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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, Gdani, Jammu-180006 (Nov-Apr),

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MINUTES OF THE MEETING

In pursuance to the Minutes of the 82nd Meeting of the JK Expert Appraisal Committee held on 08th January, 2022 through video Conferencing issued vide No.EAC/JK/22/12295-12306 dated 14-01-2022, the 74th Meeting of the JK Environment Impact Assessment Authority was held on **19th January, 2022** at 1100 Hrs. 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 Terms of Reference in favour of Shri Hira Singh S/O Shri Nimal Singh R/O Dhampur, Uttar Pradesh for Minor Mineral Blocks No – 11, C- Bundzoo Bridge Upstream, Nallah Sasara Village – Bundzoo Tehsil – Bundzoo District – Pulwama, JK UT (AREA – 2.38ha.) under proposal No.SIA/JK/MIN/68804/2021.

Brief Summary: This case pertains to grant of Terms of Reference under B1 category for Minor Mineral Blocks No – 11, C- Bundzoo Bridge Upstream, Nallah Sasara Village – Bundzoo Tehsil – Bundzoo District – Pulwama, JK UT (AREA – 2.38ha.)

LOI has been issued on 27-03-2020, which has been extended on 18-09-2021 and was valid up to 30-11-2021. Mining plan has been approved on 07-06-2020.

As per summary of appraisal report, District Survey Report has not been formulated as per guidelines and needs to be revised for including replenishment data etc.,

Status of NOCs in appraisal report shows that NOCs have been issued under Single window system by Addl. Deputy Commissioner, Pulwama Vide No: DCP/Esst./SM/NOC/538-50 dated 03-05-2021.

Deliberations/specific observations of JKEAC:

- This is a fresh case and the PP has applied under B1 category for the grant of TORs.
- While examining the mining block on Google image of 06/2021, the committee found bridges on either side of the mining block at a distance of 70m & 110m respectively. The Committee examined the possibility of resizing the block to maintain safe distance to the bridges but did not find it feasible at all.
- Illegal mining activity was detected in the mining block as per features on Google image of June, 2021 which needs appropriate action by the competent authority.

- d) Features indicative of offtake point of irrigation Kuhl originating from the mining block itself were observed on Google image of June, 2021.
- e) Active water channel detected in the mining block.
- f) Mining depth of 2m adopted in the instant mining plan was not agreed by the committee.

Recommendations of the JKEAC:

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

Decisions of JKEIAA:

After due deliberations on concerns raised by JKEAC, the JKEIAA upheld recommendations of the JKEAC to reject the case for grant of Terms of Reference.

Agenda Item No.02.

Grant of Environment Clearance in favour of Shri Imtiyaz Ahmad Bhat R/O Kandikoot Sagam Booch, Distt. Anantnag, JK UT for Nallah Bed Mining Project is situated at Minor Mineral Block-08, ANG/BR/08 Soaf Shali Bridge, Bringi Nalla Downstream, Village – Soaf Shali, Tehsil - Kokernag, District• Anantnag, JK UT resized area of 2.0ha. under proposal No.SIA/JK/MIN/240202/2021, SIA/JK/MIN/226110/2021 & SIA/JK/MIN/59136/2020.

Brief Summary: This case pertains to grant of Environment clearance originally under B1 category but now applied under B2 without specifying reasons, for Nallah Bed Mining situated at Minor Mineral Block-08, ANG/BR/08 Soaf Shali Bridge, Bringi Nalla Downstream, Village – Soaf Shali, Tehsil - Kokernag, District Anantnag, JK UT resized area of 2.0ha.

LOI has been issued on 21-07-2020, which has been extended on 18-09-2021 and was valid up to 30-11-2021. Mining plan has been approved on 10-11-2021. The Terms of Reference were issued to the project on 01-04-2021. The area of the project was reduced by the Geology & Mining Department on 18-11-2021.

As per summary of appraisal report, District Survey Report has not been formulated as per guidelines and needs to be revised for including replenishment data etc.,

Status of NOCs in appraisal report shows that Dy. Commissioner Anantnag has conveyed NOCs of stakeholder departments under single window clearance system vide No.DCA/SS/2021/65-08 dated 08-04-2021. NOC of Fisheries department has not been submitted and NOC from revenue department has not been issued by the competent authority.

Deliberations/specific observations of JKEAC:

- a) The project had earlier been discussed during 32nd meeting held on to 01/04/2021 with mining block area of 7.87 Ha under B1 category during which the Committee had recommended the project for grant of ToRs subject to prior title verification by the competent Revenue Authority as the archive Google images had shown cropland within the mining block limits.

- b) The PP has not submitted Title verification from the concerned competent revenue authority but has got the mining block resized to 2Ha only without specifying reasons for resizing the block. Even the G&M Dept. vide letter no: 6041-43 dated 18/11/2021 has not spelt out any reason for resizing the mining block.
- c) On being asked to give reasons for resizing the mining block, the RQP informed that the block was resized to maintain safe distance to the nearby bridge. However, the Committee found that the bridge was already beyond 500 m from the original block boundary and that the actual reasons for resizing were not probably known to even the RPQ.
- d) On further enquiries, the PP came out with information that a number of canal/Kuhl off-take points were located along the edges of the proposed original mining block and being well aware that the JKEIAA would not clear the cases which were not in conformity with the National Guidelines on Sand Mining, suo-moto conceived resizing of the block.
- e) Scrutiny of NOC issued by the concerned Executive Engineer, Irrigation Dept. revealed no mention of any canal/kuhl off-take point existing in close vicinity of the proposed mining block though he mentions that no mining should be carried out 500m upstream and downstream of off-take points of the irrigation kuhl.
- f) However, the Committee observed existence of off-take points in the vicinity of mining block during examination of the mining block on Google Earth Image.

Recommendations of the JKEAC:

- a) In view of the above deliberations/observations, the Expert Appraisal Committee did not agree to consider the case in the present form.
- b) However, the PP, if he so desires, may again approach the JKEIAA after submitting following compliances:
 - i. Justification for resizing the mining block from 7.78 Ha to 2Ha be obtained from the competent authority of G&M Dept.
 - ii. The PP should submit clarification from the concerned Xen Irrigation Dept. stating that off-take points do exist within the original mining block (7.87Ha) boundary but not within 200m upstream and downstream of the resized mining block (2 Ha).
 - iii. Title verification of the resized mining block be obtained from the concerned competent revenue authority.

Decisions of JKEIAA:

After due deliberations on concerns raised by JKEAC, the JKEIAA upheld recommendations of the JKEAC to reject the case for grant of Environment Clearance in the present form. However, the Project proponent may approach JKEIAA again submit the case after compliance of recommendations made by JKEAC as under:

- i. Justification for resizing the mining block from 7.78 Ha. to 2 Ha. from the competent authority of G&M Dept.
- ii. The project proponent should submit clarification from the concerned Executive Engineer, Irrigation Dept. stating that off-take points of Irrigation canal is not located within 200m upstream and downstream from boundary of resized mining block (2 Ha).

- iii. Title verification of the resized mining block from the concerned competent revenue authority.

Agenda Item No.03.

Grant of Environment Clearance in favour of Shri Manorathvir Singh S/O Shri Inderjeet Singh R/O H. No.103 Sunder Nagar, Dhangu, Road, Pathankot Punjab for Riverbed material mining, Block No. 04, (resized area- 0.35ha), Shraie Bridge to Abandoned Bridge Downstream Nallah Ferozpora, Village- Shraie, Tehsil- Tangmarg, District- Baramulla, JK UT under proposal No.SIA/JK/MIN/229969/2021 & SIA/JK/MIN/55381/2020.

Brief Summary: This case pertains to grant of Environment clearance under B2 category for Riverbed material mining, Block No. 04, (resized area- 0.35ha), Shraie Bridge to Abandoned Bridge Downstream Nallah Ferozpora, Village- Shraie, Tehsil- Tangmarg, District- Baramulla, JK UT.

LOI has been issued on 28-04-2020, which has been extended on 15-04-2021 and was valid up to 31-08--2021. Mining plan has been approved on 19-06-2020. The case was earlier discussed by the JKEAC on 28-08-2021 18-10-2021 and the area of the project was reduced by the Geology & Mining Department on 22-11-2021.

As per summary of appraisal report, District Survey Report has not been formulated as per guidelines and needs to be revised for including replenishment data etc.,

Status of NOCs in appraisal report shows that NOCs of Stakeholder departments have been conveyed by the Addl.Dy. Commissioner, Baramulla vide No.ADCB/Reader/2021-22/475-87 dated 29-05-21 except for area falling in Shamlat under Survey No.784 Min.

Deliberations/specific observations of JKEAC:

- a) The case was discussed during the 57th Meeting held on 28/08/2021 and subsequently in the 65th Meeting held on 18/10/2021 during which the Committee had finally desired the PP to exclude the area falling under Shamlat category under Survey No.784Min as the NOC issued by the office of Dy. Commissioner, Baramulla vide No. ADCB/Reader/2021-22/475-87 dated 29/05/21 had issued NOC for areas excluding the Shamlat land.
- b) The PP has now again approached the JKEIAA after resizing the block and excluding the land under Shamlat in accordance with joint inspection report of Revenue Officials and officials of G&M Dept. conveyed vide letter No. TTNG/0Q/2021/S 93 dated 11/11/2021 by the Tehsildar concerned.
- c) The resultant land now identified for mining activity under the revised mining block comprises of 0.35 Ha only.
- d) The Consultant was asked to clarify as to how the PP would bridge the economic viability gap for the reduced area with huge projected cost. The Consultant informed that the e-tender stipulates a condition that the bid cost shall be reduced proportionate to the approved area for mining activity and that will make the project economically viable.
- e) However, the Committee was of the view that strict monitoring mechanism as per National Enforcement & Monitoring Guidelines for Sand Mining, 2020 needs to be put in place at the site by regulating agency before allowing mining activity in the

- resized mining block to ensure that no illegal mining takes place in the garb of the EC.
- f) Illegal mining activity has been detected in the mining block as per features on Google image of Sep, 2021 which has depleted the mineral resource to a large extent. The PP therefore, needs to obtain a 'fit for mining certificate' from the G&M Dept. stating therein that adequate replenishment has taken place in the resized mining block and there is enough material available in the block which can be extracted without endangering the ecology and hydrological setting of the nalla, prior to grant of EC.
 - g) Further, necessary clarification from the Multi Dept. District level Cell needs to be obtained for fixing responsibility for such illegal mining activity, besides reporting whether the PP is involved in such act, in any manner.
 - h) The PP has mentioned mining depth of 3mts and bulk density of 2.25 at some places in the mining plan while calculating the targeted mineral production which is not in conformity with the norms being observed by JKEAC.
 - i) The mining depth of max. 1m below NSL and bulk density of 2.00 be adopted for calculating the targeted mineral production in absence of replenishment study and actual ground measurements.
 - j) The EMP budget needs to be revised as suggested in the remark's column of the EMP table.

Recommendations of the JKEAC:

In view of the above deliberations, the Committee recommended the case for the grant of Environmental clearance subject to:

- a) Standard and Specific Conditions as per Annexure B to the Minutes of JKEAC Meeting.
- b) Submission of compliance to the observations made herein above under deliberations, prior to grant of EC.
- c) Strict adherence to monitoring mechanism as per National Enforcement & Monitoring Guidelines for Sand Mining, 2020, in this regard, as detailed herein above.
- d) Revision of mining plan as detailed above, prior to grant of EC.
- e) Submission of 'fit for mining certificate' as detailed here-in-above, prior to grant of EC.
- f) 'Non-involvement in illegal mining' certificate from the MDLTF Cell as detailed above, 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 dept.
- h) No JCBs/ Excavators/ Bulldozers to be used in mining and no water course to be disturbed while transporting minor minerals.
- i) Maximum targeted mineral production of 4200 MT.
- j) revision of EMP as suggested by the Committee in the EMP table, prior to grant of EC.
- k) That geographical coordinates as per revised area conveyed by G&M Dept. are mentioned in the EC letter by JKEIAA.

- l) Validity of only three years from the date of commencement of the mining operations duly certified by the District Mineral Officer concerned with intimation to the JKEIAA and JKPCB in view of non-availability of replenishment data.

Decisions of JKEIAA:

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

- a) Revalidation of Lol by the Geology and Mining Department.
- b) Standard and Specific Conditions as stipulated by JKEIAA/JKEAC
- c) Submission of compliance to the observations made by JKEAC here-in-above prior to grant of EC.
- d) Strict adherence to monitoring mechanism as per National Enforcement & Monitoring Guidelines for Sand Mining, 2020 to be put in place at the site by regulating agency before allowing mining activity in the resized mining block to ensure that no illegal mining takes place in the garb of the EC.
- e) Revision of the mining plan with mine closure plan, revised mining depth, surface plan, and its approval by the competent authority within a period of three months from the date of issuance of E.C.
- f) Mining depth be restricted to max. 1m in aggregate and bulk density of 2.0 be adopted for calculating mineral production subject to maximum production of 4200MT.
- g) Revision of EIA, EMP/CER Budget as suggested by JKEAC prior to grant of EC.
- h) Submission of 'fit for mining certificate' as detailed herein above, prior to grant of EC.
- i) The MDLTF Cell headed by the concerned Dy. Commissioner shall submit a report to JKEIAA, within a period of six weeks or before execution of lease of minor mineral block, whichever is earlier, that PP is not involved in the illegal mining activity, failing which the EC is liable to be revoked.
- j) Strict adherence to the terms and conditions of the NOCs of the stakeholder departments which need to be monitored by the enforcement agencies and concerned dept.
- k) No JCBs/ Excavators/ Bulldozers to be used in mining and no water course to be disturbed while transporting minor minerals.
- l) While issuing EC, Member Secretary shall specifically mention revised geographical coordinates for revised area conveyed by G&M Dept.
- m) Validity of only three years from the date of commencement of the mining operations duly certified by the District Mineral Officer concerned with intimation to the JKEIAA and JKPCB in view of non-availability of replenishment data.

Agenda Item No.04.

Grant of Environment Clearance in favour of M/S ECI-SRM R/O: Near BJP Head Office, Trikuta Nagar, Tehsi & Jammu, JK UT for Short Term Permit at Khasra No. 705, Bain Khanderi Nallah village – Bain Tehsil – Chenani District – Udhampur JK UT (area – 0.962 ha). under proposal No.[SIA/JK/MIN/230235/2021](#).

Brief Summary: This case pertains to grant of Environment clearance under B2 category for Short Term Permit at Khasra No. 705, Bain Khanderi Nallah village – Bain Tehsil – Chenani District – Udhampur JK UT (area – 0.962 ha).

The LOI was issued by the Geology & Mining Department vide No.JDJ/STP/Udhampur/2019-20/1031-1036, which has been extended on 29-07-2021 and was valid for three months. Mining plan has been approved on 01-09-2021. The production proposed is 25500MTs. and Mining depth proposed in Pre-feasibility report is 1.00 Mtr.

As per summary of appraisal report, District Survey Report has not been formulated as per guidelines and needs to be revised for including replenishment data etc.,

Status of NOCs in appraisal report shows that stakeholder departments have issued NOCs(conditionally) in favour of the project. Tehsildar concerned mentions that the proposed site is a water body as per the Jammu and Kashmir water Resources (Regulation and management) Act 2010 which is the property of the Govt. He does not indicate title in clear terms.

Deliberations/specific observations of JKEAC:

- a) The Short-Term Permit (STP) project is for three months.
- b) The consultant gave a detailed power point presentation on the project during which the various aspects of the STP like mining depth, replenishment of the nallah bed, period of the STP etc. were discussed.
- c) The joint verification report issued by Dy. Commissioner concerned indicates that the material is to be used for construction of NH-244 Chenani – Sudh Mahadev Road.
- d) The approved mining plan indicates that the period of STP is 3 months and minable reserves are 25500 MT achievable at 1.5 metre mining depth.
- e) Title verification is ambiguous and does not clearly mention the title of land in clear terms. The same needs to be submitted prior to grant of formal EC.
- f) NOCs from irrigation and Flood control department have not been submitted by the PP and same need to be submitted by the PP, prior to grant of EC.
- g) Heavy illegal mining activity was observed in and around the STP site as per features on latest Google image of 04, 2021 which needs clarification from the Multi Dept. District level Task Force (MDLTF) Cell for fixing responsibility in this regard.
- h) The STP holder needs to keep a safe distance of 10m from the edge of the nalla/hill and exclude active water channels from the mining area.
- i) The conditions of NOC of stakeholder department need to be adhered to in letter and spirit.
- j) EMP Budget needs to be revised with appropriate budget as suggested in the remark's column of EMP table above prior to grant of EC.
- k) Revision of the mining plan with mine closure plan, revised mining depth, revised surface plan, targeted mineral production and replenishment and its denovo approval by the competent authority prior to grant of EC.

Recommendations of the JKEAC:

In view of the above deliberations/observations made by the Committee here-in-above, the Expert Appraisal Committee recommended the project for grant of EC subject to: -

- a) Standard and Specific Conditions as per Annexure C to the Minutes JKEAC of Meeting.
- b) Submission of compliance to the observations made herein above under deliberations, prior to grant of EC.
- c) Submission of Title verification as state land in clear terms by the competent revenue authority prior to grant of EC.
- d) Submission of NOCs from irrigation and Flood control department prior to grant of EC.
- e) Securing of "Non-involvement in illegal mining" certificate from the Multi Dept. District level Task Force (MDLTF) Cell, prior to grant of formal EC.
- f) Maximum targeted mineral production of 18000 MT.
- g) Strict adherence to the terms and conditions of the NOCs of the stockholder departments which needs to be monitored by the enforcement agencies and concerned department.
- h) Condition the geographical coordinates as per LOI are mentioned in the EC letter by JKEIAA.
- i) No JCBs/ Excavators/ Bulldozers to be used in mining and no water course to be disturbed while transporting minor minerals.
- j) Validity of only three months only.

Decisions of JKEIAA:

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

- a) Revalidation of Lol by the Geology and Mining Department.
- b) Standard and Specific Conditions as stipulated by JKEIAA/JKEAC
- c) Submission of compliance to the observations made by JKEAC herein above, prior to grant of EC.
- d) Submission of Title verification as state land in clear terms by the competent revenue authority prior to grant of EC.
- e) Submission of NOCs from Irrigation and Flood control department prior to grant of EC.
- f) The MDLTF Cell headed by the concerned Dy. Commissioner shall submit a report to JKEIAA, within a period of six weeks or before execution of lease of minor mineral block, whichever is earlier, that PP is not involved in the illegal mining activity, failing which the EC is liable to be revoked.
- g) Revision of the mining plan with mine closure plan, revised mining depth, surface plan, and its approval by the competent authority within a period of three months from the date of issuance of E.C.
- h) Mining depth be restricted to max. 1m in aggregate and bulk density of 2.0 be adopted for calculating mineral production subject to maximum production of 18000MT.
- i) Revision of EIA, EMP/CER Budget as suggested by JKEAC prior to grant of EC.
- j) The STP holder needs to keep a safe distance of 10m from the edge of the nalla/hill and exclude active water channels from the mining area.

- k) Strict adherence to the terms and conditions of the NOCs of the stockholder departments which needs to be monitored by the enforcement agencies and concerned department.
- l) No JCBs/ Excavators/ Bulldozers to be used in mining and no water course to be disturbed while transporting minor minerals.
- m) While issuing EC, Member Secretary shall specifically mention revised geographical coordinates for revised area conveyed by G&M Dept.
- n) Validity of only three months only.

Agenda Item No.05.

Grant of Environment Clearance in favour of Shri Javeed Ahmad Shah S/O Shri Gh. Ahmad Shah R/O Wakeel Colony Brain Nishat Srinagar JK UT for “Gypsum Mining” At Village- Charian, Tehsil- Uri, District- Baramulla, JK UT (AREA- 4.24ha.) under proposal No. SIA/JK/MIN/219139/2021.

Brief Summary: This case pertains to grant of Environment clearance under B2 category for “Gypsum Mining” at Village- Charian, Tehsil- Uri, District- Baramulla, JK UT (AREA- 4.24ha.)

The LOI has been issued vide No.IND/MNG-14/2012, which has been extended on 23-04-2021 and was valid for six months. Mining plan has been approved on 02-08-2012.

As per summary of appraisal report, District Survey Report has not been formulated as per guidelines and needs to be revised for including replenishment data etc.,

Status of NOCs in appraisal report shows that NOCs (conditionally) have been issued by the concerned Stakeholder departments. As per NOC issued by concerned Dy. Commissioner, Baramulla, the project proponent is supposed to obtain NOC from NHPC also the but same has not been submitted.

Deliberations/specific observations of JKEAC:

- a) The Gypsum Mining project has been submitted by the PP under B2 category.
- b) The LOI has been granted by the Industries Department in the year 2012 and was valid for 6-months only.
- c) NOC from Forest and Wildlife Protection department mentions that the proposed mining site is located in private land, Shamlat and state land. However, when the site was observed on latest Google image in conjunction with the digital boundary of Lachipora Wildlife Sanctuary, it was found that part of the lease boundary is falling inside the sanctuary. Therefore, the Committee desired that the PP should obtain an explicitly clear NOC from Wildlife Protection Dept. indicating therein, the distance between the nearest pillar of the mining lease area from the nearest pillar of the Lachipora Wildlife Sanctuary / Kazinag National Park, as the case may be, clearly mentioning their geographical coordinates.
- d) Since, part of the mining block falls under private land and land under Shamlat category besides the state land, therefore, the lease holder needs to obtain consent of the rightful owners of the land under the proposed lease duly attested by the competent revenue authority with local PRI on board.

Recommendations of the JKEAC:

The case for grant of EC in the present form is rejected on the following grounds:

- a) As per the contents of Lol issued on 23/04/2012, the LOI is valid for only six months and its any further extension is not on record.
- b) NOC issued by the Wildlife Protection Dept. on 28/02/2011 indicates that the mining lease is 12 km from the Lachipora Wildlife Sanctuary while as the observations made by the Committee on Google Earth Image shows the boundary of the mining lease area intersecting the boundary of Lachipora Wildlife Sanctuary. Also, the NOC is seen to be issued prior to grant of Lol, which creates doubt about its authenticity also.

Decisions of JKEIAA:

After due deliberations, the JKEIAA upheld the recommendations of the JKEAC to reject the case for grant of Environment clearance on the following grounds:

- a) As per the contents of Lol issued on 23/04/2012, the LOI is valid for only six months and its any further extension is not on record.
- b) NOC issued by the Wildlife Protection Dept. on 28/02/2011 indicates that the mining lease is 12 km from the Lachipora Wildlife Sanctuary while as the observations made by the Committee on Google Earth Image shows the boundary of the mining lease area intersecting the boundary of Lachipora Wildlife Sanctuary. Also, the NOC is seen to be issued prior to grant of Lol, which creates doubt about its authenticity also.

Agenda Item No.06.

Grant of Terms of Reference in favour of Shri Kiran Kumar Sharma S/O Shri Daleep Kumar Sharma, R/O Ward No.5, Jawahar Nagar, Rajouri, JK UT for River Bed Mining of Minor Mineral Block 1/3, in Nowshera Tawi River Downstream Muradpur Bridge, Village: Bathuni, Tehsil- Rajouri, District- Rajouri, State: Jammu & Kashmir (Resized area 6.30ha.) under proposal No. SIA/JK/MIN/66454/2021 & SIA/JK/MIN/61296/2021.

Brief Summary: This case pertains to grant of Terms of Reference under B1 category for River Bed Mining of Minor Mineral Block 1/3, in Nowshera Tawi River Downstream Muradpur Bridge, Village: Bathuni, Tehsil- Rajouri, District- Rajouri, State: Jammu & Kashmir (Resized area 6.30ha.)

LOI has been issued on 22-11-2020, which has been extended on 21-09-2021 and was valid up to 30-11-2021. Mining plan has been approved on 16-02-2021. The case was earlier discussed by the JKEAC on 01-04-2021 and area of the project has been reduced by the Geology & Mining Department on 20-07-2021.

As per summary of appraisal report, District Survey Report has not been formulated as per guidelines and needs to be revised for including replenishment data etc., Status of NOCs in appraisal report shows that stakeholder departments have issued NOCs (conditionally) in favour of the project.

Deliberations/specific observations of JKEAC:

- a) The case was discussed during the 32th meeting held on 01/04/2021 during which the Committee rejected the case for ToRs and desired:
 - i. PP to exclude the area comprising of cropland with two structures falling inside the mining block.
 - ii. G&M Dept. to constitute a joint inspection committee comprising of representatives of Irrigation & Flood Control Department, Geology & Mining Department, Soil Conservation Department, Fisheries Dept and SSP Rajouri to file its enquiry report, fixing responsibility for the illegal mining in the designated mining block and its neighbourhood, also recording statements from the local panchayat representatives on the subject.
 - iii. To obtain title verification of the land under the mining block from the concerned revenue Authority.
- b) The case came under discussion again during the 77th JKEAC held on 11/12/2021. The committee observed that the KML file depicting the mining block on Google Earth Image presented by the consultant was different from the one presented during the earlier meeting held on 01/04/2021. The consultant informed that the earlier KML file had been wrongly submitted by him which did not represent the coordinates mentioned in the Lol relating to the case. Therefore, the Committee had desired that the fresh KML file submitted by the consultant be verified with the coordinates mentioned in Lol before proceeding with the appraisal process.
- c) Accordingly, the coordinates represented by the fresh KML file were verified by the supporting staff with the coordinates mentioned in the Lol and were found to be correct.
- d) Further, title verification issued by the concerned Tehsildar indicates that the mining block falls under Shamilat, private & state land. The Consultant informed that the area under Shamilat and private lands has been excluded from the mining block through resizing. However, the Committee could not find any document issued by the competent revenue authority substantiating his assertion. Therefore, the PP needs to obtain a certificate from the concerned competent revenue authority to the effect that the resized mining block of 6.30 Ha encompasses state land only.
- e) While examining the mining block on the latest available Google Earth Image, heavy illegal mining was observed which needs clarification from the MDLTF Cell and report whether the PP is involved in it.
- f) The Committee also observed presence of active water channels crisscrossing the mining block area leaving many scattered shoals which cannot be exploited without disturbing the normal flow of the nallah.
- g) The illegal mining activity in the block has drastically depleted the mineral resource and hardly any material is available for exploitation. Therefore, the PP needs to obtain 'Fit for mining certificate' from the G&M Dept. also mentioning therein that adequate replenishment has taken place in the block and there is enough material available which can be extracted without endangering the ecological and hydrological regime of the nalla.
- h) Mining depth of 3.0 m & bulk density of 2.25 adopted in the instant mining plan were not agreed by the committee.

- i) Specific NOCs be obtained w.r.t presence or absence of Irrigation canal /kuhls offtake points/ Flood protection structures etc. within 200m of the mining block.

Recommendations of the JKEAC:

In view of the above deliberations and insight gained during the above cited appraisal process, the Committee did not recommend the case for grant of ToRs in the present form. However, the PP, if he so desires, may again approach the JKEIAA after getting the mining block further resized taking into account the actual site conditions, obtaining fit for mining certificate from the G&M Dept. and reassessment of available minable reserves, besides clarification on Title of the proposed area.

Decisions of JKEIAA:

After due deliberations on concerns raised by JKEAC, the JKEIAA upheld recommendations of the JKEAC to reject the case for grant of Terms of Reference in the present form. However, the project proponent, may approach JKEIAA after resizing of mining block taking into account actual site conditions, obtain fit for mining certificate from the G&M Dept. and reassessment of available minable reserves, besides clarification on Title of the proposed area.

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/VIII/5715-33

Dated: 20/01/2021

Copy by email to:

1. Mr. Lal Chand, IFS (Rtd.), Hon'ble Chairman, JKEIAA, for information.
2. Er. Nazir Ahmad (Rtd. Chief Engineer), Hon'ble Member, JKEIAA, for information.
3. Commissioner/Secretary to Government, Mining Department, J&K Government for favour of information.
4. Commissioner/Secretary to Government, Forest, Ecology & Environment Department, J&K Government, Civil Secretariat, Jammu for favour of kind information.
5. Dr. Neelu Gera, IFS PCCF/Director, EE&RS, Member Secretary, JKEIAA, for information
6. Director, Geology & Mining Department, J&K Government, Jammu for information and necessary action.
7. Deputy Commissioner, Pulwama, Anantnag, Baramulla, Doda, Ganderi for information.
8. Chief Engineer, PDD, Jammu/Kashmir for information and n/a.

9. Chief Engineer, Irrigation & Flood Control Department, Jammu/Srinagar for information and n/a.
10. Chief Engineer, PHE, Jal Shakti, Jammu/Srinagar for information and n/a.
11. The Secretary, JK Expert Appraisal Committee for information.
12. Website(s)


(Staff Officer) 01/01/2022
to PCCF/Member Secretary JKEIAA
Ecology, Environment & Remote Sensing, J&K