

**GOVERNMENT OF INDIA
ENVIRONMENT, FORESTS AND CLIMATE CHANGE
LOK SABHA**

UNSTARRED QUESTION NO:461
ANSWERED ON:26.11.2014
ENVIRONMENTAL CLEARANCE
Chaudhary Shri P.P.

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

- (a) whether the Government has issued mineral notification in 2012 regarding environmental clearance in respect of mining of micro minerals;
- (b) if so, the details thereof;
- (c) whether the interest of kiln units have been affected badly as a result thereof; and
- (d) the action taken by the Government to protect the interest of kiln units?

Answer

MINISTER OF STATE (INDEPENDENT CHARGE) FOR ENVIRONMENT, FORESTS AND CLIMATE CHANGE (SHRI PRAKASH JAVADEKAR)

(a) & (b) In order to ensure compliance of the Hon'ble Supreme Court order dated 27.02.2012 in I.A. Nos.12-13 of 2011 in Special Leave Petition (C) No.19628-19629 of 2009 titled "Deepak Kumar etc. Vs. State of Haryana & Ors. etc.", this Ministry issued an OM No.L-11011/47/ 2011-IA.II(M) dated 18.05.2012 stating inter alia that all mining projects of minor minerals including their renewal, irrespective of the size of the lease would henceforth require prior EC and that the projects of minor minerals with lease area less than 5 ha would be treated as Category "B" as defined in EIA Notification, 2006 and will be considered by the respective State Environment Impact Assessment Authorities (SEIAAs) notified by MoEF and following the procedure prescribed under the EIA Notification, 2006.

(c) & (d) Ministry has received a number of representations conveying problems being faced by the brick kiln manufacturers in obtaining EC for 'brick earth' mined by them for making bricks and by the developers of road projects in respect of mining of 'ordinary earth' used for road construction. The brick kiln manufacturers have requested that as the digging of 'brick earth' for making bricks is a small scale activity requiring digging only upto a certain depth, the activity may be kept outside the purview of EC. Ministry vide OM No.F.No.J-11013/12/ 2013-IA-II(I) dated 30.1.13 has constituted an Expert Committee and based on the report and recommendations received from this Expert Committee, the Ministry vide OM No.L-11011/47 /2011-1A.II(M) dated 24.06.2013 issued guidelines regarding categorization of mining projects of 'brick earth' and 'ordinary earth' having lease area less than 5 ha as category 'B2' subject to certain stipulations. 'B2' Category projects do not require public hearing and preparation of EIA reports. An OM w.r.t. categorization of Category 'B' projects/activities into Category 'B1' & 'B2' listed in the Schedule of EIA Notification, 2006 and its amendments, was issued on dated 24.12.2013 wherein minor mineral mining projects including 'Brick earth' / 'Ordinary earth' mining projects with mining lease area < 25 ha have been categorized as Category 'B2' projects. These projects will be appraised based on Form-1, Pre-feasibility report and Mining plan approved by the authorized agency for environmental clearance without Environmental Impact Assessment report/Environmental Management Plan and without involving Public hearing.