

Environmental sanction for mining projects

*224. SHRI GIREESH KUMAR SANGHI:

SHRI SANTOSH BAGRODIA:††

Will the Minister of ENVIRONMENT AND FORESTS be pleased to state:

(a) how many mining and other projects have not been sanctioned by the Ministry during the last three years; and

(b) the details of such projects and the reasons for not giving the permission?

THE MINISTER OF STATE OF THE MINISTRY OF ENVIRONMENT AND FORESTS (SHRI JAIRAM RAMESH): (a) and (b) A Statement is laid on the Table of the House.

Statement

(a) During the last three years, it was decided that environmental clearance should not be granted due to substantive reasons to a total of 23 projects, including 15 projects in mining sector.

(b) The sector-wise break-up of the projects referred to in reply to part (a) above is as follows:

S.No.	Sector	2006-07 (July-June)	2007-08 (July-June)	2008-09 (July-June)	Total
1.	Mining	07	06	02	15
2.	River Valley	-	-	01	01
3.	Construction Sector	01	03	03	07
TOTAL :		08	09	06	23

Some of the reasons for not granting environmental clearance include:

- Location of the projects in the proximity to the National Parks/Wildlife Sanctuaries and eco-sensitive areas;
- Relocation and Rehabilitation of large number of families; and
- Inadequate information and poor quality of Environmental Impact Assessment Reports.

SHRI SANTOSH BAGRODIA: Sir, the present Government has very big plans for developing new projects and development of the country in respect of mining, in respect of hydro projects, in respect of construction sector, but all these projects are being delayed heavily because of the environment clearance. Sometimes, the environment clearance takes years and years. I would like to know from the hon. Minister what plan does he have to sort out this problem. Sir, the multi-purpose hydro projects are also pending for a very long time. Does he have the time-bound programme to sort out this problem? The time-bound programme may be there, but the normal excuse is, information is

††The question was actually asked on the floor of the House by Shri Santosh Bagrodia.

not given. Even in the reply, they have mentioned, 'inadequate information'. Now, at one go, if the Ministry ask all the questions as to what the problems are, it can be replied. But they are asking questions one after the other. So, I would like to know from the hon. Minister one thing. He is a very efficient Minister. Whatever has happened in the past, I am not questioning that. Can he give an assurance that no project will be delayed because of delayed environment clearance in future?

SHRI JAIRAM RAMESH: Sir, there is a common misperception that environment is a cause for delay of projects. I would like to categorically state here that this perception is wrong. Under the Environment Protection Act of 1986, a total time of 210 days is given to complete all formalities for environmental clearance. Under the Forest Conservation Act of 1980, a total of 150 days is given for total clearance. This question relates to environmental sanction, therefore, I will restrict myself to the environmental sanction alone. Over 90 per cent. ...*(Interruptions)*...

SHRI SITARAM YECHURY: Are they concurrent?

SHRI JAIRAM RAMESH: No, they are not concurrent, and this again is a common misperception which I want to dispel. Under the Environment Protection Act, the project authorities come for the clearance to the Ministry of Environment and Forests. Under the Forest Conservation Act, all proposals come to the Ministry of Environment and Forests from State Governments because the forests are owned by the State Governments. So, all applications, under the Forest Conservation Act, come from State Governments, whereas all applications, under the Environment Protection Act, come from project authorities, in the private sector, public sector, Central Government and State Governments. Over ninety per cent of the approvals are given within 210 days. However, I admit that there could well be, and there are, some cases that go beyond 210 days because these are extremely difficult cases. There are cases which are related to projects which may be close to a wildlife sanctuary, or, which are located in environmentally fragile zones. There are cases that could be related to complicated projects which require environmental safeguards. So, taking all these factors in mind, we are conscious of the fact that we must stick to the 210 days limit, as sanctioned by law. I want to inform the hon. Member that just last week, beginning the 30th of June, all pending projects are now up on the web site for public scrutiny. Anybody can go to the web site of the Ministry of Environment and Forests and find out why projects are being delayed, where these projects are, why they are still under consideration and what next steps will be taken to clear these projects. All this is in the public domain. I would also want to say that when I came to this Ministry on the 29th of May, there were 700 cases awaiting clearance. By the end of June, those 700 had come down to almost 250. So, there was a substantial acceleration. But there have also been new cases that have come forward. Today there are over 500 cases awaiting clearance. I want to assure the hon. Member that we are conscious of the time limits. But we will not adhere to the time limits at the cost of environmental safeguards, or, of the Environment Protection Act. We will stick to the law. But

we will ensure that we try to abide by the time limit of 210 days. Here, I must admit that there are some cases to which we, simply, will not be able to give the clearance within the stipulated time.

SHRI SANTOSH BAGRODIA: Sir, I appreciate whatever the hon. Minister has said. I myself have said that he is an efficient Minister and he has done a good job. I congratulate him for that. But this time limit of 210 days, which the hon. Minister has mentioned, is an old story. Now, with this modern system, where information is readily available, should he not reduce it to 120 days or 150 days? That is where more efficiency is required. Otherwise, development process in the country cannot continue...

MR. CHAIRMAN: Put your supplementary, please.

SHRI SANTOSH BAGRODIA: Yes, Sir. I appreciate that it is now put on the web site and we will be able to find out all the information. I would like to know about multi-purpose hydro projects, as to how many are pending with the Ministry. We know that if these hydro projects do not come up, the problem of power shortage will only increase. I would also like to know whether he has got the Afforestation Fund under his Ministry. If that is so, what is the fund and what is its utilisation?

SHRI JAIRAM RAMESH: Sir, the hon. Member has put three supplementaries.

MR. CHAIRMAN: You answer only one.

SHRI JAIRAM RAMESH: As regards 210 days, it is broken up as follows. There is the time period of sixty days stipulated for the Terms of Reference for the Environment Impact Assessment; forty five days is for public hearing; sixty days is for environment appraisal by the Environment Appraisal Committee, and there is the time period of 45 days for communicating the final decision. I am afraid I cannot give a commitment to compress this 210 days' schedule. Public hearing is, absolutely, essential; environmental appraisal is, absolutely, essential. Therefore, all that I can assure the hon. Member is that as for the 60 days' period for environmental appraisal in my Ministry, if it is possible to reduce it to 45 days, I will, certainly, examine this suggestion. Two hundred and ten days, to me, is sacrosanct. I may be able to reduce it from 210 days to 195 days. I will, certainly, examine the hon. Member's suggestion and ensure that whatever time period is taken in the Ministry of Environment and Forests is reduced. But let us not reduce the period for Environmental Impact Assessment, and, let us not reduce the period for public hearing. In fact, Sir, I would argue that we need to increase the period of public hearing because many times – I won't mind saying so – this public hearing is a match fixing. There is no meaningful public hearing that takes place. We need meaningful public hearing. We need meaningful Environmental Impact Assessment, and, I want to assure the hon. Member that the environment is not a drab on development. We must ensure that these projects go through environmental sanction.

श्री जय प्रकाश नारायण सिंह : सभापति जी, मंत्री जी ने 210 दिन की बात कही कि वे 210 दिनों में इन प्रोजेक्ट्स का निस्तार कर देते हैं, लेकिन झारखंड में बुरई सिंचाई योजना पिछले 15 सालों से लंबित है और अभी तक वन विभाग से इसका clearance नहीं मिला है। यह dam बनना है, लेकिन अभी तक इसका clearance नहीं मिला है। हमें 210 दिनों में clearance की बात पर doubt होता है, इसलिए मैं खड़ा होकर इस बात को आपके सामने रख रहा हूँ।

SHRI JAIRAM RAMESH: Sir, the hon. Member has confused forest clearance and environmental clearance. Environmental clearance is within 210 days. Forest clearance is within 150 days, after we get clearance from the State Government. There are projects in Jharkhand where clearance has not been given even after three, four or five years. The hon. Coal Minister is sitting here. Sir, a large number of coal projects are stuck with the State Government. I am not blaming the State Governments. These are difficult situations. When you are going to divert thousands of acres of forest land, these are not decisions that we can take in a matter of days. We must spend a lot of time before coming to final decisions. I accept the fact that there are many projects on forestry which are taking time. Frankly, Sir, my sympathies are entirely with those who are asking for a slow approach on forestry clearance because if we start giving clearance in a businesslike, fast track manner, on forest grounds, forests are simply going to disappear.

श्री कलराज मिश्र : सभापति जी, मंत्री महोदय हिंदी सवाल का जवाब हिंदी में दे सकते हैं...(व्यवधान)...

SHRIMATI JAYANTHI NATARAJAN: Why can't they speak in English? ...*(Interruptions)*... This is domination. ...*(Interruptions)*...

SHRI TIRUCHI SIVA: Sir, this has caused so many problems in the past. ...*(Interruptions)*...

श्री जयराम रमेश : यह * ...*(व्यवधान)*...

SHRI TIRUCHI SIVA: You cannot force anybody. ...*(Interruptions)*...

श्री कलराज मिश्र : जब मंत्री जी हिंदी में जवाब दे सकते हैं, तो उन्हें हिंदी में जवाब देना चाहिए, मेरा यह कहना है ...*(व्यवधान)*...

श्री सभापति : कलराज जी, प्लीज ...*(व्यवधान)*...

SHRI TIRUCHI SIVA: Sir, it is a question of integrity of the country. ...*(Interruptions)*... It has become the order of the day. It has caused problems in the past. ...*(Interruptions)*... They want to kindle. ...*(Interruptions)*...

श्री सभापति : प्लीज, आप लोग बैठ जाइए ...*(व्यवधान)*...

SHRIMATI JAYANTHI NATARAJAN: Sir, it is domination. Why can't he answer in English? It is allowed.

MR. CHAIRMAN: It is allowed. सदन में दोनों जुबानें इस्तेमाल की जा सकती हैं ...*(व्यवधान)*...

*Expunged as ordered by the Chair.

श्री प्रकाश जावडेकर : हिंदी को * ...*(व्यवधान)*...

श्री सभापति : अब आप दूसरे subject पर मत जाइए ...*(व्यवधान)*...

श्री वीर पाल सिंह यादव : सभापति जी, हिंदी * ...*(व्यवधान)*...

श्री सभापति : कृपया आप लोग बैठ जाइए ...*(व्यवधान)*...

श्री प्रकाश जावडेकर : मंत्री जी ने हिंदी को * ...*(व्यवधान)*...

श्री सभापति : आप बैठ जाइए ...*(व्यवधान)*... एक मिनट प्लीज, आप लोग जरा मेरी बात सुनिए ...*(व्यवधान)*...

SHRI TIRUCHI SIVA: You cannot compel. You cannot impose. ...*(Interruptions)*... This attitude has caused so many problems ...*(Interruptions)*...

श्री वीर पाल सिंह यादव : हिंदी * ...*(व्यवधान)*...

श्री सभापति : आप बैठ जाइए, मेरी बात सुनिए ...*(व्यवधान)*...

SHRIMATI JAYANTHI NATARAJAN: They should stop this domination. ...*(Interruptions)*... हम कहेंगे आप तमिल में बोलो, आप मलयालम में बोलो, आप तेलुगु में बोलो ...*(व्यवधान)*...

श्री सभापति : जयन्ती जी, प्लीज ...*(व्यवधान)*... अरे भाई, आप लोग क्यों बौखलाहट पैदा कर रहे हैं ...*(व्यवधान)*... प्लीज बैठ जाइए ...*(व्यवधान)*...

SHRI TIRUCHI SIVA: Don't challenge the integrity of the country. How can you compel? ...*(Interruptions)*...

श्री नन्द किशोर यादव : सर, * शब्द को रिकॉर्ड से निकालना चाहिए ...*(व्यवधान)*...

श्री सभापति : आप लोग बैठ जाइए, मैं आपको रूल बता रहा हूँ ...*(व्यवधान)*... आप बैठ जाइए! ...*(व्यवधान)*... मैं कह रहा हूँ, आप बैठ जाइए! ...*(व्यवधान)*... देखिए, सदन में दोनों जवानों का इस्तेमाल करने की इजाजत है, नंबर एक और नंबर दो, यह सवाल जो है, यह अंग्रेजी में पूछा गया है, इसलिए मंत्री जी को पूरा हक है कि वे उसी भाषा में उसका जवाब दें! ...*(व्यवधान)*... आपके पास interpretation facility मौजूद है! ...*(व्यवधान)*... देखिए, जो बात settled है, उसको आप क्यों दोबारा ...*(व्यवधान)*...

SHRI S.S. AHLUWALIA: Sir, I have one small submission. ...*(Interruptions)*...

श्री वीर पाल सिंह यादव : सर, उन्होंने कहा कि हिंदी *

प्रो. राम गोपाल यादव : सर, सप्लीमेंटरी क्वेश्चन हिंदी में था! ...*(व्यवधान)*...

श्री रवि शंकर प्रसाद : हिंदी *, यह संसदीय भाषा नहीं है! हिंदी * ...*(व्यवधान)*...

श्री सभापति : किसने कहा? ...*(व्यवधान)*...

श्री एस.एस. अहलुवालिया : सर, मैं सॉल्यूशन बता सकता हूँ।

श्री सभापति : बताइए, क्या बता रहे हैं? ...*(व्यवधान)*... राम गोपाल जी, बैठ जाइए! ...*(व्यवधान)*... Dr. Malaisamy, please. ...*(Interruptions)*...

SHRI S.S. AHLUWALIA: Sir, I have one small submission. ...*(Interruptions)*... सवाल किसी ...*(व्यवधान)*... मलयासामी जी ...*(व्यवधान)*...

*Expunged as ordered by the Chair.

MR. CHAIRMAN: Will you, please, resume your places? ...*(Interruptions)*... I think this is a totally unnecessary diversion. Please. ...*(Interruptions)*...

श्री एस.एस. अहलुवालिया : सर, सवाल जो है, अगर मंत्री महोदय हिंदी में ही ...*(व्यवधान)*... एक मिनट जरा ठहरिए, मैं पूछ रहा हूँ ...*(व्यवधान)*...

MR. CHAIRMAN: Please. I have requested you. ...*(Interruptions)*...

श्री एस.एस. अहलुवालिया : सर, मंत्री महोदय अगर अंग्रेजी नहीं जानते होते, तो interpretation service है और हमें पता है कि इसमें हिंदी-इंग्लिश दोनों में interpretation होता है। हमें यह भी मालूम है कि अगर तमिल में सवाल पूछा जाए, तो उसका भी जवाब मिलता है। माननीय सदस्य का एक हिंदीभाषी होने के नाते राष्ट्रभाषा के प्रति अधिकार था, इसलिए उन्होंने सवाल पूछा। ...*(व्यवधान)*... मंत्री जी अगर हिंदी नहीं जानते होते, तो वे अंग्रेजी में जवाब दे सकते थे, पर वे हिंदी जानते हैं और उन्होंने ऐसा नहीं किया, यह गलत है। ...*(व्यवधान)*...

श्री सभापति : देखिए... देखिए ...*(व्यवधान)*... फसाद मत पैदा कीजिए। ...*(व्यवधान)*...

श्री एस.एस. अहलुवालिया : यह गलत है और ऊपर से हिंदी को * कहा, यह और गलत है। ...*(व्यवधान)*... यह और गलत है। ...*(व्यवधान)*...

SHRI TIRUCHI SHIVA: You cannot force. ...*(Interruptions)*... You cannot force. ...*(Interruptions)*...

श्री सभापति : प्लीज ...*(व्यवधान)*... आप लोग बैठ जाइए। ...*(व्यवधान)*... देखिए, जहां झगड़ा नहीं है, वहां झगड़ा मत पैदा कीजिए। ...*(व्यवधान)*...

श्री रवि शंकर प्रसाद : हम लोग सभी भाषाओं का सम्मान करते हैं। तमिल का भी सम्मान करते हैं, लेकिन हिंदी को * कहना, यह ठीक नहीं है। इसको आप expunge कीजिए। ...*(व्यवधान)*... हिंदी को * कहना, यह ठीक नहीं है। ...*(व्यवधान)*...

श्री सभापति : देखिए... just one minute. अगर गलत शब्द इस्तेमाल किया गया है तो, वह expunge हो जाएगा, बात खत्म हो गई। ...*(व्यवधान)*... देखिए, अगर गलत शब्द इस्तेमाल हुआ है, तो वह expunge हो जाएगा, मैं रिकॉर्ड देखकर उस पर फैसला करूंगा। डा. कर्ण सिंह, बोलिए ...*(व्यवधान)*... आप बैठ जाइए प्लीज।

डा. कर्ण सिंह : सभापति जी, इस विषय में मेरा एक छोटा सा विनम्र निवेदन है कि हरेक भाषा में सरस्वती की वाहिनी हुआ करती है और किसी भी भाषा का अपमान करना उचित नहीं है, चाहे वह अंग्रेजी हो, चाहे हिंदी हो।

Sir, may I ask the dynamic young Minister one question? I am very glad that he is taking such a lot of interest in environment and forests. Is he aware of the fact that in the Aravalli Hills, around Delhi itself, there is massive illegal mining going on? Everyday huge trucks are carrying illegal mining products everywhere हमारी आंखों के सामने? We can see that. I agree, he is doing very well, but please try and get this loot around Delhi under control. Will you do that?

श्री जयराम रमेश : सर, मैं अरावली के बारे में यह कहना चाहता हूँ ...*(व्यवधान)*...

श्री एस.एस. अहलुवालिया : यही काम पहले कर देते तो ...*(व्यवधान)*...

*Expunged as ordered by the Chair.

श्री जयराम रमेश : सर, पहले तो मैं यह कहना चाहता हूँ कि मैंने कभी हिंदी का अपमान नहीं किया है। मैंने हिंदी को * नहीं कहा है। मैंने गलती से कह दिया *, उसे मैं वापस लेता हूँ। मैंने गलती से कहा *, मैं उसे वापस लेता हूँ और क्षमा चाहता हूँ। ...**(व्यवधान)**... मैंने हिंदी का कभी अपमान नहीं किया है, हिंदी को * नहीं कहा है। ...**(व्यवधान)**...

श्री एस.एस. अहलुवालिया : सर, यह तो और सीरियस है, उस सदन के सदस्य का नाम ...**(व्यवधान)**...

श्री समापति : उन्होंने वापस ले लिया है, बात खत्म हो गई है। ...**(व्यवधान)**... बात खत्म हो गई। ...**(व्यवधान)**... अहलुवालिया जी, बैठ जाइए, बात खत्म हो गई।

श्री जयराम रमेश : सर, अरावली के मामले में यह बात सही है कि सुप्रीम कोर्ट का एक आदेश है कि जो कुछ माइनिंग राजस्थान और हरियाणा में हो रही है, यह गैर-कानूनी है, पर इसमें एक छोटी सी जानकारी मैं माननीय सदस्य को देना चाहता हूँ कि minor minerals की जिम्मेदारी जो है, वह राज्य सरकार की होती है। और जो माइनिंग अरावली के पहाड़ों में हो रही है, वह ज्यादातर माइनर मिनिरल्स की हो रही है। हमने बार-बार राज्य सरकार को कहा है, उनको अवगत भी कराया है कि सुप्रीम कोर्ट का एक आदेश है, इसका उल्लंघन हो रहा है। दो हफ्ते पहले सारे टीवी चैनल्स पर दिखाया जा रहा था कि यहां पर अभी भी माइनिंग हो रही है। यह बात मेरी जानकारी में आई है। I can't use my hands very freely. क्योंकि जैसा कि मैंने कहा कि मेजर मिनिरल्स हमारी जिम्मेदारी है, माइनर मिनिरल्स राज्य सरकार की जिम्मेदारी है। मैं माननीय सदस्य को आश्वस्त करना चाहता हूँ कि मैं खुद हरियाणा और राजस्थान के मुख्य मंत्रियों से बात करूंगा। अगर कोई ऐक्शन लेना है तो राज्य सरकार की ओर से लेना है, हम ऐक्शन नहीं ले सकते हैं। लेकिन हमारे Environment Protection Act - 1986 में प्रावधान है कि हम ऐक्शन ले सकते हैं। मुझे कुछ समय दीजिए, मैं वहां के मुख्य मंत्रियों से बात करूंगा। अगर राज्य सरकारों की ओर से कोई ऐक्शन नहीं लिया जाएगा तो केन्द्र सरकार जरूर ऐक्शन लेगी।

श्री गंगा चरण : सर, वैसे मैं मंत्री जी से काफी हद तक सहमत हूँ लेकिन एक सवाल यह है कि environment की अनदेखी करके बहुत सी जगह फाइव स्टार होटल्स बनाए जा रहे हैं, जंगल काटकर फाइव स्टार होटल्स बनाए जा रहे हैं। क्या मंत्री जी की नॉलेज में ये चीजें हैं? चाहे हिमाचल प्रदेश में हो, धर्मशाला में हो या उत्तराखंड में हो, आज environment का सवाल बहुत ही महत्वपूर्ण सवाल है। आज जो सूखा पड़ा है, उसके पीछे भी हमारा environment है, जो प्रदूषित हो रहा है क्योंकि जंगल काटे जा रहे हैं। क्या मंत्री महोदय सारी जिम्मेदारी राज्य सरकारों पर डालकर जवाबदेही से बच सकते हैं? क्या केन्द्र सरकार पर्यावरण को बचाने के लिए कोई कानून बनाने जा रही है ताकि जंगलों को काटने से रोका जा सके और वन्यजीवों की रक्षा की जा सके।

श्री जयराम रमेश : सर, Forest Conservation Act - 1980 के तहत अगर कोई diversion होना है तो उसके लिए Central Empowered Committee और सुप्रीम कोर्ट की अनुमति की भी जरूरत होती है। अगर कोई मिसाल है जहां फॉरेस्ट एरिया को काटा गया है और फाइव स्टार होटल्स बनाए गए हैं तो मैं जरूर इसकी जांच करवाऊंगा। अगर माननीय सदस्य मुझे जानकारी देंगे। ...**(व्यवधान)**... मेरी जानकारी में ऐसा कोई उदाहरण नहीं है जहां मोटे तौर पर वनों को काटा गया है और वहां फाइव स्टार होटल बने हैं।

श्री गंगा चरण : Resorts बने हैं। ...**(व्यवधान)**...

*Expunged as ordered by the Chair.

श्री जयराम रमेश : यह जानकारी मेरे पास नहीं है। अगर कोई उदाहरण है तो मुझे दीजिए, मैं इस संबंध में जरूर कार्यवाही करूंगा।

Illegal mining of coal

*225.SHRIMATI SHOBHANA BHARTIA:††

SHRI N.K. SINGH:

Will the Minister of COAL be pleased to state:

(a) whether Government has decided to constitute a high level surveillance wing, involving the police, CISF and other intelligence departments, to check the rampant illegal coal mining in certain districts of West Bengal and Jharkhand;

(b) if so, the details thereof;

(c) whether, due to indiscriminate illegal mining, Government is losing crores of rupees every year; and

(d) if so, to what extent the surveillance wing would curb the practice of illegal coal mining?

THE MINISTER OF STATE OF THE MINISTRY OF COAL (SHRI SRIPRAKASH JAISWAL): (a) to (d) A Statement is laid on the Table of the House.

Statement

(a) and (b) No such decision has been taken by the Government to initiate joint action for the prevention of illegal mining. However, Task Forces have been constituted by the State Governments of Jharkhand and West Bengal, at the State and District level. Since law and order is a State subject, primarily it is the responsibility of State/District administration to take necessary deterrent action to stop/curb illegal mining. Coal India Limited and its subsidiaries are also associated closely with the concerned State and District authorities to deal with this menace.

(c) Illegal mining mostly takes place in old and abandoned mines, small and isolated patches, areas situated at remote/isolated places from mines, which are scattered over a large area, exposed coal seams and also in areas not in the leasehold areas of public sector coal companies. Due to clandestine nature of illegal mining activities, the exact quantum of coal, so mined and losses incurred on account of illegal mining cannot be ascertained. However, on the basis of raids conducted by the security personnel of coal companies as well as joint raids with the law and order authorities of the concerned State Government, the approximate quantity of coal recovered during 2008-09 and its value thereof were approximately 8,584 tonnes and Rs.1.02 crore respectively.

(d) Does not arise in view of the answer given to parts (a) & (b) above.

SHRIMATI SHOBHANA BHARTIA: Sir, I would like to inform the hon. Minister that in 2006, his predecessor had set up a High Level Committee to go into the issue to try and curb illegal mining, and, more recently, XLRI, Jamshedpur as well as the Indian School of Mines, at the behest of the

††The question was actually asked on the floor of the House by Shri D. Raja