



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 45TH MEETING OF JK ENVIRONMENT
IMPACTASSESSMENT AUTHORITY HELD ON 17TH JULY, 2021
THROUGH VIDEO CONFERENCING**

In pursuance to the Minutes of the 47th Meeting of JK Expert Appraisal Committee held on 10TH July, 2021 conveyed vide endorsement No.EAC/JK/20/8015-027 dated 13-07-2021, the 45th Meeting of JK Environment Impact Assessment Authority was held on 17TH 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 Terms of Reference in favour of Shri Ashiq Hussain Khan S/o Shri. Mohd. Maqbool Khan R/o Danokandi Marg, Tehsil D.H.Pora, Kulgam, JK U.T-192233 for Minor Mineral Block No-05, E- Nehama Bridge Downstream, Vishu Nallah, Village Nehama, D.H.Pora, Kulgam, JK UT over an area of 4.31 ha. For TOR (reduced working area 1.70 ha.) under proposal Nos.SIA/JK/MIN/62965/2021//SIA/JK/MIN/57779/2020.

BRIEF SUMMARY: This case pertains to grant of TOR for river bed mining lease under B1 category with an area of 1.70 Ha. LOI has been issued on 16/07/2020, which has later been extended up to 15/04/2021 and is valid up to 31/08/2021. Mining plan has been approved on 14/09/2020 and its resizing has been recommended on 10/03/2021. As per summary of appraisal report, district survey report needs to be revised by including replenishment data, etc. Status of NOC's in appraisal report show that while DC Kulgam has issued NOC vide letter dated: 12/04/2021, out of 09 NOC's required from other stake holder depts. 07 depts have recommended the Mining Block and Irrigation & PHE wings of Jal Shakti Dept. have **"Not recommended"** the mining block for extraction of Minor Minerals. Observations made on multi date google Earth platform uploaded by PP shows irrigation canal head works/ Khul inlet 48 m downstream of Mining block & for which reservation has been expressed by stake holder dept. It is also observed that active water channel crosses mining block.

Further, the JKEAC has made following specific observations as under:

- Mining depth exceeding 1 m below the MSL cannot be agreed in view of non-availability of replenishment data.

- b) 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.
- c) Mining plan on page 2 mentions that the project falls under B2 category.
- d) Scanned undertaking in Form 1 uploaded on portal by the PP is without his signature.
- e) There are contradictory figures given for the EMP cost in submitted documents and the PPT
- f) The EMP budget proposed is too meagre/ inadequate vis. a vis. the requirement.
- g) The CER cost is missing.
- h) Mining depth of 2 meters is mentioned on page 33 of the EMP
- i) Irrigation and PHE/Jal Shakti Departments have not issued NOCs for the project keeping in view consequential/ potential adverse impact of mining activity on their existing projects.
- j) Mine closure Plan does not provide detailed budget.
- k) Use of JCBs/Excavators has been proposed in mining methodology which can't be allowed.
- l) Revised surface plan not approved by competent authority

Recommendation of JKEAC:

On the basis of above observations, and in view of the deliberations and insight gained during the above cited appraisal process, the Committee has **recommended for rejection** of the case for grant of Terms of Reference for preparation of EIA/EMP - specifically in view anticipated /potential adverse environmental fallout of mining activity on irrigation and water supply schemes in the area.

Decision of JKEIAA:

Upon perusal of case summary and appraisal report, the JKEIAA agree with the recommendations of JKEAC **to reject the case for grant of Terms of Reference** keeping in view the anticipated/potential adverse environmental fallout of mining activity on irrigation and water supply schemes in the area.

AGENDA ITEM NO.02

Grant of Terms of Reference in favour of Shri Shabir Ahmad Sheikh S/o Shri. Ghulam Mohiud Din Sheikh R/o Near Airtel Tower, Bhan, District – Kulgam JK UT-192231 for Minor Mineral Block No- 25, Y- Ashmuji Bridge Downstream, Vishu Nallah, Village Ashmuji Tehsil & District Kulgam, over an area of 4.60 ha. For TOR (reduced working area 1.70 ha.) under proposal Nos. SIA/JK/MIN/62972/2021//SIA/JK/MIN/57482/2020.

BRIEF SUMMARY: This case pertains to grant of TOR for river bed mining lease under B1 category with an area of 1.70 Ha. LOI has been issued on 16/07/2020, which has later been extended up to 15/04/2021 and is valid up to 31/08/2021. Mining plan has been approved on 14/09/2020 and its resizing has been recommended on 10/03/2021. As per summary of appraisal report, district survey report needs to be revised by including replenishment data etc. Approved mining plan has been submitted, but it needs revision. Status of NOC's in appraisal report show that DC Kulgam has issued NOC vide letter dated: 12/04/2021. Out

of 09 NOC's required from other stake holder departments all 09 stakeholder departments have recommended the Mining Block for extraction of Minor Minerals. Observations made on multi date google Earth platform uploaded by PP do not show any of the 12 features listed within the mining area except part of it falls under active water channel as listed at S.No.08, which needs to be excluded from mining area. NOCs of Block 25 from stakeholder depts missing from the single window clearance communication from Dy Commissioner concerned. Also, NOCs issued by some depts. attached are without specific details and categorical inputs. Further, ambiguity has been observed in the NoCs issued by respective stakeholder departments, endorsed by the Dy. Commissioner concerned, while the covering letter issued by DC shows NOCs as issued by 09 stakeholder departments, however the original NoCs do not mention the mining block under reference. Besides, many departments have not given clear-cut recommendations regarding the mining block.

Further, the JKEAC has made following specific observations as under:

- a) Mining depth exceeding 1 m below the MSL cannot be agreed in view of non-availability of replenishment data
- b) 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.
- c) Area reduction of mining block proposed by G&M Dept. to 1.70 ha agreed by JKEAC.
- d) Targeted mineral production also needs to be revised accordingly.
- e) Mining plan on page 2 mentions that the project falls under B2 category which needs to be corrected while revising the mining plan
- f) Scanned undertaking in Form 1 by the PP is without his signature
- g) Project cost in Form 1 and PFR is shown as 57.3 lacs when the bid cost alone is 66.70 lacs. Therefore, project cost needs to be revised in PFR.
- h) There are contradictory figures given for the EMP cost in submitted documents and the Ppt.
- i) The EMP cost is too meagre needs to be revised with appropriate budget.
- j) The CER cost is missing.
- k) Though as per annexure to letter No.DCK/Estt/2021-22/91 dated 12/04/2021 and No.DCK/Estt/2021-22/321 dated 7/06/2021 NOCs have been issued by all the stake holders, yet the NOC from Fisheries Dept. and Irrigation Dept. has not been appended which are very important and need to be produced while applying for EC.

Recommendations of JKEAC

In view of the deliberations and insight gained during the above cited appraisal process, the Committee has recommended the case for grant of Terms of Reference as per Annexure-A to the Minutes of JKEAC Meeting subject to: -

- i. Mining Depth of 1m in aggregate due to non-availability of replenishment data.
- ii. Mining Area 1.70 ha after exclusion of green patch /active water channel / Flood protection structures/ safe distance to bridge/irrigation canal headway etc.
- iii. Condition that the project proponent obtains a detailed report from the Executive Engineer Irrigation Dept. to the effect that the mining activity will not have any adverse impact on irrigation canals /kuhls.
- iv. Condition that the PP obtains a detailed report from Asstt. Director, Fisheries Dept., Kulgam to the effect that the mining activity will not have any adverse impact on fish life in the stream.

- v. Condition, the haulage route does not traverse through the active water channel.
- vi. Condition, the bulk density is restricted to maximum 2 (two) in absence of actual measurements.
- vii. Revision of mining plan/PFR with revised area, revised coordinates, revised surface plan, and revised calculation of minor mineral production at maximum 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.

Decision of JKEIAA:

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

- a) That Mining Depth is restricted to 1m only below MSL in view of non-availability of replenishment data.
- b) That Mining Area is restricted to 1.70 ha only after exclusion of green patch/active water channel/Flood protection structures/safe distance to bridge/irrigation canal headway etc.
- c) That quantity is calculated on the basis of bulk density of 2.0 MT/cum.
- d) Revision of mining plan/PFR with revised area, revised coordinates, revised surface plan, and revised calculation of minor mineral production at maximum 1m depth in aggregate, mapping of haulage route, etc., in the light of deliberations of the JKEAC and its approval by the competent authority. The revised documents be submitted at the time submission of project for final appraisal to grant E.C.
- e) Regarding NOCs the Member Secretary may ask the project proponent to include the categorical certificate from DC concerned that all the NOCs pertain to the Minor Mineral Block No – 25, besides clear recommendations from irrigation and flood control and fisheries.

AGENDA ITEM NO.03.

Grant of Terms of Reference in favour of Shri Mushtaq Ul Islam S/o Gh. Mohi-ud-Din Bhat R/o Karimabad, Tehsil & District Pulwama JK U.T-192301 for Minor Mineral Block-10 J-Ching Adigan Bridge Downstream Vishu Nallah, Village Chingi Adigan Tehsil D.H Pora District Kulgam, JK UT over an area 8.84 ha. (Reduced working area 4.99 ha.) under proposal Nos. SIA/JK/MIN/62988/2021//SIA/JK/MIN/57824/2020.

BRIEF SUMMARY: This case pertains to grant of TOR for river bed mining lease under B1 category with an area of 4.99 Ha. LOI has been issued on 16/07/2020, which has later been extended up to 15/04/2021 and is valid up to 31/08/2021. Mining plan has been approved on 14/09/2020 and its resizing has been recommended on 10/03/2021. As per summary of appraisal report, district survey report needs to be revised by including replenishment data etc. Status of NOC's in appraisal report show that DC Kulgam has issued NOC vide letter dated: 07/6/2021 stating that except irrigation dept, all other stake holder depts. have recommended the Mining Block for extraction of Minor Minerals. However, the NOC's appended with letter of DC Kulgam has not mentioned that it pertains to Mining Block No.10. Observations made on multi date google Earth platform uploaded by PP do not show any of

the 12 features listed within the mining area except part of it falls under active water channel as listed at S.No.08, which needs to be excluded from mining area.

Further, the JKEAC has made following specific observations as under:

- a) Mining depth exceeding 1 m below the MSL cannot be agreed in view of non-availability of replenishment data
- b) 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.
- c) Area reduction of mining block proposed by G&M Dept. agreed by the Committee.
- d) Mining plan on page 2 mentions that the project falls under B2 category which needs to be corrected in revised mining plan
- e) Form 1 undertaking by the PP is without his signature on portal
- f) The EMP cost is too meagre for a project with budget of 166 lacs
- g) Irrigation Dept. has not issued NoCs for the project.
- h) Mine closure Plan without detailed budget.
- i) JCB/Excavator proposed in mining methodology not agreed to by the Committee.
- j) The CER budget is missing.
- k) Individual NOCs as referred in the Annexure to Dy. Commissioner's letter cited above don't mention mining block 10 except in letter from Executive Engineer Irrigation Dept.

Recommendations Of JKEAC

In view of the deliberations and insight gained during the above cited appraisal process, the Committee rejected the case for grant of Terms of Reference for preparation of EIA/EMP specifically keeping in view the anticipated /potential adverse environmental fallout of mining activity on availability of water for irrigation and water supply schemes in the area.

Decision of Authority:

Upon perusal of case summary and appraisal report, the JKEIAA agree with the recommendations of the JKEAC to **reject the case for grant of Terms of Reference** keeping in view the anticipated/potential adverse environmental fallout of mining activity on irrigation schemes in the area and ambiguity observed in case of NOC of other stake holder depts.

AGENDA ITEM NO.04.

Grant of Terms of Reference in favour of Shri Abdul Hamid Wagay S/o Sh. Ghulam Nabi Wagay R/o Narapora, District – Shopian, JK U.T.–192302 for River Bed Mining Project Block No.-13, Mini Secretariat Shopian U/Stream Nallah Rambaria, village-Arhama, Tehsil & District-Shopian, J&K UT. (reduced working area 4.82 ha.) under proposal No.[SIA/JK/MIN/62983/2021//SIA/JK/MIN/55070/2020.](#)

BRIEF SUMMARY: The case pertains to grant of TOR for river bed mining lease under B1 category over an area of 4.82 ha (reduced working area). LOI has been issued on 27/03/2020 which has been extended on 15/04/2021 and is valid up to 31/08/2021. Mining plan has been approved on 09/06/2020 and its resizing has been recommended on 09/03/2021. Deputy Commissioner's letter dated 10/04/21 and letter 07/04/2021 mentions NOCs of Block 13 from stakeholder depts is missing from the single window clearance. Also, NOCs issued by some depts. attached are without specific details and categorical inputs. Further, ambiguity has been observed in the NoCs issued by respective stakeholder

departments, endorsed by the Dy. Commissioner concerned, while the covering letter issued by DC shows NOCs as issued by 09 stakeholder departments, however the original NoCs do not mention the mining block under reference. Besides, many departments have not given clear-cut recommendations regarding the mining block. Observations made on multirate Google Earth platform show presence of green patch which has already been excluded while resizing the block. Some area under active water channel needs to be excluded. As per summary of the appraisal report the District Survey Report needs revision including replenishment data, etc.

Further, the JKEAC has made following specific observations as under:

- a) Mining depth exceeding 1 m below the MSL cannot be agreed in view of non-availability of replenishment data
- b) 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.
- c) Area reduction of mining block proposed by G&M Dept. to 4.82 ha agreed by JKEAC.
- d) Targeted mineral production also needs to be revised accordingly.
- e) The EMP cost shown in ppt does not match the EMP budget in submitted documents.
- f) On page No: 28 of the EMP document, the mining depth is mentioned to be 2 meters which needs to be corrected as 1m.
- g) CER budget is not provided.
- h) The EMP budget is too meagre for a project with cost of Rs 160 lacs and needs to be revised.
- i) Detailed mine closure Plan budget is not given.
- j) Most of the documents especially surface plan uploaded on portal are not legible and need to be reloaded with freshly scanned legible docs.
- k) Signature of PP missing in undertaking on Form 1.
- l) NOCs of Block 13 from stakeholder depts missing from the single window clearance communication from Dy Commissioner, Shopian District. Also, NOCs issued by some depts. attached are without specific details and categorical inputs.
- m) Revised surface plan not approved by competent authority as on date.

Recommendations of JKEAC

In view of the deliberations and insight gained during the above cited appraisal process, the Committee recommended the case for grant of Terms of Reference as per Annexure-A to these Minutes of Meeting subject to: -

- a) Mining Depth of 1m in aggregate due to non-availability of replenishment data
- b) Mining Area 4.82 ha after exclusion of green patch/active water channel/Flood protection structures/safe distance to bridge/irrigation canal headway etc.
- c) Condition that the project proponent obtains a detailed and categorical NOC from the Executive Engineer, Irrigation Dept. indicating the position (Geocoordinates) of the Canal head vis-vis the mining block to the effect that the mining activity will not impact any infrastructure and the delivery system.
- d) Condition that the project proponent obtains a detailed and categorical NOC from Assistant Director, Fisheries Dept. concerned specifying therein that the mining activity in the designated mining block shall not have any adverse impact on fish fauna in the area.

- e) Condition, the bulk density is restricted to maximum 2 (two) in absence of actual measurements.
- f) Condition, the haulage route does not traverse through the active water channel.
- g) Revision of mining plan with revised area, revised coordinates, revised surface plan, and revised calculation of minor mineral production at maximum 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.

Decision of JKEIAA:

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) That Mining Depth is restricted to 1m only below MSL in view of non-availability of replenishment data.
- b) That Mining Area is restricted to 4.82 ha only after exclusion of green patch/active water channel/Flood protection structures/safe distance to bridge/irrigation canal headway etc.
- c) That quantity is calculated on the basis of bulk density of 2.0 MT/cum.
- d) Revision of mining plan/PFR with revised area, revised coordinates, revised surface plan, and revised calculation of minor mineral production at maximum 1m depth in aggregate, mapping of haulage route etc., in the light of deliberations of the JKEAC and its approval by the competent authority. The revised documents be submitted at the time submission of project for final appraisal to grant E.C.
- e) Regarding NOCs the Member Secretary may ask the project proponent to include the categorical certificate from DC concerned that all the NOCs pertain to the Minor Mineral Block No – 13, besides clear recommendations from irrigation and flood control and fisheries.

AGENDA ITEM NO.05.

Grant of Terms of Reference in favour of Shri Mushtaq Ahmad Khanday S/o Shri Lal-ud-din Khanday R/o Near Masjid Shareef Bhan District - Kulgam, JK UT- for Nallah Bed Mining Project, Minor Mineral Block-17, Q-Kulgam Bridge Upstream Vishu Nallah. Village: Kulgam Tehsil & District Kulgam, over an area of 4.08 ha. (reduced working area 1.20 ha.) under proposal Nos. SIA/JK/MIN/62996/2021//SIA/JK/MIN/57493/2020.

BRIEF SUMMARY: The case pertains to grant of TOR for Nalla bed mining lease under B1 category with an area of 1.2Ha. LOI has been issued on 16/07/2020 which has been extended on 15/04/2021 and is valid up to 31/08/2021. Mining plan has been approved on 31/08/2020 and its resizing has been recommended on 10/03/2021. District Survey report needs to be revised by including replenishment data etc., communication dated 15/06/2021 from DC Kulgam makes mention of NOCs issued in favour of the mining block by all stake holders but the annexures containing actual NOCs do not mention block 17 except PHE Dept. which has issued a revised conditional NOC. Observations made on multi date google Earth platform indicate features of illegal mining outside the mining block as per 10/08 image but not visible on the latest image of 2020. As bridge stands already excluded by resizing the block. Some area falling under active water channel needs to be excluded.

Further, the JKEAC has made following specific observations as under:

- a) Mining depth exceeding 1 m below the MSL cannot be agreed in view of non-availability of replenishment data.
- b) 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.
- c) Area reduction of mining block proposed by G&M Dept. to 1.20 ha. agreed by JKEAC.
- d) Targeted mineral production also needs to be revised accordingly.
- e) Form 1 uploaded on portal without signatures of the project proponent
- f) Bid cost of Rs 63 lacs has been wrongly shown on page 11 of PFR which needs to be corrected and updated version be submitted and uploaded on the portal.
- g) CER budget is not provided.
- h) The EMP budget is too meagre for a project with cost of 85 lacs and needs to be revised.
- i) The detail budget for mine closure is not given.
- j) There are contradictory figures given for the EMP cost. In the ppt. the uploaded EMP document.
- k) On page 25 of the EMP document the mining depth is mentioned to be 2.5 meters which needs to be corrected and updated version uploaded on the portal.

Recommendations of JKEAC:

In view of the deliberations and insight gained during the above cited appraisal process, the Committee recommended the project for grant of Terms of Reference as per Annexure-A to the Minutes of JKEAC Meeting subject to: -

- a) Mining Depth of 1m in aggregate due to non-availability of replenishment data.
- b) Mining Area 1.20 ha after exclusion of green patch/active water channel/Flood protection structures/safe distance to bridge/irrigation canal headway etc.
- c) Condition that the project proponent obtains a detailed and categorical NOC from the Executive Engineer, Irrigation Dept. indicating the position (Geocoordinates) of the Canal headway vis-via the mining block to the effect that the mining activity will not impact any infrastructure and the delivery system.
- d) Condition that the project proponent obtains a detailed and categorical NOC from Assistant Director, Fisheries Dept. concerned specifying therein that the mining activity in the designated mining block shall not have any adverse impact on fish fauna in the area.
- e) Condition, the PP also obtains categorical NOC from the Executive Engineer, Flood Control Dept to the effect that the mining activity will not impact any Flood Protection infrastructure in the area.
- f) Condition, the haulage route does not traverse through the active water channel.
- g) Condition, the bulk density is restricted to max.2 in absence of actual measurements.
- h) Revision of mining plan with revised area, revised coordinates, revised surface plan, and revised calculation of minor mineral production at maximum 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.

Decisions of JKEIAA:

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:

- f) That Mining Depth is restricted to 1m only below MSL in view of non-availability of replenishment data.
- g) That Mining Area is restricted to 1.20 ha only after exclusion of green patch/active water channel/Flood protection structures/safe distance to bridge/irrigation canal headway etc.
- h) That quantity is calculated on the basis of bulk density of 2.0 MT/cum.
- i) Revision of mining plan/PFR with revised area, revised coordinates, revised surface plan, and revised calculation of minor mineral production at maximum 1m depth in aggregate, mapping of haulage route etc., in the light of deliberations of the JKEAC and its approval by the competent authority. The revised documents be submitted at the time submission of project for final appraisal to grant E.C.
- j) Regarding NOCs the Member Secretary may ask the project proponent to include the categorical certificate from DC concerned that all the NOCs pertain to the Minor Mineral Block No – 17, besides clear recommendations from irrigation and flood control and fisheries.

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/

Dated: /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) /2021

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