



මහවැලි සංවර්ධන හා පරිසර අමාත්‍යාංශය

மகாவலி அபிவிருத்தி மற்றும் சுற்றாடல் அமைச்சு

Ministry of Mahaweli Development and Environment

“සොබාදම් පියස”, අංක 416/සී/1, රොබට් ගුනවර්ධන මාවත, බත්තරමුල්ල, ශ්‍රී ලංකාව.

“சொபாதம் பியச”, இல. 416/சீ/1, ரொபர்ட் குணவர்தன மாவத்தை, பத்தரமுல்லை, இலங்கை.

“Sobadam Piyasa”, No. 416/C/1, Robert Gunawardana Mawatha, Battaramulla, Sri Lanka.

ලේකම්

ෆැක්ස්

செயலாளர்

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My No

03/02/07/01-GSMB

ඔබේ අංකය
உமது இல
Your No

දිනය
திகதி
Date

2017.09.22

Environment Circular No. 02/2017

To:

All District Secretaries/Government Agents and
Divisional Secretaries

Providing Construction Materials for Prioritized Development Projects of the Government

Need of formulating a systematic methodology for expeditious provision of construction materials required for the following projects identified as prioritized development projects of the Government was pointed out at the meeting held on 02.08.2017 in the Presidential Secretariat presided over by Secretary to the President.

Complications have emerged in obtaining of construction materials for prioritized development projects of the Government that need to be completed expeditiously mainly due to non-submission of required information i.e type, amount, place and manner of removing, of construction materials such as soil, gravel and rocks have not been forwarded in time for getting environmental approval prior to implement the relevant project. Therefore, it is necessary to paid highest consideration to minimize the damages to the environment, administrative problems, objections raised by the general public and civil organizations when expediting the clearance for identification of locations for obtaining construction materials within a very short period of time and transportation of mined construction materials to specific locations etc.

Under these circumstances, failure in finalizing prioritized development projects of the Government within the specified periods of time would result in the government to incur an additional burden and expenses due to delays and which will also result in a multitude social and economic problems.

In view of these situations, this circular is issued for the purpose of expediting the issue of construction materials only to the following prioritized development projects of the Government approved by the Cabinet of Ministers.

- Southern Expressway
- Central Expressway
- Integrated Road Investment Program (I Road Project)
- Outer Circular Road – Road section from Kadawatha to Kerawalapitiya
- *Pubudamu Polonnaruwa* (Awakening of Polonnaruwa) Project
- Moragahakanda/Kaluganga Development Project

Methodology for expedition of issue of mining licenses for construction materials

"මේ මහපොළව සහ කෙසෙද මිනිසාට මෙන්ම අනෙක් පියාසරන සියොතුන්ට ද මිනිමන සරන සිවුපාවන්ට ද සියලු සතුන්ට ද එකසේ අයිතිය"
"இப் பூமியும், மரஞ் செடி கொடிகளும் மனிதனுக்குப் போன்றே வானில் பறந்து திரியும் பறவைகளுக்கும், பூமியில் வாழும் உயிரினங்களுக்கும், அனைத்து விலங்குகளுக்கும் ஒருமித்துச் சொந்தமானது"

"This great earth and the flora on it equally belong to the man and the birds flying in the sky, the quadrupeds and all creatures living on earth"

01. Firstly, the applicant should refer the application for mining of construction materials to the Geological Survey and Mines Bureau and the said application should be accompanied with a certification by the project proponent to the effect that the said applicant is working as a Contractor/ Sub-Contractor of the relevant project and, on the quantity of construction materials provided by the applicant for the project. Further, the application also should be forwarded Environmental Impact Assessment Reports in case the project requires seeking approval of the Central Environmental Authority. Applications should be forwarded together with all particulars and documents referred to in Annex 1 to this circular and applications with incomplete information will be rejected. If the land proposed for removal of construction materials is a state owned land, the relevant state institution should, directly and clearly certify whether the land can be released for the removal of construction material in conformity with its institutional rules & regulations and recommendations of his institution about the number of cubes permissible for mining and the extent of land agreed to release, should be included. It needs not to be based on recommendation of any other institution.

02. Within 5 working days of receipt of an application submitted fulfilling all requirements, the Geological Survey & Mines Bureau should convey information for calling observations from the institutions such as the Central Environmental Authority, Forest Department, Mahaweli Authority of Sri Lanka, Urban Development Authority, Department of Archeology, Irrigation Department, Department of Agrarian Development, Water Resources Board, National Building Research Organization and Department of Wildlife Conservation etc., from which recommendations should be called for further action, and organize joint field inspections.

03. A joint field inspection should be conducted on second and fourth Thursday of the every month on applications received, with relevant institutions from which it is decided to take observations for provision of construction materials, i.e., representatives of institutions such as Central Environmental Authority, Forest Department, Mahaweli Authority of Sri Lanka, Department of Wildlife Conservation, Archeological Department, Irrigation Department, Department of Agrarian Development, Urban Development Authority, Water Resource Board, National Building Research Organization etc., and authorized representatives of District Secretariat and relevant Divisional Secretariat. Representatives from other institutions if required may be invited for such field inspections based on locations mentioned in the application.

In case the second and fourth Thursday of the month are public holidays, another proximate day should be fixed for the purpose and if inspections cannot be completed on applications received by conducting field inspections only twice a month as proposed, an extra day should be added for the purpose depending on the requirement.

04. The relevant institutions should submit their recommendations/ observations to the Geological Survey and Mines Bureau within 7 working days of completion of the field inspection. In case the proposed project is identified at the field inspection as a project requiring an Initial Environmental Examination (IEE)/Environmental Impact Assessment (EIA), the same should be informed forthwith by the Central Environmental Authority to the Geological Survey and Mines Bureau and applicant. If the relevant institutions fail to forward their recommendations on or before the due date, action will be taken on the presumption that the said institution has no objection.

05. In case it is not possible to grant permission for mining of construction materials in the land referred to in the application according to the decisions taken at the field inspection, the Geological Survey and Mines Bureau should intimate the same to the relevant applicant within a week.

06. Once the Geological Survey and Mines Bureau submits the field inspection report, along with recommendations of the relevant institutions to the District Secretary, the District Committee should grant its consent within 5 working days.

07. The Geological Survey and Mines Bureau should issue Construction Material Mining License within 3 working days of receipt of all recommendations and approvals referred to above.

08. As for rock Mining Projects, the applicant should submit an application to the Central Environmental Authority to receive the Environment Protection License (EPL) after issue of the Mining License and the said Authority, treating it an urgent requirement, should issue the Environment Protection License (EPL) within 14 days on priority basis.

09. Steps should be taken to charge stipulated fees, levies as well as deposit fees for rehabilitation of the land as per rules and regulations of each public establishment and the relevant Departments/ Establishments should ensure that licenses are issued in keeping with legal requirements and relevant agreements signed.

10. A report after a field inspection should be submitted once a month on construction material mining and transportation by a Supervisory Committee consisting of representatives of all institutions and representatives of senior officers authorized by the District Secretary/ Divisional Secretary. It is essential to conduct follow up actions and supervisions as to whether conditions stipulated are properly followed when granting mining and transportation licenses and rehabilitations are properly carried out and take further steps based on such reports. The Geological Survey and Mines Bureau and the state institutions which provide land for removal of construction materials are entrusted with the responsibility of formulating a suitable methodology on how to undertake follow up actions and supervisions.

11. Relevant Mining Engineer of the Geological Survey and Mines Bureau should function as the Convener and Secretary to the Committees referred to at 3 and 6 above.

This circular will be applicable only for the six prioritized projects of the government referred in the paragraph two of this Circular and the construction materials mined out or transported without an approved license of the Geological Survey and Mines Bureau should never be undertaken for the said prioritized projects.

Further, prior to receiving environmental approval (IEE/EIA) all development projects hereafter, the project proponent should submit particulars on the quantity of construction materials required for such projects, places from where they are taken, manner of their removal, the locations of removing construction materials are compiled and the locations for dumping of unutilized, sub-standard materials, should be included in the approval of the environmental clearance.

This circular is issued with the concurrence of the Secretary to the Ministry of Home Affairs.

Anura Dissanayake

Secretary

Ministry of Mahaweli Development & Environment

CC:-1. Secretary to the President

2. Secretary to the Prime Minister

3. Secretary

- Ministry of Home Affairs

4. All Secretaries to Ministries

5. Auditor General

- Auditor General's Department

6. Inspector General of Police

- Sri Lanka Police

7. Conservator General of Forest

- Forest Department

8. Director General

- Department of Wildlife Conservation

9. Director General

- Archeological Department

10. Commissioner General

- Department of Agrarian Development

11. Director General

- Geological Survey & Mines Bureau

12. Director General

- Central Environmental Authority

13. Director General

- Mahaweli Authority of Sri Lanka

14. Director General

- Urban Development Authority

15. Director General

- National Building Research Organization

16. Chairman

- Road Development Authority

17. General Manager

- Water Resources Board

Annex 1

Information to be furnished in consideration of applying for mining licenses for construction materials for the prioritized projects of the Government

Part 1 – Basic information

1. Particulars of the applicant																																									
1.1 Name of the applicant or Company																																									
1.2 National Identity Card number/ Passport number if an individual applicant. If the applicant is Company, number and date of registration the relevant Company (Attach photocopies of above particulars)	National Identity Card number / Passport No. <table border="1" style="width: 100%; height: 20px; border-collapse: collapse;"> <tr> <td style="width: 12.5%;"></td><td style="width: 12.5%;"></td><td style="width: 12.5%;"></td><td style="width: 12.5%;"></td><td style="width: 12.5%;"></td><td style="width: 12.5%;"></td><td style="width: 12.5%;"></td><td style="width: 12.5%;"></td><td style="width: 12.5%;"></td><td style="width: 12.5%;"></td> </tr> </table> Date of the Registration: <table border="1" style="width: 100%; height: 20px; border-collapse: collapse;"> <tr> <td style="width: 12.5%;"></td><td style="width: 12.5%;"></td><td style="width: 12.5%;"></td><td style="width: 12.5%;"></td><td style="width: 12.5%;"></td><td style="width: 12.5%;"></td><td style="width: 12.5%;"></td><td style="width: 12.5%;"></td><td style="width: 12.5%;"></td><td style="width: 12.5%;"></td> </tr> </table> DD/MM/YYYY Company Registration No. <table border="1" style="width: 100%; height: 20px; border-collapse: collapse;"> <tr> <td style="width: 12.5%;"></td><td style="width: 12.5%;"></td><td style="width: 12.5%;"></td><td style="width: 12.5%;"></td><td style="width: 12.5%;"></td><td style="width: 12.5%;"></td><td style="width: 12.5%;"></td><td style="width: 12.5%;"></td><td style="width: 12.5%;"></td><td style="width: 12.5%;"></td> </tr> </table> Date of Registration <table border="1" style="width: 100%; height: 20px; border-collapse: collapse;"> <tr> <td style="width: 12.5%;"></td><td style="width: 12.5%;"></td><td style="width: 12.5%;"></td><td style="width: 12.5%;"></td><td style="width: 12.5%;"></td><td style="width: 12.5%;"></td><td style="width: 12.5%;"></td><td style="width: 12.5%;"></td><td style="width: 12.5%;"></td><td style="width: 12.5%;"></td> </tr> </table> DD/MM/YYYY																																								
1.3 Permanent/ registered address of applicant																																									
1.4 Telephone No:																																									
1.4 Fax No:																																									
1.6 E-mail address:																																									

Part 2 - Particulars of the Prioritized Projects of the Government

2.1 Name of the project:					
2.2 Name of the project proponent:					
2.3 Attach letter certified by the project proponent institution (Road Development Authority or relevant institution).	<table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="width: 50%;">Attached</th> <th style="width: 50%;">Not attached</th> </tr> </thead> <tbody> <tr> <td style="height: 20px;"></td> <td style="height: 20px;"></td> </tr> </tbody> </table>	Attached	Not attached		
Attached	Not attached				
2.3.1. particulars to be contained in the letter <ul style="list-style-type: none"> • Written proof of the applicant being a Contractor/ Sub-Contractor of the project 					
<ul style="list-style-type: none"> • Type of required construction materials 					

<ul style="list-style-type: none"> Quantity of construction materials required for the project (cubes) 	
<ul style="list-style-type: none"> The quantity the applicant agreed to provide out of the above required amount 	
<ul style="list-style-type: none"> The area to which materials should be supplied (District, Divisional Secretary's Division, Grama Niladhari Division should be mentioned) 	

Part 3 – Information on Mining of Construction Minerals, Transportation and Rehabilitation

3.1 location of the proposed mining site							
3.1.1 Province:							
3.1.2 District/s:							
3.1.3 Divisional Secretary's Division/s:							
3.1.4 Grama Niladhari Division/s:							
3.1.5 Map indicating the location (1:50,000 topo sheet)							
3.2 Type of construction material the supplier is able to supply (soil/gravel/rocks)							
3.3 Quantity of construction materials expected to be removed/ quantity scheduled to be supplied by the Contractor for the relevant project							
3.4 Area of extent of the mining site or the extent of project site (indicate in hectares):							
3.5 Area demarcated for mining and survey plan							
3.6 If environmental approval has already been granted to the relevant project. Please attach a copy of Environmental approval and a copy of Initial Environment Examination (IEE) or Environment Impact Assessment report (EIA),	<table border="1" style="width: 100%;"> <tr> <td style="width: 50%; text-align: center;">Attached</td> <td style="width: 50%; text-align: center;">Not attached</td> </tr> <tr> <td style="height: 30px;"></td> <td style="height: 30px;"></td> </tr> </table>	Attached	Not attached				
Attached	Not attached						
3.7 Type of relevant mining license	<table border="1" style="width: 100%; text-align: center;"> <tr> <td style="width: 33%;">IML A Above 525 cubes</td> <td style="width: 33%;">IML B Below 525 cubes</td> <td style="width: 33%;">IML C Below 210 cubes</td> </tr> <tr> <td style="height: 30px;"></td> <td style="height: 30px;"></td> <td style="height: 30px;"></td> </tr> </table>	IML A Above 525 cubes	IML B Below 525 cubes	IML C Below 210 cubes			
IML A Above 525 cubes	IML B Below 525 cubes	IML C Below 210 cubes					

3.8 If the proposed mining site belongs to the government organization, attach the original of the letter issued by the relevant institution expressing agreement to release lands for mining purposes.	Forest Department	Mahaweli Authority of Sri Lanka	Other state institutions (mention the name)
3.9 Copies of the certified deed and plan if the relevant land is a private land - (If the land owner is another person, a Two Party Agreement or an Indenture of Lease certified by the Notary/an Attorney-at-Law)	Yes	No	
3.10 Mining proposal/ Plan	Yes	No	
3.11 Economic Viability Report certified by a Chartered Mining Engineer. An Economic Viability Report should be submitted for Industrial Mining License 'A' category.	Economic Viability Report		
	Available	Not available	
3.12 Letter notifying demarcation of boundaries of mining area and road map to approach the mining site	Yes	No	
3.13 Area to which the supplier should transport and the road map for transportation of construction materials	Yes	No	
3.14 Rehabilitation plan	Yes	No	

I, do state that particulars furnished above are true and correct to the best of my knowledge.

Name of the applicant:

Designation:

Signature:

Date:

.....

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Official stamp

For office use only

Date of receipt of the application :	
Date of payment :	
Relevant fee :	
Receipt No. :	
Expenditure Code No. :	

Present Status of Application

Referred for Field Inspection	Incomplete and returned to the applicant	Rejected

Part 4 - Essential information required to decide on granting approval to the project

4.1 Project Approving Agency (if Project needs to do EIA/IEE) (Place “√” in the relevant box)	
4.1.1 Central Environmental Authority	
4.1.2 Forest Department	
4.1.3 Department of Wildlife Conservation	
4.1.4 Urban Development Authority	
4.1.5 Mahaweli Authority of Sri Lanka	
4.2 Obtaining recommendations from other institutions (Place “√” in the relevant box)	
4.2.1 Department of Archaeology	
4.2.2 National Building Research Organization	
4.2.3 Water Resources Board	
4.2.4 Irrigation Department	
4.2.5 Other institutions (specify)	

Applications required for receiving recommendations/ approval of the above institutions attached and approval of the relevant institutions should be taken prior to re-submission of the application.

For office use only

Date on which the application was received again:	
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Part 5 - Joint Field Inspection

5.1 Date of Joint inspection:							
5.2 Names and institutions/ signatures of officers who conducted the field inspection	Name of the officer	Institution	Designation				
5.3 Post-field inspection recommendations	<table border="1"> <tr> <td>recommended</td> <td>*not recommended</td> </tr> <tr> <td></td> <td></td> </tr> </table>		recommended	*not recommended			
	recommended	*not recommended					
	Other observations:						
	Name of the officer		Signature				
1 2 3 4 5 6 7 8							
5.4 If not recommended, reason*							

Part 6 - Decision of of the District Committee

6.1 Name of the District Secretariat:		
6.2 Date of the meeting:		
6.3 Decisions:	Recommended	*Not recommended
6.4 If not recommended, reason *:		
6.5 Signature and official stamp of the District Secretary :		

Part 7 – Issue of Licenses by Geological Survey and Mines Bureau

7.1 Date of receipt of the application:	
7.2 Date of payment:	
7.3 Relevant fee:	
7.4 Receipt No.:	
7.5 Expenditure Code No.:	
7.6 Date of issue of the license:	
7.7 License No.:	

