

## Is the environment ministry over-reacting?

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The ministry still doesn't ensure that industry complies with the conditions under which environmental clearances are given but its isolated approach in handling issues is hurting growth.



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A completely incorrect impression is being created, largely by vested interests, that the Union Ministry of Environment and Forests under Jairam Ramesh's leadership is over-reacting to environmental issues. On the contrary, the ministry needs to take up some tough systemic actions soon if there is any hope for India's environment and forests. The fact of the matter is that the ministry is yet to really start performing the role for which it was created.

To illustrate:

- Our rivers remain, as the World Bank put it, fetid sewers. The ministry has the mandate and power to ensure that rivers are not polluted and has been empowered with laws like the Water Pollution Control Act, the Environment Protection Act (EPA) and so on. It has been provided with huge institutions and sufficient financial resources in terms of thousands of crores, but the ministry has yet to achieve a single clean river in the country.
- Every month, the ministry gives hundreds of clearances under the EPA (1986), Environment Impact Notification (2006) and Forest Conservation Act (1980) accompanied by the Forest Rights Act. Each clearance is accompanied by an Environment Impact Assessment (EIA), Environment Management Plan and various conditions for clearances. The ministry has neither the capacity nor the will to ensure compliance with the conditions under which such clearances are given. It does not even know what is going on at project sites. Its field offices do not conduct any surprise visits to the project sites to ensure if the projects are following the laws of the land. A recent review by the additional chief secretary of Himachal Pradesh following a high court order showed that every one of the reviewed projects was violating the laws or management plans. But there are practically no consequences for such violations. A recent Right to Information response from the ministry revealed that more than five years after getting environment clearance in October 2005, the Polavaram dam in Andhra Pradesh has not submitted a single compliance report; it was supposed to submit such reports every six months. But there were no consequences. There are no consequences even when the reports submitted to the ministry by the developers (such as for the Karcham Wangtoo hydropower project) or by committees appointed by the ministry (like the Sardar Sarovar Project) or by non-government organisations (like the Tehri Dam and Rampur Hydropower project) show violations.

- It is an open secret that the EIAs submitted to the ministry are routinely plagiarised, cut-and-paste, seriously compromised jobs, including for the Jaitapur nuclear power plant cleared most recently. But the ministry has not taken any measures against any of the EIA consultants, even when these issues have been brought to the notice of the ministry one way or the other.
- The ministry still does not have clearly defined norms that only people with a background in environmental issues should be selected for the Environment Appraisal Committees appointed by the ministry for scrutinising applications for clearances.

There is no doubt that Jairam Ramesh has started taking some steps in the right direction for some projects. Before this, developers had become used to an environment ministry that did not do its job but worked, instead, as an agent of environmental destruction. That is why developers are now suggesting that the ministry is over-reacting. In almost each of the instances in which the ministry has acted, however, the action was long overdue and in many cases the action was taken only after people working on the ground highlighted the problems or cases have been filed in the courts. This is true in the cases of Lavasa, Vedanta, Posco, the Polavaram dam, Maheshwar hydro projects and the Renuka Dam, among others. In fact, for each such case, one can show dozens of others where action is overdue from the environment ministry but the ministry has not yet taken the required action. There are other instances in which Ramesh has made statements (SUVs, western lifestyles being bad for the environment or that the National Action Plan on Climate Change should have been formulated in participation with the people at the grassroots), but action is still awaited.

The ministry, in my view, is under-reacting.

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First, it is evident that environmental degradation in India has been taking place for decades. Environmental issues were given peripheral treatment because industry was far more focused on manufacturing, servicing the marketplace and improving the bottom line than on the effluents and gases going into rivers and the air. I have been associated with industry for the past 40 years in India and Asia and I would say it is a similar story everywhere. But in India, the problem was worsened by a combination of corruption and mismanagement. Easy solutions were found at the cost of the environment. Pollution control boards mostly used their powers to the advantage of vested interests rather than to ensure that environmental standards were followed.

Up to ten years ago, everyone was talking about pollution but little was done about it. Having said that, it is also true that attitudes have changed dramatically over the past decade — especially after Al Gore made his film *An Inconvenient Truth*, which showed how environmental degradation can impact our planet. It would not be an exaggeration to say environmental awareness has grown substantially within industry and it has started acting on the issue seriously. In the petrochemical industry, for example, effluents are now treated so that 95 per cent of the water can be recycled. At Reliance Industries' Jamnagar refinery, the company has created a plantation in the 30 per cent of the refinery area that was mandatorily required to be kept free. In Nashik, the plantation coverage in some factories is three times the factory coverage.

Let's face it, India needs development for wealth creation and employment. Prime Minister Manmohan Singh has made a vision statement of creating 500 million jobs by 2022. How can we achieve this if there are no industries? Realising this, industry groups and NGOs have been working together to deal with the menace of global warming. It is against this background that I would say the environment ministry is over-reacting. Whether it is over the Jaitapur

nuclear power plant, Navi Mumbai airport or the projects in Orissa, Jharkhand and so on, the environment ministry appears to be handling the issues in an isolated, almost dictatorial manner. India needs good infrastructure and more specifically power. China built several power plants and is reportedly generating more than 100 billion Mw whereas we produce a fraction of that. Therefore, holding back on power projects or nuclear power projects is not right. There is a myth that nuclear power plants are hazardous but people face many more hazards in day-to-day life. In nuclear power projects, for instance, there is a lot of talk about radiation levels, the dangers of a Chernobyl or Three Mile Island kind of disaster and so on. But daily road fatalities outnumber the Chernobyl toll several times over. On radioactivity, one has to only consider how many times people are exposed to much more radiation through X-ray security checks or when they use mobile phones, for example. When the political leadership in the state says, for instance, that Maharashtra is a power-surplus state, it conveniently ignores the shortages across the state. Yes, Mumbai gets 24X7 power supply, but just 100 km from the city you will see there are huge power outages.

On the whole, I think the environment ministry is not trying to address the details of these issues with an open mind. The ministry is not trying to establish a dialogue with investors on how to tackle these issues. It has taken a blanket, almost premeditated, view that the promises by industry are not credible. This approach and attitude will not help India. That is why people often wonder whether the ministry's approach stems from genuine concern for the environment or whether there are other reasons shrouded in mystery in which the environment is an excuse.

It is true that balancing the needs of development with environmental concerns is complex. But given that industry is now seriously committed to minimising environmental damage, it would be better if the environment ministry were more positive and worked with industry towards optimum solutions. Today, the ministry's approach seems to be more knee-jerk than constructive and that will not help build a strong, prosperous India.