

Objections

Submitted to Public Hearing at Kujanga on 15.04.2007 for POSCO proposed projects at Jatadhara mouth in Jagatsinghpur district, Orissa.

I am Satyabhama Pradhan, a social worker working among the people in the villages likely to be affected and displaced by the POSCO proposed projects at Jatadhara mouth under Erasama block of Jagatsinghpur district. I have gone through the Summary of EIA Reports on POSCO proposed projects and like to place here the following objections, which may kindly be recorded in the proceedings.

1. At pages 20–21 of the Oriya Executive Summary of EIA reports, it is mentioned that there shall be set up several other projects by POSCO in Orissa such as a railway line, a highway, a captive power plant and a pipeline from Cuttack to Jatadhara mouth and above all exploitation of coal and iron ore mines besides the steel plant and a marine port. But the presently available EIA report deals only with the steel plant and the marine port while keeping the people in dark about other projects. Unless and until the people come to know the background information in detail about other such projects, how can they offer an informed opinion on them in to-day's public hearing? So my first submission before this house is to cancel this public hearing and call another one on another date after the complete EIA reports on all the projects proposed by POSCO are made available to the public in good advance for their inspection and scrutiny.
2. At page 34 of the Summary in Oriya, it is mentioned that a total number of 471 families belonging to 6 villages shall be displaced by the POSCO proposed projects. But as a person working in the affected villages belonging to 3 GPs (Dhinkia, Nuagaon & Gada Kujanga), I know as per my own survey that a total of 2843 families of 14 villages/hamlets in this area are going to be displaced. Thus if we believe the present EIA report to be true, then as many as 2372 families are going to lose everything of theirs, without anything to get in return. So I want, the present EIA report for POSCO be discarded and a new comprehensive report redesigned covering all the displaced families of the area.
3. At page 12 of the English Summary it is mentioned that OSWAL Chemicals was working in Paradip in August 2006, the time when this report was produced. But as a matter of fact, Oswal Chemicals was sold to IFFCO as earlier as 19th of September 2005 and by 1st of October 2005, OSWAL had completely left Paradip giving way to IFFCO to manage it's factory. Thus a genuine doubt arises whether the EIA reports were prepared on the basis of actual field surveys or by some armchair intellectuals sitting afar from the actual field of study.
4. At page 15 of the English Summary, it is mentioned that the compensation package will include a suitable site nearby for resettlement ensuring their rehabilitation so that their prevailing socio economic fabric does not get disturbed. But nowhere in the EIA report, there is any mention of the alternative site where the displaced families will be resettled or what are the exact components in financial and material terms of the R & R packages

planned for the displaced people. Thus an EIA report, which lacks a detail R & R plan is not acceptable at all.

5. At page XIX of the Summary of the Marine EIA for the captive port at Jatadhara, it is mentioned under Paragraph-3 that it is 'presumed' that the layout of various schemes meets the requirements of CRZ notification. It means that the scientists of NIO who have prepared this report are not sure whether the project location falls under CRZ or not. And nowhere in other parts of the EIA Reports is there any definite proof that the POSCO projects at Jatadhara mouth don't attract the provisions of CRZ. In my opinion, the CRZ conditionality should be first settled before we deliberate on other aspects of the basket of projects proposed by POSCO
6. At page 6 of the English Summary on steel plant, it is mentioned in Para 22 that the Department of Water Resources, Govt. of Orissa have given necessary permission to POSCO India to draw water from Jobra barrage at Cuttack through an 86 km-long pipeline laid up to Jatadhara mouth for meeting the water requirements of the steel plant and marine port. In my opinion, the hundreds and thousands of peasants of 4 coastal districts of the undivided Cuttack district do depend upon the water stored in Jobra barrage for irrigation and other essential proposes. Have the Govt. called any separate public hearing, as they should have, to ascertain the losses, if any to be suffered by our peasants due to the water withdrawal by POSCO from Mahanadi at Cuttack? If not, it is a great crime on the part of Govt. of Orissa to permit POSCO to set up the pipeline for the purpose.
7. At page XIX of the Marine EIA Report for the port at Jatadhara (English Summary) it is mentioned that Olive ridley sea turtles have their rookery at Gahirmatha, Devi mouth and Rushikulya mouth. It transpires as if the projects proposed at Jatadhara shall not affect this endangered species in any manner. But the NIO's EAI Report has conspicuously failed to mention that the coastal waters off Jatadhara tanda is the migratory route of the sea turtles nesting at Gahirmatha, Devi and Rushikulya. Thus it is very much probable that the Olive Ridley turtles which are already endangered by various factors shall be further threatened by the proposed POSCO projects.
8. At page-11 of English Summary on Steel Plant, it is mentioned in para- 47 that the core zone of the project area has got a forest cover of 843 acres of casuarina vegetation (Jhaun). Again at page 15-16 it is mentioned in a casual manner that the loss of such protected forests shall be compensated by POSCO by way of funding the forest department for compensatory afforestation to be carried out in another area. Now the question arises, whether the Forest Dept. has allowed POSCO to acquire such protected forests for industrial purposes. Further nowhere in the EIA report is there any specific mention of the alternative site where the proposed compensatory afforestation shall be taken up. Thus the EIA report has raised more doubt than answered any regarding the loss of our protected forests at Jatadhara Tanda.
9. At page-3, it is mentioned that out of Dhamra, Duburi & Paradip, the last one, that is the Jatadhara mouth near Paradip was selected as the choicest site for the POSCO projects.

But POSCO and every body know that the area selected is a densely populated one and shall necessitate a massive displacement of people and damage to a rich site of natural biodiversity and green-fields. Have the POSCO or for that matter, the Govt. of Orissa explored an alternative site, which may be available in the areas, say for instance, just some distance down beyond Bhuyanpal and Polang villages. In my opinion, this alternative site has no human habitation and can therefore be used for the location of POSCO project without any resistance from the people

10. At page-8 of English Summary on steel plant, it is mentioned in Para 36, out of a total 4004 acres of land area to be acquired, only 8% is private land, the remaining land being under the disposal of the Govt.. There is a legitimate apprehension that the land under private use by the people would be much more than the area project in the EIA reports. Since many landless people are living and cultivating on Govt. land, the record of which may not be available in the concerned Tehsil or RI offices. So the total land kept for the private use at the ground level should be calculated realistically to accommodate the landless encroachers on the Govt land in the R & R package. Secondly, the so-called government land is nothing but common property resource of the community as a whole, and the govt. in a democracy cannot hand over such common property resources to a private company at it's sweet will without taking the consent of the people. So a comprehensive EIA report should be prepared anew to do justice to the real figures on private land and to the cause of common property resource as well.

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Dated 15 April 2007

OBJECTIONS

TEN REASONS AS TO WHY I OBJECT TO THE EIA REPORTS FOR POSCO

Submitted to the Public Hearing on POSCO-proposed Projects held at Kujanga, Orissa on 15.04.2007.

I am Premasi Nayak, a Social Worker based at Erasama and working in several villages at Erasama Block including the villages under Dhinkia, Nuagaon & Gadakujanga G.Ps which are likely to be displaced due to the proposed POSCO Projects on Steel Plant and Marine Port at Jatadhar Mouth in Jagatinghpur District.

1. My first objection is based upon my own experience with Orissa Pollution Control Board, Bhubaneswar in connection with the current process of public hearing. Having read the notice of the Orissa State Pollution Control Board on this public hearing from Oriya Daily "Dharitri" dated 15.03.2007, I visited the office of the Board on 29.03.2007 to collect the Second Volume (Field Reports) of the E.I.A. Reports for POSCO. At first I wanted an electronic copy of the said report but the material which they copied to my pen drive contained everything except the Volume-II which I had precisely wanted. I had to stay back at Bhubaneswar and visit the said office the next day to collect the selfsame Volume-II, but to my dismay I was told that no soft copy of Volume-II was available with them. Then finding no way out I had to get the entire 311-page report photocopied at a great expense. The way I was thus harassed both financially and otherwise in getting the Volume-II of the POSCO E.I.A. report is, in my opinion, a violation of O.S.P.C.B.'s own advertisement which said that all the E.I.A reports would be available with them on both soft and hard copies with effect from the date of publication of the notice. Such a haphazard practice by the O.S.P.C.B. has also violated the procedure for conduct of public hearing as mentioned in Appendix-IV of E.I.A Notification of 14th Sept. 2006.
2. As per the notice of the O.S.P.C.B. and as per the E.I.A Notification-2006 (vide Para 2.4 of Appendix-IV) the E.I.A reports are supposed to be made available in the offices of the concerned Panchayats. But as a regular visitor to the concerned, affected Panchayats (Dhinkia, Nuagaon & Gadakujanga), I am absolutely sure that no such report has ever reached any of these Panchayats and as a result almost all the people of the affected area are still in dark about the E.I.A. reports or public hearing. That is why most of the affected people are not present today in this public hearing. In my opinion this critical deficiency on the part of the State Regulatory Authority i.e. O.S.P.C.B is sufficient enough to cancel the current public hearing and fix up another date for the public hearing to be held in future in an appropriate manner.
3. The E.I.A Notification 2006 (Vide Para-7 Stage-3 and Para-1.0 of Appendix-IV) says categorically that "the public hearing shall be arranged in a systematic, time- bound and transparent manner ensuring widest possible public participation at the project site or in its close proximity". Going by this stipulation the current public hearing should have been held somewhere in the three affected Panchayats (Dhinkia, Nuagaon & Gadakujanga) in place of Kujanga, which is located at a long distance of 20-25 km away from the affected villages. This faulty choice of venue also explains why most of the

people of the affected villages have kept away from attending the public hearing being held at Kujanga. I therefore suggest, let the present public hearing be cancelled and another be fixed at a venue within the jurisdiction of the three affected Panchyats.

4. As per Para-7 Stage-3- IV of E.I.A Notification 2006, “For obtaining responses in writing from other concerned persons having a plausible stake in the environmental aspects of the project or activity, the concerned regulatory authority and the State Pollution Control Board ----- shall invite responses from such concerned persons by placing on their website the Summary of E.I.A Report prepared in the format given in Appendix-IIIA by the applicant along with a copy of the application in the prescribed form.....”. But till today the OSPCB has not published the copy of the application by POSCO on its website. Nor the Summary of E.I.A. Report given on the website is presented in the prescribed format. Thus the public at large including the affected people have been served with incomplete and unformatted information on POSCO E.I.A. studies. I therefore demand that a full-fledged public hearing should be called again only after disseminating the E.I.A. Reports of POSCO in a complete and proper manner.
5. As already mentioned, the OSPCB should have displayed on its website a copy of the application for environmental clearance made by POSCO for its proposed project. And the application is supposed to be made in the Form-1 as provided in the Appendix-I of E.I.A notification 2006. The last column of the Form-1 is the Terms of Reference for E.I.A studies. Thus the public have a right to know what TOR was proposed by POSCO and what turned out to be the final TOR following the modification if any by the Expert Appraisal Committee at the level of the Ministry of Environment and Forests, GOI. Under the circumstances, unless and until the people don't know what kind of application was made by POSCO and what were the draft and final TOR for E.I.A studies, how can they correctly evaluate the so-called E.I.A Reports presented by POSCO? In my opinion both the Ministry at GOI level and OSPCB have utterly failed to impress POSCO to comply with the above stipulations of E.I.A Notification-2006. I therefore demand a republication of the complete E.I.A Reports of POSCO including the application in prescribed format and the draft and final TOR for E.I.A studies. And further, following such properly organized republication of the E.I.A reports, another public hearing may be held on another date in a manner as required under EIA Notification 2006.
6. As per the E.I.A Notification 2006 (Vide Para-7 Stage-3 and Appendix-IV) the OSPCB should have disseminated both the soft and hard copies of a complete set of draft E.I.A Reports, which is supposed to receive its final character after the public hearing process is over. But we see that each volume and each book published as a part of E.I.A. studies for POSCO bears the affix 'Rapid' which means a brief or condensed version of the E.I.A Reports proper. The Appendix-III of the Notification of 2006 contains a Generic Structure of Environmental Impact Assessment Document and the Appendix-IIIA provides for the contents that should form a Summary of E.I.A Reports. But nowhere in the body of two Appendices we come across a term like 'Rapid'. Rather these two Appendices studied together establish beyond any shade of doubt the need for a comprehensive E.I.A Report to be disseminated among the public in course of the public

hearing process. Under the circumstances, when the 'Rapid' reports in place of a comprehensive one have been publicized on POSCO projects, I dare to say, both POSCO and OSPCB have nakedly violated the E.I.A Notification of 2006 without any rhyme or reason. So I demand, a proper re-publication of the comprehensive E.I.A reports for POSCO be made and another date for public hearing fixed to address the same.

7. As per the letter & spirit of the E.I.A Notification-2006, separate E.I.A studies should be made for each project (vide Appendix-1, Form-I). But in case of POSCO, we find that OSPCB has presented the E.I.A studies for two mega projects, namely a steel plant and a marine port clubbing them together into one project and one E.I.A. report for that matter and only one public hearing, which is patently wrong and violates of the Notification of 2006. Moreover the Summary of POSCO E.I.A for steel plant itself speaks (Vide Pages 1-2) of several projects to be undertaken in Orissa such as a pipeline from Jobra Barrage at Cuttack to Jatadhar, Railway line, Highway, exploitation of Coal and Iron Ore mines and a Captive Power Plant etc. As a matter of fact, going by the stipulations of E.I.A Notification 2006, each of these projects requires a separate E.I.A study to be followed by a separate public hearing. Thus both POSCO and OSPCB have grossly violated the norms of EIA Notification by holding a single public hearing covering several such projects. I therefore demand that the present public hearing be cancelled and a separate E.I.A study and a separate public hearing be ordered for each of the above projects proposed by POSCO.
8. The Appendix-III of E.I.A Notification 2006 contains a generic structure for preparation of E.I.A document for any project in need of environmental clearance. The Column-12 of the said format enjoins upon the project proponent to disclose the names of consultants along with brief resume of them and service rendered by them. But we find that the Marine E.I.A Report on the proposed port at Jatadhar prepared by NIO, Goa contains a list of the names of scientists and specialists engaged by them for the purpose, whereas the E.I.A Report made on the steel plant by M/S M.N. Dastur & Company, Kolkata has not mentioned the name of any specialist deployed by them. Under these circumstances, how can the people know- who came and made the field studies and when? Thus both POSCO and OSPCB have failed to ensure the presentation of the concerned EIA Reports as per the norms laid down in the E.I.A Notification 2006. So I demand, the incomplete E.I.A reports on POSCO projects should be re-written complying with all the legal norms.
9. From the POSCO E.I.A Reports I found that the Report on Marine Port has been dated as January 2006 while the reports on steel plant are dated Aug. 2006. But nowhere in these reports the exact date of the visit by the investigators has been recorded. Specifically speaking, the Volume-II (Field Reports) has mentioned that the Field Group Discussion (FGD) were held in 63 villages of the study area, in each of which community leaders, NGO workers and Anganwadi workers along with women and Dalit members of the said villages participated under guidance of the core team members of the survey personnel (Vide Page F-184). But nowhere in that report it is mentioned who were those survey personnel from POSCO side and who were the persons from the

community side and on which date and where exactly in the specific villages, the concerned field group discussions were held. In absence of such essential information relating to the logistics of the field survey, how can the people believe the E.I.A reports of POSCO to be true and authentic? So I demand, the E.I.A studies for POSCO should be re-written and republished in such a manner as to leave no room for any doubt on the identity of the surveyors or that of the respondent villagers.

10. Last but no the least, the Appendix-III of E.I.A Notification 2006 at its Column-7 obligates the project proponent to incorporate R&R Action Plans within the E.I.A document. But it is amazing that the POSCO E.I.A Reports have adopted a double standard with regard to this crucial component of the E.I.A study. While at Pages F-178 to F-180 of the Volume-II (Field Reports) it is mentioned with much fanfare that an E.I.A Report worth the name should and must contain a detail planning on resettlement and rehabilitation of the affected families, it is ironical that just the next Para (1.4.1 Exclusions) says, “The report does not cover the Project Affected Families (PAFs) of the site to be acquired, which will be separately covered under Relocation and Rehabilitation (R&R package report prepared by others”. And as a matter of fact, contrary to the obligations under E.I.A Notification and contrary to the public expectations in the affected areas the present E.I.A study for projects does not offer any detail R&R planning at all. I therefore demand that the present E.I.A Report for POSCO lack as it does in the quintessential R&R package should be rejected and another study of a comprehensive nature containing above all a detail R&R plan should be formulated. Then only a public hearing worth its name can be called in future to discuss whether POSCO should stay or quit.

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Dated 15 April 2007