

Lepcha v Hydropower

Do Gangtok and New Delhi policymakers view the Lepcha ancestral homeland as sacrosanct or not? The answer cannot be both.

by Soumik Dutta

Sikkim has recently been witness to what may be the longest satyagraha in its history. The indefinite hunger strike was called on 20 June 2007 by the Affected Citizens of Teesta, an ostensibly apolitical organisation formed to fight the Gangtok government's decision to build seven large-scale hydroelectric projects within the ancestral lands of the indigenous Lepcha community. Since then, at any given time passers-by at the Bhutia Lepcha House in Gangtok have seen at least ten satyagrahis lying down in silent protest – young women and men, as well as a host of Buddhist lamas. Meanwhile, at the state hospital nearby, two young men lie on infirmary cots, their bodies slowly breaking down. These are Dawa Lepcha and Tenzing Gyatso Lepcha, the two who initiated the strike. "We are optimistic that the path set by Dawa and Tenzing will eventually lead the government to rethink and stop the destruction of our sacred land," one young protestor said recently, echoing the sentiments of his fellow strikers. (On 22 August, after 63 days, Dawa and Tenzing tearfully halted their strike, citing health issues and the recent offer of talks by the state's chief minister.) The concern motivating the protests is that the hydropower projects, if implemented, will have a drastic effect on the social, cultural and religious well-being of Lepchas, not to mention on the fragile environment of Dzongu, their ancestral lands in north Sikkim. Although the Lepcha are also found in other parts of India and in Nepal, around 86 percent of their 9000-strong population resides in Dzongu; the area is not only their spiritual homeland, but also their current one. Central to Dzongu, both physically and spiritually, is the mighty Teesta River, which originates in the Tso-Lhamo Lake at an altitude of 17,500 feet. It is on the Teesta, in Dzongu, where these seven hydroelectric projects are to be constructed. The Teesta is also the lifeline of Sikkim state as a whole, flowing down its very spine, and the ramifications of the hunger strike reach far beyond just Dzongu: a currently pending proposal would eventually build 26 power installations along the entire course of the river. But although the beneficiaries conceived by the project planners include those living in Dzongu and the Teesta Valley, the Lepcha look set to lose the most and gain the least from these projects. The likely beneficiaries in fact are the myriad companies, contractors, labourers, suppliers, bureaucrats, politicians and ministers involved – all of them concentrated in Gangtok and everywhere else but in Dzongu.

External threat

Following a royal proclamation by Tashi Namgyal, then chogyal of independent Sikkim, in 1958 the Home Department in Gangtok pledged to protect the Dzongu area by, among other things, restricting entry into the area by all non-Lepcha, including those from Sikkim. That Sikkim's old laws be respected after its annexation was a precondition to its 1975 merger into the Indian Union, and the Indian Constitution was amended to provide this protection. Dzongu's special status was thus assumed to be sacrosanct. This was presumed only to be strengthened when, in November 2006, the Gangtok government vested Sikkim's Lepcha community with Primitive Tribe status. This would automatically protect their culture and homeland, it was thought. The Lepcha

thus currently face the contradiction of having official acknowledgement of the external threats faced by their culture, alongside the execution of plans – by the very same authorities – that would drastically change the watercourse that is the Lepcha heartland's environmental, traditional, economic and cultural jugular. That confusion, and anger, is only stoked by the fact that, in the process of pushing these plans, both the state and the Central government have routinely violated laws and regulations, all in the name of development. According to state Energy Secretary D D Pradhan, the Gangtok government has now awarded 26 large-scale hydroelectric projects to private operators under various arrangements. Of these, only the so-called Teesta V project is at an advanced stage of construction; the rest are still in the clearance process or are just beginning to be built. In addition, according to figures provided by the state's Bharatiya Janata Party (BJP), there are currently eight hydroelectric plants in Sikkim that are classified as either non-functional or operating at 'sub-optimal' levels. All of these are small-scale power installations, with a total capacity of around 23 megawatts – about a quarter of the state's total production at the moment. The major reason ascribed to this underperformance is lack of maintenance. Sikkim's current hydropower-development plans have been on the table for more than a decade. While international bidding was initially opened in 1993, nothing came of this, purportedly because the state government's 'expectations' were not met. During 2002, a series of competitive biddings was initiated, with 40 companies invited to make pitches for the projects. Of these, 26 – all of them Indian companies from outside Sikkim – were chosen to sign agreements with the Gangtok government. Accusations have since been levelled by opposition parties that the projects were improperly allotted. Several of the companies selected, for instance, have no background in hydroelectric or even general energy production. To date, however, there has only been one court case filed on this count, by the state Congress party.

Flouting regulation

The Teesta V project, planned for commissioning next year, will offer 510 MW of power, and is the first in a planned series of installations. The intention is to eventually meet the goals of the accelerated power-development initiatives undertaken recently by the Ministry of Power in New Delhi with regards to the Northeast in general, and Sikkim and Arunachal Pradesh in particular. Teesta V is considered a run-of-the-river scheme, and would therefore not require a reservoir – although activists insist that this is merely a cover that the National Hydroelectric Power Corporation (NHPC) is employing to downplay the intensity and potential impact of the construction phase. There are already reports of cracking foundations in houses nearby the dam site, as a result of construction activities. In addition, and much more significantly, the site also falls into Zone IV on India's seismic-activity ranking, indicating a high level of instability. Although the hunger strike in Gangtok has succeeded in focusing a level of international attention on the state government's plans and actions, state and central officials have given indication of their intention to continue to flout, circumvent and outright ignore the vast range of policies meant for regulation and public oversight of such projects. The environmental clearance granted to the Teesta V project by the Ministry of Environment and Forests in August 2006, for instance, was in stark violation of a stipulation that the ministry itself passed on the project just seven years earlier. At that time, ministry officials involved in evaluating the Teesta V plans stated that no new project in Sikkim would be considered for environmental clearance until a study on carrying capacity in the watershed had been completed. Information received last year under a Right to Information Act application revealed that this study had never been completed, but the ministry has nonetheless cleared the construction of several new projects in Sikkim. The

studies that the government has undertaken have been deplorable in their quality. For example, the Environmental Impact Assessment report on the potential impacts of the planned hydropower projects in Dzongu and north Sikkim, published in November 2006, was littered with inaccuracies about the Lepcha and their traditions – referring to the Lepcha as animists, when in fact they are nature worshippers; suggesting that female chastity at the time of marriage was not considered important, and that premarital and extra-marital relationships are not uncommon. All of this inevitably fed a growing sense of resentment. Government reports have also contained still more serious technical problems. National regulations stipulate that an EIA report be submitted to the environment ministry within a year of starting the clearance process. In the case of Teesta V, clearance was granted in August 2006 despite the fact that the EIA report in question was alleged by the Affected Citizens of Teesta to be erroneous, incomprehensive and, in parts, grossly falsified. While notices are required to be published in local languages well in advance of stipulated public hearings, the hearings on Teesta V were never publicised in the Lepcha language. When they did take place, on 12 April and 17 May this year, the meetings turned out to be a farce. The chairman of the State Pollution Control Board, C C Shangderpa, continuously challenged those who showed up to question the project, calling dissenters “anti-Sikkimese” and “anti-national”. Activists have subsequently been denied access to vital documents about what exactly took place at the hearing. Indeed, denial of information has seemingly become standard practice: as of mid-August, the Gangtok government had yet to make available any copy of the various agreements that had been signed between the NHPC and private power companies, despite the fact that doing so is a prerequisite to land acquisition. Though exact figures of land acquired by the government thus far (and the related compensation paid) are unavailable, it appears that compensation is being paid in phases to certain affected households. The residents in these areas have not only alleged delays in the disbursement of compensation, but also of inadequate relief to communities that have been adversely affected by construction on the Teesta V projects, including due to landslides caused by dynamiting. In addition, a number of affected communities have lodged grievances that the NHPC has been haphazard in its choice of whom to compensate, as well as how much it is offering – anywhere from INR 5000 to INR 15,000 per family. (Compensation rates are fixed at INR 18 per square foot for paddy lands and INR 16 per square foot for ‘barren’ land.) The NHPC recently gave around INR 16 million to the state government to be used as compensation money, although it is not clear just how much of that will filter down to those who are affected most. Another subject of debate is a recommendation made by the state expert committee set up to review Teesta V. If construction did begin, the committee advised, decisions surrounding development should err on the side of capital rather than on labour intensiveness. This recommendation was a response to the worry that the projects would bring an influx of labourers from outside Sikkim for long periods, swamping the indigenous communities. Activists point out that this worry was supposed to have been specifically addressed by the creation of the Dzongu area in the first place, and also by the 2006 granting of Primitive Tribe status to the Lepcha. The committee’s recommendations have yet to be taken up, however; in the meantime, migrant labourers have already begun arriving in small Sikkimi towns.

Paradise flooded

The Dzongu area was traditionally known as Myal Lyang in Lepcha or Beyul Demazong in Bhutia – the latter meaning ‘land of sacred and secret treasures’ and the former meaning, essentially, paradise. It was here that, according to legend, the Lepcha god created the first Lepcha man and woman from the sacred snow of the mighty

Khangchendzonga (Kanchenjunga), the massif that the Bhutia and Lepcha revere to this day as a protective deity. Within the core area of the proposed Panan hydroelectric project are a host of sacred sites: the Kagey Lha-Tso Lake, the Drag Shingye caves, and the Jhe-Tsa-Tsu and Kong-Tsa-Tsu hot springs, which are said to be endowed with healing properties. Indeed, the entire northern district of Sikkim has numerous such 'treasures', each of which was blessed by Guru Rinpoche (Padmasambhava), the patron saint of Sikkim. Panan is one of the more disputed projects proposed for Dzongu – an area not only sacred but also falling dangerously close to the Khangchendzonga National Park, an area rich in flora and fauna. Given the physical, topographical nature of so many of Sikkim's holiest places – and the concurrent identification of the Lepcha and Bhutia with those sites – the potential impact of the current development proposals on Dzongu's religious identity and sanctity is what causes such great anxiety among many. In recent months, Dzongu's Buddhist community and clergy have become perhaps the most ardent forces in protesting the construction of the power projects. Faced by the threat of what they consider religious sacrilege, the lamas of Dzongu have joined the relay hunger strike. In mid-June, monks from the monasteries of north Sikkim founded the Sangha of Dzongu, to support attempts to dissuade the government from going forward with the Teesta projects. The hunger strikers in Gangtok have the full backing of the Sangha. The anti-dam cause has also gained the support of the Congress party in Sikkim; in the process, the rhetoric of Sikkimi development itself has been altered. Kunga Nima Lepcha, spokesperson for the Sikkim Pradesh Congress Committee, the SPCC, has begun to publicly urge that development in Sikkim be 'people-centric'. Before going ahead with any of the pending projects, Lepcha says, the Gangtok government needs to address the negative impacts currently being fervently discussed by the public. Another member of the SPCC, T Gyatso, cautions that outside forces are conniving with the state government to make money. This has become an increasingly widespread contention. H L Bhandari, a member of the Sikkimese Association for the Environment, heatedly sums up the planned constructions as representing a "heinous genocide of the Lepchas of Sikkim through mega-hydel projects to fill the pockets of ministers, bureaucrats and businessmen". As New Delhi looks – increasingly hungrily – to tap the country's vast hydroelectric potential, the citizens of the Northeast are faced with a dilemma. As communities such as Sikkim's Lepcha come to realise that long-held agreements may not remain secure, the choice seems to be one between development by the government, development by the business community, and development by the people. "In the 21st century, no one is against development," says T Lachungpa, a former state forest minister and well-regarded social worker. "But it is not acceptable at the cost of culture, traditions, religious beliefs and, generally, future safety. If the proposed hydel power projects are implemented in Dzongu ... land acquisitions and fencing will eventually lead to a lack of land for the Lepchas to continue with their way of life. Any compensation money will not last long, and neither will the Lepcha culture. Myal Lyang will vanish from the earth, along with the tribe called Lepcha."

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