Battle for survival

The tribal people of Niyamgiri hills in Orissa are determined to prevent Vedanta Aluminium Ltd from mining the area for bauxite. By Mahim Pratap Singh in Kalahandi

The CEC report says “M/s Vedanta has deliberately and consciously concealed the involvement of the forest land in the project... so that environmental clearance is not kept pending for want of the Forest Conservation Act clearance”.

NIYAMGIRI in Orissa is all set to become a scene of local community resistance to corporate interests. The hills of Niyamgiri, a Fifth Schedule area under the Constitution of India and home to Dongria Kondh Adivasis, are allegedly under threat from the proposed mining activities of the Mumbai-based Vedanta Aluminium Ltd (VAL), a subsidiary of the British mining giant Vedanta Resources Plc, which owns the majority stake in the now privatised BALCO. VAL is awaiting the second stage of clearance from the Ministry of Environment and Forests (MoEF) for its Niyamgiri project. It got the first-stage clearance from the MoEF in September 2004.

The company has already started operations at its refinery in Lanjigarh, a town downhill from the Niyamgiri forest. The bauxite for the refinery is brought chiefly from Vedanta’s mines at Bodai-Dalddali in Chhattisgarh. The refinery requires three million tonnes of bauxite a year. Naturally, Niyamgiri is extremely important for Vedanta because getting the required amount of bauxite transported from outside would not be viable for the company.

The clearance granted to the refinery is also fraught with controversy. The Central Empowered Committee (CEC) constituted by the Supreme Court following a complaint of environmental violations against Vedanta, in its report submitted to the court in September 2005, accused Vedanta of deliberate violations. The committee’s member secretary, M.K. Jiwrajka, belongs to the MoEF. The CEC observed that “out of the requirement of 723.343 hectares for the alumina refinery and 721.323 ha for the bauxite mining, 58.943 ha and 672.018 ha, respectively, are forest land” and “since the project involved the use of the forest land for the alumina refinery itself, the environmental clearance could have been granted by the MoEF only after the use of the forest land was permitted under the F.C. [Forest Conservation] Act”.

The CEC concluded that “M/s Vedanta has deliberately and consciously concealed the involvement of the forest land in the project... so that environmental clearance is not kept pending for want of the F.C. Act clearance”. It further stated that in violation of the Act the project was split into alumina refinery and bauxite mining although the latter is an integral part of the project and that although the MoEF was “fully aware that the use of the forest land for the mining at Niyamgiri hills is absolutely necessary if the alumina refinery is to be established at Lanjigarh, the environmental clearance to the alumina refinery has been accorded by the MoEF by overlooking these facts”.

According to information provided by VAL, the