

## **Comments on the ToR application of Sonthi Lift Irrigation Scheme in Gilbarga District of Karnataka by M/s. Krishna Bhagya Jala Nigam Ltd**

**Subject: Violation of Environment (Protection) Act (1986) and EIA Notification (2006) by Sonthi Lift Irrigation Scheme from Karnataka to be considered for TORs in the 68th EAC Meeting**

Respected Chairperson and Members,

We see that Sonthi Lift Irrigation Scheme from Karnataka is up on agenda for the upcoming 69th EAC Meeting. It was on the agenda of 68th meeting, but was not considered following soem communication from Karnataka Government. In this regards, any communication from Government of Karnataka as well as MoEF's response in this case, should be uploaded on the MoEF website before the project is considered again.

Copied below is the submission I had sent earlier. We hope that EAC will consider it seriously.

**Sonthi Lift Irrigation Scheme has progressed considerably on the field, violating Environment (Protection) Act (1986) and EIA Notification (2006).**



Photo: Sonthi Barrage from Karanatak Bhagya Jal Nigam Limited  
(Source: <http://www.kbjnl.com/Comp-CZ1-Sonthi-BCBAR-Bhima>)

The Form I of the project, uploaded on MoEF website states (emphasis added): “The proposed scheme envisages construction of bridge cum barrage across Bhima River near Sonthi Village in Chittpur Taluk of Gulbarga District in the state of Karnataka to impound 113.28 M.Cum (4.0 TMC) of water”.

According to Krishna Bhagya Jal Nigam Website, this barrage was nearly complete in 2008 itself: “The civil portion of modified Sonthi Bridge cum Barrage across River Bhima (near village Sonthi) is almost completed. The work of fabrication and erection of 37 vertical gates is in the advanced stage of progress. Further, the Head work including electro-mechanical works of Sonthi LI Scheme awarded on turn-key basis is in progress and programmed for completion by December 2009. Tenders for feeder canal KM 0.00 to 1.75 invited.” (<http://waterresources.kar.nic.in/Performance%20Budget%202008-09.pdf>). By June 2012, the barrage and 37 vertical gates have been completed.

In addition, “For lifting system, the excavation for Delivery Chamber and jackwell cum pump house completed. RCC raft foundation for jackwell completed. M.S.Pipe rising main is laid for about 3.40 Km. Out of 3000 Mtr length of intake canal, excavation for 1750 mtr length is tackled. Pumping machineries brought to site. Construction of Feeder Canal Km. 0.00 to 1.75 is in progress. Power Transmission Line work is in progress.” (Krishan Jal Bhagya Nigam 30 June 2012, <http://119.226.226.155/kbjnl/Progress-Report>). Similar information on Krihsna Bhagya Jal Nigam Website: <http://www.kbjnl.com/Ongo-CZ1-Sonthi-LIS> . It says that Sonthi barrage across River Bhima is completed. Water Resources Website of Karnataka Govt also shows the advanced stage of the canal network for Sonthi LIS:

<http://waterresources.kar.nic.in/Contacts%20&%20Directory/C.E,KBJNL,Bheemaranagudi.htm>

**Total submergence area of the project is 1148 hectares and the barrage has already submerged 642 hectares of land, more land must have been submerged.** As the scheme has approached EAC for TOR, no Public Hearing have been held for this. The barrage has resulted in submergence of an entire village.

#### **Form I uses misleading language like**

“Altogether 967 structures have to be cleared in 1 submergence village for the project” (emphasis added) when barrage is already built.

“Construction laborers will be hired during construction of the proposed project. The influx will be of short period (i.e., 3 years) and it is temporary. Around 1500 people are expected to work during construction of the proposed project.”

This is highly misleading language for a project which has progressed considerably on field. Not at a single place does the Form I, or the PFR for that matter disclose that the project is nearly complete.

**PFR also keeps making misleading with statements like (emphasis added):**

“The proposed project requires labour for construction and on-going maintenance of bridge cum barrage” when in reality, the bridge um barrage is ready.

“The proposed Sonthi lift irrigation scheme envisages diversion of 4 TMC of water for irrigation by constructing a Barrage across Bhima river near Sonthi village of Chittapur Taluka”

“The location of proposed Barrage is at latitude of 160, 49' 50" & longitude of 760, 55' 45"near Sonthi village of Chittapur Taluka”

This is wanton and conscious misleading of the EAC and MoEF.

**The Form I or the PFR do not even mention the number of families affected by the project!**

Violation of EPA (1986) and EIA Notification (2006) and deliberate misleading of the MoEF, that too from a State Government, is shocking and disturbing.

There is no provision in the Environment (Protection) Act (1986) or the EIA Notification (2006) that allows the MoEF or the EAC to regularise violations of these Acts post facto.

In past cases of violation of Environment (Protection) Act (1986) and EIA Notification (2006) brought to the notice of the EAC by SANDRP ( two medium Irrigation Projects Ar Kacheri and Alegaon in Buldana District in Maharashtra), the EAC had referred to OM No. J-11013/41/2006-IAII(I) dated 12th December and had not cleared the projects (66th Meeting of the EAC). However, the project is nearly complete in this case and the EAC should not apply this OM for Sonthi LIS project.

In fact, regularising such complete violations of the Laws of the Land by issuing Office Memoradums, etc., only encourage more violations of Environment (Protection) Act 1986 and EIA Notification (2006). Any regularising and weak action directly demeans environmental governance of the country and the MoEF and EAC itself. In fact all 3 lift irrigation schemes by Karnataka government on agenda for the 68th EAC meeting are violating the EIA Notification (2006). This indicates how violations will spread in the absence of strong action.

Keeping these issues in mind, we urge that the EAC should strongly recommend legal proceedings against the project proponent and responsible officials of the Krishna Bhagya Jal Nigam Limited.

Unsigned Form I of the project, which misleads the MoEF by portraying this as a ‘proposed’ project says: “I am aware that if any part of the data and information submitted is found to be

false or misleading at any stage, the project will be rejected and clearance given, if any to the project will be revoked at our risk and cost.”

We therefore request the EAC to recommend initiation of strictest action against Krishna Bhagya Jal Nigam Limited and responsible officials for these violations.

Looking forward to your response,

**Yours Sincerely,**

**Parineeta Dandekar**