

## 2. Exemptions for Mineral Exploration – Environment

More exemptions for mineral exploration drilling on forest land. The Environment Ministry has expanded exemptions under the Forest Conservation Act, allowing for a significantly higher number of boreholes for mineral exploration in forest lands without prior clearance. While aimed at boosting resource security, this policy raises serious concerns over ecological damage and the potential undermining of the Forest Rights Act.

### Introduction – Enhanced Exemptions for Mineral Exploration

The Union Environment Ministry's Forest Advisory Committee (FAC) has officially approved enhanced exemptions for carrying out mineral exploration drilling within forest areas. This decision was prompted by requests from the Ministry of Coal and the Ministry of Mines, recognizing that a significant portion of India's mineral-rich zones is located under forest cover.

### Background of the Policy

The foundation for this move was laid in 2023 with an amendment to the Forest Conservation Act, 1980, which first introduced provisions for exempting exploratory drilling on forest land from requiring prior forest clearance. The latest decision significantly expands these exemptions, aiming to accelerate mineral and coal exploration, which is considered critical for securing India's long-term energy and resource needs.

### Key Details of the New Policy Decision

**Increased Borehole Limit** – The ministry will now permit a substantially higher number of boreholes for survey and exploration activities under the exemption category. The new limit allows for 62 to 80 boreholes, each up to 6 inches in diameter, per 10 square kilometers. The exact number of boreholes permitted will depend on the specific type of mineral deposits or ore being explored. For context, boreholes are narrow, deep holes drilled into the earth to extract core samples and assess the presence of minerals, ores, oil, or gas.

**Comparison with Previous Guidelines** – This marks a significant increase from the existing guidelines. Previously, the exemption under the forest conservation law was capped at 25 boreholes per 10 sq km and 80 shot holes per sq km, along with the felling of up to 100 trees in that area. Activities beyond this limit required formal forest clearance.

### Environmental Safeguards in the New Policy

To mitigate the potential environmental impact, the policy includes several important safeguards – **Limited Working Hours** – Drilling operations are strictly restricted to the time between 9 a.m. and 5 – 30 p.m. This is intended to align with wildlife activity cycles, minimizing disturbance during early morning, evening, and night when many animals are most active.

**Mandatory Site Restoration** – It is compulsory for the exploring agency to plug all boreholes with cement after the survey is completed. This is crucial for preventing groundwater contamination and land subsidence.

**Designated Restriction Zones** – No drilling is permitted in ecologically sensitive and culturally significant areas. These "no-go" zones include –

1. Critical wildlife breeding and nesting habitats.
2. Water sources, rivers, streams, and their surrounding riparian ecosystems.
3. Patches of forest with high biodiversity.
4. Areas known to be habitats for endangered or endemic species.
5. Forest sites that hold cultural or religious significance for local communities.

### Objectives and Rationale Behind the Policy

The government has justified this policy change based on the following needs –

**Push for Critical Minerals** – Many critical minerals—such as rare earth elements, lithium, cobalt, and nickel—are essential for clean energy technologies (batteries, solar panels) and modern defence

systems. A large number of these deposits are located in forested regions.

**Improving Ease of Doing Business** – The new rules aim to eliminate the procedural delays caused by needing repeated central clearances for temporary survey work. This is expected to encourage private sector participation and investment in the high-risk, capital-intensive field of mineral exploration.

**Supporting Economic Growth** – Minerals are a fundamental raw material for key sectors like infrastructure, manufacturing, and green technology. Accelerating the exploration process leads to quicker project development, enhances cost efficiency, and makes the Indian mining sector more attractive to investors.

### Major Concerns Raised by Environmentalists and Experts

Despite the stated objectives, the policy has raised several significant concerns –

**Ecological Impacts** – The noise and vibrations from drilling machinery can severely disturb wildlife, disrupting their movement patterns, foraging habits, and breeding cycles. There is a tangible risk of contaminating pristine forest streams and groundwater through the accidental spillage of oil, grease, drilling fluids, or other debris.

**Insufficiency of Compensatory Measures** – Current regulations require compensatory afforestation for any trees that are felled. However, critics argue that planting new saplings cannot truly compensate for the loss of a mature, old-growth forest canopy, the destruction of complex biodiversity, and the erosion of the forest's cultural value.

**Potential Dilution of the Forest Rights Act (FRA), 2006** – The FRA legally recognizes the rights of forest-dwelling Scheduled Tribes and other traditional communities over their ancestral lands. A key concern is that if exploration is treated merely as a "forest activity" and not a "diversion of forest land," it may be used to bypass the legal requirement for obtaining consent from the Gram Sabha (village council), thereby undermining community rights.

**Bypassing Scrutiny under the Forest (Conservation) Act, 1980** – Historically, any activity on forest land not directly related to conservation required a rigorous clearance process from the central government under the FCA. The reclassification of mineral exploration as a "forest activity" raises fears that it will escape the detailed scrutiny and environmental impact assessment that this Act mandates.

### The Way Ahead – Recommendations for Sustainable Exploration

To balance the need for minerals with environmental protection, the following measures are suggested –

**Strict Enforcement of Conditions** – Ensure that all operational conditions are strictly followed. This includes verifying that boreholes are temporary, are properly plugged with cement, and that sites are fully restored to their original condition. Independent monitoring using satellite imagery and third-party audits should be implemented.

**Adoption of Advanced Technology** – Promote and incentivize the use of modern, less invasive exploration technologies. This includes remote sensing, ground-penetrating radar, drones, and advanced geophysical imaging, which can help narrow down target zones and reduce the need for extensive physical drilling.

**Strengthening Ecological Safeguards** – Develop and enforce a system of nationwide maps to clearly identify "no-go" zones. These should include biodiversity hotspots, critical wildlife corridors, breeding areas, and sacred groves, which should be off-limits for any exploration.

**Improving Compensatory Mechanisms** – Ensure that compensatory afforestation programs use native and local species and include provisions for long-term monitoring to ensure high survival rates. Move beyond a simple tree-count compensation model. A new framework is needed that values the loss of overall biodiversity and ecosystem services (like water purification and carbon sequestration) to ensure a more holistic and meaningful form of compensation.

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