

During 1993-94, 37 mining projects were sent to MOEF for environmental clearance, in addition to the 33 projects in the pipeline at the beginning of the fiscal year. During the year, 41 of the 70 projects were approved, while additional information was requested on the other 29. Notably, more mining projects were considered for approval than from any other industrial sector.

In practice, if the original application is complete, the timeline for approvals is normally about six months. The MOEF has extensive information requirements - perhaps onerous for some operators - but the nature of the information requested is quite predictable. The important exception to this timeframe is where the project is proposed on forest land. In this case, separate procedures are in place, and the process can take 'years'. According to a Ministry of Mines official, forested lands are probably best avoided.

**Water (Prevention and Control of Pollution) Act
Air (Pollution and Control of Pollution) Act**

These two pieces of legislation describe the powers of the State Pollution Control Boards to manage compliance with prescribed air and water effluent standards.

Pursuant to these Acts, the PCBs issue "Consent to Establish" and "Consent to Operate" for new mining and other projects. As noted above, "Consent to Establish" is a prerequisite for the environmental assessment process. "Consent to Operate" is issued once environmental clearance is given. By law, the PCBs must take a decision on a project within four months of receiving a completed application, or else the application is automatically considered approved.

PCBs, in their capacity as regulators, are authorized to sample effluent, and otherwise to request information on effluent treatment or control systems being employed. The annual 'environmental statements' (see Environmental Protection Act) are submitted to the PCBs.

Forest (Conservation) Act, 1980

The Forest (Conservation) Act provides for a different, and more rigorous, environmental protection process in the case of projects that would divert forested land for non-forest purposes. In fact, the strongly worded Act states, inter alia, that "no forest land shall be converted into non-forest activity for the sustenance of an industry". Development is also discouraged in a number of specified "ecologically sensitive" areas. Administered by MOEF (not the PCBs), applicants must justify use of forest land, and provide a cost-benefit analysis, impact statements, and a detailed reforestation scheme.