



# drishti

## Aravallis: A Mountain Lost

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This editorial is based on the article 'Aravallis broken beyond repair', which appeared in Down to Earth on April 3rd, 2019. It talks about the environmental disaster that has been in making due to rampant illegal mining of Aravallis across the States.

### Why in News?

In February 2019, the Haryana legislative assembly amended the Punjab Land Preservation Act (PLPA) which was effectuated in 1900 for "conservation of sub-soil water" and "prevention of erosion," by giving the state the power to "regulate, restrict or prohibit" certain activities, including "clearing or breaking up" of land.

This amendment also removed several hills of the Aravalli range from the category of "restricted area," making around 63,000 acres of the Aravalli range available for construction and mining activities. By the same amendment, the Haryana government also attempted to legitimise several illegal constructions in the range. However, the Supreme Court, through an order, promptly nullified the amendment.

### About Aravalli

- The Aravallis of Northwestern India, one of the oldest fold mountains of the world, now form residual mountains with an elevation of 300m. to 900m. They stretch for a distance of 800 km. from **Himmatnagar in Gujarat to Delhi, spanning Haryana, Rajasthan, Gujarat, and Delhi, the 692 kilometre (km).**
- The mountains are divided into two, main ranges – the **Sambhar Sirohi Range** and the **Sambhar Khetri Range** in Rajasthan, where their extension is about 560 km.
- The hidden limb of the Aravallis that extends from Delhi to Haridwar creates a divide between the drainage of rivers of the Ganga and the Indus
- These are fold mountains of which rocks are formed primarily of folded crust, when two convergent plates move towards each other by the process called orogenic movement.

- The Aravallis date back to millions of years when a pre-Indian sub-continent collided with the mainland Eurasian Plate. Carbon dating has shown that copper and other metals mined in the ranges date back to at least 5<sup>th</sup> century BC.

## Significance of Aravalli

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- The Aravallis act as a barrier between the fertile plains in the east and the sandy desert in the west. Historically, it is said that the Aravalli range checked the spread of the Thar desert towards the Indo-Gangetic plains, serving as a catchment of rivers and plains.
- The Aravalli is rich in biodiversity and provides habitat to 300 native plant species, 120 bird species and many exclusive animals like the jackal and mongoose.
- Aravallis have an impact upon the climate of northwest India and beyond. During monsoons, it provides barrier and monsoon clouds move eastwards towards Shimla and Nainital, thus helping nurture the sub-Himalayan rivers and feeding the north Indian plains. In the winter months, it protects the fertile alluvial river valleys from the cold westerly winds from Central Asia.
- For Haryana, having the lowest forest cover at around 3.59% of the total forest cover in India, the Aravalli range is the only saving grace, providing the major portion of its forest cover.
- Aravallis also function as a groundwater recharge zone for the regions around that absorb rainwater and revive the groundwater level.
- This range is considered the “lungs” for the world’s most polluted air of Delhi–National Capital Region (NCR)

## The Hazards of Mining

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- More than 25% and 31 hill ranges of the Aravallis in Rajasthan had vanished due to illegal quarrying.
- Loss of a great number of flora and fauna like leopards, striped hyenas, golden jackals, nilgais, palm civets, wild boar,
- Many rivers originating in the Aravalli like Banas, Luni, Sahibi and Sakhi, are now dead.
- A serious ecological impact of digging or mining to a great depth is puncturing of aquifers, which disturbs the water flow, results in drying of lakes and popping up of new ones. Many water bodies such as famous Badkhal lake has been dried up and new water bodies due to depression left by illegal miners are popping up thus creating an environmental imbalance.
- The major reason for air pollution in the NCR region is particulate matter, especially Respirable Particulate Matter (RPM), a direct contribution of mining, and crushing.
- Man-wild animal conflict as natural forests along aravallis are being lost.
- The hydrological system and consequent water table in the whole NCR region is under threat, with altered natural drainage patterns.

- The price of the exploitation of such natural resources will also be paid by future generations. Therefore, it is necessary to track down the transfer of the Aravalli range-related equity from one generation to the next in the legal context. The concept of "**intergenerational equity**" was introduced in the **Stockholm Declaration**.  
*The natural resources of the earth, including the air, water, lands, flora and fauna and especially representative samples of natural ecosystems, must be safeguarded for the benefit of the present and future generations through careful planning or management, as appropriate.*
- Further, the concept was elucidated in the Rio Declaration that states: *The right to development must be fulfilled to equitably meet developmental and environmental needs of present and future generations.*

## The Prevalence of Mining

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- In the absence of proper industrialization, and **lack of sustained livelihood** source people are depending upon mining and ancillary industry for income.
- There is phenomenal demand for **construction material** in NCR and adjacent reason, mining in Aravalli meets those needs.
- **Implementational lacuna:** even with the Supreme Court ban in place, illegal mining only proliferated, thus showing lack of political will.

## The Supreme Court's Ruling and Legal Notifications

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- Like mining in Rajasthan, the illegal construction activities in Haryana shocked the Supreme Court in 2018. Although the Supreme Court categorically banned real estate activities in the Aravalli range falling under Haryana, the Haryana government not only gave a nod to the construction projects, but also actively aided in the running of these projects.
- The **Supreme Court has laid down the "precautionary principle,"** stating that the central and/or the state governments, while considering a project, must foresee environmental degradation and shall prevent such degradation without waiting for scientific evidence to show that there will be irreparable damage to the environment (Vellore Citizens Welfare Forum v Union of India and Others 1996).
- **In 2010, the term "precautionary principle" was adopted by the National Green Tribunal (NGT).** Section 20 of the NGT Act, 2010 specifically states that the tribunal can apply the precautionary principle while passing any order, decision, or award.
- **MoEFCC** issued an unprecedented notification on May 7, 1992, known as "**The Aravalli Notification**". This notification clearly prohibits the setting up of new industries, mining, deforestation as well as construction activities, including roads and laying of transmission cables, without the prior permission from MoEFCC.

## Supreme Court Orders

- **1992:** Approval from the Central government would be needed for all mining and industrial activity in the Aravalli region.
- **1996:** Mining leases could not be renewed within 2Km to 5Km radius of Badkhal lake without permission from the central and state pollution control boards.
- **2002:** Banned mining activities in Haryana following large scale degradation in Faridabad and neighbouring areas
- **2009:** Banned mining throughout the Aravallis again.
- **2018:** ordered for complete demolition of the Kant enclave, residential complex of about 424.84 acres in the forest range of Aravalli, and directs the company to fully reimburse those who invested in the property.

## Way Forward

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Around 2009, the Municipal Corporation of Gurgaon declared it a biodiversity park and partnered with civil society, corporates and residents to plant trees and restore the forest. Today, it has nearly 200 species of plants, 183 species of birds, numerous species of reptiles and insects. Residents along with volunteers from **iamgurgaon, a citizen action group involved in the conservation of the Aravallis were assisted by ecologists to create a self-sustaining Aravalli. This model should be followed and implemented to save aravallis and brewing concurrent environmental disaster.**

### ***Drishti Input:***

Rather than legal intervention, a more collaborative approach is needed to solve the problem of environmental degradation. Discuss.