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Government of India

Ministry of Environment, Forest & Climate Change

## J&K ENVIRONMENT IMPACT ASSESSMENT AUTHORITY

(at) DEPARTMENT OF ECOLOGY, ENVIRONMENT AND REMOTE SENSING

S.D.A. Colony, Bemina, Srinagar-190018 (May-Oct)/ Paryavaran Bhawan, Transport Nagar, Gladni, Jammu-180006 (Nov-Apr)

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### MINUTES OF THE MEETING

In pursuance to the Minutes of the 110<sup>th</sup> Meeting of the JK Expert Appraisal Committee held on 18<sup>th</sup> May, 2023 through video conferencing issued vide No. No. NO:EAC/JK/23/14921-14934 Dated. 01-06-2023, the 92<sup>nd</sup> Meeting of the JK Environment Impact Assessment Authority was held on 20<sup>th</sup> of June, 2022 at 11:30 Hrs. through video conferencing:

The following attended the meeting:

- |  |                          |
|--|--------------------------|
| 1. Mr. Lal Chand, IFS(Retd.)                           | Chairman, JKEIAA         |
| 2. Er. Nazir Ahmad (Chief Engineer, Retd.)             | Member, JKEIAA (online)  |
| 3. Shri S. Rakesh Kumar, IFS,<br>Director, EE&RS, J&K. | Member-Secretary, JKEIAA |
| 4. Sh. J.N. Sharma, Environmental Engineer, JKPC       | Special Invitee.         |

Following are the deliberations & decisions of the meeting:-

#### AGENDA ITEM NO.1.

Grant of Environmental Clearance (EC) for chemical Industry located at SIDCO Industries Growth Center, Phase-I, Tehsil/District Samba, JK UT for Expansion of API Manufacturing Industries Unit in favour of "M/S Indswift Laboratories Ltd". under proposal No. SIA/JK/IND2/204316/2021 & SIA/JK/IND2/152747/2020.

#### Brief Summary:

The case pertains to Grant of Environment clearance under B2 category (Refer MoEF&CC OM S.O. 2859 (E) dated 16/07/2021 for expansion of API Manufacturing Industrial Unit located at Industrial Growth Center, Phase 1, Tehsil & District Samba, JK UT in favor of Shri Arvind Mahajan, Sr. Vice President, Ind. Swift Laboratories Ltd.,

Status	Category of the project	Project cost (in Cr.)	Spent so far (in Cr.)	Proposed for expansion (in Cr.)	EPM cost proposed (in lacs)		CER budget proposed (lacs)
					Capital	Recurring	
Expansion of existing plant	5 (f)-B	73.73	56.98	16.75	35.00	11.00	17.00

#### Compliance Report of Earlier E.C.

Date of submission of application for grant of EC for expansion	Compliance Report of previous Environmental Clearance conditions	Date of site inspection by JKPC to verify Compliance of EC conditions	Submission date of compliance report
17/03/2021	Verified by JK Pollution Control Committee	17/07/2021	03/08/2021

## **CONSENT STATUS FROM JK UT PCC**

Date of renewal of Consent to Establish/Operate	Date of authorization under Rule (2) of the Hazardous & other waste Management & Trans- boundary movement Rules, 2016
25/01/2021	25/01/2021

### **Deliberations/specific observations of the JKEAC:**

- a) Earlier the expansion proposal had been considered in terms of MoEF&CC, Govt. of India vide Notification No. S.O. 1223(E) dated 27th March, 2020 read with latest Notification No. S.O. 2859(E) dated 16/07/2021 which reads as:

“All proposals for projects or activities in respect of Active Pharmaceutical Ingredients (API), received from 16th July, 2021 to 31st December, 2021, shall be appraised, as Category ‘B2’ projects, provided that any subsequent amendment or expansion or change in product mix, after the 31st December, 2021, shall be considered as per the provisions in force at that time.”

The project had accordingly been discussed in the 80th meeting held on 29/12/2021 during which the Committee asked the PP to submit compliance to the following observations:

- i. Submission of compliance to General Condition No.5 under Air Quality Monitoring of the earlier EC.
- ii. Solution for upgrading the existing air pollution control devices to match the future pollution load owing to expansion proposal.
- iii. Amelioration of existing ETP to cater to the treatment of the increased quantity of waste water due to expansion of the existing facility.
- iv. Updation of PFR with Clarification as to how the project proponent could expand the unit within the existing space of 3 Ha as there is already shortage of space for any expansion.
- v. Upgradation of the existing ETP with the ZLD technology preferably Multi- effect evaporation system or MBR technology.
- vi. PFR needs to be updated to provide solution for arresting the odour emanating from the unit which needs to be taken care of by suitable pollution control measures.
- vii. Submission of Safety audit report from the UT Disaster Management Authority/Department which should cover entire gamut of protocols required under rules for such units.
- viii. The Committee had also desired that the PP should submit material safety data sheets for each of the raw material to be stored in the premises of the unit.
- ix. Submission of thumb rule for calculation of water as per designed criteria and the specification with design of all the APCDs and ETP for adequacy of the pollution control measures.
- x. Submission of audited data to reflect the actual production achieved against the production capacity projected especially after the grant of Environmental Clearance for expansion by JKEIAA.
- xi. Collection of the requisite base data afresh along with photographs in presence of PCCs Officers duly analysed by some other reputed NABEL accredited laboratory with proven track record as the existing consultant was blacklisted by JKPC.
- xii. Submission of compliance report of the consent conditions in case, the consent to operate has already been granted to the existing unit by the JK UT PCC.
- xiii. The Committee also desired that the project proponent should obtain a certificate from the J&K Pollution Control Committee to the effect that further expansion of the pharmaceutical industry with introduction of the products proposed under the present expansion will not cause any future environmental implication in the area that would adversely impact the human and livestock health, agricultural activity, Air & water quality and livelihoods. The JKPC may also propose

various mitigation measures that could be undertaken by the project proponent to address implications that may arise owing to such expansion.

- b) On 26/12/2022, in the instant meeting, JKEAC asked the consultant Dr. Simranjeet Kaur to present compliances to the observations made by JKEAC in the previous meeting.
- c) The consultant presented following compliances: -
  - i. With respect to item i, Supra, the consultant informed Terma Cyclone has been installed on 5 TPH boiler so as to achieve SPM emission limit of 100 mg/Nm<sup>3</sup>. Shri JN Sharma, Environmental Engineer suggested to go for additional two stage treatment for Air Control Pollution design and this had been agreed by the consultant and PP during deliberations.
  - ii. With respect to item ii, Supra the consultant presented the test reports of stack emission of boiler & incinerator along with DG sets, conducted by JKPCC. In addition, ambient air monitoring, stack emissions from boiler & work zone monitoring (fugitive emissions) have also been conducted by NABL accredited laboratory viz. Eco Paryavaran Laboratories & Consultants Pvt. Ltd., the consultant said. Shri JN Sharma asked if there was any solution planned for upgrading additional scrubber on the new process stake. Dr. Priyanka presented the Line Diagram showing scrubber systems which, however, had not been found to be satisfactory and she had been asked to revise the same.
  - iii. With respect to item iii, Supra the PP informed that it has been proposed to upgrade existing capacity of ETP from 66 KLD to 80 KLD and existing capacity of MEE from 48 KLD to 60 KLD for future expansion. Feasibility report for ETP of 80 KLD capacity and MEE of 60 KLD for future expansion. She had further informed that the Feasibility report for ETP of 80 KLD capacity and MEE of 60 KLD had been submitted to JKEIAA.
  - iv. With respect to item iv, Supra the consultant had informed that PP plans to expand 02 buildings (civil) in plot-1 to cater the future expansion capacity of the project. Also, existing steel shed in plot-2 will be dismantled to act as green area of 9908.61 sq. m. so as to comply the condition of 33% green belt area, she had informed. Copy of layout plan depicting proposed plant 02 building in plot 1 and shed which is to be demolished in plot-2 was presented. However, JKEAC desired to examine the unit on Google Image and found that the campus of the unit is bisected by a road and that the PP was planning to substitute the green space of the unit across the road. JKEAC desired to assess the ground situation by a Sub-Committee constituted for site visit to the unit.
  - v. With respect to item v, Supra the PP has submitted compliance under Annexure D1 and D2.
  - vi. With respect to item vi, Compliance was found to be awaited.
  - vii. With respect to item vii, The Consultant informed that on the direction of District Magistrate, the Fire Service Dept. had issued the NOC but the JKEAC had desired to obtain it from Disaster Mgmt. Authority in the previous meeting. In this regard, the PP had informed that they had approached District Disaster Management Authority (DDMA), Samba after which the PP had been asked to get the third-party audit for safety concerns done vide letter No. DCS/HQA/22-23/216-17 dated 08/07/2022. However, JKEAC was of the opinion that the third-party expert agency has to submit onsite emergency plan duly attested by the DDMA while as for offsite emergency, the responsibility has to be taken by the DDMA itself. Therefore, the necessary documentation is required to be submitted by the PP for enabling JKEAC to consider the case. In this regard, JKEIAA may take up the matter with the concerned authority, the Committee had desired.
  - viii. With respect to item viii, Supra the PP informed that the material safety data sheets for key materials had been submitted.
  - ix. With respect to item ix, Supra the PP had submitted that water demand calculations which have been estimated based on actual requirement of the process and considering seasonal variation of atmospheric temperature of the cooling towers. She had informed that there was as such, no

thumb rule for calculation of water. Further, engineering design practices were followed by the agencies for the designing of APCD as well as ETP. Practical learning from earlier installations had also been considered while designing the air & water pollution control systems, the consultant had informed.

- x. With respect to item x, Supra the PP informed that production capacity of 250.64 MT was achieved during the year 2021 which is less as compared to production capacity of 294 MT granted in earlier EC. CA certificate stating the same was presented.
  - xi. With respect to item xi, Supra the PP had informed that a fresh analysis had been carried out by NABL accredited laboratory i.e. Eco Paryavaran Laboratories & Consultants Pvt. Ltd. Copy of test reports had been presented before the Committee. In addition, samples for the analysis of inlet & outlet of ETP, Boiler, incinerator stacks & DG sets had been collected by officers of JKPCCE vide letter dated 22/08/2022. Copy of test reports had been presented before the forum.
  - xii. With respect to item xii, compliance presented before the committee.
  - xiii. With respect to item xiii, compliance is awaited.
- d) JKEAC had desired the PP to present the compliance of all conditions of the previous ECs duly verified by concerned agency including those of expansions granted from time to time.
  - e) JKEAC had also desired that before further appraisal of the case, it would be appropriate to constitute a Sub-Committee to visit the premises for making on the spot assessment of the various environmental factors at play and suitability of the site for further expansion of the unit vis-à-vis the compliances made so far and recorded here-in-above.
  - f) It was informed that the Sub-Committee conducted the site visit of the premises of the unit on 27/02/2023.
  - g) In the instant 110th JKEAC meeting, the consultant Ms Jyoti Lakhi gave a detailed PowerPoint presentation on compliances made on the observations during the previous meeting. The report of the Sub-Committee also came under discussions and the members of the sub-committee informed that the premises was suitable for further expansion and that the PP had made necessary compliances to the conditions of the earlier ECs at site. However, they desired that the following recommendations made in the report of the Sub-Committee should be complied with, by the PP:
    - i. The proposal of the Project Proponent to use the existing green patch for construction of the new unit is not in order as the construction at this site would rob the plant of its only green patch, cause felling of grown-up trees and also removal of natural segregation which as of now acts as the firewall with the adjacent industrial unit and the collection area in case of a disaster/ SOS situation. On the other hand, the visiting team, seeing the scanty plantation, suggested that existing Eucalyptus trees be supplemented with high density eco-friendly species of plants.
    - ii. The visiting team found the space, as lying adjacent and to the north of the existing plant and presently being used for storage of drums more appropriate and technically suitable for the construction of the building/s required for expansion of the existing unit.
    - iii. In response, the project proponent agreed that as suggested by the visiting team, the two buildings, existing and the 2 proposed ones, would lie parallel to each other and this would also lead to synergy of operations and optimal utilization of existing infrastructure and may even lead to economy.
    - iv. The alternative piece of land adjacent to the existing plant building was tentatively measured and found adequate for construction of the building/s required for expansion of operations. Project Proponent also agreed to shift the drum storage and other activities as being conducted on area now identified for construction of the building/s to the 16 kanal plot lying on the other side of the SIDCO road.
    - v. Project Proponent agreed to modify the drawings and the other proposals pending before JKEIAA/JKEAC based on above cited observations/ recommendations.

- h. Further as per the Site Inspection Report, the PP had informed the Sub-Committee that:
- i. Existing plant / unit of Ind-Swift Laboratories Ltd. complies with all the terms and conditions of the Environmental Clearance and Consent to Operate (CTO) granted earlier to the unit and that the plant is being regularly visited by the JKPCCE Staff of the Samba Division for periodical inspections. PP has installed Online Air and Water Quality Monitoring systems linked to CPCB and JKPCCE for continuous online monitoring. In keeping with the directions of JKPCCE, project proponent has also installed interlocking system for Pollution Control Devices.
- j. During discussions, the Chairman asked the participating members of the Sub- Committee for their overall comments on the project, keeping in view the insight gained and observations made during the site visit. Accordingly, the Members of the Sub-Committee responded as under:
  - i. Shri J.N. Sharma, Environmental Engineer, JKPCCE desired that the project proponent should submit the revised design and specifications of the proposed expansion proposal.
  - ii. Er. B.B. Sharma, Member, JKEAC insisted that the Green Area should be preserved at all costs and that the revised drawings with landscape plan be submitted, prior to grant of EC.
  - iii. Professor Anil Kr. Raina, Member, JKEAC desired that High density plantation should be raised in the campus.
- k) Shri M.A Tak, Member, JKEAC asked the consultant whether the expansion proposal would require installation of additional machinery in the campus. The consultant responded by saying that no additional machinery is being installed and the capacity to scale up manufacturing would be met out of the existing machinery.
- l) The Chairman, while summing up the overall observations said that the disaster management related commitments as suggested by the Committee in previous meetings were not made by the PP. The Consultant presented a third-party audit report. However, the JKEAC desired that commitments made during the Power Point presentations should also come on record and that the third-party expert agency must submit onsite emergency plan duly attested by the DDMA while as, for offsite emergency, the responsibility has to be taken by the DDMA itself in very clear terms. Therefore, JKEAC desired that necessary documentation is required to be submitted by the PP before grant of EC.

**Recommendations of the JKEAC:**

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

1. That, the expansion proposal falls within the ambit of Notification No. S.O. 1223(E) dated 27th March, 2020 read with Notification No. S.O. 2859(E) dated 16/07/2021 whereunder relief to consider the case under B2 category was granted by MoEF&CC owing to COVID-19 outbreak and subject to condition that no further amendment to EIA Notification of 2006 has been issued by the Govt. for withdrawal of benefit to consider the case under B2 category subsequent to these notifications.
2. That, PP submits appropriate design with specifications of Additional two stage treatment for Air Control Pollution duly endorsed by JK Pollution Control Committee to JKEIAA, prior to grant of EC.
3. That, PP submits revised Line Diagram showing additional scrubber on the new process stake duly endorsed by JKPCCE, prior to grant of EC.
4. That, PP adheres to the precautionary measures proposed by Joint Director, Fire & Emergency Services Department, Jammu vide his letter No.5035 dated 16/11/2020.
5. That, PP submits onsite emergency plan formulated by expert third party duly endorsed by the District Disaster Management Authority (DDMA), Samba while taking full responsibility of the offsite emergencies by DDMA itself, prior to grant of EC.
6. That JKPCCE ensures that further expansion of the pharmaceutical industry with introduction of the products proposed under the present expansion will not cause any future environmental implication in

the area that would adversely impact the human and livestock health, agricultural activity, air & water quality and livelihoods, while granting Consent to operate to the expansion project.

7. That, PP submits Self-Attested (with seal and signature of authorized person) of the Material safety data sheets for key materials to be handled in the unit under the present expansion project, prior to grant of EC.
8. That, PP submits Compliance of all conditions of the previous ECs granted initially by MoEF&CC at New Delhi or by JKEIAA for expansion, duly verified by the concerned IRO/Regional office, MoEF&CC, if pending any, prior to grant of EC.
9. That, PP submits modified drawings of the site in accordance with recommendations of the Sub-Committee as reflected in the Site Visit Report, prior to grant of EC.
10. That, PP implements the COVID-19 SOPs and guidelines issued by the Health & Family Welfare Department, Gol or the UT Disaster Management Authority from time to time.
11. That, workers in the unit shall be provided with safety equipment and special protective gear.
12. That, silent genset shall be installed at least 6 feet away from the boundary wall.
13. That, an amount of Rs 35.00 lacs shall be earmarked under Environmental Management Plan under capital budget and an amount of Rs 11.00 lacs annually as recurring costs for environmental protection.
14. That, an amount of Rs 50.00 lacs or as per CER Guidelines whichever is more, shall be spent under CER on activities like infrastructure creation for drinking water supply, sanitation, health, education, skill development, roads, cross drains, electrification including solar power, solid waste management facilities, scientific support and awareness to local farmers to increase yield of crop and fodder, rain water harvesting, soil moisture conservation works, avenue plantation, plantation in community areas, etc. in accordance with CER policy translated under OM dated 1<sup>st</sup> May, 2018 issued by MoEF&CC as per need of the local area in consultation with the District Magistrate and local PRI.
15. That, health and Life insurance of the workers of the unit shall be undertaken by the unit holder at his/her own costs.
16. That, the project proponent shall undertake an environmental audit at least once a year by a reputed third-party entity and report of such audit shall be placed in public domain.
17. That, JKEIAA reserves the right to impose any other condition in the EC at any time during the validity period. The JKEIAA reserves the right to revoke the EC in case any of the environmental clearance conditions are violated during the validity period.
18. That, mere grant of Environmental Clearance for the unit does not entitle the Project Proponent to enhance the production unless he obtains all other clearances as required under other provisions of law.
19. That, the CER and CSR activities undertaken by the unit holder with photographic evidence shall be communicated to the regulatory authority / JKEIAA annually towards the fag end of financial year.
20. That, the validity period of the EC shall be 10 years in accordance with Notification S.O. No.1807 (E) dated 12 April, 2022 issued by MoEF&CC.
21. That the project proponent shall comply/fulfil the general/other conditions as laid down in the Minutes of the 110<sup>th</sup> JKEAC Meeting. Environmental clearance shall be

### **Deliberations of JKEIAA**

The JKEIAA deliberated on the recommendations made by JKEAC with respect to the prior conditions for granting the EC, in this regard the opinion of Sh. J. N. Sharma, Environmental Engineer, JKPC was sought, wherein it was clarified that the conditions put by JKEAC are those that are already taken care by JKPC while granting the consent to establish and consent to operate and also form the part of checklist for submission of documents prior to grant of CTE/CTO. Therefore, JKEIAA was of the opinion that such condition need not be insisted upon as a precondition to the issuance of EC.

### **Decisions of the JKEIAA:**

After due deliberations, the JKEIAA upheld the recommendations of the JKEAC (except for those pertaining to JKPCCE at the time of CTE/CTO) to grant Environmental clearance to the project proponent for expansion of the above cited project subject to the following conditions:

1. That, PP adheres to the precautionary measures proposed by Joint Director, Fire & Emergency Services Department, Jammu vide his letter No.5035 dated 16/11/2020.
2. That JKPCCE ensures that further expansion of the pharmaceutical industry with introduction of the products proposed under the present expansion will not cause any future environmental implication in the area that would adversely impact the human and livestock health, agricultural activity, air & water quality and livelihoods, while granting Consent to operate to the expansion project.
3. That, PP submits Compliance of all conditions of the previous ECs granted initially by MoEF&CC at New Delhi or by JKEIAA for expansion, duly verified by the concerned IRO/Regional office, MoEF&CC, if pending any, prior to grant of EC.
4. That, PP submits revised site plan and drawing in accordance with recommendations of the Sub-Committee as reflected in the site visit report, prior to grant of EC.
5. That, PP implements the COVID-19 SOPs and guidelines issued by the Health & Family Welfare Department, Gol or the UT Disaster Management Authority from time to time.
6. That, workers in the unit shall be provided with safety equipment and special protective gear.
7. That, an amount of Rs 35.00 lacs shall be earmarked under Environmental Management Plan under capital budget and an amount of Rs 11.00 lacs annually as recurring costs for environmental protection.
8. That, an amount of Rs 50.00 lacs or as per CER Guidelines whichever is more, shall be spent under CER on activities in accordance with CER policy translated under OM dated 1st May, 2018 issued by MoEF&CC as per need of the local area in consultation with the District Magistrate and local PRI.
9. That, health and Life insurance of the workers of the unit shall be undertaken by the unit holder at his/her own costs.
10. That, the project proponent shall undertake an environmental audit at least once a year by a reputed third-party entity and report of such audit shall be placed in public domain.
11. That, JKEIAA reserves the right to impose any other condition in the EC at any time during the validity period. The JKEIAA reserves the right to revoke the EC in case any of the environmental clearance conditions are violated during the validity period.
12. That, mere grant of Environmental Clearance for the unit does not entitle the Project Proponent to enhance the production unless he obtains all other clearances as required under other provisions of law.
13. That, the CER and CSR activities undertaken by the unit holder with photographic evidence shall be communicated to the regulatory authority / JKEIAA annually towards the fag end of financial year.
14. That, the validity period of the EC shall be 10 years in accordance with Notification S.O. No.1807 (E) dated 12 April, 2022 issued by MoEF&CC.
15. That the project proponent shall comply/fulfil the general/other conditions as laid down in the Minutes of the 110<sup>th</sup> JKEAC Meeting.

### **AGENDA ITEM NO.02.**

Reconsideration of the case relating to Grant of Environment Clearance for STP Minor Mineral (Quarry) block, Area (0.25) at village Hunjala, District-Kishtwar, JK UT in favour of M/S Executive Engineer, PMGSY, Kishtwar.

### **Brief Summary:**

The case pertains to Grant of Environment clearance under B 2 category for STP Minor Mineral (Quarry) block, Area (0.25) at village Hunjala, District-Kishtwar, JK UT in favour of M/S Executive Engineer, PMGSY, Kishtwar, JK UT under proposal No. **SIA/JK/MIN/268040/2022**

The letter of intent to the project has been approved on 26-06-2021 which was revalidated on 18-08-2022 and its validity was up to 18-02-2023. Mining plan has been approved on 30-09-2021. The case was earlier discussed by the JKEAC on 24/12/2022 and 15/01/2023.

The status of No Objection Certificates shows that Stakeholder departments had issued NOC's(conditionally) in favour of the project. The NOC issued by the Revenue Department is ambiguous and not legible. As per PFR the land under the quarry mining is private land (Affidavit attached)

**Deliberations/specific observations of the JKEAC:**

- a) The case had earlier been initially presented by Mr. Jamwal, RQP for consideration of case relating to grant of EC for Short Term Permit Quarry submitted by the Executive Engineer, PMGSY, Kishtwar under B2 category with an area of 0.25 Ha for extraction of 15000MT of stones in the 105th Meeting held on 24/12/2022 during which the Committee had not agreed to recommend the case in view of dense vegetation and slopy terrain observed on Google Earth image.
- b) Subsequently, the case had again been listed in the 108th JKEAC held on 15/01/2023 in pursuance to letter No. JKEIAA/2023/646/7953-54 dated 06/02/2023 received from JKEIAA, for its reconsideration.
- c) During proceedings of 108th Meeting of the Expert Appraisal Committee, the KML file of the project site submitted by the project proponent was again used to examine the STP site on the Google Earth Image and JKEAC again observed features indicative of vegetative cover and slopy terrain.
- d) The consultant had tried to present a live video of the area with a person in field but he could not co-relate the site as viewed on Google Earth with the ground features. There was also none from the concerned department/Project Proponent's side to explain the real ground situation to the Committee.
- e) The Committee had also observed that the area had considerable slope and any mining activity would trigger landslides. Further, committee had expressed its apprehensions on as to how the haulage of material would be carried out without disturbing the slope in the intervening area from road to the site as observed on the image.
- f) Therefore, JKEAC had recommended that the DFO and DMO concerned after identifying the STP site in field, should issue a clarification with respect to type of vegetation in the STP and likely impact of mining on the slope for enabling this forum to take further decision in the matter.
- g) In the instant 110th JKEAC Meeting, the Consultant presented copies of letter No. DMO/K/JKEAC/2022-23/969-71 dated 31/03/2023 from concerned DMO and letter No.7594/KFD dated 29/03/2023 from concerned DFO in response to JKEAC letter No. EAC/JK/23/14777-14782 dated 23/02/2023 wherein clarification had been sought to help JKEAC in taking an appropriate decision in the matter. The content of the two letters came under discussion and it was observed that the DMO has clarified that the site was appropriate for quarrying purposes. Similarly, the DFO has reported that there is no vegetation in the proposed site except Heru (*Quercus ilex*) found in the area adjoining the proposed site.
- h) The consultant/RQP was asked to provide details as to how the haulage of materials could be carried out and he presented the extraction route plan. The Committee observed that the extraction route is required to be constructed from the main road and therefore, adequate engineering measures need to be taken to stabilize the slope along the extraction route, with updation of mineral recovery details owing to extraction route in revised mining plan. The RQP, Shri Jamwal informed that the maximum bench height shall be maintained at 2m only.
- i) Therefore, in view of the assertions made in the communication from the concerned DFO and DMO, the Committee agreed to recommend the case for grant of EC subject to conditions as mentioned in the following recommendation and under close supervision of the stakeholder departments.

**Recommendations of then JKEAC:**

In view of the above deliberations and report received from the DFO and DMO concerned, JKEAC recommends the case for grant of Environmental Clearance subject to condition that the project proponent revises and updates



the mining plan, prior to grant of EC, by including the area coming under proposed approach/haulage for the mine in the mined area itself and observes all stipulations for environmental protection/guidelines as govern the minor mineral projects, besides, adhering to the General and Specific conditions as laid down by the JKEAC in the Minutes of the 110<sup>th</sup> Meeting.

### **Decisions of the JKEIAA:**

After due deliberations, the JKEIAA upheld the recommendations of the JKEAC to grant of Environmental Clearance with the direction that the project proponent revises and updates the mining plan as per the observations of JKEAC and submits same to JKEIAA withing one month of issuance of EC, besides, adhering to the General and Specific conditions as laid down by the JKEAC in the Minutes of the 110<sup>th</sup> Meeting.

### **AGENDA ITEM NO.03.**

Grant of Terms of Reference in favour of Mr. Jahangir Ahmad Khan Prop. M/S BAWAN MINERALS R/o Salyaloo Quazigund, Tehsil- Dooru, Distt-Anantnag, JK UT For Mattan Martand Limestone Mine” At Village- Mattan Martand, Tehsil- Dooru, District- Anantnag, JK UT (AREA- 4.844 ha.) under proposal No. **SIA/JK/MIN/407176/2022.**

### **Brief Summary:**

The case pertains to Grant of Terms of Reference in favour of Mr. Jahangir Ahmad Khan Prop. M/S BAWAN MINERALS R/o Salyaloo Quazigund, Tehsil- Dooru, Distt-Anantnag, JK UT For Mattan Martand Limestone Mine” At Village- Mattan Martand, Tehsil- Dooru, District- Anantnag, JK UT (AREA- 4.844 ha.) under proposal No. **SIA/JK/MIN/407176/2022.**

The lease to the project has been issued on 21/06/2005 and was extended on 21/01/2023. The existing lease date of execution is 15/12/2015. Period of lease extension is 50 years. letter of intent to the project has been issued on 16-07-2020 which was extended upto 28-12-2021 and its validity was upto 31-12-2022. Mining plan has been approved on 26-07-2022. The Terms of Reference were issued to the project on 26-07-2021 and public hearing was conducted on 16-11-2021. The case was earlier discussed by the JKEAC on 08/09/2018.

The status of No Objection Certificates shows that Stakeholder departments had issued NOC's(conditionally) in favour of the project.

### **Deliberations/specific observations of the JKEAC:**

- a) Earlier, the case had been discussed online on 15/02/2023 and later in physical mode at Jammu on 20/03/2023 during which PP had informed that he had changed the consultant from M/S Cognizance Research India Pvt. Ltd. to M/.S Paramarsh (servicing Environment and Development).
- b) In the instant 110th JKEAC meeting a brief historical perspective of the case was presented before the committee in view of presence of Dr. Abdul Majeed Bhat, Geological Expert who had been requested to assist the committee during the meeting.
- c) The consultant gave a detailed PowerPoint presentation on the project which was followed by discussion in the light of observations made by the Committee during its site visit conducted on 8th of April, 2023. The Secretary read out the Site Visit Report before the Committee after displaying it on the screen.
- d) Dr. Abdul Majeed Bhat, was asked to provide his expert comments and suggestions which could be included in the specific ToRs for making the EIA report more comprehensive and meaningful in view of natural, manmade and archaeological assets in close vicinity of the project site. He was of the opinion that the Committee should recommend a study specifically for ruling out the possibility of it being a fossils site. He desired ground truth verification of the area by him for developing better understanding of the site. Therefore, the Chairman asked the Secretary to facilitate site visit of Dr. Abdul Majeed Bhat at the

earliest. In the meantime, it was unanimously agreed to recommend the project for grant of Terms of Reference for preparation of the EIA Report/EMP and it was suggested that in case Dr. Abdul Majeed Bhat comes up with any other specific ToRs after site visit, that shall be communicated to the Consultant for inclusion in the EIA study.

- e) Further, it was desired that a chapter on aesthetic impact of mining activity and the requisite mitigation measures to compensate for the same should be included in the EIA study, besides comprehensive study on cost benefit analysis w.r.t environmental and social aspects.

#### **Recommendations of the JKEAC:**

In view of the above deliberations, the Committee recommended grant of Terms of Reference to the project for enabling the consultant to prepare the EIA/EMP and to conduct the Public Hearing as per Rules.

#### **Decisions of the JKEIAA:**

After due deliberations, the JKEIAA upheld the recommendations of the JKEAC to grant Terms of Reference to the project, enabling the Consultant/PP to prepare the EIA/EMP and to conduct the public hearing as per rules.

#### **AGENDA ITEM NO.04.**

Transfer of Environment Clearance of Block 15, O-Chillan, Asthal Bridge D/S Vishu Nallah Kulgam Area 4.19 Ha. from earlier PP Usman Constructions Prop. Ab. Gani Lone R/o. H.C. Gam to Amit Mahajan S/o Adarsh Mohan Mahajan R/o Near Kali Mata Mandir, Kolluwali Gali Pathankot Punjab under proposal No **SIA/JK/MIN/300222/2023.**

#### **Brief Summary:**

The Environment clearance has been granted in favour of Shri Abdul Gani Lone R/O H.C. Gam, proprietor M.S Usman Constructions by District Environment Impact Assessment Authority (DEIAA) dated 11-04-2018. Letter of Intent has been issued by the Geology & Mining Department vide No.736/MCC/DGM/B-15/Kul/20/1628-35 Dated 16-07-2020 in favour of Shri Amit Mahajan R/O Near Kali Mata Mandir, Kolluwali Gali, Pathankot Punjab. The new project proponent of the aforesaid block viz Shri Shri Amit Mahajan has approached this office alongwith supported documents (as are required for such cases) for transfer of Environment clearance in favour of the applicant. The case details are as follows:

<b>Block No.</b>	<b>15, O-Chillan, Asthal Bridge D/S Vishu Nallah Kulgam Area 4.19 Ha.</b>
Name of 1 <sup>st</sup> PP	M/s Usman Constructions Prop. Ab. Gani Lone R/o. H.C. Gam
Date of Issuance of EC by DEIAA	11-04-2018
Name of new PP	Amit Mahajan S/o Adarsh Mohan Mahajan R/o Near Kali Mata Mandir, Kolluwali Gali Pathankot Punjab
Date of LOI of new PP	16-07-2020
Mining lease for New PP	19-09-2020
Date of applying with JKEIAA	18-05-2023

#### **Decisions of the JKEIAA.**

After due deliberations, the JKEIAA observed that the EC has been issued by the District Environment Impact Assessment Authority (DEIAA) in the case. In view of Office Memorandum issued by MoEF&CC vide No: IA3-22/11/2023-IA.III (E-208230) dated: 28<sup>th</sup> April 2023 in compliance to the order passed by Hon'ble NGT in O.A. 142 of 2022 in the matter of Jayant Kumar vs MoEF&CC dated: 07-012-2022, it has been held that the ECs issued by DEIAA need to be reappraised by SEIAA and only such mining leases would be continued which have been granted fresh ECs by SEIAA on such appraisal. As such the PP is directed to apply for EC afresh in terms of the

checklist mentioned in the said OM. Besides, the Member Secretary shall also write to Director, Geology and Mining Department for implementation of the OM.

#### **AGENDA ITEM NO.05.**

Transfer of Environment Clearance of Block 18, R-Kulgam Bridge, D/S Vishu Nallah Kulgam Area 4.09 Ha. from earlier PP Shri Shabir Ahmad Sheikh S/O Shri Gh. Mohi Din Sheikh R/o Baan, Kulgam to Amit Mahajan S/o Adarsh Mohan Mahajan R/o Near Kali Mata Mandir, Kolluwali Gali Pathankot Punjab under proposal No **SIA/JK/MIN/300228/2023.**

#### **Brief Summary:**

The Environment clearance has been granted in favour of Shri Shabir Ahmad Sheikh S/O Shri Gh. Mohi Din Sheikh R/o Baan, Kulgam by District Environment Impact Assessment Authority (DEIAA) dated 11-04-2018. Letter of Intent has been issued by the Geology & Mining Department vide No.737/MCC/DGM/B-18/Kul/20/1445-52 Dated 16-07-2020 in favour of Shri Amit Mahajan R/O Near Kali Mata Mandir, Kolluwali Gali, Pathankot Punjab. The new project proponent of the aforesaid block viz Shri Shri Amit Mahajan has approached this office alongwith supported documents (as are required for such cases) for transfer of Environment clearance in favour of the applicant. The details of the cases are as follows:

<b>Block No.</b>	<b>Block 18, R-Kulgam Bridge, D/S Vishu Nallah Kulgam Area 4.09 Ha.</b>
Name of 1 <sup>st</sup> PP	Sh. Shabir Ahmad Sheikh S/o Gh. Mohi Din Sheikh R/o Baan, Kulgam
Date of Issuance of EC by DEIAA	11-04-2018
Name of new PP	Amit Mahajan S/o Adarsh Mohan Mahajan R/o Near Kali Mata Mandir, Kolluwali Gali Pathankot Punjab
Date of LOI of new PP	11-04-2018
Mining lease for New PP	28-05-2021
Date of applying with JKEIAA	16-07-2020

#### **Decisions of the JKEIAA.**

After due deliberations, the JKEIAA observed that the EC has been issued by the District Environment Impact Assessment Authority (DEIAA) in the case. In view of Office Memorandum issued by MoEF&CC vide No: IA3-22/11/2023-IA.III (E-208230) dated: 28<sup>th</sup> April 2023 in compliance to the order passed by Hon'ble NGT in O.A. 142 of 2022 in the matter of Jayant Kumar vs MoEF&CC dated: 07-012-2022, it has been held that the ECs issued by DEIAA need to be reappraised by SEIAA and only such mining leases would be continued which have been granted fresh ECs by SEIAA on such appraisal. As such the PP is directed to apply for EC afresh in terms of the checklist mentioned in the said OM. Besides, the Member Secretary shall also write to Director, Geology and Mining Department for implementation of the OM.

#### **Agenda Item No.06.**

Transfer of Environment Clearance of Block 12, L-Mirhama Downstream Vishu Nallah, Kulgam, JK UT Area 4.46 ha. from earlier PP Shri Abdul Gani Lone Proprietor M/s Usman Construction R/o. H.C.Gam to Shri Kimat Lal S/o Kohla Ram R/o Raipur Satwari, Jammu, JK UT under proposal No **SIA/JK/MIN/300814/2023.**

<b>Block No.</b>	<b>Block 12, L-Mirhama Downstream Vishu Nallah, Kulgam Area 4.46 Ha.</b>
Name of 1 <sup>st</sup> PP	Usman Construction Prop. Ab. Gani Lone R/o. H.C.Gam
Date of Issuance of EC by DEIAA	11-04-2018
Name of new PP	Kimat Lal S/o Kohla Ram R/o Raipur Satwari, Jammu
Date of LOI of new PP	17-07-2020
Mining lease for New PP	22-02-2021
Date of applying with JKEIAA	02-06-2023

**Brief Summary:**

The Environment clearance has been granted in favour Shri Abdul Gani Lone Proprietor M/s Usman Construction R/o. H.C.Gam by District Environment Impact Assessment Authority(DEIAA) dated 11-04-2018. Letter of Intent has been issued by the Geology & Mining Department vide No.733/MCC/DGM/B-12/Kul/20/727-34 Dated 17-07-2020 in favour of Shri Kimat Lal S/o Kohla Ram R/o Raipur Satwari, Jammu, JK UT. The new project proponent of the aforesaid block viz Shri Kimat Lal has approached this office along with supported documents (as are required for such cases) for transfer of Environment clearance in favour of the applicant. The details of the case are given below:

<b>Block No.</b>	<b>Block 12, L-Mirhama Downstream Vishu Nallah, Kulgam Area 4.46 Ha.</b>
Name of 1 <sup>st</sup> PP	Usman Construction Prop. Ab. Gani Lone R/o. H.C.Gam
Date of Issuance of EC by DEIAA	11-04-2018
Name of new PP	Kimat Lal S/o Kohla Ram R/o Raipur Satwari, Jammu
Date of LOI of new PP	17-07-2020
Mining lease for New PP	22-02-2021
Date of applying with JKEIAA	02-06-2023

**Decisions of the JKEIAA.**

After due deliberations, the JKEIAA observed that the EC has been issued by the District Environment Impact Assessment Authority (DEIAA) in the case. In view of Office Memorandum issued by MoEF&CC vide No: IA3-22/11/2023-IA.III (E-208230) dated: 28<sup>th</sup> April 2023 in compliance to the order passed by Hon'ble NGT in O.A. 142 of 2022 in the matter of Jayant Kumar vs MoEF&CC dated: 07-012-2022, it has been held that the ECs issued by DEIAA need to be reappraised by SEIAA and only such mining leases would be continued which have been granted fresh ECs by SEIAA on such appraisal. As such the PP is directed to apply for EC afresh in terms of the checklist mentioned in the said OM. Besides, the Member Secretary shall also write to Director, Geology and Mining Department for implementation of the OM.

**AGENDA ITEM NO.07.**

Transfer of Environment Clearance of Block 24, Y-Ashmuji Bridge Upstream Vishu Nallah Kulgam Area 4.33 ha. from earlier PP Shri Viqar Ahmad Dar S/o Bashir Ahmad R/o Matalhama to Shri Rahil Choudhary S/O Shri Rakesh Kumar Choudhary R/o 51 A/D Gandhi Nagar, Jammu, JK UT under proposal No .**SIA/JK/MIN/300806/2023**.

**Brief Summary:**

The Environment clearance has been granted in favour of Shri Viqar Ahmad Dar S/o Bashir Ahmad R/o Matalhama by District Environment Impact Assessment Authority (DEIAA) dated 11-04-2018. Letter of Intent has been issued by the Geology & Mining Department vide No.741/MCC/DGM/B-24/Kul/20/1469-76 Dated 16-07-2020 in favour of Shri Rahil Choudhary S/O Shri Rakesh Kumar Choudhary R/o 51 A/D Gandhi Nagar, Jammu, JK UT. The new project proponent of the aforesaid block viz Shri Rahil Choudhary has approached this office along with supported documents (as are required for such cases) for transfer of Environment clearance in favour of the applicant. The details of the case are as follows:

<b>Block No.</b>	<b>Block 24, Y-Ashmuji Bridge Upstream Vishu Nallah Kulgam Area 4.33 Ha.</b>
Name of 1 <sup>st</sup> PP	Sh. Viqar Ahmad Dar S/o Bashir Ahmad R/o Matalhama
Date of Issuance of EC by DEIAA	11-04-2018

Name of new PP	Sh. Rahil Choudhary S/o Rakesh Kumar Choudhary R/o 51 A/D Gandhi Nagar Jammu
Date of LOI of new PP	17-07-2020
Mining lease for New PP	19-09-2020
Date of applying with JKEIAA	02-06-2023

### **Decisions of the JKEIAA.**

After due deliberations, the JKEIAA observed that the EC has been issued by the District Environment Impact Assessment Authority (DEIAA) in the case. In view of Office Memorandum issued by MoEF&CC vide No: IA3-22/11/2023-IA.III (E-208230) dated: 28<sup>th</sup> April 2023 in compliance to the order passed by Hon'ble NGT in O.A. 142 of 2022 in the matter of Jayant Kumar vs MoEF&CC dated: 07-012-2022, it has been held that the ECs issued by DEIAA need to be reappraised by SEIAA and only such mining leases would be continued which have been granted fresh ECs by SEIAA on such appraisal. As such the PP is directed to apply for EC afresh in terms of the checklist mentioned in the said OM. Besides, the Member Secretary shall also write to Director, Geology and Mining Department for implementation of the OM.

### **AGENDA ITEM NO.08.**

Transfer of Environment Clearance of Block 14, N-Challan Ashthal U/Stream Vishu Nallah Kulgam Area 4.26 Ha. from earlier PP Shri Abdul Gani Lone R/o. H.C.Gam Prop. M/s Usman Construction to Shri Mangal Singh S/O Shri Om Prakash R/o Saidgarh Bishnah, Jammu, JK UT under proposal No. **SIA/JK/MIN/300799/2023**.

### **Brief Summary:**

The Environment clearance has been granted in favour of Shri Abdul Gani Lone R/o. H.C.Gam Prop. M/s Usman Construction by District Environment Impact Assessment Authority (DIEAA) dated 11-04-2018. Letter of Intent has been issued by the Geology & Mining Department vide No.735/MCC/DGM/B-14/Kul/20/1620-27 Dated 16-07-2020 in favour of Shri Mangal Singh S/O Shri Om Prakash R/o Saidgarh Bishnah, Jammu, JK UT. The new project proponent of the aforesaid block viz Shri Mangal Singh has approached this office alongwith supported documents (as are required for such cases) for transfer of Environment clearance in favour of the applicant. The details of the cases are given below:

<b>Block No.</b>	<b>Block 14, N-Challan Ashthal U/Stream Vishu Nallah Kulgam Area 4.26 Ha.</b>
Name of 1 <sup>st</sup> PP	M/s Usman Construction Prop. Ab. Gani Lone R/o. H.C.Gam
Date of Issuance of EC by DEIAA	11-04-2018
Name of new PP	Mangal Singh S/o Om Prakash R/o Saidgarh Bishnah Jammu
Mining lease for New PP	19-09-2020
Date of LOI of new PP	16-07-2020
Date of applying with JKEIAA	02-06-2023

### **Decisions of the JKEIAA.**

After due deliberations, the JKEIAA observed that the EC has been issued by the District Environment Impact Assessment Authority (DEIAA) in the case. In view of Office Memorandum issued by MoEF&CC vide No: IA3-22/11/2023-IA.III (E-208230) dated: 28<sup>th</sup> April 2023 in compliance to the order passed by Hon'ble NGT in O.A. 142 of 2022 in the matter of Jayant Kumar vs MoEF&CC dated: 07-012-2022, it has been held that the ECs issued

by DEIAA need to be reappraised by SEIAA and only such mining leases would be continued which have been granted fresh ECs by SEIAA on such appraisal. As such the PP is directed to apply for EC afresh in terms of the checklist mentioned in the said OM. Besides, the Member Secretary shall also write to Director, Geology and Mining Department for implementation of the OM.

The meeting ended with the vote of thanks to the Chair,

Sd/-  
S. Rakesh Kumar, IFS, Director,  
Member Secretary, JKEIAA, EE&RS

Sd/-  
Nazir Ahmad (Rtd. Chief Engineer)  
Member, JKEIAA

Sd/-  
Lal Chand, IFS (Rtd.)  
Chairman, JKEIAA

**No.**JKEIAA/2016/02/IX/8111-8126

**Dated:** 21-06-2023

Copy by email to:

1. Mr Lal Chand, IFS (Retd), Hon'ble Chairman, JKEIAA for information.
2. Er. Nazir Ahmad (Retd. Chief Engineer), Hon'ble Member, JKEIAA for information.
3. Principal Secretary to Government, Forest, Ecology & Environment Department, J&K Government, Civil Secretariat, Jammu and Kashmir for favour of kind information.
4. Secretary to Government, Mining Department, J&K Government for for favour of kind information.
5. Director, EE&RS, Member Secretary, JKEIAA for information.
6. Director, Geology and Mining Department, J&K Government Jammu for information and necessary action.
7. Deputy Commissioner, Samba, Anantnag, Kulgam & Kishtwar for information.
8. Chief Engineer, PDD, Jammu/Kashmir for information and n/a.
9. Chief Engineer, Irrigation and Flood Control Department Jammu/Srinagar for information.
10. Chief Engineer, Jal Shakti, Jammu/Kashmir for information and n/a.
11. Secretary, JKEAC for information.
12. Website(s)

  
(Staff Officer)  
Director EERS/Member Secretary JKEIAA