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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 THE 53rd MEETING OF JK ENVIRONMENT IMPACT ASSESSMENT AUTHORITY HELD ON 01st SEPTEMBER, 2021 THROUGH VIDEO CONFERENCING

In pursuance to the Minutes of the 57th Meeting of JK Expert Appraisal Committee held on 28th August, 2021 conveyed vide endorsement No.EAC/JK/20/9054-066 dated:30-08-2021, the 53rd Meeting of JK Environment Impact Assessment Authority was held on 01st September, 2021 through video conferencing.

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, Pr.CCF/Director,
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 Shri Mohd. Altaf Dhobi S/O Shri Mohd. Jamal Dhobi R/o: Khrew, Pulwama, JK UT for Nalla Bed Mining, Block No. 07, Bani Bridge to Lalpora Bridge, D/stream of Ferozpora nalla, Village Bani, Tehsil –Tangmarg District Baramulla JK UT area 5.90 ha. under proposal No.SIA/JK/MIN/66646/2021 & SIA/JK/MIN/55071/2020.

Brief Summary: This case pertains to grant of Environment Clearance under B1 category for proposed RBM (River Bed Mineral) Mining project Block No.7 revised area 5.90 ha. LOI has been issued on 29-07-2019, which was later extended on 15-04-2021 and is valid up to 31-08-2021. Mining plan has been approved on 19-06-2020. The case was earlier discussed by JKEAC on 28-01-2021. The said block was resized on 22-04-2021. As per summary of appraisal report, District Survey Report was not formulated as per guidelines and needs to be revised for including replenishment data etc. Status of NOC's in appraisal report shows that Dy. Commissioner concerned under single window clearance system had conveyed NOCs of stake holder Departments vide ADCB/Reader/2021-22/89-101 dated 04/05/2021. However, NOC from Irrigation & Flood Control Department had not been submitted.

Deliberations/Specific Observations of JKEAC.

- a) The project had earlier been discussed during 25th meeting held on 28/01/2021 during which the Committee rejected the project for grant of ToRs due to features indicative of illegal mining activity and coarsely laid boundaries covering presumably proprietary land in the mining block as seen on Google Image.
- b) On the request of PP, the G&M Dept. has resized the mining block from 9.90 ha to 5.90 ha and the project proponent has again approached the Committee for reconsideration of the case.
- c) The KML file representing the resized mining block was observed on Google Earth platform and it was found that the illegal mining activity is continuing in the mining block and around it and therefore, the prescribed District Level Committee needs to fix responsibility for such illegal mining activity in an effective manner.
- d) The Committee observed a large number of stone crushers in close vicinity of the mining block whose role in the illegal mining activity cannot be ruled out.
- e) The PP has submitted an emailed representation dated 27/08/2021 whereunder he has informed that he hails from Pulwama district whileas the mining block is in Baramulla district and the illegal mining activity is being done by the locals. Besides, he has submitted copy of representations made to various authorities and even local Police for initiating action against people involved in the illegal mining.
- f) The Mining depth exceeding 1 m below the MSL cannot be agreed in view of non-availability of replenishment data.
- g) EMP cost needs to be revised while applying for Environment clearance.
- h) Revised surface plan not yet approved by competent authority.
- i) Mining plan needs to be revised with mine closure plan, revised mining depth and area, surface plan, targeted mineral production and replenishment and its denovo approval.

Recommendations of JKEAC.

In view of the deliberations and insight gained during appraisal process, the Committee recommended the case for grant of Terms of Reference as per Annexure-A to the Minutes of 57th Meeting for preparation of EIA/EMP subject to: -

1. Title verification of the resized mining block from the concerned Revenue authority.
2. Report from Multidepartment District Level Committee w.r.t fixing of responsibility of illegal mining and report that the PP is not involved in any such act.
3. NOCs from all the stake holder departments including NOC from the Xen, Irrigation Dept., Xen PHE(Jalshakti) Dept. to the effect that sufficient replenishment has taken place during the rainy season and further mining in the designated mining block will not cause any adverse effect on the uptake points of irrigation and water supply schemes, if any.
4. Condition that the Mining depth shall not exceed 1 m in aggregate in view of non-availability of replenishment data.
5. Revision of the mining plan with mine closure plan, revised mining depth, surface plan, targeted mineral production and replenishment and approval by the competent authority.

Decisions of JKEIAA.

After due deliberations, JKEIAA upheld recommendations of JKEAC to grant Terms of Reference as per Annexure-A to the Minutes of 57th Meeting of JKEAC for preparation of EIA/EMP subject to: -

1. TORs so issued are subject to the revalidation of Lol by the Geology and Mining Department.
2. Title verification of the resized mining block from the concerned Revenue authority.
3. Report from Multidepartment District Level Committee w.r.t fixing of responsibility of illegal mining and report that the PP is not involved in any such act.
4. NOCs from all the stake holder departments including NOC from the Xen, Irrigation Dept., Xen PHE(Jalshakti) Dept. to the effect that mining in the designated mining block shall not disturb intake levels of irrigation and water supply schemes. Further, G&M dept, shall certify that sufficient replenishment has taken place during summer season to ward off any such apprehension.
5. Condition that the Mining depth shall not exceed 1 m in aggregate in view of non-availability of replenishment data.
6. Revision of the mining plan with mine closure plan, revised mining depth, surface plan, targeted mineral production and replenishment and approval by the competent authority.

Agenda Item No.02.

Grant of Environment Clearance in favour of Shri Kanwarjit Singh S/O Shri Tirath Singh, H. No 280 Dhangu Road Sunder Nagar, Pathankot, Punjab for River Bed Mining Project of Minor Mineral in Lassipora SIDCO Bridge Downstream Nallah Rambhara, Pulwama, JK UT at Block No.05 Village-Lassipora Tehsil Litter, District Pulwama JK UT area 4.53ha. under proposal No.**SIA/JK/MIN/54896/2020.**

Brief Summary: This case pertains to grant of Environment Clearance under B1 category for River Bed Mining Project of Minor Mineral in Lassipora SIDCO Bridge Downstream Nallah Rambhara, Pulwama, JK UT at Block No.05 Village-Lassipora Tehsil Litter, District Pulwama JK UT area 4.53ha. LOI has been issued on 27-03-2020, which was later extended on 15-04-2021 and is valid up to 31-08-2021. Mining plan has been approved on 08-06-2020. Terms of Reference were issued on 23-02-2020. As per summary of appraisal report, District Survey Report was not formulated as per guidelines and needs to be revised for including replenishment data etc., Status of NOCs in appraisal report shows that Dy. Commissioner, Pulwama vide No.460-72 dated 03/05/21 has conveyed NOCs of stakeholder departments.

Deliberations/Specific Observations of JKEAC.

- a) The project had earlier been discussed during 14th meeting held on to 16/09/2020 during which the Committee observed a peculiar pattern of features on the Google satellite image, suggestive of either a mining activity or flood control measures by some agency. Therefore, the Committee had recommended site visit by a sub-committee for placing recommendations before the forum prior to appraisal for Environmental Clearance.

- b) The site visit was conducted by the Sub-Committee on 21-11-2020 during which the Committee observed large scale illegal mining activity going on in the area using heavy machinery. On the basis of observations made during the site visit and allegations made by locals against the Lol holders w.r.t illegal mining, the Committee had recommended as under: -
- i. ToRs granted in favour of mining Block No.5 may also be confirmed subject to condition that PP applies for EC under violation category.
 - ii. An undertaking may be taken from the PP that only manual with minimal mechanical methods shall be used and that heavy machinery like hydraulic excavators shall not be used for extraction of the river bed material, so that mining depth is as per technical deliberations of the Expert Appraisal Committee.
 - iii. In the light of above, the JKEAC observed the mining block multirate Google Image platform and found that the fresh image of May, 2021 shows features indicative of largescale illegal mining with huge pits filled with water, much more than the Committee had observed on the previous google image while recommending the ToRs conditionally. This shows the illegal mining activity is still continuing which has rendered the mining block unfit for further mining as per the criteria evolved and being followed by the Expert Appraisal Committee.

Recommendations of JKEAC.

In view of the above deliberations and insight gained during the above cited appraisal process, the Committee recommended the case for rejection of Environment Clearance on the ground that the unabated illegal mining has rendered the mining block unfit for further mining. The Committee as such recommends that the mining block area be given rest for 3 years or till it gets adequately replenished.

Decisions of JKEIAA.

After thorough deliberations, JKEIAA upheld the recommendations of JKEAC for rejection of Environment clearance to the project on the ground of unabated illegal mining, which has rendered mining block unfit for further mining. The JKEIAA also agrees that the mining block area be given rest for 3 years or till it gets adequately replenished.

Agenda Item No.03.

Grant of Environment Clearance in favour of Shri Manorathvir Singh S/O Shri Inderjeet Singh R/O H. No: 103 Sunder Nagar, Dhangu, Road, Pathankot Punjab for Riverbed material mining, Block No. 04, (Area- 2.77 Ha), Shraie Bridge To Abandoned Bridge Downstream Nallah Ferozpora, Village- Shraie, Tehsil Tangmarg, District Baramulla, JK UT under proposal No. SIA/JK/MIN/55381/2020.

Brief Summary: This case pertains to grant of Environment Clearance under B1 category for Riverbed material mining, Block No. 04, (Area- 2.77.LOI has been issued on 28-8-2020, which was later extended on 15-04-2021 and is valid up to 31-08-2021. Mining plan has

been approved on 19-06-2020. The public hearing for the case was conducted on 25-04-2021. As per summary of appraisal report, District Survey Report was not formulated as per guidelines and needs to be revised for including replenishment data etc., Status of NOCs in appraisal report shows that Addl. Dy. Commissioner, Baramulla vide No. ADCB/Reader/2021-22/475-87 dated: 29/05/21 conveyed NOCs of stakeholder departments with conditions. NOC of the revenue department has been issued except for Shamlat area under Survey No.784 Min.

Deliberations/Specific Observations of JKEAC.

- a) The area of the mining block is only 2.77ha. which ordinarily should qualify it under B2 category. However, the PP has applied under B1 category. Since, the district-wise KML files furnished by G&M Dept. do not show any mining block on either side of the mining block, an emailed request was made to the Director, G&M Dept. and Joint Direct G&M Dept., Kashmir on 26/08/2021 for emailing updated consolidated KML file of mining blocks of Baramulla district enabling the JKEAC to take decision on categorizing of the case. However, there was no response to the emailed request till date.
- b) Earlier, the case had not been forwarded for appraisal not had ToRs been recommended by the JKEAC at any point of time. However, the applicant claims to have obtained Auto TORs on the Environment Clearance portal which do not include the specific ToRs Generally recommended in RBM cases by the Committee. There is no reason auto TORs could have been granted to the RBM project except by error, the Committee observed. The Consultant was asked to clarify the matter but he could not give any satisfactory explanation in this regard.
- c) In the concluding part of the Public Hearing Report, the concerned authorities have reported that the public opinion is against mining activity in the area for following reasons:
 - i. Nature of land falling under mining block is not clear to local people.
 - ii. Mining of mineral block will change the course of Nallah
 - iii. Mining by project proponent will result in unemployment.Further, it has been observed that all the participants of the public hearing process had refused to sign the attendance sheet. In view of these facts and circumstances, the Committee desired fresh Public Hearing should be conducted after temporarily demarcating the designated mining block and informing the public about its location.
- d) The NOC issued by Addl. Dy. Commissioner under Single Window System indicates that the NOC is issued except for area falling in Shamlat under Survey No.784 Min. Therefore, the Committee opined that the concerned stake holder departments must conduct a joint inspection of the mining block and exclude the area falling in Shamlat under Survey No.784Min. The resultant area of the mining block falling under State land be communicated to the JKEIAA besides notifying it with coordinates for conducting fresh Public Hearing for information of the public.
- e) Illegal mining activity detected in the mining block as per features on Google image of May, 2019 needs clarification from the Multi Dept. District level Task Force (MLDTF) Cell. In case it is reported that the PP has been involved in the mining activity in the

designated mining block without valid EC, the case be submitted under violation category in accordance with standing orders/guidelines on the subject.

- f) Revision of the mining plan with mine closure plan, revised mining depth, surface plan, area targeted mineral production and replenishment and its denovo approval by the competent authority.
- g) Mining depth be proposed at 1m in aggregate in the revised mining plan in view of non-availability of replenishment data in the DSRs formulated by the G&M Dept.

Recommendations of JKEAC.

In view of the above deliberations, the Committee recommended the case for rejection in the present form and desired: -

1. The G&M Dept. to furnish updated consolidated KML file of mining blocks of all the districts of UT of J&K including Baramulla district for ascertaining the cluster situation or to report cluster situation so as to help in categorization of the project under B1 or B2 in the present instance.
2. In case, the project falls under B1 category due to cluster situation, fresh TORs may be granted as per Annexure-A to these Minutes of Meeting and PP be asked to get fresh Public Hearing conducted by JK Pollution Control Committee (JKPCC) after temporarily demarcating the mining block on ground and giving wide publicity to the pillar coordinates of the mining block in the advertisement notice in view of concerns of the local people.
3. As a general guideline, the JK Pollution Control Committee be asked to get the mining blocks temporarily demarcated on ground at the time of conduct of Public Hearing and to ensure publicity of the pillar coordinates of the mining blocks as part of procedure in the Public Hearing mechanism so that the public is aware of the location of mining blocks for which Public Hearing is being conducted.
4. In view of the report of District Administration conveyed vide No. ADCB/Reader/2021-22/475-87 dated 29/05/21, the concerned stakeholder depts. should conduct joint inspection of the mining block and exclude the area falling in Shamlat under Survey No.784Min. The resultant area of the mining block falling under State land be communicated to the JKEIAA by G&M Dept. besides notifying it with coordinates for conducting fresh Public Hearing by JKPCC.
5. Project proponent to obtain report from the District Level Task Force (MLDTF) Cell w.r.t fixing responsibility for illegal mining activity in the mining block and its surrounds and to report whether the PP is involved in the mining activity after issuance of Lol in his favour.
6. Revision of the mining plan with mine closure plan, revised mining depth, surface plan, targeted mineral production and replenishment and approval by the competent authority.
7. Mining depth be proposed at maximum 1m in aggregate in view of non-availability of replenishment data in the DSRs formulated by the G&M Dept.
8. Maximum bulk density of 2 be used for computation of targeted minerals in revised Mining Plan or as per actual measurements in field.

9. The JKEIAA may examine as to how Auto ToRs were granted on the portal as there is no such provision to grant Auto TORS for RBM projects.

Decisions of JKEIAA.

After due deliberations, JKEIAA upheld the recommendations of the Committee for rejection of EC in the present form. However, PP may apply afresh after revalidation of Lol and fulfilling following conditions:

1. The G&M Dept. to furnish updated consolidated KML file of mining blocks of all the districts of UT of J&K including Baramulla district for ascertaining the cluster situation or to report cluster situation so as to help in categorization of the project under B1 or B2 in the present instance.
2. In case, the project falls under B1 category due to cluster situation, fresh TORs may be granted as per Annexure-A to these Minutes of Meeting and PP be asked to get fresh Public Hearing conducted by JK Pollution Control Committee (JKPCC) after temporarily demarcating the mining block on ground and giving wide publicity to the pillar coordinates of the mining block in the advertisement notice in view of concerns of the local people.
3. Keeping in view the public demand during conduct of public hearing the secretary shall inform the JK Pollution Control Committee to get the mining blocks temporarily demarcated on ground at the time of conduct of Public Hearing and to ensure publicity of the pillar coordinates of the mining blocks as part of procedure in the Public Hearing mechanism so that the public is aware of exact location of the mining block for which Public Hearing is being conducted.
4. In view of the report of District Administration conveyed vide No. ADCB/Reader/2021-22/475-87 dated 29/05/21, the concerned stakeholder depts. should conduct joint inspection of the mining block and exclude the area falling in Shamlat under Survey No.784Min. The resultant area of the mining block falling under State land be communicated to the JKEIAA by G&M Dept. besides notifying it with coordinates for conducting fresh Public Hearing by JKPCC.
5. Project proponent to obtain report from the District Level Task Force (MLDTF) Cell w.r.t fixing responsibility for illegal mining activity in the mining block and its surrounds and to report whether the PP is involved in the mining activity after issuance of Lol in his favour.
6. Minerals in revised Mining Plan or as per actual measurements in field.
7. Secretary JKEIAA shall inquire as to how Auto ToRs were granted on the portal as there is no such provision to grant Auto TORS for RBM projects.

Agenda Item No.04.

Grant of Environment Clearance in favour of Shri Kapil Aggarwal S/O Shri Jugesh Aggarwal, R/O 179, near Panjpir Mandir Anandpur, Pathankot, Gurdaspur, Punjab for 'River Bed Material' Minor Mineral Block No.- 52 Downstream Nalla Sasara From Berthipora Bridge to Wanpora Bridge, Village:- Berthipora to Wanpora, Tehsil:- Keller, District:- Shopian, JK UT over an area of 2.42ha. under proposal No.**SIA/JK/MIN/225127/2021.**

Brief Summary: This case pertains to grant of Environment Clearance under B2 category for 'River Bed Material' Minor Mineral Block No.- 52 Downstream Nalla Sasara from Berthipora Bridge to Wanpora Bridge, Village: – Berthipora to Wanpora, Tehsil: - Keller, District: - Shopian, JK UT over an area of 2.42ha. LOI has been issued on 27-03-2020, which was later extended on 15-04-2021 and is valid up to 31-08-2021. Mining plan has been approved on 09-06-2020. As per summary of appraisal report, District Survey Report was not formulated as per guidelines and needs to be revised for including replenishment data etc., Status of NOCs in appraisal report shows that all the stakeholder departments had issued NOC's(conditionally) in favour of the project.

Deliberations/Specific Observations of JKEAC.

The Committee while observing the mining block on the Google Earth platform found two bridges on either side of the mining block at 260m and 250m upstream and downstream of the block. Therefore, there is no scope to resize the mining block to maintain safe distance of 500m to the two bridges.

Recommendations of JKEAC.

In view of the above deliberations and insight gained during the above cited appraisal process, the Committee recommended the case for rejection of Environmental Clearance as it is not technically feasible.

Decisions of JKEIAA.

JKEIAA agrees with recommendation of JKEAC that proposed site is not technically feasible for mining. Hence Environment clearance rejected.

Agenda Item No.5.

Grant of Environment Clearance in favour of Shri Sahib Singh S/o Shri Paras Singh R/O Ferozpur, Kalan, Tehsil Pathankot Baheri Bazurag District Gurdaspur, Punjab for Minor Mineral (River Bed Material) Block No. 27, Downstream Nallah Rambiara from Army Camp. at Village- Aghama, Tehsil- Chitragam, District- Shopian JK UT area: 9.43ha. under proposal No.SIA/JK/MIN/56123/2020.

Brief Summary: This case pertains to grant of Environment Clearance under B1 category for Minor Mineral (River Bed Material) Block No. 27, Downstream Nallah Rambiara from Army Camp. at Village- Aghama, Tehsil- Chitragam, District- Shopian JK UT area: 9.43ha. LOI has been issued on 01-04-2020, which was later extended on 15-04-2021 and is valid up to 31-08-2021. Mining plan has been approved on 09-06-2020. Terms of Reference were issued to the project on 21-11-2020 and public hearing was conducted on 31-03-2020. As per summary of appraisal report, District Survey Report was not formulated as per guidelines and needs to be revised for including replenishment data etc., Status of NOCs in appraisal report shows that all the stakeholder departments had issued NOCs (conditionally) in favour of the project. However, Fisheries Dept. has expressed concern while issuing conditional NOC.

Deliberations/Specific Observations of JKEAC.

- a. The project had earlier been discussed during 18th meeting held on 04.11.2020 during which the committee recommended TORs to the project.
- b. Illegal mining activity detected in the mining block as per features on Google image of May., 2021 which needs clarification from the Multi Dept. District level Task Force (MLDTF) Cell prior to grant of formal EC.
- 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 which needs to be complied in letter and spirit prior to grant of EC.
- d. The conditions of NOC of stockholder department need to be adhered to in letter and spirit.
- e. EMP needs to be revised with appropriate budget as suggested in the remark's column of EMP table above.
- f. Revision of the mining plan with mine closure plan, revised mining depth, surface plan, area targeted mineral production and replenishment and its denovo approval by the competent authority prior to grant of EC or as decided by JKEIAA.
- g. 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.
- h. Bulk density of 2.3 provided in mining plan not agreed. However, bulk density of 2 proposed by Project proponent in Prefeasibility report agreed in absence of actual measurements.
- i. The Committee observed a channel originating from the centre of the mining block towards South direction which has not been identified by the consultant and has also not been taken due cognizance by the concerned stake holder departments. Necessary clarification was sought from the consultant who could not give any explanation in the matter and the Committee desired an explicit report on this from the Hydraulic Department prior to further appraisal.

Recommendations of JKEAC.

In view of the above deliberations and insight gained during the above cited appraisal process, the Committee recommended the case for rejection of Environmental Clearance in the present form. However, the Committee desired that the PP may resubmit the case for reconsideration after fulfilling following pre-requisites: -

- a) The PP should submit a detailed report from the Irrigation Department to the effect that the proposed mining activity will not adversely affect the Irrigation facility already being availed by the local farmers. This is in respect to the water channel originating from the active creek in the centre of the mining block towards South direction.
- b) The PP should submit an explicit report from the Multi Dept. District level Task Force (MLDTF) Cell w.r.t fixing of responsibility for illegal mining activity in the mining block and to the effect that the PP is not involved in illegal mining /mining activity without a valid EC.
- c) Revision of EIA report with compliance of specific ToR condition No.19.

- d) Revision of the mining plan with mine closure plan, revised mining depth, surface plan, targeted mineral production and replenishment and its approval by the competent authority.
- e) Revision of EMP budget as suggested in the remark's column of EMP table above.
- f) Mining depth of 1m in aggregate in view of non-availability of replenishment data in the DSR formulated by the G&M Dept.
- g) Use of Bulk density of 2 in absence of actual measurements and mining depth of 1m in aggregate while calculating targeted mineral production in mining plan in absence of actual field measurements and replenishment data.

Decisions of JKEIAA.

The JKEIAA upheld the recommendations of the Committee for rejection of Environmental Clearance in the present form. However, PP may apply afresh after revalidation of Lol and fulfilling following conditions: -

- a) A detailed report from Irrigation Department that proposed mining activity will not adversely affect existing Irrigation facilities in the vicinity of Mining block, as a water channel has been seen originating from the active creek in the centre of the mining block towards South direction.
- b) A report from the Multi Dept. District level Task Force (MLDTF) Cell to the effect that PP is not involved in illegal mining /mining activity.
- c) Revision of EIA report with compliance of specific ToR condition No.19.
- d) Revision of the mining plan with mine closure plan, revised mining depth, surface plan, targeted mineral production and replenishment and its approval by the competent authority.
- e) Revision of EMP budget as suggested in the remark's column of EMP table above.

Agenda Item No.06.

Grant of Environment Clearance in favour of Shri Zahoor Ahmed Peerzada, S/O Shri Gh. MohdPeerzada R/O Aripora Shopian, JK UT for Minor Mineral Block No.:- 22, Nazneenpora Downstream Nallah Rambiar, Village Nazneenpora Tehsil: Keegam District: Shopian, JK UT over an area of 9.69 ha. under proposal No. SIA/JK/MIN/61237/2021.

Brief Summary: This case pertains to grant of Environment Clearance under B1 category for Minor Mineral Block No.:- 22, Downstream Nallah Rambiar, Tehsil: Keegam District: Shopian, JK UT over an area of 9.69ha. LOI has been issued on 18-07-2020, which was later extended on 15-04-2021 and is valid up to 31-08-2021. Mining plan has been approved on 03-10-2020. Terms of Reference were issued to the project on 19-04-2021 and public hearing was conducted on 29-06-2020. As per summary of appraisal report, District Survey Report was not formulated as per guidelines and needs to be revised for including replenishment data etc., Status of NOC's in appraisal report shows that all the stakeholder departments had issued NOC's(conditionally) in favour of the project. However, the Asstt. Director, Fisheries Dept. concerned while issuing the NOC has expressed grave concern on eventual disturbance of the endangered native and endemic fish in the Rambiar snow fed trout stream. The conditions imposed need to be adhered to in letter and spirit by the PP.

Conditions laid down by Xen Irrigation for safeguarding nearby supply channel of Nazimpora Kuhl and Headworks of Salar Kuhl also need to be fully adhered

Deliberations/Specific Observations of JKEAC.

- a. The project had earlier been discussed during 32nd meeting held on to 01-04-2021 during which the Committee observed that the PP shall have to take care of the high gradient difference at the upstream and downstream of the mining block while conducting the EIA study.
- b. The existence of the proposed mining block alongside the water course is a potential threat to the water course. The consultant needs to elaborate as to how he intends to ensure safety of these water courses/ hydraulic inlet structures.
- c. One HT Electric Transmission Tower is located inside the mining block and another on its boundary for which the PP shall have to obtain a specific NOC from the concerned stakeholder dept. /PDD. This fact had not been identified and dealt with by the Consultant in the submitted documents which he was supposed to do.
- d. No videos have been submitted that would convey information with regard to physical settings of the mining block vis-a-vis irrigation works and Electric Transmission Towers.
- e. The NOC from Irrigation Dept. prohibits excavation 100m upstream and 100m downstream from Supply channels and offtake points whereas the mining block lies close to the supply channel of irrigation works which even passes through mining block at pillar A.
- f. 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.
- g. The NOCs submitted under Single Window Clearance System indicate that the Fisheries Dept. has expressed concerns on impact of mining activity on the fish fauna.
- h. EMP needs to be revised with appropriate budget as suggested in the remark's column of EMP table above.
- i. Revision of the mining plan with mine closure plan, revised mining depth, surface plan, area 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 2.3 in mining plan 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 above deliberations/observations made by the Committee herein above, the Expert Appraisal Committee recommended that the project be rejected in the present form. However, the project proponent may submit the following documents for reconsideration of the case:

1. To submit a detailed techno-feasibility report powered with topographic maps, videos and photographs of the mining block and the irrigation works/ transmission towers etc.

suggesting mitigative measures under which mining activity in the designated block shall not affect the irrigation work and electric transmission towers.

2. To submit a categorical and specific NOC from the Concerned Agency w.r.t the HT Electric transmission towers lying inside the mining block and its periphery.
3. To revise the documents as per deliberations recorded here-in-above.
4. To submit a categorical and specific NOC from the Irrigation Dept. to the effect that mining activity in the designated mining block will not affect the Irrigation facility.
5. To resize the mining block to ensure safe distance to the supply channel of headworks of khul.

Decisions of JKEIAA.

After due deliberations, JKEIAA upheld recommendations of JKEAC to reject EC in the present form. However, PP may apply afresh after revalidation of Lol and fulfilling following conditions: -

1. To submit a detailed techno-feasibility report powered with topographic maps, videos and photographs of the mining block and the irrigation works/ transmission towers etc. suggesting mitigative measures under which mining activity in the designated block shall not affect the irrigation work and electric transmission towers.
2. In view of apprehension expressed by Fisheries dept. on eventual disturbance of the endangered native and endemic fish in the Rambiarra snow fed trout stream, NOC from Fisheries Dept, should be categorical with mitigating measures.
3. NOC from the Concerned Agency regarding safety in view of HT Electric transmission towers lying inside the mining block and its periphery.
4. To revise the documents as per deliberations recorded here-in- above.
5. NOC from the Irrigation Dept. to the effect that mining activity in the designated mining block will not affect the Irrigation facility.
6. To resize the mining block to ensure safe distance to the supply channel of headworks of existing irrigation channels.

Agenda Item No.07.

Grant of Environment Clearance in favour of Shri Farooq Ahmad Wani S/O Gh. Ahmad Wani R/O Audipora, Awantipora District Pulwama JK UT for Minor Mineral Block – 33, House of Ab. Gaffar Bhat Sugun U/Stream Nallah Rambiarra, Sugun, Shopian, Area 9.27ha. under proposal No.SIA/JK/MIN/56811/2020.

Brief Summary.

This case pertains to grant of Environment Clearance under B1 category for Minor Mineral Block – 33, House of Ab. Gaffar Bhat Sugun U/Stream Nallah Rambiarra, Sugun, Shopian, Area 9.27ha. LOI has been issued on 02-05-2020, which was later extended on 15-04-2021 and is valid up to 31-08-2021. Mining plan has been approved on 09-06-2020. Terms of Reference were issued to the project on 21-11-2020 and public hearing was conducted on 05-05-2021. As per summary of appraisal report, District Survey Report was not formulated as per guidelines and needs to be revised for including replenishment data etc. Status of

NOCs in appraisal report shows that all the stakeholder departments had issued NOC's(conditionally) in favour of the project. The Asstt. Director, Fisheries Dept. concerned while issuing the NOC has expressed grave concern on eventual disturbance of the endangered native and endemic fish in the Rambhara snow fed trout stream. The conditions imposed need to be adhered to in letter and spirit by the PP. Sujan Kuhl main water conductor nearby as per NOC of I&FC

Deliberations/Specific observations of JKEAC.

- a) The project had earlier been discussed during 18th meeting held on 04.11.2020 during which the committee recommended TORs to the project.
- b) In the conclusion part of the minutes of Public Hearing conducted for the mining block, the concerned Authorities have reported that the local people of the area were opposing the mining activity because of their apprehension about damage to the irrigation canals, horticulture and agricultural land activities, loss of land, unemployment and environmental degradation etc.
- c) The Committee observed features on Google image indicative of illegal mining. The Consultant presented the report of Multi- department District Level Task Force Cell issued vide letter No. DCS/ADC/PS/21/1653-55 dated 30/07/2021 by the Adl. Dy. Commissioner, Shopian District whereunder, it has been reported that the project proponent is not involved in the illegal mining activity.
- d) 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 which needs to be complied in letter and spirit prior to grant of EC.
- e) The conditions of NOC of stakeholder department need to be adhered to in letter and spirit.
- f) EMP needs to be revised with appropriate budget as suggested in the JKEAC Meeting.
- g) Revision of the mining plan with mine closure plan, revised mining depth, surface plan, area targeted, mineral production and replenishment data and its approval by the competent authority.
- h) 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.
- i) Bulk density of 2.3 mentioned in the mining plan not agreed by the Committee. However, revised bulk density of 2 proposed in pre- feasibility report agreed to in absence of actual field measurements.
- j) The Committee observed that the haulage route passes through the escape channel of the Sujan Kuhl and therefore, it was desired that adequate measures be taken by the project proponent to ensure that no damage is caused to the irrigation structures. The project proponent will necessarily use Hume pipes of appropriate specifications to cross over the active water channel / Channels where ever encountered. The movement of vehicles must not disturb natural flow of water or increase turbidity of water.

Recommendations of JKEAC.

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

- a) Standard and Specific Conditions as per Annexure B to the Minutes of JKEAC Meeting.
- b) Revision of EIA report with compliance of specific ToR condition No.19.
- c) 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.
- d) Revision of EMP and CER budget as recommended in the JKEAC Meeting.
- e) Mining depth of 1m in aggregate in view of non-availability of replenishment data in the DSRs formulated by the G&M Dept.
- f) Bulk density of 2 in absence of actual measurements.
- g) Strict adherence to the terms and conditions of the NOCs of the stakeholder departments especially conditions laid by the Fisheries Department which need to be monitored by the enforcement agencies and concerned dept.
- h) No JCBs/ Excavators/ Bulldozers to be used in mining and no water course to be disturbed while transporting minor minerals.
- i) Maximum targeted mineral production of 111200 MT.
- j) Condition that Hume pipes of appropriate specifications to cross over the active water channel / Channels where ever encountered shall be used to ensure that the water channels are not disturbed.
- k) Condition the geographical coordinates as per Lol issued by G&M Dept. are mentioned in the EC letter by JKEIAA
- l) 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.

Decisions of JKEIAA.

After due deliberations on observations of JKEAC, the JKEIAA upheld the recommendations of the Committee to grant Environment clearance to the project subject to fulfillment of following conditions:

- a) Full compliance of Standard and Specific Conditions as per Annexure B to the Minutes of JKEAC Meeting.
- b) The JKEIAA observed that The Asstt. Director, Fisheries Dept. while issuing the NOC has expressed grave concern on eventual disturbance of the endangered native and endemic fish in the Rambiarra snow fed trout stream. Therefore, it cannot be considered as NOC, but abdication of responsibility. The JKEIAA is of the view that a clear and unambiguous NOC should be obtained from Fisheries Dept, with mitigating measures to address concern raised by Asstt. Director Fisheries. Accordingly, JKEIAA desire PP to obtain clear cut NOC from Fisheries Dept, with mitigating measures to address concern expressed by AD fisheries in present NOC.
- c) Revision of EIA report with compliance of specific ToR condition No.19.

- d) Revision of the mining plan with mine closure plan, revised mining depth, surface plan, targeted mineral production and replenishment data and its approval by the competent authority to be submitted within 3 months of issue of conditional E.C.
- e) Revision of EMP and CER budget as recommended in the JKEAC Meeting.
- f) Mining depth not to exceed 1m below NSL in aggregate in view of non-availability of replenishment data in the DSRs formulated by the G&M Department.
- g) Bulk density of 2 shall be adopted for calculation subject to Maximum mineral production of 111200MT.
- h) Strict adherence to the terms and conditions of the NOCs of the stakeholder departments especially conditions laid by the Fisheries Department which need to be monitored by the enforcement agencies and concerned dept.
- i) No JCBs/ Excavators/ Bulldozers to be used in mining and no water course to be disturbed while transporting minor minerals.
- j) Condition that Hume pipes of appropriate specifications to cross over the active water channel / Channels where ever encountered shall be used to ensure that the water channels are not disturbed.
- k) While issuing EC, Member Secretary shall specifically mention revised geographical coordinates for revised area conveyed by G&M Dept.
- l) Haulage route passes through escape channel of Sugun khul therefore adequate measures be adopted for protection of irrigation structures.
- m) 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 JKPC in view of non-availability of replenishment data.

Agenda Item No.08

Grant of Environment Clearance in favour of Shri Zahoor Ahmed Peerzada S/O Shri Gh. Mohd Peerzada R/O Aripora Shopian, JK UT for River Bed Mining, Block – 32, SIDCO Bridge D/Stream Nallah Rambiar, Village- Aripora, Tehsil- Chitragam, District- Shopian, JK UT over an area of 7.77ha. under proposal No. SIA/JK/MIN/55353/2020.

Brief Summary: This case pertains to grant of Environment Clearance under B1 category for River Bed Mining, Block – 32, SIDCO Bridge D/Stream Nallah Rambiar, Village- Aripora, Tehsil- Chitragam, District- Shopian, JK UT over an area of 7.77ha. LOI has been issued on 02-03-2020, which was later extended on 15-04-2021 and is valid up to 31-08-2021. Mining plan has been approved on 09-06-2020. Terms of Reference were issued to the project on 23-12-2020 and public hearing was conducted on 29-06-2021. As per summary of appraisal report, District Survey Report was not formulated as per guidelines and needs to be revised for including replenishment data etc., Status of NOCs in appraisal report shows that all the stakeholder departments had issued NOC's(conditionally) in favour of the project. The Asstt. Director, Fisheries Dept. concerned while issuing the NOC has expressed grave concern on eventual disturbance of the endangered native and endemic fish in the Rambiar snow fed trout stream. The conditions imposed need to be adhered to in letter and spirit by the PP.

Deliberations/Specific observations of JKEAC.

- a) The project had earlier been discussed during 14th meeting held on to 16/09/2020 during which the Committee recommended grant of Terms of Reference subject to site visit by the Sub-Committee. Subsequently, the Sub-Committee had recommended confirmation of ToRs to the project.
- b) On the request of the PP, the mining block has been resized from 8.64ha to 7.77ha for maintaining safe distance of 500mt to the nearby SIDCO bridge.
- c) The NOCs submitted under Single Window Clearance System indicate that the Fisheries Dept. has expressed its apprehensions about impact of mining on the fish fauna while issuing NOC and has imposed certain conditions which need to be adhered to in letter and spirit.
- d) Illegal mining activity detected in the mining block as per features on Google image of May, 2021 However, clarification has been issued by Multi Dept. District level Task Force (MLDTF) Cell vide letter No. No. DCS/ADC/PS/21/1653-55 dated 30/07/2021 by the Adl. Dy. Commissioner, Shopian District whereunder, it has been reported that the project proponent is not involved in the illegal mining activity. Therefore, the project was appraised under non-violation category.
- e) The conditions of NOC of stockholder department need to be adhered to in letter and spirit.
- f) The baseline data duly attested by DMO concerned and the local panchayat representative have not been submitted and therefore need to be submitted on the portal as well as physically in original in the office of JKEIAA.
- g) EMP /CER needs to be revised with appropriate budget as suggested in the remark's column of the tables herein above, prior to grant of EC.
- h) Revision of the mining plan with mine closure plan, revised mining depth, surface plan, area targeted mineral production and replenishment and its approval by the competent authority.
- 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) 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 which needs to be complied in letter and spirit prior to grant of EC.
- k) Bulk density of 2.3 in mining plan not agreed. Committee desired that in absence of actual measurements, a nominal bulk density of 2.0 be adopted.
- l) The Committee observed that the haulage route passes through the escape channel of the Sujan Kuhl and therefore, it was desired that adequate measures be taken by the project proponent to ensure that no damage is caused to the irrigation structures. The project proponent will necessarily use Hume pipes of appropriate specifications to cross over the active water channel / Channels where ever encountered. The movement of vehicles must not disturb natural flow of water or increase turbidity of water.

Recommendations of JKEAC.

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

- a) The EC, if issued shall be valid only after the revalidation Letter of Intent by the Geology and Mining Department.
- b) Standard and Specific Conditions as per Annexure B to the Minutes of JKEAC Meeting.
- c) Revision of EIA report with compliance of specific ToR condition No.19.
- d) Revision of the mining plan with mine closure plan, revised mining depth, surface plan, targeted mineral production and replenishment and its approval by the competent authority.
- e) Submission of baseline data duly attested by the DMO concerned and the local panchayat representative with seal and signature, prior to grant of EC.
- f) Revision of EMP and CER budget as per recommendations of the JKEAC Meeting.
- g) Mining depth of max. 1m in aggregate in view of non-availability of replenishment data in the DSRs formulated by the G&M Dept.
- h) Bulk density of 2 in absence of actual measurements.
- i) Strict adherence to the terms and conditions of the NOCs of the stakeholder departments especially conditions laid by the Fisheries Department which need to be monitored by the enforcement agencies and concerned dept.
- j) No JCBs/ Excavators/ Bulldozers to be used in mining and no water course to be disturbed while transporting minor minerals.
- k) Maximum targeted mineral production of 93200 MT.
- l) Condition that Hume pipes of appropriate specifications to cross over the active water channel/ Channels where ever encountered shall be used to leave the water channels undisturbed.
- m) While issuing EC, Member Secretary shall specifically mention revised geographical coordinates for revised area conveyed by G&M Dept.
- n) 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 JKPCC in view of non-availability of replenishment data.

Decisions of JKEIAA.

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

- a) The EC, if issued shall be valid only after the revalidation Letter of Intent by the Geology and Mining Department.
- b) Full compliance of Standard and Specific Conditions as per Annexure B to the Minutes of JKEAC Meeting.
- c) The JKEIAA observed that The Asstt. Director, Fisheries Dept. while issuing the NOC has expressed grave concern on eventual disturbance of the endangered native and endemic fish in the Rambiarra snow fed trout stream. Therefore, it cannot be considered as NOC, but abdication of responsibility. The JKEIAA is of the view that a clear and

unambiguous NOC should be obtained from Fisheries Dept, with mitigating measures to address concern raised by Asstt. Director Fisheries. Accordingly, JKEIAA desire PP to obtain clear cut NOC from Fisheries Dept, with mitigating measures to address concern expressed by AD fisheries in present NOC.

- d) Revision of EIA report with compliance of specific ToR condition No.19.
- e) Revision of the mining plan with mine closure plan, revised mining depth, surface plan, targeted mineral production and replenishment data and its approval by the competent authority to be submitted within 3 months of issue of conditional E.C.
- f) Revision of EMP and CER budget as recommended in the JKEAC Meeting.
- g) Mining depth not to exceed 1m below NSL in aggregate in view of non-availability of replenishment data in the DSRs formulated by the G&M Department.
- h) Bulk density of 2 shall be adopted for calculation subject to Maximum mineral production of 93200MT.
- i) Strict adherence to the terms and conditions of the NOCs of the stakeholder departments which need to be monitored by the enforcement agencies and concerned dept.
- j) No JCBs/ Excavators/ Bulldozers to be used in mining and no water course to be disturbed while transporting minor minerals.
- k) Condition that Hume pipes of appropriate specifications to cross over the active water channel / Channels where ever encountered shall be used to ensure that the water channels are not disturbed.
- l) While issuing EC, Member Secretary shall specifically mention revised geographical coordinates for revised area conveyed by G&M Dept.
- m) Haulage route passes through escape channel of Sugun khul therefore adequate measures be adopted for protection of irrigation structures.
- n) 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 JKPC in view of non-availability of replenishment data.

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/2016/02/11/2540-44
Copy by email to:

Dated: 06/09/2021

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/Member Secretary JKEIAA
Ecology, Environment & Remote Sensing, J&K