



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

Email: jkseiaa@gmail.com, website:www.parivesh.nic.in



RECORD NOTE OF THE 41st MEETING OF JK ENVIRONMENT IMPACT ASSESSMENT AUTHORITY HELD ON 10th JUNE 2021 AT 1100 HRS THROUGH VIDEOCONFERENCING

In pursuance to the Minutes of the 42nd Meeting of JK Expert Appraisal Committee held on 24th May, 2021 conveyed vide endorsement No.EAC/JK/20/7593-605 dated: 08-06-21, the 41st Meeting of JK Environment Impact Assessment Authority was held on 10th June, 2021 through video conferencing

The following attended the meeting:-

- | | |
|---|--------------------------|
| 1. Mr. Lal Chand, IFS(Retd.) | Chairman, JKEIAAA |
| 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 Danish Yousuf S/o Sh. Mohd. Yousuf Mir, R/o Dounghama Kakapora, District Pulwama, JK UT for Minor Mineral Block No. 11 Chadoora Old Bridge to Hanjigund Downstream Nallah Village- Hillar Tehsil & District Budgam JK UT Area 3.75 ha (resized to 2.74 ha) under proposal **No.SIA/JK/MIN/185142/2020.**

Deliberations:

The project has been discussed/appraised in the JKEAC Meeting. The consultant has given a detailed presentation, during which the forum was informed that the case falls under B2 category as its area is less than 5 ha. The consultant presented the cluster certificate issued by Joint Director (K), G&M Dept. in favour of the project. He further informed that the G&M Dept. granted letter of intent in favour of the project proponent on 29/07/2020 at a bid value of ₹ 117.33 Lakh and project cost of ₹ 125 Lakh. The mining plan was approved for the project on 10-11-2020. Deliberations were held on various aspects of the project like, mining depth, replenishment, surface plan and haulage route. The mining block was examined on Google Earth platform. It was observed that the consultant had uploaded and emailed an erroneous KML file. Therefore, he was asked to email it afresh. After receiving a fresh emailed KML file during the proceedings, the Committee observed that boundaries of the mining block identified by the KML file do not match with the surface plan boundaries in the approved mining plan. The consultant was asked to clarify the matter and he informed that the project proponent has out of his own will excluded the areas on either side of the mining block to leave a safe distance to the bridges as prescribed under guidelines. He presented a fresh surface plan showing net resized area of the mining block as 2.74 ha instead of 3.75 ha. However, the Committee did not entertain this and viewed it as an effort of course correction because the targeted mineral production has been calculated at 3.75 ha instead of 2.74 ha in the Pre-feasibility Report as

well as the approved mining plan. Therefore, the Committee desired submission of revised Pre-feasibility Report and the mining plan showing revised surface plan, and mineral production, highlighting new coordinates of the resized /reduced mining block with necessary corrigendum issued to the mining plan de-novo by the competent authority. The Committee also observed that the consultant has identified multiple haulage routes passing through human settlements and productive agricultural land and horticultural plantations. Therefore, it was desired that the PFR should include provision of single haulage route on the map/satellite image which has least environmental impact on the area, giving its length and Adequate provision for its maintenance in the EMP budget. The Environmental Management Plan /CER plan also came under discussion and budget under various heads was found to be inadequate. Therefore, it was desired that the consultant shall have to earmark adequate budget under green belt development, dust suppression, haulage route maintenance and pollution monitoring.

The consultant presented NOCs from the stake holder departments. The conditions mentioned in NOCs issued by the Executive Engineer I&FC Department and Executive Engineer Flood Spill Channel came under threadbare discussion. As per the NOC issued by the Flood Spill Channel Division, Narbal, it has been desired that the depth of extraction in no case should exceed 1m in aggregate. Same has also been desired in the NOC issued by the Executive Engineer, Irrigation Division Ompora, Badgam to ensure that deep excavation does not affect the Hydrological regime of Nallahs. Therefore, it was desired that the project proponent should divide the resultant mining block area into sections to be worked on annually up to maximum depth of 1m in aggregate. To further ensure that irrigation inlets are not left high and dry due to mining and resultant degradation of bed, the Project Proponent also must construct well-designed cut-off walls, stretching bank to bank, having depth 1.5 times the maximum scour depth below the bed level, both upstream and downstream, maintaining prescribed distance from irrigation inlet/s as per guidelines.

The Committee also observed that the consultant had mentioned a capital budget of ₹ 4.58 Lakh with a recurring budget of ₹ 2.25 Lakh per annum. However, the table showing bifurcation of earmarked funds under different heads under recurring budget totaled to ₹ 0.98 Lakh only. Besides, the table did not provide any budget under haulage route maintenance. Further, the consultant had failed to provide any details of CER plan. Therefore, the Committee desired that the consultant should revise the PFR, EMP and the CER prior to consideration of grant of EC. In view of the above deliberations, the Committee recommended the case for grant of Environment Clearance subject to: -

1. Prior submission of revised PFR, EMP/CER budget with revised haulage route map depicting single exit point, its length and local environmental setting with least environmental impact, in accordance with above cited deliberations. Updated version of EMP/ PFR be submitted physically as well as on Parivesh portal before grant of Environment Clearance.
2. Prior submission of revised surface plan showing net area of 2.74 ha, instead of 3.75 ha, to maintain safe distance to bridges, duly approved by the Competent Authority with seal and signature, physically as well as on Parivesh portal before grant of Environment Clearance.
3. Submission of revised mining plan with mining block area of 2.74 ha instead of 3.75 ha and calculation of targeted mineral production at 1m mining depth in light of deliberations of the JKEAC and its de-novo approval by the competent authority before grant of EC or as decided by the JKEIAA, physically as well as on Parivesh portal before grant of Environment Clearance.
4. Ultimate Mining Depth of 1mt. in aggregate.

5. Maximum targeted RBM extraction of 37401 Metric Tons [(27400-10% (buffer) –25% (active water channel) x 2.1(Bulk density) x 1(mining depth)] till replenishment data is shared by Geology & Mining Dept. in the reformulated/ revised District Survey Report approved by competent authority de-novo.
6. Condition that the revised geographical coordinates as per area identified on duly approved revised surface plan and corresponding to 2.74 ha instead of 3.75 ha are furnished by G&M Dept. for mentioning same in the formal EC letter to be issued by JKEIAA.
7. Prior submission of NOCs from all stake holder departments viz. I&FC dept., Fisheries Dept., and other stake holder departments in original as per approved checklist before grant of formal EC, conditions whereof, if any, shall be binding upon the project proponent.
8. Standard and Specific conditions as mentioned in Annexure-B to these Minutes of Meeting.
9. Validity of Environmental Clearance for a period 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 in the District Survey Report.

Decision:

The JKEIAA upheld recommendations of JKEAC to grant E.C. to project subject to the general and specific conditions as mentioned minutes of JKEAC meeting, besides prior submission of NOCs from all stake holder departments viz. I&FC Department, Fisheries Department etc. The EC is further subject to fulfillment of conditions based on recommendations of JKEAC as under:

1. Prior submission of revised Project cost/PFR/CER budget in accordance with above cited deliberations with revised haulage route map depicting single exit point, its length and local environmental setting with least environmental impact, in accordance with above cited deliberations – both hard copies as also upload on Parivesh portal.
2. Submission of revised mining plan by restricting mining to ultimate depth of 1m in aggregate and corresponding revision of maximum targeted RBM extraction of 37401 MT as approved by JKEAC and its de- novo approval by the competent authority within a period of 3-months of issue of EC as approved by authority in its MoM issued vide No.EAC/JK/20/7593-605 dated: 08-06-21
3. Environmental Clearance shall be valid for a period 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 in the District Survey Report.
4. Submission of revised geographical coordinates as per resized area of 2.74 Ha for incorporation in the formal EC letter.

AGENDA ITEM NO.02.

Grant of Environment Clearance in favour of M/S Shiva Minerals R/o Near Focal Point Peer Baba Chowk Malikpur Pathankot, Punjab for Minor Mineral in Block No.33, PhareKhad (Kanjali) at Village-Phare, District-Reasi, JK UT, Area 4.36 ha under proposal No.SIA/JK/MIN/201842/2021.

Deliberations:

The project has been discussed/appraised in the JKEAC Meeting. The consultant has given a detailed presentation during which various aspects of the mining block came under discussion like; mining depth, replenishment of the bed, surface plan, mining methodology, EMP/CER etc.

The consultant informed that the project falls under B2 category as its area is less than 5ha and he presented the cluster certificate showing that no other mining block has been granted within 500m periphery of the mining block. The consultant further informed that the Lol was granted to the project on 04/09/2020 at a bid value of ₹ 94.08 Lakh and total project cost of ₹ 99.08 Lakh. Further, the mining plan has been approved on 14-01-2021. He further informed that the EMP budget has been contemplated at a capital cost of ₹ 10.19 Lakh and recurring budget of ₹ 6.79 lakhs. He further informed that an amount of ₹ 2.50 Lakh has been earmarked under the CER budget. But, as per the uploaded documents, only ₹ 1.88 Lakh has been earmarked under CER. Therefore, he was asked to revise the CER and to submit revised documents. The Committee observed that the consultant has not earmarked sufficient budget under the haulage route maintenance. Therefore, he was asked to revise the PFR and EMP with sufficient budget for haulage route maintenance and CER activities, prior to grant of EC. The KML file pertaining to the mining block emailed by the consultant was examined by the Committee on Google Earth platform and the Committee found the mining block fit for RBM exploitation.

In view of above deliberations, the Committee recommended the case for grant of Environment Clearance subject to: -

1. Prior submission of revised PFR, EMP/CER budget. Updated version of EMP/PFR be submitted physically as well as on Parivesh portal before grant of Environmental Clearance.
2. Prior submission of revised mining plan with calculation of targeted mineral production at 1m mining depth in light of deliberations of the JKEAC and its de-novo approval by the competent authority before grant of EC or as decided by the JKEIAA, physically as well as on Parivesh portal before grant of Environmental Clearance.
3. Ultimate Mining Depth of 1mt. in aggregate.
4. Maximum targeted RBM extraction of 78480 Metric Tons $[(43600 - 10\% \text{ (buffer)}) \times 10\% \text{ (active water channel)}] \times 2.25 \text{ (Bulk density)} \times 1 \text{ (mining depth)}$ till replenishment data is shared by Geology & Mining Dept. in the reformulated/revised District Survey Report approved by competent authority de-novo.
5. Condition that the geographical coordinates as per area mentioned in the Lol be mentioned in the formal EC letter to be issued by JKEIAA.
6. Prior submission of NOCs from all stake holder departments viz. I&FC dept., Fisheries Dept., and other stake holder departments in original as per approved checklist before grant of formal EC, conditions whereof, if any, shall be binding upon the project proponent.
7. Standard and Specific conditions as mentioned in Annexure-B to these Minutes of Meeting.
8. Validity of Environmental Clearance for a period 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 in the District Survey Report.

Decision:

The JKEIAA upheld recommendations of JKEAC to grant E.C. to project subject to the general and specific conditions as mentioned in minutes of JKEAC meeting, besides prior submission of NOCs from all stake holder departments viz. I&FC Department, Fisheries Department etc. The EC is further subject to fulfillment of conditions based on recommendations of JKEAC as under:

1. Prior submission of revised Project cost/ PFR/CER budget in accordance with above cited deliberations – both hard copies as also upload on Parivesh portal.

2. Revision of mining plan by restricting mining to ultimate depth of 1m in aggregate and corresponding revision of maximum targeted RBM extraction of 78480 Metric Tonnes as approved by JKEAC and its de- novo approval by the competent authority within a period of 3-months of issue of EC as approved by authority in its MoM issued vide No.EAC/JK/20/7593-605 dated: 08-06-21.
3. Environmental Clearance shall be valid for a period 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 in the District Survey Report.

AGENDA ITEM NO.03.

Grant of Environment Clearance in favour of M/S Gayatri Projects Pvt Ltd DIST. Samba, JK UT for STP of “Minor Mineral Block” at Basantar River, Village Badheri Tehsil & District-Samba, JK UT, Khasra No.495/411 (AREA- 0.95Ha) STP under Proposal No.SIA/JK/210036/2021.

AGENDA ITEM NO.04.

Grant of Environment Clearance in favour of M/S Gayatri Projects Pvt Ltd Dist. Samba, JK UT for “Minor Mineral (River Bed Material)” at Khasra No.495/411 Basantar River, Village –Badheri, Tehsil & District Samba. (Area 0.96) STP. Under Proposal No.SIA/JK/MIN/210149/2021.

The projects have been discussed/appraised in the JKEAC Meeting. The consultant has given a detailed presentation during which he informed the Committee that the Lol was issued by the G&M Dept. on 07-01-2021 for extraction of 49900 MT of RBM within the STP area of 0.95 Ha and 0.96 Ha respectively. He further informed that the mining plans were approved by the competent authority on 23-03-2021. The consultant presented the letter No. 11042/1/2017 /PIU-JMU/RR/ 2227 dated 07-08-2020 issued by Project Director NHAI, PIU Jammu in favour of the District Magistrate and another letter No. 4348 dated 14-12-2020 in favour of the Director, G&M Dept. in connection with the extraction of RBM for the Jammu Ring Road. It was observed that the Pre-feasibility Reports have prescribed extraction of only 25650 Metric Tons and 25920 MT over a period of three months. The Committee asked the consultant as to why he has prescribed only 25650 Metric Tons and 25920 MT respectively against the individual Lols of 49900 MT in each of the cases by the G&M Dept. He clarified that extraction of only 25650 MT and 25920 MT respectively was possible at a depth of 1m within approved area and period of three months. The cluster certificates issued by the concerned DMO vide his letters dated 16-04-2021 came under threadbare discussion as the cluster certificates mentioned that the STPs lie within 500mts from the periphery of e-auctioned mining blocks. The cluster certificates mentioned that the mining activity has not yet started in both the e-auctioned neighboring mining blocks on either side of the STPs which lie side by side of each other. The consultant informed that since no mining block was operating in the vicinity, the project is facing scarcity of construction material. The Committee expressed its displeasure at wrong siting of the STPs in the space between two auctioned blocks and opined that the G&M Dept. should not have identified the STPs in a way where it could attract change of category from B2 to B1. However, the Consultant clarified that STP was a temporary mining activity that would last only for three months and that too when the mining blocks on either side are yet to start operations. He further pleaded that it will have no impact on the site conditions as the area would get immediately replenished after the monsoons. The Committee discussed the issue threadbare and opined that since, the two e-auctioned mining blocks on either side of the STPs fall under B1 category, they are required to go through the process of EIA/EMP and Public Hearing, so

would automatically cover the leftover space between the two mining blocks in which the STPs have been identified. On the other hand, the Committee cannot ignore the fact that the e-auctioned mining blocks in the vicinity have not yet been operated and material has to feed the Ring Road Project which is of national importance. Therefore, the Committee took a considerate view and agreed to consider the two cases of STPs listed under agenda item 3 and 4 as a one-time exception with an advice to DGM not to identify the STPs in such unprofessional manner which could lead to messy situation in future. It was observed that the PP has proposed respective EMPs at a cost of ` 5.40 Lakh and CERs at a cost of ` 1.60 Lakh in each of the cases. It was further observed that the Mine closure plan has prescribed an amount of ` 3.00 Lakh for planting of saplings at page-9 while as under EMP only ` 1.50 Lakh has been shown for planting of saplings/Green belt development in both the cases. Therefore, the Consultant was asked to revise both the EMPs and incorporate the cost mentioned in the approved Mine Closure Plan in each case separately, prior to grant of EC.

In view of the above deliberations, the two cases have been recommended for grant of Environment Clearance subject to: -

1. Condition that JKEIAA advises the G&M Dept. not to identify STPs in the leftover space between any two auctioned mining blocks in future and that the instant cases have been considered as one time exception in view of national importance of the Ring Road Project for which the construction material is required and there is no other source of construction material in the area as pleaded by the consultant.
2. Prior submission of revised EMP / CER and the PFR of each of the projects as per deliberations.
3. Standard and Specific conditions as per Annexure-C to these Minutes of Meeting relating to STPs.
4. Maximum ultimate Mining Depth of 01 Mt. in view of non-availability of replenishment data provided in the District Survey Report formulated by the Geology & Mining Dept.
5. Recommended targeted mineral production of 25650 Metric tons and 25920 Metric Tons respectively in favour of the two STPs respectively.
6. Condition that the geographical coordinates of the STPs as mentioned in the letter of Intent are mentioned in the respective EC letters by JKEIAA.
7. That the G&M Dept. will ensure that the extraction of the RBM under the two STPs is completed well before the commencement of mining operations in the two auctioned mining blocks lying on either side of the two STPs.
8. The EC shall be valid for a period of three months as per letter of intent issued by the G&M Dept. for the STP.

Decision:

The JKEIAA upheld recommendations of JKEAC to grant E.C. to project subject to the general and specific conditions as mentioned minutes of JKEAC meeting. The EC is further subject to fulfillment of conditions based on recommendations of JKEAC as under:

1. Prior submission of revised Project cost/PFR/CER budget in accordance with above cited deliberations – both hard copies as also upload on Parivesh portal.
2. Revision of mining plan by restricting mining to ultimate depth of 1m in aggregate and corresponding revision of maximum targeted RBM extraction of 25650 MT and 25920 MT respectively in favour of the two STPs within a period of three months as approved by JKEAC.

3. That the G&M Dept. will ensure that the extraction of the RBM under the two STPs is completed well before the commencement of mining operations in the two auctioned mining blocks lying on either side of the two STPs.
4. EC shall be valid for a period of three months as per letter of intent issued by the G&M Dept. for the STP.

Further, the G&M Dept. is advised not to identify STPs in the leftover space between any two auctioned mining blocks in future and that the instant cases have been considered as one time exception in view of national importance of the Ring Road Project. Member Secretary shall convey it to G&M Department.

AGENDA ITEM NO.05.

Grant of Environment Clearance in favour of M/S All India Institute of Medical Sciences (AIIMS) Rishikesh Mr. Anurag Singh, Superintending Engineer, All India Institute of Medical Science (AIIMS) Virbhadra Road, Shivaji Nagar, Near Barrage, Sturida Colony, Rishikesh, Uttarahand-249203 for Townships and Area Development projects, Proposed All India Institute of Medical Sciences "AIIMS Awantipora, Kashmir" at Awantipora, District-Pulwama, JK UT under proposal No.SIA/JK/NCP/56678/2020.

Deliberations:

The project was presented by the Consultant Mr. Mervyn Gilbert from M Atmos Sustainable Solutions Pvt. Ltd. (Certificate no.-NABET/EIA/2023/IA 0063), Noida, UP. Mr. Gilbert was also joined by Shri Shishir Bansal, Chief Engineer, CPWD, Anubhav Arora, Chief Architect, Mr. Mukesh Kumar, Xen, CPWD and Shri Pravin Khot, Landscape Architect, Devashish from Arcop and Surabhi Saxena, Hydrologist. Shri Gilbert informed the Committee that the case had been discussed during the 31st JKEAC Meeting held on 27th of March, 2021 during which some observations had been made by the Committee. Mr. Gilbert presented point by point compliance w.r.t the observations made earlier. He presented the authorization issued by Lt. Col. Rakesh Kumar, Deputy Director (AIIMS, Awantipora). The consultant informed that the proposed 780 bedded AIIMS hospital will be developed under Pradhan Mantri Swasthya Suraksha Yojna (PMSSY). All buildings shall be environmentally sustainable, energy efficient and shall use space, optimally. The activities in the institute will focus on providing the highest quality patient care services and medical education along with advance medical research. The proposed facility is having total site area of 7,59,878.23 m² (187.77Acres), out of which built-up area would constitute 2,34,614 m². He further informed that the project falls under Sr. No. 8 (b) [Schedule 8: Building/Construction projects/Area Development Projects and Townships of EIA Notification 2006]. The total project cost is Approx. ₹ 1,577.00 Crores. The total water requirement will be 1,921 KLD (Hospital:1,683+ Residential:238 KLD). The fresh water demand would be 665 KLD [Residential+ Hospital]. He further informed that 817 KLD of waste water would be generated from Residential and Hospital (STP) while as 44KLD is expected from the Hospital. The waste water treatment facility would include STP with 925 KLD capacity for Residential and Hospital, and ETP with 50 KLD capacity for Hospital. 20 rainwater harvesting pits would be dug in the campus. The parking facility would constitute 3,434 ECS [Surface + Stilt Parking]. The total power requirement would be 11.94MVA through JKPDD. Further, 500 KV of Renewal Energy through installation of Solar Power Panels would be generated in the campus.

The forum was informed that 3,749 kg/day of solid waste would be generated in the campus comprising of approx. 1,547.4 kg/day Biodegradable and 1,170kg/day Bio-medical waste. For ensuring uninterrupted power supply facility in the campus DG Set back up facility comprising

of 3*2000 kVA + 2*1500 kVA [Hospital Block, Ayush Block, Academic Block], 2*2000 kVA [AC Plant Room & STP/ETP], 3*750kVA [Residential Block], 3*750 kVA [Hospital Blocks, Residential Block, Guest House & Multipurpose Gym etc.] has been planned. He also informed that the max. height of the buildings of hospital block has been restricted at 60 MT. The forum was further informed that an amount of ₹ 7.89 crores has been earmarked under CER activities. The consultant further informed that the EMP cost has been figured out to be ₹ 16.29 crores under capital and with a recurring cost of ₹ 1.64 crores annually. The consultant presented compliance to observations of the Committee made during the 31st JKEAC Meeting held on 27th of March, 2021 in the following sequence: -

The compliance to observation relating to suggestion of installing 12-inch tube well instead of five bore wells came under discussion. The consultant presented the communication from the concerned Division of Jalshakti Department. Engineer B.B. Sharma, Member, JKEAC termed the communication as not satisfactory and said a bore well takes water from the bottom only while as the tube well taps water at various levels of aquifers and therefore is more dependable. However, he suggested that since, the concerned Department has taken the responsibility to provide water supply to the campus, a specific condition be incorporated in the EC so that full responsibility shall lie with the Govt. in this regard.

- Various issues relating to water requirement for construction and operational phases came under discussion. The Consultant informed JKEAC that Project Proponent proposes to meet water requirement of the campus by installing 5 bore wells at different locations in the campus and that water available from the bore wells would cater to the entire water requirement during the construction and operational phases.
- In response to the third query relating to the potability of the ground water for drinking purpose, the consultant presented the Physical and Chemical water analysis test report which has declared the ground water source in the campus as safe for human consumption. However, the Committee, opined that the project proponent shall obtain an assurance from the concerned stake holder department viz. PHE Dept. to integrate the surface water requirement of AIIMS, Awantipur in their plan.
- In response to observation relating to the calculations for storm water runoff, the return period used for calculation, the concentration time, the peak flow rate etc. and the details of system proposed for evacuating the runoff from the campus without causing loss to the life and property of the inhabitants living in area downhill and adjacent to the campus, Ms Surabhi Saxena, the Consulting Hydrologist of the project proponent gave a detailed PowerPoint presentation on the subject. In his remarks, Engineer B. B. Sharma, Member, JKEAC desired that the calculations and design of moats and the copy of EIA report be shared with the executing agency so that they are aware of how to deal with the surface runoff which otherwise can damage the buildings in the campus. Further, it was suggested that a comprehensive plan be formulated in consultation with the concerned stake holder department for transporting the water collected in moats into the river Jhelum or any other natural water course.
- In response to observation of the committee on comparative analysis of using external cladding and hollow bricks/fly ash bricks with tiles, the consultant informed that external cladding has been found to be more energy efficient. He also informed that the executing agency shall be advised to install enough of solar panels on the exposed free space towards uphill side.
- In response to query relating to the land documents, the consultant submitted the revenue papers/copy of correspondence on the subject especially letter

No.MC/Awp/19/838-42 dated 10-10-2019 from Tehsildar Awantipur addressed to Executive Officer, Municipal Committee Awantipur which gives an abstract of land made available to the project.

- In response to the observation relating to the landscape development and choice of floral species, Shri PravinKhot, Landscape Architect gave a detailed presentation on the subject. It was suggested that the project proponent should also consult the local DFO for species selection for landscape development of the catchment area besides the periphery of the campus.
- The consultant could not present, a comprehensive plan on end-to-end basis in line with the existing legal framework with an assurance from J&K Government w.r.t disposal of the biomedical waste / solid waste generated at the site, with end-to-end disposal solution as per guidelines in accordance with the observations made in the previous meeting and minutes recorded thereof. The consultant informed that the matter is under consideration of the Govt. and copy of all the related correspondence with Public Health Engineering Department shall be submitted in this regard. Therefore, keeping in view the timelines of the project, the Committee decided to recommend a specific condition in the EC in this regard.
- The consultant could not also present any assurance from the local authorities including Town Planning Organization to formulate a comprehensive plan for planned development of the area around the proposed campus. However, he informed that the matter had been taken with stakeholder department on this aspect and assured that he would submit the copy of requisite documentation well before the grant of formal EC.
- The consultant was also told to incorporate the suggestion of the JKEIAA with regard to blending the construction with local architectural heritage in specific buildings wherever found feasible.

Recommendation: In view of the above deliberations, the committee unanimously recommended the project for grant of Environment Clearance subject to fulfillment/compliance of specific/general conditions as stipulated by JKEAC in Minutes of the Meeting.

Decision:

The JKEIAA upheld the recommendations of the Committee to grant Environment clearance in favour of the project subject to fulfillment/compliance of specific/general conditions as stipulated by JKEAC in Minutes of the meeting and in deliberations herein above.

AGENDA ITEM NO.06.

To discuss the issue of non-compliance of shortage of documents by project proponents of deferred cases.

Deliberations:

The Secretary informed the forum that a few cases lying in the JKEAC office are pending for want of compliance from the PP side as they failed to submit details/authorization in favour of new consultants after action was proposed against the Consultant M/S Overseas Mintech Consultants, Jaipur. He informed that reminders were issued to the PPs for compliance. But there is no response till date. He suggested that the cases may be returned to JKEIAA for appropriate action.

In view of the above deliberations, the Committee recommended that the cases against which compliance relating to change of consultant is pending despite reminders, be resubmitted to JKEIAA for appropriate action.

Decision:

The JKEIAA upheld the recommendations of JKEAC to return the cases to the project proponents as rejected in the present form for non-compliance of the decisions. However, the project proponents can resubmit the cases as fresh proposals with all the conditions/ decisions complied with.

AGENDA ITEM NO.7.

To discuss the recommendations made by the JKEAC in its extraordinary meeting held on 29th May, 2021.

An extraordinary meeting was held by the JKEAC on 29th May, 2021

Deliberations:

The Secretary, JKEAC welcomed the Chairman, Members of the Expert Appraisal Committee, Mr. OP Bhagat, the present Director, Geology & Mining Dept. and Mr. Langeh, Joint Director, G&M Dept. The Director, G&M Dept. was informed that right in the beginning on 16th of December, 2019, while discussing the appraisal process for grant of Environmental Clearance in favour of RBM projects, the Expert Appraisal Committee found itself handicapped to appraise the projects due to sketchy District Survey Reports which, although mandatory, do not provide details on replenishment of the nallah beds where mining blocks have been identified and auctioned. It was further informed that in view of reports relating to non-availability of key construction material in the market due to ban on mining activity in absence of Environmental Clearance, the Expert Appraisal Committee deemed it fit to appraise the projects forwarded to it by the JK Environment Impact Assessment Authority (JKEIAA) and recommended that the Geology & Mining Dept. should immediately undertake replenishment studies and revise the District Survey Reports. In the meantime, the Expert Appraisal Committee restricted the mining dept. to only 1m and validity of Environmental Clearance to 3 years. He was further informed that the matter of non-availability of replenishment data was repeatedly highlighted during various Meetings of JK Level Expert Appraisal Committee and requests were made to the JK Level Environment Impact Assessment Authority (JKEIAA) to take up the issue with Geology & Mining Dept. in this regard but, unfortunately despite lapse of one and half year no progress seems to have been made by the Dept. The Director, G&M Dept. expressed his regrets for the delay in revising the DSRs and assured the Committee that he would take immediate necessary action in this regard even if the job is required to be outsourced.

The various points/ issues which emerged out of the deliberations are summarized herein as under: -

1. To ensure that mining of river bed material is carried out in an environmentally sustainable manner, the Geology & Mining Department ought to have, ab-initio, invited bids for award of mining leases only after scientific determination/estimation of exploitable mining reserves and the mineral replenishment rate etc.
2. Since, the bids invited for auction of mining rights did not indicate the quantum and the rate at which the minor minerals could be extracted, the letters of Intent issued for conferring the mining rights to the highest bidders do not indicate the quantum of minerals that can be mined-out over the lease period.
3. While prior public dissemination of information indicating estimated quantum of mining reserves and the annual replenishment rate thereof, when viewed in combination with the prevailing market/sale prices of these minerals would have provided the basis for an

informed bidding, and the same data could have also been made use of by the Department for evaluating the reasonability of the premium tendered for mining rights for a particular mining block.

4. The premium tendered by the bidders without knowing the quantum of minor mineral they shall be allowed to extract and the acceptance of the same by the Owner Department without coming to an agreement in respect of deliverables, (quantum of minor mineral that can be extracted) is only a blind exercise and the disagreement between the two parties may lead to disputes in which JKEAC/JKEIAA may also be dragged which is a possibility under such circumstances.
5. Prescription of the exploitable mineral reserves / quantum of mineral that could be mined under the mining rights for a mining block, ab-initio, in the terms and conditions of the bid document upfront would also have acted as a legally enforceable check/safe guard against over exploitation.
6. The Geology & Mining Department seems to have also erred in not specifying explicitly the methodology for monitoring and measuring the river bed material to be mined/ extracted from a mining block in terms and conditions of the bid documents in accordance with MoEF&CC, GoI Notification No. 141(S) of 2016 dated 15/01/2016.
7. To make up for the deficiencies as noted above, proper checks and balances need to be put in place to regulate the mining process in accordance with above cited notification wherein the monitoring mechanism for sustainable mining has been described in detail, to ensure that the mining is carried out in an environmentally sustainable manner. However, the Geology & Mining Department is now seen to be seeking to shift the onus on the EC appraisal process alone to arrive at parameters required for regulating the mining activity.
8. JKEAC, on its part, has consistently been impressing upon the Geology & Mining Department, right from December, 2019 onwards and during the course of JKEAC appraisal meetings held from time to time that properly formulated District Survey Reports powered with replenishment data based on scientific investigations (as provided in the above MoEF&CC Notification No. 141(S) of 2016 dated 15/01/2016) are the pre-requisite and mandatory for carrying out the EC appraisal process.
9. The Geology & Mining Department needs to act on the recent communication issued vide No. JKEIAA/2021/II/IV/106/1339-42 dated 29/05/2021 whereby JK Level Environment Impact Assessment Authority (JKEIAA) while quoting Hon'ble Supreme Court / NGT interventions in the matter, has re-emphasized the importance of replenishment studies which would go a long way in ensuring that mining operations in blocks already allotted continue uninterrupted and adequate supplies of minor minerals continue to remain available in the market.
10. JK Expert Appraisal Committee (JKEAC), in its wisdom chose to allow, purely on ad- hoc basis, minor mineral mining to an ultimate depth of 1.00 MT below NSL in deference to approved mining plan prescriptions, pending submission of updated District Survey Reports in view of great hardship being faced by general public/ construction agencies executing works of public importance due to shortage of key construction material in the market.
11. The rationale behind the action to restrict the depth of excavation to 1mt. below NSL, in absence of 'District Survey Report' based of in-depth research / investigation was to strike a compromise between necessity to address the situation created due to extreme shortage of construction material in the market and the requirement under law that all mining activity be carried out in an environmentally sustainable manner.
12. As a further safeguard, JKEAC has prescribed the validity period of Environmental Clearance to a maximum of 3 years instead of 5years, subject to findings of physical

inspection / audit by the Owner Department / JK Pollution Control Board and explicit certification to be submitted to JKEIAA that the mining block was fit for further operations in conformity with the requirements of environmentally sustainable mining.

13. It has also been observed that two different methodologies for arriving at the annual mineable targets have been adopted in different mining plans. While in some cases, annual mineral extraction quantity over the entire lease period is being worked out and prescribed by multiplying the mining block area with the ultimate mining depth whereas, in other cases, the ultimate mining depth is being divided into annual working depths and minable quantities of mineral computed accordingly.
14. Mr. Langeh, Joint Director, Geology & Mining Department, being a qualified Geologist, was asked to clarify as to which of the two methods was technically appropriate, suited to environmentally sustainable mining and in accordance with legal regime. Mr. Langeh, could not shed much light on this and the question remained unanswered.
15. Recently, some NOCs issued by Irrigation & Flood Control Department have also stipulated a mining depth of 1 MT in aggregate apprehending that depths in excess of 1mt below the bed level will interfere with hydrological regime conditions established over the course of time, thus adversely affecting the regulation of water for khuls/ irrigation canals etc.
16. The physical entry, inspection / audit of a minor mineral block by the Owner Department / Pollution Control Board or any other agency tasked for such 3rd party inspection after 3 years and transmission of findings thereof, to various stake holders would also provide an opportunity to JKEIAA to know the status of compliance of the terms and conditions of ECs as well as implementation of Environment Management Plans (EMPs).
17. The JK Expert Appraisal Committee has been prescribing maximum targeted mineral production per annum at max. depth of 1m in the ECs on the assumption that there will be sufficient replenishment in subsequent years after initiation of mining activity in the designated / auctioned mineral blocks with a further assumption that, once replenishment data is furnished by the G&M Dept., a correct assessment of mining depth could be made and quantity of RBM extraction allowed sustainably to safeguard environmental concerns.
18. There is a possibility where a situation could develop, under extreme meteorological conditions in future, where the river bed systems could poorly get replenished or not get replenished at all, leading to a situation where there is every apprehension that the project proponents/miners could try to exploit the existing stream bed beyond 1m depth if adequate monitoring cum enforcement mechanism is not put in place by the enforcement agencies.

In view of the above deliberations, the Expert Appraisal Committee made the following recommendations to JKEIAA: -

1. A written commitment, with clear timelines, be sought from the Geology & Mining Department for conduct of replenishment studies and revision of the District Survey Reports for the mining blocks which stand auctioned and the cases where environmental clearance/ Terms of Reference stand granted by JKEIAA.
2. Copies of communication, as above, be also marked to Administrative Secretary, Forest, Ecology & Environment Department, Administrative. Secretary, Mining Department and Private Secretary to Chief Secretary for their information in view of importance of the matter.
3. To prevent over exploitation of the natural resources leading to environmental degradation and to prevent the pilferage of mined-out material from the designated mining blocks and thus loss to public exchequer, the Director, Geology & Mining be asked to devise and put in place a control mechanism to monitor/regulate/ exercise control of the mining operations and measure the quantum of mineral mined from the mining blocks. MoEF&CC, Gol, has already issued guidelines on the subject as deliberated above and the same be followed in

letter and spirit to protect the environment and the Government interests with immediate effect.

4. To keep JKEIAA apprised of the situation and to establish the resource baseline data, Geology & Mining Department be asked to consider establishing permanent bench marks duly georeferenced in all the auctioned mining blocks, and to record and preserve the longitudinal and cross sections at suitable intervals of time as may be required to monitor the status of mining blocks and mined-out river bed material from the site.
5. The Director, Geology & Mining Department be asked to technically examine the two types of methodologies observed in the mining plans for determining and prescribing annual targeted mineral extraction and to convey a standardized scientifically convincing, economically viable and ecologically reliable method of calculation with proper justification for use in the appraisal process.
6. To henceforth omit the word, 'pe rannum 'in the specific condition relating to maximum targeted mineral production per annum and to recommend issuance of corrigendum w.r.t ECs already issued as: -
"to read Specific Condition relating to targeted mineral production per annum/annual mineral extraction/ annual Targeted mineral production/maximum targeted RBM extraction per annum as the case may be, in all ECs issued by JKEIAA till date, as Targeted mineral production at ultimate mining depth of 1m in aggregate, which shall be reviewed on the request of project proponents as and when replenishment data of the pertinent/auctioned mining blocks as reflected in revised District Survey Reports reformulated by Geology & Mining Department and de-novo approved by competent authority are received by JKEIAA/JKEAC".

Decision:

The JKEIAA thoroughly deliberated on the issues raised by the JKEAC with regard to action required to be taken by G&M dept and other stake holders for streamlining of mining activity. The JKEIAA fully agrees with the recommendations of JKEAC listed from Serial No.1-6 hereinabove. Member Secretary JKEIAA shall take action as per recommendations.

The meeting ended with vote of thanks to the Chair.

Sd/-
Dr. Neelu Gera, IFS,
Pr.CCF/Director, EE&RS, J&K
Member-Secretary, JKEIAA

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

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

No: JKEIAA/2016/02/V/1446-50

Dated:10/06/2021

Copy by email to:

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


(Staff Officer)
10/06/2021
to PCCF/Director/Member Secretary JKEIAA
Ecology, Environment & Remote Sensing, J&K