EIA in Indian Himalayan Region

Why in news?

Recent Teesta dam breach in Sikkim and the flood and landslides in Himachal Pradesh are stark reminders for the need for a different set of environmental standards and clearances in Indian Himalayan Region.

Significance of Indian Himalayan Region (IHR)
• The Himalayas, geologically young and structurally fold mountains run in a west-east direction from the Indus to the Brahmaputra. • Their name translates from Sanskrit as “abode of the snow”, with the highest concentration of glaciers outside the Polar Regions. • The Himalayas represent the loftiest and one of the most rugged mountain barriers of the world. • **Coverage**- 13 states and Union Territories - States- Himachal Pradesh, Uttarakhand, Sikkim, West Bengal, Manipur, Meghalaya, Mizoram, Nagaland, Tripura, Assam, and Arunachal Pradesh. - Union Territories- Ladakh, Jammu and Kashmir • **Water tower of Asia-** The region is responsible for providing water to a large part of the Indian subcontinent and contains various flora and fauna. • **Third pole-** IHR is the part of *Hindu Kush-Karakoram-Himalayan system (HKKH),* a mountainous region west and south of the Tibetan Plateau.

What is Environment Impact Assessment (EIA)?

- **EIA**- The United Nations Environment Program (UNEP) defines EIA as a tool used to identify the environmental, social and economic impacts of a project prior to decision-making.
- It compares various alternatives for the proposed project and analyses all possible environmental repercussions in various scenarios
- **Aim-** The objectives of EIA is
    - To predict environmental impacts at an early stage in project planning and design
    - To find ways to reduce adverse impacts
    - To shape projects to suit the local environment
    - To present the predictions and options to decision-makers
- **Benefits**
    - **Environment-** Helps decide appropriate mitigation strategies
    - **Economic-** Reduced cost and time of project implementation

What about the EIA in India?

- **Evolution** - EIA was introduced in India in *1978* with respect to river valley projects.
- The EIA in India is statutorily backed by the ***Environment Protection Act, 1986.***
- In 2006, State governments were also given powers to issue EC in certain cases.
- *Only* projects enumerated in the schedule attached to the notification require prior EC.
- **Categorisation-** The projects categorised into mining, extraction of natural resources and power generation and physical infrastructure.
- The threshold limit beyond which EIA is warranted for all these projects is the same across the country.
- **2020 draft**- MoEFCC introduced a draft EIA in 2020 for public comments which created a controversy as it was perceived to be pro industry and compromising the ecological concerns.

To know about the environmental clearance procedure, click here

What are the flaws with the EIA in Indian Himalayan Region (IHR)?

- **Major missing**- Despite its special need and ecological importance, this region is treated like any other part of the country.
- The government is aware of the special needs in the region, but the vulnerabilities and fragility have not been considered separately.
- **Regional divide-** While some industries mentioned in the schedule to the notification cannot be set up in the IHR States due to the industrial policies of the respective States, other industries and projects have to meet the same threshold in the rest of the country.
- **2020 draft**- It does not treat the IHR differently than the rest of the country and is not cognisant of the special developmental needs of IHR.
- **Project categorisation**- It is vital that the impacts of all such projects and activities are seen in the IHR in the context of this region's fragility and vulnerability vis a vis ecology and environment.
- **Climate change**- It has added another layer of vulnerability to this ecosystem with the recent episodes of Glacial Lake Outburst Flood in Sikkim and cloud burst events in Himachal Pradesh.

What are the issues with EIA?

- **Lack of regulation-** There is no regulator at the national level, as suggested by the Supreme Court in 2011 in *Lafarge Umiam Mining (P) Ltd.; T.N. Godavarman Thirumulpad vs Union of India* to carry out an independent and transparent approval of the projects for ECs and to monitor the implementation of the conditions laid down.
- **Favouritism**- Due the fact that they are financed by the project proponent, the process is in favour of the project.
- **Procedural constraints**- The process does not adequately consider cumulative impacts as far as impacts caused by several projects in the area are concerned.
- **Box ticking approach**- In most of the cases, EIA is done as a mere formality that

needs to be done for EC before a project can be started.

What lies ahead?

- General conditions mandated for all projects at the end of the notification should have a clause about the IHR or mountains above a certain altitude that could increase the liability of the project proponent.
- Policymakers should explore other tools such as the strategic environmental assessment which takes into account the cumulative impact of development in an area to address the needs of the IHR.

References

1. The Hindu- Indian Himalayan region needs its own EIA