

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 THE MEETING OF THE JK ENVIRONMENT IMPACT
ASSESSMENT AUTHORITY HELD ON 2nd JANUARY, 2021
AT 1200 HRS. VIA VIDEO COFERENCING**

The following attended the meeting:-

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|---|--------------------------|
| 1. Mr. Lal Chand, IFS(Retd.) | Chairman, JKEIAA |
| 2. Er. Nazir Ahmad (Retd., Chief Engineer) | Member, JKEIAA |
| 3. Dr. Neelu Gera, IFS PCCF/Director, EE&RS | Member-Secretary, JKEIAA |

In pursuance to the Minutes of the Meeting of JKEAC held on 26th December, 2020 conveyed vide endorsement No.EAC/JK/20/3923-36 dated 31-12-2020, a Meeting of JK Environment Impact Assessment Authority was held on 2nd January, 2021 at 1200 Hrs.

Following are the deliberations and decisions of the meeting: -

Agenda Item No: 01

Grant of Terms of Reference in favour of Shri. Balvinder Singh, S/O Shri Kimat Lal R/O Near Chib Resort Raipur, Satwari, Jammu J&K UT for (River Bed Mineral) Minor Mineral Block Mining project, Block - 06, Area 9.93 ha. Bhini River Downstream Kishanpur Road Bridge, District Kathua under proposal No.SIA/JK/MIN/58842/2020.

Deliberations:

During the appraisal of the project by the JKEAC, detailed power point presentation has been given by the Consultant. During the deliberations, various aspects of the project like mining depth, replenishment concerns, surface plan and extraction route have been discussed and after thorough examinations of the case from the local environmental settings of the area, the Committee has recommended the case for grant of Terms of Reference for the project enabling the consultant to formulate the EIA/EMP and pre-feasibility report and to accomplish other statutory formalities.

Decision:

The JKEIAA upheld the recommendations of the Committee to issue Terms of Reference for the Project enabling the consultant to formulate the EIA/EMP and pre-feasibility report and to accomplish other statutory formalities.

Agenda Item No: 02

Grant of Terms of Reference in favour of Shri Brinder Singh, S/O Shri Kimat Lal R/O Near Chib Resort Raipur, Satwari, Jammu J&K U.T. for (River Bed) Minor Mineral Block Mining project, Block - 1 over an area of 10.00 ha.) Duderhama Bridge to Wahidpora Malpora Upstream, Sindh River District Ganderbal J&K UT under proposal No.SIA/JK/MIN/58772/2020.

Deliberations:

During the appraisal of the project, detailed power point presentation has been given by the Consultant. During the deliberations, various aspects of the project like mining depth, replenishment concerns, surface plan and extraction route have been discussed by the committee. After thorough examination of the mining block on the satellite image, it was found that 90% of the mining block is under active water channel and accordingly, Committee has recommended for rejection of Terms of Reference to the project.

Decision:

In view of the fact that 90% of the mining block is under active water channel, the JKEIAA upheld the recommendations of the Committee for rejection of ToRs to the project.

Agenda Item No: 03.

Grant of Terms of Reference in favour of Shri Naresh Sharma S/O Shri Swaran Dass Sharma R/O Lane No.14 - H.No.105/11, Nanak Nagar Jammu J&K U.T. for (River Bed) Minor Mineral Block Mining Project Block -18 Area 8.77 ha. Bhini River Upstream Painthal Bridge, Billawar, District Kathua under proposal No.SIA/JK/MIN/58843/2020

Deliberations:

During the appraisal by the JKEAC, detailed power point presentation has been given by the Consultant. Various aspects of the project like mining depth, replenishment concerns, surface plan and extraction route have been discussed. The consultant has also demonstrated the mining block on Google Earth platform and after thorough examination of the project from local environmental setting, the Committee has recommended the case for grant of Terms of Reference for enabling the consultant to prepare EIA/EMP and pre-feasibility report and to accomplishment other statutory formalities subject to the condition that 10% of the area of the mining block is reduced owing to active water channel.

Decision:

The JKEIAA upheld the recommendations of the Committee to grant Terms of Reference to the project for enabling the consultant to prepare EIA/EMP and pre-feasibility report and to accomplish other statutory formalities subject to the condition that area of mining block is reduced by 10% to exclude area falling under active water channel.

Agenda Item No: 04.

Grant of Terms of Reference in favour of of Shri Naresh Sharma S/O Shri Swaran Dass Sharma R/O Lane No.14 - H.No.105/11, Nanak Nagar Jammu J&K U.T. for (River Bed Mineral) Minor Mineral Block Mining project, Block-10 Area 9.84 ha. Bhini River Downstream Naj Bridge, Billawar, District Kathua under proposal No.SIA/JK/MIN/58851/2020.

Deliberations:

During the appraisal of the project by the JKEAC, various aspects of the project like mining depth, replenishment concerns, surface plan and extraction route were discussed. The consultant demonstrated the mining block on the Google Earth platform, the Committee examined the local environmental settings of the area and recommended the case for grant of Terms of Reference to the project enabling the consultant to formulate the EIA/EMP and pre-feasibility report and to accomplish other statutory formalities subject to the condition that 10% of the area of the mining block is reduced owing to active water channel.

Decision:

The JKEIAA upheld the recommendations of the Committee to grant Terms of Reference to the project for enabling the project proponent and consultant to prepare EIA/EMP and pre-feasibility report and to accomplish other statutory formalities subject to the condition that area of mining block is reduced by 10% to exclude area falling under active water channel.

Agenda Item No: 05.

Grant of Terms of Reference in favour of Shri Kimat Lal S/O Shri Kaula Ram R/O Raipur Satwari, Jammu J&K UT for (River Bed Mineral) Minor Mineral Block Mining project, Block-5 Area 9.09 ha. Naj Nallah Downstream Naj Bridge, District, Kathua under proposal No.SIA/JK/MIN/58847/2020.

Deliberations:

During appraisal of the project by the JKEAC, various aspects of the project like mining depth, replenishment concerns, surface plan and extraction route were discussed. The consultant demonstrated the mining block on the Google Earth platform, the Committee examined the local environmental settings of the area and recommended the case for grant of Terms of Reference to the project enabling the consultant to formulate the EIA/EMP and pre-feasibility report and to accomplish other statutory formalities subject to the condition that 10% of the area of the mining block is reduced owing to active water channel.

Decision:

The JKEIAA upheld the recommendations of the Committee to grant Terms of Reference to the project for enabling the consultant to prepare EIA/EMP and pre-feasibility report and to accomplish other statutory formalities subject to the condition that area of mining block is reduced by 10% to exclude area falling under active water channel

Agenda Item No: 06.

Grant of Terms of Reference in favour of Shri Brinder Singh, S/O Shri Kimat Lal R/O Near Chib Resort Raipur, Satwari, Jammu J&K U.T. for (River Bed Mineral) Minor Mineral Block Mining project at Block-10 Area 5.30 ha. Ramnagarwali Khad Upstream Gulang Bridge at Village Gulang, Tehsil Ramnagar, District Udhampur under proposal No.SIA/JK/MIN/58421/2020.

Deliberations:

During the appraisal of the project by JKEAC, various aspects of the project like mining depth, replenishment concerns, surface plan and extraction route were discussed. The consultant demonstrated the mining block on the Google Earth platform, the Committee examined the local environmental settings of the area and observed an island of approximately 0.80 ha. in the middle of the nallah bed with and without shrubs and scattered trees and opined that the green patch must be protected while allowing mining of the block. The Committee recommended the case for grant of Terms of Reference enabling the consultant to formulate the EIA/EMP and pre-feasibility report and to accomplish other statutory formalities subject to the condition that the green patch comprising of shrubs and scattered trees is protected by excluding the area from the mining block and after the project proponent files an affidavit before the judicial magistrate on stamped paper to the effect that the said area shall be given proper protection during the mining activity.

Decision:

The JKEIAA upheld the recommendations of the Committee for grant of Terms of Reference enabling the consultant to formulate the EIA/EMP and pre-feasibility report and to accomplish other statutory formalities subject to fulfillment of all conditions recommended/laid down by the JKEAC herein above.

Agenda Item No: 07.

To discuss the representation filed by Shri Ranbir Singh, S/O Shri Gulwant Singh R/O Near Govt., School Sheikhpur Bagh, SBS Nagar, Punjab for mining block No.21/ over an area of 3.53 ha.Tawi Khad Downstream Matnani Bridge, Village-Nar, Block Pouni, Tehsil & District, Reasi.

Regarding the above Agenda item, following are the deliberations & recommendations of the Committee:-

Deliberations:

The participating JKEAC members discussed the representation from one Mr. Ranbir Singh in the light of deliberations recorded in Minutes of meeting for 15th and 17th JKEAC meetings. Further, the KML files of the mining block No.21/Tawi khad and that of mining block No.27, Chenab River Upstream Kanthan Bridge were reexamined on screen for refreshing the decisions taken earlier.

Post deliberations, JKEAC observed herein as under:-

Mr. Ranbir Singh in his representation has pointed out that JKEAC has not used the same yard stick while appraising the above mentioned two cases and has recommended that the mining block 21 in Pouni Tawi Khad, allotted to him and located at a distance of 420 mts from a bridge be relocated. On the other hand, it has recommended the mining block No.27 located at a distance of 222 mts from the Kanthan Bridge on Chenab, for grant of EC.

In the above context, JKEAC noted that its recommendations for grant of EC are always based on comprehensive and objective appraisal of the information / data forwarded/ provided to it by consultant/project proponent and as well as on the facts revealed during the appraisal process. No single factor, in isolation, guides the decision of the JKEAC. Reading of the minutes of meeting, side by side, for these two cases, reproduced herein under, would reveal this fact.

I) Block 21Pouni, Minutes of 15 meeting Project Case dated 26th Sept. 2020**“Agenda Item No: 09**

Grant of Environment Clearance in favour of M/S Ranbir Singh S/o Gulwant Singh R/o Near Govt School Sheikhpur Bagh SBS Nagar, Punjab. Proposal No: SIA/JK/MIN/169344/2020 for River Bed Material in Block No.21, Tawi Khad Downstream Matnani Bridge, Village- Nar Block Pouni, Tehsil & District-Reasi, J&K. Area 3.53 Ha.

Deliberations: *The project was represented by the project proponent Shri Ranbir Singh and his consultant M/S P&M Solutions, Noida represented by Shri Manas Vyas. The consultant gave a detailed power point presentation which was followed by demonstration of the local environmental settings using KML file on Google Earth platform. One of the members pointed out that the on page 21 of the prefeasibility report, the project schedule is incomplete. Further, on page 24 and 25, the consultant had mentioned geomorphology of river Ravi in Punjab and on page 13, tehsil Gandoh had*

been mentioned which is a big factual mistake and cannot be entertained. The consultant was warned not to repeat such mistakes in future. The Committee observed that a vibrant water channel flows over the Nallah bed and is not expected from NABET consultant. Another member asked the consultant to explain as to how the project proponent could go for mining while the water is flowing in the nallah. The consultant informed that the material becomes available from January to June when the water level recedes. One of the members asked the consultant as to how the minable reserves were calculated on the entire area of the block when part of the block constitutes the water channel area. At this, other members desired that the area of water channel need to be subtracted while calculating the actual minable reserves upto 1 meter mining depth as provided in approved mining plan. Another member of JKEAC pointed out that a bridge is located at a distance of 0.31 kms. The Consultant was again asked to demonstrate the mining block on Google Earth. While examining and measuring the distance of block from the bridge which stands at a distance of 420 mts, some Members suggested that the project proponent must obtain NOCs from Irrigation and Flood Control Department and the Public Works Department. However, majority of the members suggested that the mining block be recommended for relocation to alternative location where material is available and there is no civil structure in the close vicinity.

Recommendations from 15th Meeting of JKEAC: In view of the above deliberations, the Committee unanimously agreed to recommend the case for relocating to an appropriate site before the case is appraised for grant of EC.

Current Recommendations by JKEAC:

The JKEAC recommended that the project proponent be asked to get the mining block relocated to an appropriate location 500 mts away from bridge by Geology & Mining Department and resubmit the case for fresh appraisal.”

II) Block 27 Arnas, Minutes of 17 meeting Project Case dated 3rd Nov. 2020

“Agenda Item No: 17”

Grant of Environment Clearance in favour of M/S Anil Kumar S/o Sh. Suraj Singh R/o Thandapani P/o Sunderbani, Kalakote, Rajouri Proposal No: SIA/JK/MIN/174050/2020 for River Bed Mining in Block No.27, Chenab River Upstream Kanthan Bridge at Village-Kanthan, Tehsil-Arnas & District-Reasi (Jammu & Kashmir) MINING LEASE AREA-2.44 Ha.

Deliberations:

The project was represented by Shri Manas Vyas from M/S P & M Solution, 1st Floor C-88, Sector-65 Noida. The consultant gave a detailed power point presentation on the project and informed the Committee that the project falls under B2 category. The consultant was asked to demonstrate the mining block on the Google Earth platform using KML file. During examination of the same, the Committee observed that the project falls under the jurisdiction of Salal Dam Authority. Therefore, prior NOC need to be obtained from the same. Shri Manas Vyas, Consultant informed that the representative of the Salal Dam had also been on board during approval of the proposal. Therefore, he was asked to produce any such paper which proves involvement of the Salal Dam Authority while scrutinizing the project. It was further observed that the bridge is at a distance of 222 mts from the mining block. Although, Mr. B.B Sharma, Member, JKEAC opined that the bridge is on a solid rock and mining won't affect it, yet the Members desired that prior NOC from the R&B department must be obtained in this case as well. One of the members pointed out that the consultant had mentioned wrong floral species in the prefeasibility report and therefore, the consultant was asked to rectify the same. It was further observed that the project

proponent has proposed mining depth of 2.5m and the same was not agreed by the Committee. The consultant was asked to calculate the targeted mineral resources at a maximum depth of 1m and to submit the revised documents.

Recommendations from 17th Meeting of JKEAC: In view of paucity of river bed material in the UT and consistent efforts of Govt. to fast track the process of grant of EC, subject to submission of NOC from the Salal Dam Authority, PWD(R&B) and the Flood Control Department and subject to prior submission of revised PFR / documents in hard and soft form in the office of JKEIAA, the JKEAC recommended the case for grant of Environmental Clearance subject to following standard and specific conditions, clearly mentioning the geographical coordinates in the EC as per Letter of intent:"

Perusal of the JKEAC recommendations for the two cases, as reproduced herein above, makes it amply clear that the recommendations for these two instant cases were not based on only one factor i.e distance of the mining block from a structure namely bridges, in these two cases.

The mining block No.21/Tawi khad has been recommended for relocation, because of following considerations:

- Tawi Khad bed, the banks and the area under the foundation/abutments of the bridge, all appear to be standing on alluvial soil. The flood flows, from time to time may lead to change of river course/ progression of mining pits downstream thus causing outflanking/scour and thereby undermining the bridge abutments.
- A major area of the proposed mining block lies in active water channel where mining activity cannot be allowed as per national guidelines.
- An alternative huge mass of dry river bed over an area of approx.3.90 ha is available at a distance of 500 mts. from downstream of the proposed mining block No. 21 out of which 3.53 ha, could be tapped if the present mining block is relocated.

The apprehensions and objective reasons mentioned herein above, explain why the JKEAC had recommended NOC from the R&B and Flood Control Departments and the relocation of the mining block. The EC has not been out rightly denied for the mining block but only deferred for relocation and production of NOC from R&B and Flood Control Departments.

On the other hand, mining block No.27on River Chenab has been recommended for grant of EC because of following considerations:

- The area under the mining block is part of Salal Dam reservoir and removal of accumulated sand would only reduce the silt load and thus lead to reduced wear and tear of machinery of Salal Hydroelectric Project.
- Mining block is located on concave side of river Chenab meander which makes it ideal for replenishment and accumulation / aggregation of river bed material.
- Removal of river bed material from this location is otherwise also desirable as the same shall release additional cross-sectional area for flow and thus reduce the pressure on the opposite bank and slow down the scour of that bank.
- Bridge, located 222 mts. downstream from the mining site, stands on hard rock and is not in direct line of the stream flow.

Despite the positive mitigating factors stated above, JKEAC has made its recommendation for grant of EC for mining block 27 on River Chenab conditional and subject to reaffirmation/ grant of no objection certificate /s and technical vetting from Salal Dam Authority and PWD Department.

Current Recommendations by JKEAC: In view of the above deliberations, the committee unanimously decided as follows:-

JKEAC has considered the representation made by one Mr. Ranbir Singh and reiterates the merit of its recommendations as conveyed through minutes dated 26th September,

Decisions:

The JKEIAA upheld the recommendations of the Committee in toto.

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/~~M~~/05-09

Dated:02/01/2021

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) 02/01/2021
to PCCF/Director/Member Secretary JKEIAA
Ecology, Environment & Remote Sensing, J&K