


THERMAL POWER PROJECTS (Dahanu Case)




North of Bombay, on the west coast of India lies Dahanu, an ecologically sensitive region with a thriving agrarian economy. Dahanu is best known for its chikoo fruit. Its orchards also grow vast quantities of guava and coconut. It supplies fodder, rice, milk and poultry to the surrounding regions and the Bombay metropolitan area. Fishermen reap a rich harvest of fish, crabs and shrimp. According to the Dahanu Taluka Environment Welfare Association (DTEWA) the sub-district is under forest cover. About 65 per cent of the Dahanu population is comprised of tribals who are engaged in cultivating their land and orchards.

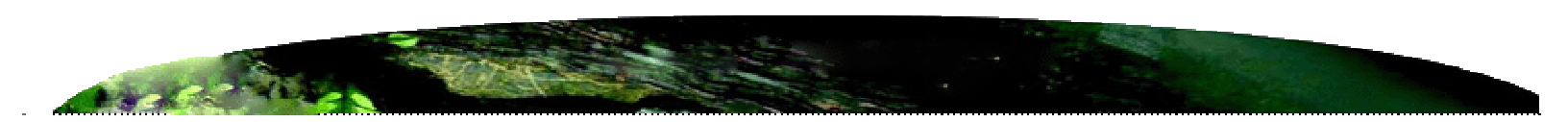




The DTEWA and its energetic secretaries, Nergis Irani and Kitayun Rustoms have vigorously campaigned against the despoliation of this area. Their campaign began in the late 1980s when the Bombay Suburban Electric Supply Company decided to establish a 500 MW coal-fired thermal power station at Dahanu. BSES engaged a consulting firm to locate a suitable site for the power station to supply electricity to Bombay. Out of the nine sites investigated, only one-Bassein-was found to be technically viable. However, this site was discarded because it fell within the Bombay metropolitan region and would add to the existing high level of pollution in the area. Eventually, the authorities approved Dahanu.

The location of any thermal power station, which draws on seawater to cool its turbines, is bound to impact the marine environment. The warm water discharged by the plant alters the local ecology. Some species thrive in the warm water whilst others perish in the changed environment. Environmentalists feared that emissions from the proposed coal-fired plant, particularly sulphur dioxide, would adversely affect the chikoo crop. Another concern related to environmental harm from the disposal of ash in wetlands and reclaimed creek areas. The complex web of ecological issues and social impacts posed by the Dahanu siting were reduced to three easy-to-explain contentions before the Bombay High Court. The Bombay Environmental Action Group (BEAG) and DTEWA urged the court to stall the project since (i) the Central Government had issued environmental clearance contrary to the opinion of its Appraisal Committee of the Union Ministry of Environment and Forests (MEF); (ii) the project was being set up within 500 metres of the High Tide Line (HTL) mark, contrary to the guideline and condition imposed by the MEF; and (iii) the discharge of water would increase the sea temperature and adversely affect marine life.





A division bench of the Bombay High Court rejected the petitions finding that the site offered several advantages. The land was barren, no tree would be felled, there was no habitation at the site and consequently no relocation of villagers, and the use of marine water for cooling would help conserve scarce fresh water resources. Accepting the stand of the state government and BSES that the 500 metres distance from the HTL would be maintained, the court found that the concerned authorities had considered all the relevant factors, had imposed stringent safeguards and hence there was no justification for interfering with the project under Article 226 of the Constitution. The environmental groups petitioned the Supreme Court for special leave to appeal under Article 136 of the Constitution of India. We carry an excerpt from the Supreme Court judgment.

On 20 June 1991, the MEF declared Dahanu as ' an ecologically fragile area, and imposed restrictions on the establishment of industries under section 3(2)(v) of the Environment (Protection) Act of 1986 (EPA). This notification lists the industries that are permitted and prohibited in Dahanu and also required the state government to prepare within a year a regional plan based on the existing land use in the region. The state was asked to clearly demarcate on the plan the existing green areas, orchards, tribal areas and other environmentally sensitive areas. The Dahanu notification prohibited a change in land use and confined industrial activity in the Taluka to a maximum of 500 acres within designated industrial estates.

The notification was a triumph for the environmental groups which had long campaigned to preserve Dahanu's natural heritage. The notification remains the foundation of DTEWA's efforts to protect the Dahanu environment.

