To

Shri Jairam Ramesh
Minister of Environment and Forests
Paryavaran Bhavan
New Delhi

9th September 2010

Subject: Himachal Pradesh High Court Committee Report on Hydropower Projects and Environmental issues

Dear Shri Ramesh

We are writing in to you to invite your attention to a recent report on Hydropower Projects in Himachal Pradesh, submitted by Shri Avay Shukla, Additional Chief Secretary-Forests, part of the one man committee set up by the High Court last year in CWPIL 24/2009. For the first time, an official report has taken cognizance of some of the critical environmental impacts of Hydropower projects in the state. This report assumes importance because it goes on to make the following recommendations and observations:

1. **Inadequacy of individual EIAs:** The report recognises the inadequacy of evaluating Hydro-electric projects on the basis of individual Environment Impact Assessment reports and recommends river basin studies to be undertaken that take into account the cumulative impact of all the hydroelectric projects that have been planned- which has been one of the long standing demands of environmental groups

2. **Saturation point reached:** The report recognises that valleys like Ravi, Beas and Sutlej have been saturated with Hydel Projects. It notes that " .... the government's present practice of indiscriminately allotting hydel projects al over the state without any consideration to their impact on the larger environment - which mere EIAs and EMPs cannot address - is short-sighted, unplanned and could result in serious depletion of the state's natural resources in the long run."

3. **Discharge criteria not followed:** The report also admits that most of the projects studied do not follow the criteria for minimum discharge of 15% and that this failure is not of compliance but of the design of the projects itself.

4. **Minimum 5 kms distance between two projects:** The report notes that "...no linear distance is being left between the tail race of one project and the intake of the next" and cites the example of Ravi river which will flow in its original bed only for 3 Kms. out of the original 70 Kms. and the rest shall disappear underground if all planned projects are commissioned. "This cannot be anything but an unmitigated disaster ....." . The committee has called for the advice of some expert committee on this issue but till then this minimum distance between adjacent projects to be kept at 5 Kms. While this recommendation will require additional studies and expert input to examine if 5 kms is a reasonable

distance or more is required, we do feel that it is critical to set some criteria for distance between projects

5. **Construction above a height of 7000 ft.** would require a more detailed examination by experts in the fields of hydrology, geology, forestry, environment and zoology etc., the committee has noted.
6. **Moratorium on HEPs:** The recommendation that projects to be put on hold till such time that a policy that takes into consideration the above inputs is put into place is perhaps the most critical position taken by the this report

We would like the MoEF, Forest Advisory Committee and the Expert Appraisal Committee on River Valley Projects to look into these recommendations. While MoEF has taken a strict view of river valley projects in Uttarakhand along the same lines, we would like to point out that Himachal deserves similar, if not stricter, interventions considering the number of projects and the extent of damage already done.

While we fully support the recommendations of the Shukla Committee report, we feel that the report leaves much to be desired and does not cover the whole gamut of impacts/violations caused by hydroelectricity projects. We would also like to bring these to your attention for further intervention and action:

1. **Report restricted to Forest Compliance Study and not a comprehensive compliance and impact study.** Due to this fact, the committee has ignored critical impacts like those from uncontrolled blasting for tunnelling on habitations, natural water sources and rock structure.
2. **Report limited to large projects (100 MW+) and only those under construction:** We contend that (a) the smaller projects which are equally, if not more, problematic have been left out of the ambit of the study (b) studying only under construction projects means that there is no full assessment of a before after situation - again the committee did not seem to look at the 'impacts' but just the 'compliance' of conditions.
3. **Compliance study does not assess all conditions:** The report has no mention of the compliance of mitigation and rehabilitation measures, one of the key environmental clearance conditions.
4. **Projects which the committee found satisfactory continue to meet opposition or have cases of violations against them:** Projects like Karccham Wangtoo, Tidong, Sainj, Sawra Kuddu and many of the others that have been looked at by the committee and given a clean chit - have many unresolved issues - of non-compliance as well as dissatisfaction amongst affected people due to unfulfilled promises.
5. **Committee did not interact with communities and other experts/activists/researchers:** The issues raised by the committee have been documented and studied in-depth by many activists and organisations. However, the committee relied only on information from its own department and the developers which can be seriously inadequate

6. **Composition of the Committee:** For such report to be comprehensive the committee should have had a larger, multidisciplinary team with atleast one member from a non-governmental organisation. Any future committees set up for assessing impacts should be structured keeping this in mind

While the revenue obsessed state government is expected to indiscriminately keep forwarding proposals to MoEF for approval, we appeal that MoEF, Forest Advisory Committee and the Expert Appraisal Committee on River Valley projects takes into account the recommendations and observations of the Shukla committee report in dealing with Hydropower Projects in the state. We have been demanding the following and once again reiterate that the MoEF should refrain from providing any further clearances to projects till river basin level environmental impact assessment and carrying capacity studies have been carried out on all the major and small river basins. We would also appeal to you to institute independent evaluation of the cumulative environmental damage already done as a result of the projects that have been commissioned or are under construction.

-Pbhandari

Prakash Bhandari
Environment Research and Action Collective, Palampur,
Dist. Kangra, HP.
Tel : 9816089920

Rahul Saxena

Rahul Saxena, Lok Vigyan Kendra, Palampur,
Dist. Kangra, HP.
Tel: 9816025246

The following people have endorsed this letter through e-mail confirmation or SMS:

1. Ranjit Singh Negi, Him Lok Jagriti Manch, Rekong Peo, Dist. Kinnaur, HP. Tel: 9418002562
2. Ratan Chand, Member Zilla Parishad, Dist. Chamba, HP. Tel : 9805452716
3. Man Singh and Uma Mahajan, Saal Ghaati Sangharsh Morcha, Dist. Chamba, HP. Tel : 9816000003
4. Lal Chand Katoch, Jan Jagran evam Vikas Sanstha, Vill. and PO Haripur, Dist. Kullu, HP. Tel: 9418067010
5. Nek Ram Sharma, Paryavaran evam Gram Vikas Sangathan, Vill. and PO Nanj, Tehsil Karsog, Dist. Mandi, HP. Tel : 9817019281
6. Akshay Jasrotia, Member Zilla Parishad (Dist. Kangra) and Himachal Kisan Sabha, Baijnath, Dist. Kangra, HP. Tel: 9418008357
7. Kulbhushan Upmanyu, Himalay Bachao Samiti, Village Kamla, PO Garnota, Dist. Chamba, HP. Tel: 94184 12853

8. Guman Singh, Him Niti Abhiyan, Village Khundan, PO Banjar, Dist. Kullu, HP. Tel : 9418277220
9. Kuldeep Verma, People's Action for People in Need, Andheri, Dist. Sirmaur, Tel : 9816980644
10. Sanjeev Sharma, Sankalp Project, Chamba, Dist. Chamba, HP Tel:01899-226180
11. PR Ramesh, Lok Kalyan Mandal, PO Theog, Dist. Shimla, HP. Tel: 9816002341
12. B S Malhans, INTACH, Himachal Chapter, Shimla, HP. Tel : 01772621713
13. Alok Mahindroo, Himalayan Village Education Trust, Vill. Kudgoth. PO Dalhousie, Dist. Chamba, HP. Tel : 9418090301
14. Manshi Asher, Environment Research and Action Collective, Palampur. Dist. Kangra, HP. Tel : 9418745198

Copy to :

i. Chairperson, Expert Appraisal Committee (River Valley Projects)
ii. Member Secretary, EAC (River Valley Projects)
iii. Chairperson, Forest Advisory Committee, MoEF
iv. Member Secretary, FAC, MoEF
v. Sh. J M Mauskar, Impact Assessment Division, MoEF