

9. ENVIRONMENTAL & FOREST CLEARANCE FOR MINING PROJECTS

The MOEF is to examine the environmental implications of different large operating or new projects for environmental clearance.

Projects requiring Environmental Clearance from the Central Government are given below:

1. Nuclear Power and related projects such as Heavy Water Plants, Nuclear Fuel Complex, Rare Earths.
2. River Valley projects including hydelpower, major irrigation and their combination including flood control.
3. Ports, Harbours, Airports (except minor ports and harbours).
4. Petroleum Refineries including crude and product pipelines.
5. Chemical Fertilisers (Nitrogenous and Phosphatic other than single super phosphate).
6. Pesticides (Technical).
7. Petrochemical complexes (Both Olefinic and aromatic) and Petro-chemical intermediates such as DMT, Caprolactam LAB, etc. and production of basic plastics such as LLDPE, HDPE, PP, PVC.
8. Bulk drugs and pharmaceuticals.
9. Exploration for oil and gas and their production, transportation and storage.
10. Synthetic Rubber.
11. Asbestos and Asbestos products.
12. Hydrocyanic acid and its derivatives
13. (a) Primary metallurgical industries (such as production of Iron and Steel, Aluminium, Copper, Zinc, Lead and Ferro Alloys)
(b) Electric arc furnaces (Mini Steel Plants).
14. Choler alkali industry.
15. Integrated paint complex including manufacture of resins and basic raw materials required in the manufacture of paints.
16. Viscose staple fibre and filament yarn.
17. Storage batteries integrated with manufacture of oxides of lead and lead antimony alloys.
18. All tourism projects between 200m - 500 metres of High Water Line and at locations with an elevation of more than 1000 metres with investment of more than Rs. 5 crores.
19. Thermal Power Plants.
20. Mining Projects (major minerals) with leases more than 5 hectares.
21. Highway Projects.
22. Tarred Roads in Himalayan and or Forest areas.
23. Distilleries.
24. Raw Skins and Hides.
25. Pulp, Paper and Newsprint.
26. Dyes.
27. Cement.
28. Foundries (individual).
29. Electroplating.
30. Meta Amino Phenol.

9.1 SITE & ENVIRONMENTAL CLEARANCE

Every fresh grant of mining lease in respect of major minerals with a mining lease area exceeding 5.0 hectares of land and for their extensions and modernisation has to obtain site clearance and environmental clearance from the Ministry of Environment & Forest (MOEF), Government of India. Also for prospecting and exploration of major minerals, in areas above 500 hectares have to get the site clearance from the Ministry of Environment & Forest. The requisite information required for site clearance/project clearance are as follows.

Site Clearance :

Site clearance will be given for site specific projects as mentioned in para-2(ii) of the notification. Application for obtaining site clearance from MOEF has to be submitted along with 2 copies of EIA/EMP report through the concerned State Department. Project proponents will be required to furnish information according to the environmental appraisal questionnaires for site clearance, as may be prescribed by the IAA from time to time. Additional information whenever required by the IAA will be communicated immediately to the project proponents who will then be required to furnish the same within the time frame specified.

Project Clearance :

In addition to the application form as mentioned in Schedule II to the notification, given in Annexure 12, project proponents are required to furnish the following information for environmental appraisal:

1. EIA/EMP report (20 copies); Rapid & Comprehensive EIA/EMP report has to be prepared based on one season data/4 seasonal data.
2. Risk Analysis report (20 copies) : however, such reports if normally not required for a particular category of project, project proponents can state so accordingly, but the IAA's decision in this regard will be final.
3. Application for getting NOC for air and water from the State Pollution Control Board has to be submitted along with copies of EIA/EMP report.
4. NOC from the State Pollution Control Board and concerned Panchayat has also to be obtained.
5. In respect of major minerals for ML area exceeding 5.0 hectares, application to conduct public hearing by State Pollution Control Board has to be submitted along with executive summary of EIA/EMP report in English and regional language in 20 copies each.
6. Summary of Project report/feasibility report (one copy).
7. Filled in questionnaire (as prescribed by the IAA from time to time) for environmental appraisal of the project.
8. Comprehensive rehabilitation plan, if more than 1000 people are likely to be displaced, otherwise a summary plan would be adequate.
9. Copy of approved Mining Plan.
10. Technical presentation has to be made before the Appraisal Committee for final environmental approval for the project by MOEF.

As a Comprehensive EIA report will normally take at least one year for its preparation, project proponents may furnish Rapid EIA report to the IAA based on one season data (other than monsoon), for examination of the project. Comprehensive EIA report may be submitted later, if so asked for by the IAA.

The requirement of EIA can be dispensed with by the IAA, in case of projects which are unlikely to cause significant impacts on the environment. In such cases, project proponent will have to furnish full justification for such exemption, for submission of EIA. Where such exemption is granted, project proponents may be asked to furnish such additional information as may be required.

Procedure for Public Hearing

Process of Public Hearing :- Whoever apply for environmental clearance of projects, shall submit to the concerned State Pollution Control Board twenty sets of the following documents, namely :-

- (i) An executive summary containing the salient features of the project both in English as well as local language.
- (ii) Form XIII prescribed under Water (Prevention and Control of Pollution) Rules, 1975 where discharge of sewage, trade effluents, treatment of water in any form, is required.
- (iii) Form I prescribed under Air (Prevention and Control of Pollution) Union Territory Rules, 1983 where discharge of emissions are involved in any process, operation or industry.
- (iv) Any other information or document which is necessary in the opinion of the Board for their final disposal of the application.

Section 5(2) of the Mines & Mineral (Development and Regulation Act, 1957) amended in 1999 stipulates that no mining lease shall be granted by the State Government unless it is specified that there is a mining plan duly approved by the Central Government or by the State Government in respect of such category of mines as may be specified by the Central Government for the development of mineral deposits in the areas concerned. For the above purpose, the Mineral Conservation and Development Rules, 1988 was amended in January, 2000. Under this MCDR Rule No. 9, no person shall commence mining operations in lease area except in accordance with a mining plan and Rule 13 stipulates that the mining operations are to be carried out in accordance with the approved mining plans. These cases also apply for the renewal of mining leases. This mining plan in turn call for necessary management as against environmental pollution & protection of environment also.

9.2 FOREST CLEARANCE

Mining including underground mining is a non-forestry activity. For any forest area, before the grant of mining lease (ML), prior approval of Central Govt. is essential. The Forest Act would apply not only to the surface area, which is used in the mining, but also to the entire underground mining area beneath the forest. Renewal of ML in forest also requires prior approval. Application for renewal of ML has to be submitted 1 year in advance. Boulders, bajri, stones, etc., in riverbeds located within forest areas would constitute part of the forestland. Diversion of forestland for ML normally granted for a period coterminous with ML, but not exceeding 30 years. For renewal of ML, working permission may be given in already broken up area up to a maximum period of 1 year.

Rule 4 of the Forest (Conservation) Rules, 1981, which were amended in 1992, stipulate that every State Government or other authority seeking prior approval under section 2 of the Act shall send its proposal to the Central Government in the form appended to these

rules to the Secretary to Govt. of India, MOEF, Paryavaran Bhawan, CGO Complex, Lodhi Road, New Delhi – 110 003, provided that all the proposals involving forest land up to twenty hectares and proposals involving clearing of naturally grown trees in forest land or portion thereof for the purpose of using it for reforestation shall be sent to the Chief Conservator of Forests/Conservator of Forests of the concerned Regional Office of the MOEF. A copy of the format for mining proposals is enclosed as Annexure-13.

Framing of Proposals for Forest Clearance:

The first and foremost consideration in framing a proposal under Forest (Conservation) Act is that utmost care should be taken to ensure that no forest area is included, unless the same is unavoidable. In other words, involvement of forest land has to be kept to the barest minimum and very conscious efforts are to be made to locate different components of the Project in alternate non-forest land to the extent possible.

The approved mining plan should be furnished to the Divisional Forest Officer for a proper forwarding the proposal, the Divisional Forest Officer has to certify that the use of forest land is the minimum requirement of such land for the Project. Therefore, proper justification is to be furnished to him for locating the Project in forest area and also justification has to be furnished as to why the forest land requirement of each component of the Project cannot be made less. Alternatives that were examined and reasons for their rejection are to be furnished.

Certain other considerations which may prove crucial in taking the final decision are whether or not the proposed forest area forms a habitat of any endangered species of flora or fauna, whether it provides a corridor in the migratory routes of wild animals and whether its loss is likely to impair an important hydrological system.

Also, diversion of forest land for construction of buildings is not normally considered. So in any mining Project, the office buildings, workshops, magazines, residential colonies etc. which are ancillary to the mining work should be located outside of forest land, as far as possible.

It should also be borne in mind that the distance of the mining area from perennial water-courses, national and State highways, national parks and sanctuaries is a vital consideration in according approval to the proposal and means should be explored to locate the mine as far away as possible from these areas. Major mining operation would not be permitted within one Kilometre of national and State Highways.

The Project Authority has to keep all the above considerations in mind and try to scale down the involvement of forest land by exercising all possible options and make up its mind as to which is the forest area unavoidably required for the Project. Having done that, the first requirement in framing a proposal is the compilation of detailed land schedule of the Project area and a listing of these to which each piece of land is to be placed. Precise location and extent of the Reserve Forest, Protected Forest and Section 4 notified blocks can be had from the Range Office or the office of the Divisional Forest Officer. The location and schedule of the village plots recorded as forest (jungle, patra jungle, bada jungle or the like) can be had from the Tahsil Office by reference to the land records of the different villages in the Project area.

A comprehensive scheme of compensatory afforestation is to be prepared by the Divisional Forest Officer for the said land, which should clearly indicate the work-schedule

and cost-norm for each item of work, implementing agency and proposed monitoring mechanism. The Project Authority has to undertake to fully bear the cost of compensatory afforestation as per the scheme.

After a proposal is approved by the Government of India, it has to be ensured that the transfer of non-forest land takes place prior to commencement of the project and that the same is declared as a Protected Forest.

Particulars furnished for Forest clearance

1. A clear map should be prepared showing the different components of the mining Project, such as, the mining area, top-soil dump, overburden dump, magazine, roads etc. vis-à-vis the boundaries of all forest areas. All forest blocks in which the proposed mining area falls, as also the boundaries of other forest blocks in the vicinity, have to be shown on the map prominently in a colour scheme so as to make them appear distinct. The map should be on 1: 50,000 scale topo sheet. When the small plots recorded as forest in the different villages cannot be shown on this map, these may be shown on a separate map either in 1"-4 miles scale, or any suitable scale. The Divisional Forest Officer has to see that no forest land is omitted from the map, or is wrongly located; and he has to authenticate each map by his signature.
 2. Species-wise and diameter class-wise enumeration list of trees standing in the area, down to 30 cms, girth at breast height, to be felled. Total enumeration up to 10 hectares. For larger areas, abstract based on sample survey.
 3. Note on the present & future requirement of forestland.
 4. Cost Benefit Analysis for forestland has to be prepared for the areas over 20 ha in plains & over 5 ha in hills. This should include Ecological & Environmental losses & socio-economic distress caused to the people who are displaced, weighed against economic and social gains.
 5. Compensatory Afforestation is to be formulated & submitted. Land for compensatory afforestation: The cost of compensatory afforestation has to be built into the Project cost. The project authority has to get in touch with the District Revenue Authorities and arrange to identify equal extent of non-forest land. The non-forest land identified should be (i) in compact patches and not too much scattered; preferably be (ii) adjacent to a forest area, (iii) be as near as possible to the locality where diversion is allowed; and it has to be physically seen by the Divisional Forest Officer and (iv) certified to be suitable for afforestation. Along with detailed land schedule and map of the said land, the Project Authorities are to obtain and furnish a certificate from the competent Revenue Authority to transfer the land to Forest Department, free from any encroachment or encumbrances, for compensatory afforestation.
- Over equivalent non-forest land, contiguous to or in the proximity of reserved or protected forest, where non-forest lands are not available, afforestation to be carried over degraded forest twice in extent. The said land schedule, map, scheme undertaken of Project Authority to bear the full cost and certificate of Tahsildar to transfer the land to Forest Department as to be submitted along with the proposal. These are required under Item 6 of the Application Form.
- For extraction of minor minerals from the riverbed afforestation to be raised over degraded forestland twice in extent.

- If forest area is above 500 ha, afforestation over equivalent area of degraded forest to be done subject to a minimum of 1000 ha.
- The said land schedule, map, scheme undertaken by Project Authority to bear the full cost and certificate of Tahsildar to transfer the land to Forest Department is to be submitted along with the proposal. These are required under Item 6 of the Application Form.

No compensatory afforestation shall be insisted upon in respect of the following

- Involving diversion of forestland up to one hectare. In such cases, plantation of ten times the number of trees likely to be felled.
- For underground mining in forestland below 3 m, however, forest areas required for surface right, requires compensatory afforestation.
- Cases of renewal of ML for the forest area already broken and used for mining, dumping of overburden, construction of roads, rope-ways, buildings, etc. For the balance area, afforestation is required to be done, unless it is not stipulated at the time of grant/renewal.
- Where mining leases were under operation in the forest land prior to enactment of Forest (Conservation) Act, 1980, or were renewed after the enactment with the prior approval of the Central Government without having compensatory afforestation as a pre-condition, such afforestation will not be insisted upon for renewal of these leases.

Scheme for compensatory afforestation to contain

1. Details of identified non-forest or degraded forestland.
2. Delineation of proposed area on suitable map.
3. Agency responsible for afforestation.
4. Details of work schedule proposed.
5. Cost structure of plantation and provision of funds.
6. Details of proposed monitoring mechanism.
7. Equivalent non-forest land identified to be transferred to the State Forest Department, prior to project commencement and declared as protected forests.
8. Compensatory afforestation should be an additional plantation activity and not a diversion of part of the annual plantation programme.

Excavation of Minor Minerals from the River Beds

- Extraction is not permitted if the riverbed is in a national park or a wildlife sanctuary.
- There shall be no labour camp in the forest area.
- Extraction to be from the middle of the riverbed after leaving $\frac{1}{4}$ of the riverbed on each bank untouched.

Safety Zone for Mining Operations

- It is not a part of proposed forest for diversion.
- Lessee has to deposit funds for their protection and have to bear the cost of afforestation over 1.5 times of the safety zone area in degraded forest elsewhere.

Special arrangement in case of large projects

- Depots for alternate fuel should be set up to supply free of cost to labour and free/subsidised rates to staff.
- Proposals for diversion above 40 ha, site inspection to be also carried out by Regional Office of MOEF.
- A whole-time senior officer of the rank of 'Conservator of Forest' should be designated as the Nodal Officer. For opencast mining, Nodal Officer has to ensure that all necessary inputs like creation of nursery, storage of top soil and reuse & methodology for re-

forestation, choice of species, etc. are so planned & implemented that the mined area is fully afforested by the time the mining operations are completed.

Details regarding mining proposals to be submitted

1. Total mining lease area and forest area required.
2. Period of mining lease proposed.
3. Estimated reserves in forest & non-forest areas.
4. Annual estimated production of mineral/ore & Wastes.
5. Nature of mining (Opencast/Underground).
6. Phased reclamation plan.
7. Gradient of area where mining be undertaken.
8. Copy of Lease Deed (only for renewal purposes).
9. Number of labourers to be employed.
10. Area of forest land required for :
 - Mining
 - Storing Mineral/Ore & Dumping overburden
 - Storing tools and machinery
 - Building, power stations, workshops, colony, etc.
 - Construction of road/rope-way/railway lines
11. Reasons for not locating above outside forest area.
12. Full land use plan of forest area required.
13. Extent of damage to be caused and number of trees affected on account of mining and related activities.
14. Distance of the mining area from perennial water courses, national and State highways, national parks, sanctuaries and biosphere reserves.
15. Procedure for stocking of the topsoil for re-use.
16. Extent of subsidence expected in underground mining operations and its impact on water, forest and other vegetation.

Processing of proposals

All such proposals are considered by the Advisory Committee duly constituted under section 3 of the FCA, 1980. The Advisory Committee is headed by the Inspector General of Forests, MOEF with Addl. I.G. of Forests MOEF, Joint Commissioner (Soil Conservation), Ministry of Agriculture, three eminent Environment Scientists as members and the Dy. I.G. of Forests (Forests Conservation) as Member Secretary. All proposals involving forest land of more than twenty hectares are referred to this Committee.

The Committee shall have due regard to all or any of the following matters while tendering its advice on the proposals referred to it under sub-rule (1), namely,

- (i) Whether the forest land proposed to be used for non-forest purpose forms part of a nature reserve, national park, wildlife sanctuary, biosphere reserve or forms part of the habitat of any endangered or threatened species of flora and fauna or of an area lying in severely eroded catchment.
- (ii) Whether the use of any forest land is for agricultural purpose or for the rehabilitation of persons displaced from their residences by reason of any river valley or hydro-electric project.
- (iii) Whether the State Government or the other authority has certified that has considered all other alternatives and that no other alternatives in the circumstances are feasible and that the required area is the minimum needed for the purpose; and

(iv) Whether the State Government or the other authority undertakes to provide at its cost for the acquisition of land of an equivalent area and afforestation thereof.

While tendering advice, the committee may also suggest conditions or restrictions on the use of any forest land for any non-forest purpose which would minimise environmental impact.

9.3 INDIAN POLICIES REQUIRING EIA

The Environmental Impact Assessment in India was started in 1976-77 when the Planning Commission asked the then Department of Science and Technology to examine the river-valley projects from environmental angle. This was subsequently extended to cover those projects, which required approval of the Public Investment Board. These were administrative decisions, and lacked the legislative support. The Government of India enacted the Environment (Protection) Act on 23rd May 1986. To achieve the objectives of the Act, one of the decisions that were taken is to make environmental impact assessment statutory. After following the legal procedure, a notification was issued on 27th January 1994 and subsequently amended on 4th May 1994, 10th April 1997 and 27th January 2000 (Annex 1) making environmental impact assessment statutory for 30 activities. This is the principal piece of legislation governing environmental impact assessment.

Besides this the Government of India under Environment (Protection) Act 1986 issued a number of other notifications, which are related to environmental impact assessment. These are limited to specific geographical areas.

- Prohibiting location of industries except those related to Tourism in a belt of 1 km from high tide mark from the Revdanda Creek up to Devgarh Point (near Shrivardhan) as well as in 1 km belt along the banks of Rajpuri Creekin Murud Janjira area in Raigarh district of Maharashtra (6th January 1989).
- Restricting location of industries, mining operations and regulating other activities in Doon Valley (1st February 1989)
- Regulating activities in the coastal stretches of the country by classifying them as coastal regulation one and prohibiting certain activities (19th February 1991).
- Restricting location of industries and regulating other activities in Dahanu Taluka in Maharashtra (6th June 91)
- Restricting certain activities in specified areas of Aaravalli Range in the Gurgaon District of Haryana and Aalwar district of Rajasthan (7th May 1992)
- Regulating industrial and other activities, which could lead to pollution and congestion in an area north west of Numaligarh in Assam (5th July 1996)

9.4 THE EIA CYCLE AND PROCEDURES

The EIA process in India is made up of the following phases :

- Screening
- Scoping and consideration of alternatives
- Baseline data collection
- Impact prediction
- Assessment of alternatives, delineation of mitigation measures and environmental impact statement.
- Public hearing

- Environment Management Plan
- Decision making
- Monitoring the clearance conditions

Screening

Screening is done to see whether a project requires environmental clearance as per the statutory notifications. Screening Criteria are based upon:

- Scales of investment;
- Type of development; and
- Location of development.

A project requires statutory environmental clearance only if the provisions of EIA notification and/or one or more statutory notification mentioned.

Scoping

Scoping is a process of detailing the terms of reference of EIA. It has to be done by the consultant in consultation with the project proponent and guidance, if need be, from impact Assessment Agency.

The Ministry of Environment and Forests has published guidelines for different sectors, which outline the significant issues to be addressed in the EIA studies. Quantifiable impacts are to be assessed on the basis of magnitude, prevalence, frequency and duration and non-quantifiable impacts (such as aesthetic or recreational value), significance is commonly determined through the socio-economic criteria. After the areas, where the project could have significant impact, are identified. The base line status of these should be monitored and then the likely changes in these on account of the construction and operation of the proposed project should be predicted.

Baseline Data

Baseline data describes the existing environmental status of the identified study area. The site-specific primary data should be monitored for the identified parameters and supplemented by secondary data if available.

Impact Prediction

Impact prediction is a way of 'mapping' the environmental consequences of the significant aspects of the project and its alternatives. Environmental impact can never be predicted with absolute certainty and this is all the more reason to consider all possible factors and take all possible precautions for reducing the degree of uncertainty. The impacts of the project should be assessed on Air, Water, Land, Biological factors and Socio-Economic factors.

Assessment of Alternatives, and Environmental Impact Assessment Report - Delineation of Mitigation Measures

For every project, possible alternatives should be identified and environmental attributes compared. Alternatives should cover both project location and process technologies. Alternatives should consider 'no project' option also. Alternatives should then be ranked for selection of the best environmental option for optimum economic benefits to the community at large.

Once alternatives have been reviewed, a mitigation plan should be drawn up for the selected option and is supplemented with an Environmental Management Plan (EMP) to guide the proponent towards environmental improvements. The EMP is a crucial input to monitor the clearance conditions and therefore details of monitoring should be included in the EMP.

An EIA report should provide clear information to the decision-maker on the different environmental scenarios without the project, with the project and with project alternatives. Uncertainties should be clearly reflected in the EIA report.

Public Hearings

Public hearings are those hearings which are required under the law before a sanction is given by the Government in respect of any project which falls under the 29 categories of activities which require environmental clearance from the Ministry of Environment and Forests, Government of India (MOEF).

Public Hearings are mandatory requirement under the law, and provide an opportunity for the public to get to know about the coming up of any new project falling under the 29 categories of activities requiring environmental clearance of the MOEF, GOI, and also an opportunity where the concerns, suggestions, views, comments and objections of the public are heard by the public hearing panel.

Law requires that the public must be informed and consulted on a proposed development after the completion of EIA report. Any one likely to be affected by the proposed project is entitled to have access to the Executive Summary of the EIA. The affected persons may include:

1. Bonafide local residents,
2. Local associations,
3. Environmental groups : active in the area,
4. Any other person located at the project site / sites of displacement.

They are to be given an opportunity to make oral/written suggestions to the State Pollution Control Board as per Schedule IV.

The EIA (Environmental Impact Assessment) Notification of January 27, 1994 has been amended on April 10, 1997. By this amendment, a Public Hearing is mandatory for all the 29 categories of activities, which require environmental clearance from the MOEF. The various stages involved in conducting a Public Hearings are:

➤ Stage-1

The State Pollution Control Board (SPCB) shall cause a notice of Environmental Public Hearing by publishing the same in at least two newspapers widely circulated in the region around the project, one of which shall be in the vernacular language of the locality concerned.

➤ Stage-2

The State Pollution Control Board (SPCB) shall mention the date, time and the venue of the public hearing and also the name and address of the industry/unit proposed to come up for which a clearance is sought.

The committee is constituted of the members from (i) Ministry of Environment and Forests, (ii) IBM (iii) Institutes/organisations dealing with mines and mining environment, and mines safety, (iv) Mining Research, etc. as well as eminent people connected with public life. It is headed by a very senior and eminent mining engineer. An officer of the MOEF acts as Member Secretary. The Committee may co-opt other experts to facilitate evaluation of the proposals, if there is any specific evaluation of the proposals and also if there is any specific requirements of expertise regarding technology/methodology, etc.

The following categories of mines only are presently referred to EAC :

1. All new mining projects of the Central Public Sector with capital investment of Rs. 50 crores and above.
2. All existing mines of the Central Public Sector going for expansion/modernisation, the total capital investment after expansion/modernisation being Rs. 50 crores and above.
3. Mining Projects, of both public sector and private sector, financed partly or wholly by international funding agencies like World Bank, etc.
4. Mining Projects, of both public sector and private sector needing forest clearances (in this case, the main objective of the EAC is to assess the realistic minimum need of forest land.)

Before forwarding their recommendations as well as terms and conditions to the Secretary, MOEF for environmental clearance the EAC calls for a report of the mine/project containing detailed information for perusal supplemented with site visit if necessary, on :

- (i) Base line data on environment
- (ii) Environmental impact assessment (EIA) and
- (iii) Environment Management Plan (EMP)

Based on the recommendations of the EAC (Mining), environmental clearance is granted by the MOEF with or without any additional safeguards which are spelt out in the formal letters issued to the management.

In addition to EAC, specific committees and task forces are constituted by the MOEF from time to time for approval of projects referred to by the Government of India or the Hon'ble Supreme Court of India in 'Public Interest litigations'. Mining of Limestone in (i) Doon Valley (UP), (ii) Sirmur limestone belt (HP) and (iii) Sariska Reserves Forest (HP) are some such cases.

Approval/Rejection of the Proposals:

The Central Government shall, after considering the advice of the Committee after such further inquiry as it may consider necessary grant approval to the proposal with or without conditions or reject the same.

Single Window Clearance

Large Mining Projects falling under the purview of "EAC" where forest land, fully or partly, is involved requires two separate clearance :

- (i) 'Forest Clearance', i.e. prior approval of the Central Government (MOEF), under Section 2 (ii) of Forest (Conservation) Act, 1980 for use of the forest land (or any portion thereof) for non-forest (i.e. Mining) purposes, and
- (ii) 'Environmental Clearance' by the same Ministry (MOEF) after due recommendation of EAC (M).

In such cases to minimise delay in final clearance of the mining project a system has been evolved where proposals for both the clearances, as in item (i) and item (ii) above, are required to be simultaneously given to the corresponding Divisions in the MOEF. The processing is done simultaneously for clearance/rejection, although separate letters may issue in each case. If the project does not involve diversion of forest land, the case is processed only for environmental clearance.

The MOEF through its Regional Offices located in the country monitors the conditions stipulated in the letters issued by the MOEF while granting approval to various projects including mining projects. At present, the MOEF has the following six regional offices :

1. North Eastern Region, Shillong.
2. Eastern Region, Bhubaneswar.
3. Northern Region, Chandigarh.
4. Southern Region, Bangalore
5. Central Region, Lucknow.
6. Western Region, Bhopal.

Organisational Set up for Appraisal and Monitoring

To deal with the various projects, including mining, the MOEF has an Environmental Impact Assessment Wing comprising of three Impact Assessment Divisions. Mining project are covered by the Impact Assessment Division II (IA-II).

A multi disciplinary staff in respective Division is responsible for scrutiny of the projects, site visits wherever required, interaction with project authorities and consultations with experts on specific issues if needed for analysis of various aspects.

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