

GOA POLLUTION CONTROL BOARD ISSUES SHOW CAUSE TO 45 MINES FOR SUSPENSION OF MINING OPERATIONS

Pursuant to a judgement of the Bombay High Court dated 12.8.2011 in Writ Petition No.6/2011, the Goa Pollution Control Board has now issued show cause notices to more than 40 mining leases, asking them why their consents to operate should not be withdrawn and mining operations on the leases suspended.

Copies of the show cause notices issued to 45 mining leases were received by the Goa Foundation after it send the Pollution Control Board a complaint, along with a list of mining leases approved under the 1994 notification with the relevant five year expiry date in each case. Complaints had also been filed by Ramesh Gauns and Khemlo Sawant on the same issue.

The Board's show cause notice which was issued on 3 November 2011 will expire on 18 November 2011. The environment clearances of all the affected mining leases will no longer be valid five years from the date on which the clearance was issued.

Most of the clearances were issued between the years 2005 and 2006. In September 2006, the 1994 EIA notification was replaced by a new notification which does not carry the five year stipulation.

M/s Talaulikar & Sons, the mining company involved in the writ petition in which the judgement was passed, did not prefer an appeal against the Bombay High Court judgement in the Supreme Court of India. (The period for filing an appeal is now over.)

Instead, the company filed an application in the Bombay High Court seeking extension of time for procuring an environment clearance under the 2006 Notification. That application was dismissed by the High Court last week.

It is doubtful if fresh environment clearances can be issued to all 45 mining leases, since there is an existing moratorium on consideration of environment clearances for mining activities in Goa. The moratorium was imposed in February 2010.