



Shrinking topography of “inviolate forests”

Paradigm shift of No-go to Go-Go areas

The idea of ‘inviolate forests’ originally known as ‘no-go’ policy came into place based on the request by Coal India and Ministry of Coal way back in 2009. The objective was to have certainty on which forests area will be permitted for mining and which will be not allowed for mining coal.

The classification was based on two criteria - Gross Forest Cover (GFC) and Weighted Forest Cover (WFC). If a coal block has GFC more than 25% and WFC more than 10% it was classified as ‘No-Go’ and anything less than that was ‘Go’ block.

The initial exercise assessed 605 coal blocks falling within nine coal fields, demarked 222 (37%) blocks as No-Go and 383 as Go. This did not go well with the Ministry of Coal which actually proposed the exercise in the first place. Here came, the intervention by both the PMO and the Planning Commission that asked the then Environment Minister Jairam to scale it down, which resulted in MoEF cutting down the number of coal block under “No-Go” area to mere 25%.

It was evident from day one, that the Go/ No-Go classification was under the wrath of coal ministry, PMO and the Planning Commission. In an interview, Mr Jairam has confirmed the same by reviling the following statement - “the then Planning Commission deputy chairman Mr Ahluwalia was on record said that he would prefer No-Go blocks to be between just 15-20%”.

On Feb 3, 2011, under the Chairmanship of Shri Pranab Mukherjee the Cabinet Secretariat constituted a Group of Ministers (GoM) which dealt with the Go/ No-Go classification whilst simultaneously ensured more coal bearing areas were made available for coal production. In its 5th meeting held on 20th September 2011 the GoM scrapped the No-Go classification questioning its legal as well scientific sanctity, subsequently proposed that a committee comprising experts in the field can be constituted to identify such (inviolate) forests.

At this juncture, MoEF has recommended that two committees to be set up: the first one “to formulate objective parameters for identification of such inviolate area for mining and other related activities” and after approval, the second one to prepare the geo-referenced maps of areas based on the parameters.

On March 30, 2012 the 1st committee which was to fix the parameters was constituted under the Chairmanship of Secretary MoEF - members of MoEF, Wildlife Institute of India (WII), National Tiger Conservation Authority (NTCA), National Biodiversity Authority (NBA), Forest Survey of India (FSI) and Principal Chief Conservators of Forests (PCCF’s) of various state governments were part of the committee, notably, with no independent experts or scientist were part of the committee - which made the exercise an entirety in-house one.

This committee recommended that the inviolate forests will be identified based on six parameters namely, forest cover, forest type, biological richness, landscape integrity, wildlife value &

hydrological value. The report was submitted in July 2012, and the same was opened up for public comments in January 2013. MoEF received comments from Ministry of Coal, Power, Department of Industrial Policy & Promotion and the Planning Commission, apart from this there was a number¹ of independent experts, scientist CSOs submitted their inputs/ critiques/ suggestions etc to the committee.

The report along with comments referred back to the GoM - in a meeting held on 18 February 2013 MoEF agreed to undertake wider consultation with all the stakeholders, on the proposed six parameters. It was proposed that a meeting of the 1st Committee may be convened to consider the comments received from various stakeholders to suggest appropriate amendments to the said report – also it may invite representative of the Ministries of Coal, Mines, Power and Planning Commission which had expressed serious concerns on the parameters. Similarly, the committee in its other meeting may invite representatives of the Civil Society Organisations and individual experts who had submitted their comments on report of the Committee.

In March 2014, a new committee was set up by MoEF to examine the parameters ignoring the previous commitment to do wider consultation with all stakeholders. The new committee also included Ministry of Coal and Ministry of Mines as special invitees but neither any consultation nor review of comments received by civil society and scientists was done by the new committee.

Meetings of the re-constituted committee were held on 6th May, 22nd May, 3rd July and 28th August 2014. During these meeting held on 22nd May, MoEF reduced the objective parameters from six to four by removing wildlife value and hydrological value without providing any scientific basis on how removing two parameters will impact the objectivity of the parameters.

The committee finalised the parameters in August 2014 and submitted its final report. In a communication between Forest Survey of India (FSI) and MoEFCC in June 2014, FSI classified 55 coal blocks as inviolate covering an area of 1500 sq km but subsequently reduced the number of inviolate blocks to just 35 October 2014 by diluting the criteria further.

Currently the coal blocks that will remain off-limits to miners have been brought down to a mere 944 sq km, which is 7.86 per cent of the total area of 12,006 sq km encompassing the 793 coal blocks. It's not clear whether these weaker inviolate forest areas will get legal backing or it will hang in limbo and let all the forest be destroyed for mining.

Conclusions:

This catastrophic exercise has reduced the number of No-Go coal blocks and the area within the nine coalfields as assessed in the first No-Go exercise to just 4% and 20% from what it was in 2009 (No-Go blocks reduced from 222 to 24 and area reduced from 35% To 8%) making it insignificant to ensure any kind of forest protection (See Annexure I)

The honourable supreme court of India cancelled the license of 204 coal blocks in September 2014. This gave a good opportunity to the NDA government to ensure the protection of our last remaining pristine forests while allowing coal to be mined for much needed developmental

¹ Greenpeace India, Satpuda Foundation, Wildlife Society of Odhisha, TERI, Eco-Pro (Ecological Protection Organisation). Some of the individual experts such as Shri Ajay A Desai, Ms. Prerna Singh Bindra and Ms. Kanchi Kohli, Dr. Claude Alvares, Mr. Debi Goenka, Mr. Madhuresh Kumar, Mr. Nitin Rai, Dr. Sachin Wazalwar, Mr. Shankar Sharma, Mr. Sharachandra Lele, Mr. Soumya Dutta, Ms. Vinuta Gopal Mr. Nandikesh Sivalingam, Mr. M. Shankar Gopalakrishnan, Ms. Manju Menon, Ms. Neema Pathak Broome and Mr. Ashish Kothari

purposes. The opportunity was to finalise and legalise a free and fair inviolate forests and rearranging coal mining in such a way that it has less forest destruction and impact on communities and wildlife. Unfortunately the reality is that the government took the route of ordinance in the name of efficiency not only conducted a non transparent process but also allowed stakeholders with varied interest like coal ministry and ministry of mines into decision making on matters that are not related their expertise, ignored voices of communities, civil society and scientists and now is totally silent on when the inviolate policy would see the light of day.

Recommendations:

1. Government should conduct a free and fair process to arrive at inviolate forests criteria which includes wider stakeholder consultations with civil society, independent scientists and communities as agreed earlier.
2. Till such a process is complete and inviolate forests get legal basis, No-Go areas identified in 2009 should kept away from mining and the lists of the same is put out in the public domain as matter of transparency and accountability.
3. Ensure coal block auctions are done once the inviolate forests are secured and not the other way round

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Publication Date: June 2015

Annexure I

S No	Coalfield	State	2010						2011						Jul-14				Oct-14				
			Total Blocks		Blocks classified as No Go		Blocks classified as Go		Total Blocks		Blocks classified as No Go		Blocks classified as Go		Total Blocks		Blocks classified as No Go		Total blocks		Blocks classified as No Go		
			No of Blocks	Area Sq Km	No of Blocks	Area Sq Km	No of Blocks	Area Sq Km	No. of Blocks	Area (ha.)	No. of Blocks	Area (ha.)	No. of Blocks	Area (ha.)	No of Blocks	Area Sq Km	No of Bloc ks	Area Sq Km	No of Blocks	Area Sq Km	No of Blocks	Area Sq Km	
1	Talcher	Orissa	83	810.4	19	222.96	64	587.44	82	804	7	102	75	702	80	786.32		41.79	80	786.32	1	8.15	
2	IB Valley	Orissa, Chhattisgarh	49	516.41	24	286.86	25	229.55	49	516	16	213	33	303	49	512.96		90.56	49	512.96	1	31.24	
3	Mandiraigarh	Chhattisgarh	80	1182.2	51	807.82	29	374.33	80	1,182	48	779	32	403	80	1182.35		280.65	80	1182.4	2	32.37	
4	Sohagpur	Chhattisgarh/ Madhya Pradesh	110	1275.5	22	287.34	88	988.19	110	1,276	12	226	98	1,050	110	1267.92		75.88	110	1267.9	1	14.61	
5	Wardha	Maharashtra	113	829.32	16	444.55	97	384.77	113	829	9	349	104	480	113	823.78		86.95	113	823.78	7	107.44	
6	Singrauli	Madhya Pradesh/ Uttar Pradesh	48	699.71	29	411.06	19	288.71	46	668	20	310	26	358	46	665.89		281.88	46	665.89	3	83.63	
7	North Karanpura	Jharkhand	63	605.61	30	308.15	33	297.46	63	606	12	213	51	393	63	605.65		103.27	63	605.65	1	32.9	
8	West Bokaro	Jharkhand	39	147.7	11	39.05	28	108.65	39	148	9	33	30	115	39	146		17	39	146	0	0	
9	Hasdeo	Chhattisgarh	20	458.83	20	458.83	0	0	20	459	20	459	0	0	20	458		278	20	458	8	191	
Total			605	6525.7	222	3266.6	383	3259.1	602	6,487	153	2,683	449	3,804	725	8,268		1256	600	6449	24	501	
	Coalfields added in 2014																						
10	Lakhanpur	Chhattisgarh													8	139		0	8	139	0	0	
11	Sonhat	Chhattisgarh													13	322		254	13	322	3	72.54	
12	Tatapani	Chhattisgarh													9	118		30	9	118	0	0	
13	Bishrampur	Jharkhand													36	580.5		4	36	580.5	0	0	
14	Kamptee	Mahrashtra													49	571.37		1	49	571.37	0	0	
15	Auranga	Jharkhand													10	88.07		0	10	88.07	0	0	
16	Others																		68	3737	8	371	
																		1,545	793	12,004	35	944	
					No Go 1st List						No Go 2nd List							No Go 3rd List				No Go 4th List	