

## 1. Brief of Environment Clearance & Mining Projects

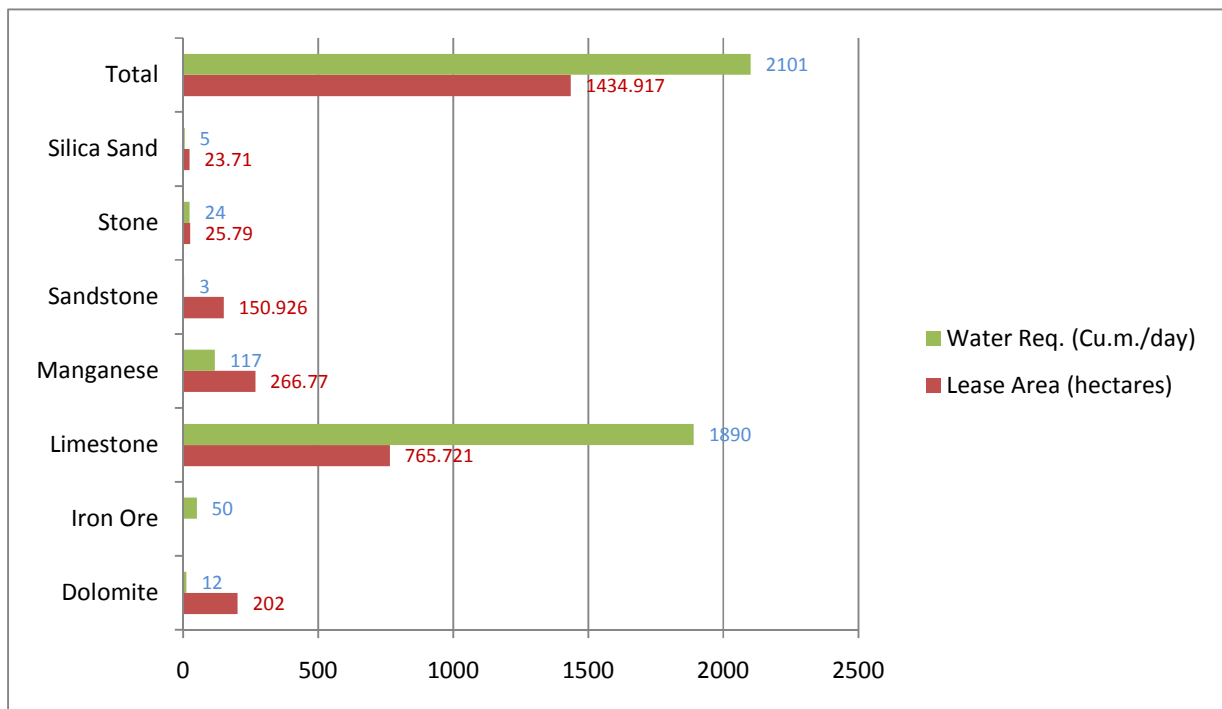
Minerals are administered at Central Government as well as State Government level. With a perspective from the environment and forestry angle, the Ministry of Environment and Forests has a classification of projects as per their threshold in terms of area for mining projects and thus categorized them under Category 'A' and Category 'B' projects. Category B is further broken into B1 & B2, B1 being the one which requires EIA and B2 where no EIA is required. However Category 'B' has to be treated as Category 'A' in circumstances where the project is located within 10kms from the boundary of Protected Areas, Ecologically Sensitive Areas, Critically Polluted Areas and interstate and international boundaries.

Projects which have a lease area of 5 hectares and less than 50 hectares form Category B and are looked into by the State Environment Impact Assessment Authority and State Expert Appraisal Committee. Projects at serial number 6, 27 & 28 (see table in excel sheet) are projects which despite having lease area of less than 50 hectares are categorized as Category A projects as they were within 10kms of interstate boundaries and all of these are river dependent minerals which form the state boundary. The frequency of mining leases indicate that the leases in  $\geq 5$  hectare to  $< 50$  hectare or category B forms 32% of the mine leases in the country which means such leases or leases which need renewal or a new mine to be opened falls in category B (B1 or B2 or in some circumstances Category A as discussed earlier) thereby putting more onus and decision making by the State Governments? Whereas a little more 17% of the existing leases fall in Category A. The largest category i.e. less than 5 hectares or 50% of the leases form this category which again will be administered at the state level?

Mining as a sector is not a single entity and so is its decision making and governance. Multifarious departments revolve around its administration and decision making thus the decision making has to address the critical issues of environment, development, impoverishment, extinction, social implications and so on, thereby demanding a need for treating every decision in this cycle to address the micro impacts and not merely leaving it to the 'state and central subjects' as far as the duties and accountability at each level is concerned. The loopholes must be plugged and holistic decision making should prevail, even at economic cost or slowdown. It is with this intent to highlight such issues that this section will deal with.

## 2. Clearance to mining Proposals = Clearing Overlaid Resources

This section will indicate the mineral wise and state wise lease areas granted in every EAC meeting with related components of land categories, water resources, forest diversion etc. The forthcoming such proposals will be separately as well as cumulatively added on to this section (in form of bar chart)



### Status of Proposals at Various Stages

Like the one which has been done in the tables below

#### Location wise minerals for which Applications Considered

Mineral	Taluka or Tehsil, District, State						
Dolomite	Peddapapur, Anantpur, AP						
Iron Ore	Bettamcharla, Kurnool, AP		Chikkanayakanahalli, Karnataka			Sandur, Bellary, KR	
Limestone	Dhamda, Durg, CG	Zari Zamini, Yavatmal, MH	Junagarh & Sutrapada, Junagarh, GJ	Mangrol, Surat, GJ	Nagaur & Jodhpur	Ramganjmandi, Kota, RJ	Aruppukottai, Virudhnagar, TN & Sendurai, Ariyalur, TN
Sandstone	Sapotra, Karauli – RJ						
Silica Sand	Bara, Allahabad, UP						

17th ECM, 20 - 22 July, 2011																
		Minerals & No. of Proposals							Proposals Purpose and Status							
State	Proposals	Dolomite	Iron Ore	Limestone	Manganese	Sand Stone	Stone	Silica Sand	TOR	Status	EC	Status	No Clear Mention	Status	RC	Status
AP	3	2	1						1	Deferred (PP)	2	1 Recommended, 1 asked for more info.			0	
CG	1			1					1	Prescribed	0		0		0	
GJ	3			3					1	Prescribed	0		1	Deferred (EAC)	1	Deferred (PP)
JH	2						2		0		1	Deferred. NBWL	1	Deferred (PP absent)	0	
KR	2		2						1	Deferred (EAC)	1	Recommended	0		0	
MH	2			1	1				0		2	Additional info. & 1 Deferred	0		0	
OR	1				1				0		1	Recommended	0		0	
RJ	8			6		2			2	2 Deferred (PP)	2	Deferred (PP) & 1 Recommended	4	2 Deferred (PP), 2 Deferred (EAC)	0	
TN	2			2					1	Prescribed	1	Returned Back	0		0	
UP	4							4	3	1 deferred, 2 prescribed	0		1	Deferred (PP)	0	
UKD	1							1	1	Deferred (EAC)	0		0		0	
	29	2	3	13	2	2	2	5	11		10		7		1	

## KEY HIGHLIGHTS AND INCREASING CONCERNS IN AWARDING CLEARANCES

Here we critically analyse the decision making looking into the various facets of social impacts, relevance and situation of other allied laws and FPIC, right understanding of the non-economic elements like overburdens, tailings etc. which have a great significance for the local environments and communities.

- Out of the 29 projects under consideration, majority of these were for limestone ( $\text{CaCO}_3$ ), a principle mineral (raw material) in production of cement as well as directly used in the industrial process like as reagent, household products like plastics, toothpaste, paper, paint, tiles etc. Almost 50% of the lease area of all the mining proposals pertain to a single mineral i.e. limestone.
- 3 Projects which are located within 10kms of interstate boundaries were deferred by the EAC as these have to be categorized as Category 'A' projects and prior clearance has to be taken from the Standing Committee of NBWL. The proponents did not followed this sequence and hence their proposals were deferred. *It now takes the issue to NBWL before it again comes to EAC for consideration.*
- One Project which came up for Environment Clearance (New Dolomite Mine in Chagullu Village in Andhra Pradesh) has been recommended for EC but it has also been reported that *Cyanide content in groundwater is on the higher side and it should not be used for drinking purpose. **Whether this requires a comprehensive hydro-geological and chemical studies to ascertain the routes and cause of cyanide contamination and what to do about the drinking water for villages who may depend on such aquifers.***
- Another Project which was listed to issue 'TOR' for new limestone mine in Chattisgarh (District Durg). This mine will serve a captive cement plant, some 37 Kms away. By virtue of onset of its consideration, the lease area will result in diversion of canal and two public roads; the working of mine will intersect ground water; these facts were placed before the authorities and a TOR was still prescribed without calling upon the local authorities and 'users of such facilities' from state to ascertain whether this is possible or an alternate can mitigate the impact or not. It suggested 42 conditions, condition no. 33 points *"A plan for diversion of canal and public roads passing through the mine lease area along with impact due to diversion should be provided".* **The moot question here is that can there be participation of local people and authorities and FPIC invoked to reach at a rational decision; once this stage is passed one can think about adequate compensation, maintenance, non-disruption of services etc. It would be a good case to check the implementation of PESA as Chhattisgarh is supposedly better placed than other states.**
- A project for renewal of sandstone mine and enhancement in production was recommended for clearance. The mine lease fell due for renewal in 1997, it was reported only in 2009 that the mine is not operating? The other issue is it proclaims to use water from the nearby village & water sump. The committee in its minutes mentions that it considered the issues during the public hearing. *There is no information on the public hearing in public domain? A question of FPIC and whether the user i.e. mining company consider such situations (using resource of another village) as profit co-sharers?*

- Another two projects for Limestone (Building Stone) mining in Rajasthan were deferred by EAC as both the mines are within 10kms of Dara WLS and Mukundara NP, so a *prior clearance from Standing Committee of NBWL is required. Why don't states mark such boundaries and declare them as 'No Mining Zones'*
- In case of manganese proposal from Keonjhar, the production enhancement is 8 times. The overburden volume 63.32 lakh cubic meters is to be dumped over 37.8 hectares of land or 1.67 lakh cu. m. per hectare OR 16.7 cu.m. per square meter. For a dump to be stable, an angle of repose of 26° is prescribed. So, *dimension optimization is an important element for such a quantity to be dumped over a limited area as it would be important for the safety of surroundings and the dump itself.* In a simplistic manner, an angle of Tan 45° is equivalent to 1 meaning the Base and Vertical or Perpendicular is in 1:1 ratio. In case of 26°, the ratio will be approximately 2:1 i.e. one has to maintain this ratio for achieving an angle of repose. The project has been recommended for EC.
  - *This was a violation case as the production was enhanced without obtaining environment clearance. As the EC is co-terminus with lease renewal which is due in 2014, the committee recommended EC till 2014 and the proponent shall obtain EC alongwith renewal in 2014.*
- In one of the proposals for environment clearance for Pandalgudi Limestone Mines, interestingly the proponent has asked for clearance on area of 203.55 hectares area covered under three mines, the largest being 189.45 hectares for which EC was accorded in 2009. The case pertains to amalgamation of mining leases. There is a provision in the Mineral Concession Rules 1960 u/s 38 (see box on right)
  - The leases are still not amalgamated, so the period of amalgamated lease shall be co-terminus with the lease (189.45 hectares) whose period will expire first!

38. Amalgamation of leases. – The State Government may, in the interest of mineral development and with reasons to be recorded in writing, permit amalgamation of two or more adjoining leases held by a lessee:

Provided that the period of amalgamated leases shall be co-terminus with the lease whose period will expire first:

Provided further that prior approval of the Central Government shall be required for such amalgamation in respect of leases for minerals specified in Part 'A' and Part 'B' of the First Schedule to the Act.].