

Dated: 30-01-2009

Special Project Facilitator
Asian Development Bank
6 ADB Avenue
Mandaluyong City
0401 Metro Manila, Philippines
Tel: (63-2) 632-4825
Fax: (63-2) 636-2490
Email: spf@adb.org

Dear Special Project Facilitator,

Regarding proposed 100-mw Sainj hydel power project of Himachal Pradesh State Electricity Board in Kullu district. INDIA

Title of Proposed Project: Himachal Pradesh Clean Energy Development Program (HPCEDIP)

Country/Borrower: India

Executing Agency: Himachal Pradesh Power Corporation Limited (HPPCL)

Contact: General Manager (Contracts), HPPCL, Shanti Kutir, Chakkar, Shimla, Himachal Pradesh, India - 171005

We would like to lodge a complaint concerning the proposed 100-mw Sainj hydel power project of Himachal Pradesh State Electricity Board in Kullu district.

We are working for Affected People in Kullu District, Himachal Pradesh India. We can be contacted through the following address, telephone number, email:

Name –Dinesh Sharma

Director- Paryavaran Avam Kalyan Sansthan (Environment & Welfare Institution)

Address- N.S.C. Market –88, Gompa Road Manali, District Kullu, Himachal Pradesh INDIA 175131. Email: sankalp21@hotmail.com

The basis of the complaint is as follows:

The project would inflict serious social and environmental impacts in the villages in project area, including 5 panchayats, 1. Shansher 2. Deuridhar 3. Gara Parli 4. Shangher 5. Suchehan and many different villages in 5 Panchayats. The livelihoods would be seriously impacted due to diversion of the river, due to serious impact on orchards cultivation and other agriculture crops. Due to environmental impacts, we along with our supporting organizations have been trying to resolve the problems through repeated requests through communications and meetings, but till date even an adequately satisfactory Environment and Social Impact Assessment (ESIA) of the project is not available. And yet we learn (from various sources including from media reports including one in The Hindu News Paper Monday 10 November 2008. This would clearly be violation of norms and policies and would certainly be against the interests of our communities.

1. A description of the name, location and nature of the project is as follows:

The project is a 100-mw Sainj hydel power project of Himachal Pradesh State Electricity Board in Kullu district on Sainj River that is tributaries of Beas River.

2. Purposes as little water that is to be released as per ESIA documents is not sufficient to take care of the needs of the downstream communities (present and future projected needs) and then through underground tunnels and power house.
3. ADB is involved with the Various Project - 240-MW Kashang, 100-MW Sainj, 402-MW Shongtong-Karcham projects and the 111-MW Sawra Kuddu projects - to - Himachal Power Corporation Ltd. Under Himachal Pradesh Clean Energy Development Programme of the project.

The Asian Development Bank (ADB) has sanctioned a loan of Rs.4,000 crore to the Himachal Pradesh government for four major hydro electricity projects, totaling 808 MW, in the state.

The four projects to be implemented by Himachal Pradesh Power Corporation Ltd are Sawra Kudu hydroelectric project (111 MW), Kashang Hydro electric project (195 MW), Sainj hydropower project (100 MW), and Shongtong Karcham hydroelectric power project (402 MW).

About 90 per cent of the disbursement will be in the shape of government of India grant, while the remaining 10 per cent will be repayable loan

4. The project **Executing Agency** - Himachal Pradesh Power Corp. Ltd
5. We are likely to be affected by social or environmental impacts of the project in the following way(s): The project is located in the vicinity of the Great Himalayan National Park (GHNP) and Sainj Wildlife sanctuary. The boundary of the GHNP is at a distance of about 1.5 Km from the barrage site. Likewise, boundary of the Sainj Wildlife Sanctuary is at a Distance of about 2 km from the proposed barrage site as per EIA.
6. The Himalayan region is known to be geologically unstable and prone to erosion, land slides and is active seismic area. The 6300 m long Head Race tunnel will pass over the Sainj Wildlife Sanctuary and Great Himalayan National Park (GHNP). We are particularly worried about the implications of this.
7. The project would mean serious impacts on our livelihoods due to impacts on Fruits cultivation (The main source of cash income for Effected People) number of people and on the environment. The EIA does not assess such impacts and how they will be mitigated.
8. Due to the induction of large number of outsiders in the villages, we, particularly the women among us are feeling that their security and privacy would be seriously affected. Women regularly go into the forest to collect herbs, grass, and fodder and for cattle grazing and other purposes. Many of them also stay for long periods of time in the forest and farms. There have been instances in other Projects in surrounding areas where safety of the women have been seriously affected. Report of the Public Hearing notes, "This point about women's safety could not be adequately addressed in the EIA.
9. The EIA does not include a disaster management plan. Supported by any legal basis. The EIA notification of MEF is clear that DMP is required for all such Projects. It is clear from the EIA that in the non-monsoon months, there will be no flow in The river downstream of the dam. The EIA does not assess or mention the need for minimum downstream flows required in the river from the dam site to the point some 8km downstream where the flow enters the rivers.

10. Baseline information on people's resource base The EIA does not clearly mention the total Resource base of the affected people and how all that will be compensated, including the resources of rivers, streams, forest, land and so on. In fact the EIA goes on to mention "The whole area is unstable and may slide during continuous rains and under earthquake conditions and block the road for

considerable period". However, the EIA does not draw out the implications of this, nor does it mention the impact of this on the project decision and surroundings.

11. Impact on surrounding communities not assessed The impacts of increased instability and Landslides on the surrounding communities are neither assessed nor any mitigation measures mentioned.

12. Engineering geology and Seismology The EIA is clearly trying to under estimate the significance of seismic factor. Firstly it is known, as listed on EIA that the region has been an active seismic zone having experienced earthquake of upto 6 on Richter scale the concentration of seismic events in the NS direction in the region is very much pronounced. Blasting for tunnels will definitely affect the existing structures in the adjoining settlements. House etc may develop cracks, fractures. It has been the case in several projects. The EIA should have included this aspect and also possible cautionary measures and also compensatory measures.

13. Muck disposal will affect significant area of the region, for example the about 0.805 Mm³ of muck is to be generated. It is proposed that 0.283 Mm³ of muck shall be utilized for various project works; the balance quantity of muck shall be disposed off at seven (7) Muck disposal sites with a total area of about 10.729 ha. Even if one were to believe that the project authorities would use some of the debris as claimed, the project would still need an additional area Even the area has not mentioned in. Incase the areas are expected to accommodate much more than.

14. Notification under section 4, 6 and 7 of the land acquisition act has already been issued, even before the project gets environmental clearance and forest clearance.

15. The EIA report does not state the maximum water level that will be attained behind the dam and how much land will be submerged at that level and how many people will be affected. EIA has mentioned that Upstream of the dam site: 10 km on either side from the periphery of reservoir Submergence that is not acceptable.

16. No decision like the taken up of the project can be taken without the affected villages giving their consent through gramsabha decisions and that no gramsabha can take a decision unless they are told about full impacts of the project. As a matter of fact the EIA and EMP should have been provided in Hindi to the affected villages.

17. The EIA is shows the. **No clear picture on families affected** At various places in the EIA different figures are given regarding the number of families that may be affected due to the project. For example Page NO. 8-9, 148 family would be affected due to land, Page No 13 It is mentioned 216 PAF and in table shows 206 figures (PAF).

Demographic Profile of Affected Population

Census survey covering 100% of the PAFs were carried-out in 3 village panchayats, Namely, Sachen, Shainshar and Gara Parli, which included 11 projects affected Hamlets/ villages that reckoned about 148 families. The entire population within the project area is primarily Hindus. About 93.8% belong to the upper caste category, followed by Scheduled Castes (SC) which accounted for about 3.4% of the total population, followed by the Backward Caste category, which comprises of about 0.68% of the total PAFs.

WAPCOS Limited 9 PAGE NO.

As per the survey, the total affected population is of the order of 436 persons in 148* families. Males and females constitute about 54.36% and 40.82% of the total affected population respectively.)

AND IN ONOTHER PAGE (It is observed that about 216 *PAFs are likely to lose Land (agricultural and/or homestead) in varying proportions (refer Table – 4). No homestead Land is proposed to be acquired.)

WAPCOS Limited 13

TABLE – 4 (TABLE SHOWS)

Village-wise details of project affected families

Village Name Total

Suchehan Kothi Vanogi	2
Fati Shainshar Kothi Shainshar	129
Fati Gada Parli	76
Total	206*

There is difference of survey between 148-216-206 but the total Project Effected People (PAF) show as a table 207. Thus, the EIA is at best vague and confusing about the land required for the project.

18. Possible impacts not mentioned The EIA does not even mention, assess or discuss some of the possible impact of the project on the people, including the impact due to noise, dust and vibrations due to use of explosives, due to possible landslides, due to dumping of debris, impact on apple farms due to change in micro climate, etc.

At the outset it should be stated that the Biological Environment section of the EIA is rather poor. The EIA does not properly assess the impact of the project on biological environment. Many of the statements made are fairly arbitrary with no data to support them.

19. The Scope of Work does not include assessment as to how the project will impact the livelihoods of people who depend on the area for sustenance. Also, the Section discusses (under Terrestrial) the assessment of potential impacts on protected areas, but not on the overall biodiversity of the region.

It is mentioned, “The forest area involved in this project does not cover extensive forest or trees or endangered species”. This statement is of EIA is contradicted at a latter stage AS Following

(a) TABLE – 2 (EXECUTIVE SUMMARY)

Species diversity of the project area

Groups No. Of Species

Angiosperm and Gymnosperms

· Trees	27
· Shrubs	18
· Herbs	39
· Grasses	8

Pteridophytes 8

Bryophytes 6

Lichens 3

Fungi 6

Total 115

(b) (EIA Chapter 7)

The tree density in the submergence area and powerhouse area is about 610 and 270 trees/ha. Normally in a dense forest, tree density is of the order of 1000-1200 trees/ha. Thus, in land to be acquired for the project, the tree density is low to moderate. No rare or endangered species are observed, hence, acquisition of land for the project is not expected to have any significant adverse impact on the biodiversity of the area.

20. The report indicates that species of the study area are "neither endemic nor rare or Endangered". However this is no justification for destroying the same. The area still represents a significant ecosystem and the impacts of the project need to be assessed and clearly stated. There are People who depend on the area. Also there are important medicinal plants of tremendous value in the area, which incidentally the report does not even mention.

21. The report states that the sainj wildlife sanctuary is lies in the vicinity of Great Himalayan National Park (GHNP). The tail end of the submergence is situated about 1.0 km from the boundary of GHNP And 1.5 km from the Sainj Wildlife sanctuary 3.5 km away. They do not necessarily stay within the sanctuary area and any disturbance in the area will have an impact on them. Further, on the report lists some very important faunal species but goes on to state that these will not be impacted by the project without any backup data. Moreover the statement that sanctuary does not fall within the study area is not correct as study area includes in EIA.

22. 5 panchayats, 1.shansher 2. Deuridhar 3. Gara Parli 4. Shangher 5. Suchehan and many different villages in 5 Panchayats. The livelihoods would be seriously impacted by the hydropower project, Public hearing agency organized only one public hearing for 5 panchyats and not provided full documents with local language. Executive summary is not the proper assessment of power project. At least Authority don't want transparency with local people.

From the above analysis it is clear that the EIA of sainj hydropower project done by wapcos limited is biased, inadequate in scope or work, shoddy in what it has written and totally in violation of the letter and spirit of the environment impact assessment. Under the circumstances, the not only this EIA should be rejected, an independent enquiry should be conducted as to how come such an EIA got to be done and submitted at all and should wapcos be allowed to conduct future EIAs. In the meanwhile, fresh EIA needs to be done by a confidence inspiring independent agency. As is the legal necessity, in the meanwhile, no work should be allowed on the Sainj hydropower project. Secondly, All EIA and EMP Should are in local language for public and public hearing should be arranged in every effected Panchyats.

Dinesh Sharma
Director
Paryavaran Avam Kalyan Sansthan
NSC-88, Gompa Road Manali,
District Kullu Himachal Pradesh, India.
Email:- sankalp21@hotmail.com

Attachments: Report OF Public Hearing of sainj Hydro Power project 100mw. Please look this kind of vague Public Hearing.