

From: _____ <_____>
To: amcro@adb.org, _____
Date: 23/06/2017 01:00 PM
Subject: Re: Thermal Project in Rajasthan, India, a danger to ecology

Dear Mr. /Ms. Danielle-Anne Rubinos

With reference to your email below, I _____ - resident Korna Village am sending the duly filled complaint form for your perusal.
Also attached is the National Green Tribunal (NGT) court judgement released on 16 may 2017 in favour of korna villagers.

Further also attaching the initial report that was submitted to the headman of the village before the commencement of the project, which is clearly stating the problem to the environment if this area is selected for the grid station.

Kindly look into the matter and save the environment.

Thanks & regards

Asian Development Bank (ADB), Accountability Mechanism, Complaint Form

(Add rows or pages, if needed)

A. Choice of function - problem solving or compliance review (Choose one below)

Special Project Facilitator for problem solving (Assists people who are directly and materially harmed by specific problems caused, or is likely to be caused, by ADB-assisted projects through informal, flexible, and consensus-based methods with the consent and participation of all parties concerned)

Compliance Review Panel for compliance review (Investigates alleged noncompliance by ADB with its operational policies and procedures in any ADB-assisted project in the course of the formulation, processing, or implementation of the project that directly, materially, and adversely affects, or is likely to affect, local people, as well as monitors the implementation of remedial action relates to the harm or likely harm caused by noncompliance)

B. Confidentiality

Do you want your identities to be kept confidential?

Yes

No

C. Complainants (Anonymous complaints will not be accepted. There must be at least two project-affected complainants.)

Name and designation (Mr., Ms., Mrs.)	Signature	Position/ Organization (if any)	Mailing Address	Telephone number (landline/mobile)	E-mail address
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1.

2.

Authorized Representative or Assistant (if any). (Information regarding the representatives, or persons assisting complainants in filing the complaint, will be disclosed, except when they are also complainants and they request confidentiality.)

Complainant represented	Name and designation (Mr., Ms., Mrs.)	Signature	Position/ Organization (if any)	Mailing Address	Telephone number (landline/mobile)	E-mail address

D. Project

Name	Rajasthan Renewable Energy Transmission Investment Program - Tranche 2, Project No. 45224-004
Location	Korna – Barmer, Rajasthan - India
Brief description	Rajasthan Renewable Energy Transmission Investment Program – 765/400 KV Sub Station Grid

E. Complaint:

What direct and material harm has the ADB-assisted project caused, or will likely cause, to the complainants?

It is going to affect the ecology of the place, destroy major drinking water ponds in the desert and destroy the wildlife of the area. (Case study and a NGT court judgment -16 May 2017- in favor of the villagers is attached in the initial complaint)

Have the complainants made prior efforts to solve the problem(s) and issue(s) with the ADB operations department including Resident Mission concerned?

Yes. If YES, please provide the following: when, how, by whom, and with whom the efforts were made. Please describe any response the complainants may have received from or any actions taken by ADB.

No

F. Optional Information

1. What is the complainants' desired outcome or remedy for the complaint?

Barmer has very less population density and has enough barren land where this substation can be shifted. People are not against development but at least the government should consider alternate places nearby.

2. Anything else you would like to add?

Initial environment report / analysis was also against this sub station, still this place was selected for the grid. The original report by ADB representative was disregarded / unheeded. The initial report was presented in the NGT court and can be provided again.

Name of the person who completed this form: _____

Signature: _____

Date: 23/06/2017

Please send the complaint, by mail, fax, e-mail, or hand delivery, or through any ADB Resident Mission, to the following:

Complaint Receiving Officer (CRO), Accountability Mechanism
ADB Headquarters, 6 ADB Avenue, Mandaluyong City 1550, Philippines,
Telephone number: +63-2-6324444 local 70309, Fax: +63-2-6362086,
E-mail: amcro@adb.org

**BEFORE THE NATIONAL GREEN TRIBUNAL, CENTRAL ZONAL BENCH,
BHOPAL**

Original Application No. 154/2016 (CZ)
Villagers of Village Korna & Ors. Vs. State of Rajasthan & Ors.

**CORAM : HON'BLE MR. JUSTICE DALIP SINGH, JUDICIAL MEMBER
HON'BLE Dr. SATYAWAN SINGH GARBYAL, EXPERT MEMBER**

**PRESENT : Applicant : Ms. Zubia Sajid, Adv for
Mr. M.S Kachawa, Adv.
State of Rajasthan: Mr. Sandeep Singh, Adv.
Mr. Rohit Sharma, Adv.
Mr. Subhash Chander Mathur, OIC**

Date and Remarks	Orders of the Tribunal
Order No. 6 16th May, 2017	<p>This Original Application was filed on 09.12.2016 by the applicants who are the R/o Korna, Tehsil Pachpadra, District Barmer (Rajasthan). It has been alleged that the proposed construction of 765/400 KV sub-station at Khasra No. 27 in Village Korna which is recorded as <i>Gair Mumkin Gochar</i> will disturb the catchment area of the water bodies located nearby and also the village pasture land.</p> <p>From the photographs and other material on record we have observed that there are five water bodies close to the proposed site selected for the establishment of 765/400 KV sub-station which are frequented by the migrated birds as well as other wildlife . It has also been submitted that these water bodied are the only source of water in the area and are also used by the village cattle and other domestic animals. Considering the environmental issues which may arise due to construction of 765/400 KV sub-station, on 14.02.2017 we directed the District Collector and the State Government to depute a team in consultation with the Rajasthan Vidyut Prasaran Nigam for looking for an alternate site and also</p>

take up the matter in consultation with the Village Panchayat and the Forest Department of the State.

An inspection was subsequently carried out by the Tehsildar as well as the Asst. Engineer, RSVPNL, Barmer. Since the inspection report was not satisfactory, the Learned Counsel for the State was directed to submit toposheet of Survey of India of the entire region wherein the proposed site as well as an alternate site which was found at a distance of 38 Kms. from the proposed site would be indicated. Since the proposed activity was likely to have adverse impact on the migratory birds and other wild life visiting these water bodies and also that since no report from the Forest Department, State of Rajasthan was sought while considering this proposal, we directed the DFO, Barmer to submit his views on the existing site and its eco system.

The Deputy Conservator of Forest, Barmer in compliance of our order dtd. 16.03.2017 has submitted his report today. The Deputy Conservator of Forest has inspected the site on 03.05.2017 along with AEN RVPNL Dechu. He had also taken Dr. Sanjeev Kumar, Scientist "D" / OIC from the Zoological Survey of India, Desert Regional Centre, Jodhpur along with him during this inspection. He has submitted that "The Gochar land (including government land – *Gair Mumkin Pahad*) of Korna and Ganawas forms a geographical unit and Korna-Jasti road divides this in to two parts. There is a small hill adjoining Gochar Land of Korna and this hilly portion is without any vegetative cover. The area of entire Gochar land & *Gair Mumkin Pahad* is approximately 3000 beeghas. There are 5 water-bodies in this area". The satellite imagery of the area indicating water bodies is also enclosed as

Annexure – B along with the report.

He has observed that entire Gochar land and Government land of Korna and Gangwas is surrounded by the private farm land on the one side and Gangawas – Korna – Aagoli road on the other side. The rain water drains to the water bodies which are maintained by the villagers of Korna. The channels are dug along the contours and every amount of water is conserved and taken to these water bodies. The watershed map of the village Korna Gangawas is also enclosed as Annexure – E. The watershed map confirms that the entire area of the catchment of water bodies and the rain water drains into the Gangawas Pond. It has further been submitted that the water harvesting / diversion / channels are maintained by the villagers and the water collected in the water bodies form typical habitat for the wildlife but this is the main source of drinking water for domestic animals and human population of nearby villagers.

The DFO has further stated that Geographical units (Gochar land, Government land and water bodies) surrounded by human population of village Korna, Jasti, Gangawas and farm lands form a typical desert ecosystem. It has further been stated that this unit shelters many wildlife species including birds and insects and many migratory and local birds visit this area in search of food and shelter.

The DFO, Barmer has in his report also mentioned that the vegetation growing on the land are Kair (*Capparis decidua*), Khedjadi (*Prosopis cineraria*), Jal (*Salvadora oleoides*, *Salvadora persica*), Jhadberi (*Zizyphus nummularia*) and these trees growing on the land along with the water bodies form a good habitat for

many wild animals and birds. Wild animals and birds found in the area are Chinkara, Neelgay, desert fox, Peafowl, Quails, Partridge, Coots etc.

The DFO in his report has concluded that any reduction in the habitat area by way of construction may cause damage to the wildlife there and thus disturb the ecological balance.

The comment of Dr. Sanjeev Kumar ,Scientist "D" / OIC, Zoological Survey of India, Desert Regional Centre, Jodhpur has also been given in Annexure –F wherein he has stated that during this visit they observed 34 species of resident terrestrial (passerine) and wetland birds and also that the flat landscape of this habitat is suitable for free movement of wildlife. He has therefore, suggested that any form of construction for establishment of 765/400 KV sub-station in the area will obstruct the free flow of water from the catchments to the water bodies.

In view of the above, we direct that the proposed construction of 765/400 KV sub-station will not be carried out at Khasra No. 27 in Village Korna Tehsil Pachpadra, District Barmer. The Respondent No. 1 may look for some alternate site for construction of the sub-station in a place which will not damage the environment of the area.

With the aforesaid observations, the O.A No. 154/2016 stands **disposed of**.

.....JM
(DALIP SINGH)

.....EM
(Dr. S.S.GARBYAL)