

## People's Union for Civil Liberties-(PUCL) (Odisha)

To,  
The Member Secretary  
State Pollution Control Board, Odisha  
Parivesh Bhawan, Nilakantha Nagar, Unit-8, Bhubaneswar  
Email: [parivesh1@ospcboard.org](mailto:parivesh1@ospcboard.org)

dt.15.10.23

Ref- Notification No14408/IND-II-PH1182, dated.13.09.23

Sub: Concerns regarding holding of public hearing on Bauxite mining in Sijimali Hills amidst fear and intimidation by the police and company personnel and issues related to forest and environment

Sir,

With reference to the above notification we would like to draw your kind attention to the following.

1. We are deeply concerned that the notification for the public hearing has been issued at a time when people of the area have been terrorized by the local police and employees of a private agency, allegedly engaged by Vedant, the Project Proponent (PP). Since the beginning of August as many as 5 cases have been filed against the villagers of the affected villages (FIR no 0092 of 5.8.23, 0093 of 5.8.23, 0096 of 8.8.23, 0097 of 8.8.23, and 0101 of 12.8.23, all in Kashipur Police station) At the time of the issuing of the notification more than twenty people from the affected villages of the were already jailed. Prior to the arrests, the police carried out mid-night raids in a number of villages, picking up people indiscriminately and allegedly tortured many before producing them in the court. A large number of people are in hiding for fear of being arrested anytime. Raids and other forms of intimidation continue in the area even now. Can we expect that in such an atmosphere of fear and intimidation local people would be able to express their views freely?
2. It needs to be noted that even when the Terms of Reference (TOR) for the EIA study was issued by the Experts Appraisal Committee i.e. on 14.08.2023, the atmosphere in the area was already tense and arrests and police raids were happening in villages. While the project proponent was categorically instructed in the TOR vide (TOR No. 10) to undertake study "in respect of SCs/STs and other weaker sections of society in the study area, a need-based sample surveys, family wise to assess their requirements", the claims of the PP that it did conduct a study in the area to 'asses their requirements' seems questionable. It is obvious that when a large section of project affected people were hiding in the jungle for fear of arrest they did not have any scope to participate in the Focus Group Discussions or share their requirements with the PP. In fact, what the PP has presented in compliance of the TOR is only the Census-2011 data, and claimed that FGD were conducted to assess their requirements.
3. Similarly, the EIA Report does not provide any concrete R & R action plan though two villages with 100% ST population will be displaced. However, in compliance of the Specific TOR 4.1, the PP has casually said that it will follow the LARR, 2013 and Government Odisha Rules, 2016. Our concern here is, this lack of concrete information in the EIA on the vital aspect of life and livelihood of the people defeats the very purpose of public hearing.
4. The proposed project is to be established in a Scheduled Area and of the total area (1549.022 hector) leased 45.17% falls under forest land. Local communities depend on those forest lands for

their livelihood and other uses. In compliance of Standard TOR 2.3 regarding the implementation status of FRA, the PP simply says, it is under process.

5. The EAC in its meeting dated 30-31 May 2023 had specifically raised queries about Karlapat Sanctuary and its Eco-Sensitive Zone (ESZ). The PP in its compliance of TOR maintains that ESZ of Karlapat Sanctuary is not located within 10 km radius of the mine lease area. But the Office of the Divisional Forest Officer Kalahandi, South Division in its letter No. 3567/3F (Lease) dated 03-07-2023 clearly states that Karlapat Sanctuary's **"Eco-Sensitive Zone boundary as per notification No. 2634 dated 09.08.2019/SHRAVANA 18, is at a distance of 8.95 km towards North East direction"**. This is a deliberate concealment of fact by the PP.
6. In compliance of TOR (5.1. & 5.2), the PP states that there is no wild life corridor and protected forests within the 10 km radius of project area. However, Office of the Divisional Forest Officer, Raygada Division in its Memo No. 2550/4F(Misc)1912/2023 dated 01.07.2013 says, **"there is movement of elephants coming from Karlapat Wildlife Sanctuary area to K. Singpur, Kashipur and Tikri range which are adjoining to the above applied mining lease area"**. The PP's own Biological Study Report at Annexure VIII of EIA Report also clearly states, **"The study area is home to important wildlife habitats.....The proximity of reserved and protected forests within a 10 km. radius underscores the area's ecological richness..... Additional reserved forests like Ampadar RF, Kosparir RF and Bijepur RF serve as vital corridors for wildlife movement, enhancing genetic diversity and facilitating species migration. In conclusion, the study area in Kalahandi and Raygada districts boasts critical wildlife habitats, protected forests and valuable water bodies that collectively contribute to the preservation of rare, endangered and endemic species. The networks of corridor enhance their mobility, and the ecological significance of the area remains closely intertwined with the conservation of its unique biological environment"**. It is clear that the mining activity will greatly harm this unique biological environment.
7. Though some mitigation measures have been suggested by the PP, given its track record, it is doubtful that it will comply with the TOR. In this regard, we mention here just one observation, made by none other than the EAC itself, about Vedanta's sincerity in complying with the promised mitigation measures. In the context of Vedanta's proposal for the expansion of the capacity of its Aluminium Plant located at Bhurkamunda, in Jharsugada district, the EAC in its meeting held on 12-13 August, 2021 had observed, "No tangible effort has been taken by the proponent to comply with the EC order even after the lapse of 13 years"

In view of the above facts and concerns, we urge the State Pollution Control Board to cancel the proposed public hearing scheduled on October 16. We also urge the EAC to address the above concerns and reexamine the EIA report submitted by the project proponent before recommending environmental clearance for the project.

With regards,  
Pramodini Pradhan  
Convenor (PUCL-Odisha)

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