



Government of India

Ministry of Environment, Forest &amp; Climate Change

**J&K ENVIRONMENT IMPACT ASSESSMENT AUTHORITY****(at) DEPARTMENT OF ECOLOGY, ENVIRONMENT AND REMOTE SENSING**

S.D.A. Colony, Bemina, Srinagar-190018 (May-Oct)/ Paryavaran Bhawan, Transport Nagar, Gladni, Jammu-180006 (Nov-Apr)

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**MINUTES OF THE 46<sup>TH</sup> MEETING OF JK ENVIRONMENT  
IMPACT ASSESSMENT AUTHORITY HELD ON 31<sup>ST</sup> JULY, 2021  
THROUGH VIDEO CONFERENCING**

In pursuance to the Minutes of the 48<sup>th</sup> and 49<sup>th</sup> Meeting of JK Expert Appraisal Committee held on 24<sup>th</sup> July, 2021 and 28<sup>th</sup> July 2021 conveyed vide endorsement No.EAC/JK/20/8132-144 dated 27.07.2021 and No.EAC/JK/20/8249-261 Dated:29.07.2021 respectively, the 46<sup>th</sup> Meeting of JK Environment Impact Assessment Authority was held on 31<sup>st</sup> July, 2021 through video conferencing.

The following attended the meeting:-

- |   |                          |
|---|--------------------------|
| 1. Mr. Lal Chand, IFS(Retd.)                            | Chairman, JKEIAA         |
| 2. Er. Nazir Ahmad (Retd. Chief Engineer)               | Member, JKEIAA           |
| 3. Dr. Neelu Gera, IFS, Pr.CCF/Director,<br>EE&RS, J&K. | Member-Secretary, JKEIAA |

Following are the deliberations & decisions of the meeting:-

**AGENDA ITEM NO.01.**

Grant of Terms of Reference in favour of Executive Engineer Construction Division Leh, Union Territory: Ladakh-194101 for Proposed Integrated Solid Waste Management Facility Project Near Leh city, Ladakh UT, by Construction Division PWD Leh over an area of 659.47 Kanal, under proposal No.SIA/JK/MIS/63798/2021

**BRIEF SUMMARY:** This case pertains to grant of TOR for Proposed Integrated Solid Waste Management Facility Project Near Leh City, Ladakh UT, by Construction Division, PWD, Leh over an area of 659.47 Kanal. The project consists of Organic Waste Converter 3 Nos having capacity of 30 MT, Sanitary Landfill with the capacity of 90147 m<sup>3</sup> for 25 years. The total project cost is ₹ 19454410.00. The water requirement of the facility is 5 KLD with power requirement of 100 KVA. The nearest school is 2.23 kms and the nearest Hospital is 2.15 kms away from the site. Among the requisite NOCs, only the NOC from Revenue Department has been appended with proposal. When viewed on Google earth image platform using KML/KMZ file the JKEAC has observed features indicative of slope, filling & levelling with embankment around the side of a non-perennial nallah finding its way to Leh city at 2 km approx., features indicative of existing infrastructure facility for solid waste management at 50 m from proposed site. Features on image also indicate proposed land fill site at a higher elevation than Leh city. In remarks, JKEAC has indicated an existing facility of a large shed and as informed by the consultant, three organic waste machines have been already installed at site.

Further, the JKEAC has made following specific observations as under:

1. Proposed site located upstream of Leh city on natural drainage leading to Leh city, is not suitable for such facility.
2. To prevent the possibility of leachate and other solid waste finding its way to the city located downstream in case of flash floods/cloudburst, it would be desirable to locate the facility downstream of Leh city.
3. The project proponent needs to get multi criteria GIS-based site suitability analysis study done for locating the landfill at an appropriate site. The study should conclude by identifying at least three sites out of which the site having least environmental implications be selected for execution after obtaining statutory clearances.
4. Whenever, the fresh site is selected and the project proponent applies for grant of EC, the consultant must spell out alternate technologies that could be employed for working in sub-zero temperatures for operationalization of such facility. Further, details of the experts having experience of having provided similar solutions in identical geo-climatic conditions may be provided.

#### **Recommendation of JKEAC:**

In view of the deliberations and insight gained during the above cited appraisal process, the Committee recommended the case for rejection in the present form as the site is not appropriately located. In the meantime, the project proponent may be asked to get multicriteria GIS based site suitability analysis study done by some reputed GIS expert agency or consultancy for locating three appropriate sites out of which the one with least environmental implications be selected for obtaining environmental clearance.

#### **Decision of JKEIAA:**

Upon perusal of case summary and appraisal of JKEAC, it is apparent that proposed site is located near to a non-perennial nallah, though located upstream of Leh city on natural drainage. It is also apparent that some infrastructure facility has come up for solid waste management and organic waste machines have been installed at that site. Ladakh has a peculiar rugged topography with ridgeline dividing valleys. Besides, Leh main city is in a perennial valley fed by Khardongla watershed. Since the proposed site is near a non-perennial nallah, it appears that this nallah is separate from main nallah of Leh city, which is perennial. Therefore, a better understanding of the suitability of this site or otherwise can be best judged by a site visit. Accordingly, the JKEIAA is of the considered view that JKEAC shall constitute a committee having members from JKEAC alongwith a representative of pollution control committee & a domain expert. The said committee shall visit the site at an earliest, interact with concerned in UT Administration Ladakh and submit a report. Accordingly, JKEAC may apprise the case again in light of the above said report. UT Administration of Ladakh shall facilitate visit of the committee by arranging transport, suitable accommodation and briefing by officials conversant with the project & consultant. Keeping in view the limited working season in Ladakh, the authority shall appreciate if the report is compiled by end of Aug, after site visit.

#### **AGENDA ITEM NO. 02**

Grant of Terms of Reference for Nallah Bed Mining for Minor Mineral Block No-21 (Revised Area-2.35 Ha) U-Brazlo Bridge Upstream Vishu Nallah, Village Brazlo, Tehsil Kulgam, District Kulgam, J&K in favour of Mr. Showkat Ahmad Ganie S/O Gh. Ahmad Ganie R/O Near Jamia Masjid Ambripora Devsar, Bona Devsar, Pulwama, J&K. under proposal Nos. SIA/JK/MIN/57505/2020 & SIA/JK/MIN/63018/2021

**BRIEF SUMMARY:** This case pertains to grant of TOR for river bed mining lease under B1 category with an area of 2.35 Ha (Cluster Situation). LOI has been issued on 16/07/2020, which has later been extended on 15/04/2021 and is valid up to 31/08/2021. Mining plan has been approved on 31/08/2020. Its resizing has been recommended on 10/03/2021. The cluster certificate has been issued on 14/10/2020. As per summary of appraisal report, district survey report needs to be revised by including replenishment data etc. Approved mining plan has been submitted, but it needs revision. Though annexure to letter issued by Addl. Dy Commissioner Kulgam vide letter No. DCK/Estt/2021-22/91 dated 12/04/2021 shows that Irrigation Dept. and PHE Dept has not issued NOC in favour of the mining block but subsequently, vide No. DCK/Estt/2021-22/364 dated 15.06.2021 the Adl. Dy. Commr Kulgam reported that NOCs were issued by the Xen PHE and Irrigation concerned conditionally. However, as per record, NOC of Irrigation dept attached with the letter do not mention the mining block 21. Besides, NOCs of Fisheries Dept. etc. also do not mention block No.21

Further, the JKEAC has made following specific observation that, the individual NOCs enclosed with Dy Commissioner Kulgam letter No.DCK/Estt/2021- 22/364 dated 15/06/2021 do not bear any mention of NOC issued w.r.t Block No.21 as having been done with rest of the blocks. However, the AEE, PHE (Jalshakti) concerned vide his letter No. PHQ/115-16 dated 3/06/2021 has mentioned that the mining activity may affect the water supply schemes in the vicinity.

**Recommendations of JKEAC:**

In view of the deliberations and insight gained during the above cited appraisal process, the Committee recommended that the PP should be asked to obtain the following **additional details** from the concerned: -

- a) Copy of NOCs issued by the concerned stake holder departments especially; Irrigation Dept., Flood Control Dept, Fisheries Dept. etc in favour of Mining block No. 21 U- Brazlo Bridge Upstream Vishu Nallah, Village Brazlo, Tehsil Kulgam, District Kulgam as reflected in the Annexure to letter No. DCK/Estt/2021-22/364 dated 15/06/2021 issued by Adl. Dy. Commissioner, Kulgam District.
- b) In view of apprehensions expressed by the AEE, Jal Shakti concerned, a clear-cut NOC from the concerned department be submitted to the effect that the mining activity in the designated mining block will not affect the water supply schemes in the area.
- c) A clear-cut NOC from the Irrigation department be submitted to the effect that the mining activity in the designated mining block will not affect the flow of water into the Irrigation Kuhls in the area.

**Decision of JKEIAA:**

Upon perusal of case summary and appraisal report, the JKEIAA agrees with the recommendations of JKEAC to **seek additional details** from the concerned PP for appraisal of the block for grant Terms of Reference.

### **AGENDA ITEM NO.03.**

Grant of Environment Clearance for Minor Mineral Block Mining Project, Block-2/8, (Revised Area: 3.28 ha.), Nowshera Tawi River, Down Stream Muradpur Bridge (Chowki Ketera) Rajouri (Plan-XII), Tehsil & Distt-Rajouri, J&K in favor of Shri Mangal Singh S/O Shri Om Prakash R/O Village- Saidgarh, Tehsil- Bishnah, Jammu under proposal Nos. **SIA/JK/MIN/214535/2021**

**BRIEF SUMMARY:** This case pertains to grant of EC for river bed mining lease under B1 category with an area of 3.28 Ha. LOI has been issued on 23/10/2020, which has later been extended on 15/04/2021 and is valid up to 31/08/2021. Mining plan has been approved on 16/02/2021. The case was earlier discussed on 24/04/2021. As per summary of appraisal report, district survey report needs to be revised by including replenishment data etc. Dy. Commissioner, Rajouri has reported vide No. DCR/2021-22/Act/80 dated:06.05.2021 that all stake holder departments have given NOCs but the individual NOC have not been received by JKEAC. PP assured that these are lying with him and would be submitted by email. But these were not received subsequently. Therefore, JKEAC recommended that individual NOCs be submitted prior to grant of EC. Besides, Area under active water channel needs to be excluded from mining activity.

Further, the JKEAC has made following specific observations as under:

1. The mining block area traversed by active water channel needs to be excluded while calculating the minable reserves.
2. Committee prescribed additional budget of ₹ 3.00 lacs under capital and ₹ 1.00 lacs under recurring under haulage route maintenance. The Consultant was advised to revise the EMP prior to grant of EC accordingly.
3. Individual NOCs from stake holder departments as reflected in the letter No. DCR/2021-22/Act/80 dated 06/05/2021 from Dy. Commissioner concerned need to be submitted prior to grant of EC by JKEIAA.
4. Hume pipes be installed near pillar D & G for haulage of mineral across the active water channel and mining activity shall be started from downstream to channelize the river bed. The EMP be revised accordingly by providing adequate funding under haulage route maintenance as per remarks in EMP table herein above.
5. Mining depth be restricted to 1m in aggregate in view of non-availability of replenishment data in the DSRs formulated by the G&M Dept.
6. The Consultant need to provide details under which the CER budget of Rs 18.25 lacs shall be utilized prior to grant of EC.

### **Recommendations of JKEAC:**

In view of the deliberations and insight gained during the above cited appraisal process, the Committee recommended the project for grant of Environmental Clearance subject to:

- a) Prior submission of revised EMP and CER Plan as per deliberations.
- b) Standard and Specific conditions as per **Annexure-B** to these Minutes of Meeting relating to mining leases.
- c) Mining Depth of 1 m in aggregate in view of non-availability of replenishment data in the District Survey Report.
- d) Mining lease Area 3.28 Ha as recommended by the Geology & Mining Dept. on the request of PP.
- e) Targeted Mineral Production 36604 Metric Tons.

- f) Revision of mining plan with revised mining block area, mining depth, closure plan, surface plan, targeted mineral production, mining methodology etc. and its de-novo approval by the competent authority prior to grant of EC or as decided by the JKEIAA.
- g) Condition the revised geographical coordinates as per revised area projected by G&M Dept. are mentioned in the formal EC letter by JKEIAA.
- h) Validity of only three years from the date of commencement of the mining operations duly certified by the District Mineral Officer concerned with intimation to the JKEIAA and JKPCB in view of non-availability of replenishment data provided in the DSR.
- i) Copy of NOCs of the stake holder departments as indicated in annexure to letter No. DCR/2021-22/Actt/80 dated: 06/05/2021 from Dy. Commissioner concerned be submitted to JKEIAA/JKEAC prior to grant of EC.

**Decision of Authority:**

Upon perusal of case summary and appraisal report, the JKEIAA agree with the recommendations of JKEAC to grant Environmental Clearance to the project subject to fulfillment of following conditions:

- a) Submission of revised EMP and CER Plan prior to grant of EC.
- b) Mining Depth is restricted to 1m only below NSL in view of non-availability of replenishment data with targeted Mineral Production of 36604 Metric Tons.
- c) Mining lease Area 3.28 ha as recommended by the Geology & Mining Dept. on the request of PP
- d) Quantity is calculated on the basis of bulk density of 1.86 MT/cum.
- e) Revision of mining plan/PFR with revised area, revised coordinates, revised surface plan, and revised calculation of minor mineral production at maximum 1m depth in aggregate, mapping of haulage route, etc., in the light of deliberations of the JKEAC and its approval by the competent authority. The revised documents be submitted within three months of grant of EC.
- f) Copy of NOCs of the stake holder departments as indicated in annexure to letter No. DCR/2021-22/Actt/80 dated: 06/05/2021 from Dy. Commissioner concerned be submitted to JKEIAA/JKEAC prior to grant of EC.

**AGENDA ITEM NO.04.**

Grant of Environment Clearance for Minor Mineral Block Mining Project, Block-3/1, (Revised Area: 2.12 ha.), Nowshera Tawi River, Down Stream Nowshera Jabba Bridge, Tehsil & District Rajouri (Plan-I) in favor of Shri Barinder Singh Chaudhary S/O Shri Kemat Lal R/O Jammu under proposal No. SIA/JK/MIN/59835/2021 and SIA/JK/MIN/216111/2021

**BRIEF SUMMARY:** The case pertains to grant of TOR for river bed mining lease under B1 category over an area of 2.12 ha (reduced working area). LOI has been issued on 06/08/2020 which has been extended on 15/04/2021 and is valid up to 31/08/2021. Mining plan has been approved on 05/01/2021 and its resizing has been recommended on 18/06/2021. The case was earlier discussed on 15/02/2021. Dy. Commissioner, Rajouri has reported vide No. DCR/2021-22/Actt/80 dated 06/05/2021 that all stake holder depts. have given NOCs but the individual NOC have not been received by JKEAC. PP assured that these are lying with him and would be submitted by email. But these were not received subsequently. Therefore, JKEAC recommended, that individual NOCs be submitted prior to grant of EC.

Further, the JKEAC has made following specific observations as under:

1. EMP is too meagre for the project and needs to be revised with appropriate budget as indicated in remarks above.
2. Details of heads under which CER budget of Rs14.50 lacs shall be spent need to be submitted prior to grant of EC
3. Mining depth be restricted to 1m in aggregate in view of non-availability of replenishment data in the DSRs formulated by the G&M Dept.
4. Copy of NOCs of the stake holders not appended with the communication from Dy. Commissioner concerned.
5. Mining plan needs revision for mining block area, mining depth, closure plan, surface plan, targeted mineral production, mining methodology etc.

#### **Recommendations of JKEAC:**

In view of the deliberations and insight gained during the above cited appraisal process, the Committee recommended the case for grant of Environmental Clearance subject to:-

- a) Prior submission of revised EMP and CER as per deliberations.
- b) Standard and Specific conditions as per Annexure-B to these Minutes of Meeting relating to mining leases.
- c) Mining Depth of 1m in aggregate in view of non-availability of replenishment data in the District Survey Report.
- d) Mining lease Area 2.12 ha as recommended by the Geology & Mining Dept. on the request of PP.
- e) Targeted Mineral Production 23659 Metric Tons.
- f) Revision of mining plan with revised mining block area, mining depth, closure plan, surface plan, targeted mineral production, mining methodology etc. and its de-novo approval by the competent authority prior to grant of EC or as decided by the JKEIAA.
- g) Condition the revised geographical coordinates as per revised area projected by G&M Dept. are mentioned in the formal EC letter by JKEIAA.
- h) Validity of only three years from the date of commencement of the mining operations duly certified by the District Mineral Officer concerned with intimation to the JKEIAA and JKPCB in view of non-availability of replenishment data provided in the DSR.
- i) Prior NOCs of the stake holder departments as indicated in annexure to letter No. DCR/2021-22/Actt/80 dated 06/05/2021 from Dy. Commissioner concerned be submitted to JKEIAA/JKEAC prior to grant of EC.

#### **Decision of JKEIAA:**

Upon perusal of case summary and appraisal report, the JKEIAA agree with the recommendations of JKEAC to grant Environmental Clearance to the project subject to fulfillment of following conditions:

- a) Submission of revised EMP and CER Plan prior to issuance of EC.
- b) Mining Depth is restricted to 1m only below NSL in view of non-availability of replenishment data with targeted Mineral Production of 23659 Metric Tons.
- c) Mining lease Area 2.12 ha as recommended by the Geology & Mining Dept. on the request of PP
- d) That quantity is calculated on the basis of bulk density of 1.86 MT/cum.
- e) Revision of mining plan/PFR with revised area, revised coordinates, revised surface plan, and revised calculation of minor mineral production at maximum 1m depth in aggregate, mapping of haulage route, etc., in the light of deliberations of the JKEAC

and its approval by the competent authority. The revised documents be submitted within 3 months of issuance of EC.

- f) Validity of only three years from the date of commencement of the mining operations duly certified by the District Mineral Officer concerned with intimation to the JKEIAA and JKPCB in view of non-availability of replenishment data provided in the DSR.
- g) Prior NOCs of the stake holder departments as indicated in annexure to letter No. DCR/2021-22/Act/80 dated 06/05/2021 from Dy. Commissioner concerned be submitted to JKEIAA/JKEAC prior to grant of EC.

#### **AGENDA ITEM NO.05.**

Grant of Environment Clearance for Minor Mineral (River Bed Material) Project at Block No. 38(5/13), (Area- 8.69ha.), Khathar walli Khad Upstream Manoh Khathar Bridge, Village-Manoa, Tehsil- Akhnoor, District- Jammu, UT-J&K favouring M/S Sushil Kumar S/O Shri Surinder Singh R/O Sh. Tarsem Lal R/o Flat No. B-13, Sector No.1, Dream Line Society Trikuta Nagar, Jammu under proposal Nos. SIA/JK/MIN/56340/2019

**BRIEF SUMMARY:** This case pertains to grant of Environment Clearance for "Minor Mineral (River Bed Material)" at Block No. 38 (5/13), Khatharwali Khad Upstream Manoh Khathar, Village Manoa, Tehsil Akhnoor District Jammu, JK UT over an area of 8.69 ha. (ADS-Transfer case) under B2 category. LOI has been issued on 21/07/2020, later-on which was extended on 15-04-2021 and is valid up to 31-08-2021. Mining plan has been approved on 12/04/2018 and TORs were granted on 26-12-2019. As per summary of appraisal report, district survey report needs to be revised by including replenishment data, etc. Status of NOCs in appraisal report shows that NOC's from Stakeholder departments are awaited and NOC issued by the DFO concerned was not accepted as it doesn't show distance between pillar coordinate of mining block and coordinate of nearest boundary pillar of forest land. Besides, area under active water channel needs to be excluded.

Further, the JKEAC has made following specific observations as under:

1. Case was earlier discussed in 16<sup>th</sup> JKEAC meeting held on 5/10/2020 during which mining block was found traversing forest boundary on one hand while as the DFO concerned had issued NOC on the other hand. Under these circumstances, JKEAC had sought clarification from PCCF Office. The consultant again uploaded the case under a different proposal No. and the case was again deliberated by JKEAC on 15/05/2021 during which the Committee rejected the case and desired that PP Obtain a fresh NOC from the designated authorized officer of Forest Department clearly mentioning the geographical coordinates of the forest boundary pillar w.r.t the nearest pillar coordinate of the mining block, also mentioning the distance between the two so that there is no ambiguity in the matter. But the fresh NOC obtained again from the DFO concerned does not mention the coordinates and therefore, the Committee desired clarification as sought earlier.
2. EMP is too meagre for the project and needs to be revised with appropriate budget.
3. Mining depth above 1m in aggregate not agreed by the Committee.
4. Mining depth mentioned as 3 m even in revised EIA document while as in PFR and approved mining plan, it is mentioned as 0.50m
5. Contradictory bulk density of 2 mentioned on page 7 of PFR while as in Mining Plan it is shown as 1.86
6. The representative of the project proponent requested to conditionally recommend the case as the LOI is expiring during ending August, 2021. However, the

Committee desired that the JKEIAA may request the PCCF office to intervene so that the clarification is issued to the PP well before 10th of August, 2021 so that the case is listed and appraisal process completed before 31st of August, 2021.

**Recommendation of JKEAC:**

In view of the deliberations and insight gained during the above cited appraisal process, the Committee Sought full compliance to the additional details already sought during the JKEAC meeting held on 15/05/2021. Since, the Lol is expiring on 31<sup>st</sup> of August, 2021, the JKEIAA office may request the Office of PCCF, JK to intervene in the matter so that the desired clarification is issued by the authorized officer of the Forest Dept. positively before 10<sup>th</sup> of August, 2021 to enable its appraisal before expiry of the Lol date.

**Decision of JKEIAA:**

The authority agreed with the recommendations of JKEAC to ask PP to submit full compliance of the details sought as above.

**AGENDA ITEM NO.06**

Grant of Environmental Clearance to stone quarry cluster site measuring 2.50 ha at Pehlipora, Tehsil Lar, District Ganderbal in favour of 127 rehabilitated quarry holders represented by Shri Parvaiz Ahmad Kuchay, Manzoor Ahmad Dar and Mohammad Shafi Bhat R/O Safapur District Ganderbal. under proposal Nos. SIA/JK/MIN/133613/2019

**BRIEF SUMMARY:** This case pertains to grant of Environment Clearance for stone Quarry cluster Mine Project over an area of 2.50 ha., village Pehlipora, Tehsil Lar, District Ganderbal, JK UT under B2 category. The area of the project is 2.50ha. under Khasra No.1086/2. Mining plan period of the project is for five years. Date of approval of the Mining Plan is 05-03-2019. No objection from Wild Life Department has already been obtained by the project proponent on 15/03/2021. As per summary of appraisal report, district survey report needs to be revised. Approved mining plan has been submitted, but it needs revision. List of 127 quarry holders has been communicated to G&M Dept. by Dy. Commissioner, Ganderbal for rehabilitation of displaced quarry holders of Safapur belt on 10/10/2018. The site has been declared as Cluster of Quarries by G&M Dept under Rule 14 of JKMMC Rues of 2016 on 23/01/2019. The Mining Plan was approved on 05/03/2019. The quarry holders have also submitted and Affidavit in favour of Project proponent as their representative on 25/04/2019. Clarification was issued by G&M Dept. on number of quarry holders/Cluster of quarries on 05/06/2021. Since, the quarry site appeared to be lying inside the Ajas Wildlife Conservation Reserve as per digital boundary available on 1:50,000 scale. Therefore, necessary clarification had been sought from the office of Chief Wildlife Warden, JK in pursuance to recommendations made during the 21<sup>st</sup> JKEAC Meeting held on 5/12/2020. The Office of Chief Wildlife Warden vide letter No. WLP/Tech/2021/423-25 dated 15/03/2021 has reported that the boundary of Ajas Wildlife Conservation Reserve is 300 m away from the proposed quarry site.

Further, the JKEAC has made following specific observations as under:

1. Case was discussed in 21st JKEAC meeting held on 5/12/2020 during which the Committee had desired as under: -
  - a. to obtain the copy of letter No. DC/GBL/PS/F-20/1256-60 dated 10/10/2018 issued by the Dy. Commissioner, Ganderbal where in the list of affected



- quarry holders of Safapora stone quarry belt to be rehabilitated had been communicated to the Director, Geology & Mining Department.
- b. To seek clarification from the Geology & Mining Department whether, the area of 2.5ha allotted for rehabilitation of the affected quarry holders of Safapora is the only land declared as cluster of quarries for rehabilitation of the affected quarry holders or 2.5ha land has been allotted to only three project proponents viz. Parvaiz Ahmad, Manzoor Ahmad Dar and Mohammad Shafi Bhat and others are in queue and are yet to apply for EC.
  - c. To seek clarification from the Chief Wildlife Warden, J&K and Regional Wildlife Warden (Kashmir) as to whether the quarry area is inside or outside the Ajas Conservation Reserve.
2. In compliance to the above cited recommendations, the Committee observed that the PP has submitted following compliances: -
- a. Copy of letter No.1126/MCC/DGM/DMO/09/1004 dated 05/06/2021 from the Director G&M Dept. addressed to the Member Secretary, JKEIAA with copy of letter dated 10/10/2018 from Dy. Commissioner, Ganderbal District showing the 127 number of quarry holder beneficiaries being represented by the project proponents.
  - b. Copy of letter No.MSN/DGM/SGR/F02/1221-22 dated 09/03/2021 from the Joint Director, G&M Dept. indicating that the area of 2.5 ha is the only land declared as cluster of quarries for rehabilitation of 127 quarry holders identified by the Dy. Commissioner Ganderbal.
  - c. Copy of Letter No.WLP/Tech/2021/423-25 dated 15/03/2021 from the office of Chief Wildlife Warden, J&K which indicates that the quarry site falls under Survey No.1086 min and is at a distance of 300 m away from the boundary of Ajas Wildlife Conservation Reserve.
3. Appropriate budget may be kept for Occupational Health check-up and safety of quarry holders and the EMP may be revised as per above remarks.
4. Appropriate budget may also be formulated under CER activates.
5. The quarrying should not affect the natural drainage.
6. To formulate a detailed risk assessment and management plan for the quarry cluster.
7. The Committee discussed the Amendment Notification S.O.3977 (E) dated 14/08/2018 w.r.t appraisal of minor minerals which reads as under:-  
General Conditions shall apply except:  
"for project or activity of mining of minor minerals of Category 'B2' (up to 25 ha of mining lease area);"
8. The Committee also discussed the pertinent part of the O. M dated 8th August, 2019 issued by MoEF & CC, which reads as under: -  
"Proposals involving mining of minerals within the ESZ (or) one kilometre from the boundaries of National Parks and Sanctuaries whichever is higher is prohibited in accordance with the order of the Hon'ble Supreme Court dated 4.08.2006 in the matter of T.N. Godavarman Thirumulpad Vs. UOI in W.P.(C)No.202 of 1995 and dated 21.4.2014 in the matter of Goa Foundation Vs. UOI in W.P.(C) No. 435 of 2012."
9. It was found that the approved mining plan is sketchy without any specific details about the number of quarries and its distribution among the 127 defined / nominated beneficiaries.

10. The Committee discussed the Rule 14 of Minor Mineral Concession Rules under which the Cluster of Quarries have been declared by the G&M Dept. As per the said Rules, there cannot be more than 20 quarries in the cluster in the designated cluster area. Therefore, the Committee desired that before proceeding further, the G&M Dept. should furnish following details: -
- a. Total Number of quarries in the cluster, with area and their geo-coordinates.
  - b. Number of beneficiaries in each quarry, their names/details, Modus operandi of collective management and responsibilities.
  - c. Declaration of legal entitlement and functional rights of the quarry holders.
  - d. Revision of mining plan showing the area of each quarry in the cluster with physical measurements and coordinates showing annual/ total quarry excavation depth. It should be assured that the parameters affecting the stability of the quarry site and its surrounds are well taken care of. It should also include a well-defined closure plan of each quarry detailing the responsibility of the stakeholders.
  - e. Provision for safety audit of the entire belt.

**Recommendations of JKEAC:**

In view of the deliberations and insight gained during the above cited appraisal process, the Committee recommended for seeking following additional details from the Geology & Mining Department:

- a. Fresh affidavit from the 127 nominated beneficiaries as identified by the Dy. Commissioner, Ganderbal District duly attested by the Magistrate 1<sup>st</sup> class to the effect that they have authorized the project proponents for all matters relating to application for grant of EC before JKEIAA.
- b. Total Number of quarries in the cluster, with area and their geo-coordinates.
- c. Number of beneficiaries in each quarry, their names/ details, Modus operandi of collective management and responsibilities.
- d. Declaration of legal entitlement and functional rights of the quarry holders by concerned authorities.
- e. Revision of mining plan giving details about the 127 beneficiaries, area allotted in each quarry of the cluster with physical measurements and coordinates showing annual/total quarry excavation depth. It should be assured that the parameters affecting the stability of the quarry site and its surrounds are well taken care of. It should also include a well-defined closure plan of each quarry detailing the responsibility of the stakeholders.
- f. Provision for mid-term safety audit of the entire quarry cluster.
- g. The EMP need to be revised with details about haulage route with map and budget for haulage route and Occupational health safety for mine workers.

**Decision of JKEIAA:**

Upon perusal of case summary and appraisal report, the JKEIAA agree with the recommendations of JKEAC to for seeking following additional details from the Geology & Mining Department:

- a. Affidavit from the 127 nominated beneficiaries as identified by the Dy. Commissioner, Ganderbal District duly attested by the Magistrate 1<sup>st</sup> class to the effect that they have authorized the project proponents for all matters relating to application for grant of EC before JKEIAA. As, there are deficiencies in the content of already submitted affidavit which authorizes

Shri Parvaiz Ahmad Kuchay, Manzoor Ahmad Dar and Mohammad Shafi Bhat all residents of Safapur, District Ganderbal for submitting the papers to Geology & Mining Department, besides the affidavit doesn't contain the names and signatures of all the 127 beneficiaries.

- b. Total Number of quarries in the cluster, with area and their geo-coordinates.
- c. Number of beneficiaries in each quarry, their names/ details, Modus operandi of collective management and responsibilities.
- d. Declaration of legal entitlement and functional rights of the quarry holders by concerned authorities.
- e. Revision of mining plan giving details about the 127 beneficiaries, area allotted in each quarry of the cluster (as per Minor Mineral Concession Rules) with physical measurements and coordinates showing annual/total quarry excavation depth. It should be assured that the parameters affecting the stability of the quarry site and its surrounds are well taken care of. It should also include a well-defined closure plan of each quarry detailing the responsibility of the stakeholders.
- f. Provision for mid-term safety audit of the entire quarry cluster.
- g. Revision of EMP with details about haulage route with map and budget for haulage route and Occupational health safety for mine workers.

#### **AGENDA ITEM NO. 07**

Grant of Environment Clearance in favour of Shri Naresh Sharma S/O Shri Swaran Dass Sharma R/O lane No 14, H.NO 105/11, Nanak Nagar, Jammu, JK UT for Mineral Mining Project, Block No.10, revised area 8.856ha. at Bhini River Naj Nallah Downstream Naj Bridge, District Kathua, JK UT under proposal No. SIA/JK/MIN/58851/2020.

**BRIEF SUMMARY:** This case pertains to grant of Environment Clearance under B1 category with an area of 8.865ha. LOI has been issued on 24/07/2020, which was later extended on 15/04/2021 and is valid up to 31/08/2021. Mining plan has been approved on 26/11/2020. Terms of Reference were issued on 06-01-2021 and public hearing was conducted on 31-03-2021. The aforesaid case was processed in pursuance to G.O 76JK-FST of 2020 dated 29/07/2021. The area of the project was reduced by Geology & Mining Department on 30-06-2021. As per summary of appraisal report, district survey report needs to be revised by including replenishment data etc., Status of NOC's in appraisal report shows that Dy. Commissioner, Kathua vide reference No. DCK/SQ/2021-22/514-18 dated 11-05-2021 has conveyed NOCs of stake holder departments. The NOC from PHE has not been included with the communication.

Further, the JKEAC has made the following specific observations:

- a. Baseline data collection photographs of same site included in EIA document of agenda 1,2,3 and 4. Consultant need to rectify this discrepancy.
- b. The compliance to specific ToR condition No.19 relating to photographs of display screen displaying the date of collection of data missing in EIA report.
- c. EMP budget needs to be revised as per remarks. Contradiction in EMP budget. Somewhere written as 5 lacs per annum and at other places Rs.12 lacs
- d. CER budget proposed in EIA/EMP is only 0.48 lacs, commitment made during Public Hearing as reflected in the PHR is Rs.1.50 lacs per annum. However, in the ppt it was declared as Rs.2.20 lacs.
- e. Xen Flood Control Dept. has recommended NOC conditionally

- f. No JCBs/ Excavators/ Bulldozers to be use in mining and no water course to be disturbed as per NOC from Fisheries Department.
- g. NOC from PHE is missing in the communication from Dy. Commissioner concerned under Single Window Clearance system and the Committee desired that in view of shortage of availability of drinking water in the area, the EC cannot be considered unless detailed report from concerned Xen PHE (Jalshakti) is obtained by the PP
- h. EMP may be revised with appropriate budget as recommended herein above.
- i. Revision of the mining plan with mine closure plan, revised mining depth, surface plan, targeted mineral production and replenishment and its denovo approval by the competent authority prior to grant of EC or as decided by JKEIAA.
- j. Mining depth be restricted to 1m in aggregate in view of non-availability of replenishment data in the DSRs formulated by the G&M Dept.
- k. Bulk density of 2.25 not agreed. Committee desired that in absence of actual measurements, a nominal bulk density of 2.0 be adopted.
- l. Project cost mentioned variously as Rs.80 lacs and Rs.110 lacs in the uploaded documents.

#### **Recommendations of JKEAC.**

In view of the deliberations and insight gained during the above cited appraisal process, the Committee rejected the case for grant of Environmental Clearance in present form and desired that the PP should obtain an explicit report from the PHE (Jalshakti) Dept. to the effect that the mining activity shall not affect the availability of water supply/source in the downstream as the said NOC is not reflected in the Dy. Commissioner concerned letter cited as above. Besides, the project proponent may be asked to revise the documents as per deliberations/specific observations mentioned here-in-above.

#### **Decision of Authority.**

The authority discussed the appraisal report of JKEAC. The Member Secretary informed that the NOC from PHE Department in respect of the said block has been forwarded by the Director Geology and Mining Department. In light of NOC received vide DCK/SQ/2021-22/1490 dated: 29-07-2021 after the JKEAC meeting, the authority decided to return the case to JKEAC to appraise the same as is done in the similarly placed cases subject to fulfilment of other conditions.

#### **AGENDA ITEM NO.08:**

Grant of Environment Clearance in favour of Shri Balvinder Singh, S/O Shri Keemat Lal R/o Near Chib Resort, Raipur Satwari, Jammu, JK UT for proposed RBM (river bed Mineral) Mining Project, Block No.6, revised area of 8.94 ha. at Bhini River Down Stream Kishan Pur Road Bridge, District Kathua (Plan-I), JK UT under proposal No.SIA/JK/MIN/58842/2020.

**BRIEF SUMMARY:** This case pertains to grant of Environment Clearance under B1 category with an area of 8.94ha. LOI has been issued on 24/07/2020, which was later extended on 15/04/2021 and is valid up to 31/08/2021. Mining plan has been approved on 26/11/2020. Terms of Reference were issued on 06-01-2021 and public hearing was conducted on 31-03-2021. The aforesaid case was processed in pursuance to G.O 76JK-FST of 2020 dated 29/07/2021. The area of the project was reduced by Geology & Mining Department on 30-06-2021. As per summary of appraisal report, district survey report

needs to be revised by including replenishment data etc., Status of NOC's in appraisal report shows that Dy. Commissioner, Kathua vide Reference No.DCK/SQ/2021-22/514-18 dated 11/05/2021 has conveyed NOCs of stake holder departments. NOC from DFO concerned says that part of the block falls under the jurisdiction of Billawar Forest Division.

Further, the JKEAC has made the following specific observations:

- a. Baseline data collection photographs of same site included in EIA document of agenda 1, 2, 3 and 4. Consultant need to rectify this discrepancy.
- b. NOC from DFO Basoli mentions that part of the mining block falls under jurisdiction of DFO, Billawar. Accordingly, the certificate be endorsed by DFO Billawar as well.
- c. The compliance to specific ToR condition No.19 relating to photographs of display screen displaying the date of collection of data missing in EIA report.
- d. CER budget proposed in EIA/EMP is only Rs.0.40 lacs while as commitment made during Public Hearing is 1.75 lacs per annum but the one presented in ppt mentions ₹ .2.00 lacs per annum.
- e. Xen Flood Control Dept. has recommended NOC conditionally
- f. No JCBs/ Excavators/ Bulldozers to be use in mining and no water course to be disturbed as per NOC from Fisheries Department.
- g. NOC from PHE is missing in the communication from Dy. Commissioner concerned under Single Window Clearance system and the Committee desired that in view of shortage of availability of drinking water in the area, the EC cannot be considered unless detailed report from concerned Xen PHE (Jalshakti) is obtained by the PP.
- h. EMP may be revised with appropriate budget as recommended herein above.
- i. Revision of the mining plan with mine closure plan, revised mining depth, surface plan, targeted mineral production and replenishment and its denovo approval by the competent authority prior to grant of EC or as decided by JKEIAA.
- j. Mining depth be restricted to 1m in aggregate in view of non-availability of replenishment data in the DSRs formulated by the G&M Dept.
- k. bulk density of 2.25 not agreed. Committee desired that in absence of actual measurements, a nominal bulk density of 2.0 be adopted.

#### **Recommendations of JKEAC.**

In view of the deliberations and insight gained during the above cited appraisal process, the Committee rejected the case for grant of Environmental Clearance in present form and desired that the PP should obtain an explicit report from the PHE (Jalshakti) Dept. to the effect that the mining activity shall not affect the availability of water supply/source in the downstream as the said NOC is not reflected in the Dy. Commissioner. Concerned' s letter cited as above. Besides, the project proponent may be asked revise the documents as per deliberations/specific observations mentioned herein above.

#### **Decision of Authority:**

The authority discussed the appraisal report of JKEAC. The Member Secretary informed that the NOC from PHE Department in respect of the said block has been forwarded by the Director Geology and Mining Department. In light of NOC received vide DCK/SQ/2021-22/1490 dated: 29-07-2021 after the JKEAC meeting, the authority decided to return the case to JKEAC to appraise the same as is done in the similarly placed cases subject to fulfilment of other conditions.

#### **AGENDA ITEM NO.09:**

Grant of Environment Clearance in favour of Shri Keemat Lal S/O Shri Kohla Ram R/O Raipur Satwari, Jammu, JK UT for Mineral Mining Project, Block No.5, revised area 8.181ha. at Naj Nallah downstream Naj bridge, District Kathua, JK UT under proposal No.SIA/JK/MIN/58847/2020.

**BRIEF SUMMARY:** This case pertains to grant of Environment Clearance under B1 category with an area of 8.181ha. LOI has been issued on 24/07/2020, which was later extended on 15/04/2021 and is valid up to 31/08/2021. Mining plan has been approved on 26/11/2020. Terms of Reference were issued on 06-01-2021 and public hearing was conducted on 31-03-2021. The aforesaid case was processed in pursuance to G.O 76JK-FST of 2020 dated 29/07/2021. The area of the project was reduced by Geology & Mining Department on 30-06-2021. As per summary of appraisal report, district survey report needs to be revised by including replenishment data etc., Status of NOC's in appraisal report shows that Dy. Commissioner, Kathua vide Reference No.DCK/SQ/2021-22/514-18 dated 11/05/2021 has conveyed NOCs of stake holder departments. However, NOC from PHE Department has not been included with the communication.

Further, the JKEAC has made the following specific observations:

- a. Baseline data collection photographs of same site included in EIA document of agenda 1,2,3 and 4. Consultant need to rectify this discrepancy.
- b. The compliance to specific ToR condition No.19 relating to photographs of display screen displaying the date of collection of data missing in EIA report
- c. CER budget proposed is only Rs.0.36 lacs per annum. However, as per ppt./ Executive Summary/Site Appreciation Note, it is mentioned as Rs.1.60 lacs and same needs to be revised.
- d. Xen Flood Control Dept. has recommended NOC conditionally
- e. No JCBs/ Excavators/ Bulldozers to be use in mining and no water course to be disturbed as per NOC from Fisheries Department.
- f. NOC from PHE is missing in the communication from Dy. Commissioner concerned under Single Window Clearance system and the Committee desired that in view of shortage of availability of drinking water in the area, the EC cannot be considered unless detailed report from concerned Xen PHE (Jalshakti) is obtained by the PP.
- g. Contradiction in EMP budget in the submitted EIA document. EMP may be revised with appropriate budget as recommended herein above.
- h. Revision of the mining plan with mine closure plan, revised mining depth, surface plan, targeted mineral production and replenishment and its denovo approval by the competent authority prior to grant of EC or as decided by JKEIAA.
- i. Mining depth be restricted to 1m in aggregate in view of non-availability of replenishment data in the DSRs formulated by the G&M Dept.
- j. Bulk density of 2.25 not agreed. Committee desired that in absence of actual measurements, a nominal bulk density of 2.0 be adopted.

#### **Recommendations of JKEAC:**

In view of the deliberations and insight gained during the above cited appraisal process, the Committee rejected the case for grant of Environmental Clearance in present form and desired that the PP should obtain an explicit report from the PHE (Jalshakti) Dept. to the effect that the mining activity shall not affect the availability of water supply/source in the downstream as the said NOC is not reflected in the Dy. Commissioner. Concerned' s letter

cited as above. Besides, the project proponent may be asked to revise the documents as per deliberations/specific observations mentioned herein above.

**Decision of Authority:**

The authority discussed the appraisal report of JKEAC. The Member Secretary informed that the NOC from PHE Department in respect of the said block has been forwarded by the Director Geology and Mining Department. In light of NOC received vide DCK/SQ/2021-22/1490 dated: 29-07-2021 after the JKEAC meeting, the authority decided to return the case to JKEAC to appraise the same as is done in the similarly placed cases subject to fulfilment of other conditions.

**AGENDA ITEM NO.10.**

Grant of Environment Clearance in favour of Shri Naresh Sharma S/O shri Swaran Dass Sharma R/O Lane No 14, H.NO 105/11, Nanak Nagar, Jammu, JK UT Bed Mineral Project, Block No.18, revised area 7.893ha. at Naj Nallah Downstream Naj Bridge, District Kathua, JK UT under proposal No.SIA/JK/MIN/58843/2020.

**BRIEF SUMMARY:** This case pertains to grant of Environment Clearance under B1 category with an area of 7.893ha. LOI has been issued on 24/07/2020, which was later extended on 15/04/2021 and is valid up to 31/08/2021. Mining plan has been approved on 26/11/2020. Terms of Reference were issued on 06-01-2021 and public hearing was conducted on 08-04-2021. The aforesaid case was processed in pursuance to G.O 76JK-FST of 2020 dated 29/07/2021. The area of the project was reduced by Geology & Mining Department on 30-06-2021. As per summary of appraisal report, district survey report needs to be revised by including replenishment data etc., Status of NOC's in appraisal report shows that Dy. Commissioner, Kathua vide Reference No. DCK/SQ/2021-22/514-18 dated 11-05-2021 No.DCK/SQ/2021-22/514-18 dated 11/05/2021 has conveyed NOCs of stake holder departments. However, NOC from PHE Department has not been included with the communication.

Further, the JKEAC has made the following specific observations:

- a) Baseline data collection photographs of same site included in EIA document of agenda 1,2,3 and 4. Consultant need to rectify this discrepancy.
- b) The compliance to specific ToR condition No.19 relating to photographs of display screen displaying the data of collection of data missing in EIA report.
- c) Contradiction in Budget under EMP in uploaded documents and PowerPoint presentation and site appreciation note.
- d) No JCBs/ Excavators/ Bulldozers to be use in mining and no water course to be disturbed as per NOC from Fisheries Department.
- e) Xen Flood Control Dept. has recommended NOC conditionally.
- f) No JCBs/ Excavators/ Bulldozers to be use in mining and no water course to be disturbed as per NOC from Fisheries Department.
- g) NOC from PHE is missing in the communication from Dy. Commissioner concerned under Single Window Clearance system and the Committee desired that in view of shortage of availability of drinking water in the area, the EC cannot be considered unless detailed report from concerned Xen PHE(Jalshakti) is obtained by the PP
- h) Contradiction in EMP budget in the submitted EIA document. EMP may be revised with appropriate budget as recommended herein above.

- i) Revision of the mining plan with mine closure plan, revised mining depth, surface plan, targeted mineral production and replenishment and its denovo approval by the competent authority prior to grant of EC or as decided by JKEIAA.
- j) Mining depth be restricted to 1m in aggregate in view of non-availability of replenishment data in the DSRs formulated by the G&M Dept.
- k) Bulk density of 2.25 not agreed. Committee desired that in absence of actual measurements, a nominal bulk density of 2.0 be adopted.

**Recommendations of JKEAC:**

In view of the deliberations and insight gained during the above cited appraisal process, the Committee rejected the case for grant of Environmental Clearance in present form and desired that the PP should obtain an explicit report from the PHE (Jalshakti) Dept. to the effect that the mining activity shall not affect the availability of water supply/source in the downstream as the said NOC is not reflected in the Dy. Commissioner. Concerned' s letter cited as above. Besides, the project proponent may be asked to revise the documents as per deliberations/specific observations mentioned herein above.

**Decision of Authority:**

The authority discussed the appraisal report of JKEAC. The Member Secretary informed that the NOC from PHE Department in respect of the said block has been forwarded by the Director Geology and Mining Department. In light of NOC received vide DCK/SQ/2021-22/1490 dated: 29-07-2021 after the JKEAC meeting, the authority decided to return the case to JKEAC to appraise the same as is done in the similarly placed cases subject to fulfilment of other conditions.

**ADDITIONAL AGENDA ITEM NO. 11**

Relaxation in submission of illegal mining report.

**BRIEF SUMMARY:** A request has been received from director geology and mining vide letter No.92/MCC/DGM/Taskforce/15/4024-27, dated:31.07.2021 that the JKEIAA/JKEAC is asking some project proponents for submission of *inter-alia*, illegal mining report from Multi-Departmental District Level Taskforce (MDDLTL) vis-a-vis involvement of project proponents in illegal mining from the given minor mineral block. He further informs that the LOI period in respect of most of the project proponents is expiring on 31.08.2021 and uploading of the documents on the Parivesh Portal by the project proponents may get delayed considerably in absence of illegal mining report as it takes time for the task force to check ground realities and furnish report in the matter. This may ultimately delay in issuance of EC by JKEIAA before 31<sup>st</sup> of August, 2021. In view of this, he has requested to consider relaxing condition of submission of illegal mining report before EC. Instead, the project proponents may be asked to submit the said report to the JKEIAA within a period of six weeks or before execution of lease of minor mineral block, whichever is earlier. This would facilitate issuance of few pending ECs expeditiously.

**Decision of Authority:**

In view of the circumstance explained by Director Geology Mining regarding expiry of LOI's on 31<sup>st</sup> August 2021, the authority agreed to extend the time period for submission of report by MDDLTL on illegal mining within six-weeks of issue of conditional EC or prior to execution of mining lease whichever is earlier. In case of any adverse report on involvement



of PP in illegal mining the EC is liable to be withdrawn and the case shall be treated as violation case.

The Meeting ended with the vote of thanks to the Chair,

Sd/-  
Dr. Neelu Gera, IFS PCCF/Director,  
Member Secretary, JKEIAA, EE&RS

Sd/-  
Nazir Ahmad (Rtd. Chief Engineer)  
Member, JKEIAA

Sd/-  
Lal Chand, IFS (Rtd.)  
Chairman, JKEIAA

No: JKEIAA/2016/02/V/1847-91

Dated: 02 / 8 / 2021

Copy by email to:

1. Mr. Lal Chand, IFS (Rtd.), Chairman, JKEIAA, for information.
2. Er. Nazir Ahmad (Rtd. Chief Engineer), Member, JKEIAA, for information.
3. Dr. Neelu Gera, IFS PCCF/Director, EE&RS, Member Secretary, JKEIAA, for information.
4. The Secretary, JK Expert Appraisal Committee for information.
5. Website(s)



(Staff Officer)  
to PCCF/Director/Member Secretary JKEIAA  
Ecology, Environment & Remote Sensing, J&K