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Ministry of Environment, Forest & Climate Change, Govt. of India.

J&K EXPERT APPRAISAL COMMITTEE

Department of Ecology, Environment & Remote Sensing

Paryavaran Bhavan, Gladeni, Transport Nagar, Narwal, Jammu Tawi (November-April)

SDA Housing Colony, Bemina, Srinagar, Kashmir (May-October)

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MINUTES OF MEETING

MINUTES OF 7th MEETING OF THE JK EXPERT APPRAISAL COMMITTEE HELD FROM 09/06/2020 TO 11/06/2020 AND ALSO ON 13/06/2020 VIA VIDEO CONFERENCING OWING TO COVID-19 OUTBREAK AND SUBSEQUENT LOCKDOWN

The following attended the sessions via video conferencing:

1. Mr. S.C. Sharma, IFS(Rtd.)	Chairman
2. Mr. M.A Tak, IFS(Rtd.)	Member
3. Mr. B.B. Sharma	Member
4. Mr. Irfan Yasin	Member
5. Prof. Shakil Ahmad Romshoo	Member
6. Prof. Anil Kumar Raina	Member
7. Prof. Arvind Jasrotia	Member
8. Prof. G.M Dar	Member
9. Prof. M.A Khan	Member
10. Mr. A.R. Makroo	Member
11. Dr. Yash Paul Sharma, Scientist, PCB	Special Invitee
12. Mr. Humayun Rashid	Secretary

In pursuance to letter No. JKEIAA/2020/192-200/421 dated 14/03/2020 and No. JKEIAA/2018/III/106/458-461 dated: 27.05.2020 from the Member Secretary, J&K Environment Impact Assessment Authority (JKEIAA) and subsequent meeting notice issued vide No: JKEAC/JK/2020/890-923 dated 28/05/2020 and addendum issued vide No: JKEAC/JK/2020/924-937 dated 30/05/2020, the 7th JKEAC meeting was held via video conferencing on 09/06/2020, 10/06/2020 and 11/06/2020 during which agenda item No. 1 to 15 were discussed. Due to paucity of time on 11/06/2020, the committee again met via video conferencing on 13/06/2020 to discuss the agenda item 16 viz. discussion on draft EIA Notification of 2020.

The date-wise proceedings are recorded here as under: -

9th of June, 2020

At the very outset, the Secretary, JKEAC welcomed the Chairman other members of the JKEAC and gave a brief overview of the cases listed for discussion on this day under agenda item No.1 to 5 pertaining to grant of Environmental Clearance for extraction of brick earth for brick kilns in Rajouri district. All the five cases were presented by the authorized representative of consultant M/S Amaltas Enviro Industrial Consultants LLP, Haryana on behalf of the project proponents. The Secretary presented the OM No. L-11011/47/2011-IA.II(M) dated 24/06/2013 issued by the Ministry of Environment, Forest & Climate Change (MoEF&CC), GoI which

exclusively deals with the grant of Environmental Clearance for brick Earth extraction and provides policy guidelines for appraisal process. The cases also fall within the preview of OM No. J-13012/12/1213-IA-II (I) dated 24/12/2013 and O.M. L-11011 /175/2018-IA.II(M) dated 12.12.2018. In order to safe guard local human environmental conditions, the Committee observed that the cases are required to be appraised within the contours of expert guidelines underlined in the said OM dated 24th of June, 2013, and as well as to ascertain the land ownership, period of lease/agreement between the legal owners and the brick kiln operators, exact geo-coordinates of the plots proposed and their verification with respect to land parcels proposed for extraction, cluster situation and views of the local panchayat etc.

On the basis of discussions held on cases relating to extraction of brick earth for brick kilns, the committee expressed its grave concern on the manner in which the brick kilns are operating on productive agricultural land and devastating the entire natural landscape and causing huge environmental degradation in the state. The Committee unanimously recommended that the Govt. of J&K must formulate a comprehensive Land-use policy document on the basis of regular land-use/land cover mapping and wasteland mapping exercise undertaken by the Department of Ecology, Environment & Remote Sensing so that waste land sites are identified and exclusively earmarked for operation of brick kilns and extraction of brick earth so that precious and productive agricultural land is saved from further environmental degradation.

The meeting proceeded in the following sequence: -

Agenda Item No:1	Grant of Environment Clearance in favour of M/S Vishav Brick Kiln at Village Lamberi Tehsil Nowshera Distt. Rajouri-185151
Proposal No:	SIA/JK/MIN/135198/2020
File No:	SEAC/JK/2020/182
Title of the Case:	Grant of Environment Clearance for Brick Earth Mining Project ML Area 2.75 Ha at Village Lamberi Tehsil Nowshera Distt. Rajouri-185151

Deliberation:

A detailed PowerPoint presentation was given by Shri Rahul Yadav, the representative of accredited consultant M/S Amaltas Enviro Industrial Consultants LLP, Haryana through video conferencing. During deliberations on Form 1M, the committee observed that the consultant had given description of project site vis-a-vis Mangla Lake. The consultant was asked to show the Lake on the slide No.6&7 showing location of the site on Google Earth as the same is nowhere located in the vicinity of the site as per knowledge of some of the members who have field knowledge of the area. The Committee asked the consultant to plot the KMZ file of the project to enable live viewing of the temporal local environmental settings on Google Earth. The KMZ files of proposed sites when loaded on Google Earth for live demo showed that the sites marked on the slide 6&7 of the power point presentation did not match the sites identified on Google Earth. The Consultant could not give any explanation on this. Further, it was observed on Google Earth that one more brick kiln by the title OM brick kiln, which has also applied for EC, was in close vicinity and the plots earmarked for extraction of brick earth by the two brick kilns was less than 200 mts from each other, though forming cluster but together being less than 5ha in size. It was also observed that the total area of plots calculated on Google Earth was only coming to 0.91 ha against 2.75 ha proposed in the approved mining plan. This indicated that the project proponent did not provide KMZ file of other areas because these areas being agricultural land, as the entire area surrounding the brick kiln and the identified plots, shows only agricultural land on the satellite image. The consultant could not give any explanation on this count, as well. Further, the polygon relating to Gata No.461 identified on

the Google image showed a civil structure possibly a residential house located at a distance of only about 6 mts. The features of brick earth extraction traced from temporal images right from 31/12/2009 reveal that the brick kiln was in operation and that the brick earth was being extracted from the identified sites even then, without a prior EC in violation of the EIA Notification of 2006. Since, the project proponent has violated the provisions of EP Act and has been extracting brick earth since 31/12/2009(As per Google image features). The committee observed that project proponent has now applied for EC for extraction of brick earth and as per Mining plan approved by the Geology & Mining Dept. on 19/07/2017, a mining depth of 1.5 m has been prescribed over a period of 5 years when the project proponent has been excavating brick earth from the identified plots for the last more than 10 years and that he must have already exhausted whatever has been prescribed in the approved mining plan. Therefore, the case cannot be even considered in terms of MoEF&CC Notification No. 804(E) dated 14th of March, 2017 and Notification No. S.O 1030(E) dated 8th of March, 2018 relating to violation cases as it would further lead to environmental degradation of the site and no remedial plan or natural or community resource augmentation plan will be of any use to save the human environment from further vandalization under the cover of EC.

Decision:

The Committee thoroughly deliberated on the project and gave ample opportunity to the consultant representing the case to present his justification but he failed to give any explanation prompting the Committee to hereby recommend the case for rejection for Environmental Clearance. Action as per rules is also warranted by the enforcing agencies for violation of the EP Act.

Agenda Item No:2	Grant of Environment Clearance in favour of M/S Vishav Brick Kiln at Village Gangrote Tehsil Nowshera Distt. Rajouri-185153
Proposal No:	SIA/JK/MIN/136537/2020
File No:	SEAC/JK/2020/176
Title of the Case:	Grant of Environment Clearance for Brick Earth Mining Project ML Area 4.05 Ha at Village Gagrote Tehsil Nowshera Distt. Rajouri-185153

Deliberation:

The consultant M/S Amaltas Enviro Industrial Consultants LLP, Haryana gave a detailed presentation during which the members again pointed out that the consultant had copy pasted identical irrelevant description not even remotely connected with the project site, in this case as well and this led to displeasure of the members the way the consultants though accredited by QCI/NABET were conducting their business. The members recommended that the JKEIAA must reprimand the consultant for his mis-representation of facts. The consultant was asked to directly show the sites proposed in the project on Google Earth platform. It was observed that the plots earmarked for extraction are productive agricultural land on the satellite image with close proximity to the human settlements to the extent of less than even 3 mts in some cases. The consultant was given an opportunity to defend his case in terms of the standing pertinent notifications from Govt. of India but he failed to give any justification for consideration.

Decision:

The Committee unanimously recommended the case for rejection for Environmental Clearance. Action as per rules is also warranted by the enforcing agencies for violation of the EP Act.

Agenda Item No:3 Grant of Environment Clearance in favour of M/S Shamsher Brick Kiln at Village Anipur Bhajwal Tehsil Sunderbani Distt. Rajouri-185151

Proposal No: SIA/JK/MIN/137049/2020

File No: SEAC/JK/2020/179

Title of the Case: Grant of Environment Clearance for Brick Earth Mining Project ML Area 2.104 Ha at Village Anipur Bhajwal Tehsil Sunderbani Distt. Rajouri-185151

Deliberation:

The consultant M/S Amaltas Enviro Industrial Consultants LLP, Haryana gave a detailed presentation during which members again pointed out that the consultant had copy pasted identical irrelevant description not even remotely connected with the project site, in this case as well and this again led to their displeasure. The consultant was asked to directly show the sites proposed in the project on Google Earth platform. The plots identified on the temporal Google images were examined and it was observed that the image shows the brick kiln having started extraction from the plots right from 2010 without a valid EC in violation of the EP Act. It was observed that the entire area is surrounded by human settlements and productive agricultural land and the project proponent has been extracting brick earth from other areas in the close vicinity for which he has not sought any EC under the project. It was observed that in the event EC is granted, the project proponent shall use it to devastate other productive agricultural lands in the area and thereby affect the livelihoods and human environment in the vicinity.

Decision:

The Committee unanimously recommended the case for rejection for Environmental Clearance. Action as per rules is also warranted by the enforcing agencies for violation of the EP Act.

Agenda Item No:4 Grant of Environment Clearance in favour of M/S Shamsher Brick Kiln at Village Lamberi Tehsil Nowshera Distt. Rajouri-185151

Proposal No: SIA/JK/MIN/137435/2020

File No: SEAC/JK/2020/177

Title of the Case: Grant of Environment Clearance for Brick Earth Mining Project ML Area 2.67 Ha at Village Lamberi Tehsil Nowshera Distt. Rajouri-185151.

Deliberation:

The consultant M/S Amaltas Enviro Industrial Consultants LLP, Haryana gave a detailed presentation during which members again pointed out irrelevant description not even remotely connected with the project site. The consultant was asked to directly show the sites proposed in the project on Google Earth platform. The plots identified on the temporal Google images were examined and it was observed that the image shows the brick kiln having started extraction in areas other than those for which EC has been presently sought right from 2014 without a valid EC in violation of the EP Act. It was observed that the plots earmarked for extraction of brick earth are agricultural lands with close proximity less than 15 mts. from the civil structures. It was observed that in the event EC is granted even under violation category with a remediation plan, natural /community resource augmentation plan, it shall affect the livelihoods and human environment drastically in the vicinity. Action as per rules is also warranted by the enforcing agencies for violation of the EP Act.

Decision: The Committee unanimously recommended the case for rejection for Environmental Clearance and action as per EP Act for the violation of operating without a valid EC.

Agenda Item No:5 Grant of Environment Clearance in favour of M/S Janta Brick Kiln at Village Siot Tehsil Siot Distt. Rajouri-185151
Proposal No: SIA/JK/MIN/139424/2020
File No: SEAC/JK/2020/180
Title of the Case: Grant of Environment Clearance for Brick Earth Mining Project ML Area 3.30 Ha at Village Siot Tehsil Siot Distt. Rajouri-185151

Deliberation:

The consultant M/S Amaltas Enviro Industrial Consultants LLP, Haryana gave a detailed presentation during which members again pointed out irrelevant description in form 1M not even remotely connected with the project site. The consultant was asked to directly show the sites proposed in the project on Google Earth platform. The plots identified on the temporal Google images were examined and it was observed the brick kiln had started extraction in vast areas around kiln area right from 2014 without a valid EC in violation of the EP Act. It also included one of the plots in the north for which EC has been presently sought. It was observed that the plots earmarked for extraction of brick earth are agricultural lands with some having close proximity from civil structures. It was observed that in the event EC is granted even under violation category with a remediation plan, natural /community resource augmentation plan, it shall affect the livelihoods and human environment drastically in the vicinity.

Decision:

The Committee unanimously recommended the case for rejection for Environmental Clearance. Action as per rules is also warranted by the enforcing agencies for violation of the EP Act.

10th of June, 2020

At the very outset, the Secretary, JKEAC welcomed the Chairman and other members of the JKEAC and gave a brief overview of the cases listed for discussion on this day under agenda item No.6 to 10 and pertaining to grant of Environmental Clearance for extraction of brick earth for brick kilns in Rajouri district. The consultant representing these cases viz. M/S Amaltas Enviro Industrial Consultants LLP, Haryana failed to join the meeting via video conferencing and present the cases despite repeated calls. However, since the consultant had emailed the power point presentations in advance, the Committee decided to go ahead with the appraisal process and to discuss the cases on the basis of power point presentation, KMZ files and supporting documents filed by the project proponents through the consultants. The meeting proceeded as per following sequence: -

Agenda Item No:6 Grant of Environment Clearance in favour of M/S Shiv Brick Kiln at Village Saranoo Tehsil, Distt. Rajouri-185132
Proposal No: SIA/JK/MIN/143279/2020
File No: SEAC/JK/2020/173
Title of the Case: Grant of Environment Clearance for Brick Earth Mining Project ML Area 3.187 Ha at Village Saranoo Tehsil & Distt. Rajouri-185132.

Deliberation:

The consultant representing these cases viz. M/S Amaltas Enviro Industrial Consultants LLP, Haryana failed to join the meeting via video conferencing and present the cases despite

repeated calls. The PowerPoint presentation was run by the Secretary himself and the details were examined by the committee. The KMX files of the project were loaded on Google Earth platform to examine the environmental settings at the sites proposed for extraction of brick earth for the kiln. It was observed that all the four plots earmarked for brick earth extraction are productive agricultural lands with some in close proximity to civil structures. Large chunks of land even outside the plots for which EC has been sought have already been devastated and granting an EC would only be granting a license to the project proponent to cover the violations to EP Act committed over the last more than a decade as is evident from the temporal Google satellite images.

Decision:

The Committee unanimously recommended the case for rejection for Environmental Clearance. Action as per rules is also warranted by the enforcing agencies for violation of the EP Act.

Agenda Item No:7	Grant of Environment Clearance in favour of M/S Om Brick Kiln at Village Lamberi Tehsil Nowshera, Distt. Rajouri-185151
Proposal No:	SIA/JK/MIN/143352/2020
File No:	SEAC/JK/2020/181
Title of the Case:	Grant of Environment Clearance for Brick Earth Mining Project ML Area 2.299 Ha at Village Lamberi Tehsil Nowshera Distt. Rajouri-185151.

Deliberation:

The consultant representing these cases viz. M/S Amaltas Enviro Industrial Consultants LLP, Haryana failed to join the meeting via video conferencing and present the cases despite repeated calls. The PowerPoint presentation emailed by the consultant in advance was run by the Secretary himself and the details were examined by the committee. The KMZ files of the project were loaded on Google Earth platform to examine the environmental settings at the sites proposed for extraction of brick earth for the kiln. It was observed that the sites earmarked for brick earth extraction on the PowerPoint presentation slides do not match the corresponding plots identified via KMZ file on the Google Earth. These are at variance and clearly an attempt to mislead the forum as vast chunk of productive agricultural lands even outside the plots for which EC has been sought have already been devastated and granting an EC would only be granting a license to the project proponent to cover the violations to EP Act committed over the last more than a decade as is evident from the temporal Google satellite images.

Decision:

The Committee unanimously recommended the case for rejection for Environmental Clearance. Action as per rules is also warranted by the enforcing agencies for violation of the EP Act.

Agenda Item No:8	Grant of Environment Clearance in favour of M/S Roshan Brick Kiln at Village Chowki Handan Tehsil Nowshera Distt. Rajouri-185151
Proposal No:	SIA/JK/MIN/144094/2020
File No:	SEAC/JK/2020/178

Title of the Case: Grant of Environment Clearance for Brick Earth Mining Project ML Area 2.069 Ha at Village Chowki Handan Tehsil Nowshera, Distt. Rajouri-185151.

Deliberations:

The consultant representing these cases viz. M/S Amaltas Enviro Industrial Consultants LLP, Haryana failed to join the meeting via video conferencing and present the cases despite repeated calls. The PowerPoint presentation emailed by the consultant in advance was run by the Secretary himself and the details were examined by the committee. The KMZ files of the project were loaded on Google Earth platform to examine the environmental settings at the sites proposed for extraction of brick earth for the kiln. It was observed that the extent of sites earmarked for brick earth extraction on the PowerPoint presentation slides do not match the extent of plots identified by KMZ file on the Google Earth. The temporal satellite images show the sites as productive agricultural land in the past devastated by the activity over the last over a decade and therefore, it was observed that EC if granted would only give a license to the project proponent to cover the violations to EP Act committed in the past and the sites are close to civil structures.

Decision:

The Committee unanimously recommended the case for rejection for Environmental Clearance. Action as per rules is also warranted by the enforcing agencies for violation of the EP Act.

Agenda Item No:9 Grant of Environment Clearance in favour of M/S Shiv Shankar Brick Kiln at Village Saranoo, Tehsil & Distt. Rajouri-185151
Proposal No: SIA/JK/MIN/144259/2020
File No: SEAC/JK/2020/175
Title of the Case: Grant of Environment Clearance for Brick Earth Mining Project ML Area 3.733 Ha at Village Saranoo, Tehsil & Distt. Rajouri-185151.

Deliberations:

The consultant representing these cases viz. M/S Amaltas Enviro Industrial Consultants LLP, Haryana failed to join the meeting via video conferencing and present the cases despite repeated calls. The PowerPoint presentation emailed by the consultant in advance was run by the Secretary himself in this case as well and the details were examined by the committee for a rational decision on merits of the case. The KMZ files of the project were loaded on Google Earth platform to examine the environmental settings at the sites proposed for extraction of brick earth for the kiln. It was observed that the project proponent had uploaded same KMZ file for M/S Shiv Brick Kiln and M/S Shiv Shankar brick kiln. However, the extent of sites earmarked for brick earth extraction on the PowerPoint presentation slides matched the extent of plots identified by KMZ file on the Google Earth and are identified in different location than plots of Shiv brick kiln. The latest satellite image and past temporal satellite images show the sites as productive agricultural land. It was observed that the brick kiln in operation for over a decade has been devastating the productive agricultural lands in the neighborhood and the sites identified for brick earth extraction are very close to human settlements and therefore, it was observed that EC if granted would only give a license to the project proponent to cover the violations to EP Act committed in the past and equip him legally to devastate the surrounding productive agricultural lands in the vicinity besides making life of people in the vicinity pathetic in future.

Decision:

The Committee unanimously recommended the case for rejection for Environmental Clearance. Action as per rules is also warranted by the enforcing agencies for violation of the EP Act.

Agenda Item No:10	Grant of Environment Clearance in favour of M/S Baba Brick Kiln at Village Dehrian, Tehsil & Distt. Rajouri-185151
Proposal No:	SIA/JK/MIN/146271/2020
File No:	SEAC/JK/2020/174
Title of the Case:	Grant of Environment Clearance for Brick Earth Mining Project ML Area 2.32 Ha at Village Dehrian, Tehsil & Distt. Rajouri-185151.

Deliberations:

The consultant representing these cases viz. M/S Amaltas Enviro Industrial Consultants LLP, Haryana failed to join the meeting via video conferencing and present the cases despite repeated calls. The PowerPoint presentation emailed by the consultant in advance was run by the Secretary himself in this case as well and the details were examined by the committee for a rational decision on merits of the case. The KMZ files of the project were loaded on Google Earth platform to examine the environmental settings at the sites proposed for extraction of brick earth for the kiln. The latest satellite image and past temporal satellite images show that the brick kiln has been in operation even in April 2016 established over a productive agricultural land. It was observed that the brick kiln has been devastating the productive agricultural lands in the neighborhood and the new sites proposed for brick earth extraction are productive agricultural land and the satellite image of 18/02/2020 shows the land parcels blooming with crops and very close to human settlements. Therefore, it was observed that EC if granted would only give a license to the project proponent to cover the violations to EP Act committed in the past and equip him legally to devastate the surrounding productive agricultural lands in the vicinity besides making life of people in the vicinity pathetic in future.

Decision:

The Committee unanimously recommended the case for rejection for Environmental Clearance. Action as per rules is also warranted by the enforcing agencies for violation of the EP Act.

11th of June, 2020

At the very outset, the Secretary, JKEAC welcomed the Chairman and other members of the JKEAC and gave a brief overview of the cases listed for discussion on this day under agenda item No.11 to 15 and pertaining to grant of Environmental Clearance for Gypsum mining in Ramban area by M/S JK Minerals, extraction of brick earth for brick kiln in Rajouri district, AIIMS, Vijaypur, Expansion of black drug by M/S Indswift Laboratories, Samba besides, discussions on the draft EIA Notification of 2020. The meeting proceeded as per following sequence: -

Agenda Item No:11	Grant of Environment Clearance in case of Gypsum Mining in favour of M/S JK Minerals Ltd.
Proposal No:	SIA/JK/MIN/43352/2019
File No:	SEAC/JK/20/183

Title of the Case: Grant of Environment Clearance for GYPSUM MINE At KHASRA No.: 473, 476, 477, 478, 479, 480, 481, 482, 483, 484, 485, 486, 487, 488, 489, 526, 527, 528, 381 & 383, AREA: 10.00 Ha VILLAGE- SUMERBOGH HODOG, TALUKA-PARLANKA DISTRICT- RAMBAN (JAMMU & KASHMIR) M/s J & K Minerals Ltd. (A J&K Govt. Undertaking)
Project Sector : Non-Coal Mining.

Deliberations:

The case was represented by M/S Globus Environment Engineering Services, Sahara Shopping Center, Faizabad Road, Lucknow and the Company Secretary on behalf of Managing Director, J&K Minerals Ltd. via video conferencing. Dr. Yash Paul Sharma, Scientist, Pollution Control Board was also on board for his expert opinion. A detailed power Point presentation was made by the consultant. The consultant informed the committee that the mining project lies within the following geo-coordinates: -

Pillars	Latitude	Longitude
A	33°15'29.69"N	75° 8'13.51"E
B	33°15'23.39"N	75° 8'19.72"E
C	33°15'29.72"N	75° 8'19.47"E
D	33°15'33.99"N	75° 8'16.06"E
E	33°15'26.71"N	75° 8'7.96"E
F	33°15'20.88"N	75° 8'12.21"E
G	33°15'21.08"N	75° 8'14.36"E
H	33°15'23.25"N	75° 8'16.99"E
I	33°15'27.07"N	75° 8'15.98"E
J	33°15'23.99"N	75° 8'3.39"E
K	33°15'20.64"N	75° 8'5.82"E

The consultant informed the committee that the original mining plan was approved for 246 ha by Indian Bureau of Mines and the area has a potential of 3 Million tons of mineable reserves. But following re-categorization of Gypsum mineral as a minor mineral and the activity coming under the ambit of J&K Minor Mineral Concession, storage, transportation and prevention of illegal Mining Rules of 2016 promulgated under SRO105, a revised mining plan with progressive mine closure plan was approved by the J&K Geology & Mining Dept. vide DGM/DD/EG/MP/18-19/914-16 dated 14/11/2018 for only 10 ha out of 246 ha. The committee was further informed that the erstwhile state Govt. renewed the mining lease for a period of 10 years retrospectively with effect from 09/02/2010 vide Govt. order No. 111-IND of 2016 dated 20/05/2016 and the same expired during Feb., 2020. The consultant and the representative of J&K Minerals Ltd. further informed the forum that J&K Minerals has already applied for renewal of the lease and has already deposited the requisite fee for the same which is currently under process with the Govt. A documentary proof was also submitted in this regard. The consultant also informed the forum that the mining operations started from June, 2016. The consultant further informed that the Public Hearing of the case was conducted by the PCB on 30/01/2020 at Sumerbogh Hodog, Parlanka, Tehsil: Ramban, J&K. The Public Hearing report is in favour of the project.

One of the members pointed out that the consultant had mentioned Kathua in the documents relating to Ramban gypsum mine. The consultant was further asked to show the site of mining on Google Earth by plotting the KMZ file. On observing the landslides and muck moving

directly into Chenab without any protective retention walls, engineering structures that had even led to bottle neck effect in the flow of Chenab as depicted in the satellite image of 29/10/2017, some members of the committee particularly Mr.M.A Tak and Mr. B.B. Sharma expressed their grave concern and reluctance to accord their approval to the project. The consultant informed the committee that the project proponent had already installed air pollution monitoring equipment at site and has also complied with the instructions from the Pollution control board in this regard.

The forum asked Dr. Yashpaul Sharma, Scientist, Pollution Control Board to respond to the assertions made by the consultant and to explain as to what measures had been taken by the Pollution Control Board to check deposition of mine muck directly into river Chenab. Dr. Yashpaul Sharma, Scientist, PCB informed that the PCB had given instructions to the project proponent for protection of the environment during a site inspection conducted in the beginning of 2019, in pursuance to which, the project proponent has installed air quality monitoring equipment at site. However, he informed the forum that the air quality monitoring report had only been submitted for one quarter when they were supposed to submit it quarterly.

The representative of J&K Minerals Ltd. was asked to clarify the matter who informed the forum that J&K Minerals is a Public Company governed by govt. rules and regulations and every action be it procurement of ambient air quality monitoring equipment to outsourcing of engineering works for slope protection measures is a time consuming matter as lot of formalities and procedures are involved and that, the J&K Minerals ltd. is already making every effort to comply each and every instruction from the PCB and is duty bound to implement the promises made by it during the public hearing. He requested the forum to view the project sympathetically and after overall assessment of the social benefits it promises in the light of the fact that the mining site is eventually going to be submerged in water by implementation of the Sawalkot Hydro-electric project, thereby closing the opportunity of mining millions of tons of minable reserves of gypsum from the site. He informed that livelihood of a large section of society and local population was directly dependent on the project and granting EC for the project would not only give boost to the local economy but also benefit the Govt. to tap out of the resources which would ultimately get submerged by the hydroelectric project.

Decision:

The committee decided to treat the project under violation category as the mining activity had been started from June, 2016 without any valid EC. Therefore, it was decided to treat the project in terms of MoEF&CC Notification No. 804(E) dated 14th of March, 2017 and Notification No. S.O 1030(E) dated 8th of March, 2018 and considering the fact that the project site is ultimately going to be submerged in water as a result of Sawalkot Hydroelectric power project as reported by the Project proponent. The Committee observed that it would be in the interest of Union Territory of J&K to tap the mining resource before inundation of the site. Therefore, the committee unanimously recommended that the Project for grant of Environmental Clearance subject to following specific and general conditions:-

GENERAL CONDITIONS:

Statutory compliance.

1 This Environmental Clearance (EC) is subject to orders/ judgment of Hon'ble Supreme Court of India, Hon'ble High Court, Hon'ble NGT and any other Court of Law, Common Cause Conditions as may be applicable.

2 The Project proponent complies with all the statutory requirements and judgement of Hon'ble Supreme Court dated 2nd August,2017 in Writ Petition (Civil) No. 114 of 2014 in matter of Common Cause versus Union of India &Ors before commencing the mining operations.

3 The State Government concerned shall ensure that mining operation shall not be commenced till the entire compensation levied, if any, for illegal mining paid by the Project Proponent through their respective Department of Mining & Geology in strict compliance of Judgement of Hon'ble Supreme Court dated 2nd August, 2017 in Writ Petition (Civil) No. 114 of 2014 in matter of Common Cause versus Union of India & Ors.

4 This Environmental Clearance shall become operational only after receiving formal Forest Clearance (FC) under the provision of Forest Conservation Act, 1980, if applicable to the Project.

6 Project Proponent (PP) shall obtain Consent to Operate after grant of EC and effectively implement all the conditions stipulated therein. The mining activity shall not commence prior to obtaining Consent to Establish / Consent to Operate from the concerned State Pollution Control Board/Committee.

7 The Project Proponent (PP) shall adhere to the provision of the Mines Act, 1952, Mines and Mineral (Development & Regulation), Act, 2015 and rules & regulations made thereunder. Project Proponent (PP) shall adhere to various circulars issued by Directorate General Mines Safety (DGMS) and Indian Bureau of Mines from time to time.

8 The Project Proponent shall obtain consents from all the concerned land owners, before start of mining operations, as per the provisions of MMDR Act, 1957 and rules made there under in respect of lands which are not owned by it, if applicable to the project.

9 The Project Proponent shall follow the mitigation measures provided in MoEFCC's Office Memorandum No. Z-11013/57/2014-IA.II (M), dated 29th October, 2014, titled "Impact of mining activities on Habitations-Issues related to the mining Projects wherein Habitations and villages are the part of mine lease areas or Habitations and villages are surrounded by the mine lease area".

10 The Project Proponent shall obtain necessary prior permission of the competent authorities for drawl of requisite quantity of surface water and from CGWA for withdrawal of ground water for the project.

11 A copy of EC letter will be marked to concerned Panchayat / local NGO etc. if any, from whom suggestion / representation has been received while processing the proposal.

12 The JK Pollution Control Board/Committee shall be responsible for display of this EC letter at its Regional office, District Industries Centre and Collector's office/ Tehsildar's Office for 30 days.

13 The Project Authorities should widely advertise about the grant of this EC letter by printing the same in at least two local newspapers, one of which shall be in vernacular language of the concerned area. The advertisement shall be done within 7 days of the issue of the clearance letter mentioning that the instant project has been accorded EC and copy of the EC letter is available with the State Pollution Control Board/Committee and web site of the Ministry of Environment, Forest and Climate Change (www.environmentclearance.nic.in). A

copy of the advertisement may be forwarded to the concerned MoEFCC Regional Office for compliance and record.

14 The Project Proponent shall inform the MoEF&CC for any change in ownership of the mining lease. In case there is any change in ownership or mining lease is transferred than mining operation shall only be carried out after transfer of EC as per provisions of the para 11 of EIA Notification, 2006 as amended from time to time.

Air quality monitoring & preservation

1 The Project Proponent shall install a minimum of 3 (three) online Ambient Air Quality Monitoring Stations with 1 (one) in upwind and 2 (two) in downwind direction based on long term climatological data about wind direction such that an angle of 120° is made between the monitoring locations to monitor critical parameters, relevant for mining operations, of air pollution viz. PM10, PM2.5, NO2, CO and SO2 etc. as per the methodology mentioned in NAAQS Notification No. B-29016/20/90/PCI/I, dated 18.11.2009 covering the aspects of transportation and use of heavy machinery in the impact zone. The ambient air quality shall also be monitored at prominent places like office building, canteen etc. as per the site condition to ascertain the exposure characteristics at specific places. The above data shall be digitally displayed within 03 months in front of the main Gate of the mine site.

2 Effective safeguard measures for prevention of dust generation and subsequent suppression (like regular water sprinkling, metalled road construction etc.) shall be carried out in areas prone to air pollution wherein high levels of PM10 and PM2.5 are evident such as haul road, loading and unloading point and transfer points. The Fugitive dust emissions from all sources shall be regularly controlled by installation of required equipment's/ machineries and preventive maintenance. Use of suitable water-soluble chemical dust suppressing agents may be explored for better effectiveness of dust control system. It shall be ensured that air pollution level conform to the standards prescribed by the MoEFCC/ Central Pollution Control Board.

Water quality monitoring & preservation

1 In case, immediate mining scheme envisages intersection of ground water table, then Environmental Clearance shall become operational only after receiving formal clearance from Central Ground Water Authority(CGWA). In case, mining operation involves intersection of ground water table at a later stage, then PP shall ensure that prior approval from CGWA and MoEFCC is in place before such mining operations. The permission for intersection of ground water table shall essentially be based on detailed hydro-geological study of the area.

2 Regular monitoring of the flow rate of the springs and perennial nallahs flowing in and around the mine lease shall be carried out and records maintained. The natural water bodies and or streams which are flowing in an around the village, should not be disturbed. The Water Table should be nurtured so as not to go down below the pre-mining period. In case of any water scarcity in the area, the Project Proponent has to provide water to the villagers for their use. A provision for regular monitoring of water table in open dug well located in village should be incorporated to ascertain the impact of mining over ground water table. The Report on changes in Ground water level and quality shall be submitted on six-monthly basis to the Regional Office of the Ministry, CGWA and State Groundwater Department / State Pollution Control Board.

3 Project Proponent shall regularly monitor and maintain records w.r.t. ground water level and quality in and around the mine lease by establishing a network of existing wells as well as new piezo-meter installations during the mining operation in consultation with Central Ground Water Authority/ State Ground Water Department. The Report on changes in Ground water level and quality shall be submitted on six-monthly basis to the Regional Office of the Ministry, CGWA and State Groundwater Department / State Pollution Control Board.

4 The Project Proponent shall undertake regular monitoring of natural water course/ water resources/ springs and perennial nallahs existing/ flowing in and around the mine lease and maintain its records. The project proponent shall undertake regular monitoring of water quality upstream and downstream of water bodies passing within and nearby/ adjacent to the mine lease and maintain its records. Sufficient number of gullies shall be provided at appropriate places within the lease for management of water. PP shall carryout regular monitoring w.r.t. pH and included the same in monitoring plan. The parameters to be monitored shall include their water quality vis-à-vis suitability for usage as per CPCB criteria and flow rate. It shall be ensured that no obstruction and/ or alteration be made to water bodies during mining operations without justification and prior approval of MoEFCC. The monitoring of water courses/ bodies existing in lease area shall be carried out four times in a year viz. pre- monsoon (April-May), monsoon (August), post-monsoon (November) and winter (January) and the record of monitored data may be sent regularly to Ministry of Environment, Forest and Climate Change and its Regional Office, Central Ground Water Authority and Regional Director, Central Ground Water Board, State Pollution Control Board and Central Pollution Control Board. Clearly showing the trend analysis on six-monthly basis.

5 Project Proponent shall plan, develop and implement rainwater harvesting measures on long term basis to augment ground water resources in the area in consultation with Central Ground Water Board/ State Groundwater Department. A report on amount of water recharged needs to be submitted to Regional Office MoEFCC annually.

6 Quality of polluted water generated from mining operations which include Chemical Oxygen Demand (COD) in mines run-off; acid mine drainage and metal contamination in runoff shall be monitored along with Total Suspended Solids (TDS), Dissolved Oxygen (DO), pH and Total Suspended Solids (TSS). The monitored data shall be uploaded on the website of the company as well as displayed at the project site in public domain, on a display board, at a suitable location near the main gate of the Company. The circular No. J- 20012/1/2006-IA.II (M) dated 27.05.2009 issued by Ministry of Environment, Forest and Climate Change may also be referred in this regard.

7 Industrial waste water (workshop and waste water from the mine) should be properly collected and treated so as to conform to the notified standards prescribed from time to time. The standards shall be prescribed through Consent to Operate (CTO) issued by concerned State Pollution Control Board (SPCB). The workshop effluent shall be treated after its initial passage through Oil and grease trap.

8 The water balance/water auditing shall be carried out and measure for reducing the consumption of water shall be taken up and reported to the Regional Office of the MoEF&CC and State Pollution Control Board/Committee.

Noise & vibration

1 The peak particle velocity at 500m distance or within the nearest habitation, whichever is closer shall be monitored periodically as per applicable DGMS guidelines.

2 The illumination and sound at night at project sites disturb the villages in respect of both human and animal population. Consequent sleeping disorders and stress may affect the health in the villages located close to mining operations. Habitations have a right for darkness and minimal noise levels at night. PPs must ensure that the biological clock of the villages is not disturbed; by orienting the floodlights/ masks away from the villagers and keeping the noise levels well within the prescribed limits for day /night hours.

3 The Project Proponent shall take measures for control of noise levels below 85 dBA in the work environment. The workers engaged in operations of HEMM, etc. should be provided with ear plugs /muffs. All personnel including laborers working in dusty areas shall be provided with protective respiratory devices along with adequate training, awareness and information on safety and health aspects. The PP shall be held responsible in case it has been found that workers/ personals/ laborers are working without personal protective equipment.

Mining plan

1 The Project Proponent shall adhere to the working parameters of approved mining plan which was submitted at the time of EC appraisal wherein year-wise plan was mentioned for total excavation i.e. quantum of mineral, waste, over burden, inter burden and top soil etc. No change in basic mining proposal like mining technology, total excavation, mineral & waste production, lease area and scope of working (viz. method of mining, overburden & dump management , O.B & dump mining, mineral transportation mode, ultimate depth of mining etc.) shall not be carried out without prior approval of the Ministry of Environment, Forest and Climate Change, which entail adverse environmental impacts, even if it is a part of approved mining plan modified after grant of EC or granted by State Govt. in the form to Short Term Permit (STP), Query license or any other name.

2 The Project Proponent shall get the Final Mine Closure Plan along with Financial Assurance approved from Indian Bureau of Mines/Department of Mining & Geology as required under the Provision of the MMDR Act, 1957 and Rules/ Guidelines made there under. A copy of approved final mine closure plan shall be submitted within 2 months of the approval of the same from the competent authority to the concerned Regional Office of the Ministry of Environment, Forest and Climate Change for record and verification.

3 The land-use of the mine lease area at various stages of mining scheme as well as at the end-of-life shall be governed as per the approved Mining Plan. The excavation vis-à-vis backfilling in the mine lease area and corresponding afforestation to be raised in the reclaimed area shall be governed as per approved mining plan. PP shall ensure the monitoring and management of rehabilitated areas until the vegetation becomes self-sustaining. The compliance status shall be submitted half-yearly to the MoEFCC and its concerned Regional Office.

Land reclamation.

1 The Overburden (O.B.) generated during the mining operations shall be stacked at earmarked OB dump site(s) only and it should not be kept active for a long period of time. The physical parameters of the OB dumps like height, width and angle of slope shall be governed as per the approved Mining Plan as per the guidelines/circulars issued by D.G.M.S w.r.t. safety in mining operations shall be strictly adhered to maintain the stability of top soil/OB dumps. The topsoil shall be used for land reclamation and plantation.

2 The reject/waste generated during the mining operations shall be stacked at earmarked waste dump site(s) only. The physical parameters of the waste dumps like height, width and angle of slope shall be governed as per the approved Mining Plan as per the guidelines/circulars issued by DGMS w.r.t. safety in mining operations shall be strictly adhered to maintain the stability of waste dumps.

3 The reclamation of waste dump sites shall be done in scientific manner as per the Approved Mining Plan cum Progressive Mine Closure Plan.

4 The slope of dumps shall be vegetated in scientific manner with suitable native species to maintain the slope stability, prevent erosion and surface run off. The selection of local species regulates local climatic parameters and help in adaptation of plant species to the microclimate. The gullies formed on slopes should be adequately taken care of as it impacts the overall stability of dumps. The dump mass should be consolidated with the help of dozer/ compactors thereby ensuring proper filling/ leveling of dump mass. In critical areas, use of geo textiles/ geo-membranes / clay liners / Bentonite etc. shall be undertaken for stabilization of the dump.

5 The Project Proponent shall carry out slope stability study in case the dump height is more than 30 meters. The slope stability report shall be submitted to concerned regional office of MoEF&CC, Chandigarh.

6 Catch water drains, settling tanks and siltation ponds of appropriate size shall be constructed around the mine working, mineral yards and Top Soil/OB/Waste dumps to prevent run off of water and flow of sediments directly into the water bodies (Nallah/ River/ Pond etc.). The collected water should be utilized for watering the mine area, roads, green belt development, plantation etc. The drains/ sedimentation sumps etc. shall be de-silted regularly, particularly after monsoon season, and maintained properly.

7 Check dams of appropriate size, gradient and length shall be constructed around mine pit and OB dumps to prevent storm run-off and sediment flow into adjoining water bodies. A safety margin of 50% shall be kept for designing of sump structures over and above peak rainfall (based on 50 years' data) and maximum discharge in the mine and its adjoining area which shall also help in providing adequate retention time period thereby allowing proper settling of sediments/ silt material. The sedimentation pits/ sumps shall be constructed at the corners of the garland drains.

8 The top soil, if any, shall temporarily be stored at earmarked site(s) within the mine lease only and should not be kept unutilized for long. The physical parameters of the top soil dumps like height, width and angle of slope shall be governed as per the approved Mining Plan and as per the guidelines framed by DGMS w.r.t. safety in mining operations shall be strictly

adhered to maintain the stability of dumps. The topsoil shall be used for land reclamation and plantation purpose.

Transportation

1 No Transportation of the minerals shall be allowed in case of roads passing through villages/ habitations. In such cases, PP shall construct a 'bypass' road for the purpose of transportation of the minerals leaving an adequate gap (say at least 200 meters) so that the adverse impact of sound and dust along with chances of accidents could be mitigated. All costs resulting from widening and strengthening of existing public road network shall be borne by the PP in consultation with nodal State Govt. Department. Transportation of minerals through road movement in case of existing village/ rural roads shall be allowed in consultation with nodal State Govt. Department only after required strengthening such that the carrying capacity of roads is increased to handle the traffic load. The pollution due to transportation load on the environment will be effectively controlled and water sprinkling will also be done regularly. Vehicular emissions shall be kept under control and regularly monitored. Project should obtain Pollution Under Control (PUC) certificate for all the vehicles from authorized pollution testing centers.

2 The Main haulage road within the mine lease should be provided with a permanent water sprinkling arrangement for dust suppression. Other roads within the mine lease should be wetted regularly with tanker-mounted water sprinkling system. The other areas of dust generation like crushing zone, material transfer points, material yards etc. should invariably be provided with dust suppression arrangements. The air pollution control equipment's like bag filters, vacuum suction hoods, dry fogging system etc. shall be installed at Crushers, belt-conveyors and other areas prone to air pollution. The belt conveyor should be fully covered to avoid generation of dust while transportation. PP shall take necessary measures to avoid generation of fugitive dust emissions.

Green belt

1 The Project Proponent shall develop greenbelt in 7.5m wide safety zone all along the mine lease boundary as per the guidelines of CPCB in order to arrest pollution emanating from mining operations within the lease. The whole Green belt shall be developed within first 5 years starting from windward side of the active mining area. The development of greenbelt shall be governed as per the EC granted by the Ministry irrespective of the stipulation made in approved mine plan.

2 The Project Proponent shall carryout plantation/ afforestation in backfilled and reclaimed area of mining lease, around water body, along the roadsides, in community areas etc. by planting the native species in consultation with the State Forest Department/ Agriculture Department/ Rural development department/ Tribal Welfare Department/ Gram Panchayat such that only those species be selected which are of use to the local people. The CPCB guidelines in this respect shall also be adhered. The density of the trees should be around 2500 saplings per Hectare. Adequate budgetary provision shall be made for protection and care of trees.

3 The Project Proponent shall make necessary alternative arrangements for livestock feed by developing grazing land with a view to compensate those areas which are coming within the mine lease. The development of such grazing land shall be done in consultation with the

UT Government. In this regard, Project Proponent should essentially implement the directions of the Hon'ble Supreme Court with regard to acquisition of grazing land. The sparse trees on such grazing ground, which provide mid-day shelter from the scorching sun, should be scrupulously guarded/ protected against felling and plantation of such trees should be promoted.

4 The Project Proponent shall undertake all precautionary measures for conservation and protection of endangered flora and fauna and Schedule-I species during mining operation. A Wildlife Conservation Plan shall be prepared for the same clearly delineating action to be taken for conservation of flora and fauna. The Plan shall be approved by Chief Wildlife Warden of the J&K Govt. and implemented in consultation with the J&K Forest and Wildlife Department. A copy of Wildlife Conservation Plan and its implementation status (annual) shall be submitted to the Regional Office of the Ministry.

Public hearing & human health issues

1 The Project Proponent shall appoint an Occupational Health Specialist for Regular as well as Periodical medical examination of the workers engaged in the mining activities, as per the DGMS guidelines. The records shall be maintained properly. PP shall also carryout Occupational health check-ups in respect of workers which are having ailments like BP, diabetes, habitual smoking, etc. The check-ups shall be undertaken once in six months and necessary remedial/ preventive measures be taken. A status report on the same may be sent to MoEFCC Regional Office and DGMS on half-yearly basis.

2 The Project Proponent shall ensure that Personnel working in dusty areas should wear protective respiratory devices and they should also be provided with adequate training and information on safety and health aspects.

3 The Project Proponent must demonstrate commitment to work towards 'Zero Harm' from their mining activities and carry out Health Risk Assessment (HRA) for identification workplace hazards and assess their potential risks to health and determine appropriate control measures to protect the health and wellbeing of workers and nearby community. The proponent shall maintain accurate and systematic records of the HRA. The HRA for neighborhood has to focus on Public Health Problems like Malaria, Tuberculosis, HIV, Anaemia, Diarrhoea in children under five, respiratory infections due to bio mass cooking. The proponent shall also create awareness and educate the nearby community and workers for Sanitation, Personal Hygiene, Hand washing, not to defecate in open, Women Health and Hygiene (Providing Sanitary Napkins), hazard of tobacco and alcohol use. The Proponent shall carryout base line HRA for all the category of workers and thereafter every five years.

4 The Proponent shall carry out Occupational health surveillance which be a part of HRA and include Biological Monitoring where practical and feasible, and the tests and investigations relevant to the exposure (e.g. for Dust a X-Ray chest; For Noise Audiometric; for Lead Exposure Blood Lead, For Welders Full Ophthalmologic Assessment; for Manganese Miners a complete Neurological Assessment by a Certified Neurologist, and Manganese (Mn) Estimation in Blood; For Inorganic Chromium- Fortnightly skin inspection of hands and forearms by a responsible person. Except routine tests all tests would be carried out in a Lab accredited by NABH. Records of Health Surveillance must be kept for 30 years, including the

results of and the records of Physical examination and tests. It would be obligatory for the State Mines Departments to make arrangements for the safe and secure storage of the records including X-Ray. Only conventional X-Ray will be accepted for record purposes and not the digital one). X-Ray must meet ILO criteria (17 x14 inches and of good quality).

5 The Proponent shall maintained a record of performance indicators for workers which includes (a) there should not be a significant decline in their Body Mass Index and it should stay between 18.5 -24.9, (b) the Final Chest X-Ray compared with the base line X-Ray should not show any capacities ,(c) At the end of their leaving job there should be no Diminution in their Lung Functions Forced Expiratory Volume in one second (FEV1),Forced Vital Capacity (FVC), and the ratio) unless they are smokers which has to be adjusted, and the effect of age, (d) their hearing should not be affected. As a proof an Audiogram (first and last need to be presented), (e) they should not have developed any Persistent Back Pain, Neck Pain, and the movement of their Hip, Knee and other joints should have normal range of movement, (f) they should not have suffered loss of any body part. The record of the same should be submitted to the Regional Office, MoEFCC annually along with details of the relief and compensation paid to workers having above indications.

6 Project Proponent shall make provision for the housing for workers/labors or shall construct labor camps within/outside (company owned land) with necessary basic infrastructure/ facilities like fuel for cooking, mobile toilets, mobile STP, safe drinking water, medical health care, crèche for kids etc. The housing may be provided in the form of temporary structures which can be removed after the completion of the project related infrastructure. The domestic waste water should be treated with STP in order to avoid contamination of underground water.

7 The activities proposed in Action plan prepared for addressing the issues raised during the Public Hearing shall be completed as per the budgetary provisions mentioned in the Action Plan and within the stipulated time frame. The Status Report on implementation of Action Plan shall be submitted to the concerned Regional Office of the Ministry along with District Administration.

8. The project proponent shall implement Standard Operating Procedures(SOPs) and guidelines issued by the Ministry of Health & Family Welfare and the UT Disaster Management Authority of J&K with respect to containment of COVID-19 outbreak in the mining site.

Corporate environment responsibility (CER)

1 Project Proponent shall keep the funds earmarked for environmental protection measures in a separate account and refrain from diverting the same for other purposes. The Year wise expenditure of such funds should be reported to the MoEFCC and its concerned Regional Office.

2 The activities and budget earmarked for Corporate Environmental Responsibility (CER) as per Ministry's O.M No 22-65/2017-IA. II (M) dated 01.05.2018 or as proposed by EAC should be kept in a separate bank account. The activities proposed for CER shall be implemented in a time bound manner and annual report of implementation of the same along with documentary proof viz. photographs, purchase documents, latitude & longitude of

infrastructure developed & road constructed needs to be submitted to Regional Office MoEF&CC annually along with audited statement.

Miscellaneous

1 A separate 'Environmental Management Cell' with suitable qualified manpower should be set-up under the control of a Senior Executive. The Senior Executive shall directly report to Head of the Organization. Adequate number of qualified Environmental Scientists and Mining Engineers shall be appointed and submit a report to Regional Office, MoEFCC, Chandigarh.

2 The concerned Regional Office of the MoEFCC shall randomly monitor compliance of the stipulated conditions. The project authorities should extend full cooperation to the MoEFCC officer(s) by furnishing the requisite data / information / monitoring reports.

3 The Project Authorities should inform to the Regional Office regarding date of financial closures and final approval of the project by the concerned authorities and the date of start of land development work.

4 The Project Proponent shall submit six monthly compliance reports on the status of the implementation of the stipulated environmental safeguards to the MOEFCC & its concerned Regional Office, Central Pollution Control Board and State Pollution Control Board.

5 The Project Proponent shall prepare digital map (land use & land cover) of the entire lease area once in five years purpose of monitoring land use pattern and submit a report to concerned Regional Office of the MoEFCC.

Other conditions:

1. A copy of the clearance letter shall be sent by the proponent to concerned Panchayat, Zilla Parishad/Municipal Corporation, Urban Local Body and the Local NGO, if any, from whom suggestions/ representations, if any, were received while processing the proposal. The clearance letter shall also be put on the website of the Institute by the proponent.
2. The proponent shall upload the status of compliance of the stipulated EC conditions, including results of monitored data on their website and shall update the same periodically. It shall simultaneously be sent to the Regional Office of MoEF&CC, the respective Zonal Office of CPCB and the SPCB. The criteria pollutant levels namely; SPM, RSPM, SO₂, NO_x (ambient levels as well as stack emissions) or critical sectoral parameters, indicated for the project shall be monitored and displayed at a convenient location near the main gate of the institute in the public domain.
3. The environmental statement for each financial year ending 31st March in Form-Vas is mandated to be submitted by the project proponent to the concerned State Pollution Control Board as prescribed under the Environment (Protection) Rules, 1986, as amended subsequently, shall also be put on the website of the company along with the status of compliance of EC conditions and shall also be sent to the respective Regional Offices of MoEF&CC by e-mail.
4. The Environmental Clearance shall be valid for a period of five years from the date of its issuance or as per guidelines from the MoEF&CC issued in this regard whichever is less.

5. Any appeal against this clearance shall lie with the National Green Tribunal, if preferred, within a period of 30 days as prescribed under Section 16 of the National Green Tribunal Act, 2010.

SPECIFIC CONDITIONS: -

1. The EC is subject to the condition that the Govt. of UT of J&K shall renew the mining lease beyond Feb., 2020. In case the lease renewal granted vide Govt. Order No. 111-IND of 2016 is not renewed within a period of six months from the date of EC, the EC shall become null and void.
2. The Environment Clearance is subject to compliance to all guidelines/Office Memorandums of MoEF&CC, GoI, Orders of Hon'ble Courts of competent jurisdiction, Orders from Hon'ble NGT issued from time to time with respect to cases involving violation of Environment Protection Act, 1986 or any other Law on the subject read with Rules made thereof.
3. This Environmental Clearance is without prejudice to the outcome of any petition lying disposal before any Hon'ble Court of competent jurisdiction.
4. The Environmental Clearance is subject to payment of compensation to the local villagers against acquisition of their land for the project besides construction of a macadamized road to the Parlanka village as promised by representatives of the project proponent during the public hearing.
5. The project proponent shall revise the Environment Management Plan with total budget of ***Rs 1.5 crores or 5% of the revenue earned (47.28crores during period 2016-17 to 2019-20) through mining of minerals from the site as reported by the Company Secretary, JK Minerals, in violation of the EP Act by operating without a valid EC whichever is more, in accordance with Notification No. S.O 1030(E) dated 8th of March, 2018.*** The earmarked funds shall be spent over a period of 3 years on construction of protective retention walls for checking flow of muck into river Chenab, restoration of green cover in the damaged slopes and other eco-rehabilitation works under remediation plan, Natural and Community Resource Augmentation Plan which would also include; life and health insurance of miners including labourers involved in the mining activity directly or indirectly, health facilities, shelters, toilets and drinking water facility for miners. After 3rd year, the EMP shall keep a recurring provision of **Rs 25.00 lacs per annum** under monitoring of ambient air quality, dust suppression, checking of soil erosion, green belt development, life and health insurance of miners including labourers involved in the mining activity directly or indirectly, maintenance of shelters, toilets, health facility and drinking water facility for miners and implementation of COVID-19 SOPs in the mining area. The revised version of the EIA/EMP giving year-wise allocation shall be submitted before formal grant of Environmental Clearance by JKUTEIAA. The consultant shall also rectify other mistakes in the documents pointed out during the deliberations.
6. Under Corporate Social Responsibility(CSR), The Project proponent **shall spend 2% of the average net profit per annum** for supporting education of children of miners including labourers working in the mine area directly or indirectly, through payment of full school/college/university/professional college fee, books/notebooks, Solar lighting in surrounding villages, poverty alleviation activities, children and women welfare, construction/upgradation of primary educational facilities, creation/improvement of health and sanitation facilities in neighboring villages especially Parlanka village where the mine is located. The funds earmarked under CSR shall be spent in consultation with local panchayat. In case the company has failed to spend the two per cent of the average net profit made in the past or any part thereof, the company shall provide the reasons for not spending the amount in its Board Report. Further, a responsibility statement of the CSR

Committee shall indicate that the implementation and monitoring of CSR Policy, is in compliance with CSR objectives and Policy of the company in accordance with the **Notification No. G.S.R 129(E) dated 27/02/2014** issued by the Ministry of Corporate Affairs. A CSR Committee shall also be put in place by the project proponent. The revised version of the CSR plan shall be submitted to JKEIAA and JKEAC before formal grant of Environmental Clearance by JKUTEIAA.

7. Under Corporate Environment Responsibility(CER) an amount of Rs 5.00 lacs per annum as committed by the PP shall be earmarked for development of roads, avenue plantations, soil conservation works, reclamation of natural springs, environmental awareness, improvement of environment in local schools and local health centre, installation of street lights etc. The revised version of the CER plan shall also be submitted before formal grant of Environmental Clearance by JKUTEIAA.
8. The funds earmarked under EMP, CER and CSR shall be kept in separate accounts and shall not be diverted for other purposes. Year-wise expenditure shall be reported to this Ministry and its concerned Regional Office at Chandigarh.
9. In accordance with Notification No. S.O 1030(E) dated 8th of March, 2018, the project proponent shall submit a bank guarantee equal to Rs 1.5 crores or 5% of the revenue earned from June 2016 to Nov., 2019(from the date of operation of the mine without Ec to the date when the PP applied for grant of TOR) whichever is more with the J&K Pollution Control Board before grant of Environmental Clearance and the same shall be released only after successful implementation of the Remediation Plan, Natural and Community Resource Augmentation Plan and on recommendation of the Regional Office of the Ministry of Environment, Forest & Climate Change (MoEF&CC), and JKEAC and after approval of the JK Environment Impact Assessment Authority.
10. The project proponent shall involve local panchayat in identification of works under CSR/CER/EMP and the funds shall be utilized through concerned field functionaries of Government Departments.
11. The project proponent should concurrently back-fill the mined out area, level it completely and restore the land for its future use as per technical guidelines prescribed in Mine closure plan. Compliance status should be submitted to the Ministry of Environment and Forests and its Regional Office Chandigarh on six monthly basis.
12. Check dams and siltation ponds of appropriate size should be constructed to arrest silt and sediment flows from mine working, soil and mineral dumps. The water so collected should be utilized for watering mine area, roads, green belt development etc. The drains should be regularly desilted and maintained properly.
13. Garland drain of appropriate size, gradient and length shall be constructed for mine pit and mineral dumps and sump capacity should be designed keeping 50% safety margin over and above peak sudden rainfall and maximum discharge in the area adjoining the mine site. Sump capacity should also provide adequate retention period to allow proper settling of silt material.
14. The proponent shall not carry out drilling and blasting operations.
15. Automatic Air quality monitoring stations should be installed so that the PCB gets regular updates on air quality in the mine area and its surrounds.
16. Regular water sprinkling should be carried out in critical areas prone to air pollution and having high levels of SPM and RPM such as haul road, loading and unloading point and transfer points. It should be ensured that the Ambient Air Quality parameters conform to the norms prescribed by the Central Pollution Control Board in this regard.
17. Vehicular emissions should be kept under control and regularly monitored. Measures shall be taken for maintenance of vehicles used in mining operations and in transportation of mineral. The vehicles should be covered with a tarpaulin and shall not be overloaded.

18. A Final Mine Closure Plan along with details of Corpus Fund should be submitted to the Ministry of Environment & Forests 5 years in advance of final mine closure.
19. All measures should be taken for surveillance of the mined out mineral as per guidelines of the Ministry of Mines and the MoEF&CC if any in this regard.
20. Security arrangements, use of surveillance system, installation of weighbridge, GPS tracking system etc. needs to be put in place for prevention of illegal mining from the site.

Agenda Item No:12 Grant of Environment Clearance in case of Brick Earth Mining Project in favour of M/S Jai Brick Killn.

Proposal No: SIA/JK/MIN/148895/2020.

File No: SEAC/JK/20/184

Title of the Case: Grant of Environment Clearance for Brick Earth Mining Project, M/s Jai Brick Killn , Gata No : 10, 31, 486/24, 494/31, at Village: Patrara, Tehsil : Sunderbani & Dist: Rajouri Minerals Ltd. (A J&K Govt. Undertaking) Project Sector : Non-Coal Mining.

Deliberations:

The PowerPoint presentation emailed by the consultant in advance was run by the Secretary himself as the consultant M/S Amaltas Enviro Industrial Consultants LLP, Haryana failed to join the meeting despite repeated telephonic calls on this day as well and the details were examined by the committee. The KMZ files of the project were loaded on Google Earth platform to examine the environmental settings at the sites proposed for extraction of brick earth for the kiln. Also, the KMZ file of Protected Area Forest boundary was loaded on Google Earth and it was found that the brick Kiln site and 3 plots out of 4 plots identified for extraction of brick earth are falling within the territorial forest boundary and only plot with Gata No.10 depicting agricultural features in the image of 14/01/2010 falls outside the forest boundary. Besides, the satellite image depicts that brick Earth has been extracted another plot lying south west of the brick kiln about which there is no mention by the project proponent/consultant. Further, while scrutinizing the supporting documents, it has been found that the DFO concerned has issued a certificate to the effect that the brick kiln site is situated at 1 km away from the forest boundary which is contrary to what has been observed on the Google Earth image with KMZ file of territorial forest boundary. However, the DFO is silent on the status of sites identified and proposed by the project proponent for extraction of brick earth under the project.

Decision:

The Committee unanimously recommended rejection of the project for grant of environmental clearance in view of the fact the Gata No. 31, 486/24, 494/31 are lying within the territorial forest boundary and the Gata No.10 though outside the territorial forest boundary showed agricultural features on the past satellite images. Action as per rules is also warranted by the enforcing agencies for violation of the EP Act. by the project proponent.

Agenda Item No:13 GRANT OF ENVIRONMENT CLEARANCE IN CASE OF ALL INDIA INSTITUTE OF MEDICAL SCIENCES AIIMS RISHIKESH.

Proposal No: SIA/JK/MIS/52801/2020.

File No: SEAC/JK/20/163

Title of the Case: Grant of Environment Clearance for Proposed 750 bedded hospital ALL INDIA INSTITUTE OF MEDICAL SCIENCES AIIMS, Townships and Area Development projects. RISHIKESH Vijaypur Dist. Samba Jammu & Kashmir, Tehri Garhwal, Uttarakhand-249203.

Deliberations:

The project was presented by the consultant M/S Amaltas Enviro Industrial Consultants LLP, New Delhi and the Superintending Engineer, AIIMS, Reshikesh via videoconferencing. During online discussions, Dr. Yashpaul Sharma, Scientist, PCB was also on board to examine the aspects relating to solid and liquid waste management including biomedical waste disposal. During powerpoint presentation, the consultant informed that the proposed 750 bedded AIIMS hospital will be developed under Pradhan Mantri Swasthya Surakasha Yojna (PMSSY). All buildings shall be sustainable, energy efficient and use space optimally. The activities in the institute will focus on providing the highest quality, patient care services, and medical education along with advancing medical research. The proposed facility is having total site area of 9,18,058.53 m² (226.84 acres), However currently development shall take place under phase-1 (165.11 Acres) having built up area of 2,17,593.016 m². He further informed that the project falls under Sr. No. 8 (b) [Schedule 8: Building/Construction projects/Area Development Projects and Townships, of EIA Notification 2006]. The total project cost is Approx.Rs.1,780 Crores. The total water requirement will be 2097 KLD (Hospital – 1610KLD for hospital + 487 KLD for Residential). He further informed that 382 KLD waste water will be generated from Residential and 517 KLD from the Hospital. The waste water treatment facility would include STP with 450 KLD capacity for Residential, STP with 620 KLD capacity for Hospital and ETP with 100 KLD capacity for Hospital. The total power requirement would be 11.3 MVA through JKSPC. The forum was informed that 3,935 kg/day including approx. 1,621 kg/day Biodegradable waste would be generated from the facility. Silent ecofriendly DG sets would be installed for uninterrupted power supply in the facility. The forum was informed that the EMP has been proposed at an estimated cost of 4.25 Crores with recurring cost of 1.06 crores annually.

Decision:

The committee unanimously recommended the case for grant of Environmental clearance subject to following general and specific conditions: -

SPECIFIC CONDITIONS

I. Construction Phase

1. The Project Proponent shall ensure that the guidelines issued vide this Ministry's OM No. 19-2/2013-IA.III dated 09.06.2015 for building and construction projects are followed to ensure sustainable environmental management.
2. 'Consent to Establish' shall be obtained from State Pollution Control Board under the Air (Prevention and Control of Pollution) Act, 1981 and the Water (Prevention and Control of Pollution) Act, 1974.
3. Adequate parking space shall be provided separately for staff and general public.
4. Dedicated helicopter services/ air ambulance helipads shall be provided to facilitate patient care.
5. The Project Proponent shall obtain all necessary clearance/ permission from all relevant agencies including town planning authority before commencement of work.

6. Authorization from State Pollution Control Board (SPCB) shall be obtained as applicable under Bio-Medical Waste (Management and Handling) Rules, 1998 as amended.
7. The bio-Medical wastes shall be managed in accordance with the Bio-Medical Waste (Management and Handling) Rules, 1998 as amended.
8. The project proponent shall comply with the conditions of NOC/ Clearance obtained from Fire Department.
9. D.G set shall be at least 6 m away from the boundary.
10. All the construction shall be in accordance with the local building byelaws. The Project Proponent shall obtain all necessary clearances.
11. The project proponent shall put in place a credible enforcement mechanism for compliance of energy conservation measures with its allottees, as projected, in perpetuity. This would be monitored by the designed Energy Conservation/ efficiency Authority in the UT.
12. Ambient noise levels should conform to residential standards both during day and night as per Noise Pollution (Control and Regulation) Rules, 2000.
13. Temporary toilets will be provided for all construction labour.
14. Suitable toilet fixtures for water conservation shall be provided.
15. Proponent shall obtain permission for ground water withdrawal from Central Ground Water Authority.
16. The EC is subject to comfort letters from the PHE and PDD department.
17. The rainwater harvesting plan should be incorporated by the CGWA.
18. Provision shall be made for the housing of construction labour within the site with all necessary infrastructure and facilities such as fuel for cooking, mobile toilets, mobile STP, safe drinking water, medical health care, creche etc. The housing may be in the form of temporary structures to be removed after the completion of the project.
19. A First Aid Room will be provided in the project both during construction and operation of the project.
20. All the topsoil excavated during construction activities should be stored for use in horticulture/landscape development within the project site.
21. Disposal of muck during construction phase should not create any adverse effect on the neighbouring communities and be disposed taking the necessary precautions for general safety and health aspects of people, only in approved sites with the approval of competent authority.
22. Soil and ground water samples will be tested to ascertain that there is no threat to ground water quality by leaching of heavy metals and other toxic contaminants.
23. Construction spoils, including bituminous material and other hazardous materials, must not be allowed to contaminate watercourses and the dump sites for such material must be secured so that they should not leach into the ground water.
24. Any hazardous waste generated during construction phase, should be disposed off as per applicable rules and norms with necessary approvals of the State Pollution Control Board.
25. The diesel generator sets to be used during construction phase should be low sulphur diesel type and should conform to Environment (Protection) Rules prescribed for air and noise emission standards.
26. The diesel required for operating DG sets shall be stored in underground tanks and clearance from Chief Controller of Explosives shall be taken, as applicable.
27. Vehicles hired for bringing construction material to the site should be in good condition and should have a pollution check certificate and should conform to applicable air and noise emission standards and should be operated only during non-peak hours.

28. Ambient noise levels should conform to residential standards both during day and night as per Noise Pollution (Control and Regulation) Rules, 2000.
29. Incremental pollution loads on the ambient air and noise quality should be closely monitored during construction phase. Adequate measures should be made to reduce ambient air and noise level during construction phase, so as to conform to the stipulated standards by CPCB/ SPCB.
30. Fly ash should be used as building material in the construction as per the provisions of Fly Ash Notification of September, 1999 and amended as on 27th August, 2003.
31. Ready mixed concrete must be used in building construction.
32. Storm water control and its re-use as per CGWB and BIS standards for various applications.
33. Water demand during construction should be reduced by use of pre-mixed concrete, curing agents and other best practices referred.
34. Permission to draw ground water shall be obtained from the competent Authority prior to construction/ operation of the project.
35. Separation of grey and black water should be done by the use of dual plumbing line for separation of grey and black water.
36. Fixtures for showers, toilet flushing and drinking should be of low flow either by use of aerators or pressure reducing devices or sensor based control.
37. Use of glass may be reduced by up-to 40% to reduce the electricity consumption and load on air-conditioning. If necessary, use high quality double glass with special reflective coating in windows.
38. Regular supervision of the above and other measures for monitoring should be in place all through the construction phase, so as to avoid disturbance to the surroundings.
39. Under the provisions of Environment (Protection) Act, 1986, legal action shall be initiated against the project proponent if it was found that construction of the project has been started without obtaining environmental clearance.

II. Operation Phase

1. The Bio-Medical wastes shall be managed in accordance with the Bio-Medical Waste (Management and Handling) Rules, 1998 as amended.
2. The quantity of fresh water usage, water recycling and rainwater harvesting shall be measured and recorded to monitor the water balance as projected by the project proponent. The record shall be submitted to the Regional Office, MoEF&CC along with six monthly Monitoring reports.
3. 100 KLD capacity ETP and 620 KLD STP shall be installed to treat the waste waters to supplement the requirement of water for various uses in the campus.
4. Solid waste management shall be collected, treated disposed in accordance with the Municipal Solid Waste (Management & Handling) Rules, 2000. No biodegradable waste should be disposed off outside the premises.
5. The Operation and Maintenance of STP shall be made in the MoU with STP supplier. Project Proponent shall ensure regular operation and maintenance of the STP.
6. Parking facility for approx.2500 four wheelers and about 500 two wheelers shall be provided or 3195 ECS surface parking facility. Parking facility for three wheelers shall also be provided within the premises taking care for movement of patients and elderly. Parking facility with 6 m clear driveway shall be provided.
7. The Project Proponent shall explore the possibilities of reusing the treated wastewater from nearby projects.

8. The project proponent shall take measures to ensure 20% power/energy conservation in perpetuity with regular monitoring report to competent energy management authority.
9. The installation of the Sewage Treatment Plant (STP) should be certified by an independent expert and a report in this regard should be submitted to the Ministry before the project is commissioned for operation. Treated effluent emanating from STP shall be recycled/ reused to the maximum extent possible. Discharge of unused treated affluent shall conform to the norms and standards of the State Pollution Control Board. Necessary measures should be made to mitigate the odour problem from STP.
10. The solid waste generated should be properly collected and segregated. Wet garbage should be composted and dry/inert solid waste should be disposed off to the approved sites for land filling after recovering recyclable material.
11. Diesel power generating sets proposed as source of back-up power for elevators and common area illumination during operation phase should be of enclosed type and conform to rules made under the Environment (Protection) Act, 1986. The height of stack of DG sets should be equal to the height needed for the combined capacity of all proposed DG sets. Use low sulphur diesel. The location of the DG sets may be decided with in consultation with State Pollution Control Board.
12. Noise should be controlled to ensure that it does not exceed the prescribed standards. During night time the noise levels measured at the boundary of the building shall be restricted to the permissible levels to comply with the prevalent regulations.
13. The green belt of the adequate width and density preferably with local species along the periphery of the plot shall be raised so as to provide protection against particulates and noise.
14. Rain water harvesting for roof run-off and surface run-off, as plan submitted should be implemented. Before recharging the surface run off, pre-treatment must be done to remove suspended matter, oil and grease.
15. The borewell for rainwater recharging should be kept at least 5 mts. above the highest ground water table.
16. Energy conservation measures like installation of CFLs and TFLs for the lighting the areas outside the building should be integral part of the project design and should be in place before project commissioning. Use CFLs and TFLs should be properly collected and disposed off and sent for recycling as per the prevailing guidelines and rules of the regulatory authority to avoid mercury contamination. Use of solar panels may be done to the extent possible.
17. The plan of construction shall be strictly as per the overall Master plan of the Urban Local body in the region if any.
18. The ground level of the campus shall be taken 50 cm above Highest Flood Level of the river which is about 1.25 meter above existing ground level as committed in the PowerPoint presentation.
19. An embankment of 2.5 m shall be developed from the river side above highest flood level.
20. The EC is subject to NOC from the Irrigation and Flood Control Department and JKUT Disaster Management Authority.
21. All the buildings constructed in the campus shall be occupied only after a comprehensive safety audit is got conducted by an authorized third party expert government agency or committee of experts constituted by the govt. for the purpose.
22. The northern campus and the southern campus shall be connected through a subway having separate passages for vehicular and pedestrian movement.
23. Automatic real time ambient air quality monitoring stations should be installed in the campus.

24. There should be no waste water discharge from the Institute.

GENERAL CONDITIONS

6. A copy of the environmental clearance letter shall also be displayed on the website of the concerned State Pollution Control Board. The EC letter shall also be displayed at the Regional Office, District Industries centre and Collector's Office¹ Tehsildar's office for 30 days.
7. The funds earmarked for environmental protection measures shall be kept in separate account and shall not be diverted for other purpose. Year-wise expenditure shall be reported to this Ministry and its concerned Regional Office.
8. Officials from the Regional Office of MoEF&CC, Chandigarh who would be monitoring the implementation of environmental safeguards should be given full cooperation, facilities and documents by the project proponents during their inspection. A complete set of all the documents submitted to MoEF&CC should be forwarded to the APCCF, Regional office of MoEF&CC, Chandigarh.
9. In the case of any change(s) in the scope of the project, the project would require a fresh appraisal by this Ministry.
10. The Ministry reserves the right to add additional safeguard measures subsequently, if found necessary, and to take action including revoking of the environment clearance under the provisions of the Environmental (Protection) Act, 1986, to ensure effective implementation of the suggested safeguard measures in a time bound and satisfactory manner.
11. All other statutory clearances such as the approvals for storage of diesel from Chief Controller of Explosives, Fire Department, Civil Aviation Department, Forest Conservation Act, 1980 and Wildlife (Protection) Act, 1972 etc. shall be obtained, as applicable by project proponents from the respective competent authorities.
12. These stipulations would be enforced among others under the provisions of Water (Prevention and Control of Pollution) Act, 1974, the Air (Prevention and control of Pollution) act 1981, the Environment (Protection) Act, 1986, the Public Liability (Insurance) Act, 1991 and EIA Notification, 2006.
13. The project proponent should advertise in at least two local Newspapers widely circulated in the region, one of which shall be in the vernacular language informing that the project has been accorded Environmental Clearance and copies of clearance letters are available with the State Pollution Control Board and may also be seen on the website of the Ministry of Environment, Forest & Climate Change at <http://www.envfor.nic.in>. The advertisement should be made within Seven days from the date of receipt of the Clearance letter and a copy of the same should be forwarded to the Regional Office of this Ministry at Chandigarh.
14. This Clearance is subject to final order of the Hon'ble Supreme Court of India in the matter of Goa Foundation V/ s. Union of India in Writ Petition (Civil) No.460 of 2004 as may be applicable to this project.
15. A copy of the clearance letter shall be sent by the proponent to concerned Panchayat, Zilla Parishad/Municipal Corporation, Urban Local Body and the Local NGO, if any, from whom suggestions/ representations, if any, were received while processing the proposal. The clearance letter shall also be put on the website of the Institute by the proponent.
16. The proponent shall upload the status of compliance of the stipulated EC conditions, including results of monitored data on their website and shall update the same periodically. It shall simultaneously be sent to the Regional Office of MoEF&CC, the

respective Zonal Office of CPCB and the SPCB. The criteria pollutant levels namely; SPM, RSPM, SO₂, NO_x (ambient levels as well as stack emissions) or critical sectoral parameters, indicated for the project shall be monitored and displayed at a convenient location near the main gate of the institute in the public domain.

17. The environmental statement for each financial year ending 31st March in Form-V as is mandated to be submitted by the project proponent to the concerned State Pollution Control Board as prescribed under the Environment (Protection) Rules, 1986, as amended subsequently, shall also be put on the website of the company along with the status of compliance of EC conditions and shall also be sent to the respective Regional Offices of MoEF&CC by e-mail.
18. The Environmental Clearance shall be valid for a period of five years from the date of its issuance or as per guidelines from the MoEF&CC issued in this regard whichever is less.
19. Any appeal against this clearance shall lie with the National Green Tribunal, if preferred, within a period of 30 days as prescribed under Section 16 of the National Green Tribunal Act, 2010.

Agenda Item No:14	Grant of Environment Clearance in favour of M/S PARAMJEET SINGH 197-Jaarai, Tehsil & District Kathua, Jammu and Kashmir-184101
Proposal No:	SIA/JK/MIN/146620/2020.
File No:	SEAC/JK/20/185
Title of the Case:	Grant of Environment Clearance for River bed material Mine located at Village Pandori, Tehsil nagri parole District Kahtua.

Deliberations:

The project was represented by the project proponent Shri Paramjit Singh R/O 197-Jarai, P.O I.E Kathua, Dist-Kathua and his consultant M/S P & M Solution, Noida, New Delhi via video conferencing. The project proponent was asked to show the site on Google Earth platform using KMZ file to examine the environmental setting of the area. The project proponent informed the forum that the river bed mining involves an area of 3.98 ha for extraction of River Bed Material in Ujh River Village-Pandori, Tehsil-Nagri Parole &

District-Kathua. The project cost is 30 lacs and the project period is 5 years. He further informed the forum that the said land is a private land under khsra Nos 225,229,207,241,242,244,276/246 lying in the centre of Ujh river Downstream Pandori Bridge, and the title verification has been done by the concerned revenue authority vide letter 10/08/2019 and that the original owners of the said land have entered into an agreement to sell in favour of the project proponent on 30/04/2019. Further, the PP informed that the Geology & Mining Department has issued the letter of intent vide letter No. 319/MCC/DGM/ML/19/1840-42 dated 28/09/2019. The consultant further informed that the mining plan has been approved by the Mining Plan approval Committee headed by the concerned Dy. Commissioner with members from the Line departments. Further, the consultant informed the committee that the project site bears the following geo-coordinates:-

Point	Latitude	Longitude
A	32°20'6.12" N	75°23'38.43" E
B	32°19'52.83" N	75°23'34.75" E
C	32°19'47.89" N	75°23'32.36" E
D	32°19'52.86" N	75°23'32.39" E

E	32°20'6.76" N	75°23'34.53" E
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The Committee deliberated on the proposal and examined the field photographs and videos displayed by the consultant. The committee observed from the photographs and videos that there is very scarce river bed material in the shape of gravel and boulders and relied upon the inspection carried out by the officials of Geology & Mining Dept. as reflected in the letter of intent and believed that the material may be beneath the sediments.

Decision:

The committee finally recommended grant of Environmental Clearance in favour of the project proponent subject to following General and Specific conditions: -

SPECIFIC CONDITIONS:

- 1. This Environmental Clearance is granted subject to final outcome of any litigation pending before Hon'ble Supreme Court of India, Hon'ble High Court of Jammu & Kashmir, Hon'ble NGT, or any other Court of Law, if any, as may be applicable to this project.***
- 2. This Environmental Clearance is without prejudice to the standing instructions /orders from the competent authorities in the MoEF&CC, GoI and the UT of J&K w.r.t river bed mining activity.***
- 3. The Project proponent shall obtain Consent to Operate from the J&K Pollution Control Board/Committee and effectively implement all the conditions stipulated therein.***
- 4. In the first year, excavation shall not be carried out beyond a maximum depth of 1.00 meter from the surface of the river bed or upto 1 meter above the ground water level whichever is less. However, after the period of expiry of one complete year from the date of mining activity is executed on ground, an inspection committee of the Geology & Mining Department shall certify that the mined out mineral has been replenished and any mining has not caused or will not cause any damage to the local ecology if the mining depth is increased to 1.5 mts against 3.0 metres recommended in the approved mining plan, thereafter, the project proponent can be allowed to go upto a depth of 1.5 mts or upto 1 meter above the ground water level whichever is less subject to the condition that annual inspection and subsequent certifications shall be undertaken by the Geology & Mining Department under intimation to regulatory authorities including JKEIAA to protect the stream ecology.**
- 5. The District Mineral Officer shall monitor the replenishment of the mined out areas, traffic management, levels of production, river bank erosion, exit point of the site and instruct the Project proponent for initiating measures for mitigating environmental concerns.**
- 6. The Project proponent shall ensure that the roads leading to the site and the river banks do not get damaged due to transportation of the mined out mineral and transportation of minerals will be as per IRC guidelines w.r.t axle load specified for the road.**
- 7. The mineral transportation shall be only through covered trucks and vehicles carrying the minerals will not be overloaded.**
- 8. Water sprinkling of the roads leading to the mining site should be done adequately.**
- 9. The project proponent shall take all precautionary measures during mining operations for conservation and protection of endangered fauna and flora in the area.**

10. The project proponent must ensure that the biological clock of the villagers in the vicinity of the project is not disturbed by night operations and all measures must be taken for keeping the noise levels within prescribed levels.
11. Transportation of minerals passing through villages shall not be allowed. A bypass road/s leaving a gap of 200 m shall be constructed if link road passes through villages.
12. Provision shall be kept for housing of the labour force, toilets, facilities for cooking, safe water, health care, crèche etc. for the labour force.
13. A final Mine closure Plan along with details of Corpus fund shall be communicated to the MoEF&CC in advance for approval.
14. The PP shall submit annual replenishment report certified by Geology & Mining Department. In case the replenishment is lower than the projected rate of production, then the mining activity/ production levels shall be decreased / stopped forthwith.
15. The stream shall not be diverted for the purpose of sand mining.
16. No blasting operations shall be allowed.
17. Mining shall be done manually minimally supported by semi-mechanized methods.
18. The top soil in case of surface land mining shall be temporarily stored at an appropriate site and concurrently used for land reclamation.
19. The EC holder shall keep proper account of the quantity of mineral mined out, despatched from the mine, mode of transport, registration No. of the vehicle.
20. Permanent pillars with depth of 1.5 m below ground and 1.2 m above ground should be installed at all vertices of the mineral Block marking its limits exhibiting geocoordinates, Mineral Block No., Village Name, Lease Area and other details leaving 15% of river width from bank untouched. A prominent sign board shall also be installed indicating the details of Mineral block like Area, length, breadth, coordinates, depth etc.
21. Spring sources if any should not be disturbed during the mining operations.
22. The Project proponent shall appoint an occupational health specialist for the treatment of mine workers and their regular health check-up.
23. CSR activities as applicable to the project shall be undertaken by the Project Proponent in a systematic manner after conducting door to door survey to ascertain the needs of neighbourhood, in consultation with the local panchayat and the report shall be submitted to the MoEF&CC and its Regional Office at Chandigarh on six monthly basis.
24. The mining operations shall be undertaken in a systematic manner so that it does not damage the aesthetic view of the area.
25. Restoration of the flora effected by mining operations should be done immediately and at least 50 trees of indigenous species per hectare should be planted and maintained by the EC holder along the banks of the river adjacent to the Mining area. Protection of turtle, bird habitat, fish habitat and other aquatic life shall be maintained by providing requisite corridors across the Mining area along the gradient.
26. Adequate steps should be taken to check soil erosion and engineering structures shall be raised near the bank wherever required.
27. No overhangs shall be allowed to be formed due to mining operations and mining shall not be allowed where subsidence of rocks is likely to occur due to steep slope.
28. Site clearance and tidiness shall be maintained to have minimum visual impact due to mining. Dumping of waste shall be as per prescriptions in the approved mining plan. The rubbish burial shall not be allowed in the river system.

29. Mining shall not be allowed where there is danger to flood protection works and places of cultural, religious and historical significance.
30. No staking of material shall be allowed along the banks and roadside.
31. An amount of Rs 0.60 lacs per annum shall be spent by the project proponent under Corporate Environment Responsibility (CER) as committed during the presentation.
32. An amount of Rs 5.85 lacs shall be spent by the PP under Environment Management Plan. The funds earmarked for EMP/CER/CSR shall be kept in a separate account and utilized in consultation with the local panchayat through the local filed functionaries of the concerned govt. departments.
33. An amount of Rs 0.50 lacs shall be earmarked by the project proponent under CSR to be spent on COVID-19 response system in the nearby villages in consultation with local panchayat.

General Conditions:

1. The EC holder shall take all measures for protection of Environment and control of Pollution.
2. Any change in mining methodology shall be allowed only with prior approval of the MoEF&CC.
3. There should be no change in the calendar plan and excavation and quantity of minerals.
4. Regular monitoring of the ground water to be carried out at upstream and depth of water in the dug up areas to be measured and recorded twice a year.
5. Monitoring of the ambient Air quality be carried out as per Notification of 2009 as amended from time to time by the CPCB. Water sprinkling to be undertaken at the loading, unloading and transfer points.
6. Regular monitoring of the ground water and its quality shall be carried out in four seasons of the year viz. pre-Monsoon, Monsoon, Post monsoon and winter and the data so collected be sent to the MoEF&CC and the Central Ground water Board.
7. The critical parameters of the Air and water shall be monitored within the impact zone of the Mine area particularly in the nearby habitations. The standing instructions issued from time to time by the MoEF&CC and available on its website at www.moef.nic.in shall be referred in this regard for compliance.
8. Measures should be taken to control noise levels below 85 dBA in the work environment. Workers should be provided with ear plugs.
9. Personnel working in dusty areas should wear protective respiratory devices and they should also be provided training in safety and health care aspects.
10. Funds earmarked for environmental protection should be kept in separate account and should not be diverted for other purposes. Year-wise expenditure statement should be submitted to the MoEF&CC and its Regional Office at Chandigarh.
11. The Regional Office of the MoEF&CC shall monitor compliance of the conditions of this EC.
12. The EC holder shall submit half yearly compliance reports w.r.t compliance of EC conditions to the MoEF&CC at its office Chandigarh, Central Ground Water Board and the JK Pollution Control Board/Committee.
13. The copy of the EC shall be endorsed to the local Panchayat and all stake holder departments.
14. The JK Pollution Control Board/ Committee shall display the EC at its Regional office, District Industries Centre, Collectors office/ Tehsildar Office for 30 days.

15. The Project Proponent shall advertise, within 7 days of the date of issue of the EC, in two local dailies that the project has been granted EC and the copy of EC is uploaded on the MoEF&CC website at parivesh.nic.in. and copy of same should be endorsed to the Regional Office of the MoEF&CC at Chandigarh for information and necessary action.
16. The MoEF&CC may alter/ modify or stipulate any other condition before, during the operations of the mine if it is found to be in the interest of environmental protection.
17. Concealing of any information/data of submission of wrong/fabricated information by the Project Proponent and failure to comply with any of the above conditions may lead to withdrawal of the EC and attract action under the provisions of EP Act, 1986.
18. This environmental Clearance shall be valid for a period of **three years** only and the validity shall be reviewed in the light of updated District Survey Report provided an application for such extension is filed by the EC holder at least one month before such expiry, as per the procedure.
19. An appeal against the EC shall lie with the Hon'ble NGT, if preferred within 30 days as prescribed under Section 16 of the NGT Act, 2010.

Agenda Item No:15	Grant of Environment Clearance in favour of M/S IND SWIFT LABORATORIES LTD.
Proposal No:	SIA/JK/IND2/152747/2020.
File No:	SEAC/2018/64.
Title of the Case:	Grant of Environment Clearance for Expansion of M/S. Ind Swift Laboratories Ltd. located at SIDCO Industrial Growth Center, Phase 1, Tehsil Samba, Distt. Samba, Jammu & Kashmir.

Deliberations: - The project was represented by the project proponent represented by Atul Chaubey, Vice President-HR on behalf of the company M/S Indswift Laboratories and their authorized consultant Eco Laboratories & Consultants Pvt. Ltd., Mohali, Chandigarh. The consultant informed that the M/s Ind Swift Laboratories Ltd. is an existing API manufacturing facility located at SIDCO Industrial Growth Center, Phase 1, Tehsil Samba, Distt. Samba, Jammu and Kashmir. Earlier Environmental Clearance has been granted by MoEF vide Letter No. J11011/54/2005IA-II(I) dated 09.05.2006 for the total production capacity of 130.8TPA. Now, industry has planned for expansion of the unit by increasing the production capacity from 130.8TPA to 294.3TPA. The total area of the industry is 3.0 ha. No new land to be acquired. The unit will produce following new products: Fexofenadine HCL, Moxifloxacin & Ivabradine HCL; decrease the quantity of existing products i.e. Roxithromycin and increase the quantity of existing products i.e. Clopidogrel, Nitazoxanide, Atorvastatin, Ezetimibe & Pentazocine and discontinue products i.e. Azithromycin and Clarithromycin. The total project cost of the unit after expansion will be Rs. 51.40 Crores.

The company submitted the application for TOR on 30.08.2018. Subsequently, the JKEAC recommended TOR subject to the condition, the PP produces the Compliance report from MoEF&CC on the conditions of previous EC. The Compliance was verified by MoEF&CC vide letter dated 07.01.2019 and then re-verified compliance of pending issues vide letter dated 07.02.2020 where two points were made subject to discussion by the JKEAC. The case was listed in the 6th JKEAC during which the Committee recommended grant of TOR subject to condition that the PP furnishes an undertaking to the JKEIAA stating therein that they have not been using benzene or any other harmful chemical as a solvent while manufacturing bulk drugs besides submitting the BMR of the drugs manufactured in the past.

The PP informed the forum that the company has obtained permission for digging a bore well from SIDCO vide Obtained vide Letter No. IDC/IGC/WC-63/04/1775 dated 01.03.2005 and permission for additional power has been obtained from PDD vide Letter No. 308-PDD 2010 dated 15.12.2010 and fire safety approval from competent authority vide Letter No. JDJF & ES/FB/5272dated 1.10.2016 and Consent to Operate from JKSPCB vide Letter No. SPCB /digital / 1906979510 of 2019 dated 04.07.2019 which is valid upto June, 2024. The total water requirement is 150 KLD to be met from SIDCO. The total waste water generation is 85 KLD which will be treated in existing ETP of 66 KLD as well as MEE of 48 KLD capacity. The total power load would be 932.12 KW which would be nmet from the PDD. The total project cost is 51.40 crores.

The forum was further informed that the PP has applied directly under B2 category in pursuance to an opportunity given by MoEF&CC, Govt. of india vide Notification No. S.O. 1223(E) dated 27th March, 2020 where under following amendment was made to the erstwhile EIA Notification of 2006 as:-

in the Schedule, against the item 5(f), in the column (5), after entries relating thereto the following entries shall be inserted, namely:- “All proposals for projects or activities in respect of Active Pharmaceutical Ingredients (API), received up to the 30th September 2020, shall be appraised, as Category ‘B2’ projects, provided that any subsequent amendment or expansion or change in product mix, after the 30th September 2020, shall be considered as per the provisions in force at that time.”

Decision:

The Committee asked opinion of Dr. Yashpaul Sharma, Scientist, JKPCB and in the light of his opinion, the committee recommended the project for grant of Environmental Clearance subject to the following specific conditions: -

SPECIFIC CONDITIONS

1. That, the project proponent shall obtain a certificate from the office of Drug Controller, UT of J&K or Indian Council of Medical Research(ICMR) or any other Competent Authority in the field, stating therein that the bulk drug API manufacturing unit M/S Indswift Laboratories, Samba Industrial Estate, manufactures bulk drugs and intermediates for addressing ailments such as Novel Corona Virus (COVID-19) and those with similar symptoms and that the project proposal for expansion of capacity of the unit by increasing the production capacity from 130.8TPA to 294.3TPA with introduction of new products, qualifies for benefit of treating the unit under B2 category for grant of Environmental Clearance. The project proponent shall have to produce such certificate to the JKEIAA for enabling it to list the case for consideration. In case, the project proponent fails to produce the said certificate within four weeks, the recommendation of JKEAC shall be treated as null and void and the project proponent shall have to apply for EC under B1 category.
2. The EC shall be subject to the condition that a safety audit of the unit is got conducted by an authorized third party with expertise in disaster management or from the UT Disaster Management Authority.
3. The PP shall implement the COVID-19 SOPs and guidelines issued by the Health & Family Welfare Department, GoI or the UT Disaster Management Authority from time to time.
4. The workers in the unit shall be provided with safety equipment and special protective gear.
5. The silent genset shall be installed at least 6 feet away from the boundary wall.

6. An amount of Rs 50.00 lacs shall be earmarked under Environmental Management under capital budget and an amount of Rs 7.00 lacs shall be spent annually for environmental management by the company.
7. An amount of Rs 27.00 lacs shall be spent under CER on construction/ upgradation of drinking water and toilet facility in the nearby schools, raising of plantations, scholarships for children of workers in the unit as well as poor students in the nearby villages, economic empowerment of local villagers.

GENERAL CONDITIONS:

Statutory Compliance

1. The project proponent shall obtain Consent to Establish / Operate under the provisions of Air (Prevention & Control of Pollution) Act, 1981 and the Water (Prevention & Control of Pollution) Act, 1974 from the concerned Pollution Control Board/ Committee.
2. The project proponent shall obtain authorization under the Hazardous and other Waste Management Rules, 2016 as amended from time to time.
3. The Company shall strictly comply with the rules and guidelines under Manufacture, Storage and Import of Hazardous Chemicals (MSIHC) Rules, 1989 as amended time to time. All transportation of Hazardous Chemicals shall be as per the Motor Vehicle Act (MVA), 1989

Air quality monitoring and preservation

1. Storage of raw materials, coal etc. shall be either stored in silos or in covered areas to prevent dust pollution and other fugitive emissions.
2. The project proponent shall monitor fugitive emissions in the plant premises at least once in every quarter through labs recognised under Environment (Protection) Act, 1986.
3. The project proponent shall install 24x7 continuous emission monitoring system at process stacks to monitor stack emission with respect to standards prescribed in Environment (Protection) Rules 1986 and connected to SPCB and CPCB online servers and calibrate these system from time to time according to equipment supplier specification through labs recognised under Environment (Protection) Act, 1986 or NABL accredited laboratories.
4. The project proponent shall install system to carryout Ambient Air Quality monitoring for common/criterion parameters relevant to the main pollutants released (e.g. PM10 and PM2.5 in reference to PM emission, and SO2 and NOx in reference to SO2 and NOx emissions) within and outside the plant area at least at four locations (one within and three outside the plant area at an angle of 120°each), covering upwind and downwind directions.
5. To control source and the fugitive emissions, suitable pollution control devices shall be installed to meet the prescribed norms and/or the NAAQS. Sulphur content should not exceed 0.5% in the coal for use in coal fired boilers to control particulate emissions within permissible limits (as applicable). The gaseous emissions shall be dispersed through stack of adequate height as per CPCB/SPCB guidelines.

6. National Emission Standards for Organic Chemicals Manufacturing Industry issued by the Ministry vide G.S.R. 608(E) dated 21st July, 2010 and amended from time to time shall be followed.
7. The National Ambient Air Quality Emission Standards issued by the Ministry vide G.S.R. No. 826(E) dated 16th November, 2009 shall be complied with

Water Quality monitoring and preservation

1. The project proponent shall provide online continuous monitoring of effluent, the unit shall install web camera with night vision capability and flow meters in the channel/drain carrying effluent within the premises (applicable in case of the projects achieving ZLD)
2. As already committed by the project proponent, Zero Liquid Discharge shall be ensured and no waste/treated water shall be discharged outside the premises (applicable in case of the projects achieving the ZLD).
3. The effluent discharge shall conform to the standards prescribed under the Environment (Protection) Rules, 1986, or as specified by the State Pollution Control Board while granting Consent under the Air/Water Act, whichever is more stringent.
4. Total fresh water requirement shall not exceed the proposed quantity or as specified by the Committee. Prior permission shall be obtained from the concerned regulatory authority/CGWA in this regard.
5. Process effluent/any wastewater shall not be allowed to mix with storm water. The storm water from the premises shall be collected and discharged through a separate conveyance system.
6. The Company shall harvest rainwater from the roof tops of the buildings and storm water drains to recharge the ground water and utilize the same for different industrial operations within the plant.
7. The DG sets shall be equipped with suitable pollution control devices and the adequate stack height so that the emissions are in conformity with the extant regulations and the guidelines in this regard.

Noise monitoring and prevention

1. Acoustic enclosure shall be provided to DG set for controlling the noise pollution.
2. The overall noise levels in and around the plant area shall be kept well within the standards by providing noise control measures including acoustic hoods, silencers, enclosures etc. on all sources of noise generation.
3. The ambient noise levels should conform to the standards prescribed under E(P)A Rules, 1986 viz. 75 dB(A) during day time and 70 dB(A) during night time

Energy conservation measures

The energy sources for lighting purposes shall preferably be LED based.

Waste management

1. Hazardous chemicals shall be stored in tanks, tank farms, drums, carboys etc. Flame arresters shall be provided on tank farm and the solvent transfer through pumps.
2. Process organic residue and spent carbon, if any, shall be sent to cement industries. ETP sludge, process inorganic & evaporation salt shall be disposed off to the TSDF.

3. The company shall undertake waste minimization measures as below:-
 - a. Metering and control of quantities of active ingredients to minimize waste.
 - b. Reuse of by-products from the process as raw materials or as raw material substitutes in other processes.
 - c. Use of automated filling to minimize spillage.
 - d. Use of Close Feed system into batch reactors.
 - e. Venting equipment through vapour recovery system.
 - f. Use of high pressure hoses for equipment clearing to reduce wastewater generation.

Green belt

The green belt of 5-10 m width shall be developed in more than 33% of the total project area, mainly along the plant periphery, in downward wind direction, and along road sides etc. Selection of plant species shall be as per the CPCB guidelines in consultation with the State Forest Department.

Safety, Public Hearing & Human Health Issues

1. Occupational health surveillance of the workers shall be done on a regular basis and records maintained as per the Factories Act.
2. There shall be adequate space inside the plant premises earmarked for parking of vehicles for raw materials and finished products, and no parking to be allowed outside on public places
3. Emergency preparedness plan based on the Hazard identification and Risk Assessment (HIRA) and Disaster Management Plan shall be implemented.
4. The unit shall make the arrangement for protection of possible fire hazards during manufacturing process in material handling. Fire fighting system shall be as per the norms.
5. The PP shall provide Personal Protection Equipment (PPE) as per the norms of Factory Act.
6. Training shall be imparted to all employees on safety and health aspects of chemicals handling. Pre-employment and routine periodical medical examinations for all employees shall be undertaken on regular basis. Training to all employees on handling of chemicals shall be imparted.
7. Provision shall be made for the housing of construction labour within the site with all necessary infrastructure and facilities such as fuel for cooking, mobile toilets, mobile STP, safe drinking water, medical health care, crèche etc. The housing may be in the form of temporary structures to be removed after the completion of the project.

Corporate Environment Responsibility

1. The project proponent shall comply with the provisions contained in this Ministry's OM vide F.No. 22-65/2017-IA.III dated 1st May 2018, as applicable, regarding Corporate Environment Responsibility.
2. The company shall have a well laid down environmental policy duly approved by the Board of Directors. The environmental policy should prescribe for standard operating procedures to have proper checks and balances and to bring into focus any

infringements/deviation/violation of the environmental / forest /wildlife norms/ conditions. The company shall have defined system of reporting infringements / deviation / violation of the environmental / forest / wildlife norms / conditions and / or shareholders / stake holders. The copy of the board resolution in this regard shall be submitted to the MoEF&CC as a part of six-monthly report.

3. A separate Environmental Cell both at the project and company head quarter level, with qualified personnel shall be set up under the control of senior Executive, who will directly to the head of the organization.
4. Action plan for implementing EMP and environmental conditions along with responsibility matrix of the company shall be prepared and shall be duly approved by competent authority. The year wise funds earmarked for environmental protection measures shall be kept in separate account and not to be diverted for any other purpose. Year wise progress of implementation of action plan shall be reported to the Ministry/Regional Office along with the Six Monthly Compliance Report.
5. Self-environmental audit shall be conducted annually. Every three years third party environmental audit shall be carried out.

Miscellaneous

1. A separate 'Environmental Management Cell' with suitable qualified manpower should be set-up under the control of a Senior Executive. The Senior Executive shall directly report to Head of the Organization. Adequate number of qualified Environmental Scientists and Mining Engineers shall be appointed and submit a report to RO, MoEFCC.
2. The concerned Regional Office of the MoEFCC shall randomly monitor compliance of the stipulated conditions. The project authorities should extend full cooperation to the MoEFCC officer(s) by furnishing the requisite data / information / monitoring reports.
3. The Project Authorities should inform to the Regional Office regarding date of financial closures and final approval of the project by the concerned authorities and the date of start of land development work.
4. The Project Proponent shall submit six monthly compliance reports on the status of the implementation of the stipulated environmental safeguards to the MOEFCC & its concerned Regional Office, Central Pollution Control Board and State Pollution Control Board.
5. The Project Proponent shall prepare digital map (land use & land cover) of the entire lease area once in five years purpose of monitoring land use pattern and submit a report to concerned Regional Office of the MoEFCC.

Other conditions: -

1. The project proponent should advertise in at least two local Newspapers widely circulated in the region, one of which shall be in the vernacular language informing that the project has been accorded Environmental Clearance and copies of clearance letters are available with the State Pollution Control Board and may also be seen on the website of the Ministry of Environment, Forest & Climate Change at <http://www.envfor.nic.in>. The advertisement should be made within Seven days from the date of receipt of the Clearance letter and a copy of the same should be forwarded to the Regional Office of this Ministry at Chandigarh.

2. This Clearance is subject to final order of the Hon'ble Supreme Court of India or any other court of competent jurisdiction in any matter having bearing on the said project.
3. The Environmental Clearance shall be without prejudice to any order /standing instruction from Hon'ble National Green Tribunal, Ministry of Environment, Forest & Climate Change(MoEF&CC), Indian Council of Medical research(ICMR) or Drug Controller, J&K or any competent authority.
4. A copy of the clearance letter shall be sent by the proponent to concerned Panchayat, Zilla Parishad/Municipal Corporation, Urban Local Body and the Local NGO, if any, from whom suggestions/ representations, if any, were received while processing the proposal. The clearance letter shall also be put on the website of the Institute by the proponent.
5. The proponent shall upload the status of compliance of the stipulated EC conditions, including results of monitored data on their website and shall update the same periodically. It shall simultaneously be sent to the Regional Office of MoEF&CC, the respective Zonal Office of CPCB and the SPCB. The criteria pollutant levels namely; SPM, RSPM, SO₂, NO_x (ambient levels as well as stack emissions) or critical sectoral parameters, indicated for the project shall be monitored and displayed at a convenient location near the main gate of the institute in the public domain.
6. The environmental statement for each financial year ending 31st March in Form-V as is mandated to be submitted by the project proponent to the concerned State Pollution Control Board as prescribed under the Environment (Protection) Rules, 1986, as amended subsequently, shall also be put on the website of the company along with the status of compliance of EC conditions and shall also be sent to the respective Regional Offices of MoEF&CC by e-mail.
7. The Environmental Clearance shall be valid for a period of five years from the date of its issuance or as per guidelines from the MoEF&CC issued in this regard whichever is less.
8. Any appeal against this clearance shall lie with the National Green Tribunal, if preferred, within a period of 30 days as prescribed under Section 16 of the National Green Tribunal Act, 2010.

13th of June, 2020

Agenda Item No.16

To confirm the minutes of the 6th JKEAC meeting held on 06/05/2020 and to discuss any other issue relating to functioning of JKEAC **‘and to discuss the draft EIA Notification of 2020, for recommending response to MoEF&CC from JKEIAA’**,

The committee unanimously confirmed the minutes of the 6th JKEAC meeting held via video conferencing.

The issue of enhancement of the sitting fee by the MoEF&CC and the Ministry of Finance, GoI of India also came under discussion. It was desired that the JKEIAA must implement the rates fixed as sitting fee for the non-official members of the JKEIAA/JKEAC without further delay from the date the said notifications were issued by Govt. of India.

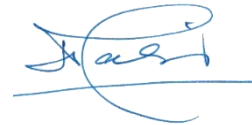
Due to paucity of time on the evening of 11/06/2020, the committee found it impossible to discuss the draft EIA notification of 2020 and therefore asked the Secretary to fix the meeting on 13th of June, 2020 at 8:30 pm night via video conferencing so that maximum members could participate in the discussions. Accordingly, the meeting was conducted on the evening of 13th June, 2020 at 8:30 pm to discuss the draft EIA Notification and to recommend various

suggestions and observations. The committee discussed the draft para by para and made the following observations/recommendations/suggestions for improvement of the draft: -

1. **Refer page 98:** Definition of border Area: The Committee suggested that the border area be defined area falling within 25 kms. of International boarder/LOC/LAC as otherwise it would cover the entire states/UTs.
2. **Refer page 99: The definition of DEIAA/DEAC** may be viewed in the light of Hon'ble NGT order issued during 2018 where functioning of district level authority/committees was put on hold.
3. **Refer page 100:** Functional Area Expert may be defined as the domain expert to be registered by the State /UT Environment Impact Assessment Authority instead of private consultants. It may be made mandatory for the Accredited Consulting Organizations(ACO) to have at least 3 local Functional Area Experts(FAE) from different fields while preparing EIA/EMP in different state/UTs.
4. **Refer page 103 serial 6. Expert Appraisal Committee (EAC):- (1) The EAC shall consist of only experts fulfilling the following eligibility criteria:- (a) Qualification:** May like to add Forestry, Remote Sensing, Geographical Information System, Geology, Town & Country planning, Environmental Science, etc. to the set of qualifications prescribed for the members of SEIAA/SEAC/UTEIAA/UTEAC.
5. **Refer page 107:** (i) At least 10 hard copies may be omitted as soft copies is enough and handy and it helps to reduce carbon footprints.
6. **Refer page 120:** Serial 26. Exception of projects: Sand extraction by traditional community of Hanji's in Jammu & Kashmir using small boats may be added among exceptions.
7. **Refer page 122: Under Conditions if any:** District level appraisal committee may be viewed in the light of Hon'ble NGT Order of 2018 under which the District level Authorities and Committees were put on hold
8. **Refer page 125: Cement plants:** How to differentiate between a Small/Medium enterprise in B2 category based on investment and the B1 category based on production capacity.
9. **Refer page 131:** General Conditions shall not apply for *ii. River bed mining projects on account of inter-state boundary*; Does it mean that such areas will be appraised by concerned states/UTs. May like to revisit.
10. **Other Suggestions recommended by the JKEAC:**
 - a. The EIA draft notification needs to formulate a mechanism for stake holder consultation at the time of identification of mining blocks and joint inspection /monitoring of compliance of EC conditions.
 - b. The draft notification provides for Accreditation of Functional Area Experts by the Consultants. It would result in a situation where consultants who are at all not fulfilling their professional duties with diligence and only indulge in copy paste, shall soon outsource projects to the local Functional Area Experts and assume functions of QCI and NABET by recognizing experts and charging from them for such recognition. It is recommended that the SEIAA/UTEIAA should have the powers to recognize the local Functional Area Experts and it should be made mandatory for the QCI/NABET accredited consultants to tie up with such local Functional Area Experts for preparation of EIA/EMP. For B2 category, the consultants should be approved by the SEIAA//UTEIAA.
 - c. There is no mechanism for scrutiny of projects under B2 category where the EIA Authority has to issue Environmental Permission without referring the projects

for appraisal by the SEAC/UTEAC. It is proposed that SEIAA should be supported by the dedicated Appraisal Cell comprising of permanent technical staff who would screen and scrutinize the projects and provide feedback to the three member EIA Authority.

- d. Provisions need to be made for charging processing fee from the project proponents under the principle of **'Polluters must Pay'** and this money needs to be utilized for processing the applications, conducting field visits and other functions by the SEIAA/UTEIAs.
- e. The draft must keep a provision for formulating the CSR Plan and CER in consultation with the local stakeholder departments and the funds must be utilized in consultation with the local panchayat.



S E C R E T A R Y
JK-Expert Appraisal Committee

No: JKEAC/JK/2020/950-64

Dated: 20/06/2020

Copy by email to:

1. The Member Secretary, J&K Environment Impact Assessment Authority (JKEIAA), /PCCF/Director, Ecology, Environment and Remote Sensing, J&K Govt., Jammu for favour kind information.
2. Sh. S. C Sharma, Chairman, J&K Expert Appraisal Committee, (JKEAC) 331 Shastri Nagar, Jammu-180004 for favour of kind information.
3. Sh. M.A Tak, Member, J&K Expert Appraisal Committee, (JKEAC) 124 Mominabad (Near Jakfed), Anantnag Kashmir,-192101 for favour of kind information.
4. Sh. Brij Bhushan Sharma, Member, J&K Expert Appraisal Committee, (JKEAC) 278/2 Channi Himmat, Jammu for favour of kind information.
5. Professor Shakeel Ahmad Romshoo, Member, J&K Expert Appraisal Committee, (JKEAC) Department of Earth Sciences Kashmir University Srinagar-190006 for favour of kind information and necessary action please.
6. Sh. Abdul Rashid Makroo, Member, J&K Expert Appraisal Committee, (JKEAC) H/No. 9 Lane No 11 Sector C, Gulshan Nagar Nowgam Bypass, Srinagar-190019 for favour of kind information please.
7. Professor Arvind Jasrotia Member, J&K Expert Appraisal Committee, (JKEAC) 33/D Sainik Colony Jammu-180011 for favour of kind information please.
8. Dr. Ghulam Mohammad Dar, Member, J&K Expert Appraisal Committee, (JKEAC) Main Campus IMPA&RD, M.A Road, Srinagar-190001 for favour of kind information please.
9. Sh. Irfan Yasin, Member, J&K Expert Appraisal Committee, (JKEAC) Bagh-e-Hyderpora, Bypass, Srinagar for favour of kind information please.

10. Professor Anil Kumar Raina, Member, J&K Expert Appraisal Committee, (JKEAC) Department of Environmental Science University of Jammu, Jammu-180006 for favour of kind information please.
11. Professor M. A. Khan, Member, J&K Expert Appraisal Committee, (JKEAC) Khan House, A-27 Milatabad, Peerbagh “B” Srinagar for favour of kind information please.
12. Dr. Falendra Kumar Sudan, Member, J&K Expert Appraisal Committee, (JKEAC) Professor Department of Economics University of Jammu, Jammu for favour of kind information please.
13. Dr. Yash Paul Sharma, Scientist, J&K Pollution Control Board, Jammu for information.
14. Sh. Sheikh Sajid, PA for information and with direction to upload the minutes on the parivesh.gov.in.
15. Concerned File.