



**MINUTES OF THE 37<sup>TH</sup> MEETING OF JK ENVIRONMENT IMPACT ASSESSMENT AUTHORITY HELD ON 9<sup>TH</sup> May, 2021 AT 1400 HRS. THROUGH VIDEOCONFERENCING**

In pursuance to the Minutes of the 38<sup>th</sup> Meeting of JK Expert Appraisal Committee held on 24<sup>th</sup> April, 2021 conveyed vide endorsement No.EAC/JK/20/7067-079 dated 04-05-2021, the 37<sup>th</sup> Meeting of JK Environment Impact Assessment Authority was held on 09<sup>th</sup> May, 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 Terms of Reference in favour of Shri Abdul Rshid Mir S/O Shri Ghulam Ahmad Mir R/O 99-Markazi Jamia Masjid Rawalpura, Tehsil Beeru District Budgam JK UT for Minor Mineral Block No.10/Bdg, Panzan Bridge to Dregam Upstream Shailganga Nallah Village-Panzan Tehsil-Beeru District Budgam JK UT. Over an area of 10.00ha. under proposal No.SIA/JK/MIN/60449/2021.

**Deliberations:**

The project has been discussed in the JKEAC Meeting. The consultant has given a detailed presentation on the project during which the Forum was informed that the Lol was issued by the G&M dept. on 05/11/2020 and the mining plan was approved on 01/01/2021 at a total project cost of 3.33 crores. The mining block was examined on the Google Earth image of October, 2020 using the KML/KMZ file. During examination, it was observed that a bridge exists at a distance of 146m from the mining block, besides, some features on the image are indicative of heavy illegal mining activity in the area. The Committee also observed human settlements in close vicinity of the mining block. Therefore, it was desired that the Geology & Mining Department be asked to constitute an interdepartmental committee comprising of officers from Irrigation & Flood Control Department, Geology & Mining Department, Soil Conservation Department, Fisheries Dept and SSP Pulwama to enquire into the matter to fix responsibility for the illegal mining in the designated mineral block and its neighborhood.

In view of the above deliberations, the committee recommended the case for grant of Terms of Reference subject to condition that the mining block size is reduced to maintain a safe distance of 500m from the bridge and subject to inspection report of the interdepartmental committee deliberated herein above.

**Decision:**

The JKEIAA upheld recommendations of the Committee to grant Terms of Reference to the project subject to condition that size of mining block is reduced to maintain a safe distance of 500m from the bridge. The JKEIAA also agrees with recommendation of JKEAC regarding constitution of an interdepartmental committee by Geology & Mining Department to inquire into the matter of illegal mining in the designated mineral block and its neighborhood and submit a report to concerned quarters for appropriate action under rules.

**AGENDA ITEM NO.02.**

Grant of Terms of Reference in favour of Shri Mohd. Abbas Raina S/O Shri Mohd. Abdullah Raina R/O Arihal District Pulwama, JK UT for Nallah Bed Mining project located at Minor Mineral Block No.54, Kalampora Bridge to Link Road Dumpora Downstream Nallah Sasara, Village Kalampora Tehsil Keegam District Shopian JK UT over an area of 5.35ha. under proposal No.**SIA/JK/MIN/59217/2020.**

**Deliberations:**

The project has been discussed in the JKEAC Meeting. The consultant has given a detailed presentation on the project during which the Forum was informed that the Lol was issued by the G&M dept. on 18/07/2020 and the mining plan was approved on 03/10/2020 at a total project cost of 1.50 crores. The mining block was examined on the Google Earth platform using the KML/KMZ file. During examination, it was observed that a bridge exists at a distance of 220m from the mining block. Another foot bridge is seen on same side at a distance of 157 m. The Committee also observed human settlements in close vicinity of the mining block. The active water channel is also prominent and it was desired that area under active water channel need to be reduced while calculating the targeted mineral production from the mining block. The committee also observed that while reducing the size of the mining block for maintaining safe distance to bridge and while excluding the active water channel, the resultant size of the mining block may be rendered less than 5ha. In that case, the project proponent is free to apply directly for EC under B2 category, if he wishes so.

In view of the above deliberations, the committee recommended the case for grant of Terms of Reference subject to condition that the mining block size is reduced to maintain a safe distance of 500m from the bridges and subject to exclusion of the active water channel while calculating the targeted mineral production as deliberated in the JKEAC meeting.

**Decision:**

The JKEIAA upheld recommendations of the Committee to grant Terms of Reference to the project subject to condition that size of mining block is reduced to maintain a safe distance of 500m from the bridges and further subject to exclusion of the active water channel while calculating the targeted mineral production.

**AGANDA ITEM NO.03.**

Grant of Terms of Reference in favour of Mohd. Abbas Raina S/O Shri Mohd. Abdullah Raina R/O Arihal District Pulwama, JK UT for River Bed Mining project located at Minor Mineral Block No.24, Sheikpora Tenz Bridge Upstream Nallah, Rambiarra Village-Sheikpora Tenz Tehsil Keegam District Shopian, JK UT over an area of 9.28ha. under proposal No.**SIA/JK/MIN/61026/2021.**

**Deliberations:**

The project has been discussed in the JKEAC Meeting. The consultant has given a detailed presentation on the project during which the Forum was informed that the Lol was issued by the G&M dept. on 20/07/2020, further extended on 15/04/2021 and the mining plan was approved on 03/10/2020 at a total project cost of 3.10 crores. The mining block was examined on the Google Earth platform using KML/KMZ file. During examination, it was observed that a small bridge exists in the direct line of flow at a distance of 307m from the mining block.

In view of the above deliberations, the committee recommended the case for grant of Terms of Reference subject to condition that the mining block size is reduced to maintain a safe distance of 500m from the small bridge in the direct line of flow and subject to NOC from the PWD(R&B) and local panchayat and after recalculating the targeted mineral production owing to reduced mining block size and mining depth of 1m.

**Decision:**

The JKEIAA upheld recommendations of the Committee to grant Terms of Reference subject to condition that size of mining block is reduced to maintain a safe distance of 500m from the small bridge and further subject to NOC from the PWD(R&B) and the local panchayat. The PP shall revise calculation of targeted mineral production in view of reduction in size of mining block size and restricting mining depth to 01m only.

**AGENDA ITEM NO.04.**

Grant of Terms of Reference in favour of Shri Nazir Ahmad Wani S/O Shri Abdul Wahid Wani R/O Shumnag Tehsil & District Kupwara, JK UT for (River Bed Mining project located at Minor Mineral Block No.10, Shath Muqam Bridge to Check Drugmullah Upstream Nallah Pohru Village Shath Muqam Tehsil & District Kupwara JK UT over an area of 10.00ha. under proposal No.SIA/JK/MIN/60956/2021.

**Deliberations:**

The project has been discussed in the JKEAC Meeting. The project proponent did not join the proceedings. The consultant gave a detailed PowerPoint presentation on the project during which they informed that the Lol was issued by the G&M dept. on 28/08/2020, further extended on 15/04/2021 and the mining plan was approved on 28/10/2020 at total project cost of 3.33 crores. The mining block was examined on the Google Earth platform using KML/KMZ file. During examination, it was observed that a small green patch exists on the satellite image of November, 2003 and therefore, the Committee desired title verification of the mining block by the competent revenue authority. Further, it was observed that more than 40% of the mining block falls under active water channel which needs to be excluded for calculating the targeted mineral production from the mining block with necessary correction in the mining plan.

In view of the above deliberations, the committee recommended the case for grant of Terms of Reference to the project subject to title verification by the competent revenue authority and after recalculation of the targeted mineral production by excluding the active water channel.

**Decision:**

The JKEIAA upheld recommendations of the Committee to grant of Terms of Reference to the project subject to title verification by the competent revenue authority and recalculation of targeted mineral production by excluding the active water channel.

**AGENDA ITEM NO.05.**

Grant of Terms of Reference in favour of M/S United Cements Products Trehgam, Project proponent Mrs. Rafiq Begum W/O Abdul Rashid Lone R/O Lone Harrai Tehsil & District Kupwara, JK UT for Minor Mineral Block No.18, Trehgam Bridge to Hayan Downstream Kehmil Nallah, Manigah Trehgam Kupwara, JK UT over an area of 10.00h. under proposal No.**SIA/JK/MIN/60931/2021.**

**Deliberations:**

The project has been discussed in the JKEAC Meeting. The consultant has given a detailed presentation on the project during which the Forum was informed that the Lol was issued by the G&M dept. on 28/08/2020, further extended on 15/04/2021 and the mining plan was approved on 28/10/2020 at a total project cost of 3.33 crores. The mining block was examined on the Google Earth platform using KML/KMZ file. During examination, it was observed that the boundary of the mining block has been coarsely laid and at some places it falls over cropland. Therefore, the Committee desired fine tuning of the mining block boundaries to exclude the cropland fringes/ areas outside the riverbed with necessary corrections in the mining plan, besides, title verification by the competent authority of the revenue department. The Committee also desired that the targeted mineral production needs to be recalculated after excluding the active water channel.

In view of the above deliberations, the committee recommended the case for grant of Terms of Reference to the project subject to title verification by the competent revenue authority, refinement of boundaries of the mining block for exclusion of the cropland/land outside the river bed and after recalculation of the targeted mineral production by excluding the active water channel.

**Decision:**

The JKEIAA upheld recommendations of the Committee to grant Terms of Reference to the project subject to title verification by the competent revenue authority, refinement of boundaries of the mining block by excluding cropland/land outside the river bed and recalculation of the targeted mineral production by excluding active water channel.

**AGENDA ITEM NO.06.**

Grant of Term of Reference in favour of Shri Mangal Singh S/O Shri Om Prakash R/O Village Saidgarh Tehsil Bishnah, District, Jammu JK UT for RBM (River Bed Minerals) Block 31 situated at Darhali Nallah Downstream Ujhan Bridge at Village Choudhary Nar District Rajouri JK UT over an area of 9.18ha. under proposal No.**SIA/JK/MIN/61196/2021.**

**Deliberations:**

The project has been discussed in the JKEAC Meeting. The consultant has given a detailed presentation on the project during which the Forum was informed that the Lol was issued by the G&M dept. on 18/08/2020, and the mining plan was approved on 16/02/2021 at a total project cost of 2.60 crores. When the consultant demonstrated the mining block on the Google Earth platform, the Committee observed features on the satellite image of September, 2020 indicative of illegal mining and therefore

desired the G&M Dept. to constitute a committee comprising of representatives of Geology & Mining Dept., I&F Control Dept, Soil Conservation Dept., Fisheries Dept. and the local Police to fix responsibility for the illegal mining after recording views of local panchayat representatives. In case the project proponent is found to have been involved directly or indirectly in such activity, the case shall be treated as a violation case and dealt under relevant guidelines. The Committee also observed a stone crusher in the vicinity of the mining block. Besides, a green patch comprising of trees and scrub was also found inside the mining block. The Committee also desired that the active water channel need to be excluded from the mining activity and the targeted mineral production be recalculated after excluding the green patch and active water channel, accordingly.

In view of the above deliberations, the committee recommended the case for grant of Terms of Reference to the project subject to condition that the green patch and the active water channel is excluded from the mining block and subject to joint inspection by the interdepartmental committee to fix responsibility for illegal mining in the mining block, as deliberated here-in-above.

**Decision:**

The JKEIAA upheld recommendations of the Committee to grant Terms of Reference to the project subject to condition that the green patch and the active water channel are excluded from the mining block. The JKEIAA also agrees with recommendation of JKEAC regarding constitution of an interdepartmental committee by Geology & Mining Department to inquire into the matter of illegal mining in the designated mineral block, besides recording views of local panchayat reps and submit a report to concerned quarters for appropriate action under rules.

**AGENDA ITEM NO.07.**

Grant of terms of Reference in favour of Shri Mangal Singh S/O Shri Om Prakash R/O Village Saidgarh Tehsil Bishnah District Jammu for RBM (River Bed Mineral) Minor Mineral Block Mining Block 2/8 situated at Nowshera Tawi River, Downstream Muradpur Bridge (Chowki Ketera) District Rajouri JK UT (Plan-XII) JK UT over an area of 7.47ha. under proposal No.**SIA/JK/MIN/61194/2021.**

**Deliberations:**

The project has been discussed in the JKEAC Meeting. The consultant has given a detailed presentation on the project during which the Forum was informed that the LoI was issued by the G&M dept. on 23/10/2020, and the mining plan was approved on 16/02/2021 at a total project cost of 30.0 lakhs. When the consultant demonstrated the mining block on the Google Earth platform, the Committee observed nearly 25% area under active water channel and therefore, desired that the same need to be excluded from the mining activity and the targeted mineral production be recalculated, accordingly.

In view of the above deliberations, the committee recommended the case for grant of Terms of Reference to the project subject to condition that the active water channel is excluded while calculating the targeted mineral production, as deliberated in the meeting.

**Decision:**

The JKEIAA upheld the recommendations of the Committee to grant Terms of Reference to the project subject to condition that calculation of targeted mineral production is revised by excluding active water channel.

### **AGENDA ITEM NO.08.**

Grant of Terms of reference in favour of Shri Amit Gupta S/O Shri Ashok Kumar R/O 21/06 Trikuta Nagar, Jammu for RBM (River Bed Mineral) Minor Mineral project, Block-1/4 Nowshera Tawi River, Downstream Muradpur Bridge (Kallar Area) District Rajouri JK UT (Plan-IV) over an area of 9.58ha. under proposal No.SIA/JK/MIN/61170/2021.

#### **Deliberations:**

The project has been discussed in the JKEAC Meeting. The consultant has given a detailed presentation on the project during which the Forum was informed that the Lol was issued by the G&M dept. on 12/11/2020, and the mining plan was approved on 16/02/2021 at a total project cost of 35.0 lakhs. When the consultant demonstrated the mining block on the Google Earth platform, the Committee observed features on the satellite image of December, 2020 indicative of illegal mining and therefore desired the G&M Dept. to constitute a committee comprising of representatives of Geology & Mining Dept., I&F Control Dept, Soil Conservation Dept., Fisheries Dept. and the local Police to fix responsibility for the illegal mining after recording views of local panchayat representatives. In case the project proponent is found to have been involved directly or indirectly in such activity, the case shall be treated as a violation case and dealt under relevant guidelines. The Committee also observed a stone crusher in the vicinity of the mining block. The Committee also desired that the active water channel need to be excluded from the mining activity and the targeted mineral production be recalculated after excluding active water channel, accordingly.

In view of the above deliberations, the committee recommended the case for grant of Terms of Reference to the project subject to condition that the active water channel is excluded from the mining block and also subject to joint inspection by the interdepartmental committee to fix responsibility for illegal mining in the mining block, as deliberated in the JKEAC meeting.

#### **Decision:**

The JKEIAA upheld the recommendations of the Committee to grant of Terms of Reference to the project subject to condition that mining block is resized with exclusion of active water channel from the mining block. The JKEIAA also agrees with recommendation of JKEAC regarding constitution of an interdepartmental committee by Geology & Mining Department to inquire into the matter of illegal mining in the designated mineral block, besides recording views of local panchayat representatives and submit a report to concerned quarters for appropriate action under rules.

### **AGENDA ITEM NO.09**

Grant of terms of Reference in favour of Shri Amit Gupta S/O Shri Ashok Kumar R/O 21/06, Trikuta Nagra, Jammu for RBM (River Bed Mineral) Minor Mineral Block Mining project, Block-1/7 Ans River, Downstream Kotranka Bridge (Kotranka Area) Rajouri (Plan-II) District Rajouri, JK UT over an area of 9.12ha. under proposal No.SIA/JK/MIN/61173/2021.

#### **Deliberations:**

The project has been discussed in the JKEAC Meeting. The consultant has given a detailed presentation on the project during which the Forum was informed that the Lol was issued by the G&M dept. on 06/08/2020, and the mining plan was approved on 16/02/2021 at a total project cost of 125.0 lakhs. When the consultant demonstrated the mining block on the Google Earth platform, the Committee

observed features on the satellite image of December, 2020 indicative of illegal mining and therefore desired the G&M Dept. to constitute a committee comprising of representatives of Geology & Mining Dept., I&F Control Dept, Soil Conservation Dept., Fisheries Dept. and the local Police to fix responsibility for the illegal mining after recording views of local panchayat representatives. In case the project proponent is found to have been involved directly or indirectly in such activity, the case shall be treated as a violation case and dealt under relevant guidelines. The committee desired that comprehensive detail be provided under haulage route and its maintenance.

In view of the above deliberations, the committee recommended the case for grant of Terms of Reference to the project subject to joint inspection by the interdepartmental committee to fix responsibility for illegal mining in the mining block, as deliberated in the JKEAC meeting.

**Decision:**

The JKEIAA upheld recommendations of the Committee to grant Terms of Reference to the project subject to condition that PP shall provide a comprehensive report about haulage route and its maintenance. The JKEIAA also agrees with recommendation of JKEAC regarding constitution of an interdepartmental committee by Geology & Mining Department to inquire into the matter of illegal mining in the designated mineral block, besides recording views of local panchayat representatives and submit a report to concerned quarters for appropriate action under rules.

**AGENDA ITEM NO.10.**

Grant of Terms of Reference in favour of Shri Aqib Maqbool S/O Shri Mohmmad Maqbool Lone, 140(1) Gousia Colony Baramulla for “Masonry Stone” (Minor Mineral) Cluster Quarry Block at Gojri Mohalla Drangbal Khasra No.25, 35, 37, 918 Tehsil & District Baramulla over an area of 1.92ha. under proposal No.SIA/JK/MIN/58167/2020.

**Deliberations:**

The project has been discussed in the JKEAC Meeting. The consultant has given a detailed PowerPoint presentation and informed the forum that the case pertains to a cluster of three quarries. He informed that the case is being considered under B1 category as there are some more clusters of quarries in close vicinity of the project. The quarries were declared under Annexure-A to G&M Department’s No. 317/MCC/DGM/CQA/16/3517-19 dated: 22/08/2017. However, the Committee observed that though the cluster of three quarries has been declared by the G& M Dept., yet it does not mention the names of the quarry holders. On the other hand, the mining plan has been approved in the name of the applicant notwithstanding the fact that there are two other quarry holders. Therefore, in order to do away with any ambiguity and to ensure there are no legal implications of processing the case in favour of only one quarry holder instead of three, the Committee desired that the Geology & Mining Department should equally distribute the entire area of 1.92 ha among the three quarry holders and demarcate the boundaries of the three quarry sites forming the cluster on ground with boundary pillars mentioning the geo-coordinates. The details viz. name of quarry holder, quarry site identification No., boundary pillar coordinates of the quarry be reflected in the mining plan and each of the quarry holder be made responsible for the acts of omission and commission within the said quarry site. When the KML/KMZ file of the project was examined on the Google Earth platform, it was observed that there are few scars on the hills depicting quarries falling outside the boundary of the cluster. Therefore, the Secretary uploaded the KML/KMZ files of the other two projects falling under agenda item 11 and 12 on the Google Earth Image and it was observed that two more clusters of quarries have been designated by

the G&M Dept. within a few hundred mtr. of each other allotted to 14 and 16 quarry holders respectively, as per annexure to the letter of allotment. Further, it was observed that as per annexure A of the communication No.317/MCC/DGM/CQA/16/3517-19 dated: 22/08/2017 from the G&M Dept., there are three more clusters in the region for which applicants are yet to approach this forum. The consultant informed that each designated cluster has a number of beneficiaries represented by the single project proponents. At this, the members desired that in the instant case, all the three quarry holders should apply together for grant of ToRs /EC so that they are equally responsible for their area of operation in future. Further, it was desired that the three quarry holders as project proponents of the cluster, must jointly obtain NOC from the concerned Tehsildar prior to issuance of ToRs. Besides, it was also desired that the 03 quarry holders should form an association in order to ensure coordination among the quarry holders to avert accidents in future. The Committee observed that all the EC cases under agenda item 10,11 and 12 relating to the stone quarry clusters are represented by single Consultant and therefore, it was thought that a comprehensive EIA study of all the stone quarries on Dangerpora Baramulla Hill is carried out by him only.

In view of the above deliberations, the Committee rejected the case for grant of ToRs in the present form and desired that the area of the cluster be equally distributed by the G&M Dept. among the three quarry holders indicating name of quarry holder, quarry site identification No., boundary pillar coordinates of each quarry in consultation with the concerned revenue authority. Besides, a single mining plan be formulated for the cluster with the three quarry holders as applicants with equal stakes and responsibilities, indicating their area of operation, corner coordinates of their allotted area of land besides other details. Thereafter, they may jointly apply for grant of ToR/EC under the banner of an association.

**Decision:**

The JKEIAA upheld recommendations of the Committee for rejection of grant of ToRs in the present form. Project Proponents may apply afresh as per observations/ suggestions made by JKEAC in deliberations herein above.

**AGENDA ITEM NO.11.**

Grant of Terms of Reference in favour of Shri Aijaz Ahmad Malik S/O Shri Abdul Ahad Malik, Taki Sultan/Malik Mohalla Dragbal Baramulla JK UT for proposed project "Minor Mineral (Masonry stone) cluster Quarry Block at Khasra No.727, Village Taki Sultan/Malik Mohalla, Drangbal Tehsil & District Baramulla JK UT over an area of 9.82h. under proposal No.SIA/JK/MIN/58169/2020.

**Deliberations:**

The project has been discussed in the JKEAC Meeting. The consultant informed the forum that the case pertains to a cluster of 14 quarries. He informed that the case is being considered under B1 category as the area is more than 5ha and it is also in close vicinity of other quarries. He informed that the quarries were declared under Annexure-A to G&M Department's No.317/MCC/DGM/CQA/16/3517-19 dated: 22/08/2017. However, the Committee observed that though the cluster of 14 quarries has been declared by the G& M Dept., yet it does not mention the names of the quarry holders. On the other hand, the mining plan has been approved in the name of the applicant notwithstanding the fact, there are 13 other quarry holders. Therefore, in order to do away with any ambiguity and to ensure there are no legal implications of processing the case in favour of only one quarry holder instead of 14, the Committee desired that the Geology & Mining Department should equally distribute the entire area of 9.82 ha



among the 14 quarry holders and demarcate the boundaries of the 14 quarry sites forming the cluster on ground with boundary pillars mentioning the corner geo-coordinates. The details viz. name of quarry holder, quarry site, identification No., boundary pillar coordinates of the quarry be reflected in the mining plan and each of the quarry holder be made responsible for the acts of omission and commission within the said quarry site. Further, after incorporating necessary changes in the mining plan, it be got approved denovo by the competent authority. The consultant informed that each designated cluster has a number of beneficiaries represented by the single project proponents. At this, the members desired that in the instant case, all the 14 quarry holders should apply together for grant of ToRs/EC so that they are equally responsible for their area of operation in future. Further, it was desired that the 14 quarryholders as project proponents of the cluster, must jointly obtain NOC from the concerned Tehsildar prior to issuance of ToRs. Besides, it was also desired that the 14 quarry holders should form a duly registered association so that there is coordination among the quarry holders to avert accidents in future. The Committee observed that all the EC cases under agenda item 10,11 and 12 relating to the stone quarry clusters are represented by single Consultant and therefore, it was thought appropriate if a comprehensive EIA study of all the stone quarries on Dangerpora Baramulla Hill is carried out by him only.

In view of the above deliberations, the Committee rejected the case for grant of ToRs in the present form and desired that the area of the cluster be equally distributed by the G&M Dept. among the 14 quarry holders indicating name of quarry holder, quarry site identification No., boundary pillar coordinates of each quarry in consultation with the concerned revenue authority. Besides, a single mining plan be formulated for the cluster with 14 quarry holders as applicants with equal stakes and responsibilities, indicating their area of operation, corner coordinates of their allotted area of land besides other important details. Thereafter, they may jointly apply for grant of ToR/EC under the banner of an association.

**Decision:**

The JKEIAA upheld the recommendations of the Committee for rejection of grant of ToRs in the present form. Project Proponents may apply afresh as per observations/ suggestions made by JKEAC in deliberations herein above.

**AGENDA ITEM NO.12.**

Grant of Terms of Reference in favour of Shri Ghulam Mohammad Malik S/O Shri Mohammd Jamal Malik R/O Taki Sultan, District Baramulla, JK UT for proposed project "Minor Mineral (Masonry Stone) cluster Quarry Block at Khasra No.884 Village Turan Nagrad/Mir Mohalla, Drangbal, Tehsil & District Baramulla ZJK UT over an area of 6.74ha. under proposal No.SIA/JK/MIN/58185/2020.

**Deliberations:**

The project was discussed in the JKEAC Meeting. The consultant informed the forum that the case pertains to a cluster of 16 quarries. He informed that the case is being considered under B1 category as the area is more than 5ha and it is also in close vicinity of other quarries. He informed that the quarries were declared under Annexure-A to G&M Department's No.317/MCC/DGM/CQA/16/3517-19 dated: 22/08/2017. However, the Committee observed that though the cluster of 16 quarries has been declared by the G&M Dept., yet it does not mention the names of the quarry holders. On the other hand, the mining plan has been approved in the name of the applicant notwithstanding the fact, there are 15 other quarry holders. Therefore, in order to do away with any ambiguity and to ensure there are no legal

implications of processing the case in favour of only one quarry holder instead of 16, the Committee desired that the Geology & Mining Department should equally distribute the entire area of 6.74 ha among 16 quarry holders and demarcate the boundaries of the 16 quarry sites forming the cluster on ground with boundary pillars mentioning the corner geo-coordinates. The details viz. name of quarry holder, quarry site identification No., boundary pillar coordinates of the quarry be reflected in the mining plan and each of the quarry holder be made responsible for the acts of omission and commission within the said quarry site. Further, after incorporating necessary changes in the mining plan, it be got approved *denovo* by the competent authority. The consultant informed that each designated cluster has a number of beneficiaries represented by the single project proponents. At this, the members desired that in the instant case, all the 16 quarry holders should apply together for grant of ToRs/EC so that they are equally responsible for their area of operation in future. Further, it was desired that the 16 quarry holders as project proponents of the cluster, must jointly obtain NOC from the concerned Tehsildar prior to issuance of ToRs. Besides, it was also desired that these 16 quarry holders should form a duly registered association so that there is coordination among the quarry holders to avert accidents in future. The Committee observed that all the EC cases under agenda item 10, 11 and 12 relating to the stone quarry clusters are represented by single Consultant and therefore, it was thought appropriate if a comprehensive EIA study of all the stone quarries on Dangerpora Baramulla Hill is carried out by him.

In view of the above deliberations, the Committee rejected the case for grant of ToRs in the present form and desired that the area of the cluster be equally distributed by the G&M Dept. among 16 quarry holders indicating name of quarry holder, quarry site identification No., boundary pillar coordinates of each quarry consultation with the concerned revenue authority. Besides, a single mining plan be formulated for the cluster with 16 quarry holders as applicants with equal stakes and responsibilities, indicating their area of operation, corner coordinates of their allotted area of land besides other important details. Thereafter, they may jointly apply for grant of ToR/EC under the banner of an association.

**Decision:**

The JKEIAA upheld recommendations of the Committee for rejection of grant of ToRs in the present form. Project Proponents may apply afresh as per observations/ suggestions made by JKEAC in deliberations herein above.

**Agenda Item No.13.**

To discuss the implementation of Hon'ble NGT Order dated February 26, 2021 passed in Original Application No.360/2015 and other connected matters w.r.t sand mining issues.

**Deliberations:**

The Secretary JKEAC gave a brief account of the order dated 26/02/2021 passed by the Hon'ble National Green Tribunal w.r.t river bed mining in the country and informed the chair that the same had been circulated among the esteemed members for detailed study and its implications on the appraisal process particularly when dealing with violation cases. The summary indicating the points that need consideration by various functionaries of the Forest & Environment sector including JKEIAA/JKEAC as indicated in the letter No. JKPCB/INGT/LS/110/2021 /1984- 90 Date: 23/03/2021 written by the Member Secretary JKPCB to the Commissioner/Secretary, Forest, Ecology & Environment Department was deliberated upon in detail.

In view of the above deliberations and to comply the orders of the Hon'ble NGT, the Committee recommended: -

1. Constitution of a five-member monitoring Committee for conducting periodic inspection of the mining leases.
2. Environment Department may also develop an appropriate mobile App for receiving and redressing the grievances against the sand mining, including connivance of the authorities and also a mechanism to fix accountability of the concerned officers.
3. Formulation of an annual report on River bed mining in the UT, to be filed with the MoEF&CC on or before 30.04.2022 copy whereof be posted on the website of the Department of Environment.
4. Annual Environmental Audit of the mining leases by experts to be empanelled by the Department of Environment with standard Terms of Reference and Remuneration to be utilized by the Department of Geology & Mining on regular basis.
5. Empanelment of Expert Institutions with standard Terms of Reference who shall formulate Environmental Restoration Plans to be utilized regularly by the Dept. of Geology & Mining. The plans could be funded out of the Environment Fund to be constituted by the Geology & Mining Dept. out of the royalty earned, in accordance with directions passed in the said orders.
6. JKEIAA may have periodic interaction with all the stake holders especially enforcement agencies. Strict adherence to the SSMG (2016) read with EMGSM (2020) formulated by the Ministry of Environment, Forest & Climate Change, Government of India.
7. Any other pertinent direction passed in the said order.

**Decision:**

The JKEIAA, after thorough deliberation on the recommendations made by JKEAC agrees with the recommendations from Serial No.1 to 8 as above. Secretary JKEIAA shall take further follow up action.

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/V/1261-1265

Dated: 11/ 05/2021

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