUES The 4000 MW thermal power plant has been granted permission for activity in Coastal Regulation Zone (CRZ). Considering the eco-sensitivity of the area, major impact will be on the coastal ecology of the area along with the impact on ground water due to thermal power plant activity. Natural,

healthy ecosystems have evolved over periods of millions of years, resulting in complex interactions of the environment and all the species living in them. The waters along the west coast of India are biologically very productive and possess several unique environmental features. But the same is being disturbed due to industrial activity along it. The area of Power Plant also falls under the Green Zone II of Development Control Regulations for Mumbai Metropolitan Region 1999. As per the notification, most of the land proposed for the Thermal Power Plant will be categorized as eco-sensitive and (coastal Zone Management) CZM-I type and naturally activities of the type of Thermal Power plants are ruled out in CZM-I area. The remainder land falling under CZM II and III will require Set Back line determination. Till date marking of Set Back line in the coastal areas of village Shahapur is not heard of. The ecosystem has to be maintained in a healthy state. The Clearance granted is against the laws prohibiting/ discouraging installation / operation of thermal power plant in coastal areas and has been challenged. Ministry of Environment & Forest granted Environmental clearance granted for setting up Thermal Power plant Capacity 4000 MW using coal as well as natural gas as fuel at Shahapur Dist Raigad Raigad by M/s Maharashtra Energy Generation Ltd. vide order no J-3011/71/2006-IA-II (T) Dated 21st November 2007

The EIA in the Raigad Thermal Power Plant amazingly refers to 'Cows, Goats, Dog' as endemic wildlife species !!. And despite this the project is approved by the government

EIA Study

The EIA report is prepared by the consultancy 'NEERI' and it does not confirm to the guidelines of the Ministry of Environment and Forest, and provides deliberately misleading data and false information. The EIA does not deal with the impact on the marine life in proper manner.

ROLE OF ERC

- ERC assisted the local communities in challenging this illegal clearance before the NEAA
- ERC filed Right to Information requests which revealed significant gaps and impropriety in the approval process.

WORK PROGRESS AS PER TARGETS

TASK		TARGET
Creation of the Resource Centre on EIA's	<p><u>Atleast 50 EIA reports to be collected in the First Six month and aim will be to have a database of over 100 EIA reports in the first years.</u></p> <p>The <u>Resource centre to be made operational within the first six months</u> of the start of the project</p>	<p>As per target, 235 EIA's relating to Dams, Mining projects have been collected. The summaries of the Same has been converted to electronic form over 100 are unloaded in www.ercindia.org</p>
EIA Response Unit	<ul style="list-style-type: none"> • <u>A minimum of two EIA's per month will be analysed</u> by scientists and lawyers to be selected on the basis of urgency of the matter, the location of the project (wildlife and biodiversity rich areas will be of special focus) • Field visits will be conducted in order to ascertain the field conditions with respect to a 	<p>ANALYSIS OF EIA DOCUMENTS</p> <p>During this Reporting period 10 EIA reports were analysed and critiqued.</p> <p>FIELD VISITS :</p> <p>Over eight Field Visits were conducted during the period in the following regions:</p> <ul style="list-style-type: none"> • Munshyari, Uttarakhand, here more than six dams

	<p>particular project. A <u>minimum of two field visits per month will be conducted.</u></p> <ul style="list-style-type: none"> • <u>Aim will be to prepare atleast 4 alternative EIA for projects in a year</u> with the assistance of in house scientists as well as external scientific consultants. <p>Legal assistance to groups in challenging faulty EIA's before the Courts and other appropriate forums. Legal assistance to affected communities as well as NGO's will be provided. <u>The aim will be challenge a minimum of 10 faulty EIA's</u> in the Courts and other fora created for challenging faulty EIA's.</p>	<p>are coming in the fragile area of Himalaya</p> <ul style="list-style-type: none"> • Arunachal Pradesh (Dams), Report Annexed • Orissa (mining) • Goa. • Himachal Pradesh <p>Three Alternative EIA on selected parameters were prepared.</p> <ul style="list-style-type: none"> • During this reporting period assistance was provided in over 9 cases. This led to success in over 3 cases
<p>Capacity Building of Communities, Ngos, activists and lawyers on the EIA process</p>	<ul style="list-style-type: none"> • <u>Organising capacity building workshop and training on EIA.</u><i>The aim being to impart training to atleast 200 activists, lawyers and community representatives on the EIA process as well as on how to use the Right to Information Act to access environmental information.</i> • <u>Publishing _____ a</u> 	<ul style="list-style-type: none"> • During this period four workshops were conducted in Uttarakhand, Orissa, Himachal and Sikkim. Detail Workshop report is being prepared together with action plan. • The Guide will be launched on December, 2008

	<p><u>people's guide to participating in the EIA process</u> in regional languages.</p> <ul style="list-style-type: none">• <u>Publishing illustrative poster on the EIA process</u>	
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