



0191-2474553/0194-2490602

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)/ Farziman Bhaswan, Transport Nagar, Gladni, Jammu-180006 (Nov-Apr)

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## **MINUTES OF THE MEETING**

In pursuance to the Minutes of the 67<sup>th</sup> Meeting of the JK Expert Appraisal Committee held on 21<sup>st</sup> October, 2021 through video Conferencing issued vide No.EAC/JK/21/10276-10288 dated 28-10-2021, the 62<sup>nd</sup> Meeting of the JK Environment Impact Assessment Authority was held on 3<sup>rd</sup> November, 2021 at 1100 Hrs. 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, EE&RS, J&K. | Member-Secretary, JKEIAA |

Following are the deliberations & decisions of the meeting:-

### **Agenda Item No.01.**

**Grant of Environment Clearance in favour of Shri Rakesh Kumar Choudhary S/O Shri Koula Ram R/O 51-B/D Gandhi Nagar, JK UT for RBM (River Bed) Minor Mineral Block Mining Project, Block-21 having area of 9.37ha., Ziarat Syed Rehmatullah Nazneenpora Upstream Nallah Rambiarra District Shopian, JK UT(ADS). under proposal No.SIA/JK/MIN/58161/2020.**

**Brief Summary:** This case pertains to grant of Environment Clearance under B1 category for RBM (River Bed) Minor Mineral Block Mining Project, Block-21 an area of 9.37ha.LOI has been issued on 18-07-2020, which was later extended on 21-09-2021 and is valid up to 30-11-2021. Mining plan has been approved on 03-10-2020. The case was earlier discussed by the JKEAC on 05-12-2020 & 31-07-2021 The Terms of Reference were issued to the project on 23-12-2020 and public hearing of the project was conducted on 31-03-2021.

As per summary of appraisal report, District Survey Report has not been formulated as per guidelines and needs to be revised for including replenishment data etc., Status of NOCs in appraisal report shows that stakeholder departments have conveyed NOCs(conditionally) in favour of the project.

### **Deliberations/specific observations of JKEAC:**

- a) The project had earlier been discussed during 21<sup>st</sup> meeting held on 05.12.2020 during which the Committee recommended TORs to the project. The case again came for appraisal for grant of EC during the 50<sup>th</sup> Meeting of JKEAC held on 31/07/2021 during which the Committee desired the PP to submit:-

- i. 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.
  - ii. A categorical and specific NOC from the Concerned Agency w.r.t the HT Electric transmission towers lying inside the mining block.
  - iii. A revised EIA/EMP/CER/PFR / Mining plan etc. as per deliberations.
  - iv. 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.
- b) The project proponent has submitted a brief report comprising of Google screenshots of the area depicting the location of the Transmission towers, supply channel of Irrigation canal and haulage route w.r.t the proposed mining block. Further, the project proponent has listed various mitigative measures by proposing 50m buffer around the transmission towers and 100m buffer from the water supply channel with an additional budget of Rs15.00 lacs for raising a concrete walling around the safety zone. However, the Committee was of the opinion that the project proponent shall approach the Irrigation & Flood Control Dept. for assessment of vulnerability of the existing structures due to proposed mining activity in order to regulate the water supply to the canal during and after excavation of mineral from the block. Further, the project proponent shall have to bear the cost of any such work suggested by the Irrigation and Flood Control Dept. This takes care of the conditions of NOC issued by the Irrigation Dept.
- c) Further, the Committee desired that the funding proposed in the report is inadequate and therefore, suggested revised budget under the EMP, which shall however, be as per assessment and demand of Irrigation & Flood Control Dept.
- d) The PP has submitted compliance to observation (ii) in the form of NOC issued by Xen KPDCL, Shopian stating that no HT/LT line is passing over/nearby proposed site. Since, electric transmission towers, one inside and another near the boundary of mining block are very much identifiable on the Google image, it appears that the concerned officer issuing the certificate is not aware about the actual limits of the mining block w.r.t the electric transmission towers. The Committee observed that the PP has not obtained NOC from the actual stakeholder dept. owning the towers and desired that the PP should obtain the same on the back side of Google screen shot showing location of HT Towers and the mining block boundary with annotations depicting same, from the concerned Transmission Division of PDD before grant of EC. The PP informed that he has already approached the concerned stake holder dept. and has also proposed 50mt safety buffer around the HT Towers as per the techno-feasibility report in this regard.
- e) The mining block needs to be resized by excluding the area south of the water creek with a minimum safety buffer of 50mts from the HT Towers and 100m from the Irrigation supply channel. This approx. leaves the size of mining block with only 4.90 Ha for mining activity.
- f) The EMP budget suggested in the earlier meeting needs to be further revised in the light of observations as per revised budget suggested in the remarks column.

- g) The Committee desired that the concerns raised by the locals during Public Hearing must be duly addressed by the PP.
- h) The JKEAC desired that the conditions of NOC of stakeholder departments need to be adhered to in letter and spirit.
- i) The compliance to specific ToR condition relating to photographs of display screen of Air Quality Monitoring Station displaying the date of collection of data is missing in the EIA report and the same needs to be provided, prior to grant of EC.
- j) Project cost has been underestimated by the consultant as it does not include cost of Surveillance equipment, EMP, CER, EC processing fee etc. and therefore needs to be revised prior to grant of EC.
- k) 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.
- l) Mining depth needs to be restricted to max. 1m in aggregate in view of non-availability of replenishment data in the DSRs formulated by the G&M Dept.
- m) A nominal bulk density of 2.0 in absence of actual measurements be considered.

**Recommendations of the JKEAC:**

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

- a) Standard and Specific Conditions as per Annexure B to the Minutes of Meeting.
- b) Compliance of all observations made herein above under deliberations before grant of formal EC.
- c) Resizing of the mining block from 9.37 Ha to 4.90 Ha to maintain safe distance to the Irrigation works and the HT transmission towers.
- d) Issuance of categorical NOC from concerned Xen, Transmission Division, holding the HT Towers / concerned stake holder dept. with seal and signature on the back side of Google screen shot showing location of HT Towers and the mining block boundary with annotations depicting same, before grant of EC.
- e) Revision of EMP budget as per revised budget suggested in the remarks column.
- f) Revision of EIA report with compliance of specific ToR condition relating to photographs of display screen of the Air Quality Monitoring Station displaying the date of collection of data, before grant of formal EC.
- g) 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.
- 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 98000 MT.
- j) the geographical coordinates as per revised area to be conveyed by G&M Dept. are mentioned in the EC letter by JKEIAA.
- k) 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.

### **Decision of JKEIAA.**

After due deliberations the authority upheld the recommendations of JKEAC 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) Compliance of all observations by JKEAC listed herein above.
- c) Reducing size of the mining block from 9.37 Ha to 4.90 Ha to maintain safe distance from Irrigation works and HT transmission towers. Consequently, maximum targeted mineral production shall be restricted to 98000 MT.
- d) Issuance of categorical NOC from concerned Xen, Transmission Division, of HT Towers / concerned stake holder dept. with seal and signature on the back side of Google screen shot showing location of HT Towers and the mining block boundary with annotations depicting same, before grant of EC.
- e) The PP shall approach irrigation and flood control department for assessment of vulnerability of existing structure and PP shall have to bear the cost of any such work suggested by the department.
- f) 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 within a period of three months from the date of issuance of E.C.
- g) Revision of EIA Report and EMP/CER Budget as suggested by JKEAC.
- h) While issuing EC, Member Secretary shall specifically mention revised geographical coordinates for revised area conveyed by G&M Dept.
- i) Compliance to the specific ToR condition relating to photographs of display screen displaying the date of collection of data within six months of grant of formal EC.
- j) Strict adherence to the terms and conditions of the NOCs of the stakeholder departments which shall to be monitored by the enforcement agencies and concerned dept. and violations, if any, shall be reported.
- k) No JCBs/ Excavators/ Bulldozers to be used in mining and no water course to be disturbed while transporting minor minerals.
- 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 JKPC in view of non-availability of replenishment data.

### **Agenda Item No.02.**

**Grant of Environment Clearance in favour of Shri Brinder Singh S/O Shri Keemat Lal R/O Raipur Satwari, JK UT for RBM (River Bed) Minor Mineral Block Mining Project, Block-1 Area:- 6.42 ha., River Suran Downstream Sher-E- Kashmir Bridge Part-1, District Poonch. JK UT under proposal No.SIA/JK/MIN/59316/2020.**

**Brief Summary:** This case pertains to grant of Environment Clearance under B1 category for RBM (River Bed) Minor Mineral Block Mining Project, Block-1 Area:- 6.42 ha., LOI has been issued on 21-07-2020, which was later extended on 21-09-2021 and is valid up to 30-11-2021. Mining plan has been approved on 15-12-2020. The case was earlier discussed by the JKEAC on 19-01-2021. The Terms of Reference were issued to the project on 12-02-2021 and public hearing of the project was conducted on 05-08-2021.

As per summary of appraisal report, District Survey Report has not been formulated as per guidelines and needs to be revised for including replenishment data etc., Status of NOCs in appraisal report shows that stakeholder departments have conveyed NOCs (conditionally) in favour of the project.

**Deliberations/specific observations of JKEAC:**

- a) The project had earlier been discussed during 24<sup>th</sup> meeting held on 19.01.2021 during which the Committee recommended TORs to the project subject to exclusion of active water channel.
- b) Heavy Illegal mining activity detected in the mining block as per features on Google image of May, 2021 showing presence of heavy machinery in the designated block which needs clarification from the Multi Dept. District level Task Force (MDLTF) Cell, for fixing responsibility for illegal mining activity in the designated mining block, prior to grant of EC. In case, the project proponent is found to be involved in illegal mining, the EC so granted, shall be liable to be withdrawn.
- c) The Committee further stipulates that in view of poor prospects of availability of the material due to heavy mining in the area, the G&M dept. shall re-inspect the site, re-estimate and quantify the minable reserves keeping in view the restricted mining depth of 1m from the original NSL that can be allowed in the absence of replenishment data in the District Survey Report.
- d) After the reassessment, only 30% of the total block area forming triangular dry shoal between pillar A, B, D can be considered for grant of EC, that too, subject to production of a 'fit for mining certificate' from G&M Dept. to the effect that adequate replenishment has taken place and there is enough material available in the proposed mining block that can be excavated without endangering ecological and hydrological regime of the area.
- e) The Committee desired the project proponent to replan the Haulage route from pillar A for which the project proponent shall have to lay adequate number of Hume pipes across active water channel to keep the channel undisturbed during transportation of minerals.
- f) The Committee observed features on Google Image, presumably indicative of off take points of irrigation khuls in the vicinity of the mining block and the Committee desired project proponent to obtain field verification of same by the concerned Xen Irrigation Dept. In case, it is found that such irrigation facilities are not existing, same needs to be recorded by the concerned hydraulic engineer with consent of local PRI with seal and signature on the back side of Colour Google image of the area depicting the mining block boundary and Khuls/canals offtake points, if any within 200m of the mining block boundary stating that there are no irrigation off-take points in the vicinity of the mining block that could adversely affect the irrigation works in the area, prior to grant of formal EC.
- g) The JKEAC desired that the conditions of NOC of stakeholder departments need to be adhered to in letter and spirit.
- h) Project cost has been underestimated by the consultant as it does not include cost of EMP, CER and therefore needs to be revised.
- i) EMP/CER budget needs to be revised with appropriate budget as suggested in the remark's column.

- j) Exclusion of active water channel while calculating the targeted mineral production and the revised PFR/EIA be submitted.
- k) Revision of EIA report with compliance of specific ToR condition relating to photographs of display screen of Air Quality Monitoring Station displaying the dates of collection of data.
- l) 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.
- m) Mining depth be restricted to max. 1m in aggregate in view of non-availability of replenishment data in the DSRs formulated by the G&M Dept.
- n) A nominal bulk density of 2.0 in absence of actual measurements.

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

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

- a) Standard and Specific Conditions as per Annexure B to the Minutes of JKEAC Meeting.
- b) Compliance of all observations made herein above under deliberations.
- c) Submission of consent of local panchayat and field verification report from concerned Xen, Irrigation Dept. on the observations made by the Committee with seal and signature on the back side of Colour Google image of the area depicting the mining block boundary and Kuhls/canals off-take points with annotations, if any within 200m of the mining block boundary, stating therein that there are no irrigation off-take points in the vicinity of the mining block or otherwise that could adversely affect the irrigation works in the area.
- d) 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.
- e) No JCBs/ Excavators/ Bulldozers to be used in mining and no water course to be disturbed while transporting minor minerals.
- f) Maximum targeted mineral production of 38500 MT.
- g) Condition the geographical coordinates as per Lol issued by G&M Dept. are mentioned in the 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.

### **Decision of JKEIAA.**

After due deliberations the authority upheld the recommendations of JKEAC 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) Compliance of all observations made by JKEAC listed herein above.
- c) Submission of consent of local panchayat and field verification report from concerned Xen, Irrigation Dept. on the observations made by the Committee with seal and

signature on the back side of Colour Google image of the area depicting the mining block boundary and Kuhls/canals off-take points with annotations, if any within 200m of the mining block boundary, stating that no irrigation canal/ khul –takes off in the vicinity of the mining block or otherwise that could adversely affect the irrigation network in the area.

- d) The MDLTF Cell headed by the concerned Dy. Commissioner shall submit a report to the effect that PP is not involved in the illegal mining activity, within a period of six weeks or before execution of lease of minor mineral block, whichever is earlier, failing which the EC is liable to be revoked.
- e) 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 within a period of three months from the date of issuance of E.C.
- f) Revision of EIA Report and EMP/CER Budget as suggested by JKEAC.
- g) The PP shall replan the haulage route from Pillar-A for which adequate number of hume pipes shall have to be laid to cross the active water channel.
- h) After reassessment only 30% of the total block area forming triangular dry shoal between pillar A, B and D is considered for extraction that too after production of “fit for mining certificate” from G&M Department to the effect that adequate replenishment has taken place and there is enough material available in the block that can be safely extracted, prior to grant of EC.
- i) While issuing EC, Member Secretary shall specifically mention revised geographical coordinates for revised area conveyed by G&M Dept.
- j) 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.
- k) No JCBs/ Excavators/ Bulldozers to be used in mining and no water course to be disturbed while transporting minor minerals.
- l) Maximum targeted mineral production of 38500 MT.
- 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 JKPCB in view of non-availability of replenishment data.

### **Agenda Item No.03.**

**Grant of Environment Clearance in favour of Shri Hem Chand Singh S/O Shri Rohitash Singh R/o H.No.06 Kashish Enclave 3K Road Ludhiana, Punjab.for Riverbed Mining Project of Minor Mineral in Block No.11, K-Mirhama Upstream Vishu Nalla, District-Kulgam, JK UT Area 9.21ha. under proposal No.SIA/JK/MIN/60760/2021.**

**Brief Summary:** This case pertains to grant of Environment Clearance under B1 category for Riverbed Mining Project of Minor Mineral in Block No.11, K-Mirhama Upstream Vishu Nalla, District-Kulgam, JK UT, Area 9.21ha. LOI has been issued on 16-07-2020, which was later extended on 18-09-2021 and is valid up to 30-11-2021. Mining plan has been approved on 04-12-2020. The case was earlier discussed by the JKEAC on 13-03-2021.The Terms of Reference were issued to the project on 30-03-2021 and public hearing of the project was conducted on 28-07-2021.

As per summary of appraisal report, District Survey Report has not been formulated as per guidelines and needs to be revised for including replenishment data etc., Status of NOCs in appraisal report shows that stakeholder departments have conveyed NOCs (conditionally) in favour of the project.

**Deliberations/specific observations of JKEAC:**

- a) The project had earlier been discussed during 29<sup>th</sup> meeting held on 13.03.2021 during which the committee recommended TORs to the project subject to title verification of the mining block. Title verification has been issued by the concerned revenue officer.
- b) Exclusion of active water channel while calculating the targeted mineral production and the revised PFR/EIA be submitted prior to grant of formal EC.
- c) The JKEAC desired that the conditions of NOC of stakeholder department need to be adhered to in letter and spirit under supervision of stakeholder depts.
- d) The compliance to specific ToR condition relating to photographs of display screen of Air Quality Monitoring Station displaying the date of collection of data missing in EIA report which needs to be provided prior to grant of EC.
- e) Project cost has been underestimated by the consultant as it does not include cost of EMP, CER and therefore needs to be revised, prior to grant of EC.
- f) EMP budget needs to be revised with appropriate budget as suggested in the remark's column.
- g) 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.
- h) Mining depth of 3 m & a bulk density of 2.1 given in the mining plan not agreed by the committee. Therefore, the same need to be revised while calculating the revised targeted mineral production.
- i) Mining depth be restricted to max. 1m in aggregate in view of non-availability of replenishment data in the DSRs formulated by the G&M Dept.
- j) A nominal bulk density of 2.0 in absence of actual measurements.

**Recommendations of the JKEAC:**

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

- a) Compliance/fulfilment of Standard and Specific Conditions as per Annexure B to the Minutes of JKEAC Meeting.
- b) Compliance of observations made herein above under deliberations.
- c) 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.
- d) No JCBs/ Excavators/ Bulldozers to be used in mining and no water course to be disturbed while transporting minor minerals.
- e) Maximum targeted mineral production of 110500 MT.
- f) Condition the geographical coordinates as per area as per Lol issued by G&M Dept. are mentioned in the EC letter by JKEIAA.



- g) 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.

#### **Decision of JKEIAA.**

After due deliberations the authority upheld the recommendations of JKEAC 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) Compliance of all observations made by JKEAC listed herein above.
- c) Strict adherence to the terms and conditions of the NOCs of the stakeholder departments which shall to be monitored by the enforcement agencies and concerned dept. and any violations shall be reported.
- 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 within a period of three months from the date of issuance of E.C.
- e) Revision of EIA Report and EMP/CER Budget as suggested by JKEAC.
- f) Compliance to the specific ToR condition relating to photographs of display screen displaying the date of collection of data within six months of grant of formal EC.
- g) While issuing EC, Member Secretary shall specifically mention revised geographical coordinates for revised area conveyed by G&M 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 110500 MT.
- j) 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.

#### **Agenda Item No.04.**

**Grant of Environment Clearance in favour of M/S Sai Mines R/o Logate, District-Kathua, JK UT for Riverbed Mining Project of Minor Mineral in Block No.13, M-Chillan Asthal Bridge Upstream Vishu Nalla, District-Kulgam, JK UT Area 9.32 ha. Under proposal No.SIA/JK/MIN/60775/2021.**

**Brief Summary:** This case pertains to grant of Environment Clearance under B1 category UT for Riverbed Mining Project of Minor Mineral in Block No.13, M-Chillan Asthal Bridge Upstream Vishu Nalla, District-Kulgam, JK UT Area 9.32 ha. LOI has been issued on 16-07-2020, which was later extended on 18-09-2021 and is valid up to 30-11-2021. Mining plan has been approved on 04-12-2020. The case was earlier discussed by the JKEAC on 13-03-2021. The Terms of Reference were issued to the project on 30-03-2021 and public hearing of the project was conducted on 28-07-2021.

As per summary of appraisal report, District Survey Report has not been formulated as per guidelines and needs to be revised for including replenishment data etc., Status of NOCs in appraisal report shows that stakeholder department shave conveyed NOCs(conditionally) in favour of the project.

### **Deliberations/specific observations of JKEAC:**

- a) The project had earlier been discussed during 29<sup>th</sup> meeting held on 13.03.2021 during which the Committee recommended TORs to the project subject to title verification and exclusion of the private land if any involved due to change of nallah course and revision of the project cost.
- b) Exclusion of active water channel while calculating the targeted mineral production and the revised PFR/EIA be submitted prior to grant of formal EC.
- c) Illegal mining activity detected in the mining block as per features on Google image of Aug, 2019 which needs clarification from the Multi Dept. District level Task Force (MDLTF) Cell. In case it is reported that the PP has been involved in the mining activity in the designated mining block, the EC so granted is liable to be withdrawn.
- d) The JKEAC desired that the conditions of NOC of stakeholder departments need to be adhered to in letter and spirit under close supervision of the stakeholder depts.
- e) One of the members asked the consultant what measures had been taken to address the apprehension of the people w.r.t implication of mining activity on the flood threat. The consultant informed that since there is no habitation in the vicinity, there is no threat of floods.
- f) Haulage passes through the orchards and therefore enough provision needs to be kept for maintenance of the road and its metalling besides the maintenance of the haulage route itself.
- g) The compliance to specific ToR condition relating to photographs of display screen of Air Quality Monitoring station displaying the date of collection of data missing in EIA report which needs to be provided prior to grant of EC.
- h) Project cost has been underestimated by the consultant as it does not include cost of EMP, CER and surveillance budget therefore needs to be revised with appropriate budget as suggested in the remark's column.
- 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.
- j) Mining depth of 3 m & a bulk density of 2.1 given in the mining plan not agreed by the committee. Therefore, the same need to be revised while calculating the revised targeted mineral production.
- k) Mining depth need to be restricted to max. 1m in aggregate in view of non-availability of replenishment data in the DSRs formulated by the G&M Dept.
- l) A nominal bulk density of 2.0 be used in absence of actual measurements.

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

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

- a) Standard and Specific Conditions as per Annexure B to the Minutes of JKEAC Meeting.
- b) Compliance of observations made herein above under deliberations.
- c) 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.

- d) No JCBs/ Excavators/ Bulldozers to be used in mining and no water course to be disturbed while transporting minor minerals.
- e) Maximum targeted mineral production of 111800 MT.
- f) Condition the geographical coordinates as per LOI issued by G&M Dept. are mentioned in the EC letter by JKEIAA.
- g) 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.

#### **Decision of JKEIAA.**

After due deliberations the authority upheld the recommendations of JKEAC 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) Compliance of all observations made by JKEAC listed herein above.
- c) 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. and violations, if any, shall be reported.
- 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 within a period of three months from the date of issuance of E.C.
- e) Revision of EIA Report and EMP/CER Budget as suggested by JKEAC with sufficient funds for maintain ace of haulage route which passes through the orchards.
- f) While issuing EC, Member Secretary shall specifically mention revised geographical coordinates for revised area conveyed by G&M Dept.
- g) Compliance to the specific ToR condition relating to photographs of display screen displaying the date of collection of data within six months of grant of formal EC.
- h) The MDLTF Cell headed by the concerned Dy. Commissioner shall submit a report to the effect that PP is not involved in the illegal mining activity, within a period of six weeks or before execution of lease of minor mineral block, whichever is earlier, failing which the EC is liable to be revoked.
- i) No JCBs/ Excavators/ Bulldozers to be used in mining and no water course to be disturbed while transporting minor minerals.
- j) Maximum targeted mineral production of 111800 MT.
- k) 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.

#### **Agenda Item No.05.**

**Grant of Environment Clearance in favour of Shri Ranbir Singh R/O Sheikhpur Bagh Shaheed Bhagat Singh Nagar, Punjab. for "Minor Mineral (River Bed Material)" at Block No. 12/D,Bundzoo Bridge downstream Nallah Sasara, Nill.- Bundzoo, Taluka- Bundzoo, District-Pulwama, JK UT resized area 3.11 ha. under proposal No.SIA/JK/MIN/233027/2021 & SIA/JK/MIN/54959/2020.**

**Brief Summary:** This case pertains to grant of Environment Clearance under B2 category for "Minor Mineral (River Bed Material)" at Block No. 12/D, Bundzoo Bridge Downstream Nallah Sasara, Vill.- Bundzoo, Taluka- Bundzoo, District- Pulwama, JK UT resized area 3.11 ha. LOI has been issued on 09-06-2020, which was later extended on 18-09-2021 and is valid up to 30-11-2021. Mining plan has been approved on 10-07-2020. The case was earlier discussed by the JKEAC on 04-11-2020. The area of the project was reduced by the Geology & Mining Department on 24-09-2021.

As per summary of appraisal report, District Survey Report has not been formulated as per guidelines and needs to be revised for including replenishment data etc., Status of NOCs in appraisal report shows that Addl. Deputy Commissioner Pulwama has issued NOCs of stakeholder departments under Single Window system vide reference No. DCP/ESST/SM/NOC/551-63 dated 03/05/202.

**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 subject to NOC from Irrigation and Flood Control Dept. and resizing of the mining block to ensure safe distance of 500m from the nearest bridge. The resized block has now been submitted for appraisal.
- b) The examination of mining block on Google Earth platform revealed features that are presumably suggestive of irrigation off-take points in the vicinity of the mining block. The Committee desired clarification from the concerned Xen Irrigation Dept. but there was no one present to clarify the doubt as the NOC issued by the concerned Dept. was found to be in a generalized format and not specific to the ground realities.
- c) The Committee recalled the decisions taken during the joint meeting (online) held on 09/10/2021 during which the Commissioner/Secretary, Forest & Environment Dept. had instructed the Director, Geology & Mining Dept. to ensure presence of district level Officers of the stakeholder Depts. for on-the-spot clarification as and when required by the Committee to expedite the appraisal process. The Committee has been feeling handicapped due to non-availability of the concerned officers from G&M dept. and especially the Irrigation Dept., although the JKEAC has been making repeated requests for their presence in the meetings. Therefore, the Committee desired that the JKEIAA should take up the matter with higher authorities, in this regard.
- d) The Committee observed features on Google Image, presumably indicative of offtake points of irrigation khuls in the vicinity of the mining block and the Committee desired project proponent to obtain field verification of same by the concerned Xen Irrigation Dept. In case, it is found that such irrigation facilities are not existing, same needs to be recorded by the concerned hydraulic engineer with consent of local PRI with seal and signature on the back side of Colour Google image of the area depicting the mining block boundary and Khuls/canals offtake points, if any within 200m of the mining block boundary stating that there are no irrigation off-take points in the vicinity of the mining block that could adversely affect the irrigation works in the area, prior to grant of formal EC.
- e) Exclusion of active water channel while calculating the targeted mineral production and the revised PFR be submitted prior to grant of formal EC.

- f) Illegal mining activity detected in the mining block as per features on Google image of 04, 2020 and 06/2021 which needs clarification from the Multi Dept. District level Task Force (MDLTF) Cell. In case it is reported that the PP has been involved in the mining activity in the designated mining block, the EC so granted is liable to be withdrawn.
- g) The JKEAC desired that the conditions of NOCs need to be adhered to in letter and spirit under close supervision of the stakeholder departments.
- h) Project cost has been underestimated by the consultant as it does not include cost of EMP, CER and therefore needs to be revised, prior to grant of EC.
- i) EMP budget needs to be revised with appropriate budget as suggested/recommended in the remark's column.
- j) 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.
- k) Mining depth of 2m given in the mining plan was not agreed by the committee. Therefore, the same need to be revised while calculating the revised targeted mineral production.
- l) Mining depth be restricted to max. 1m in aggregate in view of non-availability of replenishment data in the DSRs formulated by the G&M Dept.

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

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

- a) Standard and Specific Conditions as per Annexure B to the Minutes of JKEAC Meeting.
- b) Compliance of observations made herein above under deliberations.
- c) Submission of consent of local panchayat and field verification report from concerned Xen, Irrigation Dept. on the observations made by the Committee with seal and signature on the back side of Colour Google image of the area depicting the mining block boundary and Kuhls/canals off-take points with annotations, if any within 200m of the mining block boundary, stating therein that there are no irrigation off-take points in the vicinity of the mining block or otherwise that could adversely affect the irrigation works in the area, prior to grant of formal EC.
- d) 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.
- e) No JCBs/ Excavators/ Bulldozers to be used in mining and no water course to be disturbed while transporting minor minerals.
- f) Maximum targeted mineral production of 37300 MT.
- g) Condition the geographical coordinates as per revised area to be conveyed by G&M Dept. are mentioned in the 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.

### **Decisions of JKEIAA:**

After due deliberations the authority upheld the recommendations of JKEAC 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) Compliance of all observations made by JKEAC listed herein above.
- c) Submission of consent of local panchayat and field verification report from concerned Xen, Irrigation Dept. on the observations made by the Committee with seal and signature on the back side of Colour Google image of the area depicting the mining block boundary and Kuhls/canals off-take points with annotations, if any within 200m of the mining block boundary, stating therein that there are no irrigation off-take points in the vicinity of the mining block or otherwise that could adversely affect the irrigation works in the area, prior to grant of formal EC.
- 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 within a period of three months from the date of issuance of E.C.
- e) Revision of EIA Report and EMP/CER Budget as suggested by JKEAC.
- f) While issuing EC, Member Secretary shall specifically mention revised geographical coordinates for revised area conveyed by G&M Dept.
- g) 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.
- h) The MDLTF Cell headed by the concerned Dy. Commissioner shall submit a report to the effect that PP is not involved in the illegal mining activity, within a period of six weeks or before execution of lease of minor mineral block, whichever is earlier, failing which the EC is liable to be revoked.
- i) No JCBs/ Excavators/ Bulldozers to be used in mining and no water course to be disturbed while transporting minor minerals.
- j) Maximum targeted mineral production of 37300 MT.
- k) 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.

### **Agenda Item No.06.**

**Grant of Environment Clearance in favour of ShriKapil Agarwal S/O Shri Jugesh Agarwal, R/o H.No.179 Panjpir Mandir, Anandpur, Pathankot, Gurdaspur for Riverbed Mining Project of Minor Mineral in Block No.07, G-Ching Adigan Bridge Upstream Vishu Nalla, District-Kulgam, JK UT Area 8.91ha. under proposal No.SIA/JK/MIN/60753/2021.**

**Brief Summary:** This case pertains to grant of Environment Clearance under B1 category for Riverbed Mining Project of Minor Mineral in Block No.07, G-Ching Adigan Bridge Upstream Vishu Nalla, District-Kulgam, JK UT Area 8.91ha. LOI has been issued on 16-07-2020, which was later extended on 18-09-2021 and is valid up to 30-11-2021. Mining plan has been approved on 19-08-2020. The case was earlier discussed by the JKEAC on 13-03-2021. The Terms of Reference were issued to the project on 30-03-2021 and public hearing of the project was conducted on 28-07-2021

As per summary of appraisal report, District Survey Report has not been formulated as per guidelines and needs to be revised for including replenishment data etc., Status of NOCs in appraisal report shows that stakeholder departments have issued NOCs(conditionally) in favour of the project.

**Deliberations/specific observations of JKEAC:**

- a) The project had earlier been discussed during 29<sup>th</sup> meeting held on 13.03.2021 during which the committee recommended TORs to the project subject to title verification of the mining block by the concerned revenue authority and subject to exclusion of the private land if any involved due to change of nalla course and revision of project cost.
- b) The examination of mining block on Google Earth platform revealed features that are presumably suggestive of irrigation off-take points in the vicinity of the mining block. The Committee desired clarification from the concerned Xen Irrigation Dept. but there was no one present to clarify the doubt as the NOC issued by the concerned Dept. was found to be in a generalized format and not specific to the ground realities.
- c) The Committee observed features on Google Image, presumably indicative of offtake points of irrigation kuhls in the vicinity of the mining block and the Committee desired project proponent to obtain field verification of same by the concerned Xen Irrigation Dept. In case, it is found that such irrigation facilities are not existing, same needs to be recorded by the concerned hydraulic engineer with consent of local PRI with seal and signature on the back side of Colour Google\ image of the area depicting the mining block boundary and Khuls/canals offtake points, if any within 200m of the mining block boundary stating that there are no irrigation off-take points in the vicinity of the mining block that could adversely affect the irrigation works in the area, prior to grant of formal EC.
- d) Illegal mining activity detected in the mining block as per features on Google image of 09/2018 depicting features indicative of illegal mining which needs clarification from the Multi Dept. District level Task Force (MDLTF) Cell, prior to grant of formal EC. In case it is reported that the PP has been involved in the mining activity in the designated mining block, the EC so granted shall be liable to be withdrawn.
- e) During public consultation, the locals have asked for alternate route for transportation. The Committee observed that the route proposed moves through human habitation and across, near the offtake points of irrigation kuhls. The Committee desired tha the project proponent should revisit the site plan a fresh haulage route along the river bed without disturbing the channel. It was desired that the proposed route should preferably follow the already beaten-up path to reach the main road and documents revised accordingly and submitted, before grant of formal EC.
- f) The JKEAC desired that the conditions of NOCs need to be adhered to in letter and spirit under close supervision of the stakeholder departments.
- g) Project cost has been underestimated by the consultant as it does not include cost of EMP, CER and therefore needs to be revised.
- h) EMP/CER budget needs to be revised with appropriate budget as suggested/recommended in the remark's column.
- i) Exclusion of active water channel while calculating the targeted mineral production and the revised PFR/EIA be submitted prior to grant of formal EC.

- j) Revision of EIA report with compliance of specific ToR condition relating to photographs of display screen of Air Quality Monitoring Station displaying the date of collection of data, be provided before grant of formal EC.
- k) 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.
- l) Mining depth of 3 m & bulk density of 2.1 given in the mining plan not agreed by the committee. Therefore, the same need to be revised while calculating the revised targeted mineral production.
- m) Mining depth be restricted to max. 1m in aggregate in view of non-availability of replenishment data in the DSRs formulated by the G&M Dept.
- n) A nominal bulk density of 2.0 in absence of actual measurements.

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

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

- a) Standard and Specific Conditions as per Annexure B to the Minutes of JKEAC Meeting.
- b) Compliance of all observations made herein above under deliberations.
- c) Submission of consent of local panchayat and field verification report from concerned Xen, Irrigation Dept. on the observations made by the Committee with seal and signature on the back side of Colour Google image of the area depicting the mining block boundary and Kuhls/canals off-take points with annotations, if any within 200m of the mining block boundary, stating therein that there are no irrigation off-take points in the vicinity of the mining block or otherwise that could adversely affect the irrigation works in the area, prior to grant of formal EC.
- d) 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.
- e) No JCBs/ Excavators/ Bulldozers to be used in mining and no water course to be disturbed while transporting minor minerals.
- f) Maximum targeted mineral production of 106900 MT.
- g) Condition the geographical coordinates as per Lol issued by G&M Dept. are mentioned in the 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

#### **Decisions of JKEIAA:**

After due deliberations the authority upheld the recommendations of JKEAC 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) Compliance of all observations made under deliberations of JKEAC.



- c) Submission of consent of local panchayat and field verification report from concerned Xen, Irrigation Dept. on the observations made by the Committee with seal and signature on the back side of Colour Google image of the area depicting the mining block boundary and Kuhls/canals off-take points with annotations, if any within 200m of the mining block boundary, stating therein that there are no irrigation off-take points in the vicinity of the mining block or otherwise that could adversely affect the irrigation works in the area, prior to grant of formal EC.
- 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 within a period of three months from the date of issuance of E.C.
- e) Revision of EIA Report and EMP/CER Budget as suggested by JKEAC.
- f) As per demand of the locals PP should revisit the site and plan a fresh haulage route along the riverbed without disturbing the channel (preferably follow the already beaten-up path) and submit the same before grant of EC.
- g) While issuing EC, Member Secretary shall specifically mention revised geographical coordinates for revised area conveyed by G&M Dept.
- h) The MDLTF Cell headed by the concerned Dy. Commissioner shall submit a report to the effect that PP is not involved in the illegal mining activity, within a period of six weeks or before execution of lease of minor mineral block, whichever is earlier, failing which the EC is liable to be revoked.
- i) Compliance to the specific ToR condition relating to photographs of display screen displaying the date of collection of data within six months of grant of formal EC.
- j) 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.
- k) No JCBs/ Excavators/ Bulldozers to be used in mining and no water course to be disturbed while transporting minor minerals.
- l) Maximum targeted mineral production of 106900 MT.
- 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 JKPCB in view of non-availability of replenishment data.

**Agenda Item No.07.**

**Grant of Environment Clearance in favour of Shri Jugesh Aggarwal S/O Shri Tara Chand R/O Anandpur Pathankot, Punjab for proposed River Bed Mining Project of Minor Mineral Block No. 35 with the description Block A, Rahmoo Bridge U/Stream, Nallah Ramshoo, Village- Rahmoo, Taluka- Rahmoo, District -Pulwama, JK UT(Area reduce 9.05 ha). under proposal No.SIA/JK/MIN/55281/2020.**

**Brief Summary:** This case pertains to grant of Environment Clearance under B1 category for proposed River Bed Mining Project of Minor Mineral Block No. 35 with the description Block A, Rahmoo Bridge U/Stream, Nallah Ramshoo, Village- Rahmoo, Taluka- Rahmoo, District - Pulwama, JK UT(Area reduce 9.05 ha). LOI has been issued on 06-03-2020, which was later extended on 18-09-2021 and is valid up to 30-11-2021. Mining plan has been approved on 08-06-2021. The case was earlier discussed by the JKEAC on 26-09-2020. The Terms of Reference were issued to the project on 20-10-2020 and public hearing of the project was

conducted on 15-07-2021. The area of the project was reduced by the Geology & Mining Department on 05-10-2021.

A summary of appraisal report, District Survey Report has not been formulated as per guidelines and needs to be revised for including replenishment data etc., Status of NOCs in the appraisal report shows that Dy. Commissioner, Pulwama vide reference No. DCP/Estt/SM/Noc/577-89 dated 03-05-2021 has conveyed NOCs of stakeholder departments.

**Deliberations/specific observations of JKEAC:**

- a) The case had been discussed by the Expert Appraisal Committee earlier during the 15<sup>th</sup> Meeting held on 26/09/2020 during which the Committee had granted ToRs to the project subject to resizing/ relocation of the mining block to maintain safe distance to the bridge existing in the vicinity and to ensure there is minimum damage to orchards and habitations in in the area. Now, the PP has resized the mining block to maintain safe distance to the bridge.
- b) The examination of mining block on Google Earth platform revealed that a well identified supply line of irrigation channel is seen to be originating in the close vicinity of the mining block. The Committee expressed its surprise as to why the Irrigation Dept. has not taken notice thereof and prescribed mitigation measures to ensure that the existing irrigation facilities are not subjected to adverse fallout from mining activity.
- c) The Committee further prescribes a field verification of existing irrigation facilities in the vicinity of the proposed mining block by Xen, Irrigation Dept. and certification on the back side of Colour Google image of the area depicting the mining block boundary and Khuls/canals offtake points, if any within 200m of the mining block boundary stating that there are no irrigation off-take points besides\ the channel identified during appraisal, in the vicinity of the mining block that could adversely affect the irrigation works in the area, with consent of local PRI with seal and signature prior to grant of formal EC.
- d) Illegal mining observed in the mining block and its vicinity which demands report from the Muti dept. District Level Task Force Cell to the effect that the PP is not involved in it.
- e) Revision of the mining plan with mine closure plan, revised mining depth, revised mining block area, revised surface plan, targeted mineral production and replenishment and its denovo approval by the competent authority.
- f) The ToR condition relating to submission of photographs of display screen of the air quality monitoring station showing data with date of collection of the baseline data has not been submitted in the EIA report.

**Recommendations of the JKEAC:**

In view of the above deliberations and insight gained during the above cited appraisal process, the Committee did not approve the case in its present form. However, the PP may again approach the JKEIAA for reconsideration of the case after submission of compliance to the observations as above.

### **Decisions of JKEIAA:**

After due deliberations, JKEIAA upheld recommendations of JKEAC not to approve EC in the present form. However, PP may resubmit the case again after fulfilling the conditions and submission of revised documents as recommended by JKEAC.

### **Agenda Item No.08.**

**Grant of Terms of Reference in favour of ShriAmit Mahajan S/O Shri Adarsh Mohan Mahajan R/o Near Kali Mata mandir, Kolluwali Gali, Tehsil & District Pathankot, Panjab for Minor Mineral in Block No. 5, Under Construction Bridge Chappergund to wayil upstream River Sindh, District Ganderbal, JK UT(reduce area 8.00ha.) under proposal No.SIA/JK/MIN/67988/2021 & SIA/JK/MIN/61359/2021.**

**Brief Summary:** This case pertains to grant of Terms of Reference under B1 category for Minor Mineral in Block No. 5, Under Construction Bridge Chappergund to Wayil upstream River Sindh, District Ganderbal, JK UT(reduce area 8.00ha.)LOI has been issued on 20-07-2020 which was later extended on 01-09-2021 and is valid up to 30-11-2021. Mining plan has been approved on 22-02-2021.

A summary of appraisal report, District Survey Report has not been formulated as per guidelines and needs to be revised for including replenishment data etc., Status of NOCs in the appraisal report shows that Addl. Deputy Commissioner, Ganderbal has conveyed NOCs of Stakeholder departments vide reference No. DCG/ARA/1473-76 dated: 22/05/2021 under Single window system. The NOC from PHE Department is not submitted and NOC from the Revenue does not show the title of the Land.

### **Deliberations/specific observations of JKEAC:**

- a) The mining block was observed on the Multidate Google Earth Images and it was observed that the mining block has been devastated by illegal mining which has almost rendered the proposed block unfit for mining. Therefore, the project proponent needs to obtain a certificate from the G&M Dept. to the effect that sufficient replenishment has taken place till date and the mining block is fit for further mining without causing any damage to the irrigation network and flood protection works in the vicinity. The project proponent needs to substantiate the certificate with videographic and photographic evidence as per format of the Site Appreciation Note.
- b) The observation of illegal mining further demands a report from the Multi dept. District Level Task Force Cell to the effect that the project proponent is not involved in it.
- c) Further, a distance of 500m needs to be maintained to the bridge.
- d) The existence of irrigation kuhl was noticed in the close vicinity of the mining block and therefore, the Committee desired that specific and categorical clearance be obtained from the Irrigation and Flood Control Dept.

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

In view of the above deliberations and insight gained during the above cited appraisal process, the Committee declined to recommended Terms of Reference to the project unless and until the compliance to above cited observations are made.

### **Decision of JKEIAA:**

After due deliberations, JKEIAA upheld recommendations of JKEAC not to approve TORs in the present form. However, PP may resubmit the case again after fulfilling the conditions and submission of revised documents as recommended by JKEAC.

### **Agenda Item No.09.**

**Grant of Environment Clearance in favour of Shri Khursheed Ahmad Mir S/O Shri Gh. Mohammad Mir R/O Pahoo Dahoogam, District-Pulwama, JK for Minor Mineral Block – 03-C- Lassipora SIDCO Bridge D/Stream Nallah Rambiar, Lassipora, Litter, Pulwama, 4.37ha. JK UT under proposal No. SIA/JK/MIN/63796/2020 & SIA/JK/MIN/56774/2020.**

**Brief Summary:** This case pertains to grant of Environment Clearance under B1 category for Minor Mineral Block – 03- C- Lassipora SIDCO Bridge D/Stream Nallah Rambiar, Lassipora, Litter, Pulwama, 4.37ha. LOI has been issued on 20-07-2020 which was later extended on 01-09-2021 and is valid up to 30-11-2021. Mining plan has been approved on 08-06-2020. The case was earlier discussed by JKEAC on 05-11-2020. The Terms of Reference were issued to then project on 21-11-2020 and public hearing of the project was conducted on 10-05-2021.

A summary of appraisal report, District Survey Report has not been formulated as per guidelines and needs to be revised for including replenishment data etc., Status of NOCs in the appraisal report shows that Addl. Deputy Commissioner, Pulwama vide reference No. DCP/Estt/SM/NOC/434- 46 dated 03-05-2021 has conveyed NOC's of stakeholder departments. The NOC from PHE Department is not submitted and as per title verification from Revenue Dept., title is Shamlat plus Milklat.

### **Deliberations/specific observations of JKEAC:**

- a) The case had been discussed by the Expert Appraisal Committee earlier during the 18<sup>th</sup> Meeting held on 05/11/2020 during examination the consultant informed the Committee that the mining block though less than 5 ha, forms a cluster with mining block 2 and 4 and therefore, resulting in change of membership to category B1. The Committee opined that the concerned project proponents (PPs) of the cluster blocks in the area should have joined hands and prepared a joint and comprehensive EIA/EMP/ PFR for the entire cluster in accordance with standing guidelines from the MoEF & CC. However, despite clear cut instructions the PPs of the cluster blocks have failed to apply jointly and are approaching the JKEIAA separately for each block in contravention to existing guidelines. The Committee recalled its recent appraisal of block 1 and 2 in the 66<sup>th</sup> meeting held on 23/10/2021 during which the two cases were not cleared due to defective land title. Therefore, the Committee was of the opinion that all PPs of all such cases forming cluster should have approached together under the relevant category. However, in the present circumstances where the last extension of LOIs of all the e-auctioned mining blocks in the UT is expiring on 30/11/2021, the Committee took a considered view of the situation and desired the PPs of these blocks to either preferably apply together under cluster situation or individually under B1 category after completing all formalities thereof viz. PH and EIA. In the present instance, the PP has applied under B1 category and as such was considered.

- b) The NOC issued by the Tehsildar concerned under Single Window System conveyed by the concerned Adl. Dy. Commissioner indicates presence of Shamlat land and Milkiat land besides State Land within the designated mining block and as such, the Committee desired that the PP should get the area falling under Shamlat and Milkiat excluded from the designated mining block by the competent authority or obtain the consent of rightful owners of such lands for mining activity.
- c) The PP informed that the Shamlat and Milkiat type of land has been mentioned in the NOC by mistake and the concerned Tehsildar has issued a rectified title which he tried to present before the Committee. But the Committee declined to consider it because of the ambiguity in the document and desired that clarification on this count should come from the Competent Authority under Single Window System at the District Level.

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

In view of the above deliberations/observations made by the Committee herein above, the Expert Appraisal Committee did not approve the case in present form. However, the PP may again approach the JKEIAA after submitting the following compliances:-

- a) The Area falling under Shamlat and Milkiat is excluded from the designated mining block by the competent authority and the resultant area falling under State land is proposed for grant of EC under relevant category or alternatively issue clarification in the light of observations made herein above.
- b) In view of excessive illegal mining having already taken place, to submit a 'fit for mining certificate' from the G&M Dept.
- c) An explicit report from the Multi Dept. District Level Task Force Cell to the effect that the PP is not involved in the illegal mining activity is submitted by the project proponent.
- d) In the meantime, the G&M Dept. may be asked to guide the project proponents whose projects are forming cluster situation, to have a single consultant so that they apply for ToR and EC jointly under cluster situation in the appropriate category and before appropriate forum in future so that time and resources are saved and national guidelines are followed in letter and spirit.

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

After due deliberations, JKEIAA upheld recommendations of JKEAC not to approve EC in the present form. However, PP may resubmit the case again after fulfilling the following conditions and submission of revised documents as recommended by JKEAC:

- a) The Area falling under Shamlat and Milkiat is excluded from the designated mining block by the competent authority and the resultant area falling under State land is proposed for grant of EC under relevant category or alternatively issue clarification in the light of observations made herein above.
- b) In view of excessive illegal mining having already taken place, to submit a 'fit for mining certificate' from the G&M Dept.
- c) An explicit report from the Multi Dept. District Level Task Force Cell to the effect that the PP is not involved in the illegal mining activity is submitted by the project proponent.

- d) The Member Secretary, JKEIAA may write to G&M Dept. to guide the project proponents whose projects are forming cluster situation, to have a single consultant so that they apply for ToR and EC jointly under cluster situation in the appropriate category and before appropriate forum in future so that time and resources are saved and national guidelines are followed in letter and spirit.

**Agenda Item No.10.**

**Grant of Environment Clearance in favour of Shri Shabir Ahmad R/O Kulgam JK UT for Minor Mineral Block No- 25, Y- Ashmuji Bridge Downstream, Vishu Nallah, Village Ashmuji Tehsil & District Kulgam, (reduce working area 1.70 Ha.). under proposal No. SIA/JK/MIN/232398/2021, SIA/JK/MIN/62972/2021 & SIA/JK/MIN/57482/2020,**

**Brief Summary:** This case pertains to grant of Environment Clearance under B2 category for Minor Mineral Block No- 25, Y- Ashmuji Bridge Downstream, Vishu Nallah, Village Ashmuji Tehsil & District Kulgam, (reduce working area 1.70 Ha.). LOI has been issued on 16-07-2020 which was later extended on 01-09-2021 and is valid up to 30-11-2021. Mining plan has been approved on 31-08-2020. The case was earlier by JKEAC on 17-11-2020 and the area of the project was reduced by the Geology & Mining Department on 10-03-2021.

A summary of appraisal report, District Survey Report has not been formulated as per guidelines and needs to be revised for including replenishment data etc., Status of the NOCs in the appraisal report shows that Addl. Deputy Kulgam has issued NOCs under Single window system vide reference No. DCK/Estt/2021-22/321 dated 07-06-2021. The NOC from PHE Department is not submitted.

**Deliberations/specific observations of JKEAC:**

- a) The case had been discussed by the Expert Appraisal Committee earlier during the 19<sup>th</sup> Meeting held on 17/11/2020 during which the Committee had recommended the mining block for rejection of ToRs or alternatively resizing it to ensure safe distance of 500m to the bridge. The PP has applied afresh after getting the mining block resized to 1.70 Ha.
- b) The examination of mining block on Google Earth platform revealed features that are presumably suggestive of irrigation off-take points in the vicinity of the mining block. The Committee desired clarification from the concerned Xen Irrigation Dept. but there was no one present to clarify the doubt as the NOC issued by the concerned Dept. was found to be in a generalized format and not specific to the ground reality. Further, NOC issued by the concerned Dept. is also self-contradictory. On one hand, the dept. prescribes that no mining shall take place within 750m U/stream and D/stream of such irrigation structures but in the same breath, the dept. also conveys concurrence to the mining in the area. The RQP representing the case forcefully argued that there was no such irrigation facility in the vicinity of the block.
- c) Therefore, the Committee desired project proponent to obtain field verification of the observations made by the Committee as discussed in above para by the concerned Xen Irrigation Dept. In case, it is found that such irrigation facilities are not actually existing as claimed by the RQP, same needs to be recorded by the concerned hydraulic engineer with consent of local PRI with seal and signature on the back side of Colour Google image of the area depicting the mining block boundary and Kuhls/canals off-

- take points, if any within 200m of the mining block boundary stating that there are no irrigation off-take points in the vicinity of the mining block that could adversely affect the irrigation works in the area, prior to grant of formal EC.
- d) The Committee further desired that the actual site conditions need to be taken into account while granting NOC by the Irrigation Dept.
  - e) The local PRI representing the main beneficiaries of irrigation also need to be taken on board before granting the NOC by Irrigation Dept. and such concurrence by PRI shall be incorporated in the NOC issued by the Irrigation Dept. as discussed herein above.
  - f) Illegal mining observed in the mining block and its vicinity which demands report from the Muti dept. District Level Task Force Cell to the effect that the PP is not involved in it, prior to grant of formal EC. In case the PP is found to be involved in it, the EC so granted shall be liable to be withdrawn.
  - g) The JKEAC desired that the conditions of NOCs need to be adhered to in letter and spirit under close supervision of the stakeholder departments.
  - h) EMP/CER budget needs to be revised with appropriate budget as suggested in the remark's column above.
  - i) Exclusion of active water channel while calculating the targeted mineral production and the revised PFR/EIA be submitted prior to grant of formal EC.
  - j) 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.
  - k) Mining depth of 2.5 m & bulk density of 2.3 given in the mining plan not agreed by the committee. Therefore, the same need to be revised while calculating the revised targeted mineral production.
  - l) Mining depth be restricted to max. 1m in aggregate in view of non-availability of replenishment data in the DSRs formulated by the G&M Dept.
  - m) A nominal bulk density of 2.0 in absence of actual measurements.

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

In view of the above deliberations/observations made by the Committee herein above, the Expert Appraisal Committee recommended the project for grant of EC subject to: -

- a) Standard and Specific Conditions as per Annexure B to the Minutes of JKEAC Meeting.
- b) Compliance of all observations made here-in-above under deliberations.
- c) Submission of consent of local panchayat and field verification report from concerned Xen, Irrigation Dept. on the observations made by the Committee with seal and signature on the back side of Colour Google image of the area depicting the mining block boundary and Kuhls/canals off-take points with annotations, if any within 200m of the mining block boundary, stating therein that there are no irrigation off-take points in the vicinity of the mining block or otherwise that could adversely affect the irrigation works in the area, prior to grant of formal EC.
- d) 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.
- e) No JCBs/ Excavators/ Bulldozers to be used in mining and no water course to be disturbed while transporting minor minerals.
- f) Maximum targeted mineral production of 20400 MT.

- g) Condition the revised geographical coordinates of revised area to be conveyed by G&M Dept. are mentioned in the 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.

**Decision of JKEIAA:**

After due deliberations the authority upheld the recommendations of JKEAC 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) Compliance of all observations made under deliberations of JKEAC.
- c) Submission of consent of local panchayat and field verification report from concerned Xen, Irrigation Dept. on the observations made by the Committee with seal and signature on the back side of Colour Google image of the area depicting the mining block boundary and Kuhls/canals off-take points with annotations, if any within 200m of the mining block boundary, stating therein that there are no irrigation off-take points in the vicinity of the mining block or otherwise that could adversely affect the irrigation works in the area, prior to grant of formal EC.
- 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 within a period of three months from the date of issuance of E.C.
- e) Revision of EIA Report and EMP/CER Budget as suggested by JKEAC.
- f) While issuing EC, Member Secretary shall specifically mention revised geographical coordinates for revised area conveyed by G&M Dept.
- g) The MDLTF Cell headed by the concerned Dy. Commissioner shall submit a report to the effect that PP is not involved in the illegal mining activity, within a period of six weeks or before execution of lease of minor mineral block, whichever is earlier, failing which the EC is liable to be revoked.
- h) 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.
- i) No JCBs/ Excavators/ Bulldozers to be used in mining and no water course to be disturbed while transporting minor minerals.
- j) Maximum targeted mineral production of 20400 MT.
- k) 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.



**Agenda Item No.11.**

**Grant of Terms of Reference in favour of Shri Showket Ahmad Ganie R/O Near Jama Masjid Ambripora Devsar, Kulgam, JK UT for Nallah Bed Minor Mineral Block No- 21, U- Brazlo Bridge Upstream, Vishu Nallah Village Brazlo Tehsil & District Kulgam, (reduce working area 2.35ha.) ADS. Under proposal No. SIA/JK/MIN/63018/2021 & SIA/JK/MIN/57505/2020.**

**Brief Summary:** This case pertains to grant of Terms of Reference under B1 category UT for Nallah Bed Minor Mineral Block No- 21, U- Brazlo Bridge Upstream, Vishu Nallah Village Brazlo Tehsil & District Kulgam, (reduce working area 2.35ha.) LOI has been issued on 16-07-2020 which was later extended on 01-09-2021 and is valid up to 30-11-2021. Mining plan has been approved on 31-08-2020. The case was earlier by JKEAC on 17-11-2020 and the area of the project was reduced by the Geology & Mining Department on 10-03-2021.

A summary of appraisal report, District Survey Report has not been formulated as per guidelines and needs to be revised for including replenishment data etc., Status of the NOC's in the appraisal report shows that project proponent has not submitted NOC of any Stakeholder department as yet.

**Deliberations/specific observations of JKEAC:**

- a) The case had been discussed by the Expert Appraisal Committee earlier during the 19<sup>th</sup> Meeting held on 17/11/2020 during which the Committee observed that the mining block was found to be at a distance of only 299 mts. from the bridge. Therefore, the Committee recommended rejection of ToRs to the project or alternatively resizing/relocating it on the request of the project proponent.
- b) The mining block was observed on the Multidate Google Earth Images and illegal mining was observed in the mining block and its vicinity which demands report from the Multi-dept. District Level Task Force Cell to the effect that the PP is not involved in it.
- c) One of the members informed the forum that illegal mining has devastated the area and there is little or no material available in the area. Therefore, the G&M Dept. shall issue certificate to the effect that sufficient replenishment has taken place and there is enough of material as on date and the block is fit for further mining.
- d) Budget for surveillance equipment has not been provided and the Committee has accordingly recommended it as per budget in identical projects.
- e) Mining depth be restricted to max.1m in aggregate in view of non-availability of replenishment data in the DSRs formulated by the G&M Dept.
- f) Project cost has been underestimated by the consultant as it does not include cost of EMP, CER, Bidding cost, Env. Clearance processing fee/ PCCs Consent fee etc. and therefore needs to be revised.
- g) Bulk Density 2.3 is not agreed. The committee desired that in absence of actual measurements, a nominal Bulk density of 2.0 be adopted.

**Recommendations of the JKEAC:**

In view of the above deliberations and insight gained during the above cited appraisal process, the Committee recommended the case for grant of Terms of references subject to compliance to observations as listed above under deliberations.

**Decision of JKEIAA:**

After due deliberations, JKEIAA upheld recommendations of JKEAC for grant of Terms of reference subject to full compliance to observations as listed above under deliberations of JKEAC.

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/VIII/4026-37  
Copy by email to:

Dated: 05/11/2021

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, Mining Department, J&K Government for favour of information.
4. Commissioner/Secretary to Government, Forest, Ecology & Environment Department, J&K Government, Civil Secretariat, Jammu for favour of kind information.
5. Dr. Neelu Gera, IFS PCCF/Director, EE&RS, Member Secretary, JKEIAA, for information
6. Director, Geology & Mining Department, J&K Government, Jammu for information and necessary action.
7. Deputy Commissioner Pulwama, for information.
8. Chief Engineer, PDD, Jammu/Kashmir for information and n/a.
9. Chief Engineer, Irrigation & Flood Control Department, Jammu/Srinagar for information and n/a.
10. Chief Engineer, Jal Shakti, Jammu/Srinagar for information and n/a.
11. The Secretary, JK Expert Appraisal Committee for information.
12. Website(s)

  
(Staff Officer)  
05/11/2021  
to PCCF/Member Secretary JKEIAA  
Ecology, Environment & Remote Sensing, J&K