



0191-2474553/0194-2490602

**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)  
Email: seacers@gmail.com, Website: www.parivesh.nic.in

## **MINUTES OF MEETING**

### **MINUTES OF 14<sup>th</sup> MEETING OF THE JK EXPERT APPRAISAL COMMITTEE HELD ON 16/09/2020 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. Professor Shakil Ahmad Romshoo	Member
6. Prof. M.A Khan	Member
7. Professor GM Dar	Member
8. Professor Falendra Kumar Sudan	Member
9. Mr. A.R Makroo	Member
10. Mr. Humayun Rashid	Secretary

In pursuance to letter No: JKEIAA/2018/III/106/726 dated 28/08/2020 from the office of JKEIAA and meeting notice issued vide No: EAC/JK/20/ 1795-1825 Dated: 01/09/2020 and subsequent notice issued vide No: EAC/JK/20/1826-53 dated: 03/09/2020, the 14th meeting of JKEAC was held on 16/09/2020 via video Conferencing. The cases relating to river Jhelum were deferred for want of clarifications already sought from various stake holders pertaining to impact/ implications flowing from mining activity in River Jhelum.

At the very outset, Secretary, JKEAC welcomed Chairman and members of JKEAC to the virtual meeting which proceeded as per following sequence : -

**Agenda Item No: 03**

**Proposal No:** SIA/JK/MIN/55383/2020

**File No:** SEAC/JK/20/226

**Title of the Case:**

Grant of Terms of Reference for Minor Mineral (River Bed)  
Mining Project BLOCK NO. 08, (AREA- 8.52 Ha), LALPORA  
BRIDGE TO BABAGUND DOWNSTREAM NALLAH  
FEROZPORA, TEHSIL- PATTAN, DISTRICT-  
BARAMULLA, UT- J&K favouring Mr. Devinder Singh R/O  
WARD NO 7, TARRAH, MEHTABPUR, KATHUA,  
J&K.(184102)

**Deliberations:**

The case was represented by Mr. Akhilesh Gupta on behalf of the consultant M/S Globus Environmental Engineering Services, Lucknow. He was asked as to why the project proponent Mr. Devinder Singh was absent. He informed that the link to join the meeting through video conference had been provided to the project proponent and that he would be joining. Therefore, believing his assertion, the Committee allowed him to give power point presentation on the project. The consultant gave a detailed presentation on the project during which he was asked to demonstrate the mining block on Google Earth using the KML file. The examination of multirate satellite images of the area of interest on Google Earth platform revealed that the mining activity has already been going on in the area. The committee observed that the project proponent and the consultant had sworn an affidavit to the effect that mining had not been started at site. When the consultant was asked to explain as to why the project should not be treated as a violation case and dealt with pertinent guidelines from the MoEF&CC, he informed that the project proponent was not involved in illegal mining in the block. When the consultant informed the Committee that a mining depth of 3 metres had been approved by the Geology & Mining Department, the committee unanimously disagreed with the mining plan and informed him that 3 meter mining depth is not ecologically sustainable in hilly areas. The Committee also observed that Ferozpur Nallah had great aesthetic value as the area is of high tourist potential being on way to Gulmarg. It irrigates lands all along and is voracious during flash floods which demand utmost care while going for mining activity.

**Recommendation :** On the basis of above deliberations, the Committee recommended the following Terms of Reference for enabling the Consultant to prepare EIA/EMP and conduct public hearing and other formalities :-

#### **STANDARD TERMS OF REFERENCE**

- 1) Year-wise production details should be given, clearly stating the highest production achieved in any one year.
- 2) A copy of the document in support of the fact that the Proponent is the rightful lessee of the mine should be given.
- 3) All documents including approved mine plan, EIA and Public Hearing should be compatible with one another in terms of the mine lease area, production levels, waste generation and its management, mining technology etc. and should be in the name of the lessee.
- 4) All corner coordinates of the mine lease area, superimposed on a High Resolution Imagery/ toposheet, topographic sheet, geomorphology and geology of the areas should be provided. Such an Imagery of the proposed area should clearly show the land use and other ecological features of the study area (core and buffer zone).
- 5) Information should be provided on high resolution satellite image on with geological map of the area, geomorphology of land-forms of the area, existing minerals and mining history of the area, important water bodies, streams and rivers and soil characteristics.

6) Details about the land proposed for mining activities should be given with information as to whether mining conforms to the land use policy of the State; land diversion for mining should have approval from State land use board or the concerned authority.

7) It should be clearly stated whether the proponent Company has a well laid down Environment Policy approved by its Board of Directors? If so, it may be spelt out in the EIA Report with description of the prescribed operating process/procedures to bring into focus any infringement/deviation/ violation of the environmental or forest norms/ conditions? The hierarchical system or administrative order of the Company to deal with the environmental issues and for ensuring compliance with the EC conditions may also be given. The system of reporting of non-compliances / violations of environmental norms to the Board of Directors of the Company and/or shareholders or stakeholders at large may also be detailed in the EIA Report.

8) Issues relating to Mine Safety, including subsidence study in case of underground mining and slope study in case of open cast mining, blasting study etc. should be detailed. The proposed safeguard measures in each case should also be provided.

9) The study area will comprise of 10 km zone around the mine lease from lease periphery and the data contained in the EIA such as waste generation etc. should be for the life of the mine / lease period.

10) Land use of the study area delineating forest area, agricultural land, grazing land, wildlife sanctuary, national park, migratory routes of fauna, water bodies, human settlements and other ecological features should be indicated. Land use plan of the mine lease area should be prepared to encompass preoperational, operational and post operational phases and submitted. Impact, if any, of change of land use should be given.

11) Details of the land for any Over Burden Dumps outside the mine lease, such as extent of land area, distance from mine lease, its land use, R&R issues, if any, should be given.

12) A Certificate from the Competent Authority in the State Forest Department should be provided, confirming the non-involvement of forest land, if any, in the project area. In the event of any ~~contrary~~ claim to the contrary by the Project Proponent regarding the status of forests, the site may be inspected by the State Forest Department along with the Regional Office of the Ministry to ascertain the status of forests, based on which, the Certificate in this regard as mentioned above ought to be issued. In all such cases, it would be desirable for representative of the State Forest Department to assist the Expert Appraisal Committees.

13) Status of forestry clearance for the broken-up area and virgin forestland involved in the Project including deposition of net present value (NPV) and compensatory afforestation (CA) should be indicated. A copy of the forestry clearance should also be furnished.

14) Implementation status of recognition of forest rights under the Scheduled Tribes and other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006 should be indicated.

15) The vegetation in the RF / PF areas in the study area, with necessary details, should be given.

16) A study shall be got done to ascertain the impact of the Mining Project on wildlife of the study area and details furnished. Impact of the project on the wildlife in the surrounding and any other protected area and accordingly, detailed mitigative measures required, should be worked out with cost implications and submitted.

17) Location of National Parks, Sanctuaries, Biosphere Reserves, Wildlife Corridors, Ramsar site Tiger/ Elephant Reserves/(existing as well as proposed), if any, within 10 km of the mine lease should be clearly indicated, supported by a location map duly authenticated by Chief Wildlife Warden. Necessary clearance, as may be applicable to such projects due to proximity of the ecologically sensitive areas as mentioned above, should be obtained from the Standing Committee of National Board of Wildlife and copy furnished.

18) A detailed biological study of the study area [core zone and buffer zone (10 km radius of the periphery of the mine lease)] shall be carried out. Details of flora and fauna, endangered, endemic and RET Species duly authenticated, separately for core and buffer zone should be furnished based on such primary field survey, clearly indicating the Schedule of the fauna present. In case of any scheduled-I fauna found in the study area, the necessary plan alongwith budgetary provisions for their conservation should be prepared in consultation with State Forest and Wildlife Department and details furnished. Necessary allocation of funds for implementing the same should be made as part of the project cost.

19) Proximity to Areas declared as 'Critically Polluted' should also be indicated and where so required, clearance certifications from the prescribed Authorities, such as the SPCB or State Mining Department should be secured and furnished to the effect that the proposed mining activities could be considered.

20) R&R Plan/compensation details for the Project Affected People (PAP) should be furnished. While preparing the R&R Plan, the relevant State/National Rehabilitation & Resettlement Policy should be kept in view. In respect of SCs /STs and other weaker sections of the society in the study area, a need based sample survey, family-wise, should be undertaken to assess their requirements, and action programmes prepared and submitted accordingly, integrating the sectoral programmes of line departments of the State Government. It may be clearly brought out whether the village(s) located in the mine lease area will be shifted or not. The issues relating to shifting of village(s) including their R&R and socio-economic aspects should be discussed in the Report.

21) One season (non-monsoon) [i.e. March-May (Summer Season); October-December (post monsoon season) ; December-February (winter season)]primary baseline data on ambient air quality as per CPCB Notification of 2009, water quality, noise level, soil and flora and fauna shall be collected and the AAQ and other data so compiled presented date-wise in the EIA and EMP Report. Site-specific meteorological data should also be collected. The location of the monitoring stations should be such as to represent whole of the study area and justified keeping in view the pre-dominant downwind direction and location of sensitive receptors.

There should be at least one monitoring station within 500 m of the mine lease in the pre-dominant downwind direction. The mineralogical composition of PM10, particularly for free silica, should be given.

22) Air quality modelling should be carried out for prediction of impact of the project on the air quality of the area. It should also take into account the impact of movement of vehicles for transportation of mineral. The details of the model used and input parameters used for modelling should be provided. The air quality contours may be shown on a location map clearly indicating the location of the site, location of sensitive receptors, if any, and the habitation. The wind roses showing pre-dominant wind direction may also be indicated on the map.

23) The water requirement for the Project, its availability and source should be furnished. A detailed water balance should also be provided. Fresh water requirement for the Project should be indicated.

24) Necessary clearance from the Competent Authority for drawl of requisite quantity of water for the Project should be provided.

25) Description of water conservation measures proposed to be adopted in the Project should be given. Details of rainwater harvesting proposed in the Project, if any, should be provided.

26) Impact of the Project on the water quality, both surface and groundwater, should be assessed and necessary safeguard measures, if any required, should be provided.

27) Based on actual monitored data, it may clearly be shown whether working will intersect groundwater. Necessary data and documentation in this regard may be provided. In case the working will intersect groundwater table, a detailed Hydro Geological Study should be undertaken and Report furnished. The Report inter-alia, shall include details of the aquifers present and impact of mining activities on these aquifers. Necessary permission from Central Ground Water Authority for working below ground water and for pumping of ground water should also be obtained and copy furnished.

28) Details of any stream, seasonal or otherwise, passing through the lease area and modification / diversion proposed, if any, and the impact of the same on the hydrology should be brought out.

29) Information on site elevation, working depth, groundwater table etc. Should be provided both in AMSL and bgl. A schematic diagram may also be provided for the same.

30) A time bound Progressive Greenbelt Development Plan shall be prepared in a tabular form (indicating the linear and quantitative coverage, plant species and time frame) and submitted, keeping in mind, the same will have to be executed up front on commencement of the Project. Phase-wise plan of plantation and compensatory afforestation should be charted clearly indicating the area to be covered under plantation and the species to be planted. The details of plantation already done should be given. The plant species selected for green belt should have greater ecological value and should be of good utility value to the local

population with emphasis on local and native species and the species which are tolerant to pollution.

31) Impact on local transport infrastructure due to the Project should be indicated. Projected increase in truck traffic as a result of the Project in the present road network (including those outside the Project area) should be worked out, indicating whether it is capable of handling the incremental load. Arrangement for improving the infrastructure, if contemplated (including action to be taken by other agencies such as State Government) should be covered. Project Proponent shall conduct Impact of Transportation study as per Indian Road Congress Guidelines.

32) Details of the onsite shelter and facilities to be provided to the mine workers should be included in the EIA Report.

33) Conceptual post mining land use and Reclamation and Restoration of mined out areas (with plans and with adequate number of sections) should be given in the EIA report.

34) Occupational Health impacts of the Project should be anticipated and the proposed preventive measures spelt out in detail. Details of pre-placement medical examination and periodical medical examination schedules should be incorporated in the EMP. The project specific occupational health mitigation measures with required facilities proposed in the mining area may be detailed.

35) Public health implications of the Project and related activities for the population in the impact zone should be systematically evaluated and the proposed remedial measures should be detailed along with budgetary allocations.

36) Measures of socio economic significance and influence to the local community proposed to be provided by the Project Proponent should be indicated. As far as possible, quantitative dimensions may be given with time frames for implementation.

37) Detailed environmental management plan (EMP) to mitigate the environmental impacts which, should inter-alia include the impacts of change of land use, loss of agricultural and grazing land, if any, occupational health impacts besides other impacts specific to the proposed Project.

38) Public Hearing points raised and commitment of the Project Proponent on the same along with time bound Action Plan with budgetary provisions to implement the same should be provided and also incorporated in the final EIA/EMP Report of the Project.

39) Details of litigation pending against the project, if any, with direction /order passed by any Court of Law against the Project should be given.

40) The cost of the Project (capital cost and recurring cost) as well as the cost towards implementation of EMP should be clearly spelt out.

41) A Disaster management Plan shall be prepared and included in the EIA/EMP Report.

42) Benefits of the Project if the Project is implemented should be spelt out. The benefits of the Project shall clearly indicate environmental, social, economic, employment potential, etc.

43) Besides the above, the below mentioned general points are also to be followed:

- a) Executive Summary of the EIA/EMP Report
- b) All documents to be properly referenced with index and continuous page numbering.
- c) Where data are presented in the Report especially in Tables, the period in which the data were collected and the sources should be indicated.
- d) Project Proponent shall enclose all the analysis/testing reports of water, air, soil, noise etc. using the MoEF&CC/NABL accredited laboratories. All the original analysis/testing reports should be available during appraisal of the Project.
- e) Where the documents provided are in a language other than English, an English translation should be provided.
- f) The Questionnaire for environmental appraisal of mining projects as devised earlier by the Ministry shall also be filled and submitted.
- g) While preparing the EIA report, the instructions for the Proponents and instructions for the Consultants issued by MoEF&CC vide O.M. No. J-11013/41/2006-IA.II(I) dated 4th August, 2009, which are available on the website of this Ministry, should be followed.
- h) Changes, if any made in the basic scope and project parameters (as submitted in Form-I and the PFR for securing the TOR) should be brought to the attention of MoEF&CC with reasons for such changes and permission should be sought, as the TOR may also have to be altered. Post Public Hearing changes in structure and content of the draft EIA/EMP (other than modifications arising out of the P.H. process) will entail conducting the PH again with the revised documentation.
- i) As per the circular no. J-11011/618/2010-IA.II(I) dated 30.5.2012, certified report of the status of compliance of the conditions stipulated in the environment clearance for the existing operations of the project, should be obtained from the Regional Office of Ministry of Environment, Forest and Climate Change, as may be applicable.
- j) The EIA report should also include (i) surface plan of the area indicating contours of main topographic features, drainage and mining area measurements, (ii) geological maps and sections and (iii) sections of the mine pit and external dumps, if any, clearly showing the land features of the adjoining area.

#### **SPECIFIC TERMS OF REFERENCE**

1. Impact of mining activity on adjacent agricultural land with particular reference to run off, soil erosion and top-soil loss due to change in topography.

2. Details of Gradient of riverbed and 3-D view draped on the satellite image
3. Details of excavation schedule & sequential mining plan.
4. Details of transportation of mined out materials with respect to axle load specified for the road as per the Indian Road congress for both the ways (loaded as well as unloaded trucks) load and its impact on the environment.
5. Impact on mining activity on the existing land use in the study area.
6. Impact on mining on aquatic life.
7. NOCs from HoD/competent authority of Forest Department, Tourism Department, Irrigation and Flood Control Dept. and Fisheries Dept. should be obtained and submitted while applying for EC.
8. In deference to prescribed mining depth in the mining plan, the quantification of river bed material be based on excavation only upto a maximum depth of 1 m in the riverbed or 1 m above water table whichever comes first to safeguard ecological conditions.
9. Specific measures to be undertaken to mitigate the impact of mining activity on the habitat and migration of fish in the river/stream and concurrence thereof from the Fisheries Department.
10. The Photography and videography of the mining block shall be part of the Terms of Reference.
11. The maps shall be submitted on a scale of 1: 3000 and 1: 1500 within 10 kms. Radius
12. The shortest extraction route leading to the main road but with minimum interference with human settlements should be identified and it should be properly black topped. A map of such route / routes connecting to the Narbal- Tangmarg road be appended.
13. Dust suppression measures should be prescribed in the EIA/EMP.
14. Post project monitoring plan should be included in the study.
15. Occupational health impacts should be assessed and plan for implementation of COVID-19 SOPs in the mining activity should be detailed.
16. The Consultant while presenting field data in the EIA report, should ensure that the site specific date-wise datasheets duly attested by the local panchayat head with his name , signatures and stamp and attested by District Mineral Officer with seal and signature are included in the EIA report.
17. The impact of mining activity on the neighbouring villages need to be studied and extraction road need to be such that it has least crossing through village settlements.
18. The data displayed on air quality monitoring stations should be captured with digital camera displaying the date on the photograph so captured and same should be submitted in support of the date-wise data sheets. These digital photographs should be submitted in soft as well as appended with the EIA report.
19. The mining plan approved by the Geology & Mining Département should be technically reviewed by the Irrigation and Flood Control Department and based on the technical feasibility report of I&FC Dept., the necessary corrigendum to pertinent part of approved mining plan wherever required may be issued by the compétant authority. This review is essentially important for the river mining stretch where the channel narrows or its adjoining land area on left /right is inclined.

**The prescribed TORs would be valid for a period of four years for submission of the EIA/EMP reports, as per the S.O. No. 751(E) dated 17th of Feb., 2020**



**Besides, the TORs are recommended without prejudice to the standing court orders, if any, w.r.t the concerned mining project or final outcome of writ petitions/LPAs pending disposal before any competent court of law w.r.t the concerned mining block.**

After preparing the EIA/EMP (as per the generic structure prescribed in Appendix- III of the EIA Notification, 2006) covering the above mentioned issues, the proponent will apply for EC on the **Parivesh Portal of the MoEF&CC and submit all the relevant documents including Public Hearing report in accordance with the procedure prescribed under the EIA Notification, 2006.**

**Agenda Item No: 04**

**Proposal No:**

SIA/JK/MIN/55331/2020

**File No:**

SEAC/JK/20/227

**Title of the Case:**

Grant of Terms of Reference for Proposed River Bed Mining Project of Minor Mineral BLOCK NO. 01, (AREA- 5.24 Ha), MAHYEN- FEROZEPORA DOWNSTREAM NALLAH FEROZPORA, VILLAGE- MAHYEN, TEHSIL- TANGMARG, DISTRICT- BARAMULLA, STATE- J&K favouring Abhijeet Singh S/o Sh Kanwarjit Singh Plot No.08 Zila Singh Farms, 1 Park Lane Kishangarh, Vasant Kunj South West Delhi, 110070..

**Deliberations:**

The case was represented by Mr. Akhilesh Gupta on behalf of the consultant M/S Globus Environmental Engineering Services, Lucknow. He was asked as to why the project proponent Abhijeet Singh Singh and that of the earlier project was absent. The Secretary informed that the consultant had not been filling contact details in the online form-1 as a result of which the office was not in a position to send the meeting notice to them by email but had asked the consultant to inform them at their own level. The Committee cautioned the consultant to ensure submission of full contact details of the PP in future. The consultant informed that the meeting link had been sent to the PP and he would soon be joining. Therefore, the Committee allowed him to give power point presentation on the project. The consultant gave a detailed presentation on the project during which he was asked to demonstrate the mining block on Google Earth using the KML file. The examination of multidecade satellite images of the area of interest on Google Earth platform revealed that the mining block was very close to the tourist destination of Tangmarg enroute famous Gulmarg tourist resort. The distance to Gulmarg Wildlife sanctuary is around 1800 metres and this demands a certificate from the Wildlife Protection Department as to the applicability of Wildlife statutory clearances. The committee observed that Ferozpur Nallah had a great aesthetic value as the area is of high tourist potential being on way to Gulmarg Tourist destination. It irrigates lands all along and is voracious during flash floods which demand utmost care while going for mining activity. This portion of Ferozpur rivulet being proportionally steeper and bulk sand or boulder extraction has not been noticed in the past, which raises many apprehensions. The Committee observed that the extraction route is also through a human habitation with a very high gradient. Further, one of the members informed that there are two micro hydel Power projects on Ferozpur Nallah and the J&K Power Development Corporation had prepared some

other power schemes based on the water in the said nallah. Correct assessment of environmental impact, therefore, necessitates taking a holistic/comprehensive view of technical feasibility and environmental impact of projects, already constructed or proposed, taken together.

The Committee also opined that prior inspection of the site is necessary to sanction the ToRs.

**Recommendation:**

In view of the above deliberations, the Committee recommended that **a sub Committee of Members comprising of Mr. Irfan Yasin, Mr. AR Makroo, Professor GM Dar and Professor MA Khan to conduct a site visit** of the area to be facilitated by the PP and place its recommendations before the Committee. The Committee also desired that the JKEIAA may obtain information with respect to existing and upcoming microhydroelectric projects on Ferozpur Nallah and technical feasibility report for allowing the mining of minerals from the site from PDC. Further, the Sub-Committee shall have mandate to identify and recommend a 'No Mining Zone' in Ferozpur Nallah keeping in view the aesthetic, tourist, river gradient and hydro-electric potential of the region besides, impact on human settlements, schools, health centres and business in the vicinity of the proposed mining block.

**Agenda Item No: 05**

**Proposal No:**

SIA/JK/MIN/55353/2020

**File No:**

SEAC/JK/20/228

**Title of the Case:**

Grant of Terms of Reference for Minor Mineral (River Bed) Mining Project Block No.-32, Area 8.64 Ha SIDCO Bridge D/Stream Nallah Rambhara, Village Aripora Tehsil Chitragam, Distt Shopian, J&K favouring Zahoor Ahmad Peerzada S/o Sh. Ghulam Mohd Peerzada, Aripora District - Shopian, J&K UT.-192303.

**Deliberations:** The project was presented by the consultant M/S Oeco M/s OCEAO-ENVIRO Management Solutions (India) Private Limited 217, 1<sup>st</sup> Floor, Sector 12, Judge Colony, Vasundhara, Ghaziabad, U.P – 201012. The Project proponent was found absent. The consultant could not give any satisfactory explanation about his absence. The Committee took a strong exception to this and desired to issue notice to all project proponents /consultants that in case they don't join the online meetings in future, their cases shall not be deliberated. This mining project falls under Category "B1" Project or activity 1(a) as per EIA Notifications 15<sup>th</sup> January , 2016 and its subsequent amendment thereof and the order of Hon'ble NGT(PB) dated 27.12.2018. The consultant was asked to demonstrate the mining block on the Google Earth platform using its KML file. During examination, the Committee found a peculiar pattern of features on the satellite image suggestive of either a mining activity or flood control measures by some agency. Therefore, in this case as well, the Committee recommended a site visit by the sub-committee for placing recommendations before the form prior to appraisal for Environmental Clearance.

**Recommendations:** In view of the above deliberations, the Committee recommended grant of following Terms of Reference to enable the project proponent to prepare the EIA/EMP and conduct of Public Hearing etc. **subject to site visit and recommendation by the Sub-committee** to be constituted for the purpose:-

#### **STANDARD TERMS OF REFERENCE**

- 1) Year-wise production details should be given, clearly stating the highest production achieved in any one year.
- 2) A copy of the document in support of the fact that the Proponent is the rightful lessee of the mine should be given.
- 3) All documents including approved mine plan, EIA and Public Hearing should be compatible with one another in terms of the mine lease area, production levels, waste generation and its management, mining technology etc. and should be in the name of the lessee.
- 4) All corner coordinates of the mine lease area, superimposed on a High Resolution Imagery/ toposheet, topographic sheet, geomorphology and geology of the areas should be provided. Such an Imagery of the proposed area should clearly show the land use and other ecological features of the study area (core and buffer zone).
- 5) Information should be provided on high resolution satellite image on with geological map of the area, geomorphology of land-forms of the area, existing minerals and mining history of the area, important water bodies, streams and rivers and soil characteristics.
- 6) Details about the land proposed for mining activities should be given with information as to whether mining conforms to the land use policy of the State; land diversion for mining should have approval from State land use board or the concerned authority.
- 7) It should be clearly stated whether the proponent Company has a well laid down Environment Policy approved by its Board of Directors? If so, it may be spelt out in the EIA Report with description of the prescribed operating process/procedures to bring into focus any infringement/deviation/ violation of the environmental or forest norms/ conditions? The hierarchical system or administrative order of the Company to deal with the environmental issues and for ensuring compliance with the EC conditions may also be given. The system of reporting of non-compliances / violations of environmental norms to the Board of Directors of the Company and/or shareholders or stakeholders at large may also be detailed in the EIA Report.
- 8) Issues relating to Mine Safety, including subsidence study in case of underground mining and slope study in case of open cast mining, blasting study etc. should be detailed. The proposed safeguard measures in each case should also be provided.

9) The study area will comprise of 10 km zone around the mine lease from lease periphery and the data contained in the EIA such as waste generation etc. should be for the life of the mine / lease period.

10) Land use of the study area delineating forest area, agricultural land, grazing land, wildlife sanctuary, national park, migratory routes of fauna, water bodies, human settlements and other ecological features should be indicated. Land use plan of the mine lease area should be prepared to encompass preoperational, operational and post operational phases and submitted. Impact, if any, of change of land use should be given.

11) Details of the land for any Over Burden Dumps outside the mine lease, such as extent of land area, distance from mine lease, its land use, R&R issues, if any, should be given.

12) A Certificate from the Competent Authority in the State Forest Department should be provided, confirming the non-involvement of forest land, if any, in the project area. In the event of any contrary claim by the Project Proponent regarding the status of forests, the site may be inspected by the State Forest Department along with the Regional Office of the Ministry to ascertain the status of forests, based on which, the Certificate in this regard as mentioned above be issued. In all such cases, it would be desirable for representative of the State Forest Department to assist the Expert Appraisal Committees.

13) Status of forest clearance for the broken-up area and virgin forestland involved in the Project including deposition of net present value (NPV) and compensatory afforestation (CA) should be indicated. A copy of the forest clearance should also be furnished.

14) Implementation status of recognition of forest rights under the Scheduled Tribes and other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006 should be indicated.

15) The vegetation in the RF / PF areas in the study area, with necessary details, should be given.

16) A study shall be got done to ascertain the impact of the Mining Project on wildlife of the study area and details furnished. Impact of the project on the wildlife in the surrounding and any other protected area and accordingly, detailed mitigative measures required, should be worked out with cost implications and submitted.

17) Location of National Parks, Sanctuaries, Biosphere Reserves, Wildlife Corridors, Ramsar site Tiger/ Elephant Reserves/(existing as well as proposed), if any, within 10 km of the mine lease should be clearly indicated, supported by a location map duly authenticated by Chief Wildlife Warden. Necessary clearance, as may be applicable to such projects due to proximity of the ecologically sensitive areas as mentioned above, should be obtained from the Standing Committee of National Board of Wildlife and copy furnished.

18) A detailed biological study of the study area [core zone and buffer zone (10 km radius of the periphery of the mine lease)] shall be carried out. Details of flora and fauna, endangered, endemic and RET Species duly authenticated, separately for core and buffer zone should be

furnished based on such primary field survey, clearly indicating the Schedule of the fauna present. In case of any scheduled-I fauna found in the study area, the necessary plan alongwith budgetary provisions for their conservation should be prepared in consultation with State Forest and Wildlife Department and details furnished. Necessary allocation of funds for implementing the same should be made as part of the project cost.

19) Proximity to Areas declared as 'Critically Polluted' should also be indicated and where so required, clearance certifications from the prescribed Authorities, such as the SPCB or State Mining Department should be secured and furnished to the effect that the proposed mining activities could be considered.

20) R&R Plan/compensation details for the Project Affected People (PAP) should be furnished. While preparing the R&R Plan, the relevant State/National Rehabilitation & Resettlement Policy should be kept in view. In respect of SCs /STs and other weaker sections of the society in the study area, a need based sample survey, family-wise, should be undertaken to assess their requirements, and action programmes prepared and submitted accordingly, integrating the sectoral programmes of line departments of the State Government. It may be clearly brought out whether the village(s) located in the mine lease area will be shifted or not. The issues relating to shifting of village(s) including their R&R and socio-economic aspects should be discussed in the Report.

21) One season (non-monsoon) [i.e. March-May (Summer Season); October-December (post monsoon season) ; December-February (winter season)]primary baseline data on ambient air quality as per CPCB Notification of 2009, water quality, noise level, soil and flora and fauna shall be collected and the AAQ and other data so compiled presented date-wise in the EIA and EMP Report. Site-specific meteorological data should also be collected. The location of the monitoring stations should be such as to represent whole of the study area and justified keeping in view the pre-dominant downwind direction and location of sensitive receptors. There should be at least one monitoring station within 500 m of the mine lease in the pre-dominant downwind direction. The mineralogical composition of PM10, particularly for free silica, should be given.

22) Air quality modelling should be carried out for prediction of impact of the project on the air quality of the area. It should also take into account the impact of movement of vehicles for transportation of mineral. The details of the model used and input parameters used for modelling should be provided. The air quality contours may be shown on a location map clearly indicating the location of the site, location of sensitive receptors, if any, and the habitation. The wind roses showing pre-dominant wind direction may also be indicated on the map.

23) The water requirement for the Project, its availability and source should be furnished. A detailed water balance should also be provided. Fresh water requirement for the Project should be indicated.

24) Necessary clearance from the Competent Authority for drawl of requisite quantity of water for the Project should be provided.

25) Description of water conservation measures proposed to be adopted in the Project should be given. Details of rainwater harvesting proposed in the Project, if any, should be provided.

26) Impact of the Project on the water quality, both surface and groundwater, should be assessed and necessary safeguard measures, if any required, should be provided.

27) Based on actual monitored data, it may clearly be shown whether working will intersect groundwater. Necessary data and documentation in this regard may be provided. In case the working will intersect groundwater table, a detailed Hydro Geological Study should be undertaken and Report furnished. The Report inter-alia, shall include details of the aquifers present and impact of mining activities on these aquifers. Necessary permission from Central Ground Water Authority for working below ground water and for pumping of ground water should also be obtained and copy furnished.

28) Details of any stream, seasonal or otherwise, passing through the lease area and modification / diversion proposed, if any, and the impact of the same on the hydrology should be brought out.

29) Information on site elevation, working depth, groundwater table etc. Should be provided both in AMSL and bgl. A schematic diagram may also be provided for the same.

30) A time bound Progressive Greenbelt Development Plan shall be prepared in a tabular form (indicating the linear and quantitative coverage, plant species and time frame) and submitted, keeping in mind, the same will have to be executed up front on commencement of the Project. Phase-wise plan of plantation and compensatory afforestation should be charted clearly indicating the area to be covered under plantation and the species to be planted. The details of plantation already done should be given. The plant species selected for green belt should have greater ecological value and should be of good utility value to the local population with emphasis on local and native species and the species which are tolerant to pollution.

31) Impact on local transport infrastructure due to the Project should be indicated. Projected increase in truck traffic as a result of the Project in the present road network (including those outside the Project area) should be worked out, indicating whether it is capable of handling the incremental load. Arrangement for improving the infrastructure, if contemplated (including action to be taken by other agencies such as State Government) should be covered. Project Proponent shall conduct Impact of Transportation study as per Indian Road Congress Guidelines.

32) Details of the onsite shelter and facilities to be provided to the mine workers should be included in the EIA Report.

33) Conceptual post mining land use and Reclamation and Restoration of mined out areas (with plans and with adequate number of sections) should be given in the EIA report.

34) Occupational Health impacts of the Project should be anticipated and the proposed preventive measures spelt out in detail. Details of pre-placement medical examination and

periodical medical examination schedules should be incorporated in the EMP. The project specific occupational health mitigation measures with required facilities proposed in the mining area may be detailed.

35) Public health implications of the Project and related activities for the population in the impact zone should be systematically evaluated and the proposed remedial measures should be detailed along with budgetary allocations.

36) Measures of socio economic significance and influence to the local community proposed to be provided by the Project Proponent should be indicated. As far as possible, quantitative dimensions may be given with time frames for implementation.

37) Detailed environmental management plan (EMP) to mitigate the environmental impacts which, should inter-alia include the impacts of change of land use, loss of agricultural and grazing land, if any, occupational health impacts besides other impacts specific to the proposed Project.

38) Public Hearing points raised and commitment of the Project Proponent on the same along with time bound Action Plan with budgetary provisions to implement the same should be provided and also incorporated in the final EIA/EMP Report of the Project.

39) Details of litigation pending against the project, if any, with direction /order passed by any Court of Law against the Project should be given.

40) The cost of the Project (capital cost and recurring cost) as well as the cost towards implementation of EMP should be clearly spelt out.

41) A Disaster management Plan shall be prepared and included in the EIA/EMP Report.

42) Benefits of the Project if the Project is implemented should be spelt out. The benefits of the Project shall clearly indicate environmental, social, economic, employment potential, etc.

43) Besides the above, the below mentioned general points are also to be followed:

a) Executive Summary of the EIA/EMP Report

b) All documents to be properly referenced with index and continuous page numbering.

c) Where data are presented in the Report especially in Tables, the period in which the data were collected and the sources should be indicated.

d) Project Proponent shall enclose all the analysis/testing reports of water, air, soil, noise etc. using the MoEF&CC/NABL accredited laboratories. All the original analysis/testing reports should be available during appraisal of the Project.

e) Where the documents provided are in a language other than English, an English translation should be provided.

f) The Questionnaire for environmental appraisal of mining projects as devised earlier by the Ministry shall also be filled and submitted.

g) While preparing the EIA report, the instructions for the Proponents and instructions for the Consultants issued by MoEF&CC vide O.M. No. J-11013/41/2006-IA.II(I) dated 4th August, 2009, which are available on the website of this Ministry, should be followed.

h) Changes, if any made in the basic scope and project parameters (as submitted in Form-I and the PFR for securing the TOR) should be brought to the attention of MoEF&CC with reasons for such changes and permission should be sought, as the TOR may also have to be altered. Post Public Hearing changes in structure and content of the draft EIA/EMP (other than modifications arising out of the P.H. process) will entail conducting the PH again with the revised documentation.

i) As per the circular no. J-11011/618/2010-IA.II(I) dated 30.5.2012, certified report of the status of compliance of the conditions stipulated in the environment clearance for the existing operations of the project, should be obtained from the Regional Office of Ministry of Environment, Forest and Climate Change, as may be applicable.

j) The EIA report should also include (i) surface plan of the area indicating contours of main topographic features, drainage and mining area measurements, (ii) geological maps and sections and (iii) sections of the mine pit and external dumps, if any, clearly showing the land features of the adjoining area.

#### **SPECIFIC TERMS OF REFERENCE**

1. Impact of mining activity on adjacent agricultural land with particular reference to run off, soil erosion and top-soil loss due to change in topography.
2. Details of Gradient of riverbed and 3-D view draped on the satellite image
3. Details of excavation schedule & sequential mining plan.
4. Details of transportation of mined out materials with respect to axle load specified for the road as per the Indian Road congress for both the ways (loaded as well as unloaded trucks) load and its impact on the environment.
5. Impact on mining activity on the existing land use in the study area.
6. Impact on mining on aquatic life.
7. NOCs from HoD/competent authority of Forest Department, Irrigation and Flood Control Dept. and Fisheries Dept. should be obtained and submitted while applying for EC.
8. In deference to prescribed mining depth in the mining plan, the quantification of river bed material be based on excavation only upto a maximum depth of 1 m in the riverbed or 1 m above water table whichever comes first to safeguard ecological conditions.
9. Specific measures to be undertaken to mitigate the impact of mining activity on the habitat and migration of fish in the river/stream and concurrence thereof from the Fisheries Department.
10. The Photography and videography of the mining block shall be part of the Terms of Reference.



11. The maps shall be submitted on a scale of 1: 3000 and 1: 1500 within 10 kms. Radius
12. The shortest extraction route leading to the main road but with minimum interference with human settlements should be identified and demarcated. A map of such route / routes connecting to the District road be appended.
13. Dust suppression measures should be prescribed in the EIA/EMP.
14. Post project monitoring plan should be included in the study.
15. Occupational health impacts should be assessed and plan for implementation of COVID-19 SOPs in the mining activity should be detailed.
16. The Consultant while presenting field data in the EIA report, should ensure that the site specific date-wise datasheets duly attested by the local panchayat head with his name , signatures and stamp and attested by District Mineral Officer with seal and signature are included in the EIA report.
17. The impact of mining activity on the neighbouring villages need to be studied and extraction road need to be such that it has least crossing through village settlements.
18. The data displayed on air quality monitoring stations should be captured with digital camera displaying the date on the photograph so captured and same should be submitted in support of the date-wise data sheets. These digital photographs should be submitted in soft as well as appended with the EIA report.
19. The mining plan approved by the Geology & Mining Département should be technically reviewed by the Irrigation and Flood Control Department and based on the technical feasibility report of I&FC Dept., the necessary corrigendum to pertinent part of approved mining plan wherever required may be issued by the comp tant authority.

**The prescribed TORs would be valid for a period of four years for submission of the EIA/EMP reports, as per the S.O. No. 751(E) dated 17th of Feb., 2020**

**Besides, the TORs are recommended without prejudice to the standing court orders, if any, w.r.t the concerned mining project or final outcome of writ petitions/LPAs pending disposal before any competent court of law w.r.t the concerned mining block.**

After preparing the EIA/EMP (as per the generic structure prescribed in Appendix- III of the EIA Notification, 2006) covering the above mentioned issues, the proponent will apply for EC on the **Parivesh Portal of the MoEF&CC and submit all the relevant documents including Public Hearing report in accordance with the procedure prescribed under the EIA Notification, 2006.**

**Agenda Item No: 07**

**Proposal No:**

SIA/JK/MIN/54896/2020

**File No:**

SEAC/JK/20/230

**Title of the Case:**

Grant of Terms of Reference for Proposed "Minor Mineral (River Bed Material) BLOCK NO. 05, (AREA- 4.53 HA), E-

LASSIPORA SIDCO BRIDGE DOWNSTREAM NALLA RAMBIARA, VILLAGE- LASSIPORA, TEHSIL- LITTER, DISTRICT- PULWAMA, STATE- J&K favouring Kanwarjit Singh S/o Sh Tirath Singh R/o- H No.280 Dhangu Road Sunder Nagar, Panthankot Punjab, Pin Code: 145001.

**Deliberations:** The project was presented by the consultant M/s OCEAO-ENVIRO Management Solutions (India) Private Limited 217, 1<sup>st</sup> Floor, Sector 12, Judge Colony, Vasundhara, Ghaziabad, U.P – 201012. The Project proponent was found absent. The consultant could not give any satisfactory explanation about his absence. The Committee took a strong exception to this and desired to issue notice to all project proponents /consultants that in case they don't join the online meetings in future, their cases shall not be deliberated. This mining project falls under Category "B1" Project or activity 1(a) as per EIA Notifications 15<sup>th</sup> January, 2016 and its subsequent amendment thereof and the order of Hon'ble NGT(PB) dated 27.12.2018. The consultant was asked to demonstrate the mining block on the Google Earth platform using its KML file. The Committee observed a peculiar pattern of features on the satellite image, suggestive of either a mining activity or flood control measures by some agency. Therefore, in this case as well, the Committee recommended a site visit by the sub-committee for placing recommendations before the form prior to appraisal for Environmental Clearance.

**Recommendations:** In view of the above deliberations, the Committee recommended grant of following Terms of Reference to enable the project proponent to prepare the EIA/EMP and conduct of Public Hearing etc. **subject to site visit and recommendation by the Sub-committee** to be constituted for the purpose:-

#### **STANDARD TERMS OF REFERENCE**

- 1) Year-wise production details should be given, clearly stating the highest production achieved in any one year.
- 2) A copy of the document in support of the fact that the Proponent is the rightful lessee of the mine should be given.
- 3) All documents including approved mine plan, EIA and Public Hearing should be compatible with one another in terms of the mine lease area, production levels, waste generation and its management, mining technology etc. and should be in the name of the lessee.
- 4) All corner coordinates of the mine lease area, superimposed on a High Resolution Imagery/ toposheet, topographic sheet, geomorphology and geology of the areas should be provided. Such an Imagery of the proposed area should clearly show the land use and other ecological features of the study area (core and buffer zone).

- 5) Information should be provided on high resolution satellite image on with geological map of the area, geomorphology of land-forms of the area, existing minerals and mining history of the area, important water bodies, streams and rivers and soil characteristics.
- 6) Details about the land proposed for mining activities should be given with information as to whether mining conforms to the land use policy of the State; land diversion for mining should have approval from State land use board or the concerned authority.
- 7) It should be clearly stated whether the proponent Company has a well laid down Environment Policy approved by its Board of Directors? If so, it may be spelt out in the EIA Report with description of the prescribed operating process/procedures to bring into focus any infringement/deviation/ violation of the environmental or forest norms/ conditions? The hierarchical system or administrative order of the Company to deal with the environmental issues and for ensuring compliance with the EC conditions may also be given. The system of reporting of non-compliances / violations of environmental norms to the Board of Directors of the Company and/or shareholders or stakeholders at large may also be detailed in the EIA Report.
- 8) Issues relating to Mine Safety, including subsidence study in case of underground mining and slope study in case of open cast mining, blasting study etc. should be detailed. The proposed safeguard measures in each case should also be provided.
- 9) The study area will comprise of 10 km zone around the mine lease from lease periphery and the data contained in the EIA such as waste generation etc. should be for the life of the mine / lease period.
- 10) Land use of the study area delineating forest area, agricultural land, grazing land, wildlife sanctuary, national park, migratory routes of fauna, water bodies, human settlements and other ecological features should be indicated. Land use plan of the mine lease area should be prepared to encompass preoperational, operational and post operational phases and submitted. Impact, if any, of change of land use should be given.
- 11) Details of the land for any Over Burden Dumps outside the mine lease, such as extent of land area, distance from mine lease, its land use, R&R issues, if any, should be given.
- 12) A Certificate from the Competent Authority in the State Forest Department should be provided, confirming the involvement of forest land, if any, in the project area. In the event of any contrary claim by the Project Proponent regarding the status of forests, the site may be inspected by the State Forest Department along with the Regional Office of the Ministry to ascertain the status of forests, based on which, the Certificate in this regard as mentioned above be issued. In all such cases, it would be desirable for representative of the State Forest Department to assist the Expert Appraisal Committees.
- 13) Status of forestry clearance for the broken-up area and virgin forestland involved in the Project including deposition of net present value (NPV) and compensatory afforestation (CA) should be indicated. A copy of the forestry clearance should also be furnished.

14) Implementation status of recognition of forest rights under the Scheduled Tribes and other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006 should be indicated.

15) The vegetation in the RF / PF areas in the study area, with necessary details, should be given.

16) A study shall be got done to ascertain the impact of the Mining Project on wildlife of the study area and details furnished. Impact of the project on the wildlife in the surrounding and any other protected area and accordingly, detailed mitigative measures required, should be worked out with cost implications and submitted.

17) Location of National Parks, Sanctuaries, Biosphere Reserves, Wildlife Corridors, Ramsar site Tiger/ Elephant Reserves/(existing as well as proposed), if any, within 10 km of the mine lease should be clearly indicated, supported by a location map duly authenticated by Chief Wildlife Warden. Necessary clearance, as may be applicable to such projects due to proximity of the ecologically sensitive areas as mentioned above, should be obtained from the Standing Committee of National Board of Wildlife and copy furnished.

18) A detailed biological study of the study area [core zone and buffer zone (10 km radius of the periphery of the mine lease)] shall be carried out. Details of flora and fauna, endangered, endemic and RET Species duly authenticated, separately for core and buffer zone should be furnished based on such primary field survey, clearly indicating the Schedule of the fauna present. In case of any scheduled-I fauna found in the study area, the necessary plan alongwith budgetary provisions for their conservation should be prepared in consultation with State Forest and Wildlife Department and details furnished. Necessary allocation of funds for implementing the same should be made as part of the project cost.

19) Proximity to Areas declared as 'Critically Polluted' should also be indicated and where so required, clearance certifications from the prescribed Authorities, such as the SPCB or State Mining Department should be secured and furnished to the effect that the proposed mining activities could be considered.

20) R&R Plan/compensation details for the Project Affected People (PAP) should be furnished. While preparing the R&R Plan, the relevant State/National Rehabilitation & Resettlement Policy should be kept in view. In respect of SCs /STs and other weaker sections of the society in the study area, a need based sample survey, family-wise, should be undertaken to assess their requirements, and action programmes prepared and submitted accordingly, integrating the sectoral programmes of line departments of the State Government. It may be clearly brought out whether the village(s) located in the mine lease area will be shifted or not. The issues relating to shifting of village(s) including their R&R and socio-economic aspects should be discussed in the Report.

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shall be collected and the AAQ and other data so compiled presented date-wise in the EIA and EMP Report. Site-specific meteorological data should also be collected. The location of the monitoring stations should be such as to represent whole of the study area and justified keeping in view the pre-dominant downwind direction and location of sensitive receptors. There should be at least one monitoring station within 500 m of the mine lease in the pre-dominant downwind direction. The mineralogical composition of PM10, particularly for free silica, should be given.

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the Project. Phase-wise plan of plantation and compensatory afforestation should be charted clearly indicating the area to be covered under plantation and the species to be planted. The details of plantation already done should be given. The plant species selected for green belt should have greater ecological value and should be of good utility value to the local population with emphasis on local and native species and the species which are tolerant to pollution.

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43) Besides the above, the below mentioned general points are also to be followed:

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b) All documents to be properly referenced with index and continuous page numbering.

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g) While preparing the EIA report, the instructions for the Proponents and instructions for the Consultants issued by MoEF&CC vide O.M. No. J-11013/41/2006-IA.II(I) dated 4th August, 2009, which are available on the website of this Ministry, should be followed.

h) Changes, if any made in the basic scope and project parameters (as submitted in Form-I and the PFR for securing the TOR) should be brought to the attention of MoEF&CC with reasons for such changes and permission should be sought, as the TOR may also have to be altered. Post Public Hearing changes in structure and content of the draft EIA/EMP (other than modifications arising out of the P.H. process) will entail conducting the PH again with the revised documentation.

i) As per the circular no. J-11011/618/2010-IA.II(I) dated 30.5.2012, certified report of the status of compliance of the conditions stipulated in the environment clearance for the existing operations of the project, should be obtained from the Regional Office of Ministry of Environment, Forest and Climate Change, as may be applicable.

j) The EIA report should also include (i) surface plan of the area indicating contours of main topographic features, drainage and mining area measurements, (ii) geological

maps and sections and (iii) sections of the mine pit and external dumps, if any, clearly showing the land features of the adjoining area.

### **SPECIFIC TERMS OF REFERENCE**

1. Impact of mining activity on adjacent agricultural land with particular reference to run off, soil erosion and top-soil loss due to change in topography.
2. Details of Gradient of riverbed and 3-D view draped on the satellite image
3. Details of excavation schedule & sequential mining plan.
4. Details of transportation of mined out materials with respect to axle load specified for the road as per the Indian Road congress for both the ways (loaded as well as unloaded trucks) load and its impact on the environment.
5. Impact on mining activity on the existing land use in the study area.
6. Impact on mining on aquatic life.
7. NOCs from HoD/competent authority of Forest Department, Irrigation and Flood Control Dept. and Fisheries Dept. should be obtained and submitted while applying for EC.
8. In deference to prescribed mining depth in the mining plan, the quantification of river bed material be based on excavation only upto a maximum depth of 1 m in the riverbed or 1 m above water table whichever comes first to safeguard ecological conditions.
9. Specific measures to be undertaken to mitigate the impact of mining activity on the habitat and migration of fish in the river/stream and concurrence thereof from the Fisheries Department.
10. The Photography and videography of the mining block shall be part of the Terms of Reference.
11. The maps shall be submitted on a scale of 1: 3000 and 1: 1500 within 10 kms. Radius
12. The shortest extraction route leading to the main road but with minimum interference with human settlements should be identified and demarcated. A map showing the route / routes connecting the district road be appended.
13. Dust suppression measures should be prescribed in the EIA/EMP.
14. Post project monitoring plan should be included in the study.
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16. The Consultant while presenting field data in the EIA report, should ensure that the site specific date-wise datasheets duly attested by the local panchayat head with his name , signatures and stamp and attested by District Mineral Officer with seal and signature are included in the EIA report.
17. The impact of mining activity on the neighbouring villages need to be studied and extraction road need to be such that it has least crossing through village settlements.
18. The data displayed on air quality monitoring stations should be captured with digital camera displaying the date on the photograph so captured and same should be submitted in support of the date-wise data sheets. These digital photographs should be submitted in soft as well as appended with the EIA report.
19. The mining plan approved by the Geology & Mining Département should be technically reviewed by the Irrigation and Flood Control Department and based on



the technical feasibility report of I&FC Dept., the necessary corrigendum to pertinent part of approved mining plan wherever required shall be issued by the comp tant authority.

**The prescribed TORs would be valid for a period of four years for submission of the EIA/EMP reports, as per the S.O. No. 751(E) dated 17th of Feb., 2020**

**Besides, the TORs are recommended without prejudice to the standing court orders, if any, w.r.t the concerned mining project or final outcome of writ petitions/LPAs pending disposal before any competent court of law w.r.t the concerned mining block.**

After preparing the EIA/EMP (as per the generic structure prescribed in Appendix- III of the EIA Notification, 2006) covering the above mentioned issues, the proponent will apply for EC on the **Parivesh Portal of the MoEF&CC and submit all the relevant documents including Public Hearing report in accordance with the procedure prescribed under the EIA Notification, 2006.**

**Agenda Item No: 09**

**Proposal No:** SIA/JK/MIN/166819/2020

**File No:** SEAC/JK/20/232

**Title of the Case:** Grant of Environment Clearance for Stone Quarry for construction of Tunnel T-15 Part, Tunnel T-14 including bridge No: 61 (Between KM 73.785 to KM 86.848 Approx) on Katra Banihal Section of Udhampur- Srinagar – Baramullah New BG railway Line Project (Package T-15) favouring M/S AGE-PATEL JV R/o Village Mohara Chakani P/O Sangaldan, Tehsil Gool, District Ramban-182144. [agepateljv@gmail.com](mailto:agepateljv@gmail.com)

**Deliberations:** The project with area of 0.4751Ha was presented by the consultant M/s OCEAO-ENVIRO Management Solutions (India) Private Limited 217, 1<sup>st</sup> Floor, Sector 12, Judge Colony, Vasundhara, Ghaziabad, U.P – 201012. Shri Alok Kumar represented the project proponent. The consultant gave a detailed presentation on the project. He informed the committee that the project is located at Sangladon, Tehsil Gool, District Ramban. He further informed the forum that mining plan of the Short Term Permit had been approved by the competent authority with a mining period of three years. This created a confusion as STPs have a limited validity of maximum 3 months during which the project proponent has to extract a certain quantity of mined material. However, subsequently, perusal of the submitted documents revealed that the project was a stone quarry granted in pursuance to SRO 424 dated 20/09/2018. And PP has applied for EC factually for a period of three years The Joint Director, G&M Dept vide letter No. JD(I)/SK /General/18-19/2637-38 dated 29/10/2018 has accordingly approved mining plan for stone quarry over a 3 year period. The consultant informed that the land belongs to Forest Department under Compartment 52/Ar for which necessary forest clearance has already been obtained by the Project proponent from the Forest Department vide G.O. No. 263-FST of 2018 dated 09/08/2018 issued vide No. FST/Land/49/2018 dated 09.08.2018. The consultant informed that as per approved mining plan, the geographical coordinates of the quarry site are:-

Pillar	Latitude	Longitude
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A	33°12' 27.21"N	75°4' 56.59"E
B	33°12' 26.64"N	75° 4' 53.99"E
C	33°12' 27.52"N	75°4' 54.47"E
D	33°12' 26.82"N	75°4'56.64"E
E	33°12' 26.46"N	75°4' 56.50"E
F	33°12' 25.37"N	75°4' 57.41"E
G	33°12' 24.48"N	75° 4' 57.45"E

The consultant further informed that the revenue department had provided land for dumping of the muck at an appropriate site 300 metre away from the quarry site.

### **Recommendations:**

The JKEAC recommended the case for grant of **Environmental Clearance** subject to following standard and specific conditions:-

### **STANDARD CONDITIONS:-**

#### **I. Statutory compliance**

i. 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.

ii. 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.

iii. 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. iv. This Environmental Clearance shall become operational only after receiving formal NBWL Clearance from MoEF&CC subsequent to the recommendations of the Standing Committee of National Board for Wildlife, **if applicable to the Project.**

v. 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.**

vi. 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.

vii. The PP shall adhere to the provision of the Mines Act, 1952, Mines and Mineral (Development & Regulation), Act, 2015 and rules & regulations made there under. PP shall

adhere to various circulars issued by Directorate General Mines Safety (DGMS) and Indian Bureau of Mines from time to time.

viii. 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.

ix. The Project Proponent shall follow the mitigation measures provided in MoEFCC's Office Memorandum No. Z-11013/57/2014-IAJI (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".

x. 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.

xi. 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.

xii. State 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.

xiii. 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](http://www.environmentclearance.nic.in)). A copy of the advertisement may be forwarded to the concerned MoEFCC Regional Office for compliance and record.

xiv. 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.

## **II. Air quality monitoring and preservation**

- i. 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/PC/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.

- ii. 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 equipments/ 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.

### **III. Water quality monitoring and preservation**

- i. In case, immediate mining scheme envisages intersection of ground water table, then Environmental Clearance shall become operational only after receiving formal clearance from 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.
- ii. 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 maintain. 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 wall 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.
- iii. 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.
- iv. 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.

- v. 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-IAJI (M) dated 27.05.2009 issued by Ministry of Environment, Forest and Climate Change may also be referred in this regard.
- vi. Project Proponent shall plan, develop and implement rainwater harvesting measures on long term basis to augment ground water resources in the area 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.
- vii. 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.
- viii. 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.

#### **IV. Noise and vibration monitoring and prevention**

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

- iii. 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.

## **V. Mining plan**

- i. The Project Proponent shall adhere to the working parameters of 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 Pennit (STP), Query license or any other name.
- ii. 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.
- iii. 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 selfsustaining. The compliance status shall be submitted half-yearly to the MoEFCC and its concerned Regional Office.

## **VI. Land reclamation**

- i. 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.

- ii. 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.
- iii. The reclamation of waste dump sites shall be done in scientific manner as per the Approved Mining Plan cum Progressive Mine Closure Plan. iv. 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.
- iv. 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.
- v. Catch drains, seilmig tanks and 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.
- vi. 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,
- vii. 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.

## **VII. Transportation**

- i. 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.

- ii. 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 equipments 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.

### **VIII. Green Belt**

- i. 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.
- ii. 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.
- iii. 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 State 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.



- iv. 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 Wild Life Warden of the State Govt.
- v. And implemented in consultation with the State 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.

**IX. Public hearing and human health issues**

- i. 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.
- ii. 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.
- iii. 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. The record of exposure due to materials like Asbestos, Hard Rock Mining, Silica, Gold, Kaolin, Aluminium, Iron, Manganese, Chromium, Lead, Uranium need to be handed over to the Mining Department of the State in case the life of the mine is less than 30 years. 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).

- iv. 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.
  - v. 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.
  - vi. Project Proponent shall make provision for the housing for workers/labors or shall construct labour 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.
  - vii. The activities proposed in Action plan prepared for addressing the issues raised during the Public Hearing, if applicable, 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.
- X. **Corporate Environment Responsibility (CER)**
- i. 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.

- ii. 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.

**XXI. Miscellaneous**

- i. The Project Proponent shall prepare digital map (land use & land cover) of the entire lease area and KML file for recording the base line data and closure time data (after three years) and submit a report to concerned Regional Office of the MoEFCC.
- ii. 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.
- iii. 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.
- iv. 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.
- v. 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.

**SPECIFIC CONDITIONS: -**

- 1 The mere grant of Environmental Clearance does not entitle the project proponent for grant of Quarry License unless he obtains all other clearances as required under other provisions of law
- 2 The designated dumping site identified be notified and a site plan map along with KML file be submitted to JKEIAA before issuance of formal EC.
- 3 The year-wise maximum exploitation of the stones from the quarry site shall be 98813.20 tons in first year, 118045.56 tons in second year and 142073.32 tons during third year totalling 0.3589 million tons within the approved area and mining

depth as mentioned in approved mining plan.

- 4 A green belt shall be developed under close supervision of the local panchayat
- 5 The EC shall be subject to the condition that the material extracted is utilized only for the purpose for which it has been granted.
- 6 The formal quarry license shall be granted only after the Project proponent deposits the funds earmarked under EMP and CER and CSR with DFO, Social Forestry Dept., concerned Chief Medical Officer(CMO) so that the funds are utilized under supervision of local Panchayat Head.
- 7 All the provisions of Minor Mineral Rules sanctioned under SRO105 with all amendments with respect to mining under Quarry license and pertinent provisions of the legal framework relating to progressive mine closure shall be complied by the project proponent.
- 8 This Environmental Clearance is 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.
- 9 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.
- 10 Adequate soil conservation measures shall be taken to arrest soil erosion.
- 11 The District Mineral Officer shall monitor the implementation of the EMP.
- 12 The project proponent shall take all precautionary measures during mining operations for conservation and protection of endangered fauna and flora in the area.
- 13 Masks and PPE shall be provided to the workers in view of COVID-19.
- 14 Social distancing norms and other standard operating procedures relating to COVID-19 shall be followed during mining activity.
- 15 The workers should be provided with PPEs. The plan worked out and expenditure made under Occupational Health should be undertaken in consultation with the Local Health Institution/PHC/Sub-Centre for utilization for the health and welfare of the local workers involved in mining activity and villagers living in the close vicinity. Regular Medical checkups and free medicines shall be provided under the fund.
- 16 The project proponent must ensure that the biological clock of the villagers in the vicinity of the project is not disturbed by any unauthorized night operations and all

- measures must be taken for keeping the noise levels within prescribed levels.
- 17 Provision shall be kept for housing of the labour force, toilets, facilities for cooking, safe water, health care, crèche etc. for the labour force.
  - 18 A final Mine closure Plan along with details of Corpus fund shall be communicated to the MoEF&CC in advance for approval.
  - 19 The top soil in case of surface land mining shall be temporarily stored at the designated / appropriate site and concurrently used for land reclamation.
  - 20 The mining operations shall be undertaken in a systematic manner so that it does not damage the aesthetic view of the area.
  - 21 Adequate steps should be taken to check soil erosion and engineering structures shall be raised wherever required.
  - 22 The compliance report shall be submitted to the Regional Office of the MoEF&CC at Chandigarh with a copy to the Regulatory Authority.
  - 23 The mining activity should in no case go beyond 0.475 hectare area and a buffer area is maintained such that the slopes of adjoining area does not get disturbed.
  - 24 All the provisions made and restrictions imposed as covered in the Minor Mineral Rules, shall be complied with, particularly regarding Environment Management Practices and its fund management.
  - 25 The recommendations made in the District Survey Report on sustainable mining practices if any shall be complied
  - 26 The mining shall be done in bench form with bench height of 5 metres.
  - 27 Blasting operations shall be allowed with a safety zone of 300 metres.
  - 28 Wagon drilling shall be done with short holes upto 3 metres of 31034 mm dia.
  - 29 Explosives to be used in blasting shall be stored safely taking all precautions.
  - 30 Appropriate measures shall be taken as per explosive Rules and Metaliferous Mine Rules while handling explosives
  - 31 Mining should be initiated only after installation of signboards with demarcation pillars indicating the geo-coordinates of the plot at each corner to be laid in presence of the authorized official of the Geology & Mining Department
  - 32 There should be no change in the method of excavation and quantity of minerals to be extracted as per approved mining plan
  - 33 The EC holder shall keep a correct account of quantity of mineral mined out, dispatched from the mine, mode of transport, registration number of vehicle,

person in-charge of vehicle and mine plan. This should be produced before officers concerned for inspection

- 34 The access to mining site should be controlled in a way that vehicles carrying mineral from that area are tracked and accounted for in accordance with standing guidelines issued by the Govt.
- 35 The Geology & Mining Department should use technology like Bar Coding, Information and Communications Technology (ICT), Web based and ICT enabled services, mobile SMS App etc. to account for weight of mineral being taken out of the plot and the number of trucks moving out with the mineral.
- 36 The terms and conditions of Forest Clearance obtained by the PP shall be strictly complied with.
- 37 Waste generated will be collected on regular basis and will be disposed as per the Municipal Solid Waste Management (Management & Handling) Rule 2000 and its subsequent amendments.
- 38 Spring sources should not be affected due to mining activities. Necessary Protection measures are to be incorporated.
- 39 The mineral transportation shall be carried out through covered trucks only and the vehicles carrying the mineral shall not be overloaded.
- 40 Overloading of trucks and trolleys will be avoided.
- 41 All the orders from Hon'ble Courts of competent jurisdiction and authorities representing various government departments having stakes shall be complied with during the mining operations.
- 42 Haul road will be kept wide, compact and water spraying will be done. It shall be properly maintained by the PP and restored to original position after mining. Axle load on the roads should not exceed the prescribed load as per IRC
- 43 Restricted working hours. Mining operation has to be carried out between 6 am to 7 pm.
- 44 No overhangs shall be allowed to be formed due to mining and mining shall not be allowed in area where subsidence of rocks is likely to occur due to steep angle of slope. Mining activity shall not be avoided in rainy season
- 45 Vehicles used for transportation of material are to be permitted only with fitness and PUC Certificates.
- 46 There shall be no extraction of stone / boulder in landslide prone areas.
- 47 Adequate facility for drinking water and toilets should be provided for the

- workers.
- 48 There should be controlled clearance of overground vegetation to be undertaken.
- 49 Transport of mineral will not be done through villages / habitations.
- 50 Deep drilled handpump with sufficient funding provision should be earmarked for providing drinking facility to the labour force.
- 51 Recommendations of National Institute for Labour for ensuring good occupational environment for mine workers would also be adopted.
- 52 The PP shall be responsible for enforcement of COVID-19 standard operating procedures and guidelines with respect to safety of workers involved in the mining activity.
- 53 Project Proponent shall ensure that the road may not be damaged due to transportation of the mineral and transport of minerals will be as per IRC relevant guidelines if any in this regard.
- 54 Health and safety of workers should be taken care of. They should also be provided training in safety and health care aspects.
- 55 Junction at takeoff point of approach road with main road be properly developed with proper width and geometry required for safe movement of traffic by concession holder at his own cost.
- 56 No stacking shall be allowed on road side along National Highway.
- 56 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.
- 57 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.
- 58 The progressive mine closure shall be as per amended Rule23(B) of MCDR1988.
- 59 All actions relating to progressive mine closure shall be taken well in advance during the third /final year of mining so that the site is rehabilitated ecologically
- 60 The EC shall be valid for a period of **three years** from the date of commencement of the mining operations duly certified by the District Mineral Officer concerned with intimation to the JKEIAA, JKPCB and the concerned District Administration.
- 61 The JKEIAA reserves the right to revoke the EC in case any of the environmental clearance conditions are violated during the mining activity.

**Agenda Item No: 10****Proposal No:**

SIA/JK/MIN/55339/2020.

**File No:**

SEAC/JK/20/233

**Title of the Case:**

Grant of Terms of Reference for Proposed Minor Mineral (River Bed Material) Block-25 Area 9.12 Ha, Sheikhpura Trenz Bridge D/Stream, Nallah Rambiar, Village Sheikhpura, Tehsil Chitragam District Shopian, J&K favouring M/S Bashir Ahmad Wani S/o Sh. Jalal Ud Din Wani, Ladhoo, Khrew, District Pulwama, J&K.

**Deliberations:**

The project was presented by the consultant M/s OCEAO-ENVIRO Management Solutions (India) Private Limited 217, 1<sup>st</sup> Floor, Sector 12, Judge Colony, Vasundhara, Ghaziabad, U.P – 201012. The Project proponent was found absent. The consultant could not give any satisfactory explanation about his absence. However, the Committee took a lenient view this time and desired the Secretary, JKEAC to issue prior notice to all project proponents /consultants that in case they don't join the online meetings in future, their cases shall not be deliberated. This mining project falls under Category "B1" Project or activity 1(a) as per EIA Notifications 15<sup>th</sup> January, 2016 and its subsequent amendment thereof and the order of Hon'ble NGT(PB) dated 27.12.2018. The consultant was asked to demonstrate the mining block on the Google Earth platform. During examination of the block limits and the local environmental settings, it was observed that a bridge downstream Rambiar nallah is less than 350 meters away from the designated mining block area. Keeping the safety of the structure and its abutments in view, it was felt that the norms prescribed by the mining guidelines must be ensured. Accordingly the committee desired that ToRs be recommended subject to relocation / shrinking of the designated mining block by the Geology & Mining Department such that a distance of 500 mts downstream from the bridge is ensured.

**Recommendation :** In view of the above deliberations, the committee recommended grant of following Terms of Reference for enabling the consultant to formulate EIA/EMP and undertake other formalities subject to condition that the Geology & Mining Department relocates /shrinks the mining block by maintaining a distance of 500 mts downstream from the Rambiar bridge:-

**STANDARD TERMS OF REFERENCE**

- 1) Year-wise production details should be given, clearly stating the highest production achieved in any one year.
- 2) A copy of the document in support of the fact that the Proponent is the rightful lessee of the mine should be given.
- 3) All documents including approved mine plan, EIA and Public Hearing should be compatible with one another in terms of the mine lease area, production levels, waste generation and its management, mining technology etc. and should be in the name of the lessee.
- 4) All corner coordinates of the mine lease area, superimposed on a High Resolution Imagery/ toposheet, topographic sheet, geomorphology and geology of the areas should be



provided. Such an Imagery of the proposed area should clearly show the land use and other ecological features of the study area (core and buffer zone).

5) Information should be provided on high resolution satellite image on with geological map of the area, geomorphology of land-forms of the area, existing minerals and mining history of the area, important water bodies, streams and rivers and soil characteristics.

6) Details about the land proposed for mining activities should be given with information as to whether mining conforms to the land use policy of the State; land diversion for mining should have approval from State land use board or the concerned authority.

7) It should be clearly stated whether the proponent Company has a well laid down Environment Policy approved by its Board of Directors? If so, it may be spelt out in the EIA Report with description of the prescribed operating process/procedures to bring into focus any infringement/deviation/ violation of the environmental or forest norms/ conditions? The hierarchical system or administrative order of the Company to deal with the environmental issues and for ensuring compliance with the EC conditions may also be given. The system of reporting of non-compliances / violations of environmental norms to the Board of Directors of the Company and/or shareholders or stakeholders at large may also be detailed in the EIA Report.

8) Issues relating to Mine Safety, including subsidence study in case of underground mining and slope study in case of open cast mining, blasting study etc. should be detailed. The proposed safeguard measures in each case should also be provided.

9) The study area will comprise of 10 km zone around the mine lease from lease periphery and the data contained in the EIA such as waste generation etc. should be for the life of the mine / lease period.

10) Land use of the study area delineating forest area, agricultural land, grazing land, wildlife sanctuary, national park, migratory routes of fauna, water bodies, human settlements and other ecological features should be indicated. Land use plan of the mine lease area should be prepared to encompass preoperational, operational and post operational phases and submitted. Impact, if any, of change of land use should be given.

11) Details of the land for any Over Burden Dumps outside the mine lease, such as extent of land area, distance from mine lease, its land use, R&R issues, if any, should be given.

12) A Certificate from the Competent Authority in the State Forest Department should be provided, confirming the involvement of forest land, if any, in the project area. In the event of any contrary claim by the Project Proponent regarding the status of forests, the site may be inspected by the State Forest Department along with the Regional Office of the Ministry to ascertain the status of forests, based on which, the Certificate in this regard as mentioned above be issued. In all such cases, it would be desirable for representative of the State Forest Department to assist the Expert Appraisal Committees.

13) Status of forestry clearance for the broken-up area and virgin forestland involved in the Project including deposition of net present value (NPV) and compensatory afforestation (CA) should be indicated. A copy of the forestry clearance should also be furnished.

14) Implementation status of recognition of forest rights under the Scheduled Tribes and other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006 should be indicated.

15) The vegetation in the RF / PF areas in the study area, with necessary details, should be given.

16) A study shall be got done to ascertain the impact of the Mining Project on wildlife of the study area and details furnished. Impact of the project on the wildlife in the surrounding and any other protected area and accordingly, detailed mitigative measures required, should be worked out with cost implications and submitted.

17) Location of National Parks, Sanctuaries, Biosphere Reserves, Wildlife Corridors, Ramsar site Tiger/ Elephant Reserves/(existing as well as proposed), if any, within 10 km of the mine lease should be clearly indicated, supported by a location map duly authenticated by Chief Wildlife Warden. Necessary clearance, as may be applicable to such projects due to proximity of the ecologically sensitive areas as mentioned above, should be obtained from the Standing Committee of National Board of Wildlife and copy furnished.

18) A detailed biological study of the study area [core zone and buffer zone (10 km radius of the periphery of the mine lease)] shall be carried out. Details of flora and fauna, endangered, endemic and RET Species duly authenticated, separately for core and buffer zone should be furnished based on such primary field survey, clearly indicating the Schedule of the fauna present. In case of any scheduled-I fauna found in the study area, the necessary plan alongwith budgetary provisions for their conservation should be prepared in consultation with State Forest and Wildlife Department and details furnished. Necessary allocation of funds for implementing the same should be made as part of the project cost.

19) Proximity to Areas declared as 'Critically Polluted' should also be indicated and where so required, clearance certifications from the prescribed Authorities, such as the SPCB or State Mining Department should be secured and furnished to the effect that the proposed mining activities could be considered.

20) R&R Plan/compensation details for the Project Affected People (PAP) should be furnished. While preparing the R&R Plan, the relevant State/National Rehabilitation & Resettlement Policy should be kept in view. In respect of SCs /STs and other weaker sections of the society in the study area, a need based sample survey, family-wise, should be undertaken to assess their requirements, and action programmes prepared and submitted accordingly, integrating the sectoral programmes of line departments of the State Government. It may be clearly brought out whether the village(s) located in the mine lease area will be shifted or not. The issues relating to shifting of village(s) including their R&R and socio-economic aspects should be discussed in the Report.

21) One season (non-monsoon) [i.e. March-May (Summer Season); October-December (post monsoon season) ; December-February (winter season)] primary baseline data on ambient air quality as per CPCB Notification of 2009, water quality, noise level, soil and flora and fauna shall be collected and the AAQ and other data so compiled presented date-wise in the EIA and EMP Report. Site-specific meteorological data should also be collected. The location of the monitoring stations should be such as to represent whole of the study area and justified keeping in view the pre-dominant downwind direction and location of sensitive receptors. There should be at least one monitoring station within 500 m of the mine lease in the pre-dominant downwind direction. The mineralogical composition of PM10, particularly for free silica, should be given.

22) Air quality modelling should be carried out for prediction of impact of the project on the air quality of the area. It should also take into account the impact of movement of vehicles for transportation of mineral. The details of the model used and input parameters used for modelling should be provided. The air quality contours may be shown on a location map clearly indicating the location of the site, location of sensitive receptors, if any, and the habitation. The wind roses showing pre-dominant wind direction may also be indicated on the map.

23) The water requirement for the Project, its availability and source should be furnished. A detailed water balance should also be provided. Fresh water requirement for the Project should be indicated.

24) Necessary clearance from the Competent Authority for drawl of requisite quantity of water for the Project should be provided.

25) Description of water conservation measures proposed to be adopted in the Project should be given. Details of rainwater harvesting proposed in the Project, if any, should be provided.

26) Impact of the Project on the water quality, both surface and groundwater, should be assessed and necessary safeguard measures, if any required, should be provided.

27) Based on actual monitored data, it may clearly be shown whether working will intersect groundwater. Necessary data and documentation in this regard may be provided. In case the working will intersect groundwater table, a detailed Hydro Geological Study should be undertaken and Report furnished. The Report inter-alia, shall include details of the aquifers present and impact of mining activities on these aquifers. Necessary permission from Central Ground Water Authority for working below ground water and for pumping of ground water should also be obtained and copy furnished.

28) Details of any stream, seasonal or otherwise, passing through the lease area and modification / diversion proposed, if any, and the impact of the same on the hydrology should be brought out.

29) Information on site elevation, working depth, groundwater table etc. Should be provided both in AMSL and bgl. A schematic diagram may also be provided for the same.

30) A time bound Progressive Greenbelt Development Plan shall be prepared in a tabular form (indicating the linear and quantitative coverage, plant species and time frame) and submitted, keeping in mind, the same will have to be executed up front on commencement of the Project. Phase-wise plan of plantation and compensatory afforestation should be charted clearly indicating the area to be covered under plantation and the species to be planted. The details of plantation already done should be given. The plant species selected for green belt should have greater ecological value and should be of good utility value to the local population with emphasis on local and native species and the species which are tolerant to pollution.

31) Impact on local transport infrastructure due to the Project should be indicated. Projected increase in truck traffic as a result of the Project in the present road network (including those outside the Project area) should be worked out, indicating whether it is capable of handling the incremental load. Arrangement for improving the infrastructure, if contemplated (including action to be taken by other agencies such as State Government) should be covered. Project Proponent shall conduct Impact of Transportation study as per Indian Road Congress Guidelines.

32) Details of the onsite shelter and facilities to be provided to the mine workers should be included in the EIA Report.

33) Conceptual post mining land use and Reclamation and Restoration of mined out areas (with plans and with adequate number of sections) should be given in the EIA report.

34) Occupational Health impacts of the Project should be anticipated and the proposed preventive measures spelt out in detail. Details of pre-placement medical examination and periodical medical examination schedules should be incorporated in the EMP. The project specific occupational health mitigation measures with required facilities proposed in the mining area may be detailed.

35) Public health implications of the Project and related activities for the population in the impact zone should be systematically evaluated and the proposed remedial measures should be detailed along with budgetary allocations.

36) Measures of socio economic significance and influence to the local community proposed to be provided by the Project Proponent should be indicated. As far as possible, quantitative dimensions may be given with time frames for implementation.

37) Detailed environmental management plan (EMP) to mitigate the environmental impacts which, should inter-alia include the impacts of change of land use, loss of agricultural and grazing land, if any, occupational health impacts besides other impacts specific to the proposed Project.

38) Public Hearing points raised and commitment of the Project Proponent on the same along with time bound Action Plan with budgetary provisions to implement the same should be provided and also incorporated in the final EIA/EMP Report of the Project.

39) Details of litigation pending against the project, if any, with direction /order passed by any Court of Law against the Project should be given.

40) The cost of the Project (capital cost and recurring cost) as well as the cost towards implementation of EMP should be clearly spelt out.

41) A Disaster management Plan shall be prepared and included in the EIA/EMP Report.

42) Benefits of the Project if the Project is implemented should be spelt out. The benefits of the Project shall clearly indicate environmental, social, economic, employment potential, etc.

43) Besides the above, the below mentioned general points are also to be followed:

a) Executive Summary of the EIA/EMP Report

b) All documents to be properly referenced with index and continuous page numbering.

c) Where data are presented in the Report especially in Tables, the period in which the data were collected and the sources should be indicated.

d) Project Proponent shall enclose all the analysis/testing reports of water, air, soil, noise etc. using the MoEF&CC/NABL accredited laboratories. All the original analysis/testing reports should be available during appraisal of the Project.

e) Where the documents provided are in a language other than English, an English translation should be provided.

f) The Questionnaire for environmental appraisal of mining projects as devised earlier by the Ministry shall also be filled and submitted.

g) While preparing the EIA report, the instructions for the Proponents and instructions for the Consultants issued by MoEF&CC vide O.M. No. J-11013/41/2006-IA.II(I) dated 4th August, 2009, which are available on the website of this Ministry, should be followed.

h) Changes, if any made in the basic scope and project parameters (as submitted in Form-I and the PFR for securing the TOR) should be brought to the attention of MoEF&CC with reasons for such changes and permission should be sought, as the TOR may also have to be altered. Post Public Hearing changes in structure and content of the draft EIA/EMP (other than modifications arising out of the P.H. process) will entail conducting the PH again with the revised documentation.

i) As per the circular no. J-11011/618/2010-IA.II(I) dated 30.5.2012, certified report of the status of compliance of the conditions stipulated in the environment clearance for the existing operations of the project, should be obtained from the Regional Office of Ministry of Environment, Forest and Climate Change, as may be applicable.

j) The EIA report should also include (i) surface plan of the area indicating contours of main topographic features, drainage and mining area measurements, (ii) geological maps and sections and (iii) sections of the mine pit and external dumps, if any, clearly showing the land features of the adjoining area.

### **SPECIFIC TERMS OF REFERENCE**

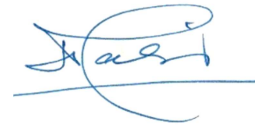
1. Impact of mining activity on adjacent agricultural land with particular reference to run off, soil erosion and top-soil loss due to change in topography.
2. Details of Gradient of riverbed and 3-D view draped on the satellite image
3. Details of excavation schedule & sequential mining plan.
4. Details of transportation of mined out materials with respect to axle load specified for the road as per the Indian Road congress for both the ways (loaded as well as unloaded trucks) load and its impact on the environment.
5. Impact on mining activity on the existing land use in the study area.
6. Impact on mining on aquatic life.
7. NOCs from HoD/competent authority of Forest Department, Irrigation and Flood Control Dept. and Fisheries Dept. should be obtained and submitted while applying for EC.
8. In deference to prescribed mining depth in the mining plan, the quantification of river bed material be based on excavation only upto a maximum depth of 1 m in the riverbed or 1 m above water table whichever comes first to safeguard ecological conditions.
9. Specific measures to be undertaken to mitigate the impact of mining activity on the habitat and migration of fish in the river/stream and concurrence thereof from the Fisheries Department.
10. The Photography and videography of the mining block shall be part of the Terms of Reference.
11. The maps shall be submitted on a scale of 1: 3000 and 1: 1500 within 10 kms. Radius
12. The shortest extraction route leading to the main road but with minimum interference with human settlements should be identified and it should be properly black topped.
13. Dust suppression measures should be prescribed in the EIA/EMP.
14. Post project monitoring plan should be included in the study.
15. Occupational health impacts should be assessed and plan for implementation of COVID-19 SOPs in the mining activity should be detailed.
16. The Consultant while presenting field data in the EIA report, should ensure that the site specific date-wise datasheets duly attested by the local panchayat head with his name, signatures and stamp and attested by District Mineral Officer with seal and signature are included in the EIA report.
17. The impact of mining activity on the neighbouring villages need to be studied and extraction road need to be such that it has least crossing through village settlements.
18. The data displayed on air quality monitoring stations should be captured with digital camera displaying the date on the photograph so captured and same should be submitted in support of the date-wise data sheets. These digital photographs should be submitted in soft as well as appended with the EIA report.

19. The mining plan approved de novo by the Geology & Mining Département should be technically reviewed by the Irrigation and Flood Control Department and based on the technical feasibility report of I&FC Dept., the necessary corrigendum to pertinent part of approved mining plan wherever required shall be issued by the compétant authority.

**The prescribed TORs would be valid for a period of four years for submission of the EIA/EMP reports, as per the S.O. No. 751(E) dated 17th of Feb., 2020**

**Besides, the TORs are recommended without prejudice to the standing court orders, if any, w.r.t the concerned mining project or final outcome of writ petitions/LPAs pending disposal before any competent court of law w.r.t the concerned mining block.**

Lastly, the Committee confirmed the minutes of meeting of the 13<sup>th</sup> JKEAC and the meeting ended with vote of thanks to the chair.



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

No: JKEAC/JK/2020/1974-87

Dated: 21/09/2020

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. BrajBhushan Sharma, Member, J&K Expert Appraisal Committee, (JKEAC) 278/2 ChanniHimmat, 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 ArvindJasrotia 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. Sh. Sheikh Sajid, PA for information and with direction to upload the minutes on the environmental clearance portal at [parivesh.nic.in](http://parivesh.nic.in).
14. Concerned File.