

TEHRI DAM

(As per the Judgment of Hon'ble Supreme court in the Writ petition No 295 ND Juyal & Ors Vs Union of India & Ors of 1992, dated September 1,2003)

Chronological History

1. Investigation commenced-1961.
2. Planning Commission initiated the project for an installed capacity of 600 MW envisaging the cost at 197.92 crores - 1972.
3. Administrative clearance given by Govt. of U.P.-1976.
4. Prime Minister directed for in depth review- March 1980.
5. Interim report by expert group constituted by PM- May 1980.
6. Final report to abandon the project by Expert Group- Aug 1980.
7. Acceptance of the report by Ministry of forest and Environment -Oct 1980.
8. Revival of the Project - The then USSR offered administrative, technical and financial help on turnkey basis and signed protocol to the tune of 1000 M rubles-Nov 1986.
9. Govt. of India announced in the media that the project has been cleared - Jan 1987.
10. Project transferred to THDC from Irrigation Department of UP-12 - July 1988.
11. MoEF revised cost estimates and released additional funds conditional to environment clearance- July 1989.*
12. Appraisal Committee of MoEF concluded that Tehri dam should not be taken up on environment issues - Feb 1990.
13. Bhumla Committee raised the issue of high chances of rector breeding in the waters of reservoir of Tehri Dam -1990(did not figure in environment clearance).
14. GOUP issued notification for setting up of Bhagirathi River Valley Authority- 23-3-1990.
15. Conditional clearance by MoEf for the revised installed capacity of 2400 MW for a 3 stage project-19 Jul 1990. *
16. Prof Jay Kishan of Roorkee reported that construction of Tehri Dam was safe.
17. Expert Committee headed by DG Geological Survey of India recommended for acceptance of report of Prof Jay Kishan.- 25 July,1991.
18. Socio-economic study of affected families conducted by Administrative Staff College of India, Hyderabad in March 1993.

19. Appointment of Group of Five Experts - June 1996.
20. Expert Committee on environmental and rehabilitation aspects constituted.-
17 July 1996 and appointment of Prof Hanumantha Rao Committee(HRC)-
17-9-1996.
21. HRC submitted report -Oct 1997.
22. Group of 5 Experts submitted report-18-2-1998.
23. GOI conveyed its decision to implement reports of expert of implement on environment & rehabilitation aspects constituted by GIO and HRC notification dated 9-12-1998.
24. Government of Uttaranchal passed 'Uttaranchal River Valley (Development and Management)Act -2005', on 27-01-2005 and constituted Bhagirathi River Valley Development Authority on 04-04-2005.

* "The completion of studies, formulation of action plans their implementation will be scheduled in such a way that their execution is paru passu with the engineering works falling which the engineering works would be brought to a halt without any extraneous considerations,. These conditions will be enforced ,among others under the provisions of the Environment(Protection) act,1986."

" The main controversy is regarding the pan passu compliance of the conditions in the clearance certificate."

*** Seven conditions of environmental clearance.**

1. Catchment area treatment -Obligation of THDC & GOUP
2. Rehabilitation -Obligation of THDC.
3. Command area development -Obligation of Govt. of U.P.
4. Flora and Fauna studies- Obligation of THDC
5. Water Quality Maintenance - Obligation of THDC
6. Disaster Management Plans(DMP) - Obligation of THDC.
7. Setting up of Bhagirathi River Valley Authority- Obligation of Department of Power.

1. Catchment Area Treatment.

1. Prepare action plan by 31-12-1990. on the basis of erodability of "very high" and "high" degradation of areas identified by Remote Sensing application Center, U.P.
2. Ensure treatment of Catchments before 1995- based on detailed annual plans.

3. THDC to put all resources at the disposal of state govt. necessary for implementation of action plan annually.
4. state Govt. to cooperate - in preparation of plans and implementation in treatment of Catchments area.

2. Rehabilitation

1. THDC to complete socio economic study of the oustees by 30-6-1991 by a reputed institution.
2. THDC to prepare rehabilitation package by 31-3-1991 for the affected population of Koteswar dam including the rim of the reservoir.
3. It was decided that the Govt. of U.P. shall take over the direct responsibility for the entire rehabilitation tasks to be handled directly by its officers under the overall supervision of the Commissioner Garhwal Division (State Govt. to issue orders as per recommendations of HRC) - notification dated 9-12-1998. The state govt. (U.Chal) proposed to complete implemented on by June 2003.
4. Rehab of Tehri town involves 5291 families (cut off date 6-6-1985)

3. Command area development- Obligation of govt. of UP

1. GOUP to prepare command area development plans by 31-3-1991 - for areas to be irrigated.
2. GOUP to ensure implementation of command area development plans by 31-3-1995.

4. Flora and Fauna studies -Obligation of THDC

1. THDC to complete study of flora a& fauna of submergence area by May 1991- for preparation of reclamation plans on the basis of study so completed.
2. THDC prepare action plans including setting up of botanical gardens & ensure execution of action plans before commencement of impounding.

5. Water Quality Maintenance -Obligation of THDC

1. THDC to setup monitoring stations for monitoring quality of water of the reservoir.
2. THDC to initiate water quality modeling study to formulate the measures needed to preserve the measures needed to preserve water quality and prepare a plan to implement measures recommended by the study.

Catchment Area Treatment(CAT)

"It is no doubt true that in regard to certain aspects such as Catchment Area Treatment, conditions imposed are not fully implemented and it is not very clear from various affidavits filed whether in regard flora and

fauna also the conditions have fulfilled or not. When par passu conditions have fulfilled along with the construction of engineering works."

6. Disaster Management Plan(DMP)

Aim -"The present relief centered re-active approach after the striking of disaster needs to be changed in to preparedness oriented pro-active attitude."

1. THDC to prepare disaster management plan by 31-3-1991 in consultation with the effected population and the authorities of the region.
2. Disaster management activities be integrated with the development activities. Incidentally, this is also the resolve of the Yokohama Strategy of the United Nations International decade of Natural Disaster Reduction, to which India is a party."
3. On the part of the state, the obligation to preserve and protect human life and property, is an integral element in fulfilling development endeavors. therefore Disaster Management can not be separated from sustainable development.
4. Ministry of Agriculture approved disaster Management Plan prepared by THDC in 1992.
5. Detailed DMP of the state prepared, constituting Steering Committee headed by DM at district level.
6. State of Uttaranchal also constituted State Level Steering Committee under the chairmanship of Principal Secretary, Irrigation.

7. Bhagirathi Basin Management Authority

1. The Power Development to setup Bhagirathi Basin Management Authority before 31-3-1991 on statutory basis through legislative action.
2. "The completion of studies, formulation of action, plans and their implementation will be scheduled in such a way that their execution is pari passu with the engineering works, falling which the engineering works would be brought to a halt without any extraneous considerations. These conditions will be enforced, among others under the provisions of the Environment (Protection) Act, 1986."
3. GOUP issued notification for setting up of Bhagirathi River Valley Authority 23-3-1990.