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Press Note: 13th September 2010

National Environment Appellate Authority Quashes environment clearance of Lafarge India's Himachal Project

Historical Victory for a local community led struggle in Himachal Pradesh

(For copy of order of NEAA see <http://www.ercindia.org/node/242>)

In a landmark move the National Environment Appellate Authority has issued a judgment (30th Aug 2010) revoking the environment clearance granted by the Union Ministry of Environment to the Lafarge India's Greenfield project proposed to come up in Alsindhi, Mandi, Himachal Pradesh. The judgment came after the Member of the National Environment Appellate Authority (NEAA) made a visit, on 23rd June 2010, to the Lafarge Cement and Limestone Mines' proposed project site in order to assess the feasibility of the Environment Clearance granted to the project last year on 8th June 2009. "The dispossession, impoverishment and trauma attached to displacement have neither been captured by the Environment Impact Assessment nor appreciated by the Expert Appraisal Committee (EAC) or the state government" states the judgment describing the local economy that stands to be destroyed by the project. The order further notes that the Majathal Wildlife Sanctuary is less than 5 kms from the project site and the possible impacts on wildlife. The judgment also notes that the Authority after viewing the CD of the Public Hearing observed that the concluding recommendations of the ADM in the minutes of the meeting were uncalled for. In the final word the order declares "the authority is convinced that the on environmental and social considerations it is neither desirable to mine the Telehan village nor put up cement plant at Ghanger. Both the EAC and the Ministry have not correctly assessed the impact of the project on land, water and air and failed to appreciate its effects on the livelihood of the people of the area."

This is the first time that environment clearance for a project from Himachal Pradesh has faced such a judgment. The Environment Clearance to the project was challenged by two separate petitioners, Pratapsingh Thakur and Ganga Singh Thakur belonging to the affected area on the grounds that the negative socio economic and environmental impacts of the project have been completely overlooked by the Environment Impact Assessment Report submitted by the company. While the Ministry of Environment and Forest's 'Expert Advisory Committee' before recommending clearance to Rs. 900 crore, 3 MTPA greenfield project did make a site visit in May 2009 after objections raised by us affected communities, the committee did not visit the actual mining site nor did it meet any of the affected persons and granted the Environment clearance in June 2009" said Shri Pratapsingh Thakur. The counsel for Pratapsingh Thakur, advocate Shri Ritwick Dutta has argued "the very purpose of the MoEF committee's site visit was defeated by such a superficial visit". Based on this, Appellate Authority member Shri J.C Kala on 13th May 2010 had ordered that he himself would undertake a visit to the project site in June and carry out a detailed assessment by interacting with the affected people. During the site visit the Authority member Shri Kala visited Shakrori, located opposite the proposed plant site, Thalli (adjacent to the plant site, Bagshyad and Kanda (at the mining site) and had discussions with the local people. More than 200 people had gathered at Thalli and another 400 odd at Bagshyad and strongly opposed the setting up of the project.

On 25th September 2006 the Cabinet of the Himachal Pradesh Government approved the proposal from Lafarge India for the setting up of an Rs.900 crore Greenfield project in Karsog Tehsil of Mandi District in Himachal Pradesh. The project to come up at Alsindi in Karsog involves construction of a 3.0 MTPA cement plant with captive limestone mines. A joint action committee of representatives of the affected Panchayats and 9 local community organisations (including youth groups) called Jai Shri Deo Badeyogi Sangharsh Evam Paryavaran Sanrakshan Samiti has been opposing the project tooth and nail since the last three years. However, despite this opposition the district administration has gone ahead with the Land Acquisition for the project. "The NEAA judgment is a victory of the local struggle because it has upheld and recognized the deep dependence of the local populations on the forest resources for their livelihoods" added K.G Thakur of the Samiti.

"The NEAA judgment spells out the adverse implications of the project and also points towards the faulty and inadequate EIA. Now we appeal that the State government and MoEF study the NEAA judgment thoroughly and not grant the Forest Clearance (which is pending) to the project" added Manshi Asher of the Environment

Research and Action Collective, which has carried out a detailed critique of the Environment Impact Assessment Report of the project based on a field study.

The state is already reeling under the impacts of the ACC and Jaypee Limestone mining and cement plant projects which have caused severe deforestation and pollution in areas like Bilaspur and Darlaghat. Yet another greenfield cement project will only spell disaster for this ecofragile Himalayan State and its people.

Issued by

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