



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 THE 49TH MEETING OF JK ENVIRONMENT IMPACT
ASSESSMENT AUTHORITY HELD ON 18TH AUGUST, 2021
THROUGH VIDEO CONFERENCING**

In pursuance to the Minutes of the 52nd Meeting of JK Expert Appraisal Committee held on 14th August, 2021 conveyed vide endorsement No. NO:EAC/JK/20/8519-530, Dated:16.08.2021, the 49th Meeting of JK Environment Impact Assessment Authority was held on 18th August, 2021 through video conferencing.

The following attended the meeting:-

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

Following are the deliberations & decisions of the meeting:-

AGENDA ITEM NO.01.

Grant of Environmental Clearance (EC) in favour of Mr. Mohammad Maqbool Mir S/O M. Sultan Mir for "River Bed Mining" Wussan Bridge to Chinnar Upstream Brahmamsar Nar, Block No. 08, Area: 5.0 Ha, Village: Wussan, Tehsil: Kangan, District: Ganderbal, J&K under proposal No **SIA/JK/MIN/189415/2020**.

BRIEF SUMMARY: This case pertains to grant of Environment Clearance under B2 category for proposed RBM (River Bed Mineral) Mining project Block No. 08 with mining area 5.0 ha. LOI has been issued on 20/07/2020, which was later extended on 15/04/2021 and is valid up to 31.08.2021. Mining plan has been approved on 24/08/2020. As per summary of appraisal report, District Survey Report was not formulated as per guidelines and needs to be revised for including replenishment data etc., The instant case was earlier discussed by JKEAC on 31/05/2021. The aforesaid case was processed in pursuance to G.O. 76 JK-FST of 2020 dated 29-07-2021. Status of NOCs in appraisal report shows that NOCs of stake holder Departments have been included, but the NOC from PHE had not been included. The JKEAC desired NOC from the PHE (Jalshakti) Dept

Further, the JKEAC has made the following specific observations:

- The case was discussed in 43rd meeting of JKEAC during which illegal mining activity was detected in the mining block and the Committee desired PP to obtain categorical certificate from DMO concerned to the effect that the PP is not involved in illegal mining activity in the designated mining block. In the meantime, the report of Multi-

Departmental Committee to fix responsibility for illegal mining was also recommended. The PP has obtained certificate of non-involvement in illegal mining from the DMO concerned. However, JK Level Environment Impact Assessment Authority (JKEIAA) vide 46th MoM issued vide No. JKEIAA/2016/02/V/1887-91 dated 02/08/2021 has given an extended time frame of 6 weeks for submission of report on illegal mining from MLDTF Cell from the date of grant of conditional EC or prior to execution of mining lease whichever is earlier. Further, as per the MoMs, in case of any adverse report on involvement of PP in illegal mining, the EC so granted is liable to be withdrawn and case to be treated as violation case.

- b) The conditions of NOC of stakeholder department need to be adhered to in letter and spirit.
- c) Project cost has been underestimated by the consultant as it does not include cost of EMP, surveillance equipment, Env. Clearance processing fee/ PCCs Consent fee etc. and therefore needs to be revised.
- d) Wrong project cost mentioned in page 55, 232 etc. of the PFR needs to be corrected and PFR updated prior to grant of formal EC.
- e) Budget for surveillance equipment has not been provided and therefore it needs to be included. In the meantime, Committee has recommended it as per budget proposed in similar projects
- f) EMP needs to be revised with appropriate budget as suggested in the remark's column of EMP table above, prior to grant of formal EC.
- g) Revision of the mining plan with mine closure plan, revised mining depth, surface plan, area targeted mineral production and replenishment data and its denovo approval by the competent authority prior to grant of EC or as decided by JKEIAA.
- h) Mining depth be restricted to maximum 1 m in aggregate in view of non-availability of replenishment data in the DSRs formulated by the G&M Dept.
- i) Bulk density of 2.1 not agreed. Committee desired that in absence of actual measurements, a nominal bulk density of 2.0 be adopted.
- j) The PP presented NOC from Xen I&FC Dept. which was found to be general in nature without reflecting the ground reality. The certificate should have specifically made mention of the bridge downstream which is only at a distance of 130 mts. from the mining block. Strangely, Xen has addressed the certificate to DMO concerned with a copy to SE concerned, mentioning therein that the NOC may be issued by the Chief Engineer.
- k) The PP need to maintain a safe distance of 500m from the bridge downstream by resizing the mining block prior to grant of EC.

RECOMMENDATION OF THE COMMITTEE:

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

- a) Standard and Specific Conditions as per Annexure B to these Minutes of Meeting.
- b) Resizing of the mining block to maintain safe distance of 500 m to the bridge downstream prior to grant of EC

- c) Revision of the mining plan with mine closure plan, revised mining depth, surface plan, targeted mineral production and replenishment data and its denovo approval by the competent authority prior to grant of EC or as decided by JKEIAA.
- d) Revision of EMP budget as per remarks column in the EMP table herein above.
- e) Rectification of errors in PFR as indicated herein above and submission of updated PFR with revised project cost, surveillance/ monitoring budget etc. as per deliberations herein above.
- f) Mining depth of 1m in aggregate in view of non-availability of replenishment data in the DSRs formulated by the G&M Dept.
- g) Bulk density of 2 in absence of actual measurements.
- h) Furnishing of NOC from the PHE Dept. to the effect mining activity in the designated mining block would not affect water supply kuhls in the area, prior to grant of EC as indicated herein above.
- i) Strict adherence to the terms and conditions of the NOCs of the stakeholder departments especially conditions laid by the Fisheries Department 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) Maximum targeted mineral production of 36000MT calculated at 3ha instead of 5ha owing to eventual resizing of the mining block for keeping safe distance to the bridge.
- l) Condition that the MDLTF Cell headed by the concerned Dy. Commissioner reports that the PP is not involved in the illegal mining activity and the same needs to be submitted prior to grant of formal EC or as decided by JKEIAA.
- m) Condition that the revised geographical coordinates to be conveyed by the G&M Dept for the resized area to be mentioned in the EC letter by JKEIAA.
- 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.

DECISION OF AUTHORITY.

After due deliberations on observations of JKEAC, the JKEIAA upheld the recommendations of the Committee to grant Environment clearance to the project subject to fulfillment of following conditions:

- a) Full compliance of Standard and Specific Conditions as per Annexure-B to the Minutes of JKEAC Meeting.
- b) Revision of the mining plan to maintain a minimum distance of 500 m from bridge downstream, mine closure plan, revised mining depth, surface plan, targeted mineral production and replenishment data and its approval by the competent authority to be submitted within 3 months of issue of conditional E.C.
- c) Rectification of errors in PFR as indicated herein above and submission of updated PFR with revised project cost, surveillance/ monitoring budget etc. as per deliberations herein above prior to grant of formal EC.
- d) Mining depth not to exceed 1m below NSL in aggregate in view of non-availability of replenishment data in the DSRs formulated by the G&M Department.
- e) Bulk density of 2 shall be adopted for calculation of quantity of mined material.

- f) NOC from the PHE Dept. to the effect that mining activity in the designated mining block would not affect water supply in vicinity, prior to grant of EC.
- g) Strict adherence to the terms and conditions of the NOCs of the stakeholder departments which need to be monitored by the enforcement agencies and concerned departments.
- h) No JCBs/ Excavators/ Bulldozers to be used in mining and water course should not be disturbed while transporting minor minerals.
- i) Maximum targeted mineral production of 36000MT calculated at 3 ha instead of 5 ha owing to eventual resizing of the mining block for keeping safe distance to the bridge.
- j) The MDLTF Cell headed by the concerned Dy. Commissioner reports that the PP is not involved in the illegal mining activity and the same needs to be submitted within a period of six weeks or before execution of lease of minor mineral block, whichever is earlier.
- k) The revised geographical coordinates to be conveyed by the G&M Dept for the resized area to be mentioned in the EC letter.
- l) EC is valid for 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.02.

Grant of Terms of Reference in favor of Aajaz Ahmad Magray S/o Shri. Mohi-ud Din Magray R/O Check Drugmula Tehsil & District, Kupwara, J&K for Minor Mineral Block No.09 at Check Drugmula Bridge to Parepora Upstream Pohru Nallah District Kupwara, J&K with revised area 3.38 Ha under proposal No **SIA/JK/MIN/64540/2021.**

BRIEF SUMMARY: This case pertains to grant of Terms of Reference under B1 category for proposed RBM (River Bed Mineral) Mining Project, Block No.9, revised area of 3.38 ha. LOI has been issued on 29.07.2020, which was later extended on 15.04.2021 and is valid up to 31.08.2021. Mining plan has been approved on 17-09-2020. The block has been resized on 23/06/202. The aforesaid case was processed in pursuance to G.O. 76JK-FST of 2020 dated 29-07-2021.

Further, the JKEAC has made the following specific observations:

- a) Mining depth exceeding 1 m below the MSL cannot be agreed in view of non-availability of replenishment data
- a) Use of bulk density @ 2.3 is not agreed to. The figure/value be either based on actual measurements at the mine site or be restricted to maximum value of 2.
- b) The EMP budget proposed is too meagre/ inadequate and needs to be revised at the time of applying for EC
- c) Mining plan needs to be revised for area, depth, surface plan, targeted mineral production and closure plan etc.
- d) Active water channel needs to be excluded from the mining block.
- e) Use of JCBs/Excavators has been proposed in mining methodology which can't be allowed.
- f) Revised surface plan not approved by competent authority

- g) Budget for surveillance equipment has not been provided and the same needs to be provided while filing application for EC
- h) NOC from Xen PWD was examined in the light of observation made on Google Earth Image showing new bridge coming up at a distance of 450mts from the mining block. Accordingly, the Committee desired that the G&M Dept. should resize the mining block on the request of the PP to maintain safe distance of 500mts to the upcoming bridge

RECOMMENDATION OF JKEAC:

In view of the deliberations and insight gained during the above cited appraisal process, the Committee recommended grant of Terms of Reference as per Annexure-A to these minutes of meeting for preparation of EIA/EMP and conduct of Public Hearing, subject to following conditions: -

- a) Mining depth exceeding 1 m below the MSL cannot be agreed in view of non-availability of replenishment data
- b) Mining plan needs to be revised for area, depth, surface plan, targeted mineral production and closure plan etc.
- c) Active water channel needs to be excluded from the mining block as the mining block covers reserve waters.
- d) Use of JCBs/Excavators has been proposed in mining methodology which can't be allowed and the Mining plan should prohibit use of heavy machinery in mining.

DECISION OF AUTHORITY.

Upon perusal of case summary and appraisal report, the JKEIAA agree with the recommendations of the JKEAC to grant Terms of Reference to the project subject to fulfillment of following conditions:

- a) Mining depth shall not exceed 1 m below the NSL in view of non-availability of replenishment data
- b) Mining plan to be revised for area, depth, surface plan, targeted mineral production and closure plan etc while submitting for grant of EC.
- c) Active water channel to be excluded from the mining block and fresh coordinates be informed by Geology and Mining Department.
- d) Use of JCBs/Excavators & other earth moving machinery shall not be allowed for mining.

AGENDA ITEM NO.03.

Grant of Environmental Clearance in favor of Abdul Rashid Mir S/O Shri Ghulam Ahmad Mir R/O 99-Markazi Jamal Masjid, Rawalpora, Beeru, District – Budgam, U.T - J&K for extracting of Nallah Bed Mining from mining, revised area: 4.85 Ha located at Minor Mineral Block No.10/Bud, Panzan Bridge to Dregam Upstream Shailganga Nallah, Village: Panzan to Dregam, Tehsil: Chadoora& District: Budgam, U.T: Jammu & Kashmir under proposal NoSIA/JK/MIN/221049/2021

BRIEF SUMMARY: This case pertains to grant of Environment Clearance under B2 category for proposed RBM (River Bed Mineral) Mining project, BlockNo.10/Bud, area 4.85 ha. LOI has been issued on 05.11.2020, which was later extended on 15.04.2021 and is valid up to

31.08.2021. Mining plan has been approved on 01.01.2021. The mining area has been reduced by G&M Dept on 22.04.2021. The aforesaid case was processed in pursuance to G.O. 76 JK-FST of 2020 dated 29-07-2021. As per summary of appraisal report, District Survey Report was not formulated as per guidelines and needs to be revised for including replenishment data etc., The instant case was earlier discussed by JKEAC on 24.04.2021. The Deputy Commissioner, Budgam vide No.DMO/bud/DGM/F-05/209-11 dated: 26.03.2021 conveyed NOCs from different stakeholder departments. The PHE Dept. has issued the NOC conditionally.

Further, the JKEAC has made the following specific observations:

- a) The project had earlier been discussed during 38th meeting held on 24.04.2021 during which the committee recommended TORs subject to reduction of mining block area to maintain safe distance to the bridge. Therefore, on the request of the PP the Geology and Mining Department has reduced the mining block area from 10Ha to 4.85 ha thus qualifying the project for consideration under B2 category.
- b) The Deputy Commissioner vide letter No DCB/misc-21/1734-35 dated 15-07-2021 has intimated that the concerned PP is not involved in the illegal mining and therefore, the case was appraised under non violation category.
- c) The conditions of NOC of stockholder department need to be adhered to in letter and spirit.
- d) Project cost has been underestimated by the consultant as it does not include cost of EMP, Closure plan, surveillance equipment, Env. Clearance processing fee/ PCCs Consent fee etc. and therefore needs to be revised.
- e) Budget for surveillance equipment has not been provided and the Committee has accordingly recommended it as per budget proposed by the Consultant in similar projects.
- f) EMP needs to be revised with appropriate budget as suggested in the remark's column of EMP table above.
- g) Revision of the mining plan with mine closure plan, revised mining depth, surface plan, area targeted mineral production and replenishment data and its denovo approval by the competent authority prior to grant of EC or as decided by JKEIAA.
- h) Mining depth be restricted to 1m in aggregate in view of non-availability of replenishment data in the DSRs formulated by the G&M Dept.
- i) Bulk density of 2.1 not agreed. Committee desired that in absence of actual measurements, a nominal bulk density of 2.0 be adopted.
- j) Wrong details given in appreciation note need to be rectified.
- k) Mining depth mentioned in appreciation note and PFR is 1 metre but in mining plan its mentioned 2.5 meters which needs to be rectified.

RECOMMENDATION OF THE COMMITTEE

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

- a) Standard and Specific Conditions as per Annexure B to these Minutes of Meeting.
- b) Subject to revision of project cost, EMP and Budget for surveillance equipment as per remarks / recommendation made by the committee herein above.

- c) Revision of the mining plan with mine closure plan, revised mining depth, surface plan, targeted mineral production and replenishment data and its denovo approval by the competent authority prior to grant of EC or as decided by JKEIAA.
- d) Mining depth of 1m in aggregate in view of non-availability of replenishment data in the DSRs formulated by the G&M Dept.
- e) Bulk density of 2 in absence of actual measurements.
- f) Strict adherence to the terms and conditions of the NOCs of the stakeholder departments especially conditions laid by the Fisheries Department which need to be monitored by the enforcement agencies and concerned dept.
- g) No JCBs/ Excavators/ Bulldozers to be used in mining and no water course to be disturbed while transporting minor minerals.
- h) Maximum targeted mineral production of 58200 MT
- i) Condition the revised geographical coordinates as per revised area conveyed by G&M Dept. are mentioned in the EC letter by JKEIAA
- 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

DECISION OF AUTHORITY

After due deliberations on observations of JKEAC, the JKEIAA upheld the recommendations of the Committee to grant Environment clearance to the project subject to fulfillment of following conditions:

- a) Full compliance of Standard and Specific Conditions as per Annexure B to the Minutes of JKEAC Meeting.
- b) Revision of the mining plan with mine closure plan, revised mining depth, surface plan, targeted mineral production and replenishment data and its approval by the competent authority to be submitted within 3 months of issue of conditional E.C.
- c) Mining depth not to exceed 1m below NSL in aggregate in view of non-availability of replenishment data in the DSRs formulated by the G&M Department.
- d) Bulk density of 2 shall be adopted for calculation of quantity of mined material.
- 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 departments.
- 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 shall be restricted to 58200 MT
- h) EC is valid only for 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 Environmental Clearance (EC) in favour of Mr. Danish Yousuf Mir S/O Mr. M. Yousuf Mir for Nallah Bed Mining Project (Area- 2.41 Ha) located at Minor Mineral Block No – 10ANK/SA/10 Hillar Bridge, Bringi Nallah Downstream, Village – Hillar, Tehsil – Anantnag, District: Anantnag, and UT: Jammu & Kashmir under proposal No.SIA/JK/MIN/220892/202

BRIEF SUMMARY: This case pertains to grant of Environment Clearance under B2 category for proposed RBM (River Bed Mineral) Mining project Block No. – 10ANK/SA/10, revised area 2.41 Ha. LOI has been issued on 21-07-2020, which was later extended on 15-04-2021 and is valid up to 31-08-2021. Mining plan has been approved on 19-09-2020. The aforesaid case was processed in pursuance to G.O. 76JK-FST of 2020 dated 29-07-2021. The area of the block was reduced by Geology & Mining Department on 09-03-2021. As per summary of appraisal report, District Survey Report was not formulated as per guidelines and needs to be revised for including replenishment data etc., The instant case was earlier discussed by JKEAC on 15-12-2020. Dy. Commissioner, Anantnag vide Ref. No. DCA/SS/2021/05-08 dated:08/04/2021 has conveyed NOCs of stake holder depts. under DLMTF Cell. The NOC have been issued conditionally.

Further, the JKEAC has made the following specific observations:

- a) The project had earlier been discussed during 21st meeting held on 05.12.2020 during which the committee rejected grant of TORs to the project as more than 45% of the Area had been found to fall under orchards and cultivated land. However, on the request of the PP the Geology and Mining Department has reduced the mining block area from 7.77 Ha to 2.41 Ha vide letter No. 1221 dated 09/03/2021 which qualified the project under B2 category.
- b) Illegal mining activity detected in the mining block as per features on Google image of Nov., 2020 which needs clarification from the MLDTF Cell prior to grant of formal EC. In case it is reported that the PP had been involved in the mining activity in the designated mining block without valid EC, the case shall be reappraised under violation category.
- c) The conditions of NOC of stockholder department need to be adhered to in letter and spirit.
- d) Project cost has been underestimated by the consultant as it does not include cost of EMP, surveillance equipment, Env. Clearance processing fee/ PCCs Consent fee etc. and therefore needs to be revised.
- e) Budget for surveillance equipment has not been provided and the Committee has accordingly recommended it as per budget in identical projects.
- f) EMP needs to be revised with appropriate budget as suggested in the remark's column of EMP table above.
- g) Revision of the mining plan with mine closure plan, revised mining depth, surface plan, area targeted mineral production and replenishment data and its denovo approval by the competent authority prior to grant of EC or as decided by JKEIAA.
- h) Mining depth be restricted to 1m in aggregate in view of non-availability of replenishment data in the DSRs formulated by the G&M Dept.
- i) Bulk density of 2.3 not agreed. Committee desired that in absence of actual measurements, a nominal bulk density of 2.0 be adopted.

RECOMMENDATION OF THE COMMITTEE:

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

- a) Standard and Specific Conditions as per Annexure B to these Minutes of Meeting.

- b) Revision of the mining plan with mine closure plan, revised mining depth, surface plan, targeted mineral production and replenishment data and its denovo approval by the competent authority prior to grant of EC or as decided by JKEIAA.
- c) Revision of project cost and providing budget for surveillance /monitoring as per deliberations herein above.
- d) Mining depth of 1m in aggregate in view of non-availability of replenishment data in the DSRs formulated by the G&M Dept.
- e) Bulk density of 2 in absence of actual measurements.
- f) Strict adherence to the terms and conditions of the NOCs of the stakeholder departments especially conditions laid by the Fisheries Department which need to be monitored by the enforcement agencies and concerned dept.
- g) No JCBs/ Excavators/ Bulldozers to be used in mining and no water course to be disturbed while transporting minor minerals.
- h) Maximum targeted mineral production of 28920 MT.
- i) Condition that the Multi Dept. District Level Task Force Cell (MLDTF) headed by the concerned Dy. Commissioner reports that the PP is not involved in the illegal mining activity and the same needs to be submitted prior to grant of formal EC.
- j) Condition that the revised geographical coordinates as per revised area conveyed by G&M Dept. are mentioned in the EC letter by JKEIAA.
- k) Validity of only three years from the date of commencement of the mining operations duly certified by the District Mineral Officer concerned with intimation to the JKEIAA and JKPCB in view of non-availability of replenishment data.

Decision of Authority.

After due deliberations on observations of JKEAC, the JKEIAA upheld the recommendations of the Committee to grant Environment clearance to the project subject to fulfillment of following conditions:

- a) Full compliance of Standard and Specific Conditions as per Annexure B to the Minutes of JKEAC Meeting.
- b) Revision of the mining plan with mine closure plan, revised mining depth, surface plan, targeted mineral production and replenishment data and its approval by the competent authority to be submitted within 3 months of issue of conditional E.C.
- c) Mining depth not to exceed 1m below NSL in aggregate in view of non-availability of replenishment data in the DSRs formulated by the G&M Department.
- d) Bulk density of 2 shall be adopted for calculation of quantity of mined material.
- 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 departments.
- f) No JCBs/ Excavators/ Bulldozers to be used in mining and no water course to be disturbed while transporting minor minerals.
- g) Revision of geographical coordinates as per revised area conveyed by G&M Dept. to be mentioned in the EC.
- h) Maximum targeted mineral production shall be restricted to 28920 MT.
- i) The Multi Dept. District Level Task Force Cell (MLDTF) headed by the concerned Dy. Commissioner reports that the PP is not involved in the illegal mining activity and the same needs to be submitted prior to grant of formal EC.

- j) EC is valid only for 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 JKPCCE in view of non-availability of replenishment data.

AGENDA ITEM NO.5

Grant of Environment Clearance in favour of M/S Rahil Choudhary S/o Sh. Rakesh Kumar R/o H.No. 51 B/D, Gandhi Nagar, Jammu, State: J & K. for MINOR MINERAL (River Bed Material) Project at Block No. 5/12, (Area- 6.29 ha.), Khatharwalli Khad Downstream Manoh Khathar Bridge, Village- Khathar, Tehsil- Akhnoor, District- Jammu. under Proposal Nos: **SIA/JK/MIN/56812/2019 (Old) SIA/JK/MIN/65689/2019 (New)**

Deliberations

The case has been discussed in the Meeting of JKEAC held on 25th & 26th November, 2020 and minutes conveyed vide endorsement No.EAC/JK/20/3358-71 dated 03-12-2020. During the appraisal of the above case, JKEAC has observed that the case was processed in pursuance to the Government Order No.76-JK(FST) of 2020 Dated 29-07-2020 and various aspects of the project like mining depth, replenishment data concerns, surface plan, extraction route and concerns expressed by the locals during public hearing have been discussed. It was informed by the project proponent that the public hearing of the case has been conducted on 11-02-2020 at Panchayat Ghar Khathar. In response to query of committee that S.No. 5/12 of mining block does not exist in PH report, consultant has informed that Block 5/12 is factually block 37, to which committee has desired JKEIAA to get clarification from PCB/ G&M dept. The committee has also observed that mistakes related to mining depth, land use, project cost & EMP etc. pointed out by JKEIAA has not been rectified. During the Public Hearing Report, the locals have also demanded livelihood assurance from the mining activity. After threadbare discussion on the subject, the Committee has recommended mining block 5/12 for grant of E.C. in favour of the project subject to the fulfillment of standard & specific conditions and also subject to the submission of NOCs sought from concerned stakeholders, video graphic evidence of public hearing and revised haulage/route map, which shall be submitted by the project proponent prior to issuance of formal EC.

However, the JKEIAA in its meeting held on 05th December, 2020 and minutes of the same issued vide JKEIAA/2016/02/II/1595-98 dated 05-12-2020 rejected the case, as the requisite documents submitted by the project proponent showed that the identified block is "Forest Land" as stated by the Competent Authority (DFO, Jammu) vide No:DFO-J/2895 dated 30-09-2020.

Now, in view of NOC obtained by the PP from the Forest Department, DFO Jammu vide No. DFO-J/2238-39 dated:13.08.2021 has conveyed that Block No. 5/12, (Area- 6.29 ha.), Khatharwalli Khad Downstream Manoh Khathar Bridge, Village- Khathar, Tehsil- Akhnoor, District- Jammu is a non-forest land and its distance from the nearest demarcated forest (having GPS Coordinates N-33° 01` 52.06`` E 74° 45` 22.37``) is approximately 280m in N-W Direction. The project proponent has applied again afresh for considering his case for EC keeping in view the recommendations of JKEAC.

DECISION OF THE AUTHORITY

After due deliberations on observations of JKEAC and NOC obtained by the PP from the Forest Department (DFO, Jammu), the JKEIAA upheld the recommendations of the Committee to grant Environment clearance to the project subject to fulfilment of following conditions:

- a) Full compliance of Standard and Specific Conditions as per Minutes of JKEAC Meeting.
- b) Revision of the mining plan with mine closure plan, revised mining depth, surface plan, targeted mineral production and replenishment data and its approval by the competent authority to be submitted within 3 months of issue of conditional E.C.
- c) Mining depth not to exceed 1m below NSL in aggregate in view of non-availability of replenishment data in the DSRs formulated by the G&M Department.
- d) Bulk density of 2 shall be adopted for calculation of quantity of mined material.
- 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 departments.
- 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 shall be restricted to 75480 MT.
- h) Revision of geographical coordinates as per revised area conveyed by G&M Dept. to be mentioned in the EC.
- i) Since the project is a transfer case therefore EC is valid only for two years from the date of commencement of the mining operations.

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/VI/2074-2077

Dated:18/08/2021

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