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Government of India

Ministry of Environment, Forest & 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 MEETING

In pursuance to the Minutes of the 105th Meeting of JK Expert Appraisal Committee held on 24-01-2023 through video conferencing issued vide No.EAC/JK/23/14641-14653 dated 28-01-2023, the **90th Meeting** of the **JK Environment Impact Assessment Authority** was held on 04-02-2023 through hybrid mode.

The following attended the meeting:

- | | |
|---|--------------------------|
| 1. Mr. Lal Chand, IFS (Retd) | Chairman, JKEIAA |
| 2. Er. Nazir Ahmad (chief Engineer, Retd) | Member, JKEIAA |
| 3. Sh. S. Rakesh Kumar, IFS, Director, EE&RS, J&K | Member-Secretary, JKEIAA |

Following are the deliberations & decisions of the meeting:-

Agenda Item No 1:

To examine and evaluate the Replenishment Report of Minor Mineral Block No.1 & 2 of Sahar Khad, Block No 4 & 5 of Naj Nallah, Block No 6, 10, 12, 15, 16 and 18 of Bhinni River, private Minor Mineral Block in Ravi River of Shri Bhanu Pratap with an area of 9.98 ha, Minor Mineral Blocks in Ujh River of Shri Paramjeet Singh with an area of 8.00ha, 9.85 ha, 9.65 ha & 3.98 ha, Minor Mineral Block in Ujh River of Shri Dhyan Singh with an area of 49.68 ha and Minor Mineral Block in Tarnah Nallah of Shri Rajeev Jasrotia with an area of 2.60 ha of District Kathua formulated by Geology & Mining Dept.

DELIBERATIONS/SPECIFIC OBSERVATIONS OF JKEAC:

Since none of the officers from G&M Dept. joined the proceedings to present the replenishment report of Kathua district despite repeated telephonic requests, the Committee examined the replenishment report of the above cited mining blocks and private leases falling in Kathua and made the following observations:-

- The replenishment study has not been carried out as per the Enforcement & Monitoring guidelines for Sand Mining-2020 and needs to be based on both L-Section and Cross Section of the mining blocks.
- Data from only 2 to 3 randomly located sites in the pertinent blocks seems to have been collected and presented which is not in line with methodology as provided in Enforcement & Monitoring Guidelines for Sand Mining-2020.
- With respect to private mining blocks only replenishment figures have been quoted against the mining leases without giving any information about the methodology used and location of sites at which such data had been collected.

- iv. No replenishment data has been provided against the private lease measuring of 9.98 ha of Bhanu Pratap Singh lease at Taraf Tajwal in river Ravi.
- v. No replenishment data has been mentioned for mining block No.4 of Naj Nallah.
- vi. No measurements on the specific spots along Cross Sections/L-Sections have been recorded.
- vii. The pre-monsoon and post monsoon data for the specific spots has not been provided in the report.
- viii. The graphical representation of the replenishment is not providing any useful information due to wrong scale of representation.
- ix. The L-Sectional and Cross sectional measurements should have been taken at regular intervals of 10m both for pre-monsoon and post monsoon in the form of a grid to arrive at reliable estimates of replenishment in each block.

Recommendation of the JKEAC:

In view of above deliberations, JKEAC did not recommend the replenishment report for its adoption and desired that the G&M dept. should resubmit the replenishment report strictly in accordance with Enforcement & Monitoring guidelines for Sand Mining-2020 and in line with the above deliberations and those made earlier in similar situations particularly in MoM of JKEAC of 102 meeting.

DECISION OF JKEIAA :-

After due deliberations, the JKEIAA is in agreement with the shortcomings pointed out by the committee, therefore the G&M department shall address these shortcomings in the replenishment report as per the methodology given in the Enforcement & Monitoring Guidelines for Sand Mining, 2020 and resubmit the report.

AGENDA ITEM NO:02

Grant of Environment Clearance for STP Minor Mineral (Quarry) block, Area (0.25 Ha)at village Hunjala, District Kishtwar, in favour of M/S Executive Engineer, PMGSY, Kishtwar. J&K UT under proposal No. SIA/JK/MIN/268040/2022.

Brief Summary:

The case pertains to Grant of Environment Clearance for STP Minor Mineral (Quarry) B-2 Category, Area (0.25 Ha)at village Hunjala, District Kishtwar, in favour of M/S Executive Engineer, PMGSY, Kishtwar. JK UT

DELIBERATIONS/SPECIFIC OBSERVATIONS OF JKEAC:

- a) The Minor Mineral Short-Term Permit Quarry project has been submitted by the Executive Engineer, PMGSY, Kishtwar under B2 category with an area of 0.25 Ha. b) The Short-Term Permit (STP) has been granted by JD, G&M Dept., Jammu vide his letter No. JDJ/STP/Kishtwar/2020-21/635-639 dated 26/06/2021 for extraction of 15000MT of minor mineral.
- b) The KML file of the project site submitted by the project proponent was used to examine the STP site on the Google Earth Image. JKEAC observed that the area proposed for mining under the STP is almost fully vegetated and sustains considerable tree cover though it is outside the forest demarcation line as revealed by the NOC issued by the concerned DFO vide his No. 3668/KFD dated 26/02/2022.
- c) It was opined that the STP site may involve felling of trees including those falling under Specified Trees Act. This may attract the provisions under Forest Act and

FCA as per Hon'ble Supreme Court direction in the case T.N. Godavarman Thirumulkpad vs Union of India & Ors on 12 December, 1996.

- d) The site is located on a critical slope and also very close to the road leading to Dul Hasti Hydroelectric project dam site.
- e) It was also observed that the lower and upper hill slopes of the road near the site are already disturbed and any further disturbance through quarrying shall trigger landslides and further destabilize the sloppy landscape.

Recommendations of the JKEAC:-

In view of the above deliberations and insight gained during the above cited appraisal process, the Committee did not agree to recommend the case for grant of Environmental Clearance to the STP for the site.

DECISION OF JKEIAA

After due deliberations, the JKEIAA is of the considered view that JKEAC shall re-examine the case in light of Circular issued by Department of Geology and Mining, J&K Govt. vide No.: 59/MCC/DGM/Circular/15/3047 Dated: 11.03.2022, for reconsideration.

The meeting ended with the vote of thanks to the Chair.

Sd/-

S. Rakesh Kumar, IFS, 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/IX/7940-46

Dated: 04-02-2023

Copy by email to:

1. Mr. Lal Chand, IFS (Rtd.), Hon'ble Chairman, JKEIAA, for information.
2. Er. Nazir Ahmad (Rtd. Chief Engineer), Hon'ble Member, JKEIAA, for information.
3. Commissioner/Secretary to Government, Forest, Ecology & Environment Department, J&K Government, Civil Secretariat, Jammu for favour of kind information.
4. Secretary to Government, Mining Department, J&K Government for favour of information.
5. Director, EE&RS, Member Secretary, JKEIAA, for information
6. Director, Geology & Mining Department, J&K Government, Jammu for information and necessary action.
7. The Secretary, JK Expert Appraisal Committee for information.
8. Website(s)


(Staff Officer)

Director EERS/Member Secretary JKEIAA