

# AnRak Aluminium Another Vedanta in the Making?

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A bauxite/aluminium project very similar to the Vedanta project in Odisha is coming up in Visakhapatnam district of Andhra Pradesh. AnRak Aluminium, a company of the government of Ras al-Khaimah of the United Arab Emirates and Penna Cement of AP has secured approval for both an aluminium complex and the bauxite mines, but the final forest clearance for the mines is awaited. The AnRak project has replicated the Vedanta model of first building the refinery and then setting up the mine. The mine is to be operated by the state government to circumvent the ban on non-tribal landownership. In fact, the state government has disregarded the huge environmental and social impact and popular protests against mining bauxite in the Jerrela Hills, inhabited almost exclusively by adivasi tribes who will be displaced, to safeguard private gain.

**B**auxite mining in the tribal areas of central India has become one of the most controversial issues in the country and has faced significant opposition locally as well as nationally, the most notorious in recent years being the Vedanta Aluminium Limited (VAL) project at Lanjigarh in Odisha. A number of similar struggles have been witnessed in other areas as well including Kashipur in south Odisha and the agency areas of Visakhapatnam in Andhra Pradesh (AP). Though the Fifth Schedule of the Indian Constitution provides protection to the adivasi (tribal) people living in scheduled areas, also known as agency areas, across nine states from alienation of their lands and natural resources to non-tribals, one sees that rather than upholding the adivasi people's rights to land and resources, government is colluding with private investors to usurp these rights.

At present, the National Aluminium Company (NALCO), a public sector undertaking (PSU), is the only company permitted to mine bauxite in southern Odisha, which it has been doing since the early 1980s. However, VAL has not given up hope of mining bauxite in the Narayangiri Hills near Lanjigarh, and further south in AP, AnRak Aluminium Ltd (AAL) has made significant efforts to gain access to bauxite deposits in the state.

This article questions why AAL is being allowed to become another Vedanta by following the controversial approach of splitting bauxite mining and alumina refining in two parts. Like the experience of the Dongria Kondh adivasis in the Niyamgiri Hills in Odisha where VAL had made exaggerated claims, AAL too is silent about the fate of the Kondh and other adivasi communities living in the proposed mining area of Jerrela

Hills in the north-east corner of AP bordering Odisha.

## The AnRak Project

A number of memoranda of understanding (MOUs) to set up alumina plants were signed by the erstwhile Y S Rajasekhara Reddy (YSR) government between 2005 and 2009. Under these MOUs, the AP government would, together with private companies, extract and refine bauxite ore. However, while the proposed Jindal South West (JSW) and NALCO projects have hit roadblocks, AAL has secured all clearances for its refinery and smelter complex. Construction is now in progress at the site in Makavarapalem in Visakhapatnam district though the construction of roads and other infrastructure for the mines remains incomplete due to significant local opposition.

In February 2007, a MOU was signed between the AP government and the government of Ras al-Khaimah (RAK), a member of the United Arab Emirates, for mining and refining bauxite under which the AP government promised to supply bauxite via the AP Mineral Development Corporation (APMDC), a public sector entity owned by the AP government, to the alumina refinery to be established by AAL. APMDC would mine the bauxite in the Jerrela Hills of Visakhapatnam district, a scheduled area, and supply it to AAL's refinery, which would be built outside the reserved tribal area. This peculiar set-up was apparently employed to circumvent the tribal land transfer legislation that bans private ownership of land in the scheduled areas in AP.<sup>1</sup>

The AP government did not make any announcement about the signing of this MOU. It was only a month later that an Andhra daily published a news report about the venture. At that time little was known about RAK, which was chosen as an investment partner over other interested companies such as public sector NALCO. Indeed, RAK did not have an office or a website at the time; its registered office was a family house in the Jubilee Hills area of Hyderabad. The choice of RAK as a business partner was unexpected given that it had no previous industrial

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experience, not to mention any expertise in aluminium. It does have a ceramic tiles business in AP and as a small, rich kingdom in west Asia, it has money and oil that could be used to produce aluminium. Indeed, many west Asian countries such as Dubai, Oman and Qatar are currently either expanding or investing in new aluminium smelters fuelled by cheap access to natural gas and oil, and the RAK project is likely to fit into a plan of exporting alumina to a smelter in west Asia in the future.

In 2007, there were rumours about the involvement of the locally influential Penna Cement group in the deal but this could not be substantiated (Oskarsson 2010). In 2012, however, this connection is clearly evident on the AAL website which says, "AnRak Aluminium Ltd commenced as a joint venture between Penna group of industries and Ras Al Khaimah Investment Authority with 70:30 ratio" (AnRak Aluminium Ltd 2012a). A local leader opposed to the project at Makavarapalem described the AAL management as being mainly the Penna group with little operational influence exercised by RAK.<sup>2</sup> But if the Penna group is the main promoter, the question is why is the company called AnRak rather than AnPenna? Is this because there is an attempt to camouflage the close links between the promoters and the YSR regime that could have hampered the deal? The Penna Cement group was founded by P Pratap Reddy, treasurer of AP Congress during the YSR years, and described as a close associate.<sup>3</sup> With other AP Congress members also believed to be investing in the project, it is not surprising that the project has been accorded extremely high priority, enabling it to catch up with the JSW project in implementation.<sup>4</sup>

The initial secrecy surrounding the deal and the subsequent speed at which it has moved, together with the close political contacts and charges of corruption, give the impression that this is yet another investment made for political rather than public gain. The original environmental application for AAL was for a 1.5 MTPA (million tonnes per annum) refinery, a 0.25 MTPA smelter, and a 90 MW power plant at Makavarapalem in Visakhapatnam district of AP at a cost

of Rs 7,000 crore on 1,380 acres of land. Even though the Environmental Impact Assessment (EIA) report made it clear that the company intended to double output in the future, there was always some amount of uncertainty about its plans (Ministry of Environment and Forests 2008b; BS Envi Tech 2008). AAL now reports that it has 1,926 acres of land available (AnRak Aluminium Ltd 2012b) where significant construction work is currently underway. It is unclear when the complex will be completed; however, the company's website says production would commence in June 2012, which has already passed. If news reports are correct, it appears that the AAL management is worried about where it will get its ore from since enquiries are being made about getting supplies from Gujarat or central India (Patnaik 2012). It is interesting to note that even as AAL is moving ahead to finish constructing its plant, Vedanta's Lanjigarh refinery has suspended operations as it does not have sufficient ore.<sup>5</sup> Is this the future of AAL as well?

### Land Acquisition

Unlike VAL, AAL was able to avoid a public hearing prior to land acquisition. This is one mandatory point of information sharing and public debate that has, despite its many deficiencies, remained somewhat of a stumbling block for projects in AP. In AAL's case, however, the AP government found an innovative way to circumvent the process. By notifying the area for the AAL complex as a special economic zone (SEZ), it was possible for the government to acquire the land without a public hearing and thus also without an EIA report, which would have given some detailed information to those affected. The ability to do this rested on the technicality that a multi-product SEZ is viewed as an industrial park that would have to have a number of companies before it could be assessed on environmental merits. In the Makavarapalem SEZ there was only one company in the park and it was well-known that it was going to be AAL, but the principle remained. When the public hearing was held on 7 June 2008, all the land was already in the government's possession and there was no protest.

The main criteria for the selection of a site next to Makavarapalem appears to be that it was outside the scheduled area, had a canal next to it to provide water and crucially, consisted largely of the so-called assigned land, which has come to be so popular for industrial projects in AP due to its weaker protection of tenants.<sup>6</sup> Also, following common practice in AP and following Vedanta's example at Lanjigarh, it was decided to acquire agricultural land but to circumvent the villages (Oskarsson 2010; Amnesty International 2011). A visit to the site in June 2012 made it clear that the villages remain within metres of the proposed site and its polluting activities. Living next to a polluting industry without any job appears to be what the AAL EIA refers to as land acquisition with "minimum relocation" (BS Envi Tech 2008: 149).

Little is known about the actual land use before AAL moved in. According to the AAL EIA, "[s]ugarcane was the most extensively grown crop with coverage of about 66% of the cropped area. [...] Paddy was the second prominent crop covering about 21% of the cropped area" (ibid: 77). An MOEF inspection team further reported that "most of this area was under casuarina plantation. Remaining area was under paddy, sugarcane, mango, chillies, etc. Only about 200 acres were under irrigated cultivation" (Ministry of Environment and Forests 2010: 36). According to these sources, though the site was cultivated, it was perhaps not of the best agricultural quality.

Another concern for local residents and Visakhapatnam city residents is the 38 million litres of water per day that has been allocated to AAL from the controversial Polavaram project (GVMC 2008). But Visakhapatnam city is already starved of water and since the Polavaram project is mired in litigation, it is not certain when, or if, there will be any water available at all. Significant protests in the city as well as litigation have been resorted to but without success (*The Hindu* 2008b, 2009).

Despite the uncertainties related to water and land, as well as, or perhaps because of, AAL's close political connections with the AP Congress, the aluminium complex may be completed soon.

However, uncertainty remains over where the bauxite will be sourced from despite some progress for the proposed Jerrela mines in the official approval process.

### The Proposed Mines

Opencast bauxite mining has been proposed for the Jerrela group of hills to provide ore to AAL's alumina refinery. The Jerrela group, close to Chintapalli in Visakhapatnam district and about 90 km from the AAL site, contains 246 million tonnes of bauxite. These blocks, like other bauxite hills in AP, are different from those in Odisha in that the hills here are smaller and pointier with thick deposits compared to the widespread but thin deposits of the latter. In AP, this means that mining will take place on several smaller hills at the same time with no installed infrastructure like, for example, NALCO's conveyor belt at Panchpatmali in Odisha. Instead, it seems likely that simple roads will be built to the top of the hills for trucks to transport the ore, further increasing forest loss.

The bauxite deposits in Jerrela are proposed to be mined by APMDC in four so-called blocks, best understood as four separate hillocks within the Jerrela Hills area. Mining was initially planned over 1,162 ha in four Jerrela blocks with 3.5 MTPA produced (Ministry of Environment and Forests 2008a). However, though mining was proposed in four blocks, only one detailed EIA report has been made, and that too for the smallest Block I. The report merely repeated that the other three blocks would be mined in the same way. This approach was approved by MOEF in November 2008 and later verified by the now defunct National Environment Appellate Authority (NEAA) in an appeal (National Environment Appellate Authority 2009). After the environmental clearances were secured, the mining area changed to Block III and the production estimates were increased to 3.85 MTPA (Ministry of Environment and Forests 2009). At this rate of mining, Block III will last for 17 years while the total ore deposits of 224.60 million tonnes will be sufficient for about 60 years of AAL's operations. The sole approval remaining for Jerrela is the forest clearance from MOEF. AAL has already received the

first level clearance, known as Stage I, and is awaiting Stage II approval.

APMDC, the state mining company which was on the verge of closure in the 1990s after mounting losses, has drastically reduced its workforce. Yet it has been taking part in an increasing number of major deals in recent years. On the ground, it has only one mining operation – a black marble mine in Kadapa district in southern AP. And with only 230 employees currently on its payroll and strict limits on recruitment, the numerous new mining projects proposed in its name do not indicate increased mining activity by the company; rather it is APMDC's mine planning section that has taken on a more important role in recent years. With its close connections to the state mines and geology department, the mine planners are in a prime position to apply for new deposits allotted on a first-come-first-served basis when these become available (Oskarsson 2010). Actual mining activity, including blasting, digging and transporting of ore in the Jerrela Hills, have been assigned to an unspecified "mining contractor", assumed to be a private contractor (Indian Council of Forestry Research and Education 2008: 180).

### The Invisible Lives

But what about the social impact of the mines? The Jerrela EIA identifies four types of tribes: "Valmiki, Kondu, Konduera and Bhagata" (ibid: 34). Does Kondu refer to the Kondh? And what is Konduera? Though such details are not provided by the EIA, it does go on to say that these groups "eke out their livelihood from a range of occupations that include hunting, gathering minor forest produce, horticulture, slash-and-burn (*podu*) agriculture, and dry-wet cultivation" (ibid). There are 31 villages within 5 km of the Jerrela Block I mine, and 66 villages within 10 km of Block I, which are almost entirely inhabited by adivasi people. The EIA figures are based on Census 2001 data and have not been updated.

The same social impact is apparently true for the other proposed mines as well. Though spread across more than 1,000 ha, the four blocks of bauxite

mines will supposedly affect the exact same 66 villages. But for want of details about who the affected people actually are, the EIA falls back on statistics since its consultants did not survey the area thoroughly. The report is clear only about the consultants' visit to five of the more accessible villages (Indian Council of Forestry Research and Education 2008) but news reports indicate that a police escort was required even for this brief visit to the area (*The Hindu* 2008a).

The J C Kala Committee was appointed by the MOEF in late 2011 to clarify the social and environmental impact of bauxite mining in Visakhapatnam. However, this committee could not travel to Jerrela due to local protests and therefore relied on the same material as the earlier EIA consultants, apart from a brief aerial survey. The sum of all existing reports is that precious little is known about the people who live in the Jerrela area and there is really not much to go on when attempting to understand who will be affected by the mining and how.

Chintapalli is known for having a large number of inhabitants of the Kondh adivasi group, the largest of all groups in Odisha, but also present in AP especially as a result of migration since the 1950s. At least one lakh Kondh now live in Visakhapatnam district alone. The other main groups in Chintapalli are Bagata and Valmiki, and a number of other tribes, including Gadaba, also exist in this very diverse region on the border of south and central India (Committee for Relief to Girijan Victims of AP 1987). One of few available reports on the people of Chintapalli mandal (block) stated in the 1980s that "[t]he information so far recorded regarding the economic conditions of shifting cultivation in AP is very scanty. No detailed study has been conducted probing into the cultural background of the tribals who are practising shifting cultivation" (Menon and Nag 1988). This, unfortunately, continues to be true. The only thing that has changed is the reason for displacing the tribes from forest conservation in the 1980s to mining in the 2010s.

Compared to most tribal groups in AP, the Kondh do not speak Telugu natively,

thereby creating a barrier to integration into the state. The main issue between the Telugu-speaking “local” tribes and the Kondh is that the former have been able to cultivate land outside of the reserve forest and get at least some form of recognition of the right to use this land for settled agriculture and coffee cultivation. The Kondh, on the other hand, despite having lived for many decades now in AP, continue to use marginal borderland areas for shifting cultivation and forest product collection.

Since the Kondh living close to the Odisha border do not have recognised landholdings, and their villages do not appear on official maps, they remain invisible, or at the very least at an unclear state, when environmental consultants make their EIA reports. The topographic map from 1983, which is the most detailed map available in the public domain, shows a handful of villages in the valleys surrounding the Jerrela group of bauxite reserves, but otherwise shows the land as a reserve forest. The Forest Rights Act has so far not been able to make significant changes to this picture. While some individual titles have been issued, the general experience in the bauxite mining area is that applications are denied without reason, even when not interfering with the immediate area planned for mining (Rebbapragada et al 2010).

Chintapalli has also for a long time been the base of Maoist groups but lately the AP government’s special police have managed to drive these groups across the border to Chhattisgarh and Odisha. However, the security situation remains tense and the Maoists return from time to time. Nowadays, much of the violence is related to the unpopular bauxite mining. One example of this is how the work to improve a road meant to transport ore by trucks down the hills to the refinery was disrupted in June 2012 by a Maoist group. In this attack, construction workers were beaten up and machinery set on fire. This was close to Chintapalli town, i.e., before the road had come close to the proposed mining area around Jerrela, more than 15 km away, indicating that the actual mining will happen only many years in the future. Maoist violence has affected other supporters of the mining

– two elected representatives have been killed, one in 2007, and another in 2010 (*The Hindu* 2007; *Oneindia News* 2007; Narasimha Rao 2010).

The counter-insurgency operations have placed the entire area under significant strain with a majority of the population caught between two sides known to use violence in favour of their causes, historically as well as in the present (Balagopal 1988, 2006). Local activists find themselves either framed as government collaborators or as Maoists, depending on the position they take vis-à-vis mining. In this tense scenario, very little space exists for a peaceful resolution of issues. Also, it is not completely insignificant that the Communist Party of India (Marxist) – CPI(M) – and Communist Party of India (CPI) enjoy some support in the area. A network of local journalists disseminates information of daily events; and, away from Jerrela a large number of individuals and organisations support the tribal people (Oskarsson 2010). It is this loose network, which forms the anti-bauxite movement that can prevent another Vedanta in Visakhapatnam district.

### Conclusions

At present, AAL is pursuing its alumina project with scant, if indeed any, public benefit while concealing adivasi groups in the proposed mining area from official plans. Instead of moving towards increased transparency for contentious mineral development, the AAL project has moved towards further camouflaging intentions and preventing deliberations. The actual investors were unknown for a long time. Once it became clear that Penna Cement was in fact the largest shareholder, questions were naturally raised both about the company’s lack of relevant experience in the industry as well as its close political connections. RAK is also without previous experience in aluminium and seems to disproportionately invest in AP, again raising questions about the influence of AP Congress politicians. And APMDRC appears mainly as a front for private miners (who are banned in the AP scheduled areas) given that it has no experience of bauxite mining, no manpower, and no equipment to get the work done.

While this article has described the close support AAL has received from leading state-level politicians, sections of the central government have expressed concern about the consequences of mining. Union Tribal Welfare Minister and Visakhapatnam MP Kishore Chandra Deo opposes the project and has asked the AP governor to cancel the mining leases. Similarly, Union Rural Development Minister Jairam Ramesh has voiced concern (Sehgal 2012; *Deccan Chronicle* 2012). The CPI and CPI(M) along with many non-governmental organisations (NGOs) and other groups are also protesting against the unpopular bauxite mining part of the project. In the meanwhile, landowners at the AAL site in Makavarapalem have received some cash for their land but will have to continue to live Vedanta-style right next to a polluting alumina complex without any meaningful way of making a living.

The project is now moving ahead despite significant political as well as local opposition, particularly in relation to the mines. That the company is willing to spend thousands of crores on an uncertain project is quite surprising. Is it that strong political support makes the company certain that mining will eventually start? At this juncture, when the state is in a political crisis due to internal political party feuds, corruption accusations, and the Telangana struggle for statehood, it is not clear how anybody can be certain what will happen. Even if the refinery starts operations without guaranteed ore supplies from nearby, it will be a loss-making affair just like the Vedanta Lanjigarh refinery.

The Dongria Kondh are the invisible adivasis of the Jerrela Hills, but their numbers are not known. The moot question is how do they make a living at present and what will they do in the future if this mining project goes ahead. Official plans do not answer these important questions in a meaningful way. If the project continues, we will never know since these peoples will simply have to get up and leave.

### NOTES

<sup>1</sup> The Andhra Pradesh Scheduled Area Land Transfer Regulation 1959 as amended up to

1970. Also known as the 1/70 Act, the 1st Act of 1970.
- Interview, June 2012, Makavarapalem, Visakhapatnam district. The precise link leading from RAK to the MoU in AP is not known, but it could be the investment made by Penna Cement in RAK in 2006.
  - In recent years, RAK has been busy signing agreements in AP. Rakindo is a newly formed joint venture in real estate together with Trimex, a baryte mining company headquartered in Chennai, but operating in Cuddapah in south AP. Rakindo claims it will invest several billion dollars in real estate across India over the next few years. The RAK government is also involved in the 16,800-crore Vadarevu and Nizampatnam Ports, and the Industrial Corridor (Vanpic) project in Prakasam district.
  - The JSW-AP government project appears to have more or less stalled while AnRak moves ahead. Interviews in S Kota, Vizianagaram district in June 2012 testified that JSW has had no presence in the area for the last two years. No progress has been made on approvals for its bauxite mines in Araku, Visakhapatnam district.
  - Vedanta, despite the lack of ore, is still pursuing a sixfold expansion in Lanjigarh via court litigation and a new Ministry of Environment and Forests (MoEF) application. A Terms of Reference (TOR) document was issued by the MoEF in August 2011 (Ministry of Environment and Forests 2011).
  - For assigned land references see Oskarsson (2012) and Seethalakshmi (2009).

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