



0191-2474553/0194-2490602

Government of India

Ministry of Environment, Forest & Climate Change

## **J&K ENVIRONMENT IMPACT ASSESSMENT AUTHORITY**

(at) DEPARTMENT OF ECOLOGY, ENVIRONMENT AND REMOTE SENSING

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

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The following attended the meeting:-

- |   |                          |
|---|--------------------------|
| 1. Mr. Lal Chand, IFS(Retd.)                  | Chairman, JKEIAA         |
| 2. Er. Nazir Ahmad (Retd., Chief Engineer)    | Member, JKEIAA           |
| 3. Dr. Neelu Gera, IFS Pr.CCF/Director, EE&RS | Member-Secretary, JKEIAA |

In pursuance to the Minutes of the Meeting of JKEAC held on 10<sup>TH</sup> March, 2021 conveyed vide endorsement No.EAC/JK/20/5667-679 dated 16-03-2021, a Meeting of JK Environment Impact Assessment Authority was held 22<sup>nd</sup> March, 2021 at 1200 Hrs.

Following are the deliberations and decisions of the meeting:-

### **AGENDA ITEM NO.1.**

Grant of Terms of Reference in favour of M/S Kesri Nandan Mines R/O Logate Katua for Minor Mineral Block-24, Jothana Di Khad at Village Janal, Plan-I, District Kathua JK U.T. over an area of 3.81 ha. under proposal No.**SIA/JK/MIN/60441/2021.**

### **Deliberations:**

The case has been discussed/appraised by the JKEAC. The consultant has given a detailed presentation, during which detailed deliberations have been held on various aspects of the project like Lol, mining depth, replenishment study, active channel and surface plan. The consultant informed that due to presence of another mining block within 500m, the mining block is required to be appraised under B1 category. The mining block was examined on the Google Earth platform and it was observed that a water channel irrigating adjacent croplands on either side bisects the mining block. Examination of multi date images also revealed that the irrigation structure, which in picture resembles a bandobasti Khul, exists from May 2005 itself. Thus allowing mining operations in the river bed without seeking/obtaining further details/ clarification from the stakeholders viz. the land owners cultivating lands on the banks of the rivulet and Irrigation and Flood Control Department could cause irreparable damage to the cropland situated on the two banks of the rivulet.

In view of the above deliberations, the Committee has unanimously recommended that Project proponent be asked to obtain response from the land owners/local panchayat

and a detailed technical report from the Irrigation & Flood Control Department before the project is considered for grant of ToRs. In this connection the communication made to the PP may also be endorsed to the Chief Engineer, I&FC Department for a detailed technical report and NOC in this regard.

**Decision:**

The JKEIAA upheld the recommendations of the Committee that ToR cannot be issued in the present form. The project proponent be asked to obtain response from the land owners/local panchayat and apply afresh. Copy of communications made to PP may also be endorsed to Irrigation & Flood Control Department for a detailed technical report and NOC in this regard.

**AGENDA ITEM NO.2.**

Grant of Terms of Reference in favour of M/S Kesri Nandan Mines, R/O Logate Kathua for Minor Mineral Block 2/6, Nowshera Twi River, Downstream Muradpur Bridge, Village Narian, District Rajouri JK U.T. over an area of 9.34 ha. under proposal No.SIA/JK/MIN/60808/2021.

**Deliberations:**

The case has been discussed/appraised by the JKEAC. The consultant has given a detailed presentation on the project, during which detailed deliberations were held on the various aspects of the project like Lol, mining depth, replenishment study, active channel and surface plan. The mining block was examined on the Google Earth platform in combination with a digital forest boundary and it is observed that Forest boundary is traversing through the mining block.

In view of the above deliberations, the Committee has unanimously recommended that the Project proponent be asked to obtain prior NOC from competent authority in the forest department indicating geographical coordinates of the nearest Forest boundary pillar from the mining block. In case the report comes in favour of the mining project, the PP /Consultant may again approach for grant of ToRs.

**Decision:**

The JKEIAA upheld the recommendation of the Committee that ToR cannot be issued in the present form. The Project Proponent be asked to obtain NOC from competent authority in the forest department and in case report favors mining project, the PP may again apply afresh for grant of ToRs.

### **AGENDA ITEM NO.3**

Grant of Terms of Reference in favour of M/S Kesri Nandan Mines, R/O Logata Kathua for Riverbed Mining Project of Minor Mineral Block No.18, Mendhar River Upstream Chajjla Bridge Part-II District Poonch JK U.T. over an area of 7.00 ha. under proposal No.SIA/JK/MIN/59682/2021.

#### **Deliberations:**

The project case has been discussed/appraised by the JKEAC. The consultant has given a detailed presentation on the project, during which detailed deliberations were held on various aspects of the project like Lol, mining depth, replenishment study, active channel and surface plan. The mining block was examined on the Google Earth platform in combination with a digital forest boundary and it was observed that the cropland is closely located to the mining block, which though qualifying for grant of ToRs, needs to be subjected to title verification by the Competent Authority in the Revenue Department. In view of the above deliberations, the Committee recommended to grant ToRs in favour of the project for enabling the consultant to prepare the EIA/EMP/PFR and to get the Public Hearing conducted by the JKPCB subject to title verification by the competent Revenue Authority.

#### **Decision:**

The JKEIAA upheld the recommendations of the Committee to grant ToRs in favor of the project for further action as required under rules and subject to title verification by the competent Revenue Authority.

### **AGENDA ITEM NO.4.**

Grant of Terms of Reference in favour of M/S Kesri Nandan Mines, R/O Logata Kathua for Riverbed Mining project of Minor Mineral Block No.29, Suran Riuver Upstream Dhara Morha Foot Bridge Dhara Morha Area, District Poonch JK U.T. over an area of 8.50ha. under proposal No.SIA/JK/MIN/59755/2021.

#### **Deliberations:**

The project case has been discussed/appraised by the JKEAC. The consultant has given a detailed presentation on the project, during which detailed deliberations were held on the various aspects of the project like Lol, mining depth, replenishment study, active channel and surface plan. The mining block was examined on the Google Earth platform in combination with a digital forest boundary and Committee observed signs of illegal mining activity on the image. Various aspects of the mining block like mining depth, lack of replenishment studies, haulage route etc. came under discussions. Besides, the mining depth shall have to be restricted to 1m only, in view of non-availability of replenishment data in the district survey report and accordingly minable reserves be calculated with necessary changes /corrigendum in the approved mining plan.

In view of the above deliberations, the Committee has desired that the G&M Dept. be asked to constitute a committee comprising of representatives of Geology & Mining Dept., I&F Control Dept, Dam Authority, Soil Conservation Dept., Fisheries Dept., and local Police to fix responsibility for illegal mining after recording views of local panchayat representatives. Further, in case project proponent is found to have been involved in such activity, the case shall be treated as a violation case and dealt under relevant guidelines. In the meantime, the Committee recommended to grant ToRs in favour of the project for enabling the consultant to prepare the EIA/EMP/PFR and to get the Public Hearing conducted by the JKPCB.

**Decision:**

The JKEIAA upheld the recommendations of the JKEAC that G&M Dept. shall constitute a committee comprising of officials proposed by JKEAC to fix responsibility for the illegal mining after recording views of local panchayat representatives and take further appropriate action as per rules, under intimation to JKEIAA. Meanwhile, JKEIAA approved grant of ToRs in favour of the project proponent for further action required under rules while restricting the mining depth to 1 m only.

**AGENDA ITEM NO.5.**

Grant of Terms of Reference in favour of M/S Karanvir Singh S/O Shri Surinder Singh R/O 1, Lane No.3, Shaheed Udham Singh Nagar, Pathankot, Punjab for Minor Mineral Block 3/5, in Nowshera Tawi River, Downstream Nowshera Jabba Bridge, Village Bagnoti District Rajouri JK U.T. over an area of 9.62ha. under proposal No.**SIA/JK/MIN/60807/2021.**

**Deliberations:**

The project case has been discussed/appraised by the JKEAC. The consultant has given a detailed presentation on the project, during which detailed deliberations have been held on the various aspects of the project like Lol, mining depth, replenishment study, active channel and surface plan. The mining block was examined on the Google Earth platform in combination with a digital forest boundary and Committee observed huge portion of the mining block under active water channel. The consultant informed that the active water channel area has been excluded in the approved mining plan. One of the Members asserted that the mining activity will have adverse impact on the irrigation of the adjacent crop land. Therefore, Committee desired that ToRs may be granted subject to NOC from the I&FC Dept. Besides, it was also desired that the matter may be discussed with the local community in detail during the Public Hearing. The various aspects of the mining block like mining depth, lack of replenishment studies, haulage route etc. came under discussions. Besides, the mining depth shall have to be restricted to 1m only in view of non-availability of replenishment data in the district survey report and accordingly

minable reserves be calculated with necessary changes /corrigendum in the approved mining plan.

In view of the above deliberations, the Committee recommended to grant ToRs in favor of the project for enabling the consultant to prepare the EIA/EMP/PFR and to get the Public Hearing conducted by the JKPCB subject to NOC from I&FC Department.

**Decision:**

The JKEIAA upheld the recommendations of the Committee to grant ToRs in favor of the project for further action under rules, while restricting mining depth to 1 m only and subject to NOC from I&FC Department.

**AGENDA ITEM NO.6.**

Grant of Terms of Reference in favour of M/S Karanvir Singh S/O Shri Surinder Singh R/O 1, Lane No.3, Shaheed Udham Singh Nagar, Pathankot, Punjab for Minor Mineral Block 2/4 in Nowshera Tawi River, Downstream Muradpur Bridge, Village Narian, District Rajouri JK U.T. over an area of 9.37ha. under proposal No.**SIA/JK/MIN/60806/2021.**

**Deliberations:**

The project case has been discussed/appraised by the JKEAC. The consultant has given a detailed presentation on the project, during which detailed deliberations have been held on the various aspects of the project like Lol, mining depth, replenishment study, active channel and surface plan. The mining block was examined on the Google Earth platform in combination with a digital forest boundary and Committee observed a small corner of the mining block falling inside the Forest boundary. Therefore, the Committee asked the consultant to obtain a clearance from the competent authority of the forest department and in case no forest land is involved within mining block, an appropriate distance be maintained from the Forest boundary. Accordingly, the mining block area shall be resized / reduced. It was also desired that the active water channel should be excluded from the mining activity. The various aspects of the mining block like mining depth, lack of replenishment studies, haulage route etc. came under discussions. Besides, the mining depth shall have to be restricted to only 1m in view of non-availability of replenishment data in the district survey report and minable reserves calculated accordingly with necessary changes /corrigendum in the approved mining plan.

In view of the above deliberations, the Committee recommended to grant ToRs in favour of the project for enabling the consultant to prepare the EIA/EMP/PFR and to get the Public Hearing conducted by the JKPCB subject to prior NOC from competent authority in Forest Department and to resize/reduce the area near the corner so that forest land is excluded, if so reported by the Forest Department.

**Decision:**

The JKEIAA upheld the recommendations of the Committee to grant ToRs in favour of the project for further action under rules, while restricting mining depth to 1 m only. The TOR is further subject to NOC from competent authority in Forest Dept. The area of mining block shall be reduced to exclude forest land involved, if any.

**AGENDA ITEM NO.7.**

Grant of Terms of Reference in favour of M/S Karanvir Singh S/O Shri Surinder Singh R/O 1, Lane No.3, Shaheed Udham Singh Nagar, Pathankot, Punjab for Minor Mineral Block 2/3 Nowshera Tawi River, Downstream Muradpur Bridge, Village Chattiar, District Rajouri JK U.T. over an area of 9.93ha. under proposal No.**SIA/JK/MIN/60805/2021**.

**Deliberations:**

The project case was discussed/appraised in the JKEAC meeting. The consultant gave a detailed presentation on the project during which detailed deliberations were held on the various aspects of the project like Lol, mining depth, replenishment study, active channel and surface plan. The mining block was examined on the Google Earth platform in combination with a digital forest boundary and Committee observed signs of illegal mining activity on the image. The various aspects of the mining block like mining depth, lack of replenishment studies, haulage route etc. came under discussions. Besides, the mining depth shall have to be restricted to only 1m in view of non-availability of replenishment data in the district survey report and minable reserves calculated accordingly with necessary changes /corrigendum in the approved mining plan. The Committee also desired that the active water channel shall have to be excluded from the mining activity.

In view of the above deliberations, the Committee has desired that the G&M Dept. be asked to constitute a committee comprising of representatives of Geology & Mining Dept., I&F Control Dept, Dam Authority, Soil Conservation Dept., Fisheries Dept., and local Police to fix responsibility for the illegal mining after recording views of local panchayat representatives. Further, in case the project proponent is found to have been involved directly or indirectly in such activity, the case shall be treated as a violation case and dealt under relevant guidelines. In the meantime, the Committee recommended to grant ToRs in favour of the project for enabling the consultant to prepare the EIA/EMP/PFR and to get the Public Hearing conducted by the JKPCB.

**Decision:**

The JKEIAA upheld the recommendations of the JKEAC that G&M Dept. shall constitute a committee comprising of officials proposed by JKEAC to fix responsibility for the illegal mining after recording views of local panchayat representatives and take further appropriate action as per rules, under intimation to JKEIAA. Meanwhile, JKEIAA approved

grant of ToRs in favour of the project for further action as required under rules while restricting mining depth to 1 m only and excluding active water channel.

**AGENDA ITEM NO.8.**

Grant of Terms of Reference in favour of M/S Karanvir Singh S/O Shri Surinder Singh R/O 1, Lane No.3, Shaheed Udham Singh Nagar, Pathankot, Punjab for Riverbed Mining project of Minor Mineral Block No.4, River Suran Downstream, Sher-e-Kashmir Bridge Part-IV, Tehsil & District Poonch, JK UT over an area of 8.86ha. under proposal No.SIA/JK/MIN/59667/2021.

**Deliberations:**

The case has been discussed/appraised by the JKEAC. The consultant has given a detailed presentation on the project, during which detailed deliberations were held on the various aspects of the project like Lol, mining depth, replenishment study, active channel and surface plan. The mining block was examined on the Google Earth platform in combination with a digital forest boundary and Committee observed signs of illegal mining activity on the image. The various aspects of the mining block like mining depth, lack of replenishment studies, haulage route etc. came under discussions. Besides, the mining depth shall have to be restricted to only 1m in view of non-availability of replenishment data in the district survey report and minable reserves calculated accordingly with necessary changes /corrigendum in the approved mining plan. The Committee also desired that the active water channel shall have to be excluded from the mining activity and title verification be obtained by the PP for the mining block as the nallah meanders and involvement of private land need to be ruled out.

In view of the above deliberations, the Committee has desired that the G&M Dept. be asked to constitute a committee comprising of representatives of Geology & Mining Dept., I&F Control Dept, Dam Authority, Soil Conservation Dept., Fisheries Dept., and local Police to fix responsibility for the illegal mining after recording views of local panchayat representatives. Further, in case the project proponent is found to have been involved directly or indirectly in such activity, the case shall be treated as a violation case and dealt under relevant guidelines. In the meantime, the Committee recommended to grant ToRs in favour of the project for enabling the consultant to prepare the EIA/EMP/PFR and to get the Public Hearing conducted by the JKPCB subject to title verification and exclusion of the active water channel.

**Decision:**

The JKEIAA upheld the recommendations of the JKEAC that G&M Dept. shall constitute a committee comprising of officials proposed by JKEAC to fix responsibility for the illegal mining after recording views of local panchayat representatives and take further appropriate action as per rules, under intimation to JKEIAA. Meanwhile, JKEIAA approved

grant of ToRs in favour of the project for further action as required under rules while restricting mining depth to 1 m only and excluding active water channel.

**AGENDA ITEM NO.9.**

Grant of Terms of Reference in favour of M/S Karanvir Singh S/O Shri Surinder Singh R/O 1, Lane No.3, Shaheed Udham Singh Nagar, Pathankot, Punjab for Riverbed Mining project of Minor Mineral in Block No.02, B-Adibal Galwanpora Link Road Downstream Vishu Nallah, District Kulgam JK U.T. over an area of 9.13 ha. under proposal No.SIA/JK/MIN/60742/2021.

**Deliberations:**

The case has been discussed/appraised by the JKEAC. The consultant has given a detailed presentation on the project, during which detailed deliberations were held on the various aspects of the project like Lol, mining depth, replenishment study, active channel and surface plan. The mining block was examined on the Google Earth platform in combination with a digital forest boundary and Committee observed huge portion of the mining block under active water channel. The consultant informed that the active water channel area has been excluded in the approved mining plan. While observing the KML file it was observed that a canal water head is close to the designate mine block. One of the Members asserted that the mining activity should not have any adverse impact on the irrigation of the adjacent crop land as the headway is at a distance of 300m. But on a closer review, the Committee observed that the canal head basically originates from the water channel which is inside the designated block boundary and therefore, it was opined that any mining activity will have a huge adverse impact on the flow of water of the canal. Besides, a proper haulage route under the circumstances needs to be defined to ensure safety of water head and the canal especially keeping the elevational differences in the area in view. Besides, this the mining depth shall have to be restricted to only 1m in view of non-availability of replenishment data in the district survey report and minable reserves calculated accordingly with necessary changes/corrigendum in the approved mining plan.

In view of the above deliberations, before proceeding further, the Committee recommended that PP should obtain a categorical clearance from the Irrigation and Flood Control Department to ensure that no damage to any infrastructure is caused and water flows smoothly into the canal head if any mining activity is carried out in the proposed mining block.

**Decision:**

The JKEIAA upheld the recommendation of the Committee that ToR cannot be issued in the present form. The project proponent shall obtain prior clearance from Irrigation and Flood Control Department that no damage to any infrastructure is caused and water flows



smoothly into the canal head if any mining activity is carried out in the proposed mining block. The PP may apply afresh after obtaining relevant NOC as above.

**AGENDA ITEM NO.10.**

Grant of Terms of Reference in favour of M/S Karanvir Singh S/O Shri Surinder Singh R/O 1, Lane No.3, Shaheed Udham Singh Nagar, Pathankot, Punjab for Riverbed Mining project of Minor Mineral Block No.11, Mandi River, Upstream Mandi River & Suran River Confluence District Poonch JK U.T. over area of 7.64ha. under proposal No.SIA/JK/MIN/59671/2021.

**Deliberations:**

The case has been discussed/appraised by the JKEAC. The consultant has given a detailed presentation on the project, during which detailed deliberations were held on the various aspects of the project like Lol, mining depth, replenishment study, active channel and surface plan. The mining block was examined on the multirate Google Earth image platform in combination with a digital forest boundary and Committee observed presence of cropland inside the mining block on the available images right from year 2001 and therefore rejected the case for grant of ToRs.

In view of the above deliberations, the Committee recommended rejection of ToRs in favour of the project due to presence of crop land inside the mining block.

**Decision:**

The JKEIAA upheld the recommendations of the Committee for rejection of ToRs.

**AGENDA ITEM NO.11.**

Grant of Terms of Reference in favour of M/S Karanvir Singh S/O Shri Surinder Singh R/O 1, Lane No.3, Shaheed Udham Singh Nagar, Pathankot, Punjab for Riverbed Mining project of Minor Mineral Block No.21, Poonch River Upstream Sher-e-Kashmir Bridge (Khanetar Area) Village Dalera & Bhaninch, Tehsil & District Poonch JK U.T. over an area of 4.39ha. under proposal No.SIA/JK/MIN/59675/2021.

**Deliberations:**

The project case was discussed/appraised in the JKEAC meeting. The consultant gave a detailed presentation on the project during which detailed deliberations were held on the various aspects of the project like Lol, mining depth, replenishment study, active channel and surface plan. The mining block was examined on the multirate Google Earth image platform in combination with a digital forest boundary and Committee observed presence of cropland inside the mining block on the old images right of June,2013although no agricultural activity is observed on the image of January 2021 and therefore desired that

prior title verification of the mining block by the competent authority of the Revenue Department.

In view of the above deliberations, the Committee recommended prior title verification of the mining block before proceeding further as crop land is observed on the satellite images of the past.

**Decision:**

The JKEIAA upheld the recommendations of the Committee that ToR cannot be granted in present form. The PP shall obtain prior title verification of the mining block and may apply afresh for TOR.

**AGENDA ITEM NO.12.**

Grant of Environment clearance in favour of M/S Om Shanker Brick Kiln (Rashpaul Singh Prop.) Ward No.06, Village Khour Tehsil Akhnour District Jammu for Brick Earth Mining project Gata No.1440, 1441, 1442, 1443, 1444, 1455, 1456, 1465, 1466, 1473, 1474, 223 at Village Bakhar, Tehsil Sunderbani under proposal No.**SIA/JK/MIN//143375/2021.**

**And**

**AGENDA ITEM NO.13.**

Grant of Environment clearance in favour of M/S Shamsheer Brick Kiln, (Rajesh Sharma Prop.) over an area of 2.67ha. Lamberi, Tehsil Nowshera, District Rajouri for Brick Earth Mining project Gata No.815, 816, Village Lamberi Tehsil Nowshera District Rajouri under proposal No.**SIA/JK/MIN/178756/2020.**

**Deliberations:**

Both these cases have been discussed/appraised by the JKEAC. The Committee was informed that the cases had recently been listed in the 26<sup>th</sup> meeting of JKEAC held on 15-17<sup>th</sup> February, 2021 and both the consultant as well as the PPs did not turn up. The two were telephonically approached also but there was no response from their side. Again, neither the two Project proponents of the cases nor their consultant presented the cases despite repeated telephonic calls by the supporting staff of the JKEAC. The Committee has taken exception at the irresponsible attitude of the consultant / PP's for their failure to present the cases in spite of repeated opportunities given to them.

In view of failure of the consultant and the PPs to present the cases before the JKEAC in spite of repeated opportunities given to them, the Committee recommended that the cases be delisted for non-appearance and no further chance be given to them if provided under rules.

**Decision:**

The JKEIAA upheld the recommendations of the Committee that the aforesaid cases be delisted for non-appearance.

**AGENDA ITEM NO.14.**

Complaint Regarding National Brick Kiln

**Deliberation and Decision:**

The authority deliberated on the matter. *Prima facie*, the complaint is against various departments regarding alleged illegal establishment and operation of two (02) brick kilns viz M/S National Brick Kiln and M/S Northern Brick Kiln, Kangrail, Jammu.

As per available records in the office of JKEIAA, M/S National Brick Kiln and M/S Northern Brick Kiln, Kangrail, Jammu have neither applied to JKEIAA for grant of EC nor any EC has been issued by this Authority.

In view of the above facts, the Authority is of the view that it has no jurisdiction to enquire into these allegations. Accordingly, the authority decided that this complaint in original be forwarded to Administrative Department (Forest) with copy to PCB for further action.

**AGENDA ITEM NO.15.**

Discussion on ***Specific Condition No. 6*** in Environmental Clearances.

**Decision:**

The agenda was withdrawn.

The meeting ended with the vote of thanks to the chair.

Sd/-

Dr. Neelu Gera, IFS PCCF/Director,  
Member Secretary, JKEIAA, EE&RS

Sd/-

Nazir Ahmad (Rtd. Chief Engineer)  
Member, JKEIAA

Sd/-

Lal Chand, IFS (Rtd.)  
Chairman, JKEIAA

No: JKEIAA/246/02/14/519-23

Dated:22/03/2021

Copy by email to:

1. Mr. Lal Chand, IFS (Rtd.), Chairman, JKEIAA, for information.
2. Er. Nazir Ahmad (Rtd. Chief Engineer), Member, JKEIAA, for information.
3. Dr. Neelu Gera, IFS PCCF/Director, EE&RS, Member Secretary, JKEIAA, for information.
4. The Secretary, JK Expert Appraisal Committee for information.
5. Website(s)

  
(Staff Officer)

22/3/2021  
to PCCF/Director/Member Secretary JKEIAA  
Ecology, Environment & Remote Sensing, J&K