



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)
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MINUTES OF MEETING

In pursuance to the Minutes of the 75th Meeting of the JK Expert Appraisal Committee held on 27th November, 2021 through video Conferencing issued vide No. No.EAC/JK/21/11530-11542 dated 06-12-2021, the 69th Meeting of the JK Environment Impact Assessment Authority was held on **08th December, 2021** at 1100 Hrs. through video conferencing: -

The following members 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 |

The following agenda items were discussed in the meeting:-

Agenda Item No.01.

Grant of Environment clearance in favour of M/S Mahavir Mining R/o 01 Lane No.03 Shaheed Udham Singh Nagar Pathankot for Minor Mineral Block No-26, Suran River Downstream Pamrote Bridge Pamrote Area, District- Poonch, JK UT (Reduced area 0.75ha.) under proposal No.SIA/JK/MIN/236885/2021 & SIA/JK/MIN/60553/2021.

Brief Summary: This case pertains to grant of Environment Clearance under B2 category for Minor Mineral Block No-26, Suran River Downstream Pamrote Bridge Pamrote Area, District- Poonch, JK UT (Reduced area 0.75ha.)

LOI has been issued on 04-09-2020, which was later extended on 18-09-2021 and was valid up to 30-11-2021. Mining plan has been approved on 15-12-2020. The case was earlier discussed by the JKEAC on 20-03-2021 and 29-04-2021. The area of the project has been reduced by the Geology & Mining Department on 27-10-2021.

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 show 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 30th meeting held on 20.03.2021 during which the Committee recommended the project to be deferred till the consultant submits video film of the mining block and explain the points raised

during the deliberations particularly physical features of the block to proceed further in the case.

- b) The project was again discussed during 39th meeting held on 29.04.2021 during which the committee recommended the TORs to the project subject to exclusion of active water channel and subject to fixing of responsibility for illegal mining by Multi Dept. District level Task Force (MDLTF) Cell.
- c) The PP has resized the mining block from 6.69 Ha to 0.75 Ha. after excluding the active water channel and maintaining safe distance from the bridge which was existing within the block. Also, the proposed haulage route has to pass through active water channels which will require construction of temporary Hume pipe crossings adding to the normal project costs. The Committee as such, is of the view that the mining in such a small area would not be economically feasible and ecologically viable and is likely to open door for illegal extraction under the garb of a valid EC.
- d) The PP has not submitted the copy of Cluster certificate.
- e) The PP has also not submitted the required report from Multi Dept. District Level Task Force Cell (MDLTF) relating to illegal mining in the block.
- f) May, 2021 image shows the mining block to be highly depleted in terms of minable reserves.
- g) The examination of mining block on Google Earth platform revealed features that are suggestive of few irrigation off-take points in the close vicinity of the mining block which were not brought in the notice of the Committee by the consultant in the presentation. Also, the NOC issued by the concerned dept. does not specifically make mention of any such facility.

Recommendations of the JKEAC:

In view of the above deliberations and insight gained during the above cited appraisal process, the Committee did not agree to recommend the case for grant of Environment clearance.

Decisions of JKEIAA:

After due deliberations, the JKEIAA upheld recommendations of the JKEAC to reject the case for grant of Environment clearance.

Agenda Item No.02.

Grant of Environment Clearance in favour of Shri Gurdev Singh S/O Shri Balwant Singh R/O Village Badhal, Tehsil Khawas, District Rajouri, JK UT for River bed mining of Minor mineral block 28, in Nihari Tawi Khateni (Area 5.05ha.), Rajouri Village Khateni & Tareru, Tehsil Kalakot, District Rajouri, JK UT under proposal No.SIA/JK/MIN/61154/2021.

Brief Summary: This case pertains to grant of Environment Clearance under B1 category for River bed mining of Minor mineral block 28, in Nihari Tawi Khateni (Area 5.05ha.), Rajouri Village Khateni & Tareru, Tehsil Kalakot, District Rajouri, JK UTLOI has been issued on 09-06-2020, which was later extended on 09-10-2021 and was valid up to 30-11-2021. Mining plan has been approved on 16-02-2021. The case was earlier discussed

by the JKEAC on 27-03-2021. The Terms of Reference were issued to the project on 19-04-2021 and public hearing of the project was conducted on 18-09-2021.

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 stakeholder departments have issued NOCs(conditionally) in favour of the project.

Deliberations/specific observations of JKEAC:

- a) The project had earlier been discussed during 31st meeting held on 27.03.2021 during which the Committee recommended TORs to the project subject to condition that the PP obtains NOC from the Fisheries Department and I&FC Dept. besides, obtaining report from Multi Dept. District Level Task Force Cell (MDLTF) for fixing responsibility of illegal mining in the block.
- b) The PP has obtained NOCs from the stake holder departments, though, in a generalized format.
- c) As per the latest available Google image of Dec., 2018, heavy illegal mining activity was detected in the mining block and the Committee desired to know whether the same is continuing in the block for which necessary clarification from the Multi Dept. District level Task Force (MDLTF) Cell to fix responsibility for the illegal mining and to report whether the PP is involved in it, is required prior to grant of formal EC. In case the PP is found to be involved, the process for grant of EC shall be aborted.
- d) Active water channel need to be excluded for calculating the targeted mineral production and submission of revised PFR/EIA prior to grant of EC.
- e) Haulage route crosses through active water channel and therefore, the PP needs to lay Hume pipes to avoid disturbance to the natural flow of water.
- f) The compliance to specific ToR condition relating to photographs of display screen of Air Quality Monitoring Station displaying the dates of collection of data is missing in EIA report and same needs to be submitted, prior to grant of EC.
- g) 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.
- h) EMP/CER budget needs to be revised with appropriate budget as suggested in the remarks column, prior to grant of EC.
- i) 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.
- j) Mining depth of 2.5 m & bulk density of 2.25 adopted in the instant mining plan were not agreed by the committee. Mining depth be restricted to max. 1m in aggregate and bulk density of 2.0 only be adopted for calculating the production targets in absence of actual field 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, prior to grant of EC.
- c) Securing a 'non-involvement in illegal mining activity' certificate from the competent authority, prior to grant of EC.
- d) Submission of revised EIA/EMP as per deliberations, prior to grant of EC.
- e) 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.
- f) No JCBs/ Excavators/ Bulldozers to be used in mining and no water course to be disturbed while transporting minor minerals.
- g) Maximum targeted mineral production of 60600 MT.
- h) Condition the geographical coordinates as per LOI conveyed by G&M Dept. are mentioned in the EC letter by JKEIAA.
- i) 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 JKEIAA upheld the recommendations of the JKEAC to grant Environment clearance to the project subject to following conditions:-

- a) Revalidation of Lol by the Geology and Mining Department.
- b) Standard and Specific Conditions as per Annexure B to the Minutes of JKEAC Meeting.
- c) Compliance to the observations made by JKEAC during deliberations herein above prior to grant of EC.
- d) The MDLTF Cell headed by the concerned Dy. Commissioner shall submit a report to JKEIAA, within a period of six weeks or before execution of lease of minor mineral block, whichever is earlier, that PP is not involved in the illegal mining activity, failing which the EC is liable to be revoked.
- e) Revision of the mining plan with mine closure plan, revised mining depth, surface plan, and its approval by the competent authority within a period of three months from the date of issuance of E.C.
- f) Mining depth be restricted to max. 1m in aggregate and bulk density of 2.0 be adopted for calculating mineral production subject to maximum production of 60600 MT.
- g) Revision of EIA, EMP/CER Budget as suggested by JKEAC prior to grant of EC.
- 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) PP should lay sufficient number of hume pipes of appropriate specification to avoid disturbance to the natural flow of water.
- j) No JCBs/ Excavators/ Bulldozers to be used in mining and no water course to be disturbed while transporting minor minerals.

- k) While issuing EC, Member Secretary shall specifically mention revised geographical coordinates for revised area conveyed by G&M Dept.
- l) Validity of only three years from the date of commencement of the mining operations duly certified by the District Mineral Officer concerned with intimation to the JKEIAA and JKPCB in view of non-availability of replenishment data.

Agenda Item No.03.

Grant of Environment Clearance in favour of Shri Mohammad Abbas Raina S/O Shri Mohammad Abdullah Raina R/o Arihal District – Pulwama JK UT for MINOR MINERAL BLOCK NO – 24, Sheikpora Trenz Bridge Upstream Nallah Rambaira DISTRICT – Shopian JK UT (AREA – 5.97ha) under proposal No.SIA/JK/MIN/227176/2021 & SIA/JK/MIN/61026/2021.

Brief Summary: This case pertains to grant of Environment Clearance under B1 category for MINOR MINERAL BLOCK NO – 24, Sheikpora Trenz Bridge Upstream Nallah Rambaira DISTRICT – Shopian JK UT (AREA – 5.97ha)

LOI has been issued on 20-07-2020, which was later extended on 21-09-2021 and was valid up to 30-11-2021. Mining plan has been approved on 03-10-2020. The case was earlier discussed by the JKEAC on 24-04-2021. The Terms of Reference were issued to the project on 14-05-2021 and public hearing of the project was conducted on 29-06-2021. The area of the project was reduced by the Geology & Mining Department on 22-04-2021.

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 38th meeting held on 24.04.2021 during which the committee recommended TORs to the project subject to condition that the mining block size is reduced to maintain a safe distance of 500mts from the small bridge in the direct line of flow and subject to NOC from the PWD (R&B) and the local panchayat and after recalculating the targeted mineral production owing to reduced mining block size and mining depth of 1m.
- b) The PP has resized the mining block from 9.28 Ha to 5.97 Ha.
- c) The PP has submitted NOC from (R&B) Dept and local panchayat.
- d) Heavy illegal mining activity detected in the mining block as per features on latest available Google image of 09, 2018. The Committee desired to know if the illegal mining is still continuing in the block and therefore asked for clarification from the Multi Dept. District level Task Force (MDLTF) Cell to fix responsibility for the illegal mining and to report whether the PP is involved in it prior to grant of formal EC. In case it is reported that the PP is involved in the illegal mining, the process of the case for grant of EC is liable to be aborted.
- e) Further, two Electric Transmission towers were located within 20m from the boundary of the block besides, an offtake point of Irrigation canal/khul within

60m. Therefore, the Committee desired that the PP should get the mining block further resized to 2 Ha leaving an appropriate buffer of 50m from the Electric Transmission Towers and 200m from the Irrigation off-take point, prior to grant of EC.

- f) 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 and if they deem so they may advise the PP to ensure safety of structures and regulation of water supply for which necessary cost shall be borne by the PP.
- g) Exclusion of active water channel while calculating the targeted mineral production and submission of revised PFR/EIA prior to grant of EC.
- h) The compliance to specific TOR condition relating to photographs of display screen of Air Quality Monitoring Station displaying the dates of collection of data is missing in EIA report and needs to be submitted, prior to grant of EC.
- i) 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.
- j) EMP/CER budget needs to be revised with appropriate budget as suggested in the remarks column, prior to grant of EC.
- k) Revision of the mining plan with mine closure plan, revised mining depth, revised area, surface plan, targeted mineral production and replenishment and its denovo approval by the competent authority, prior to grant of EC.
- l) Bulk density of 2.1 adopted in the instant mining plan was not agreed by the committee. Mining depth be restricted to max. 1m in aggregate and bulk density of 2.0 only be adopted for calculating the production targets in absence of actual field measurements.

Recommendation 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) Securing a 'non-involvement in illegal mining activity certificate' from the competent authority, prior to grant of EC.
- c) Compliance of observations made herein above under deliberations, prior to grant of EC.
- d) Further resizing of the mining block to 2 Ha, as detailed herein above under deliberations, prior to grant of EC.
- e) 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.
- f) No JCBs/ Excavators/ Bulldozers to be used in mining and no water course to be disturbed while transporting minor minerals.
- g) Maximum targeted mineral production of 24000MT.



- h) Condition the geographical coordinates as per revised area of 2 Ha to be conveyed by G&M Dept. are mentioned in the EC letter by JKEIAA.
- i) 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 JKEIAA upheld the recommendations of the JKEAC to grant Environment clearance for an area of only 2 ha of the project subject to fulfillment of following conditions:-

- a) Revalidation of Lol by the Geology and Mining Department.
- b) Standard and Specific Conditions as per Annexure B to the Minutes of JKEAC Meeting.
- c) compliance to the observations made by JKEAC during deliberations herein above prior to grant of EC.
- d) The MDLTF Cell headed by the concerned Dy. Commissioner shall submit a report to JKEIAA, within a period of six weeks or before execution of lease of minor mineral block, whichever is earlier, that PP is not involved in the illegal mining activity, failing which the EC is liable to be revoked.
- e) Further, resizing of the block to 2 ha leaving safe distance of 50m from electric towers and 200m from irrigation off-take points prior to grant of EC.
- f) Revision of the mining plan with mine closure plan, revised mining depth, surface plan, and its approval by the competent authority within a period of three months from the date of issuance of E.C.
- g) Mining depth be restricted to max. 1m in aggregate and bulk density of 2.0 be adopted for calculating mineral production subject to maximum production of 24000 MT.
- h) Revision of EIA, EMP/CER Budget as suggested by JKEAC prior to grant of EC.
- i) Strict adherence to the terms and conditions of the NOCs of the stakeholder departments which need to be monitored by the enforcement agencies and concerned dept.
- j) No JCBs/ Excavators/ Bulldozers to be used in mining and no water course to be disturbed while transporting minor minerals.
- k) While issuing EC, Member Secretary shall specifically mention revised geographical coordinates for revised area conveyed by G&M Dept.
- l) Validity of only three years from the date of commencement of the mining operations duly certified by the District Mineral Officer concerned with intimation to the JKEIAA and JKPCB in view of non-availability of replenishment data.

Agenda Item No.04.

Grant of Environment Clearance in favour of Shri Najeebullah Dar S/O Shri Sanaullah Dar R/o- Panzinara, Srinagar, JK UT for Minor Mineral Block No.:-37, Upstream Jhelum River (Suspension Ecopark Bridge-Pandit Colony Veerwan) Village – Suspension



Ecopark Bridge-Pandit Colony, Veerwan District – Baramulla JK UT, Area 2.50ha. under proposal No. SIA/JK/MIN/225959/2021.

Brief Summary: This case pertains to grant of Environment Clearance under B2 category for MINOR MINERAL BLOCK NO.: -37, UPSTREAM JHELUM RIVER (SUSPENSION ECOPARK BRIDGE-PANDIT COLONY VEERWAN) VILLAGE – SUSPENSION ECOPARK BRIDGE-PANDIT COLONY, VEERWAN DISTRICT – BARAMULLA JK UT, Area 2.50ha. LOI has been issued on 12-06-2020, which was later extended on 25-10-2021 and was valid up to 30-11-2021. Mining plan has been approved on 06-10-2020. The area of the project was reduced by the Geology & Mining Department on 18-08-2021.

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 NOCs have been issued under single window system by Addl. Deputy Commissioner, Baramulla vide No. ADCB/Reader/ 2021-22/144-57 dated 04-05-2021 in favour of the project.

Deliberations/specific observations of JKEAC:

- a) The case has been forwarded by JKEIAA vide letter No. JKEIAA/2016/02/VII/4153 dated 12/11/2021 for appraisal for grant of EC under B2 category.
- b) As per perusal of the submitted documents, the project falls within the Jhelum River near Eco- Park Bridge, Veer Wan, Baramulla.
- c) The Single window-based NOC was perused by the Committee and it was observed that the Title verification has not been submitted, though a passing reference has been made in the Single Window communication from Adl. DC, Baramulla.
- d) The Committee while using the KML file of mining blocks of Baramulla district emailed by the G&M Dept. observed that 7.6 Ha area out of 9.09 Ha of the original e-auctioned mining block No.37 comprised of permanent active water channel.
- e) In pursuance to special meeting held on 20/10/2021 to discuss the approach w.r.t mining cases of River Jhelum in the light of outcome of stakeholder meet held on 15/09/2021 and national guidelines and subsequent Minutes of meeting issued vide No: EAC/JK/20/2864-76 dated 31/10/2021, the Committee had recommended that all cases relating to in-stream mining in river Jhelum be returned to the project proponents as not found feasible in the light of national guidelines, the stipulations under Jammu & Kashmir Water Resources (Regulation and Management) Act, 2010 and technical opinion of hydrological experts.
- f) In the instant case, the PP has got the mining block resized from 9.09 Ha to 2.50 Ha on his own as is revealed by the recommendation letter issued by Joint Director, G&M Dept. vide NO. MSN/DGM/Sgr/B-37/Bla/4635-37 dated 18/08/2021 addressed to the Director, G&M Dept. The said communication indicates that the block does not form a cluster with any other mining block in the vicinity. Further, it is also indicated that the resized block falls at a distance of 217m from the suspension bridge.
- g) The resized mining block was examined on the Google Earth image of April, 2021 and it was observed that :-



- i. A linear mass of land encompassing an area of 6.77 Ha bearing scattered trees with a very high recreational value, runs upstream of the triangular Island of Eco-park in the center of river Jhelum along the flow direction. The resized mining block has been identified by G&M Dept. partly in the middle of this linear land mass and partly in active water channel.
 - ii. The resized mining block of 2.50 Ha still encompasses approx. 0.82 Ha of active water channel of the river Jhelum thereby leaving the dry land mass of only 1.68 Ha.
 - iii. There is a linear dry land mass of 3.79 Ha lying upstream of the resized mining block where illegal mining activity is visible.
 - iv. There is also a linear dry land mass of 1.30 Ha lying downstream of the resized mining block.
 - v. The radial distance of the suspension bridge from the resized mining block is approx. 217m as reported by the G&M Dept.
 - vi. The distance from nearest pillar of resized block to the suspension bridge along the flow of the river Jhelum is however, approx. 320 m and the distance from nearest pillar of resized block to the culvert along the flow of the river Jhelum is approx. 295 m
 - vii. A Culvert (cross drainage structure) downstream of mining block on the right bank of the river was observed being used for transportation of illegally mined material.
- h) On the basis of observations made herein above, the Committee was of the view that instead of identifying the resized mining block in part of the middle of the linear land mass, the G&M Dept. should have delineated it in its entirety on explicit technical recommendations of the Flood Control Dept. citing hydrological benefits of the proposal, if any, for mitigating the flood threat only.
- i) By excavating only part of the linear land mass in the middle of the river, it would cut-off part of the upstream portion from the mainland and it would also not be in conformity with the objective of establishment of Eco-park in close vicinity.
- j) As of now, it appears the proposal is commercially driven rather than something that could help enhance the water holding capacity of the river Jhelum in the area.
- k) Verification of land title has not been submitted yet.
- l) The PP has submitted a revised surface plan attested by Jt. Director (Kashmir) of the G&M Dept.
- m) The Committee opined that the G&M Dept. should request the Chief Engineer Flood Control Dept. to technically assess the flood mitigation benefits, if any, of the proposal where the resized mining block covers only 1.68 Ha in the middle of total linear mass of land comprising of an area of 6.77Ha.in the centre of river Jhelum. If at all the entire linear land mass is required to be excavated as a flood mitigation measure, the same may be executed departmentally under its own close supervision strictly for the maintenance and management of the river system.



Recommendations of the JKEAC:

In view of the above deliberations and insight gained during the above cited appraisal process, the Committee did not agree to recommend the proposal for grant of EC.

Decisions of JKEIAA:

After due deliberations, the JKEIAA upheld recommendations of the JKEAC to reject the case for grant of Environment clearance.

Agenda Item No.05.

Grant of Environment Clearance in favour of Shri Khursheed Ahmad Mir S/o Shri Ghulam Mohammad Mir R/o- Dougham, Kakapora, Pulwama JK UT for Minor Mineral Block No- 26, Z-Ashmuji Bridge Downstream, Vishu Nallah, Village Ashmuji Tehsil Kulgam District Kulgam, reduced area 3.20(Cluster formation with Block25/Ashmuji but overall area less than 5Ha)Ha. under proposal No. SIA/JK/MIN/231035/2021 & SIA/JK/MIN/62585/2021.

Brief Summary: This case pertains to grant of Environment Clearance under B2 category B2(Cluster formation with Block25/Ashmuji but overall area less than 5Ha) for Minor Mineral Block No- 26, Z-Ashmuji Bridge Downstream, Vishu Nallah, Village Ashmuji Tehsil Kulgam District Kulgam, reduced area 3.20 Ha. LOI has been issued on 16-07-2020, which was later extended on 18-09-2021 and was valid up to 30-11-2021. Mining plan has been approved on 31-08-2020. The area of the project was reduced by the Geology & Mining Department on 21-09-2021.

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 stakeholder departments have issued NOCs(conditionally) in favour of the project.

Deliberations/specific observations of JKEAC:

- a) The case had been discussed by the Expert Appraisal Committee earlier during the 45th Meeting held on 14/06/ 2021 during which the Committee rejected the case for grant of ToRs unless:
 - i. The PP submits a report on illegal mining from the Multidept. Committee indicating that the PP is not involved in such illegal mining activity.
 - ii. A joint inspection report is received from the Geology & Mining Dept., Irrigation and Flood Control Dept. and the Fisheries Dept. stating that allowing mining activity in the said mining block would not cause any adverse environmental impact on the irrigation kuhls and fisheries potential.
- b) With respect to item No.i, the PP has obtained 'non-involvement in illegal mining certificate' from the Competent Authority.
- c) With respect to item No.ii, the PP has submitted a joint inspection report in pursuance to order No. 39/DCK of 2021 dated 08/10/2021 from Xen Irrigation Division, Asst. Director, Fisheries Dept., DMO concerned and AEE, Flood Control Dept., Kulgam to the effect that mining in the mineral block shall not cause any adverse environmental impact on the irrigation kuhls and fisheries potential, if

mining activity is carried out in accordance with legal framework under various Acts and Laws.

- d) The Committee observed that as per latest image of Oct., 2021, very little material appears to be left for mining in the block. But as per the joint inspection report of the stakeholder departments mining in the block can be allowed without having any adverse environmental impact on the irrigation kuhls and fisheries potential.
- e) However, in view of the features observed on the Google image, the Committee is of the considered opinion that G&M Dept. should physically verify the availability of material on site and issue a 'fit for mining certificate' for the block, certifying therein that adequate replenishment has taken place and enough material is available in the proposed mining block that can be retrieved without violating norm of not excavating beyond 1 m below NSL and endangering ecological and hydrological regime of the nalla, prior to grant of EC.
- f) Besides, the Committee desired that the PP should submit an undertaking duly sworn before first class magistrate to the effect that mining activity in the block shall be carried out strictly as per the legal framework and norms governing river bed mining, conditions of NOCs /Environmental Clearance and it shall not have any adverse environmental impact on the irrigation kuhls and fisheries potential of the nalla.
- g) The examination of mining block on Google Earth platform revealed features that are 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 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.
- h) 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 preferably 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 EC.
- i) The Committee further desired that the actual site conditions need to be taken into account while granting NOC by the Irrigation Dept.
- j) 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



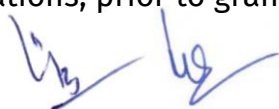
concurrence by PRI shall be incorporated in the specific NOC issued by the Irrigation Dept. as discussed herein above.

- k) The PP has on his own resized the mining block from 4.24 Ha to 3.20 Ha as is indicated in the recommendation letter dated 21/09/21 issued by the Joint Director G&M Dept. to maintain safe distance of 500m to the nearby bridge.
- l) A cluster certificate has been issued by the G&M Dept. which clearly mentions that the block 26 is within 500m from the block 25. Since, the overall area of the cluster comprising of block 25 and 26 is less than 5Ha, therefore, the project was considered under B2 category.
- m) It was further observed that the JKEAC has already recommended block 25 for grant of conditional EC on the basis of observations made on the latest available Google image of June, 2020 at that point of time in its appraisal during the 67th JKEAC Meeting held on 26/10/2021.
- n) In view of over exploitation due to heavy illegal mining activity in the area and heavy depletion of material in block 25 and 26, the Committee desired that though conditional EC could be considered for block 25, yet keeping in view the depleted condition of material in the area as depicted on the latest available Google image of Oct. 2021, an additional specific condition may be issued by way of an addendum to the Minutes of Meeting of the 67th JKEAC as, 'the G&M Dept. should physically verify the availability of material on site and issue a 'fit for mining certificate' for the block, also stating that adequate replenishment has taken place and enough material is available in the proposed mining block No.25 that can be retrieved without violating norm of not excavating beyond 1 m below NSL and endangering ecological and hydrological regime of the nalla, prior to grant of EC.
- o) 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.
- p) EMP budget needs to be revised with appropriate budget as suggested in the remark's column, prior to grant of EC.
- q) Revision of the mining plan with mine closure plan, revised mining depth, revised area, 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.
- r) Mining depth of 2.5 m & bulk density of 2.3 adopted in the instant mining plan were not agreed by the committee. Mining depth be restricted to max. 1m in aggregate and bulk density of 2.0 only be adopted for calculating the production targets in absence of actual field measurements.

Recommendations of the JKEAC:

In view of the above deliberations / observations made by the Committee here-in-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) Submission of compliance to the observations made herein above under deliberations, prior to grant of EC.



- c) Submission of 'Fit for Mining Certificate' from the G&M Dept. for the block, stating that adequate replenishment has taken place and enough material is available in the proposed mining block that can be retrieved without violating norm of not excavating beyond 1 m below NSL and endangering ecological and hydrological regime of the nalla, prior to grant of EC.
- d) 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 preferably 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.
- e) Maximum targeted mineral production of 38400 MT.
- f) Strict adherence to the terms and conditions of the NOCs of the stockholder departments which needs to be monitored by the enforcement agencies and concerned department.
- g) Revision of EMP with revised budget as suggested herein above under deliberations, prior to grant of EC.
- h) Revision of mining plan as per deliberations, prior to grant of EC.
- i) No JCBs/ Excavators/ Bulldozers to be used in mining and no water course to be disturbed while transporting minor minerals.
- j) Condition 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 JKPCBin view of non-availability of replenishment data.

Similar treatment is recommended for the block 25 at Z-Ashmuji Bridge Downstream, Vishu Nallah, Village Ashmuji Tehsil Kulgam District Kulgam which was conditionally recommended by JKEAC for grant of EC in the 67th meeting under agenda item No.10. Accordingly, the recommendation made by this Committee in its 67meeting is revised with an additional specific condition as, "the G&M Dept. should physically verify the availability of material on site and issue a 'fit for mining certificate' for the block, mentioning therein that adequate replenishment has taken place and enough material is available in the proposed mining block that can be retrieved without violating norm of not excavating beyond 1 m below NSL and endangering ecological and hydrological regime of the nalla, prior to grant of EC.' Accordingly, JKEIAA/JKEAC shall issue necessary addendum in this regard.

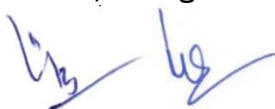
Decisions of JKEIAA:

After due deliberations, the JKEIAA upheld the recommendations of the JKEAC to grant Environment clearance to the project subject to following conditions: -

- a) Revalidation of Lol by the Geology and Mining Department.
- b) Standard and Specific Conditions as per Annexure B to the Minutes of JKEAC Meeting.

- c) compliance to the observations made by JKEAC during deliberations herein above prior to grant of EC.
- d) PP should submit an undertaking duly sworn before first class magistrate to the effect that mining activity shall be carried out strictly as per the legal framework and norms governing river bed mining, conditions of NOCs /Environmental Clearance, so as not to cause any disruption to flow in irrigation Kuhls in vicinity and adverse environmental impact on fisheries potential of the nallah.
- e) Submission of 'Fit for Mining Certificate' after physical verification from the G&M Dept. for the block, stating that adequate replenishment has taken place and enough material is available in the proposed mining block that can be retrieved without violating norm of not excavating beyond 1 m below NSL and endangering ecological and hydrological regime of the nalla, prior to grant of EC.
- f) 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 preferably 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.
- g) Revision of the mining plan with mine closure plan, revised mining depth, surface plan, and its approval by the competent authority within a period of three months from the date of issuance of E.C.
- h) Mining depth be restricted to max. 1m in aggregate and bulk density of 2.0 be adopted for calculating mineral production subject to maximum production of 38400 MT.
- i) Revision of EIA, EMP/CER Budget as suggested by JKEAC prior to grant of EC.
- j) To ensure protection of Infrastructure in vicinity of mining block, minimum distance guidelines provided under standard environmental conditions as given in Sustainable Sand Mining Guidelines, 2016, at S.No. 49 - Protection of Infrastructure, shall be maintained.
- k) 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.
- l) No JCBs/ Excavators/ Bulldozers to be used in mining and no water course to be disturbed while transporting minor minerals.
- m) While issuing EC, Member Secretary shall specifically mention revised geographical coordinates for revised area conveyed by G&M Dept.
- n) Validity of only three years from the date of commencement of the mining operations duly certified by the District Mineral Officer concerned with intimation to the JKEIAA and JKPCB in view of non-availability of replenishment data.

The JKEIAA also agreed that similar treatment be given for the block 25 at Z-Ashmuji Bridge Downstream, Vishu Nallah, Village Ashmuji Tehsil Kulgam District Kulgam which



was conditionally recommended by JKEAC for grant of EC in the 67th meeting under agenda item No.10. Accordingly, the recommendation made by this Committee in its 67th meeting is revised with an additional specific condition as, “the G&M Dept. should physically verify the availability of material on site and issue a ‘fit for mining certificate’ for the block, mentioning therein that adequate replenishment has taken place and enough material is available in the proposed mining block that can be retrieved without violating norm of not excavating beyond 1 m below NSL and endangering ecological and hydrological regime of the nalla, prior to grant of EC.’ Accordingly, JKEIAA/JKEAC shall issue necessary addendum in this regard.

Agenda Item No.06.

Grant of Environment Clearance in favour of Shri Firdos Ahmad Kumar S/O Shri. Mohammad Ramzan Kumar R/o: Kralpora, Tehsil: Magam District – Baramulla, JK UT for Minor Mineral Block No.- 17, Pandit Stone Crusher to Pinjura Link Road D/Stream, Ferozepora Nallah, Tangmarg District : Baramulla, JK UT (Reduce area 1.16 Ha.) under proposal No.SIA/JK/MIN/235142/2021 &SIA/JK/MIN/56958/2021.

Brief Summary: This case pertains to grant of Environment Clearance under B2 category for Minor Mineral Block No.- 17, Pandit Stone Crusher to Pinjura Link Road D/Stream, Ferozepora Nallah, Tangmarg District: Baramulla, JK UT (Reduce area 1.16 Ha.) LOI has been issued on 27-03-2020, which was later extended on 18-09-2021 and was valid up to 30-11-2021. Mining plan has been approved on 30-01-2021. The area of the project was reduced by the Geology & Mining Department 18-10--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 NOC has been issued by Dy. Commissioner Baramulla under single window clearance system vide No. ADCB/Reader/2021-22/102-15 dated 04-05-202. The NOC from the Tehsildar mentioned the title of the land as Shamlat (Kacharai)

Deliberations/specific observations of JKEAC:

- a) The case had been discussed by the Expert Appraisal Committee earlier during the 25th Meeting held on 30/01/2021 during which the Committee recommended the project for ToRs subject to condition the PP obtains title verification of the land from the Revenue authorities.
- b) Now, the PP has obtained the title verification from the concerned revenue authorities and it is mentioning that the mining block falls under shamlat (Kaicharai).
- c) The consultant presented a copy of consent letter issued by the local PRI addressed to the Joint Director, G&M Dept. Kashmir in favour of mining activity in the designated mining block falling under Shamlat category of land. The Committee desired that the required modalities relating to use of proceeds owing to mining activity in shamlat land may be looked into by the G&M Dept. / District Administration. The original consent letter issued by local PRI be submitted in JKEIAA office prior to grant of EC.

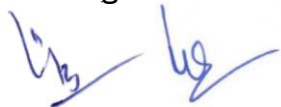


- d) The PP has resized the mining block from 7.73 Ha to 1.16 Ha. on its own and the Joint Director, Geology & Mining Dept., Kashmir while recommending the case for resizing to the Director, G&M indicates that the block is now more than 500m from the nearby bridge.
- e) A cluster certificate has been obtained by the project proponent from the joint Director, G&M Dept., Kashmir vide No. MSN/JDK/DGM/SRG/-17Bla/5544 dated 28/10/2021 where under it has been reported that there is no other mining block within 500m from the said mining block with resized area of 1.16 Ha.
- f) The Committee observed that the illegal mining activity has been continuing in the block as revealed by features on the Google Image of 06/2021 which has heavily depleted the mineral resources in the block. Therefore, in view of heavy depletion of river bed material in the block, the project proponent would require to obtain a 'fit for mining' certificate from the G&M Dept. after ascertaining that enough replenishment has taken place in the block, substantiated with photographic and video-graphic evidences, prior to grant of EC.
- g) The project proponent has obtained report from the MDLTF Cell stating that the PP is not involved in any illegal mining in the instant block. Therefore, the case was treated under non- violation category. The PP shall submit the original copy of the Illegal mining report in the office of JKEIAA, prior to grant of EC.
- h) The JKEAC desired that the conditions of NOCs need to be adhered to in letter and spirit under close supervision of the stakeholder departments.
- i) 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.
- j) Revision of the mining plan with mine closure plan, revised mining depth, revised area, surface plan, targeted mineral production and replenishment and its denovo approval by the competent authority, prior to grant of EC.
- k) Mining depth of 1.5 m adopted in the instant mining plan were not agreed by the committee. Mining depth be restricted to max. 1m in aggregate in view of non-availability of replenishment data in the District Survey Report formulated by the G&M Dept.

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) Submission of compliance to the observations made here-in-above under deliberations, prior to grant of EC.
- c) Submission of original consent letter of right full owners of land viz. local PRI under the mining block, prior to grant of EC.
- d) Submission of fit for mining certificate as per deliberations from G&M Dept. prior to grant of EC.
- e) Maximum targeted mineral production of 11800MT.



- f) Condition the geographical coordinates as per revised area to be conveyed by G&M Dept. are mentioned in the EC letter by JKEIAA.
- g) Strict adherence to the terms and conditions of the NOCs of the stockholder departments which needs to be monitored by the enforcement agencies and concerned department.
- h) No JCBs/ Excavators/ Bulldozers to be used in mining and no water course to be disturbed while transporting minor minerals.
- i) 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 JKEIAA upheld the recommendations of the JKEAC to grant Environment clearance to the project subject to following conditions:-

- a) Revalidation of Lol by the Geology and Mining Department.
- b) Standard and Specific Conditions as per Annexure B to the Minutes of JKEAC Meeting.
- c) compliance to the observations made by JKEAC during deliberations herein above prior to grant of EC.
- d) Submission of the consent letter of concerned PRI in original before grant of EC.
- e) Revision of the mining plan with mine closure plan, revised mining depth, surface plan, and its approval by the competent authority within a period of three months from the date of issuance of E.C.
- f) Mining depth be restricted to max. 1m in aggregate and bulk density of 2.0 be adopted for calculating mineral production subject to maximum production of 11800 MT.
- g) Revision of EIA, EMP/CER Budget as suggested by JKEAC prior to grant of EC.
- h) Submission of 'Fit for Mining Certificate' after physical verification from the G&M Dept. prior to grant of EC.
- i) Strict adherence to the terms and conditions of the NOCs of the stakeholder departments which need to be monitored by the enforcement agencies and concerned dept.
- j) No JCBs/ Excavators/ Bulldozers to be used in mining and no water course to be disturbed while transporting minor minerals.
- k) While issuing EC, Member Secretary shall specifically mention revised geographical coordinates for revised area conveyed by G&M Dept.
- l) Validity of only three years from the date of commencement of the mining operations duly certified by the District Mineral Officer concerned with intimation to the JKEIAA and JKPCB in view of non-availability of replenishment data.

Agenda Item No.07.

Grant of Environment Clearance in favour of Shri Arshdeep Singh, S/O Balraj Singh, R/O Faziabad Gurdaspur, Punjab for Riverbed Mining Project of Minor Mineral in Block No.19, Mendhar River Upstream Chajjla Bridge Part-III, District-Poonch, JK UT. (Reduced area 4.72ha.) under proposal No.SIA/JK/MIN/59760/2021.

Brief Summary: This case pertains to grant of Environment Clearance under B1 category (cluster situation) for Riverbed Mining Project of Minor Mineral in Block No.19, Mendhar River Upstream Chajjla Bridge Part-III, District-Poonch, JK UT. (Reduced area 4.72ha.) LOI has been issued on 21-07-2020, which was later extended on 18-09-2021 and was valid up to 30-11-2021. Mining plan has been approved on 15-12-2020. 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 & public hearing was conducted on 30-07-2021. The area of the project was reduced by the Geology & Mining Department 06-10--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 Dy. Commissioner, Poonch vide reference No. DCP/PA/1328-39 dated 22-05-2021 has conveyed NOCs of Stakeholders departments.

Deliberations/specific observations of JKEAC:

- a) The case had been discussed by the Expert Appraisal Committee earlier during the 29th Meeting held on 13/03/2021 during which the Committee recommended the project for ToRs subject to condition that:
 - i. The mining block be relocated/reduced to maintain a safe distance of 500mts. from the bridge.
 - ii. The project cost be revised.
 - iii. The consultant should add a separate comprehensive chapter on cost benefit analysis of allowing mining activity in this mineral block as the environmental and social costs seem to outweigh the exceedingly low revenue being paid to Govt. against huge exploitation of the mineral wealth.
 - iv. Title verification of the mining block from the concerned revenue authority is submitted.
 - v. The active water channel is excluded.
- b) The PP has now resized the mining area as per letter dated 06/10/2021 by Geology and Mining Department from 6.41Ha to 4.72Ha maintaining safe distance of 500m from the bridge.
- c) The PP has revised the project cost from 43.94 lacs to 152.09 lacs.
- d) Since the project cost has been revised, the condition iii does not appear to be necessary now as is self-explanatory.
- e) Title verification submitted by the PP mentions the mining block as state land.
- f) The active water channel has not been excluded yet despite resizing of the mining block which needs to be excluded and mining restricted to dry shoals only.
- g) Though the EIA report has been prepared for the entire cluster comprising of block 17, 18 and 19, yet the PPs have been approaching for EC separately.
- h) As per documents, the area of the resized mining block is 4.72Ha. However, the Committee while examining the block as per KML file submitted by the PP on Google image, found the area of revised mining block to be only 4.20 Ha. The consultant was asked to clarify the reasons for the mismatch. However, he could not give any satisfactory reply. Therefore, the committee considered only 4.20

Ha and the PP was asked to get the same rectified from the G&M Dept., prior to grant of EC.

- i) The examination of mining block on Google Earth platform revealed features that are suggestive of irrigation off-take points in the close 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.
- j) Therefore, the Committee desired project proponent to obtain field verification report of same from the concerned Xen Irrigation Dept. In case, it is found that such irrigation facility is not existing, same needs to be recorded by the concerned hydraulic engineer with consent of local PRI with seal and signature preferably on the back side of Colour Google image of the area depicting the mining block boundary and Khul 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.
- k) The Committee also desired that the PP should address all the genuine concerns of the locals raised during the public hearing.
- l) The Committee desired that the PP should strictly follow the haulage route mentioned in the submitted documents with least disturbance to the active water channel for which adequate number of Hume pipes shall be laid to cross over the water creek so that the natural flow of the channel is not disturbed.
- m) Project cost has been underestimated by the PP as it does include the Cost of EMP and CER, hence needs to be revised prior to grant of EC.
- n) The JKEAC desired that the conditions of NOC need to be adhered to in letter and spirit in close supervision of stakeholder departments.
- o) Revision of the mining plan with mine closure plan, revised mining depth, revised area, surface plan, targeted mineral production and replenishment and its denovo approval by the competent authority prior to grant of EC.
- p) EMP Budget needs to be revised with appropriate budget as suggested in the remark's column of EMP table above, prior to grant of EC. The ToR condition relating to submission of photographs of display screen of the air quality monitoring station showing data with dates of collection of the baseline data has not been submitted in the EIA report and the same needs to be submitted, prior to grant of formal EC.
- q) Mining depth of 3.00 m & bulk density of 2.25 adopted in the instant mining plan were not agreed by the committee. Mining depth be restricted to max. 1m in aggregate and bulk density of 2.0 only be adopted for calculating the production targets in absence of actual field 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) Submission of compliance to the observations made herein above under deliberations, prior to grant of EC.
- c) Further resizing of the mining block to 4.2ha, prior to grant of EC.
- d) 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 preferably 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.
- e) Compliance to specific ToR condition relating to photograph of display screen showing dates of data collection as detailed above, prior to grant of EC.
- f) Maximum targeted mineral production of 50,400 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) Strict adherence to the terms and conditions of the NOCs of the stockholder departments which needs to be monitored by the enforcement agencies and concerned department.
- i) No JCBs/ Excavators/ Bulldozers to be used in mining and no water course to be disturbed while transporting minor minerals.
- 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.

Decisions of JKEIAA:

After due deliberations, the JKEIAA upheld the recommendations of the JKEAC to grant Environment clearance for an area of 4.2 ha of the project subject to following conditions:-

- a) Revalidation of Lol by the Geology and Mining Department.
- b) Standard and Specific Conditions as per Annexure B to the Minutes of JKEAC Meeting.
- c) compliance to the observations made by JKEAC during deliberations herein above prior to grant of EC.
- o) PP should submit an undertaking duly sworn before first class magistrate to the effect that mining activity in the block shall be carried out strictly as per the legal framework and norms governing river bed mining, conditions of NOCs /Environmental Clearance, so as not to cause any disruption to flow in irrigation Kuhls in vicinity and adverse environmental impact on fisheries potential of the nallah.
- d) Reduce size of mining block to 4.20 Ha, prior to grant of EC.
- e) 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.

- f) 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 preferably 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.
- g) Revision of the mining plan with mine closure plan, revised mining depth, surface plan, and its approval by the competent authority within a period of three months from the date of issuance of E.C.
- h) Mining depth be restricted to max. 1m in aggregate and bulk density of 2.0 be adopted for calculating mineral production subject to maximum production of 50,400 MT.
- i) Revision of EIA, EMP/CER Budget as suggested by JKEAC prior to grant of EC.
- j) To ensure protection of Infrastructure in vicinity of mining block, minimum distance guidelines provided under standard environmental conditions as given in Sustainable Sand Mining Guidelines, 2016, at S.No. 49 - Protection of Infrastructure, shall be maintained.
- k) 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.
- l) No JCBs/ Excavators/ Bulldozers to be used in mining and no water course to be disturbed while transporting minor minerals.
- m) While issuing EC, Member Secretary shall specifically mention revised geographical coordinates for revised area conveyed by G&M Dept.
- n) Validity of only three years from the date of commencement of the mining operations duly certified by the District Mineral Officer concerned with intimation to the JKEIAA and JKPCB in view of non-availability of replenishment data.

Agenda Item No.08.

Grant of Environment Clearance in favour of Shri Sahib Singh S/O Shri Paras Singh R/O Ferozpur, Kalan, Tehsil: Pathankot Baheri Bazurag District: Gurdaspur, Punjab for proposed River Bed Mining Project of Minor Mineral Block No. 27 with the description, Army Camp Aghama D/Stream Nallah Rambiarā, Area- 9.43ha, Village- Aghama, Taluka- Chitragam, District - Shopian, JK UT under proposal No.SIA/JK/MIN/56123/2020.

Brief Summary: This case pertains to grant of Environment Clearance under B1 category for proposed River Bed Mining Project of Minor Mineral Block No. 27 with the description, Army Camp Aghama D/Stream Nallah Rambiarā, Area- 9.43ha, Village- Aghama, Taluka- Chitragam, District - Shopian, JK UT LOI has been issued on 01-04-2020, which was later extended on 15-04-2021 and was valid up to 31-08-2021. Mining plan has been approved on 09-06-2020. The case was earlier discussed by the JKEAC on



04-11-2020 & 28-08- 2021. The Terms of Reference were issued to the project on 21-11-2020 & public hearing 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 issued NOCs (conditionally) in favour of the project.

Deliberations/specific observations of JKEAC:

- a) The project had earlier been discussed during 57th meeting held on 28/08/2021 during which the Committee had recommended the case for rejection of Environmental Clearance unless the PP fulfils the following pre-requisites:
 - i. The PP should submit a detailed report from the Irrigation Department to the effect that the proposed mining activity will not adversely affect the Irrigation facility already being availed by the local farmers. This is in respect to the water channel originating from the active creek in the center of the mining block towards South direction.
 - ii. The PP should submit an explicit report from the Multi Dept. District level Task Force (MLDTF) Cell w.r.t fixing of responsibility for illegal mining activity in the mining block and to the effect that the PP is not involved in illegal mining activity without a valid EC.
 - iii. Revision of EIA report with compliance of specific ToR condition No.19.
 - iv. 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.
 - v. Revision of EMP budget as suggested in the remark's column of EMP table.
 - vi. Mining depth of 1m in aggregate in view of non-availability of replenishment data in the DSR formulated by the G&M Dept.
 - vii. Use of Bulk density of 2 in absence of actual measurements and mining depth of 1m in aggregate while calculating targeted mineral production in mining plan in absence of actual field measurements and replenishment data.
- b) Now in compliance with point No i., the PP has submitted a detailed NOC from the Irrigation Division, Shopian vide letter No.3339-40 dated 28/09/2021 wherein a categorical NOC has been issued in favour of the mining activity in the block and which reads under serial 15 of the conditions as, 'The mining activity of the above mentioned mineral block No.27 will not affect the existing irrigation facilities and hydraulic structures in the vicinity of the mining block upstream and downstream of Nowpora Bala canal which is running from the centre of the mining block towards South direction'.
- c) The Committee failed to understand as to how the irrigation facilities would not get adversely affected when the supply channel is originating from the centre of the mining block. The national guidelines specifically provides that the off-take point of irrigation works should be safeguarded by maintaining a safe distance of minimum 200m from the mining site. Therefore, the certificate issued by the concerned Xen, Irrigation Dept., Shopian is not only self-

contradictory but is also against the spirit of provisions of national mining guidelines and as such, cannot be accepted.

- d) With respect to condition No.II, the PP has submitted a joint inspection report on illegal mining from MDLTF Cell vide letter dated 24/09/2021 in which it is mentioned that the PP is not involved in any illegal activity.
- e) The compliance to specific ToR condition relating to photographs of display screen displaying the dates of collection of data is still missing in EIA report

Recommendations of the JKEAC:

In view of the above deliberations and insight gained during the above cited appraisal process, the Committee rejected the case for grant of EC.

The JKEAC also recommended that JKEIAA may take up the matter regarding self-contradictory NOC issued by concerned Xen with the Chief Engineer, Irrigation & Flood Control Dept., Kashmir for taking cognizance of the matter.

Decisions of JKEIAA:

After due deliberations, the JKEIAA upheld the recommendations of the JKEAC to reject the case for grant of Environment clearance. Secretary JKEIAA shall take up the matter regarding self-contradictory NOC issued by concerned Xen with the Chief Engineer, Irrigation & Flood Control Dept., Kashmir for taking cognizance of the matter.

Agenda Item No.09.

Grant of Environment Clearance in favour of Shri Mujeeb Dar S/O Shri Fazal Rehman Dar R/O Ward no 02 Tehsil & District Rajouri, JK UT for Minor Mineral Block 32 in Nallah Dharli Downstream Ujan Bridge Village Ujan District Rajouri, JK UT Area 9.14ha (ADS) under proposal No. SIA/JK/MIN/60141/2021.

Brief Summary: This case pertains to grant of Environment Clearance under B1 category for Minor Mineral Block 32 in Nallah Dharli Downstream Ujan Bridge Village Ujan District Rajouri, JK UT Area 9.14ha (ADS). LOI has been issued on 19-11-2020, which was later extended on 15-04-2021 and was valid up to 31-08-2021. Mining plan has been approved on 05-01-2021. The case was earlier discussed by the JKEAC on 15-02-2021, 11-09-2021 & 13-10-2021. The Terms of Reference were issued to the project on 22-03-2021 & public hearing was conducted on 10-07-2021.

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 Dy. Commissioner, Rajouri vide reference No. DCR/2021-22/Acctt/116 dated 29-05-2021 had conveyed NOCs of Stakeholder departments. The NOC from Irrigation Department prohibits excavation at least 150 feet upstream and downstream side of head of Kuhl's and there should be no extraction at least 50 to 100 feet from both bank of the river / Nallah to avoid any erosion during rainy season.

Deliberations/specific observations of JKEAC:

- a) The project had earlier been discussed during 26th JKEAC held on 16th Feb, 2021 during which TORs were granted in favour of the project. The project came under



discussion for grant of EC in the 60th meeting held on 11/09/2021 during which the Committee rejected the case and desired that the PP may again approach JKEIAA after excluding the active water channel besides, submitting a comprehensive chapter on haulage route in the EIA report with NOC from the PRI in case the route passes through inhabited areas. The case came under discussion again in the 64th meeting held on 13/10/2021 during which the Committee found that the PP had not fully complied with all the observations made during the 60th JKEAC meeting. The case was not approved and the PP was asked to submit following compliances:-

- i. Exclusion of active water channel while calculating the targeted mineral.
 - ii. A comprehensive chapter needs to be added in EIA report with all micro-details on the haulage of material. Possibility of additional haulage route may be explored for other flank of the block with minimum environmental implications. ICT based monitoring mechanism with all micro- details on the haulage of material.
 - iii. The NOC from concerned PRI to be obtained, in case the haulage passes through inhabited areas.
 - iv. Revised EMP as per JKEAC deliberations.
- b) With respect to item i, the PP had presented the area under dry shoals as 6.01 Ha during the 64th JKEAC without updating it in the EIA report. The EIA report has again not been updated/ revised by calculating the targeted mineral as per the available dry shoal area only. Therefore, the Committee desired that the PP should submit the revised EIA report with updated calculations on mineral production as per dry shoal area only, prior to grant of EC.
 - c) With respect to item ii, the PP has updated the EIA report with chapter on Haulage routes.
 - d) Further, NOC from the local PRI w.r.t haulage route has also been submitted in the updated EIA document.
 - e) The Committee further observed features on Google Image, indicative of off-take points of irrigation kuhls in the vicinity of the mining block and desired project proponent to obtain field verification of same by the concerned Xen Irrigation Dept. In case, it is found that such irrigation facility is not existing, same needs to be recorded by the concerned hydraulic engineer with consent of local PRI with seal and signature preferably on the back side of Colour Google image of the area depicting the mining block boundary and Kuhl offtake point, 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 EC.
 - f) The Committee has recommended additional budget under laying of Hume pipes for ensuring safety of the active water channel and therefore, the budget under EMP needs further revision as per remarks column in the EMP table, prior to grant of EC.
 - g) The compliance to specific ToR condition relating to photographs of display screen displaying the dates of collection of data is missing in EIA report and same need to be submitted prior to grant of EC.



- h) The genuine concerns of the locals expressed during Public Hearing also need be addressed.
- i) The conditions of NOC need to be adhered to in letter and spirit under close supervision of stockholder departments.
- j) Revision of the mining plan with mine and its denovo approval by the competent authority prior to grant of EC.
- k) Mining depth of 3.0 m & bulk density of 2.25 adopted in the mining plan were not agreed by the committee. Mining depth be restricted to max. 1m in aggregate and bulk density of 2.0 only be adopted for calculating the production targets in absence of actual field 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 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, prior to grant of EC.
- c) Revision of EIA report /PFR with revised calculations for mineral production, compliance to specific ToR condition relating to photographs of display screen, revised haulage details etc., as per deliberations herein above, prior to grant of EC.
- d) 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 preferably 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.
- e) 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.
- f) Submission of resized mining block and revised surface plan as per area under dry shoals, prior to grant of EC.
- g) Revision of EMP Budget as suggested in the remark's column of EMP table above, prior to grant of EC.
- h) Maximum targeted mineral production of 72100 MT.
- i) Strict adherence to the terms and conditions of the NOCs of the stockholder departments which needs to be monitored by the enforcement agencies and concerned department.
- j) No JCBs/ Excavators/ Bulldozers to be used in mining and no water course to be disturbed while transporting minor minerals.

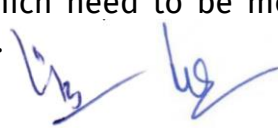


- k) Condition the revised geographical coordinates as per revised area of 6.01 Ha to be conveyed by G&M Dept. are mentioned in the EC letter by JKEIAA.
- l) Validity of only three years from the date of commencement of the mining operations duly certified by the District Mineral Officer concerned with intimation to the JKEIAA and JKPCB in view of non-availability of replenishment data.

Decisions of JKEIAA:

After due deliberations, the JKEIAA upheld the recommendations of the JKEAC to grant Environment clearance for 6.01 ha of the project subject to following conditions:-

- a) Revalidation of Lol by the Geology and Mining Department.
- b) Standard and Specific Conditions as per Annexure B to the Minutes of JKEAC Meeting.
- c) compliance to the observations made by JKEAC during deliberations herein above prior to grant of EC.
- p) PP should submit an undertaking duly sworn before first class magistrate to the effect that mining activity in the block shall be carried out strictly as per the legal framework and norms governing river bed mining, conditions of NOCs /Environmental Clearance, so as not to cause any disruption to flow in irrigation Kuhl in vicinity and adverse environmental impact on fisheries potential of the nallah.
- d) 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.
- e) 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 preferably on the back side of Colour Google image of the area depicting the mining block boundary and Kuhl/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.
- f) Revision of the mining plan with mine closure plan, revised mining depth, surface plan, as per area under dry shoals and its approval by the competent authority within a period of three months from the date of issuance of E.C.
- g) Mining depth be restricted to max. 1m in aggregate and bulk density of 2.0 be adopted for calculating mineral production subject to maximum production of 72100MT.
- h) Revision of EIA, EMP/CER Budget as suggested by JKEAC prior to grant of EC.
- i) To ensure protection of Infrastructure in vicinity of mining block, minimum distance guidelines provided under standard environmental conditions as given in Sustainable Sand Mining Guidelines, 2016, at S.No. 49 - Protection of Infrastructure, shall be maintained.
- 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) PP should lay sufficient number of hume pipes of appropriate specification to avoid disturbance to the natural flow of water.
- m) While issuing EC, Member Secretary shall specifically mention revised geographical coordinates as per revised area of 6.01 Ha for revised area conveyed by G&M Dept.
- n) Validity of only three years from the date of commencement of the mining operations duly certified by the District Mineral Officer concerned with intimation to the JKEIAA and JKPCB in view of non-availability of replenishment data.

The meeting ended with the vote of thanks to the Chair,

Agenda Item No.10.

Discussion on Applicability of Standard Terms and Conditions for different categories of projects seeking Environment Clearance.

Decisions of JKEIAA:

The matter was deferred to next meeting

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/VII/4883-4903

Dated:08/12/2021

Copy by email to:

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, Poonch, Rajouri, Pulwama, Srinagar, Baramullah & Shopian 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, PHE, Jal Shakti, Jammu/Srinagar for information and n/a.
11. The Secretary, JK Expert Appraisal Committee for information.
12. Website(s)



08/12/2021

(Staff Officer)

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