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Government of India

Ministry of Environment, Forest & Climate Change

J&K ENVIRONMENT IMPACT ASSESSMENT AUTHORITY

(at) DEPARTMENT OF ECOLOGY, ENVIRONMENT AND REMOTE SENSING

S.D.A. Colony, Bemina, Srinagar-190018 (May-Oct)/ Paryavaran Bhawan, Transport Nagar, Gladni, Jammu-180006 (Nov-Apr)

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**MINUTES OF THE 44TH MEETING OF JK ENVIRONMENT IMPACT
ASSESSMENT AUTHORITY HELD ON 6TH JULY 2021 AT 11:30 HRS.
THROUGH VIDEO CONFERENCING**

In pursuance to the Minutes of the 44th Meeting of JK Expert Appraisal Committee held on 7th June, 2021 conveyed vide endorsement No. EAC/JK/20/7910-922 dated 02.07.2021, the 44th Meeting of JK Environment Impact Assessment Authority, was held on 6th July 2021 through video conferencing.

The following attended the meeting:-

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| 1. Mr. Lal Chand, IFS(Retd.) | Chairman, JKEIAA |
| 2. Er. Nazir Ahmad (Retd. Chief Engineer) | Member, JKEIAA |
| 3. Dr. Neelu Gera, IFS, Pr.CCF/Director, EE&RS, J&K. | Member Secretary, JKEIAA |

Following are the deliberations & decisions of the meeting:-

AGENDA ITEM NO.01.

Grant of Environment Clearance in favour of Shri Parshotam Singh S/O Shri Baljit Singh R/O H. No. 56, W. No. 3, Kamra Pati Jaito, Faridkot, Punjab for Minor Mineral Block No. 25, Nowshera Tawi River at Village Tarat, District Rajouri, JK UT over an area of 3.21 Ha. under proposal No. SIA/JK/MIN/197763/2021.

Deliberations:

The case has been discussed in the JKEAC Meeting. The Consultant has given a detailed presentation during which the Consultant informed that this case falls under B2 category as mining block area is less than 5ha. He further informed that the G&M Dept. granted letter of intent in favour of the project proponent on 06/08/2020 at a bid value of Rs.64.96 lakhs. The project cost being Rs.72.21 lakhs. The mining plan was approved for the project on 05-01-2021. The deliberations were made on various aspects of the project like; mining depth, replenishment, surface plan and haulage route. The Consultant presented cluster certificate dated 28/01/2021 issued by DMO concerned. He also presented title verification issued by the concerned Dy. Commissioner vide No. DCR/2021-22/Acctt/80 dated 06/05/2021. The Consultant informed JKEAC that the approved mining plan has identified 1.09 ha. as water creek leaving behind only 2.12 ha. The Committee referred to the mining plan and observed that though the mining plan had identified 1.09 ha. of active water channel, yet it had arbitrarily prescribed extraction of 50% RBM from the active water channel itself in contravention to prescribed guidelines and in addition to RBM extraction from 2.12ha. out of the total mining block area of 3.21ha. The Committee examined the mining block on multirate Google Earth platform and found a large chunk of exposed river bed material in the form of a shoal with 8 ha. approx. in size lying adjacent to the mining block on the right side

where heavy illegal mining activity is already in progress with machinery and tippers as revealed on the lean seasoned satellite image of Sept. 2020. The Committee expressed their displeasure at the wrong siting of the mining block in an unprofessional manner where an active water channel divides the mining block into two sub-blocks, when the mining block could have been identified on the adjacent nearly 8ha. sized chunk of river bed where illegal mining is already in progress. Some Members expressed their suspicion that the officially allotted instant mining block may be a cover up block for allowing illegal mining in the neighborhood. The Committee asked the Consultant to clarify as to how the targeted mineral production extracted from the mining block would be measured as the Committee is apprehensive about over exploitation and illegal exploitation in the neighborhood of the allotted mining blocks. The situation that could play havoc with the environment and deprive the future generations of the ecosystem products and services on a sustainable basis. The Consultant informed that the project proponent is going to install weighbridges at the site. The Committee asked him, if it is so then why the project cost in the Pre-feasibility Report does not include the cost of weighbridges and if everything was in the hands of the project proponent, what monitoring mechanism would be put in place by the Geology & Mining Department to implement the monitoring guidelines underlined in the Enforcement & Monitoring Guidelines for Sand Mining of 2020 issued by the Ministry of Environment, Forest & Climate Change, Govt, New Delhi. When the Consultant could not give any satisfactory answer to this specific query, clarification was sought from Mr. H.L. Langeh, Joint Director, G&M Department on the following points:

- a. Why the Department had identified the mining block No. 25, Nowshera, Tawi River with one third area under active water channel with a haulage route also traversing through the active water channel in contravention to standing guidelines, when there was a huge chunk of exposed river bed closely adjacent to the instant mining block with area more than 8ha approx. which is under exploitation illegally as observed on the Google Satellite Images.
- b. What monitoring mechanism has been put in place by the Geology & Mining Department to implement the monitoring guidelines underlined in the Enforcement & Monitoring Guidelines for Sand Mining of 2020 issued by the Ministry of Environment, Forest & Climate Change, Govt, New Delhi w.r.t mining blocks where Environmental Clearance has already been granted by the JKEIAA till date and in the instant case under mining block No.25, Nowshera, Tawi River.
- c. What is the mechanism of measuring the quantum of river bed material extracted by the project proponents from the auctioned mining blocks and what safeguards have been put in place to ensure that there is no over exploitation within the auctioned mining blocks and illegal exploitation in the neighbourhood of the allotted mining blocks under the cover of sanctioned mining leases?

Mr. Langeh tried to reply the above queries but due to defective audio facility at his end, he was not audible, JKEAC desired that JKEIAA should ask a written response on the above queries from the Director, Geology & Mining Department so that commitments of the Department remain on record for future reference.

As desired by JKEAC, the Consultant showed the planned haulage route on the Google Image and it was observed that the planned haulage route traverses through the active water channel which cannot be allowed, the Committee opined.

RECOMMENDATIONS OF THE COMMITTEE:

The Committee made the following recommendations:

1. The mining block No.25, Nowshera, Tawi River is recommended for rejection of EC in the present form. However, the project proponent may apply to J&K G&M Dept. for relocation of the mining block to an appropriate site, if he desires so.
2. In the meantime, the Geology & Mining Department may be asked: -
 - a. To constitute an interdepartmental Committee comprising of officers from the Geology & Mining Dept., Irrigation & Flood Control Dept., Fisheries Dept. and the Soil & Water Conservation Dept. to fix responsibility for illegal mining on a huge chunk of exposed river bed with area more than 8ha approx. closely adjacent to the instant mining block No.25, Nowshera, Tawi River which is under exploitation illegally as observed on the Google Satellite Images.
 - b. To relocate the mining block No.25, 3.21. ha, Nowshera, Tawi River to an appropriate site commensurate with its size on the request of the PP if he so desires, who may resubmit the case for reconsideration after formulation of fresh mining plan for the new site approved by the competent authority de-novo.
 - c. To clarify what monitoring mechanism has been put in place by the Geology & Mining Department to implement the monitoring guidelines underlined in the Enforcement & Monitoring Guidelines for Sand Mining of 2020 issued by the Ministry of Environment, Forest & Climate Change, Govt, New Delhi w.r.t mining blocks where Environmental Clearance has already been granted by the JKEIAA till date.
 - d. To clarify what mechanism has been put in place w.r.t measuring the quantum of river bed material extracted by the project proponents from the auctioned mining blocks and what safeguards have been put in place to ensure that there is no pilferage or over exploitation of the auctioned mining blocks and illegal exploitation/extraction of RBM in the neighbourhood of the allotted mining blocks under the cover of sanctioned mining leases?

DECISION OF AUTHORITY

1. The JKEIAA deliberated on the issues raised by the JKEAC and agreed with the recommendations of JKEAC for rejection of the case in present form. Further, as recommended by the JKEAC, G&M department may consider relocation of the block to an appropriate site on the request of PP, who may resubmit the case for appraisal after formulation of fresh mining plan and its approval by competent authority along with the report of the committee to monitor the illegal mining.
2. As regards recommendations of JKEAC appearing at S.NO. 2(c) & 2(d) of deliberations, these recommendations are applicable for all mining case & not specific to this EC only; therefore, decision of JKEIAA with regard to these recommendations are recorded at conclusion of meeting.

AGENDA ITEM NO.02.

Grant of Environment Clearance in favour of Shri Abhijit Singh S/O Shri Kanwarjit Singh R/O Plot No.08, Zila Singh Farms, 7 Park Lane Kishangarh, Vasant Kunj, South West Delhi-110070 for Minor Minerals Block-01 (28) Sahar Khad Upstream Railway Bridge, Near Village- Sherkotla District-Kathua. JK UT over an area of 7.68 Ha. under proposal No.SIA/JK/MIN/54881/2020.

Deliberations:

The case has been discussed in the JKEAC Meeting. The Consultant has given a detailed presentation on the project and informed the Committee that the case falls under B1 category as mining block area is more than 5ha. He further informed that the G&M Dept. granted letter of intent in favour of the project proponent on 07/03/2020 at the highest bid cost of Rs.635.19 lakhs. The project cost being Rs.7.28 lakhs. The mining plan was approved for the project on 06/07/2020. The ToRs were granted to the project on 17/08/2020. He further informed that the public hearing of the case was held on 22/03/2021. The deliberations were made on various aspects of the project like; mining depth, replenishment, surface plan and haulage route etc. The Consultant informed that in deference to the approved mining plan prescriptions, the calculations for minable targeted production had been computed at 1m depth only in the Pre-feasibility Report. However, one of the Members Mr. M.A Tak pointed out that even then the targeted mineral production was exaggerated as the bulk density of 2.5 had been used while calculating the mineral production. Mr. Langeh, JD, G&M Dept. tried to clarify that the Sand mining guidelines of 2016 provide 2.5 as an average bulk density. However, the Member did not agree and said that the Ministry has provided the maximum limit which varies from material to material and is site specific. Therefore, the Committee agreed to limit it to 2.2 in the instant case. The Committee asked the Consultant to present the Public Hearing Report and while examining the same, the following issues raised by the public during proceedings came to fore: -

- a) People in the vicinity demanded construction material on subsidized rates or free of cost.
- b) No damage should be caused to neighbouring lands and mining should not affect the ground water.
- c) Deep mining should be avoided and assets of local panchayat be protected against impact of mining.
- d) Mining should not affect the Irrigation water availability to the nearby paddy lands.
- e) Proper demarcation of the mining block bed one so that adjoining areas are not illegally mined.
- f) To stop illegal mining with proper legal framework etc.

In view of the above issues raised by the locals during public hearing, the Committee desired that **the project proponent should construct cut-off walls 500m upstream and downstream, bank to bank so that the water for irrigation is regulated to the nearby paddy lands. The Committee desired that this condition should be included in the list of specific conditions in all the mining cases of RBM projects.** The Secretary informed the Committee that one of the Members had reported some discrepancies in the documentation after the pertinent documents had been downloaded from the Parivesh portal and emailed to the Expert Committee Members in routine and after further scrutiny, the JKEAC Office has pointed out following discrepancies in the uploaded documents which deserve attention of the Committee: -

- a. Detailed field appreciation note powered by field photos is missing.
- b. As per specific TOR condition No.18, the Consultant was required to capture the reading on the display of the air quality monitoring station. The compliance to this ToR is missing. Even if the Consultant had used manual system to evacuate the PM10 level on replacing 8"x10" size filter paper after 8hr duration, the photographs of its timer display which reveals the actual operating time of machine, should have been included in the EIA Report.

- c. To great surprise, same baseline data collection evidence photographs submitted by the Consultant in the EIA report have also been submitted by another consultant in his EIA Report under agenda 3 of this meeting, notwithstanding the fact that the two projects under agenda 2 and 3 are at a distance of 6.5kms. It is not clear which project the photographs actually pertain. This amounts to misrepresentation of facts and an effort by consultant to mislead the Expert Appraisal Committee.
- d. Photograph showing soil sample collection by a person seen collecting same with a khurpi from the surface instead of following standard practice by digging a standard pit for the purpose.
- e. Photographs and videos of the site are missing.
- f. In EIA page 115, budget for monitoring pollution etc is mentioned as 4.0 lakhs per annum but in EMP budget at page 155, it is mentioned as Rs 1.00 lakhs.
- g. The total EMP budget is only given as Rs 2.00 lakhs as capital and 3.55 lakhs as recurring per annum which is too meagre with a project cost of 728 lakhs.
- h. The CER budget is too meagre and has to be in consonance with the guidelines provided under OM NO. F.No.22-65/2017-IA.III dated 01/05/2018 issued by the MoEF&CC.

The Committee observed that most of the Consultants are not displaying required diligence and professionalism while submitting/uploading requisite data on the portal. The Members pointed out that the Expert Appraisal Committee has time and again asked for thorough screening of the proposals by supporting staff at the JKEIAA office before these are forwarded for placing same before the Appraisal Committee. Since, the JKEAC office does not have the required manpower to screen the projects further, the deficiencies are often pin pointed by the JKEAC members during the appraisal process itself. The Committee expressed its displeasure, the way Consultants have failed to submit the field appreciation note and tried to misrepresent things by presenting same photographic evidence under two different projects which are situated at two different places at a distance of 6.5kms from one another belonging to two different project proponents and represented by two different consultants viz. M/S P&M Solutions, Noida and M/S Cognizant Research India Pvt. Ltd. **The Consultant however, said that he had the photographic evidence of baseline data collection and would submit same if given a chance and that the mistake was committed due to human error.** However, the Committee did not buy the story and desired that the Consultant should immediately revise the EIA/EMP, PFR etc. strictly in accordance with Terms of Reference granted even if it means recollection of the baseline data in field as the incident has raised question on authenticity of the data itself. Therefore, the Committee desired that JKEIAA may issue Circular instructions to all consultants/RQPs in this regard so that they submit necessary compliances with due diligence and strictly as per ToRs to enable scientific appraisal of the proposals and in case they fail to comply with the instructions, the delay shall be at their own risk and responsibility. Further, the mining block was examined on the Google Earth Image platform and the committee found it fit for exploitation of the RBM to help channelize the nallah. The Committee opined that since the mining block looks environmentally feasible for mining activity, it could be considered for grant of EC provided the Consultant diligently submits the required documentation as per ToRs. The Consultant pleaded that he be provided an opportunity to submit the requisite/revised documentation within a weeks' time and the case be considered for grant of EC, conditionally.

RECOMMENDATIONS OF JKEAC:

In view of the above deliberations, the JK Expert Appraisal Committee recommended as under: -

1. Issuance of Circular Instructions by JKEIAA asking consultants/RQPs for following compliances for scientific appraisal of the cases: -
 - a. The site appreciation note powered with site photographs with date and time stamp should form integral part of the PFR in case of B2 category projects and EIA document in case of B1 category project.
 - b. The EIA Report in case of B1 category projects and PFR in case of B2 category mining projects should include site photographs to be appropriately snapped from an appropriate distance from the mining block preferably from raised / high elevated ground from North, South, East and West Direction to capture all hotspots like bridges/food bridges/culverts/Hydrological structures/ canal heads, green patches and other important details. A few photographs should be snapped inside the mining block to show the river bed condition as well.
 - c. All photographs should depict the date and time stamp of photography and should be geotagged and uploaded on Google drive with link emailed to all JKEAC/JKEIAA members so that these can be visualized on Google Earth w.r.t location.
 - d. The project proponent /consultant should email the detailed video of the mining block showing the important features like bridges/culverts/foot bridges/hydrological structures/ Irrigation canal heads, green patches etc. within the mining block as well as physical features around the mining block. The videos should be captured remotely from an appropriate distance from the mining block preferably from raised / high elevated ground from North, South, East and West Direction to capture all hotspots like bridges/food bridges/culverts/Hydrological structures/ canal heads, green patches and other important details. Video shots should also be taken inside the mining block to show the river bed condition. The videos should start from a reference point in field easily identifiable on the Google Earth Images.
 - e. The video and photographs should depict the date and time stamp of videography and should be uploaded on Google Drive with link emailed to all the JKEIAA/JKEAC Members.
 - i. The digital photographs should be in jpeg format and named in the following manner; For example, for photographs of agenda 1 of 34th meeting captured from North-South- East and West Direction and inside RIVER BED Mining block, the name of photograph files should be A01-34JKEAC-NP1, A01-34JKEAC-SP2, A01-34JKEAC-EP3, A01-34JKEAC-WP4, A01-34JKEAC-RBM-5
 - ii. Similarly for naming of videos captured from North-South-East and West Direction and inside River Bed w.r.t agenda 2 of 40th meeting for example should be named as: A02-40JKEAC-NV1, A02-40JKEAC-SV2, A02-40JKEAC-EV3 AND A02-40JKEAC- WV4
 - f. Photographic evidence as per ToR condition relating to baseline data capturing should be strictly done in accordance with updated Terms of Reference and the photographs should have date and time stamp in a geotagged format. In case, the Consultant has used manual system to evacuate the PM10 level on replacing 8"x10" size filter paper after 8hr duration, the photographs of its timer display which reveals the actual operating time of machine, should be included in the EIA Report.

- g. All pages of approved mining plans should preferably be stamped by the approving authority if also required under rules / procedure in vogue in the country. In case, it is not a statutory requirement, then at least the cover page, the surface plan and pages dealing with calculation of targeted mineral production, closure plan and other important details be signed and stamped by the approving authority.
- h. All pages of submitted and uploaded documents like, Form 1M, Form:2, PFR, Approved mining plan, affidavits, test reports of baseline data, EIA report, PH Report, EMP/ CER plan, NOCs issued by the stake holder departments etc. should be page marked and duly signed by both project proponent and the Consultant with seal as per notified checklists.
- i. The ppts and Prefeasibility Report or EIA/EMP should not mention mining depth above 1m in aggregate in any case.
- j. The project cost should include the bid value, cost of machinery, manpower, EMP/CER etc.
- k. The EMP/CER budget provided in the ppt and the PFR/EMP should be in sync with each other and it should provide budget under capital as well as recurring heads.
- l. The CER budget should be in consonance with the guidelines provided under OM NO. F.No.22-65/2017-IA.III dated 01/05/2018 issued by the MoEF&CC.
- m. The baseline data should be attested with seal and signature of concerned DMO and panchayat representative as per ToR condition.
- n. During collection of baseline data, the samples should be collected as per standard procedure using well established tools and methodologies. If it is found that the sampling has not been done with due diligence and as per set procedure, the Consultant may be asked to revisit the site and collect baseline data afresh which will be at his/her own risk, responsibility and costs.
- o. The specific ToRs should be complied in letter and spirit and responsibility for delay or rejection of the case for want of compliance to specific Terms of Reference shall rest with the consultants and the Project proponents.
- p. There should be no duplication of data on the portal and the KML/KMZ files should be checked before these are uploaded on the portal. The KML files and ppts should be named as per format already conveyed viz. for example for agenda 2 of 41st meeting, the KML/KMZ file should be named as A02-41JKEAC.kml and its ppt should be named as A02-41JKEAC.ppt
- q. In the event compliance is sought on any matter in a particular meeting of the Expert Appraisal Committee and the case is listed again, the Consultant shall be dutybound to provide details of the compliances sought in the previous meetings and compliance made point by point in the start of the PowerPoint Presentation and through advance by email immediately after listing the case in the meeting notice so that all previous correspondence /minutes of meeting on the subject are retrieved in advance and placed before the Expert Appraisal Committee.
- r. The Project Proponent and the authorized Consultant shall only be allowed to enter the virtual meeting room. However, in case the Project proponent is not able to join the virtual proceedings, his representative shall be allowed to join the virtual meeting only if he has emailed an authorization letter from the project proponent.
- s. The Consultant shall henceforth ensure that in general, the area for removal of minerals shall not exceed 60% of the mine lease area, and any deviation or relaxation

in this regard shall be adequately supported by the scientific report in accordance with Sand Mining Monitoring and Enforcement Guidelines of 2020.

2. In the meantime, the instant project was recommended for grant of Environmental Clearance subject to: -
 - a. Prior submission of revised EIA, EMP/CER with:-
 - i. a detailed site appreciation note supported with field photographs as discussed above as part of the EIA Summary.
 - ii. compliance of specific TOR condition No.18 by including photographic evidence of baseline data collection in the form of photographs of the display screen of the air quality monitoring station. In case, the Consultant has used manual system to evacuate the PM10 level on replacing 8"x10" size filter paper after 8hr duration, the photographs of its timer display which reveals the actual operating time of machine, should be included in the EIA Report. If it has not been done as per ToRs, the Consultant should collect the baseline data afresh.
 - iii. photographic evidence of soil sample collection using standard scientific procedures, even if it means recollection of samples in field and its analysis afresh.
 - iv. adequate budget under green belt development, haulage route maintenance, dust suppression, pollution monitoring etc. in commensurate with size of the mining block and the project cost.
 - v. revised CER budget in consonance with the guidelines provided under OM NO. F.No.22-65/2017-IA.III dated 01/05/2018 issued by the MoEF&CC.
 - b. Updated version of EIA/EMP /PFR is submitted physically as well as on Parvesh portal before grant of Environmental Clearance.
 - c. Prior submission of revised mining plan with mining depth of 1m and its de-novo approval by the competent authority before grant of EC or as decided by the JKEIAA, physically as well as on Parvesh portal at parivesh.nic.in before grant of Environmental Clearance.
 - d. Ultimate Mining Depth of 1-meter in aggregate.
 - e. Maximum targeted RBM extraction of 101376 Metric Tons till replenishment data is shared by Geology & Mining Dept. in the reformulated/revised District Survey Report approved by competent authority de-novo.
 - f. prior submission of NOCs from all stake holder departments viz. I&FC dept., Fisheries Dept., and other stake holder departments in original as per approved checklist before grant of formal EC, conditions whereof, if any, shall be binding upon the project proponent.
 - g. condition that the geographical coordinates as per Lol are mentioned in the formal EC letter to be issued by JKEIAA.
 - h. condition, that the PP shall describe the system/hardware it intends to install to measure and monitor the quantum of material removed from the mining site vis-a vis the quantity of material approved for mining in the EC.
 - i. Standard and Specific conditions as mentioned in Annexure-B to these Minutes of Meeting.
 - j. Validity of Environmental Clearance for a period of only three years from the date of commencement of the mining operations duly certified by the District Mineral Officer concerned with intimation to the JKEIAA and JKPCB in view of non- availability of replenishment data in the District Survey Report.

DECISION OF AUTHORITY.

The JKEIAA, after thorough deliberations upheld recommendations of JKEAC for grant of Environmental Clearance to the project subject to fulfillment of conditions recommended by JKEAC as under:

- i. prior submission of revised EIA, EMP/CER (on Parivesh portal as well as hardcopy) along with:
 - a. a detailed site appreciation note supported with geo-tagged field photographs showing date and time.
 - b. adequate budgetary allocation under green belt development, haulage route maintenance, dust suppression, pollution monitoring etc. commensurate with size of mining block and project cost.
 - c. revised CER budget in consonance with the guidelines provided under OM NO. F.No.22-65/2017-IA.III dated 01/05/2018 issued by the MoEF&CC.
- ii. compliance of specific TOR condition No.18 by including photographic evidence of baseline data collection in the form of photographs of the display screen of the air quality monitoring station as committed by the consultant. In case, the Consultant has used manual system to evacuate the PM10 level on replacing 8"x10" size filter paper after 8hr duration, the photographs of its timer display which reveals the actual operating time of machine, should be included in the EIA Report.
- iii. photographic evidence of soil sample collection using standard scientific procedures. In case, initial data collection is not in accordance with prescribed procedure/norms, fresh data may be submitted within 6-months.
- iv. revised mining plan duly approved by competent authority be submitted with mining depth of 1m in aggregate till replenishment data is shared by Geology & Mining Dept. and further subject to maximum targeted RBM extraction.
- v. With regard to calculation of quantity, PP has calculated quantity on the basis of a density of 2.5, which has been reduced by JKEAC to 2.2 to arrive at a quantity of 101376 Metric Tons. However, unit weight/ bulk density of aggregate comprising of coarse sand/ gravel is in range of 1450 – 2080 Kg/ Cum depending on different conditions like wet, dry & loose etc. Therefore, even if the higher value is considered for wet condition, density should not be more than 2080 kg/ cum or 2.08 Mt/ cum. The PP shall revise calculation of quantity accordingly and communicate to JKEIAA/ JKEAC along with other documents.
- vi. In order to ensure that there is no disruption to existing irrigation systems in the area due to mining activity, PP shall undertake preventive measures by way of construction of cut-off walls across the Nallah/river for training & protection works/ channelling of flow within the zone/ area of influence in consultation with & prior approval of concerned authority of I&FC Department. An intimation to this effect be submitted to JKEIAA.
- vii. prior submission of NOCs from all stake holder departments viz. I&FC, Fisheries Dept., and other stake holder departments in original as per approved checklist before grant of formal EC, conditions whereof, if any, shall be binding upon the project proponent.

- viii. the PP shall describe the system/hardware it intends to install to measure and monitor the quantum of material removed from the mining site vis-a vis the quantity of material approved for mining in the EC and include it as a part of revised mining plan.
- ix. standard and specific conditions as mentioned in Annexure-B to these Minutes of Meeting.
- x. validity of Environmental Clearance for a period of only three years from the date of commencement of the mining operations duly certified by the District Mineral Officer concerned with intimation to the JKEIAA and JKPCB in view of non-availability of replenishment data in the District Survey Report.

AGENDA ITEM NO.03.

Grant of Environment Clearance in favour of Shri Karanvir Singh S/O Shri Surinder Singh 01, Lane No.3, Shaheed Udham Singh Nagar Pathankot, Punjab for proposed Minor Minerals Block-02(31) Sahar Khad downstream NH-1A Bridge, located Near Village Sahar, Tehsil & District Kathua, JK UT over an area of 6.16 Ha. under proposal No.[SIA/JK/MIN/54890/2020](#).

Deliberations:

The case was discussed in JKEAC Meeting. The Consultant gave a detailed presentation on the project, the Consultant informed JKEAC that the case falls under B1 category as mining block area is more than 5ha. He further informed that the G&M Dept. granted letter of intent in favour of the project proponent on 07/03/2020 at the highest bid cost of Rs.765.21 lakhs and the project cost being Rs.864.71 lakhs. The mining plan was approved for the project on 06/07/2020, he informed. The ToRs were granted to the project on 17/08/2020. He further informed that the public hearing of the case was held on 03/04/2021. The deliberations were made on various aspects of the project like; mining depth, replenishment, surface plan and haulage route etc. The Consultant informed that in deference to the approved mining plan prescriptions, the calculations for minable targeted production had been computed at 1m depth only in the Pre-feasibility Report. However, Members Mr. M.A Tak again pointed out that even then the targeted mineral production was exaggerated as the bulk density of 2.5 had been used while calculating the mineral production. The Committee desired to limit the bulk density to 2.2 in this case as well.

The Committee asked the Consultant to present the Public Hearing Report and while examining the same, the Consultant informed that the issues raised by the local public have been addressed in the EMP.

The following discrepancies in the documentation were also pointed out in this project by the Committee: -

- a. Detailed field appreciation note powered by field photos is missing.
- b. As per specific TOR condition No.18, the Consultant was required to capture the reading on the display of the air quality monitoring station. The compliance to this ToR is missing. Even if the Consultant had used manual system to evacuate the PM10 level on replacing 8"x10" size filter paper after 8hr duration, the photographs of its timer display which reveals the actual operating time of machine, should have been included in the EIA Report.
- c. Same Photographic evidence of Baseline data collection has been submitted by the Consultant in the EIA report which another consultant has submitted in his EIA Report under agenda 2 of this meeting discussed herein above, notwithstanding the fact that

the two projects under agenda 2 and 3 are at a distance of 6.5kms. It is not clear which project the photographs actually pertain, the Committee asked:

- i. Photograph showing soil sample collection by a person seen collecting same with a khurpi from the surface instead of following standard practice by digging a standard pit for the purpose.
- ii. Photographs and videos of the site are missing.
- iii. Budget for pollution monitoring has been mentioned as 4.0 lakhs Per Annum on page 109 but on page 146, it is mentioned as 1.20 lakhs
- iv. the total EMP budget is only given as Rs 3.8 lakhs as capital and 3.61 lakhs as recurring per annum which is too meagre with a project cost of 728 lakhs.
- v. The CER budget is too meagre and has to be in consonance with the guidelines provided under OMNO.F.No.22-65/2017-IA.III dated 01/05/2018 issued by the MoEF&CC.

The Committee expressed its displeasure with the Consultant for trying to misrepresent things by presenting same photographic evidence under two different projects which are situated at two different places at a distance of 6.5kms from one another belonging to two different project proponents and represented by two different consultants. **The Consultant however, said that he had the photographic evidence of baseline data collection and would submit same if given a chance and that the mistake was due to human error.** The Committee desired that the Consultant should revise the EIA/EMP, PFR etc. strictly in accordance with Term of Reference granted even if it means recollection of the baseline data in field as the incident has raised question on the authenticity of the baseline data itself in both the cases listed here and herein above.

Further, the mining block was examined on the Google Earth Image platform and the mining block was found to be fit for exploitation of the RBM to help channelize the nallah and the Committee opined that since the mining block looks environmentally feasible for mining activity, it could be considered for grant of EC provided the Consultant diligently submits the required documentation as per ToRs. The Consultant pleaded that he be provided an opportunity to submit the requisite documentation within a weeks' time and the case be considered for grant of EC, conditionally.

RECOMMENDATIONS OF JKEAC:

In view of the above deliberations, the JK Expert Appraisal Committee recommended the case for grant of Environmental Clearance subject to: -

- a. Prior submission of revised EIA, EMP/CER with: -
 - i. a detailed site appreciation note supported with field photographs as part of the EIA Summary.
 - ii. Compliance of specific TOR condition No.18 by including photographic evidence of baseline data collection in the form of photographs of the display screen of the air quality monitoring station. In case, the Consultant had used manual system to evacuate the PM10 level on replacing 8"x10" size filter paper after 8hr duration, the photographs of its timer display which reveals the actual operating time of machine, should be included in the EIA Report. If it has not been done as per ToRs, the Consultant should collect the baseline data afresh as per guidelines.
 - iii. photographic evidence of soil sample collection using standard scientific procedures, even if it means recollection of samples in field and its analysis afresh.

- iv. adequate budget under green belt development, haulage route maintenance, dust suppression, pollution monitoring etc. in commensurate with size of the mining block and the project cost.
- v. Revised CER budget in consonance with the guidelines provided under OM NO. F.No.22-65/2017-IA.III dated 01/05/2018 issued by the MoEF&CC.
- b. Updated version of EIA/EMP /PFR is submitted physically as well as on Parivesh portal before grant of Environmental Clearance.
- c. Prior submission of revised mining plan with mining depth of 1m and its de-novo approval by the competent authority before grant of EC or as decided by the JKEIAA, physically as well as on Parivesh portal at parivesh.nic.in before grant of Environmental Clearance.
- d. Ultimate Mining Depth of 1mt. in aggregate.
- e. Maximum targeted RBM extraction of 81310 Metric Tons till replenishment data is shared by Geology & Mining Dept. in the reformulated/revised District Survey Report approved by competent authority de-novo.
- f. Prior submission of NOCs from all stake holder departments viz. I&FC dept., Fisheries Dept., and other stake holder departments in original as per approved checklist before grant of formal EC; conditions whereof, if any, shall be binding upon the project proponent.
- g. Condition that the geographical coordinates as per Lol are mentioned in the formal EC letter to be issued by JKEIAA.
- h. Condition, that the PP shall describe the system/hardware it intends to install to measure and monitor the quantum of material removed from the mining site vis-a vis the quantity of material approved for mining in the EC.
- i. Standard and Specific conditions as mentioned in Annexure-B to these Minutes of Meeting.
- j. Validity of Environmental Clearance for a period of only three years from the date of commencement of the mining operations duly certified by the District Mineral Officer concerned with intimation to the JKEIAA and JKPCB in view of non- availability of replenishment data in the District Survey Report.

DECISION OF AUTHORITY:

The JKEIAA, after thorough deliberations upheld recommendations of JKEAC for grant of Environmental Clearance to the project subject to fulfillment of conditions recommended by JKEAC as under:

- i. prior submission of revised EIA, EMP/CER (on Parivesh portal as well as physically) along with:
 - a. a detailed site appreciation note supported with geo-tagged field photographs showing date and time.
 - b. adequate budget under green belt development, haulage route maintenance, dust suppression, pollution monitoring etc. commensurate with size of mining block and project cost.
 - c. revised CER budget in consonance with the guidelines provided under OM NO. F.No.22-65/2017-IA.III dated 01/05/2018 issued by the MoEF&CC.
- ii. compliance of specific TOR condition No.18 by including photographic evidence of baseline data collection in the form of photographs of the display screen of the air quality monitoring station as committed by the consultant. In case, the Consultant has

- used manual system to evacuate the PM10 level on replacing 8"x10" size filter paper after 8hr duration, the photographs of its timer display which reveals the actual operating time of machine, should be included in the EIA Report.
- iii. photographic evidence of soil sample collection using standard scientific procedures. In case, initial data collection is not in accordance with prescribed procedure/norms, fresh data may be submitted within 6-months.
 - iv. revised mining plan duly approved by competent authority be submitted with mining depth of 1m in aggregate till replenishment data is shared by Geology & Mining Dept. and further subject to maximum targeted RBM extraction.
 - v. With regard to calculation of quantity, PP has calculated quantity on the basis of a density of 2.5, which has been reduced by JKEAC to 2.2 to arrive at a quantity of 101376 Metric Tons. However unit weight/ bulk density of aggregate comprising of coarse sand/ gravel is in range of 1450 – 2080 Kg/ Cum depending on different conditions like wet, dry & loose etc. Therefore, even if the higher value is considered for wet condition, density should not be more than 2080 kg/ cum or 2.08 Mt/ cum. The PP shall revise calculation of quantity accordingly and communicate to JKEIAA/ JKEAC along with other documents.
 - vi. In order to ensure that there is no disruption to existing irrigation systems in the area due to mining activity, PP shall undertake preventive measures by way of construction of cut-off walls across the Nallah/river training & protection works/ channelling of flow within the zone/ area of influence in consultation with & prior approval of concerned authority of I&FC Department. An intimation to this effect be submitted to JKEIAA.
 - vii. prior submission of NOCs from all stake holder departments viz. I&FC, Fisheries Dept., and other stake holder departments in original as per approved checklist before grant of formal EC, conditions whereof, if any, shall be binding upon the project proponent.
 - viii. the PP shall describe the system/hardware it intends to install to measure and monitor the quantum of material removed from the mining site vis-a vis the quantity of material approved for mining in the EC and include it as a part of revised mining plan.
 - ix. standard and specific conditions as mentioned in Annexure-B to these Minutes of Meeting.
 - x. validity of Environmental Clearance for a period of only three years from the date of commencement of the mining operations duly certified by the District Mineral Officer concerned with intimation to the JKEIAA and JKPCB in view of non-availability of replenishment data in the District Survey Report.

AGENDA ITEM NO.04.

Grant of Terms of Reference in favour of ShriHira Singh S/o Shri Nirmal Singh R/o Village Murliwala Farm Dhampur Afzalgarh, Bijnor, Uttar Pradesh for Minor Mineral Block No. 08 in Bhini River Downstream Kishanpur Road Bridge, District Kathua (Plan-III) JK UT over an area of 8.60 ha. under proposal No. SIA/JK/MIN/62685/2021.

Deliberations:

The case was discussed in the JKEAC Meeting. The Consultant gave a detailed PowerPoint Presentation on the project during which he discussed the various aspects of the project including Lol, Mining plan approval, minable reserves at 1m depth, haulage route etc. The Chairman asked the Consultant that the project is located in the same locality near Billawar

town where recently clarifications were sought from the stake holder departments on impact of mining activity on the availability of drinking water facility in the area besides, other matters following a representation by the local public representatives. The Consultant informed that the area was far away from the site and it had no impact on the area. However, Engineer B.B. Sharma pointed out that two dug wells are located in the villages of Muni and Sari and the EIA report need to specifically study the impact of the mining activity on the water availability in these dug wells. Some Members pointed out that the mining block had been laid across the flow of water instead of along the flow of water which would not help in channelizing the nalla. However, one of the members opined that the width of the bed was quite large to accommodate all this as the mining depth would be restricted at only 1m. The Committee reiterated that the mining depth shall be restricted only at 1m aggregate in view of nonavailability of replenishment data in the District Survey Report. Therefore, the Committee after examining the mining block on the Google Earth platform, desired that NOC and detailed report be obtained from the PHE Department in this regard.

RECOMMENDATIONS OF THE JKEAC:

In view of the above deliberations, the Committee recommended grant of Terms of Reference to the project as per Annexure A to these minutes subject to: -

1. Condition that the project proponent obtains a detailed report and NOC from the HoDs of PHE Dept. and Irrigation & Flood Control Dept. with respect to impact of mining activity on the availability of drinking water particularly on the dug wells in the vicinity and regulation of water in irrigation canals /kuhls in the villages downstream of the mining block.
2. Realignment of the mining block along the flow of nala to enable channelizing of the nala bed or alternatively resizing of the mining block to exclude the active water channel.
3. Condition, the haulage route does not traverse through the active water channel.
4. Revision of mining plan with calculation of minor mineral production at 1m depth in aggregate in the light of deliberations of the JKEAC and its de-novo approval by the competent authority prior to grant of ToR or as decided by the JKEIAA.
5. Condition, the local public representatives are consulted during the Public Hearing and their views are recorded and addressed in clear terms.

DECISION OF AUTHORITY:

The JKEIAA upheld the recommendations of Committee to grant Terms of Reference to the project subject to following conditions that:

1. The project proponent obtains a detailed report and NOC from designated competent authorities of PHE Dept. and Irrigation & Flood Control Dept. with respect to impact of mining activity on the availability of drinking water particularly on the dug wells in the vicinity and regulation of water in irrigation canals /kuhls in the villages downstream of mining block.
2. The haulage route does not traverse through the active water channel.
3. The mining plan be revised with calculation of minor mineral production at 1m depth in aggregate and realignment/resizing/relocation of mining block to exclude the active water channel and its approval by the competent authority. The targeted mineral production be calculated on the basis of 2.08MT/cum density.

4. The local public representatives are consulted during the Public Hearing and their views/concerns are recorded and addressed in clear terms.

AGENDA ITEM NO.05.

Grant of Terms of Reference in favour of Shri Kapil Aggarwal R/o H.No.179 Anandpur Pathankot, Punjab for Riverbed Mining Project of Minor Mineral in Block No 1/6, ANS River Downstream Kotranka Bridge (Kotranka Area), District-Rajouri. JK UT over an area of 8.97 Ha. under proposal No. SIA/JK/MIN/63063/2021.

Deliberations:

The case was discussed in the JKEAC Meeting. The Consultant gave a detailed PowerPoint Presentation on the project during which he discussed the various aspects of the project including Lol, Mining plan approval, minable reserves at 1m depth, haulage route etc. The Committee examined the mining block on the Google Earth platform and observed features on the satellite image of December, 2020 which are indicative of heavy illegal mining within and in the vicinity of the designated mining block. The Committee also observed a few stone crushers operating in the close vicinity of the mining block whose role in the illegal mining activity cannot be ruled out as the features representing the haulage beaten tracks visible on the Google satellite image are self-explanatory. The Committee asked the representative of the project proponent as to what they are going to mine there as practically nothing has been left there to extract. Therefore, the Committee unanimously agreed to reject the case for grant of ToRs. However, the committee opined that the PP is free to submit adequate scientific evidence post monsoon, that suggests that enough replenishment has taken place and the deep pits have got replenished to the extent that further mining would not degrade the site ecologically.

RECOMMENDATIONS OF JKEAC:

In view of the above deliberations, the Committee recommended the project for rejection of Terms of Reference. However, the project proponent is free to submit adequate geotagged photographic and video-graphic evidence after the monsoon that suggests adequate replenishment has taken place and the deep pits have got completely filled to qualify the mining block for re-examination for grant of ToRs. In the meantime, the JKEIAA may ask the Geology & Mining Dept. to constitute an interdepartmental Committee to fix responsibility for the illegal mining activity within and in the close vicinity of the designated mining block.

DECISION OF AUTHORITY:

The JKEIAA upheld the recommendations of Committee for rejection of ToR's to the project. The project proponent may submit fresh proposal with adequate geotagged photographic and video-graphic evidence after the monsoon that suggests adequate replenishment has taken place for re-examination for grant of ToRs.

AGENDA ITEM NO.06.

To re-examine the proposed EC condition relating to clarification from FCR Office etc. in the case of Sh. Paramjit Singh (Project Proponent) prior to grant of Environment Clearance for three Minor Mineral Blocks appraised during 36th JKEAC Meeting (Total Area of three mining

blocks:27.5 ha) Proposal Nos:- SIA/JK/MIN/52028/2020(8.00ha), SIA/JK/MIN/ 52027/ 2020 (9.65ha) SIA/JK/MIN/51865/2020 (9.85 ha) under agenda No. 1, 2 & 3.

and

To examine the representation filed by Shri Rahul Gupta S/O Balwant Rai R/O Ward No.08, Hiranagar, Dist. Kathua against grant of EC in favour of the above cited projects

Deliberations:

The re-examination of the three mining block cases of Shri Paramjeet Singh recommended under 36th JKEAC meeting were again discussed. The cases were represented by Shri Rahul Kumar on behalf of the Consultancy M/S COGNIZANCE RESEARCH INDIA PVT. LTD. The Consultant informed that the Project proponent was being represented by Shri Abhijeet Singh. Shri Abijeet was asked to ensure emailing of the authorization letter in his favour from the project proponent for record and reference and he agreed to email the same. Mr. Manas Vyas requested the Committee that he be allowed to stay in as he has good knowledge of the projects because of his past association with the projects to which the Committee agreed for providing inputs whenever asked for.

The Secretary informed the Committee that the projects were cleared by the forum during the 36th JKEAC subject to certain conditions. The pertinent part of the minutes of meeting of 36th JKEAC were shared on the screen and read out. After this, the Secretary shared the representation made by Shri Paramjeet Singh to the JKEIAA wherein he had asked to waive off the condition relating to prior revision of mining plan on the analogy of mining Block, 7, 8 and 9/Udhampur and that of prior clarification from the office of Financial Commissioner, Revenue w.r.t issue of Gair Mumkin Darya/khad. The Committee clarified that it had not given any exemption to mining block 7,8,9/Udhampur and so cannot give any exemption to the cases under review. Regarding the issue of prior clarification from Financial Commissioner, Revenue, Shri Abhijeet Singh informed the forum that Shri Paramjeet Singh was holding a special power of attorney from the land owner duly empowered to extract the minor mineral from the land w.r.t which the Dy. Commissioner concerned had repeatedly issued title verification and NOCs which is on record. He pleaded that the project proponent had not executed any sale deed and was experiencing unnecessary hardships due to such condition which relates to Gair Mumkin Darya/khad where sale deeds have been executed. However, the Committee reiterated that since the project proponent had initially submitted Agreement to Sell documents in his favour from the land owners which is also on record, therefore, the Committee had, with due diligence, imposed a condition to attract attention of the concerned department. Mr. Abijeet Singh, however, pleaded that the issue is unnecessarily delaying the process of issuance of Environmental Clearance as nearly two months have elapsed since the time EC was recommended during 36thJKEAC. He further informed that three other cases relating to small land holdings under the same category of Gair Mumkin Khad had earlier been cleared for grant of EC without reference to the FCR office. The Committee discussed the issue threadbare and opined that the office of Divisional Commissioner concerned must be informed about grant of Environmental Clearance in all cases relating to river bed material extraction from private lands falling under Gairmumkin khad category so that in case any policy decision of FCR Office on the subject is attracted by these, appropriate action could be taken accordingly.

The Committee also discussed the issue of complaint received from one Shri Rahul Gupta S/O Shri Balwant Rai R/O Ward No.08, Hira Nagar, Kathua substantiated with copy of Agreement to Sell documents for land measuring 800 kanals in the same locality who has

alleged that the land held by Shri Paramjeet Singh for extraction of river bed material is surrounded by his land and that Shri Paramjeet Singh may trespass his land by using it as haulage route if Environmental Clearance is granted in his favour without identifying the lands on ground. The Committee deliberated the issue threadbare and opined that it would be appropriate to refer the complaint to the concerned competent Revenue Authority for enquiring into the matter and for certifying the haulage route of the three mining blocks of Shri Paramjeet Singh cleared under 36th JKEAC, as free from any encumbrances before grant of Environmental Clearance or formal mining lease.

RECOMMENDATIONS OF JKEAC:

In view of the above deliberations, the JK Expert Appraisal Committee recommended as under: -

1. With respect to EC condition no. 5 under recommendations of Agenda item No. 1,2 and 3 of 36th JKEAC relating to Clarification / NOC from the office of Financial Commissioner, Revenue with respect to implications of FCR letter No. FC-LS/Misc-288-2020 dated 22/10/2020 on the instant cases, the JKEIAA may alternatively, endorse the EC letter to the Divisional Commissioner, Jammu for information and necessary action, in case the matter attracts any policy decision of FCR office on the subject.
2. The Project Proponent may be asked to comply all other pre-conditions of the recommendations made under the 36th JKEAC before grant of formal EC.
3. The Committee did not agree to exempt the condition No.4 of the recommendation made under the 36th JKEAC before grant of formal EC as no such exemption has been given earlier in the cases highlighted by Shri Paramjeet Singh.
4. The Complaint received from Shri Rahul Gupta along with its enclosures and land documents (Agreement to Sell and Power of Attorneys) and copies of letter of Intents of the three mining sites of Shri Paramjeet Singh may be endorsed to the Dy. Commissioner, concerned for prior enquiry and with request to certify the khasra Nos. and geocoordinates of haulage route of the three mining sites as free from any encumbrances, especially from alleged stakes of Shri Rahul Gupta, the complainant. Besides, the PP will submit an affidavit duly attested by the magistrate first class to the effect that no land of the complainant is involved in the haulage and transport of the minerals from the designated mining site, prior to grant of formal Environmental Clearance.
5. The ECs issued earlier w.r.t extraction of minor mineral from private land under the Gairmumkin Darya/Khad category, if any, may also be endorsed to the Office of Divisional Commissioner concerned for information and necessary action, in case the matter attracts any policy decision of FCR office on the subject.

DECISION OF AUTHORITY:

The JKEIAA upheld the recommendations of Committee subject to following conditions: -

1. The Project Proponent shall comply all other pre-conditions of the recommendations made by JKEAC in its 36th Meeting and agreed by the authority in its 35th Minutes of Meeting issued vide JKEIAA/2016/02/V/1134-1137 dated: 29-04-2021, before grant of formal EC.

2. With regard to the exemption to the condition No.4 sought by the PP, the authority didn't agree to the same and reiterated that PP shall submit the revised mining plan within 3 months of the grant of formal EC failing which the EC is liable to be cancelled.
3. With respect to EC condition no. 5 recommended by JKEAC relating to Clarification / NOC from the office of Financial Commissioner. The authority agreed that the EC be endorsed to Divisional Commissioner, Jammu / Deputy Commissioner concerned for information and necessary action, in case the matter attracts any policy/legal decision of FCR office on the subject.
4. the PP will submit an affidavit duly attested by the magistrate first class to the effect that no land of the complainant is involved in the haulage and transport of the minerals from the designated mining site, prior to grant of formal Environmental Clearance.
5. The Complaint received from Shri Rahul Gupta along with its enclosures and land documents (Agreement to Sell and Power of Attorneys) and copies of letter of Intents of the three mining sites of Shri Paramjeet Singh may be endorsed to the Dy. Commissioner, concerned for enquiry and with request to certify the Khasra Nos. and geocoordinates of haulage route of the three mining sites as free from any encumbrances, as alleged by Shri Rahul Gupta, the complainant. The complainant Sh. Rahul Gupta be informed accordingly.

AGENDA ITEM NO. 7 (with permission of the Chair)

Deliberations of JKEIAA on recommendations of JKEAC which are applicable to all cases for grant of TOR and EC for mining of RBM and sand:

- A. The Authority agreed to the recommendations made by the JKEAC to seek following clarification from Geology and Mining Department:
 - a. What mechanism has been put in place to implement the Enforcement & Monitoring Guidelines (2020) for sand mining with respect to mining blocks where EC has been already granted.
 - b. What mechanism has been put in place to quantify / measure the RBM extracted by the PPs from the approved / leased blocks.
 - c. What safeguards have been put in place to ensure that there is no pilferage / over-exploitation / illegal extraction from within and in the neighborhood of approved/sanctioned/leased mining blocks.
- B. Regarding recommendation of JKEAC for constitution of interdepartmental committee to inquire into illegal mining, Member Secretary JKEIAA informed that a committee headed by Deputy Commissioners of respective Districts has already been constituted by the Govt. vide Order No.: 1569 of GAD of 2018 Dated: 02-10-2018 to look into the matters of illegal mining and related issues. Therefore, the Authority felt it appropriate to refer all such cases of illegal mining to said committee for on spot inspection and submit factual report to JKEIAA, JKEAC & all other concerned for timely action. In order to make the committee broad based to include all stake holders, G&M department shall be also asked to approach GAD to include following points in the ToR of the said committee:
 - a. Examine the issues of illegal mining/ over exploration of RBM beyond permitted quantity within the approved / e-auctioned / leased mining blocks.
 - b. Include representatives of fisheries department in the committee.
 - c. Co-opt any other department on case-to-case basis.

C. Recommendations of general nature made by JK Expert Appraisal Committee in EC case at Agenda No. 02 for circular instructions to be issued by JKEIAA:

- a. The site appreciation note powered with site photographs with date and time stamp should form integral part of the PFR in case of B2 category projects and EIA document in case of B1 category project.
- b. The EIA Report in case of B1 category projects and PFR in case of B2 category mining projects should include site photographs to be appropriately snapped from an appropriate distance from the mining block preferably from raised / high elevated ground from North, South, East and West Direction to capture all hotspots like bridges/food bridges/culverts/Hydrological structures/ canal heads, green patches and other important details. A few photographs should be snapped inside the mining block to show the river bed condition as well.
- c. All photographs should depict the date and time stamp of photography and should be geotagged and uploaded on Google drive with link emailed to all JKEAC/JKEIAA members so that these can be visualized on Google Earth w.r.t location.
- d. The project proponent /consultant should email the detailed video of the mining block showing the important features like bridges/culverts/foot bridges/hydrological structures/ Irrigation canal heads, green patches etc. within the mining block as well as physical features around the mining block. The videos should be captured remotely from an appropriate distance from the mining block preferably from raised / high elevated ground from North, South, East and West Direction to capture all hotspots like bridges/food bridges/culverts/Hydrological structures/ canal heads, green patches and other important details. Video shots should also be taken inside the mining block to show the river bed condition. The videos should start from a reference point in field easily identifiable on the Google Earth Images.
- e. The video and photographs should depict the date and time stamp of videography and should be uploaded on Google Drive with link emailed to all the JKEIAA/JKEAC Members.
- i. The digital photographs should be in jpeg format and named in the following manner; For example, for photographs of agenda 1 of 34th meeting captured from North-South- East and West Direction and inside RIVER BED Mining block, the name of photograph files should be A01-34JKEAC-NP1, A01-34JKEAC-SP2, A01-34JKEAC-EP3, A01-34JKEAC-WP4, A01-34JKEAC-RBM-5
- ii. Similarly for naming of videos captured from North-South-East and West Direction and inside River Bed w.r.t agenda 2 of 40th meeting for example should be named as: A02-40JKEAC-NV1, A02-40JKEAC-SV2, A02-40JKEAC-EV3 AND A02-40JKEAC- WV4
- f. Photographic evidence as per ToR condition relating to baseline data capturing should be strictly done in accordance with updated Terms of Reference and the photographs should have date and time stamp in a geotagged format. In case, the Consultant has used manual system to evacuate the PM10 level on replacing 8"x10" size filter paper after 8hr duration, the photographs of its timer display which reveals the actual operating time of machine, should be included in the EIA Report.

- g. All pages of approved mining plans should preferably be stamped by the approving authority if also required under rules / procedure in vogue in the country. In case, it is not a statutory requirement, then at least the cover page, the surface plan and pages dealing with calculation of targeted mineral production, closure plan and other important details be signed and stamped by the approving authority.
- h. All pages of submitted and uploaded documents like, Form 1M, Form:2, PFR, Approved mining plan, affidavits, test reports of baseline data, EIA report, PH Report, EMP/ CER plan, NOCs issued by the stake holder departments etc. should be page marked and duly signed by both project proponent and the Consultant with seal as per notified checklists.
- i. The ppts and Prefeasibility Report or EIA/EMP should not mention mining depth above 1m in aggregate in any case.
- j. The project cost should include the bid value, cost of machinery, manpower, EMP/CER etc.
- k. The EMP/CER budget provided in the ppt and the PFR/EMP should be in sync with each other and it should provide budget under capital as well as recurring heads.
- l. The CER budget should be in consonance with the guidelines provided under OM NO. F.No.22-65/2017-IA.III dated 01/05/2018 issued by the MoEF&CC.
- m. The baseline data should be attested with seal and signature of concerned DMO and panchayat representative as per ToR condition.
- n. During collection of baseline data, the samples should be collected as per standard procedure using well established tools and methodologies. If it is found that the sampling has not been done with due diligence and as per set procedure, the Consultant may be asked to revisit the site and collect baseline data afresh which will be at his/her own risk, responsibility and costs.
- o. The specific ToRs should be complied in letter and spirit and responsibility for delay or rejection of the case for want of compliance to specific Terms of Reference shall rest with the consultants and the Project proponents.
- p. There should be no duplication of data on the portal and the KML/KMZ files should be checked before these are uploaded on the portal. The KML files and ppts should be named as per format already conveyed viz. for example for agenda 2 of 41st meeting, the KML/KMZ file should be named as A02-41JKEAC.kml and its ppt should be named as A02-41JKEAC.ppt
- q. In the event compliance is sought on any matter in a particular meeting of the Expert Appraisal Committee and the case is listed again, the Consultant shall be dutybound to provide details of the compliances sought in the previous meetings and compliance made point by point in the start of the PowerPoint Presentation and through advance by email immediately after listing the case in the meeting notice so that all previous correspondence /minutes of meeting on the subject are retrieved in advance and placed before the Expert Appraisal Committee.
- r. The Project Proponent and the authorized Consultant shall only be allowed to enter the virtual meeting room. However, in case the Project proponent is not able to join the virtual proceedings, his representative shall be allowed to join the virtual meeting only if he has emailed an authorization letter from the project proponent.
- s. The Consultant shall henceforth ensure that in general, the area for removal of minerals shall not exceed 60% of the mine lease area, and any deviation or

relaxation in this regard shall be adequately supported by the scientific report in accordance with Sand Mining Monitoring and Enforcement Guidelines of 2020.

The Authority deliberated on the recommendations made by JKEAC, which are applicable to all mining cases. The authority agreed to issue circular instructions after ensuring that there is no replication and the recommendations are in accordance with existing rule and guidelines.

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/1696-1700

Dated: 10/07/2021

Copy by email to:

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


(Staff Officer)
10/07/2021
to PCCF/Director/Member Secretary JKEIAA
Ecology, Environment & Remote Sensing, J&K