

**GOVERNMENT OF INDIA  
ENVIRONMENT AND FORESTS  
LOK SABHA**

UNSTARRED QUESTION NO:308  
ANSWERED ON:10.11.2010  
VEDANTA PROJECT  
Ramkishun Shri

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

- (a) whether the Government has constituted a Committee under the Chairmanship of N.C. Saxena on Vedanta Project;
- (b) if so, the details thereof;
- (c) whether the said Committee has submitted its report;
- (d) if so, the details and the recommendations of the Committee; and
- (e) the action taken/proposed to be taken by the Government on the recommendations of the Committee?

**Answer**

MINISTER OF STATE (INDEPENDENT CHARGE) FOR ENVIRONMENT & FORESTS (SHRI JAIRAM RAMESH)

(a) & (b) The Central Government, on 29.06.2010 constituted a Committee consisting of Dr. N. C. Saxena, Dr. S. Parsuraman, Dr. Promode Kant and Dr. Amita Baviskar with the following Terms of Reference:

- (i) Investigation and Ascertainment of the status of implementation of Forest Rights Act, 2006 in and around the proposed area of the project;
- (ii) Investigation and likely physical and economic displacement due to the project, including the 'resource displacement' of forest users and the rehabilitation plan;
- (iii) Investigation of likely impact on cultural and social lives of the Dongria Kondhs Primitive Tribe;
- (iv) Investigation of potential impact on the biodiversity, wildlife and the ecology of the land;
- (v) The Committee shall be free to inquire or investigate any issue which the Committee members might feel necessary for the purpose of their Report.

(c) & (d) The Committee submitted its report on 16.08.2010, with the following recommendations:

# On the basis of oral and documentary evidence collected by the Committee it is established beyond dispute that Dongaria and Kutia Kondh have had traditional, customary, and often formalized access to the proposed mining lease (PML) area as well as to the surrounding thick forests on the slope to collect various types of forest produce. These rights would be extinguished if the area is transferred for mining.

# The Ministry of Environment and Forests cannot grant clearance for use of forest land for non-forest purposes because the legal conditions for this clearance as laid down by its circular of 3 August, 2009, have not yet been met. These include the following: the process of recognition of rights under the Forest Rights Act has not been completed; the consent of the concerned community has neither been sought nor obtained; and the Gram Sabhas of the area concerned (hamlets in a Scheduled Area) have not certified on both these points as required.

# Mining will severely degrade the Niyamgiri hills ecosystem which is a rich wildlife habitat and an important and recognized elephant corridor, endanger the Dongaria Kondh's self-sufficient forest-based livelihoods, and lead to the extinction of their culture over a period of time.

# More than 7 square kilometres of the sacred undisturbed forest land on top of the mountain that has been protected for ages by the Dongaria Kondh as sacred to their deity, Niyam Raja, and essential for the region's fertility, will be stripped off its vegetation, soil and rendered into a vast barren exposed land.

# Mining will build roads through the Dongaria's territories, opening the area to outsiders, a trend that is already threatening the rich biodiversity of the hills.

# The mining at the proposed mining lease site will provide only 3Mtpa of ore out of the total annual requirement of 18 Mtpa of the Refinery after its ongoing expansion from the existing capacity of 1 Mtpa to 6 Mtpa (for which they have already nearly completed the work even before getting permission). The proposed mining site thus has low relevance to the future of the Refinery and is not critical at all for its functioning as is being claimed by the Company and the state officials.

# The Vedanta Company has consistently violated the FCA, FRA, EPA and the Orissa Forest Act in active collusion with the state officials. Perhaps the most blatant example of it is their act of illegally enclosing and occupying atleast 26.123 ha of Village Forest Lands within its refinery depriving tribal, dalits and other rural poor of their rights.

(e) After careful examination of the report the Central Government took following actions on the matter:

(i) Rejected Stage-II forest clearance for diversion of 660.749 ha forest land in favour of Orissa Mining Corporation for mining of bauxite ore in Lanjigarh Bauxite Reserve in Kalahandi and Rayagada districts in Orissa.

(ii) Since Stage-II forest clearance has been rejected the environment clearance for the said mine became inoperable.

(iii) Issued direction under Section 5 of the Environment (Protection) Act, 1986 stipulating addition environmental safeguards to be complied at 1 MPTPA Alumina Refinery and 75 MW Captive Power Plant at Lanjigarh in District Kalahandi in Orissa by M/s. Vedanta Aluminium Limited.

(iv) The TOR issued on 12th March 2009, for expansion of Alumina Refinery from 1 MTPA to 6 MTPA and 75 MW CPP to 300 MW CPP have been withdrawn and consequently the public hearing conducted on 25th April,2009 stands rejected.

(v) Issued direction under Section 5 of the Environment (Protection) Act, 1986 to M/s. Vedanta Aluminium Limited to maintain status quo at the site and no further construction shall be undertaken in respect of expansion project; and

(vi) Issued direction under Section 5 of the Environment (Protection) Act, 1986 that the Secretary, Forest & Environment Department, Government of Orissa shall take legal action under the provisions of Environment (Protection) Act, 1986 for violation of EIA Notification, 2006.