

GOVERNMENT OF INDIA
MINISTRY OF ENVIRONMENT, FOREST AND CLIMATE CHANGE

LOK SABHA
UNSTARRED QUESTION NO. 29
TO BE ANSWERED ON 01.12.2025

Exemption of Atomic Mineral Mining

29. DR. GANAPATHY RAJKUMAR P:
SHRI. BAPI HALDAR:
THIRU THANGA TAMILSELVAN:

Will the Minister of Environment, Forest and Climate Change be pleased to state:

- (a) whether it is true that Central Government has recently issued a notification for exemption of atomic mineral mining without due consultation with the States and members of the public as a result, it would run counter to the spirit of cooperative federalism and the democratic ethos of our country;
- (b) if so, the details thereof;
- (c) whether the Central Government has received a letter dated September 12, 2025, from the State Government of Tamil Nadu opposing the exemption of atomic mineral mining from public consultation and urged Prime Minister to withdraw the office memorandum issued by the Central Government, as such significant policy changes must be deliberated transparently in Parliament and State Legislatures, with due consultation of the States and members of the public;
- (d) if so, the details thereof;
- (e) the action taken by the Central Government on the letter received from State Government of Tamil Nadu; and
- (f) whether the Government is aware that the public consultation exemption through an office memorandum violates the Supreme Court's ruling in Vanashakti V. Union of India (2025) that substantive amendments to the Environment Impact Assessment (EIA) process cannot be brought about through subordinate legislation like office memorandum?

ANSWER

MINISTER OF STATE IN THE MINISTRY OF ENVIRONMENT, FOREST AND CLIMATE CHANGE
(SHRI KIRTI VARDHAN SINGH)

(a) & (b) The Ministry of Environment, Forest and Climate Change (MoEFCC) has issued an Office Memorandum (OM) dated 08.09.2025 on "Fast tracking of projects involving Mining of Critical/Strategic and Atomic Minerals," exempting the related projects from public consultation requirement under Environment Impact Assessment (EIA) Notification, 2006.

The OM was issued in terms of the existing provision at clause 7(III)(i)(f) of the EIA Notification, which exempts projects relating to national defence, security or other strategic considerations from public consultation keeping in view the importance of critical/strategic and atomic minerals for meeting India's energy transition, defence preparedness, space research, and nuclear power programme.

(c) to (e) Ministry had received a letter dated September 12, 2025, wherein the State Government of Tamil Nadu, has requested for withdrawal of the Ministry's OM dated 08.09.2025. The communication was examined in detail in the Ministry and accordingly, Ministry clarified in detail the background of the matter related to national defence, security and strategic aspects of the issue and the already existing provision in EIA Notification for exemption of public consultation for such projects. It was further clarified that this exemption due to strategic and security implication, will not compromise on environmental, social, health and livelihood concerns, which will continue to be addressed through the existing EIA mechanism comprising of EIA, Environment Management Plan(EMP), appraisal by the expert committee, and post environmental clearance monitoring.

(f) No amendment of EIA notification was required in this process since the EIA Notification, 2006 already has an existing provision at clause 7(III) (i) (f) of the EIA Notification which exempts projects relating to national defence and security or involving other strategic considerations from public consultation. Accordingly, the OM dated 08.09.2025 has been issued in terms of the afore-mentioned provisions of the EIA Notification, 2006, as amended.
