



MINUTES OF THE MEETING

In pursuance to the Minutes of the 64th Meeting of the JK Expert Appraisal Committee held on 13th October, 2021 through video Conferencing issued vide NO.EAC-JK-20-9881-892 dated 13-10-2021, the 59th Meeting of the JK Environment Impact Assessment Authority was held on 20th October, 2021 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 Environment Clearance in favour of Shri Bashir Ahmed Dar S/O Shri Ghulam Nabi Dar R/o Pahoo, Tehsil – Kakapora, District–Pulwama, JK UT for Nallah Bed Mining Project – Area – 4.55ha. located at Minor Mineral Block No.53, Wanpora Bridge to Kalampora Bridge Downstream Nallah Sasara Village Wanpora to Kalampora Tehsil & District-Shopian JKUT(ADS) under proposal No.SIA/JK/MIN/221290/2021//SIA/JK/MIN/59259/2020.

Brief Summary: This case pertains to grant of Environment Clearance under B2 category for Nallah Bed Mining Project – Area – 4.55ha. LOI has been issued on 20-07-2020, which was later extended on 15-04-2021 and was valid up to 31-08-2021. Mining plan has been approved on 03-10-2020. The public hearing of the project was conducted on 05-05-2021. The case was earlier discussed by the JKEAC on 11-09-2021 and the area of the project has been reduced by Geology and Mining Department on 22-04-2021. 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., Status of NOCs in appraisal report shows that Dy. Commissioner, Shopian vide reference No. DCS/SQ/21-22/23-24 dated 06/04/2021 has conveyed NOCs of stakeholder departments.

Deliberations/specific observations of JKEAC:

- The project had earlier been discussed during 60th meeting of JKEAC held on 11/09/2021 during which the Committee recommended that a categorical permission/ no objection certificate shall be obtained by the PP from Roads and Buildings(R&B) Department to the effect that mining activity shall not damage the existing road and its banks and if otherwise, the department may prescribe the remedial or mitigating measures to ensure that mining is carried out without adversely affecting the existing road / other structures, if any and also recommend the cost thereof. As per the NOC obtained from the R&B Dept. vide letter no NOC/8284-85 dated 28/09/2021, the asset does not belong to the R&B Dept. and the concerned has conveyed no objection to conduct of mining operations in the block. However, the fact remains that there exists

- a road which caters to the surrounding villages. Therefore, the Committee desired the PP to obtain concurrence of the PRI or any agency that owns the road.
- b. Subject to the concurrence from the local PRI, the PP shall have to provide appropriate budget in the EMP to enable taking up mitigative measures, if required at any stage.
 - c. Mining depth be restricted to max.1m in aggregate in view of non-availability of replenishment data in the DSRs formulated by the G&M Dept.
 - d. EMP Budget needs to be revised with appropriate budget as suggested/recommended by the JKEAC.
 - e. Revision of the mining plan and its denovo approval by the competent authority prior to grant of EC or as decided by JKEIAA.
 - f. Project cost has been underestimated by the consultant as it does not include cost of, EMP, Env. Clearance processing fee/ PCCs Consent fee etc. and therefore needs to be revised.

Recommendations of the JKEAC:

In view of the above deliberations / observations made by the Committee herein above, the Expert Appraisal Committee recommended the project for grant of Environmental Clearance subject to: -

- a. Standard and Specific Conditions as per Annexure B to the Minutes of JKEAC Meeting.
- b. Compliance of the observations made by the Committee here-in-above under deliberations.
- c. Maximum targeted mineral production of 54600 MT.
- d. Condition the revised geographical coordinates as per revised area conveyed by G&M Dept. are mentioned in the EC letter by JKEIAA
- e. 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.
- f. No JCBs/ Excavators/ Bulldozers to be used in mining and no water course to be disturbed while transporting minor minerals.
- g. 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 JKEIAA:

After due deliberations the authority upheld the recommendations of JKEAC to grant Environment clearance to the project subject to fulfillment of following conditions:

- a. Revalidation of Lol by the Geology and Mining Department.
- b. Full compliance of Standard and Specific Conditions as per Annexure B to the Minutes of JKEAC Meeting.
- c. Concurrence of the PRI or any agency that owns the road mentioned in the deliberations of the JKEAC prior to grant of EC
- d. Maximum targeted mineral production is restricted to 54600 MT.
- e. 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.
- f. No JCBs/ Excavators/ Bulldozers to be used in mining and water course should not be disturbed while transporting minor minerals.
- g. While issuing EC, Member Secretary shall specifically mention revised geographical coordinates for revised area conveyed by G&M Dept.

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- h. Validity period of only three years from the date of commencement of the mining operations duly certified by the District Mineral Officer concerned with intimation to the JKEIAA, JKPC in view of non-availability of replenishment data.

Agenda Item No.02.

Grant of Environment Clearance in favour of Shri Mohd. Abass Raina, S/O Shri Mohd. Abdullah Raina, R/o Arihal, District - Pulwama JK UT for Nallah Bed Mining Project - Area 2.38ha. located at Minor Mineral Block No. 54, Kalampora Bridge to Link Road Dumpora Downstream Nallah Sasara, Village - Kalampora, Tehsil - Keegam District - Shopian, JK UT (ADS). under proposal No. SIA/JK/MIN/223129/2021// SIA/JK/MIN/59217/2020.

Brief Summary.

This case pertains to grant of Environment Clearance under B2 category for Nallah Bed Mining Project - Area 2.38ha. LOI has been issued on 18-07-2020, which was later extended on 15-04-2021 and was valid up to 31-08-2021. Mining plan has been approved on 03-10-2020. The case was earlier discussed by the JKEAC on 11-10-2021 and the area of the project has been reduced by Geology and Mining Department on 22-04-2021. 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., Status of NOCs in appraisal report shows that Dy. Commissioner Shopian has conveyed NOCs of Stakeholder departments under single window clearance system vide letter No. DCS/SQ//21-22/23-24 dated 06/04/2021. However, NOC from Irrigation Department is awaited.

Deliberations/specific observations of JKEAC:

- a. The project had earlier been discussed during 60th meeting of JKEAC held on 11/09/2021 during which the Committee recommended a categorical permission/ no objection certificate shall be obtained from Roads and buildings(R&B) Department to the effect that mining activity shall not damage the existing road and its banks and if otherwise the department may prescribe the remedial or mitigating measures to ensure that mining is carried out without adversely affecting the existing road / other structures if any and also recommend the cost thereof. As per the NOC obtained from the R&B Dept. vide letter No. NOC/8284-85 dated 28/09/2021, the asset does not belong to the R&B and that they have no objection to conduct of mining operations in the block. However, the fact remains that there exists a road which caters to the surrounding villages. Therefore, the Committee desired the PP to obtain concurrence of the PRI or any agency that owns the road.
- b. Subject to the concurrence from the local PRI, the PP shall have to provide appropriate budget in the EMP to enable taking up mitigative measures, if required at any stage.
- c. Mining depth be restricted to max.1m in aggregate in view of non-availability of replenishment data in the DSRs formulated by the G&M Dept.
- d. EMP Budget needs to be revised with appropriate budget as suggested/recommended by the JKEAC.
- e. Revision of the mining plan and its denovo approval by the competent authority prior to grant of EC or as decided by JKEIAA.
- f. Project cost has been underestimated by the consultant as it does not include cost of, EMP, Env. Clearance processing fee/ PCCs Consent fee etc. and therefore needs to be revised.

Recommendations of the JKEAC:

In view of the above deliberations / observations made by the Committee herein above, the Expert Appraisal Committee recommended the project for grant of Environmental Clearance subject to: -

Decision of JKEIAA:

After due deliberations the authority upheld the recommendations of JKEAC to grant Environment clearance to the project subject to fulfillment of following conditions:

- a) Revalidation of Lol by the Geology and Mining Department.
- b) Full compliance of Standard and Specific Conditions as per Annexure B to the Minutes of JKEAC Meeting.
- c) Concurrence of the PRI or any agency that owns the road mentioned in the deliberations of the JKEAC prior to grant of EC
- 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) Maximum targeted mineral production is restricted to 28500 MT.
- f) Strict adherence to the terms and conditions of the NOCs of the stakeholder departments which needs to be monitored by the enforcement agencies and concerned department.
- g) No JCBs/ Excavators/ Bulldozers to be used in mining and water course should not be disturbed while transporting minor minerals.
- h) Validity of only three years from the date of commencement of the mining operations duly certified by the District Mineral Officer concerned with intimation to the JKEIAA and JKPCB in view of non-availability of replenishment data.

Agenda Item No.03.

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

Brief Summary: This case pertains to grant of Environment Clearance under B1 category for River bed mining of Minor Minerals Block - 32 in Nallah Dharli Downstream Ujan Bridge, at Village -Ujan, Tehsil and District - Rajouri JK UT Area: 9.14ha. LOI has been issued on 19-11-2020, which was later extended on 15-04-2021 and was valid up to 31-08-2021. Mining plan has been approved on 05-01-2020. The Terms of Reference were issued to project on 22-03-2021 and public hearing was conducted on 10-07-2021. The case was earlier discussed by the JKEAC on 11-09-2021. 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., Status of NOCs in appraisal report shows that Dy. Commissioner, Rajouri vide reference No. DCR/2021-22/Acctt/116 dated 29-05-2021 has conveyed NOCs of stakeholder departments.

Deliberations/specific observations of JKEAC:

The project had earlier been discussed during 60th meeting held on to 11/09/2021 during which the Committee had recommended:-

- i. Exclusion of active water channel while calculating the targeted mineral.
- ii. A comprehensive chapter needs to be added in EIA report with all micro-details on the haulage of material. Possibility of additional haulage route may be explored for other flank of the block with minimum environmental

- implications. ICT based monitoring mechanism with all micro- details on the haulage of material.
- iii. The NOC from concerned PRI to be obtained, in case the haulage passes through inhabited areas.
 - iv. Revised EMP as per JKEAC deliberations.

It was observed that the PP has not complied with item ii and iii of above observations made by the Committee in the previous meeting.

Recommendations of the JKEAC:

In view of the above deliberations / observations made by the Committee here-in-above, the Expert Appraisal Committee did not approve the project in the present form. However, subject to fulfilment of the requirements and compliance of the observations made here-in-above, the Committee permitted the project proponent, if he so desires, to again approach the JKEIAA for reconsideration of the case.

Decision of JKEIAA:

After due deliberations, JKEIAA upheld recommendations of JKEAC not to approve EC in the present form. However, PP may resubmit the case again after fulfilling the conditions and submission of revised documents as recommended by JKEAC.

Agenda Item No.4.

Grant of Environment Clearance in favour of Shri Mohammad Yaseen Parray S/O Shri Mohammad Yaqoob Parray R/O Near Masjid Fasil Chock Chakpora Ban Dora, Ashmuji Anantnag, JK UT for Proposed River Bed Mining Project at Minor Mineral Block No – 23, Ashmuji Bridge U/Stream Vishu Nallah VILLAGE – Ashmuji TEHSIL &DISTRICT – Kulgam JK UT (AREA – 9.09ha.) (ADS). under proposal No.SIA/JK/MIN/66838/2020/ SIA/JK/MIN/57330/2020.

Brief Summary: This case pertains to grant of Environment Clearance under B1 category for Proposed River Bed Mining Project at Minor Mineral Block No – 23, Ashmuji Bridge U/Stream Vishu Nallah VILLAGE – Ashmuji TEHSIL &DISTRICT – Kulgam JK UT (AREA – 9.09ha.) LOI has been issued on 16-07-2020, which was later extended on 15-04-2021 and was valid up to 31-08-2021. Mining plan has been approved on 31-08-2020. The Terms of Reference were issued to the project on 27-12-2020 and public hearing was conducted on 08-05–2021. The case was earlier discussed by the JKEAC on 11-09-2021. 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., Status of NOCs in appraisal report shows that all the Stakeholder departments have issued NOCs in favour of the project.

Deliberations/specific observations of JKEAC:

- a. It was observed that the project had earlier been discussed during 60th meeting held on 11.09.2021 during which the Committee had sought additional details on the project viz. furnishing of test Reports of baseline data on the letter head of the NABL recognized Environmental Testing Laboratory and to obtain a categorical certificate from the Irrigation Department to the effect that the proposed mining activity does not pose any danger to the irrigation structure and if otherwise, the Department may convey the remedial or mitigating measures to ensure that mining is carried out without adversely affecting the existing irrigation structures. Now, the project proponent has submitted a report from the concerned Department vide No: ISDK/607

dt:23/09/2021 stating therein that the distance between the off-take point of Bani Ladi and the nearest corner point of minor Block No: 23 is 1200 Mts. from the prohibited area / off take point of the nearest canal thereby, justifying grant of unconditional NOC for the said block.

- b. The Committee expressed its dismay for absence of the consultant during the proceedings despite the supporting staff of the JKEAC Office having repeatedly called him to join. The project proponent also failed to seek his presence for giving presentation on the project.
- c. It was observed that an emailed complaint dated 11/10/2021 has been received from Mr. Himanshu Goel of M/S OCEAO-ENVIRO Management Solutions (India) Pvt. Ltd., the erstwhile consultant, alleging that the baseline reports submitted earlier from Enviro Tech Services duly attested by the Sarpanch and DMO concerned is fudged one. In this connection, he has forwarded an email from Enviro-Tech Services, Gaziabad where under the testing Lab has disowned the baseline data reports. It was observed that the present Consultant M/S Atmos Sustainable solutions Pvt. Ltd. has submitted baseline data reports on the letter head of JP Test & Research Centre also duly attested by DMO concerned and Sarpanch, this time. The project proponent was asked to explain his position in the matter. In his reply, the project proponent stated that the Consultants have been bitterly exploiting the project proponents and blamed the consultant for this act. He presented communications made by him to the consultant immediately after issuance of Minutes of Meeting of 60th Meeting. He seems to have expressed dismay on the way his project was getting delayed due to failure of the consultant to submit baseline data test reports on the letter head of the NABL testing Lab which had resulted in deferring the case, earlier.
- d. The Committee also expressed surprise the way the concerned DMO and the Sarpanch had attested both the conflicting baseline data reports. The Committee desired the Geology & Mining Dept. to take appropriate action in the matter under intimation to JKEIAA.
- e. The Committee further desired JKEIAA to initiate appropriate action against the person/consultant / testing laboratory involved in alleged fudging of the baseline data after conducting proper inquiry into the matter.
- f. After taking a holistic view of the matter, the Committee was of the opinion that the project proponent should not be made to suffer due to lack of professionalism displayed by the consultant. There are instances where the consultants have been exploiting the project proponents on one hand and trying to mislead the Committee on the other. The Committee, therefore, decided to clear the project subject to collection of fresh baseline data by some other NABET accredited consultant and its testing by a different NABL testing laboratory, to be personally supervised by the project proponent within a specified period to be decided by the JKEIAA.
- i) Illegal mining activity detected in the mining block as per features on Google image of June, 2020 for which clarification from the Multi Dept. District level Task Force (MLDTF) Cell has been obtained by the project proponent.
- j) The JKEAC desired that the conditions of NOC of stakeholder department need to be adhered to in letter and spirit.
- g. The compliance to specific TOR condition relating to photographs of display screen displaying the dates of collection of data missing in EIA report which needs to be complied in letter and spirit prior to grant of EC.
- k) Project cost has been underestimated by the consultant as it does not include cost of Env. Clearance processing fee/ PCCs Consent fee etc. and therefore needs to be revised.

- l) Revision of the mining plan with mine closure plan, revised mining depth, surface plan, targeted mineral production and replenishment and its denovo approval by the competent authority prior to grant of EC or as decided by JKEIAA.
- m) Mining depth be restricted to max. 1m in aggregate in view of non-availability of replenishment data in the DSRs formulated by the Geology & Mining Department.

Recommendations of the JKEAC:

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

- a) Standard and Specific Conditions as per Annexure B to the Minutes of Meeting.
- b) Revision of EIA report with compliance to observations relating to fresh collection of baseline data in view of deliberations made herein above.
- c) An appropriate action against the consultant for his unprofessional conduct.
- d) Compliance of specific ToR condition relating to photographs of display screen displaying the date of collection of data before grant of formal EC or as decided by the JKEIAA.
- e) Revision of the mining plan and its denovo approval by the competent authority prior to grant of EC or as decided by JKEIAA.
- f) Mining depth of max. 1m in aggregate in view of non-availability of replenishment data in the DSRs formulated by the G&M Dept.
- 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 109000 MT.
- j) Condition the geographical coordinates as per Lol issued 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 JKEIAA:

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

- a) Revalidation of Lol by the Geology and Mining Department.
- b) Full compliance of Standard and Specific Conditions as per Annexure B to the Minutes of JKEAC Meeting.
- c) Revision of EIA report with compliance to observations relating to fresh collection of baseline data within six months of grant of formal EC.
- d) The Committee desired the Geology & Mining Dept. to take appropriate action in the matter a show cause notice to consultant for his unprofessional conduct.
- e) Compliance to the specific ToR condition relating to photographs of display screen displaying the date of collection of data within six months of grant of formal EC
- f) Revision of the mining plan and its approval by the competent authority within a period of three months from the issuance of E.C.
- g) Mining depth of max. 1m in aggregate in view of non-availability of replenishment data in the DSRs formulated by the G&M Dept.

- h) Strict adherence to the terms and conditions of the NOCs of the stakeholder departments which need to be monitored by the enforcement agencies and concerned dept.
- i) No JCBs/ Excavators/ Bulldozers to be used in mining and water course should not be disturbed while transporting minor minerals.
- j) Maximum targeted mineral production is restricted to 109000 MT.
- 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 JKPC in view of non-availability of replenishment data.
- l) In addition, the Member Secretary was advised to issue a show cause notice to consultant for his unprofessional conduct besides writing Director Geology and Mining Dept. for taking appropriate action in view of attesting two conflicting statements by the concerned DMO regarding baseline data reports. Action taken be intimated to JKEIAA.

Agenda Item No.05.

Grant of Terms of Reference in favour of Shri Karanvir Singh S/O Shri Surinder Singh R/O Shaheed Udham Singh Nagar, Pathankot, Punjab for Riverbed Mining Project of Minor Mineral in Block No.13, GMS Wagramula to Kharpora Road Downstream, Ferozpora Nalla, District - Baramulla, JK UT, Area 4.24ha. under proposal No. SIA/JK/MIN/67603/2021.

Brief Summary: This case pertains to grant of Terms of Reference B1 category Riverbed Mining Project of Minor Mineral in Block No.13, GMS Wagramula to Kharpora Road Downstream, Ferozpora Nalla, District - Baramulla, JK UT, Area 4.24ha. LOI has been issued on 17-07-2020, which was later extended on 15-04-2021 and was valid up to 31-08-2021. Mining plan has been approved on 17-05-2021. 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., Status of NOCs in appraisal report shows that NOCs have been issued under Single window system by Additional Deputy Commissioner, Baramulla vide No. ADCB/Reader/2021- 22/435-47 dated 29-05-2021.

Deliberations/specific observations of JKEAC:

One Causeway /Culvert exists within the mining block and another in the vicinity of the mining block, which demand resizing of the mining block so as to maintain a safe distance of 500 m from the structures. However, keeping in view the size of the mining block, such an intervention would not be technically feasible.

Recommendations of the JKEAC:

In view of the above deliberations and insight gained during the above cited appraisal process, the Committee recommended the case for rejection of Terms of reference as the mining block is not technically feasible.

Decision of JKEIAA:

After due deliberations, JKEIAA upheld recommendations of JKEAC to reject the case for grant of Terms of Reference as the mining block is not technically feasible.

Agenda Item No.06.

Grant of Terms of Reference in favour of Shri Ranbir Singh S/O Shri Gulwant Singh R/O Sheikhpur Bagh Shaheed Bhagat Singh Nagar, Punjab. for river bed material mining Block No. 32/B, (Area-2.69ha.) Sathura Bridge Downstream Nalla Naristan, Village-Sathura, Taluka-Tral, District-Pulwama. under proposal No. SIA/JK/MIN/67527/2021//SIA/JK/MIN/54996/2020.

Brief Summary.

This case pertains to grant of Terms of Reference under B1 category for river bed material mining Block No. 32/B, (Area-2.69ha.) Sathura Bridge Downstream Nalla Naristan, Village-Sathura, Taluka- Tral, District- Pulwama. LOI has been issued on 16-06-2020, which was later extended on 15-04-2021 and was valid up to 31-08-2021. Mining plan has been approved on 10-07-2020. 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., Status of NOCs in appraisal report shows that NOCs have been issued under Single window system by Additional Deputy Commissioner Pulwama vide No: DCP/Estt/SM/NOC/564-76 dated 03-05-2021.

Deliberations/specific observations of JKEAC:

Bridge/culverts on Upstream side of the mining block exists at a distance of 126mts and therefore the mining block needs to be resized to maintain a safe distance of 500 m from the structure. However, keeping in view the size of the mining block, such an intervention would not be technically feasible.

Recommendations of the JKEAC:

In view of the above deliberations and insight gained during the above cited appraisal process, the Committee recommended the case for rejection of Terms of reference as the mining block is not technically feasible.

Decision of JKEIAA:

After due deliberations, JKEIAA upheld recommendations of JKEAC to reject the case for grant of Terms of Reference as the mining block is not technically feasible.

Agenda Item No.07.

Grant of Terms of Reference in favour of Shri Vinod Kumar Shukla S/O Shri Chander Narayan Gupta R/O. Behinar, Unnao, Uttar Pradesh for Riverbed material mining, Block No. 09/A, Hall Rajpora Bridge Downstream Nalla Sasara, Pulwama. Area 4.48ha. under proposal No. SIA/JK/MIN/67529/2021//SIA/JK/MIN/54923/2020.

Brief Summary:

This case pertains to grant of Terms of Reference under B1 category for Riverbed material mining, Block No. 09/A, Hall Rajpora Bridge Downstream Nalla Sasara, Pulwama. Area 4.48ha. LOI has been issued on 09-06-2020, which was later extended on 15-04-2021 and was valid up to 31-08-2021. Mining plan has been approved on 10-07-2020. 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., Status of NOC's in appraisal report shows that NOCs have been issued under Single window system by Additional Deputy Commissioner Pulwama vide No:DCP/ Estt/SM/NOC/512-24 dated 03-05-2021.

Deliberations/specific observations of JKEAC:

- a) Bridges on either side of the mining block at a distance of 110m and 115m respectively, which demand resizing of the mining block to maintain safe distance to the civil structures leaving approx. 1.80ha. Therefore, the PP needs to get the mining block resized if he desires so and to apply under B2 category.
- b) Illegal mining activity detected in the mining block as per features on Google image of June, 2021 which needs clarification from the Multi Dept. District level Task Force (MDLTF) Cell.
- c) Revision of the mining plan with mine closure plan, revised mining depth, surface plan, area targeted mineral production and replenishment and its denovo approval by the competent authority prior to grant of EC or as decided by JKEIAA.
- d) Mining depth be restricted to max 1m in aggregate in view of non-availability of replenishment data in the DSRs formulated by the Geology & Mining Department.

Recommendations of the JKEAC:

In view of the above deliberations and insight gained during the above cited appraisal process, the Committee did not approve the project for grant of Terms of Reference in the present form. However, the PP is free to get the mining block resized to maintain safe distance to the bridges and to apply under appropriate category.

Decision of JKEIAA:

After due deliberations, JKEIAA upheld recommendations of JKEAC not to approve TOR in the present form. However, PP may resubmit the case again after fulfilling the conditions and submission of revised documents as recommended by JKEAC along with revalidation of Lol.

Agenda Item No.08.

Grant of Terms of Reference in favour of M/S Kesri Nandan Mines R/O Logate Tehsil, District Kathua, JK UT for Minor Mineral Block No. 03 in Naj Nallah Upstream Naj Bridge, District Kathua (Plan-I) JK UT (Resized area 7.44 ha. (ADS) under proposal No. SIA/JK/MIN/61553/2021.

Brief Summary:

This case pertains to grant of Terms of Reference under B1 category for Minor Mineral Block No. 03 in Naj Nallah Upstream Naj Bridge, District Kathua (Plan-I) JK UT (Resized area 7.44 ha. LOI has been issued on 09-09-2020, which was later extended on 15-04-2021 and is valid up to 31-08-2021. Mining plan has been approved on 17-02-2021. 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., Status of NOCs in appraisal report shows that all the Stakeholder departments have issued NOCs in favour of the project. However, the NOC from Revenue Department is awaited.

Deliberations/specific observations of JKEAC:

- a) The case was discussed during the 37th meeting held on 22-04-2021 during which the committee recommended that the Project Proponent be asked to obtain detailed report from the Heads of Irrigation & Flood Control Dept., Geology & Mining Dept. and PHE Dept. in the light of representation by the local public representatives. The PP has submitted NOC from the local authorities instead of the HoDs as desired in the previous meeting.

- b) While observing the NOC issued by the Forest Dept. the committee pointed out that the DFO has not mentioned the nearest pillar coordinate of the forest boundary. Therefore, the Committee desired that a fresh clarification should be sought from the Forest Department in which coordinates and distance from nearest pillar coordinate of the forest boundary from the pillar coordinate-C of mining block should be mentioned. Further the coordinate of pillar D does not match the coordinates of pillar D as mentioned in the LOI. Therefore, the DFO needs to issue a revised NOC mentioning the correct coordinates of the mining block as per LOI and coordinates of nearest forest boundary pillar to settle the issue.
- c) Bridge on one side of the mining block at a distance of 470m. The PP has submitted proposal after resizing the mining block but there is no supportive documentation where under the G&M Dept. has resized the mining block excepting the revised surface plan. The revised KML file of the resized mining block too had not been submitted. However, the Consultant emailed the same during the proceedings and the Committee observed that the resized mining block too is traversing through the forest area and therefore desired that the PP should resize the mining block afresh so that the resultant mining block limits are at a safe distance from the forest boundary and the bridge.
- d) The District Adm. is advised to frame a Committee of Experts who shall give their considered opinion on the effects of mining activities on sub surface /ground water resources in the area as the issue has implications in regard to availability of water for drinking purposes. The expert opinion shall help address the apprehension of the local public who as of now apprehend that mining activity will adversely affect the water availability. This is in reference to the representations received on the subject from the locals of the area.
- e) Revision of the mining plan with mine closure plan, revised mining depth, surface plan, area targeted mineral production and replenishment and its denovo approval by the competent authority prior to grant of EC or as decided by JKEIAA.
- f) Mining depth be restricted to max.1m in aggregate in view of non-availability of replenishment data in the DSRs formulated by the G&M Dept.
- g) Bulk density of 2.25 not agreed. A nominal bulk density of 2 to be used in absence of actual measurements in field.

Recommendations of the 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 the minutes of JKEAC meeting for preparation of EIA/EMP and conduct of Public Hearing, subject to following conditions: -

- a) Obtaining of fresh NOC from the forest Dept. with coordinates of the revised mining block and the nearest forest pillar coordinate showing distance between the two after fresh resizing to maintain safe distance to forest and the bridge.
- b) Production of copy of letter under which the mining block has been resized by the G&M Dept. with revised KML file.
- c) Constitution of an Expert Committee by the District Administration for addressing the apprehensions of locals in regard to adverse effects of mining in the area vis-a-vis the availability of water for drinking purposes.
- d) Compliance of observations made by the Committee in the 37th JKEAC meeting.
- e) Mining depth does not exceed 1 m in aggregate in view of non-availability of replenishment data

- f) Revision of Mining plan for revised area, depth, surface plan, mining methodology, targeted mineral production and closure plan etc.

Decision of JKEIAA:

After due deliberations on observations of JKEAC, the authority upheld the recommendations of the Committee to grant terms of Reference to the project subject to following conditions:-

- a) Obtaining of fresh NOC from the forest Dept. with coordinates of the revised mining block and the nearest forest pillar coordinate showing distance between the two after fresh resizing to maintain safe distance to forest and the bridge.
- b) Production of copy of letter under which the mining block has been resized by the G&M Dept. with revised KML file.
- c) Constitution of an Expert Committee by the District Administration for addressing the apprehensions of locals in regard to adverse effects of mining in the area vis-a-vis the availability of water for drinking purposes.
- d) Compliance of observations made by the Committee in the 37th JKEAC meeting.
- e) Mining depth does not exceed 1 m in aggregate in view of non-availability of replenishment data
- f) Revision of Mining plan for revised area, depth, surface plan, mining methodology, targeted mineral production and closure plan etc.

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/2016/02/111/2833-37
Copy by email to:

Dated: 21/10/2021

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