

MINUTES OF MEETING

Subject: Minutes of Meeting of the State Expert Appraisal Committee of the SEIAA held on 22/10/2016 in the office complex of the Department of Ecology, Environment & Remote Sensing J&K, Bemina, Srinagar.

Present: The following members were present:

1. Mr M. A. Tak.....Vice Chairman, SEAC
2. Prof. M. A. Khan.....Member, SEAC
3. Mr Abul Bashir.....Member, SEAC
4. Mr Abdul Rashid Makroo..... Member, SEAC
5. Mr. Humayun Rashid.....Secretary, SEAC

At the very outset, Secretary, SEAC welcomed the Vice Chairman and the Members. The Secretary, SEAC gave a brief overview of the action taken on the decisions of the SEAC meeting held on 18/06/2016. During discussions on the violation case of Aadarsh Built Estate Ltd., it was desired by the Vice chairman to ask the project proponent concerned to furnish an affidavit to the effect that the work on the projects at Palm Spring, Humhama and Palm Raveira, Sidhra, what was observed as violation of the prevailing environmental laws, has been stopped by the Project proponent and the same needs to be reflected in the official website of the SEIAA/SEAC as required under rules. Since, the Consultant Company has failed to respond to the explanation sought by the SEIAA Secretariat for its misconduct, the SEIAA may initiate further process for an appropriate legal action for the proven professional misconduct of concealment and misrepresenting of facts, and also for misleading the SEAC.

The matter relating to the consultancy support to the project proponents also came under discussions. While, it was reiterated that projects formulated and so presented by non-accredited consultants having been observed as representing least ground factors and this hampers rather than facilitates the processing of EC. The availability of local consultants, Resource Persons and Academic Institutions with vast local knowledge and experience in related fields, if utilized for preparation of EIA/EMP reports would bridge the gap between the Project Proponents and the SEIAA/SEAC. It was accordingly endorsed that the SEIAA may explore the opportunity to approach the MoEF & CC and build a strong case for local institutions of repute, Universities, Resource Persons and local consultants to be allowed to prepare the EIA/EMPs for the

project proponents so that the quality of EIA reports is improved upon. It was further recommended that the SEIAA or some other authority may be empowered to give recognition/empanel local consultants, Universities and Institutions of repute for preparation of the EIA/EMPs instead of restricting it to only NABET/QCI empanelled Companies.

The Secretary SEAC informed the forum that out of four cases listed for discussions, three pertained to mining of minerals and cement plant in Khrew-Khanmoh belt of Pulwama district. In order to ensure sustainable industrial development without endangering the ecological settings in the area, the SEAC forum desired the State Government to get a scientific study conducted by Kashmir University/Jammu University or any other institution of repute on determining the carrying capacity of the Khrew-Khanmoh belt with respect to cement plants and mining activities thereof.

During the meeting, four cases viz. "Mehboob Cements Pvt. Ltd." By Shri Bashir Ahmad Dar, "Mining of Lime Stone at village Qutargan-Zantrag, Khrew, Tehsil Pampore, District Pulwama, by Haji Ghulam Hassn Mir", "Mining of Lime Stone at village Qutargan-Zantrag, Khrew, Tehsil Pampore, District Pulwama by Mohammad Sultan Mir" and "Construction and Area development project of Central Reserve Police Force(CRPF) at Kootah, Kathua" were discussed and following decisions were taken:-

1. Mehboob Cements Pvt. Ltd. for Cement Plant

A cursory examination of the EIA/EMP document submitted by the project proponent has revealed several shortcomings. The project document prepared by EC Engineers has not only been found short of some important details but also keeping his non accreditation from NABET/QCI in view, has not been accepted and accordingly the project proponent was informed that he is free to resubmit a fresh EIA/EMP duly prepared by some NABET/QCI empanelled Consultant as per guidelines of MoEF & CC.

2. Haji Ghulam Hassan Mir for Mining of Lime Stone at Qutargan, Khrew

In the form-1, the Project Proponent has applied under the category-B2 viz. Minor Minerals with lease hold area less than 5 ha size. However, in the approved mining plan, it has been indicated that the use of the mineral is for manufacture of cement. However, during appraisal meeting, the project proponent requested that the project be considered under the category of minor minerals. As per the existing laws, Lime Stone is a minor mineral only if it is used in kilns for manufacture of Lime used as building material. In the event, end use of Lime stone mining is for Iron & Steel, Chemicals, paper and Cement manufacturing, it is to be treated as a major mineral. Therefore, the committee considered the project for grant of Environmental Clearance for manufacturing of Lime to be used as building material and not as raw material for cement manufacturing. Considering the mining activity for Lime stone as minor minerals, as per the Notification S.O No.141(E) 15/01/2016, the case falls under the category B2 with cluster area of mine lease > 5ha and < 25 ha with no individual lease > 5ha, is to be appraised by DEAC. However, the case was listed for appraisal by SEAC in pursuance to Administrative Department's letter No. FST/EE-13/2016 dated 06/09/2016 with endorsement of State Environment Impact Assessment Authority(SEIAA) under No. SEIAA/2016/117 dated 19/09/2016. Therefore, Project

lease land located at 34° 03' 01.8"N/ 75° 01' 32.3"E, 34° 3' 05.8" /75° 01' 32.1", 34° 03' 06.9"/ 75° 01' 38.0", 34° 03' 04.5"/ 75° 01' 41.1" and 34° 03' 00.5" /75° 01' 39.8" coordinates corresponding to khewat No 70, Khatta No 118, Khasra No 262 Min in Qutargan-Zantrag village of Khrew District Pulwama comprising of 4.46 hectares, as per revenue records as submitted by Project proponent ***is approved for recommending to SEIAA for grant of Environmental Clearance. However, the Environment clearance of the project is subject to following conditions:-***

(I) Since the EC has been recommended purely on the basis of prospecting permission issued by the Department of Wild life protection refer NOC No WLP/ Tech/2011/ 131 / 3326 dated 19/10/2011, therefore, grant of permission to execute, from the Department of Wildlife protection is mandatory for carrying out any mining Operations in the subject area. Failure to obtain the said execution permission within a period of three months shall make the Environmental Clearance Null and Void.

(II) Besides the provisions and standard practices as issued under Mines and minerals (Regulation and Development) Act, 1957 by MoGM and Environment clearance regulations by MoEF &CC from time to time, especially the best mining practices as issued under OM dated 29th Oct. 2014 by MoEF &CC and also as envisaged in the Mining plan submitted for the purpose, the Project proponent shall strictly abide to the following conditions:

- a. The Mining activity shall be executed manually without resorting to any blasting operation.
- b. The Lime Stone extracted through mining activity shall be exclusively used for manufacture of Lime as building material and in no case to be used as raw material for cement manufacturing.
- c. The entire subject mine area shall be delineated and demarcated by the prominent permanent boundary pillars as described in the mining plan before any execution.
- d. A green belt shall be raised on the periphery of the leased area.
- e. The borrowing / excavation activity shall be restricted to a maximum depth of 2 metres below general ground level at the site.
- f. The borrowing / excavation activity shall be restricted to 2 m above the ground water table at the site.
- g. The borrowing / excavation activity shall not alter the natural drainage pattern of the area.
- h. The borrowed/excavated pit shall be restored by the project proponent for useful purpose(s).
- i. Appropriate fencing all around the borrowed/excavated pit shall be made to prevent any mishap.
- j. Measures shall be taken to prevent dust emission by covering of Borrowed / excavated earth during transportation.
- k. Safeguards shall be adopted against health risks on account of breeding of vectors in the water bodies created due to borrowing/excavation of earth.
- l. Workers / labourers shall be provided with facilities for drinking water and sanitation.

- m. A berm shall be left from the boundary of adjoining field having a width equal to at least half the depth of proposed excavation.
- n. A minimum distance of 15 m from any civil structure shall be kept from the periphery of any excavation area.
- o. The State Pollution Control Board shall conduct periodical inspections of the site and report compliance of Environmental Clearance conditions. In case of violation of any of the Environmental Clearance conditions or violation of any of the provisions of the Environment Protection Act of 1986, the Environmental Clearance shall be withdrawn.

3. Mohammad Sultan Mir for Mining of Lime Stone at Qutargan, Khrew

In the form-1, the Project Proponent has applied under the category-B2 viz. Minor Minerals with lease hold area less than 5 ha size. However, in the approved mining plan, it has been indicated that the use of the mineral is for manufacture of cement. However, during appraisal meeting, the project proponent requested that the project be considered under the category of minor minerals. As per the existing laws, Lime Stone is a minor mineral only if it is used in kilns for manufacture of Lime used as building material. In the event, end use of Lime stone mining is for Iron & Steel, Chemicals, paper and Cement manufacturing, it is to be treated as a major mineral. Therefore, the committee considered the project for grant of Environmental Clearance for manufacturing of Lime to be used as building material and not as raw material for cement manufacturing. Considering the mining activity for Lime stone as minor minerals, as per the Notification S.O No.141(E) 15/01/2016, the case falls under the category B2 with cluster area of mine lease > 5ha and < 25 ha with no individual lease > 5ha, is to be appraised by DEAC. However, the case was listed for appraisal by SEAC in pursuance to J&K Govt. Forest Administrative Department's letter No. FST/EE-13/2016 dated 06/09/2016 with endorsement of State Environment Impact Assessment Authority(SEIAA) under No. SEIAA/2016/117 dated 19/09/2016. Therefore, Project lease land located at 34° 03' 03.0"N / 75° 01' 44.1"E, 34° 3' 07.6"/ 75° 01' 42.5", 34° 03' 11.6"/ 75° 01' 50.0" , 34° 03' 05.9"/ 75° 01' 54.6" and 34° 03' 05.5" /75° 01' 47.7" coordinates corresponding to khewat No 70, Khatta No 118, Khasra No 262 Min in Qutargan-Zantrag village of Khrew District Pulwama comprising of 4.42 hectares, as per revenue records as submitted by Project proponent ***is approved for recommending to SEIAA for grant of Environmental Clearance. The satellite imagery of the proposed area is enclosed for record. However, the Environment clearance of the project is subject to following conditions:-***

(I) Since the EC has been recommended purely on the basis of prospecting permission issued by the Department of Wild life protection refer NOC No WLP/ Tech/2011/ 131 / 3326 dated 19/10/2011, therefore, grant of permission to execute from the Department of Wildlife protection is mandatory for carrying out any mining Operations in the subject area. Failure to obtain the said execution permission within a period of three months shall make the Environmental Clearance Null and Void.

(II) Besides the provisions and standard practices as issued under Mines and minerals (Regulation and development) Act, 1957 by MoGM and Environment clearance regulations by MoEF &CC from time to time especially the best mining practices as

issued under OM dated 29th Oct. 2014 by MoEF &CC and also as envisaged in the Mining plan submitted for the purpose, the Project proponent shall strictly abide by the following conditions:

- a. The Mining activity shall be executed manually without resorting to any blasting operation.
- b. The Lime Stone extracted through mining activity shall be exclusively used for manufacture of Lime as building material and in no case to be used as raw material for cement manufacturing.
- c. The entire subject mine area shall be delineated and demarcated by the prominent permanent boundary pillars as described in the mining plan before any execution.
- d. A green belt shall be raised on the periphery of the leased area.
- e. The borrowing / excavation activity shall be restricted to a maximum depth of 2 metres below general ground level at the site.
- f. The borrowing / excavation activity shall be restricted to 2 m above the ground water table at the site.
- g. The borrowing / excavation activity shall not alter the natural drainage pattern of the area.
- h. The borrowed/excavated pit shall be restored by the project proponent for useful purpose(s).
- i. Appropriate fencing all around the borrowed/excavated pit shall be made to prevent any mishap.
- j. Measures shall be taken to prevent dust emission by covering of Borrowed / excavated earth during transportation.
- k. Safeguards shall be adopted against health risks on account of breeding of vectors in the water bodies created due to borrowing/excavation of earth.
- l. Workers / labourers shall be provided with facilities for drinking water and sanitation.
- m. A berm shall be left from the boundary of adjoining field having a width equal to at least half the depth of proposed excavation.
- n. A minimum distance of 15 m from any civil structure shall be kept from the periphery of any excavation area.
- o. The State Pollution Control Board shall conduct periodical inspections of the site and report compliance of Environmental Clearance conditions. In case of violation of any of the Environmental Clearance conditions or violation of any of the provisions of the Environment Protection Act of 1986, the Environmental Clearance shall be withdrawn.

4.0 Grant of Terms of Reference for EC for construction of CRPF Campus at village Kootah, Tehsil- HiraNagar, District Kathua, J&K.

The Committee approved the following Terms of Reference(TOR) for the above cited project:-

- i. Brief description of the project in terms of location and surroundings supported by a recent Google image of the area.

- ii. Alterations in the natural slope and drainage pattern and their environmental impacts on the surroundings.
- iii. Examine details of land use as per Master Plan and land use around 10 km radius of the project site. Analysis should be made based on latest satellite imagery for land use with raw images. Check on flood plain of existing river/nallah.
- iv. Submit details of environmentally sensitive places, land acquisition status, rehabilitation of communities/ villages and present status of such activities.
- v. Examine baseline environmental quality along with projected incremental load due to the project.
- vi. Environmental data to be considered in relation to the project development would be (a) land, (b) groundwater, (c) surface water, (d) air, (e) bio-diversity, (f) noise and vibrations, (g) socio economic and health.
- vii. Submit a copy of the contour plan with slopes, drainage pattern of the site and surrounding area. Any obstruction of the same by the project.
- viii. Submit the details of the trees to be felled for the project.
- ix. Submit the present land use and permission required for any conversion such as forest, agriculture etc.
- x. Submit roles and responsibility of the developer etc. for compliance of environmental regulations under the provisions of EP Act.
- xi. Ground water classification as per the Central Ground Water Authority.
- xii. Examine the details of Source of water, water requirement, use of treated waste water and prepare a water balance chart.
- xiii. Rain water harvesting proposals should be made with due safeguards for ground water quality. Maximize recycling of water and utilization of rain water. Examine details.
- xiv. Examine soil characteristics and depth of ground water table for rainwater harvesting.
- xv. Examine details of solid waste generation treatment and its disposal.
- xvi. Examine and submit details of use of solar energy and alternative source of energy to reduce the fossil energy consumption. Energy conservation and energy efficiency.
- xvii. DG sets are likely to be used during construction and operational phase of the project. Emissions from DG sets must be taken into consideration while estimating the impacts on air environment. Examine and submit details.
- xviii. Examine road/rail connectivity to the project site and impact on the traffic due to the proposed project. Present and future traffic and transport facilities for the region should be analysed with measures for preventing traffic congestion and providing faster trouble free system to reach different destinations in the city.
- xix. A detailed traffic and transportation study should be made for existing and projected passenger and cargo traffic.
- xx. Examine the details of transport of materials for construction which should include source and availability.
- xxi. Examine separately the details for construction and operation phases both for Environmental Management Plan and Environmental Monitoring Plan with cost and parameters.

- xxii. Submit details of a comprehensive Disaster Management Plan including emergency evacuation during natural and man-made disaster.
- xxiii. Details of litigation pending against the project, if any, with direction /order passed by any Court of Law against the Project should be given.
- xxiv. The cost of the Project (capital cost and recurring cost) as well as the cost towards implementation of EMP should be clearly spelt out.
- xxv. Green belt/Green cover and landscape plan.
- xxvi. Socio-economic inputs of the project and CSR.
- xxvii. Environmental Management Plan(EMP) during construction and operational phases.
- xxviii. Any further clarification on carrying out the above studies including anticipated impacts due to the project and mitigate measures; Project proponent can refer to the model ToR available on Ministry website <http://moef.nic.in/manual/Townships> and the OM dated 7th Feb. 2012 and 19th June 2013.

S E C R E T A R Y
S E A C

No: SEAC/16/264-278

Dated:16/11/2016

Copy in addition to copy by email attachment to:

1. The Member Secretary, State Environment Impact Assessment Authority(SEIAA), J&K State for favour of kind information and necessary action please.
2. The Hon'ble Chairman, State Level Expert Appraisal Committee(SEAC), J&K State for favour of kind information.
3. The Hon'ble Vice Chairman, State Level Expert Appraisal Committee(SEAC), J&K State for favour of kind information.
4. The Hon'ble Members, State Level Expert Appraisal Committee(SEAC), J&K State for favour of kind information.
5. Shri Jehangir Malik/Shri Anil Sapru/ Shri Sheikh Sajid to upload the minutes on the National Environmental Clearance Portal- J&K State.
6. Concerned office file.