



Government of India

Ministry of Environment, Forest &amp; Climate Change

**J&K ENVIRONMENT IMPACT ASSESSMENT AUTHORITY****(at) DEPARTMENT OF ECOLOGY, ENVIRONMENT AND REMOTE SENSING**

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

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**MINUTES OF THE 34<sup>TH</sup> MEETING OF JK ENVIRONMENT IMPACT ASSESSMENT  
AUTHORITY HELD ON 19-04-2021 AT 3.00 P.M. THROUGH VIDEO CONFERENCING**

In pursuance to the Minutes of the 35<sup>th</sup> Meeting of JK Expert Appraisal Committee held on 12<sup>th</sup> April, 2021 conveyed vide endorsement No.EAC/JK/20/6736-748 dated 17.04.2021, the 34<sup>th</sup> Meeting of JK Environment Impact Assessment Authority was held on 19-04-2021 through video conferencing. The following attended the meeting:-

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

Following are the deliberations & decisions of the meeting:-

**AGENDA ITEM NO.01.**

Grant of Environment clearance in favour of Shri Parshotam Singh S/O Shri Baljit Singh R/O H.No.56 W.No.3, Kamar Pati Jaito Faridkot, Punjab for Block No.5/26(51), Jad Khad Upstream Jourian Bridge, Village Dhok Khalsa, Tehsil Akhnoor, District Jammu, JK UT over an area of 7.95 ha (Transfer case) under proposal No.**SIA/JK/MIN/57390/2019.**

**Deliberations:**

The project has been discussed/appraised in the JKEAC Meeting. During appraisal of the case, consultant gave a detailed presentation on the project and informed the committee that this project has been submitted under the preview of Govt. order No.76 FST of 2020 and subsequent minutes of meeting of the JKEIAA whereunder the said order was implemented in view of paucity of key construction material in the market. During discussions, various aspects of the mining block like mining depth, surface plan, haulage route, baseline data, PFR and EIA and EMP came under discussion. The consultant informed that the Lol was issued to the project on 21/07/2020 and Public Hearing was conducted on 15/02/2020. The Consultant informed that mining depth will be restricted at 0.50 m. The Consultant presented baseline data as provided in the test reports of the recognized Testing Laboratory viz. Overseas Test House & Research Centre Pvt. Ltd., NABL Accredited Laboratory, Jaipur. The Members observed that the test reports were in the name of Shri Parshotam Singh, present Project proponent who had won the Letter of Intent from the Geology & Mining Department during July, 2020 while as the test reports bear date of June, 2019 when the present Project Proponent was not in picture at all. The Consultant could not give any explanation in this regard but simply apologized for this. The Members asked the representative of the project proponent to explain his position in this regard and Forum was informed that the project proponent has hired the consultant to provide certain services and if the consultant has failed in his commitments, the project proponent is not involved in the issue. During proceedings, the consultant emailed two attachment files. One containing the single day test reports of October, 2020 and another file containing forged test reports of 2019 now in the name of previous Lol holder Shri Balbir Singh notwithstanding the fact, the same test reports of 2019 uploaded on the portal were in the name of present project

proponent Shri Parshotam Singh, thus confirming apprehensions of the Committee that the submitted baseline data documents lack credibility. Therefore, the committee reiterated its earlier stand on the issue reflected under agenda item 1 of the 34th JKEAC meeting, whereunder, the Committee has recommended a commensurate legal action against the consultant for manipulating the baseline data. Shri Rashid, representative of project proponent however, pleaded for a lenient view saying that the PP is not involved in the issue. The Committee asked Shri Rashid, to ensure submission of a written explanation by the Project Proponent bringing out the facts of the case and fixing the responsibility for tampering/manipulation of the documents for further consideration of the case. Since all the documents submitted to JKEIAA, mandatorily bear the signatures of the Project Proponent and the Consultant, thus both are jointly responsible for veracity/authenticity of the documents submitted, and a verbal statement by representative of PP that he is not in the know of the said tampering and thus cannot be held responsible, does not absolve him of the acts of omission and commission on the part of the Consultant. Members desired that the testing reports emailed by the consultant and those uploaded on the portal be also enclosed with these minutes as an annexure for future record and reference.

During the course of presentation, Consultant informed JKEAC that haulage route is 2.78 km. Accordingly, the consultant was asked to allocate more funds for haulage route maintenance in the EMP which need to be updated. The conclusion part of Public Hearing report also came under discussion and the committee desired to properly address the concerns of the locals. The consultant was also asked to revise the budget under Green belt development so that the overall budget under EMP is around Rs 17.00 lakh per annum. The mining block was observed on the Google Earth platform using the KML/KMZ file emailed by the consultant.

In view of the above deliberations and in the light deliberations/recommendations made under agenda item No.1 of the 34<sup>th</sup> JKEAC meeting, the Committee recommended as under:

1. In addition to recommendations made earlier against the consultant and its testing laboratory under agenda item No.1 of the 34th JKEAC, the JKEIAA may also submit the forged test reports of the Testing Laboratory to the Accreditation Council of India/MoEF&CC/NABL for taking cognizance of the matter for appropriate action against the consultant and its in house accredited testing laboratory.
2. Either to reject the case or to grant Provisional Environmental Clearance subject to condition that the project proponent collects fresh pre-monsoon baseline data by hiring a new NABET recognized consultant and gets it analyzed from a new NABL recognized Laboratory and submits test reports with updated EIA Report within specified time window of opportunity to be decided by the JKEIAA and also subject to condition, that the PP is allowed to commence the mining operations only after fresh baseline data is accepted by JKEIAA and the word, 'Provisional' shall accordingly be dropped from the EC letter through issuance of a formal Environmental Clearance by JKEIAA.
3. The option of grant of provisional EC till collection of fresh baseline data as recommended herein above in the present instance, shall however be subject to following conditions:-
  - a. Project proponent implements all the conditions mentioned in the NOCs granted by the concerned stake holder departments which shall be submitted by PP in the office of JKEIAA and JKEAC prior to issuance of formal EC, as per approved checklist.
  - b. EC letter must mention the geographical coordinates as per Letter of intent.

**Decision:**

1. The JKEIAA upheld recommendations of the JKEAC for black listing the consultant to operate in J&K for a period of one year for manipulation of baseline data and submission of forged

test reports of the Testing Laboratory to the Accreditation Council of India/MoEF&CC/NABL for taking cognizance of the matter for appropriate action against the consultant and its in house accredited testing laboratory.

2. The JKEIAA approved the option of granting provisional Environment clearance recommended by the JKEAC subject to the conditions that Project proponent implements all the conditions mentioned in the NOCs granted by the concerned stake holder departments which shall be submitted by PP in the office of JKEIAA and JKEAC prior to issuance of formal EC, as per approved checklist along with updated EMP as per discussion.
3. The Project proponent shall collect fresh baseline data by hiring new NABET/QCI Consultant. The registered laboratory hired for analyzing baseline data should not be owned by the same Consultant with an in-house arrangement. The PP shall submit test reports with updated EIA report within a period of six months. The baseline data should exclude monsoon period. Failure on the part of project proponent to resubmit fresh data within stipulated period shall render Environment clearance liable to be withdrawn.

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

Grant of Environment clearance in favour of M/S Mahavir Mining R/O Lane No.03, Shaheed Udham Singh Nagar, Pathankot Punjab for Minor Mineral (River Bed Material) at Block No.5/32, (57) Khourwali Khad Upstream Khour Bridge, Village Narayana, Tehsil Khour, District Jammu JK UT over an area of 9.80 ha (Transfer case) under proposal No.**SIA/JK/MIN/58719/2019**.

### **Deliberations:**

The project has been discussed/appraised in the JKEAC Meeting. The consultant gave detailed presentation on the project and informed that this project too has been submitted under the preview of Govt. order No.76 FST of 2020 and the subsequent minutes of meeting of the JKEIAA, whereunder the said order was implemented in view of paucity of key construction material in the market. During discussions, various aspects of the mining block like mining depth, surface plan, haulage route, baseline data, PFR and EIA and EMP came under discussion. The consultant informed that the Lol was issued to the project on 18/08/2020 and the mine plan was approved on 30/01/2018 in favour of previous PP. The Public Hearing was conducted on 13/02/2020. The Consultant informed that the mining depth will be restricted at 0.50 m. The Consultant presented the baseline data as provided in the test reports of the recognized Testing Laboratory viz. Overseas Test House & Research Centre Pvt. Ltd., NABL Accredited Laboratory, Jaipur. The Members observed that test reports of June 2019 were in the name of M/S Mahavir Mining, Shaheed Udham Singh Nagar, Pathankot, present Project proponent who did not exist as PP at all during 2019. The Consultant could not give any explanation in this regard as in earlier cases but simply apologized for this. The Members asked the representative of the project proponent to ensure written clarification from the PP in this regard as well. The Committee again observed that the submitted baseline data lack credibility. Therefore, the committee reiterated its earlier stand on the issue reflected under agenda item 1 of the 34th JKEAC whereunder, JKEAC has recommended an appropriate legal action against the consultant. The Members examined the mining block on Google Earth platform and observed a bridge at a distance of 400 m. Therefore, the Committee desired that the mining block must be reduced to maintain a safe distance of 500 m to the bridge from the mining block, thus affecting the revision of mining plan and mineral production from the block. Therefore, instead of 9.80 ha, the Committee recommended only 7.5 ha area for calculation of targeted mineral production. The consultant informed that the haulage route is 0.75 km. The consultant presented EMP /CER /CSR and informed that EMP is Rs 20.00 lakh per annum and the CER is Rs 4.26 lakh per annum. The conclusion part of Public Hearing

report also came under discussion and JKEAC desired that the PP should properly address the concerns of the locals.

In view of the above deliberations and in the light of deliberations/recommendations made under agenda item No.1 of the 34<sup>th</sup> JKEAC, the Committee recommended as under:

1. Either to reject the case or to grant Provisional Environmental Clearance subject to condition that the project proponent collects fresh pre-monsoon baseline data by hiring a new NABET recognized consultant and gets it analyzed not from an in-house but a new NABL recognized Laboratory and submits test reports with updated EIA Report within specified time window of opportunity to be decided by the JKEIAA and also, subject to condition, that the PP is allowed to commence the mining operations only after fresh baseline data is accepted by JKEIAA and the word, 'Provisional' shall accordingly be dropped from the EC letter through issuance of a formal Environmental Clearance by JKEIAA.
2. The option of grant of provisional EC till collection of fresh baseline data as recommended herein above, in the present instance, shall however be subject to following conditions:-
  - a. Project proponent implements all the conditions mentioned in the NOCs granted by the concerned stake holder departments which be submitted by PP in the office of JKEIAA and JKEAC prior to issuance of formal EC, as per approved checklist.
  - b. Prior issuance of fresh/revised coordinates by Geology & Mining Dept./Competent Authority after maintaining a safe distance of 500m from the bridge so that the same coordinates are reflected in the EC letter by JKEIAA.

**Decision:**

1. The JKEIAA upheld recommendations of the JKEAC for black listing the consultant to operate in J&K for a period of one year for manipulation of baseline data and submission of forged test reports of the Testing Laboratory to the Accreditation Council of India/MoEF&CC/NABL for taking cognizance of the matter for appropriate action against the consultant and its in house accredited testing laboratory.
2. The JKEIAA approved the option of granting provisional Environment clearance recommended by the JKEAC for reduced area of 7.5 ha and accordingly reduced minable material subject to condition that Project proponent implements all the conditions mentioned in the NOCs granted by the concerned stake holder departments which be submitted by PP in the office of JKEIAA and JKEAC prior to issuance of formal EC, as per approved checklist along with updated EMP as per discussion.
3. That provisional Environment clearance is subject to Prior issuance of fresh/revised coordinates by Geology & Mining Dept./Competent Authority after maintaining a safe distance of 500 m from the bridge and reducing size of mining block as per recommendation of JKEAC.
4. Project proponent collects fresh baseline data by hiring new NABET/QCI Consultant. The registered laboratory hired for analyzing baseline data should not be owned by the same Consultant with an in-house arrangement. The PP should submit test reports with updated EIA report within a period of six months. The baseline data should exclude monsoon period. Any failure on the part of project proponent to resubmit the fresh data within stipulated period may render Environment clearance liable to be withdrawn.

**AGENDA ITEM NO.03.**

Grant of Environment clearance of favour of Shri Pavan Kumar Sharma S/O Shri Hoti Lal R/O 56, Kirshna Lok, Rajpura, Mawana Road, Meerut, Rajpura, Uttar Pradesh for Minor Mineral (River Bed Material) project at Block No.1 (1/1) over an area of 5.78ha. Tawi River Upstream Dhar-Udhampur Road Bridge, Kishanpur Manwal, Village Kishanpur, Tehsil & District Jammu under proposal No.SIA/JK/MIN/57021/2019.

### **Deliberations:**

The project case has been discussed/appraised in the JKEAC Meeting. During the deliberations of the case project, the consultant gave a detailed presentation on the project and informed that this project too has been submitted under the preview of Govt. order No.76 FST of 2020 and the subsequent minutes of meeting of the JKEIAA where under the said order was implemented in view of paucity of key construction material in the market. During discussions, various aspects of the mining block like mining depth, surface plan, haulage route, baseline data, PFR and EIA and EMP came under discussion. The consultant informed that the Lol was issued to the project on 24/07/2020 and the mine plan was approved on 12/04/2018 in favour of the previous PP. The Public Hearing was conducted on 11/03/2020. The Consultant informed that the mining depth will be restricted at 0.75 m.

The consultant presented the baseline data as provided in the test reports of the recognized Testing Laboratory viz. Overseas Test House & Research Centre Pvt. Ltd., NABL Accredited Laboratory, Jaipur. The Members observed that the test reports of June 2019 were in the name of present project proponent Shri Pavan Kumar, who was not connected in any manner to the said contract at that point of time. The Consultant could not give any explanation in this regard as in earlier cases but simply apologized for this. The Members asked the representative of the project proponent Shri Rashid to ensure written explanation from the PP in this regard as well. The Committee again observed that the submitted baseline data lacks credibility. Therefore, the committee reiterated its earlier stand on the issue reflected under agenda item 1 of the 34<sup>th</sup> JKEAC meeting, where under the Committee has recommended a strong action against the consultant and the testing Lab.

The Members examined the mining block on Google Earth platform and observed a bridge at a distance of 520 m, well beyond the safe distance. However, the Committee observed that nearly 10% of the mining block was under water and cannot be allowed to be used for mining in keeping with MoEFCC guidelines. This will reduce the mineral production from the block. The consultant informed that haulage route is 0.85 km. The consultant presented the EMP /CER /CSR and informed that EMP is Rs 20.00 lakh per annum and CER is Rs 4.14lakh per annum. The conclusion part of Public Hearing report also came under discussion and JKEAC desired that PP should properly address the concerns of the locals.

In view of the above deliberations and in the light of deliberations/recommendations made under agenda item No.1 of the 34<sup>th</sup>JKEAC, the Committee recommended as under:

1. Either to reject the case or to grant Provisional Environmental Clearance subject to condition that the project proponent collects fresh pre-monsoon baseline data by hiring a different NABET recognized consultant and gets it analyzed not from an in-house but different NABL recognized Laboratory and submits test reports with updated EIA Report within specified time window of opportunity to be decided by the JKEIAA and also, subject to condition, that the PP is allowed to commence the mining operations only after fresh baseline data is accepted by JKEIAA and the word, 'Provisional', shall accordingly be dropped from the EC letter through issuance of a formal Environmental Clearance by JKEIAA.
2. The option of grant of provisional EC till collection of fresh baseline data as recommended herein above, in the present instance, shall however be subject to following conditions:-
  - a. Project proponent implements all conditions mentioned in NOCs granted by concerned stake holder departments which be submitted by PP in the office of JKEIAA and JKEAC prior to issuance of formal EC, as per approved checklist.
  - b. Active water channel is removed while calculating the targeted mineral production in approved mining plan and therefore the mining plan be revised.

### **Decision:**

1. The JKEIAA upheld recommendations of the JKEAC for black listing the consultant to operate in J&K for a period of one year for manipulation of baseline data and submission of forged test reports of the Testing Laboratory to the Accreditation Council of India/MoEF&CC/NABL for taking cognizance of the matter for appropriate action against the consultant and its in house accredited testing laboratory.
2. The JKEIAA approved the option of granting provisional Environment clearance recommended by the JKEAC after reducing the area and targeted mineral production by 10% due to active water channel subject to condition that Project proponent implements all the conditions mentioned in the NOCs granted by the concerned stake holder departments which be submitted by PP in the office of JKEIAA and JKEAC prior to issuance of formal EC, as per approved checklist.
3. That Active water channel is excluded while calculating the targeted mineral production in approved mining plan and mining plan be revised.
4. Project proponent collects fresh baseline data by hiring new NABET/QCI Consultant. The registered laboratory hired for analyzing baseline data should not be owned by the same Consultant with an in-house arrangement. The PP should submit test reports with updated EIA report within a period of six months. The baseline data should exclude monsoon period. Any failure on the part of project proponent to resubmit the fresh data within stipulated period may render Environment clearance liable to be withdrawn.

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

Grant of Environment clearance in favour of Executive Engineer, PMGSY Division, Kathua for (STP) Mining plan and progressive Mine closure Plan for Minor Mineral Block located in Mui Khad Village Bhorthan Dhanni Tehsil & District Kathua over an area of 0.95 ha under proposal No.SIA/JK/MIN/197898/2021.

### **Deliberations:**

The project case was discussed/appraised in the JKEAC Meeting. During the deliberations of the project, the RQP gave a detailed presentation on the project during which he informed that the area of 0.95 ha had been allotted for extraction of **16000 MT of RBM over a period of one month from khasra No. 3295/2989 of state land vide permit No.13 dated 06/07/2020**. He further presented the cluster certificate issued by the DMO concerned. He also informed that the mining plan has been approved by the competent authority.

The site was examined on the Google Earth Image in the light of ESZ Notification of Jasrota Wildlife Sanctuary and the site was found fit for grant of EC. The EMP was presented but the Committee desired that the same be revised and submitted prior to grant of formal EC after keeping adequate funds for green belt development, dust suppression and haulage route maintenance.

In view of the above deliberations, the Committee recommended grant of Environmental Clearance in favour of the STP as per SO 345 dated 13/11/2020 and SO391 of 2020 dated 22/12/2020.

### **Decision:**

The JKEIAA upheld the recommendations of the Committee to grant Environment clearance in favour of the STP as per the general and specific conditions and subject to submission of revised EMP as per discussion.

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

Grant of Environment clearance in favour of Executive Engineer, PMGSY Division Kathua for (STP) Mining plan and progressive mine closure plan of Mino Mineral Block located in Kathera Khad in Village Kathera, District Kathua over an area of 0.96 ha under proposal No.SIA/JK/MIN/200719/2021.

### **Deliberations:**

The project case was discussed/appraised in the JKEAC Meeting. During deliberations of the project, the RQP gave a detailed presentation on the project during which he informed that the area of 0.96 ha had been allotted for extraction of **8000 MT of RBM over a period of one month from khasra No.293 (state land) under permit No.12 dated 06/07/2020**. He further presented the cluster certificate issued by the DMO concerned. He also informed that the mining plan has been approved by the competent authority. The site was examined on the Google Earth Image in the light of the ESZ Notification of Jasrota Wildlife Sanctuary and the site was found fit for grant of EC. The EMP was presented but the Committee desired that the same be revised and submitted prior to grant of formal EC after keeping adequate funds for green belt development, dust suppression and haulage route maintenance.

In view of the above deliberations, the Committee recommended grant of Environmental Clearance in favour of the STP as per SO 345 dated 13/11/2020 and SO391 of 2020 dated 22/12/2020

### **Decision:**

The JKEIAA upheld the recommendations of the Committee to grant Environment clearance in favour of the STP as per the general and specific conditions and subject to submission of revised EMP as per discussions.

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

Sd/-  
Dr. Neelu Gera, IFS  
Pr.CCF/Director, EE&RS  
Member-Secretary, JKEIAA

Sd/-  
Er. Nazir Ahmad (Retd.)  
Member, JKEIAA

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

No: JKEIAA/2016/02/V/1025-1029

Dated:19/04/2021

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)  
to PCCF/Director/Member Secretary JKEIAA  
Ecology, Environment & Remote Sensing, J&K