

 <p>CDM: FORM FOR SUBMISSION OF A “LETTER TO THE BOARD” (Version 01.2)</p> <p>This form should be used only by project participants and other stakeholders for submitting a “Letter to the Board” in accordance with the latest version of the <i>Modalities and procedures for direct communication with stakeholders</i></p>	
Name of the stakeholder ¹ submitting this form (individual/organization):	Parineeta Dandekar, Damodar Pujari, SANDRP Organisation
Address and contact details of the individual submitting this form:	Address: C/o 18, Prabhat Society, Bavdhan, Pune 411021, Maharashtra, India Telephone number: +91 9860030742 E-mail address: parineeta.dandekar@gmail.com
Title/Subject (give a short title or specify the subject of your submission)	Request for Review: Thangarabalu Small Hydel Project in Karnataka
Please mention whether the submitter of the form is:	<input type="checkbox"/> Project participant <input type="checkbox"/> Other stakeholder, please specify NGO
Specify whether you want the letter to be treated as confidential ² :	<input type="checkbox"/> To be treated as confidential <input checked="" type="checkbox"/> To be publicly available (UNFCCC CDM web site)
Please choose any of the type(s) below ³ to describe the purpose of this submission.	
<input type="checkbox"/> Type I: <input type="checkbox"/> Request for clarification <input type="checkbox"/> Revision of existing rules <input type="checkbox"/> Standards. Please specify reference <input type="checkbox"/> Procedures. Please specify reference <input type="checkbox"/> Guidance. Please specify reference <input type="checkbox"/> Forms. Please specify reference <input type="checkbox"/> Others. Please specify reference <input type="checkbox"/> Type II: Request for Introduction of new rules <input checked="" type="checkbox"/> Type III: Provision of information and suggestions on policy issues	
Please describe in detail the issue on which you request a response from the Board, including the exact reference source and version (if applicable).	

¹ DNAs and DOEs shall use the respective DNA/DOE forms for communication with the Board.

² As per the applicable modalities and procedures, the Board may make its response publicly available.

³ Latest CDM regulatory documents and information are available at: <http://cdm.unfccc.int/Reference/index.html> .

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A. Breach of Project Standard: CDM-EB65-A05-STAN

1. Breach of General Principal of Transparency (5.6):

The project has not 'disclosed sufficient and enough information in a truthful manner'

The PDD has not disclosed the area of land to be submerged by the project. The project involves construction of a dam/ weir which is 22 meters in height (not counting height below river bed level as the information is not available)

The PDD does not mention this.

The PDD does not mention the extent of submergence due to this dam/ diversion weir.

This has serious implications for rural communities and forest land in the upstream submergence area. Forest land submergence would also have climate implications.

Hence, this is a serious breach of General Principal of Transparency. We request the CDM EB to review the project as several Proponenets are not disclosing this basic information about submergence, despite it being a breach of Project Standard. It also has serious impacts on communities and ecosystems.

2. Breach of Local Stakeholder Consultation (7.5):

The project has not invited comments in an "open and transparent manner, in a way that facilitates comments to be received from local stakeholders and allows for a reasonable time for comments to be submitted."

The project proponent did not circulate the notice for Local Stakeholder Meeting in any newspaper. Selective invitations were sent by post to mainly government officials only. We have visited the region and talked with the affected communities. The communities who have lost their houses for the project were not invited for the Local Consultation. They are unaware of the concept of CDM Projects.

Below is a partial list of villagers who have been directly affected but were not invited for the Local Stakeholder Meeting:

Yelagundhi Village

Mr. Sanjeevappa, Son of Mr. Bhimanna, Land acquired for the project: 1.5 Acres

Mr. Sabanna, Son of Mr. Hanlimagolida, Land acquired for the project: 1.5 acres

Mr. Gadappa, Son of Dyamanna, Land acquired for the project 0.5 Acres

Yaragodi Village:

Mr. Kolidappa, Land Acquired for the project: 3 Acres

Mr. Sangappa Hattar, Land Acquired for the project: 2 Acres)

In addition to people who have lost their land currently, no intimation has been given to stakeholders who will be losing land in submergence and the submergence details are not disclosed.

The Chief Conservator of Forests, Karnataka Government Department of Forests has communicated that the project does not have No Objection Certificate (NOC) from Forest Department and that the Forest Department has asked for a joint survey, which is not complied with by the project developer. Forest Department had no intimation of the Local Stakeholder Meeting.

All this is a serious breach of Local Stakeholder Consultation and there has been no free, prior and informed consultation about the CDM project.

3. Breach of Project Standard: 7.4 Environmental Impacts

The project affects Forest land and does not have No Objection Certificate (NOC) from Forest Department, neither has it disclosed the area of forest submerged at FRL Level.

We request the CDM EB not to register projects which try to hide impacts on ecosystems and communities.

B. Breach of Validation and Verification Standard: CDM-EB65-A04-STAN

1. Local Stakeholder Consultation (7.14.2)

- Validator has not ensured that comments from 'stakeholders that are relevant for the project activity' have been invited.
- Validation Report states: "TUV Rheinland considers the local stakeholder consultation carried out adequately." It is incorrect of the DOE to say this when even the Village Development Officer (Panchayat Development Officer) is not aware of any CDM Meeting having taken place in June 2012.
- Affected people were not invited for the Local Stakeholder Meeting.
- Validation Report states: "The local stakeholder consultation was carried on 07/06/2012 at **project site**, Lingasugur, raichur district, karnataka." (Section 3.9 Local Stakeholder Consultation, Page 43)
- However, the consultation was **not carried out at the project site, but at the office of the developer in a nearby town.** (Vasavi Nagar, Lingsugur Town as per documentation by the developer reviewed by the Validator: Page 9, /P14/ Point 7.)
- Validator has not ascertained this distant location, which means that local villagers do not have any idea of the meeting, when majority have not received invitations.

This is a breach of **Local Stakeholder Consultation Verification Standard (7.14.2)**

2. Reporting Requirement (7.14.3)

Local Stakeholder Consultation has not been adequate and Validator has not assessed the adequacy of the local stakeholder consultation or the adequacy of the response of the PP.

3. Independence, Ethical conduct, Fair Presentation (5. Principles of Validation)

Despite the fact that comments have been raised during Global Stakeholder Consultation about the submergence due to the project, the Validator has not responded to this issue. On the other hand, Validation Report states that: "*This is a run-of river hydro power project yet to be started constructed across the Krishna river **without construction of any reservoir at the project location.** DOE has confirmed the same by reviewing the detailed project report and technical clearances obtained from the government of Karnataka.*

PP had demonstrated the operational parameters of the diversion weir” (Emphasis added) Hence this is not relevant to the project case.”

But the Validation Report itself states: **“The gross storage capacity of the reservoir is about 9.40 Mm³ up to crest level of diversion structure (RL 424.00 M)”** (Page 49). Storage of 9.4 Million Cubic Meters of water (9,400,000,000 litres) will certainly require land to store that water and that land will face submergence, but no information is given about the land.

Diversion Weir or Reservoir is only different nomenclature. Both involve submergence. According to the Validation Report as well as Developer Website, the Dam will be 22 meters above river bed. It will have submergence, in any case. Validator has chosen not to answer this question and hence has not contributed to Fair Representation of the project.

Validator has not determined whether ‘information provided by proponent is reliable and credible’, breaching general validation requirement.

Please provide any specific suggestions or further information which would address the issue raised in the previous section, including the exact reference source and version (if applicable).

- A. Developer does not disclose submergence area*
- B. Developer does not have No Objection Certificate from Forest Department*
- C. Villagers do not know about CDM process and were not invited for the meeting*

If necessary, list attached files containing relevant information (if any)



Above: Farmers whose land is affected by Thagarabalu Project. they were not invited for the CDM Local Stakeholder meeting and have no idea what CDM is Photo: Damodar Pujari, SANDRP



Above: Extensive blasting at the dam site now on going. Photo: Damodar Pujari, SANDRP

Section below to be filled in by UNFCCC secretariat

Date when the form was received at UNFCCC secretariat	8 October 2013
Reference number	2013-312-S

History of document

Version	Date	Nature of revision
01.2	08 February 2012	Editorial revision.
01.1	09 August 2011	Editorial revision.
01	04 August 2011	Initial publication date.
Decision Class: Regulatory Document Type: Form Business Function: Governance		