

**പതിമൂന്നാം കേരള നിയമസഭ**

**പതിനൊന്നാം സമ്മേളനം**

നക്ഷത്ര ചിഹ്നമിടാത്ത ചോദ്യം നമ്പർ 3914

24.06.2014 ൽ മറുപടിയ്ക്ക്

**കടലാടിപ്പാറ ഖനനം**

ചോദ്യം		ഉത്തരം	
	<b>ശ്രീ. ഇ.ചന്ദ്രശേഖരൻ</b>		<b>ശ്രീ. പി.കെ. കുഞ്ഞാലിക്കുട്ടി</b> (വ്യവസായവും വിവരസാങ്കേതികവും വകുപ്പുമന്ത്രി)
(എ)	കടലാടിപ്പാറ ഖനനത്തിന് കേന്ദ്ര വനം പരിസ്ഥിതി മന്ത്രാലയം പരിസ്ഥിതി ആഘാത പഠനം നടത്തുന്നതിന് അനുവാദം നൽകിയത് ശ്രദ്ധയിൽപ്പെട്ടിട്ടുണ്ടോ;	(എ) & (ബി)	കാസർഗോഡ് ജില്ലയിലെ കിനാനൂർ വില്ലേജിൽപ്പെട്ട 80.937 ഹെക്ടർ സ്ഥലത്ത് ബോക്സൈറ്റ്, അലൂമിനസ് ലാറ്ററൈറ്റ് എന്നീ ധാതുക്കൾ ഖനനം ചെയ്യുന്നതിന് മൈനിങ് ലീസ് അനുവദിക്കുന്നതിനോടനുബന്ധിച്ച് വിശദമായ Environmental Impact Assessment നടത്തുന്നതിലേക്കായി ട്രോപ്പിക് റഫറൻസ് നിശ്ചയിച്ചുകൊണ്ട് കേന്ദ്ര വനം പരിസ്ഥിതി മന്ത്രാലയം 12/11/2013 - തീയതി J-11015/278/2013-IA.II(M) നമ്പരായി അനുമതി നൽകിയിട്ടുണ്ട്. പകർപ്പ് അനുബന്ധമായി ചേർത്തിരിക്കുന്നു.
(ബി)	എങ്കിൽ ബന്ധപ്പെട്ട ഉത്തരവിന്റെ പകർപ്പുകൾ ലഭ്യമാക്കാമോ;		
(സി)	പ്രസ്തുത ഉത്തരവിന്റെ അടിസ്ഥാനത്തിൽ സർക്കാർ തുടർ നടപടികൾ സ്വീകരിച്ചിട്ടുണ്ടോ; ഇല്ലെങ്കിൽ നടപടി സ്വീകരിക്കുമോ;	(സി) & (ഡി)	ഈ കാര്യത്തിൽ സർക്കാർ നടപടികൾ ഒന്നും തന്നെ സ്വീകരിച്ചിട്ടില്ല.
(ഡി)	ഉണ്ടെങ്കിൽ സ്വീകരിച്ച നടപടികൾ വ്യക്തമാക്കാമോ?		

  
**സെക്ഷൻ ഓഫീസർ**

By Speed Post

No. J-14015/278/2013-IA,II (M)  
Government of India  
Ministry of Environment and Forests  
IA Division

Paryavaran Bhavan,  
G.O. Complex, Lodi Road,  
New Delhi-110 003  
Telefax: 011-24364067

Dated: 12<sup>th</sup> November, 2013

To:  
M/s Ashapura Minechem Ltd.  
278, D.N. Road,  
Jeevan Udyog Building,  
3<sup>rd</sup> Floor, Fort,  
Mumbai-400 001

Ph: +91-22-86851700; Fax: +91-22-22079395/4452  
Email: [rbm@ashapura.com](mailto:rbm@ashapura.com)

Sub: Bauxite & Aluminous Laterite Mine of M/s Ashapura Minechem Ltd,  
located at Vill. Kinanur, Taluk Hosangur, Distt. Kasargod, Kerala  
(80.937 ha) - Prescribing TORs regarding.

This has reference to your letter no. Nil/dated 27/06/2013 regarding the proposal for determining the Terms of Reference (TORs) for undertaking detailed EIA study for the purpose of obtaining environmental clearance in accordance with the provisions of the EIA Notification, 2006. For this purpose, the Proponent had submitted information in the prescribed format (Form-1) along with a Pre-feasibility Report. The proposal was considered by the Reconstituted Expert Appraisal Committee in its 11<sup>th</sup> meeting held during 25<sup>th</sup> - 27<sup>th</sup> September, 2013.

2. The proposal is mining of Bauxite & Aluminous Laterite Ore with production capacity of 8.786 Lakh TPA. The Mine Lease area is located at village Kinanur, district Kasargod, Kerala and located at Latitudes and Longitudes are 12° 19' 03.11" to 12° 19' 41.28" N and 75° 14' 23.88" to 75° 15' 15.39" E. PP reported that no national park and wildlife sanctuary is located within a radius of 10 km. The mine lease area is 80.937 ha. Total water requirement will be 25 KLD. Total mineable reserves are 5.692 MT. The rate of production would be 8.786 lakh TPA and anticipated life of mine will be 25 years. It is reported by the project proponent that there is no court case/litigation is pending against the project.

3. Based on the information content in the documents submitted and the presentation made before the Committee for mining projects, the following TORs are prescribed for undertaking detailed EIA study:

- 1) Year-wise production details since 1994 should be given, clearly stating the highest production achieved in any one year prior to 1994. It may also be categorically informed whether there had been any increase in production after the EIA Notification, 1994 came into force with the highest production achieved prior to 1994.
- 2) A copy of the document in support of the fact that the proponent is the rightful lessee of the mine should be given.
- 3) All documents including approved mine plan, EIA and public hearing should be compatible with one another in terms of the mine lease area, production levels, waste generation and its management and mining technology and should be in the name of the lessee.
- 4) All corner coordinates of the mine lease area, superimposed on a High Resolution Imagery/toposheet should be provided. Such an imagery of the proposed area should clearly show the land use and other ecological features of the study area (core and buffer zone).
- 5) Does the company have a well laid down Environment Policy approved by its Board of Directors? If so, it may be spelt out in the EIA report with description of the prescribed operating process/procedures to bring into focus any infringement/deviation/violation of the environmental or forest norms/conditions? The hierarchical system of administrative order of the Company, to deal with the environmental issues and for ensuring compliance with the EC conditions may also be given. The system of reporting of non-compliance / violations of environmental norms to the Board of Directors of the Company and/or shareholders or stakeholders at large may also be detailed in the EIA report.
- 6) Issues relating to Mine Safety, including subsidence study in case of underground mining and slope study in case of open cast mining, blasting study etc. should be detailed. The proposed safeguard measures in each case should also be provided.
- 7) The study area will comprise of 10 km zone around the mine lease from least periphery and the data contained in the EIA such as waste generation etc should be for the life of the mine lease period.
- 8) Land use of the study area delineating forest area, agricultural land, grazing land, wildlife sanctuary, national park, migratory routes of fauna, water bodies, human settlements and other ecological features should be indicated. Land use plan of the mine lease area should be prepared to encompass preoperational, operational and post operational phases and submitted. Impact, if any, of change of land use should be given.
- 9) Details of the land for any Over Burden Dumps outside the mine lease, such as extent of land area, distance from mine lease, its land use, R&R issues, if any, should be given.
- 10) A Certificate from the Competent Authority in the State Forest Department

- should be provided, confirming the involvement of forest land if any, in the project area. In the event of any contrary claim by the Project Proponent regarding the status of forests, the site may be inspected by the State Forest Department along with the Regional Office of the Ministry to ascertain the status of forests, based on which the Certificate in this regard as mentioned above be issued. In all such cases, it would be desirable for representative of the State Forest Department to assist the Expert Appraisal Committees.
- 11) Status of forestry clearances for the broken up area and virgin forestland involved in the Project including deposition of net present value (NPV) and compensatory afforestation (CA) should be indicated. A copy of the forestry clearance should also be furnished.
  - 12) Implementation status of recognition of forest rights under the Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006 should be indicated.
  - 13) The vegetation in the RF / PF areas in the study area, with necessary details, should be given.
  - 14) A study shall be got done to ascertain the impact of the Mining Project on wildlife of the study area and details furnished. Impact of the project on the wildlife in the surrounding and any other protected areas and accordingly detailed mitigative measures required, should be worked out with cost implications and submitted.
  - 15) Location of National Parks, Sanctuaries, Biosphere Reserves, Wildlife Corridors, Tiger/elephant Reserves (existing as well as proposed), if any, within 10 Km of the mine lease should be clearly indicated, supported by a location map duly authenticated by Chief Wildlife Warden. Necessary clearance, as may be applicable to such projects, due to proximity of the ecologically sensitive areas as mentioned above, should be obtained from the State Wildlife Department/Chief Wildlife Warden under the Wildlife (Protection) Act, 1972 and copy furnished.
  - 16) A detailed biological study of the study area (core zone and buffer zone (10 km radius of the periphery of the mine lease)) shall be carried out. Details of flora and fauna, duly authenticated, separately for core and buffer zone should be furnished based on such primary field survey, clearly indicating the Schedule of the fauna present. In case of any scheduled fauna found in the study area, the necessary plan for their conservation should be prepared in consultation with State Forest and Wildlife Department and details furnished. Necessary allocation of funds for implementing the same should be made as part of the project cost.
  - 17) Proximity to Areas declared as 'Critically Polluted' or the Project areas likely to come under the 'Araval Range' (attracting court restrictions for mining operations), should also be indicated and where so required, clearance certifications from the prescribed Authorities, such as the SECCB or State Mining Dept. should be secured and furnished to the effect that the proposed mining activities could be considered.
  - 18) Similarly for coastal Projects, A CRZ map, duly authenticated by one of the authorized agencies demarcating LTL, HTL, CRZ area, location of the mine

lease w.r.t. CR2, coastal features such as mangroves, if any, should be furnished. (Note: The Mining Projects falling under CR2 would also need to obtain approval of the concerned Coastal Zone Management Authority).

- 19) G&R Plan/compensation details for the Project Affected People (PAP) should be furnished. While preparing the R&R Plan, the relevant State/National Rehabilitation & Resettlement Policy should be kept in view. In respect of SCs /STs and other weaker sections of the society in the study area, a need based sample survey, family wise, should be undertaken to assess their requirements, and action programmes prepared and submitted accordingly. Integrating the sectoral programmes of line departments of the State Government. It may be clearly brought out whether the village located in the mine lease area will be shifted or not. The issues relating to shifting of village including their R&R and socio-economic aspects should be discussed in the report.
- 20) One season (non monsoon) primary baseline data on ambient air quality (PM<sub>10</sub>, SO<sub>2</sub> and NO<sub>x</sub>), water quality, noise level, soil and flora and fauna shall be collected and the AQI and other data to be compiled presented date-wise in the EIA and EMP Report. Site specific meteorological data should also be collected. The location of the monitoring stations should be such as to represent whole of the study area and justified keeping in view the pre-dominant downwind direction and location of sensitive receptors. There should be at least one monitoring station within 500 m of the mine lease in the pre-dominant downwind direction. The mineralogical composition of PM<sub>10</sub>, particularly for free silica, should be given.
- 21) Air quality modelling should be carried out for prediction of impact of the project on the air quality of the area. It should also take into account the impact of movement of vehicles for transportation of mineral. The details of the model used and input parameters used for modelling should be provided. The air quality contours may be shown on a location map clearly indicating the location of the site, location of sensitive receptors, if any, and the habitation. The wind roses showing pre-dominant wind direction may also be indicated on the map.
- 22) The water requirement for the Project, its availability and source should be furnished. A detailed water balance should also be provided. Fresh water requirement for the Project should be indicated.
- 23) Necessary clearance from the Competent Authority for drawl of requisite quantity of water for the Project should be provided.
- 24) Description of water conservation measures proposed to be adopted in the Project should be given. Details of rainwater harvesting proposed in the Project, if any, should be provided.
- 25) Impact of the project on the water quality, both surface and groundwater should be assessed and necessary safeguard measures, if any required, should be provided.
- 26) Based on actual monitored data, it may clearly be shown whether working will intersect groundwater. Necessary data and documentation in this regard may be provided. In case the working will intersect groundwater

- table, a detailed Hydro Geological Study should be undertaken and Report furnished. Necessary permission from Central Ground Water Authority for working below ground water and for pumping of ground water should also be obtained and copy furnished.
- 27) Details of any stream, seasonal or otherwise, passing through the lease area and modification / diversion proposed, if any, and the impact of the same on the hydrology should be brought out.
  - 28) Information on site elevation, working depth, groundwater table etc. should be provided both in AMSL and bgl. A schematic diagram may also be provided for the same.
  - 29) A time bound Progressive Greenbelt Development Plan shall be prepared in a tabular form (indicating the linear and quantitative coverage, plant species and time frame) and submitted. Keeping in mind, the same will have to be executed up front on commencement of the project.
  - 30) Impact on local transport infrastructure due to the Project should be indicated. Projected increase in truck traffic as a result of the Project in the present road network (including those outside the Project area) should be worked out, indicating whether it is capable of handling the incremental load. Arrangement for improving the infrastructure, if contemplated (including action to be taken by other agencies such as State Government) should be covered.
  - 31) Details of the onsite shelter and facilities to be provided to the mine workers should be included in the EIA report.
  - 32) Conceptual post mining land use and Reclamation and Restoration of mined out areas (with plans and with adequate number of sections) should be given in the EIA report.
  - 33) A time bound Progressive Greenbelt Development Plan shall be prepared in a tabular form (indicating the linear and quantitative coverage, plant species and time frame) and submitted. Keeping in mind, the same will have to be executed up front on commencement of the project. Phase wise plan of plantation and compensatory afforestation should be started clearly indicating the area to be covered under plantation and the species to be planted. The details of plantation already done should be given.
  - 34) Occupational health impacts of the Project should be anticipated and the proposed preventive measures spelt out in detail. Details of pre-placement medical examination and periodical medical examination schedules should be incorporated in the EMP.
  - 35) Public health implications of the Project and related activities for the population in the impact zone should be systematically evaluated and the proposed remedial measures should be detailed along with budgetary allocations.
  - 36) Measures of socio economic significance and influence to the local community proposed to be provided by the Project Proponent should be indicated. As far as possible, quantitative dimensions may be given with time frames for implementation.
  - 37) Detailed environmental management plan to mitigate the environmental impacts which should inter alia include the impacts of change of land use,

- loss of agricultural and grazing land, if any, occupational health impacts besides other impacts specific to the proposed Project.
- 38) Public hearing points raised and commitment of the project proponent on the same along with time bound action plan to implement the same should be provided and also incorporated in the final EIA/EMP Report of the Project.
- 39) Details of litigation pending against the project, if any with direction/order passed by any Court of Law against the project should be given.
- 40) The cost of the project (capital cost and recurring cost) as well as the cost towards implementation of EMP should clearly be spelt out.

4. Besides the above, the below mentioned general points are also to be followed:

- a) All documents to be properly referenced with index and continuous page numbering.
- b) Where data are presented in the report especially in tables, the period in which the data were collected and the sources should be indicated.
- c) Where the documents provided are in a language other than English, an English translation should be provided.
- d) The questionnaire for environmental appraisal of industrial projects as devised earlier by the Ministry shall also be filled and submitted.
- e) While preparing the EIA report, the instructions for the proponents and instructions for the consultants issued by MoEF vide O.M. No. J-11013/41/2006-IA.II(I) dated 4<sup>th</sup> August, 2009, which are available on the website of this Ministry, should also be followed.
- f) Changes, if any made in the basic scope and project parameters (as submitted in Form-3 and the P.R. for securing the TOR) should be brought to the attention of MoEF with reasons for such changes and permission should be sought, as the TOR may also have to be altered. Post Public Hearing changes in structure and content of the draft EIA/EMP (other than modifications arising out of the P.H. process) will entail conducting the PH again with the revised documentation.
- g) As per the circular no. J-11011/619/2010-IA.II(I) dated 30.5.2012, you are requested to submit certified report of the status of compliance of the conditions stipulated in the environment clearance for the existing operations of the project by the Regional Office of Ministry of Environment & Forests, if applicable.

5. The EIA report should also include (i) surface plan of the area indicating contours of main topographic features, drainage and mining area, (ii) geological maps and sections and (iii) sections of the mine pit and external dumps, if any, clearly showing the land features of the adjoining area.

6. The prescribed TORs would be valid for a period of two years for submission of the EIA/EMP reports, as per the O.M. No. J-11013/41/2006-IA.II(I) dated 22.3.2010.

7. After preparing the draft EIA (as per the generic structure prescribed in Appendix III of the EIA Notification, 2006) covering the above mentioned issues, the proponent will get the public hearing conducted and take further necessary action for obtaining environmental clearance in accordance with the procedure prescribed under the EIA Notification, 2006.

  
(Dr. Sajid)  
Director

Copy to:

- 1). The Secretary, Ministry of Mines, Government of India, Shastri Bhawan, New Delhi.
- 2). The Secretary, Department of Mines & Geology, Government of Kerala, Secretariat, Thiruvananthapuram.
- 3). The Secretary, Department of Environment, Government of Kerala, Secretariat, Thiruvananthapuram.
- 4). The Chief Conservator of Forests (C), Ministry of Env. and Forests, Regional Office(SZ), Kendriya Sadan, IVth Floor, E&P Wings, 17th Main Road, Koramangala II Block, Bangalore-560034 (Karnataka)
- 5). The Member Secretary, Karnataka State Pollution Control Board, "Parisara Bhavan", #49, 4<sup>th</sup> & 5<sup>th</sup> Floor, Church Street, Bangalore-560001
- 6). The Controller General, Indian Bureau of Mines, Indira Bhavan, Civil Lines, Nagpur - 440 001
- 7). The District Collector, Kasargod District, State of Kerala.
- 8). Guard File
- 9). MoEF website.

  
(Dr. Sajid)  
Director

