

***Can the Adani Group be trusted to comply with environmental laws?
The Adani Group's global environmental record***

A briefing paper on the report issued by Environmental Justice Australia and Earthjustice

Topline finding

The Adani Group's track record of environmental damage and disregard for the law calls into question the company's suitability to operate the biggest coal mine in Australia's history.

Zambia

From 2008 to 2013, the Adani Group's current Australian CEO, Mr Jeyakumar Janakaraj, was Director of Operations and later CEO of Konkola Copper Mines ("KCM"), a major copper mining company in Zambia.

In 2010, while Mr Janakaraj was KCM's Director of Operations, the company was criminally prosecuted for polluting the Kafue River with "pregnant liquor solution" – which is toxic waste water generated in copper mining – and for failing to report the pollution. KCM pleaded guilty and was fined.

This was not an isolated pollution incident, as reports indicate that KCM has a history of pollution in the region. For example, according to news reports, 1,800 Zambian villagers recently filed a lawsuit in the UK against KCM's parent company, Vedanta Resources Plc (which is listed on the London Stock Exchange), claiming that as a result of water pollution caused by KCM, people have become sick and died, the soil has become non-productive, and the water smells foul and is discoloured orange.

India

In India, Adani Ports and Special Economic Zone Ltd ("Adani Mundra"), which operates one of the world's largest coal-fired power plants, together with a port and special economic zone, has been found to have violated environmental laws and the conditions of its environmental approvals, and its operations have caused extensive harm to the environment and local communities.

For example, an independent committee constituted by Indian's Environment Ministry found that Adani Mundra had destroyed large swathes of mangroves in a conservation area, obstructed creeks and the tidal system, failed to line water storage ponds and channels to protect against salinity intrusion into groundwater, and failed to comply with environmental monitoring and reporting requirements. The company has also been found to have bypassed statutory procedures such as public hearings, and, extraordinarily, to have constructed a township and airport without approval. This environmental harm at Mundra has seriously impacted local communities, allegedly contaminating their drinking water and damaging the local fishing industry.

In 2010, India's Environment Ministry asked Adani Mundra to show cause why its environmental approvals should not be cancelled and, in 2013, the Ministry took the significant step of suspending Adani Mundra's environmental approval for its north port

operations and demanding Adani Mundra to show cause why the approval should not be cancelled.

The Adani Group's record in India was detailed in a report released by Environmental Justice Australia in January 2015, '[A review of the Adani group's environmental history in the context of the Carmichael coal mine approval.](#)'

Australia

Despite the environmental track record of the Adani Group and its executive officers, the company enjoys the support of the Queensland and federal governments:

- Federal Environment Minister Greg Hunt recently reapproved Carmichael coal mine after his original approval was set aside by the Federal Court.
- The Director-General of Queensland's Department of Environment and Heritage Protection has registered Adani Mining Pty Ltd as a 'suitable operator', a pre-condition to holding an environmental authority for the mine.
- Queensland Minister for Mines Anthony Lynham is yet to issue mining leases for the Carmichael coal mine pending the outcome of a legal challenge in the Land Court of Queensland, but has expressed strong support for the development.
- The Adani Group's Abbot Point port, Terminal O, has federal approval under the EPBC Act.
- The Adani Group's North Galilee Basin Rail Project has federal approval under the EPBC Act.

If the offences committed by KCM when Mr Janakaraj was Director of Operations had happened in Australia, this would provide a possible legal basis for cancellation of Adani Mining Pty Ltd's registration as a suitable operator, as would the suspension of Adani Mundra's environmental clearance for its North Port at Mundra, India.

The Queensland and federal governments' continuing support for the Adani Group's ambitions in Australia suggest a systematic failure of their duty to adequately scrutinise the environmental track record of the Adani Group and its executive officers, and a failure to protect Australia and Australians against the risks of harmful activities being carried out by companies that may be unlikely or unwilling to avoid causing harm.