



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) / ParyavaranBhawan, Transport Nagar, Gladni, Jammu-180006 (Nov-Apr)

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**MINUTES OF THE 51st MEETING OF JK ENVIRONMENT IMPACT
ASSESSMENT AUTHORITY HELD ON 24th August, 2021
THROUGH VIDEO CONFERENCING**

In pursuance to the Minutes of the 54th Meeting of JK Expert Appraisal Committee held on 21 August, 2021 conveyed vide endorsement No. NO:EAC/JK/20/8811-822 Dated: 23.08.2021, the 51st Meeting of JK Environment Impact Assessment Authority was held on 24th August, 2021 through video conferencing.

The following attended the meeting:-

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| 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, J&K. | Member-Secretary, JKEIAA |

Following are the deliberations & decisions of the meeting:-

AGENDA ITEM NO.1

Grant of Environmental Clearance for RBM (River Bed Mineral) Mining Project, Area: 9.45 ha at Bhini River, Down Stream Naj Bridge Billawar block No. 12 (Plan-VII), Tehsil Billawar, District- Kathua, Jammu & Kashmir in favour of Shri Varun Chaudhary S/o Shri Ramesh Lal under proposal No SIA/JK/MIN/60110/2021

BRIEF SUMMARY: This case pertains to grant of Environment Clearance under B1 category for proposed RBM (River Bed Mineral) Mining project for an Area: 9.45 ha at Bhini River, Down Stream Naj Bridge Billawar block No. 12 (Plan-VII), Tehsil Billawar, District- Kathua, Jammu & Kashmir. LOI has been issued on 14/02/2020, which was later extended on 15/04/2021 and is valid up to 31.08.2021. Mining plan has been approved on 06/07/2020. As per summary of appraisal report Approved Mine Plan, District Survey Report, EIA/EMP/CER needs revision. The instant case was earlier discussed by JKEAC on 15/02/2021. The Deputy Commissioner, Kathua vide Ref No. DCK/SQ/2021-22/519 dated 11/05/2021 has conveyed NOCs of stake holders depts. The Irrigation department, Flood Control dept, Fisheries Dept, PHE Dept. have issued conditional NOC's.

Further, the JKEAC has made the following specific observations:

- The project had earlier been discussed during 26th meeting held on 15.02.2021 during which the committee recommended TORs to the project.
- During Public Hearing, the local public representatives of Billawar town had represented against the mining activity in the area and submitted representation to the authorities conducting the proceedings. As per public hearing report, the

representation forms annexure to the Minutes. However, the same was not found appended with the documents. The Committee recalled that the local public representatives had earlier also represented before the JKEIAA/JKEAC in this regard and it had been disposed-off after due deliberations.

- c) The NOCs have been submitted under Single Window Clearance System with conditions from the stake holder depts. The conditions of NOC of stockholder department need to be adhered to in letter and spirit.
- d) Compliance of specific ToR condition No.19 not done.
- e) Project cost has been underestimated by the consultant as it does not include cost of EMP, surveillance equipment, Env. Clearance processing fee/ PCCs Consent fee etc. and therefore needs to be revised.
- f) Budget for surveillance equipment has been provided but is inadequate and the Committee has accordingly recommended it as per budget in similar projects discussed earlier.
- g) EMP needs to be revised with appropriate budget as suggested in the remark's column of EMP table above.
- h) Revision of the mining plan with mine closure plan, revised mining depth, surface plan, area targeted mineral production and replenishment data and its denovo approval by the competent authority prior to grant of EC.
- i) Mining depth be restricted to 1m in aggregate in view of non-availability of replenishment data in the DSRs formulated by the G&M Dept.
- j) As observed from the PH Report, reservations have been expressed by the local municipal representatives of Billawar town on impact of mining activity on availability of drinking water. But the Xen PHE Dept. has issued NOC in favour of mining activity in the block. However, in view of the reservations expressed by the local public representatives during the public hearing and NOC issued by the Xen PHE Dept., the Members suggested that a comprehensive study on impact of mining activity on ground water availability must be got conducted through an institution of repute by the PHE Dept./concerned stake holder department in a time bound manner for which the JKEIAA must take the matter with G&M Dept. and PHE Dept.
- k) Wherever transportation movement across small water channels is inevitable, the PP shall have to lay Hume pipes in the channels so as not to disturb natural flow of water to avoid turbidity in flowing surface water.

RECOMMENDATION OF THE COMMITTEE

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

- a) Standard and Specific Conditions as per Annexure B to these Minutes of Meeting.
- b) Revision of the mining plan with mine closure plan, revised mining depth, surface plan, targeted mineral production and replenishment data and its denovo approval by the competent authority prior to grant of EC.
- c) Revision of Project cost, EMP, CER and Surveillance budget as suggested in the remark's column of EMP table above, before grant of formal EC.
- d) Revision of EIA report with compliance of specific ToR condition No.19.

- e) Mining depth of 1m in aggregate in view of non-availability of replenishment data in the DSRs formulated by the G&M Dept.
- f) Strict adherence to the terms and conditions of the NOCs of the stakeholder departments especially conditions laid by the Fisheries Department, PHE(Jalshakti) Dept and I&FC Dept. which need to be monitored by the enforcement agencies and concerned dept.
- g) No JCBs/ Excavators/ Bulldozers to be used in mining and no water course to be disturbed while transporting minor minerals.
- h) Maximum targeted mineral production of 105400 MT.
- i) Condition the geographical coordinates as per Lol issued by G&M Dept. are mentioned in the EC letter by JKEIAA
- j) Mining activity under close supervision of the stake holder departments and the local panchayat/ Municipal Committee representatives.
- k) Condition the natural flow of the water channels shall not be diverted.
- l) Validity of only three years from the date of commencement of the mining operations duly certified by the District Mineral Officer concerned with intimation to the JKEIAA and JKPCB in view of non-availability of replenishment data

DECISION OF THE AUTHORITY

After due deliberations on observations of JKEAC, the JKEIAA upheld the recommendations of the Committee to grant Environment clearance to the project subject to fulfillment of following conditions:

- a) Full compliance of Standard and Specific Conditions as per Annexure B to the Minutes of JKEAC Meeting.
- b) Revision of project cost and EMP, CER and Budget for surveillance equipment as per remarks / recommendation made by the committee
- c) Revision of the mining plan with mine closure plan, revised mining depth, surface plan, targeted mineral production and replenishment data and its approval by the competent authority to be submitted within 3 months of issue of conditional E.C.
- d) Mining depth not to exceed 1m below NSL in aggregate in view of non-availability of replenishment data in the DSRs formulated by the G&M Department.
- e) Bulk density of 1.86 shall be adopted for calculation subject to Maximum mineral production of 105400 MT.
- f) Strict adherence to the terms & conditions of the NOCs of the stakeholder departments especially conditions laid by the Fisheries Department, PHE (Jalshakti) Dept and I&FC Dept. which need to be monitored by the enforcement agencies and concerned dept.
- g) No JCBs/ Excavators/ Bulldozers shall be used in mining.
- h) While issuing EC, Member Secretary shall specifically mention revised geographical coordinates for revised area conveyed by G&M Dept.
- i) Natural water course shall not be disturbed/ flow of the water channels shall not be diverted while transporting minor minerals.
- j) EC is valid only for three years from the date of commencement of the mining operations duly certified by the District Mineral Officer concerned with intimation to the JKEIAA and JKPCB in view of non-availability of replenishment data.

AGENDA ITEM NO.2

Grant of Environmental Clearance for RBM (RIVER BED MINERAL) MINING PROJECT, Area: 8.92 ha. At Bhini River, Up Stream Painthal Bridge, block 16 (Plan-XI), Tehsil Billawar, District- Kathua, Jammu & Kashmir in favour of Shri Ravi Kumar Gautam S/o Shri Madan Mohan under proposal No SIA/JK/MIN/60073/2021.

BRIEF SUMMARY: This case pertains to grant of Environment Clearance under B1 category for proposed RBM (River Bed Mineral) Mining project, for an area: 8.92 ha. at Bhini River, Up Stream Painthal Bridge, block 16 (Plan-XI), Tehsil Billawar, District- Kathua, Jammu & Kashmir. LOI has been issued on 14/02/2020, which was later extended on 15.04.2021 and is valid up to 31.08.2021. Mining plan has been approved on 06/07/2020. As per summary of appraisal report, Approved Mine Plan, EIA/EMP/CER needs revision. District Survey Report has not been submitted. The instant case was earlier discussed by JKEAC on 15/02/2021. The Deputy Commissioner, Kathua vide Ref No. DCK/SQ/2021-22/519 dated 11/05/2021 has conveyed NOCs of stake holders depts. The Irrigation department, Flood Control dept, Fisheries Dept, PHE Dept. issued conditional NOC's.

Further, the JKEAC has made the following specific observations:

- a) The project had earlier been discussed during 26th meeting held on 15.02.2021 during which the committee recommended TORs to the project.
- b) During Public Hearing, the local public representatives of Billawar town had represented against the mining activity in the area and submitted representation to the authorities conducting the proceedings. As per PH report, the representation forms annexure to the Minutes. However, the same was not found appended with the documents. The Committee recalled that the local public representatives had earlier also represented before the JKEIAA/JKEAC in this regard and it had been disposed off after due deliberations.
- c) The NOCs have been submitted under Single Window Clearance System with conditions from the stake holder depts. The conditions of NOC of stockholder department need to be adhered to in letter and spirit.
- d) Compliance of specific ToR condition No.19 not done.
- e) Project cost has been underestimated by the consultant as it does not include cost of EMP, surveillance equipment, Env. Clearance processing fee/ PCCs Consent fee etc. and therefore needs to be revised.
- f) Budget for surveillance equipment has been provided but is inadequate and the Committee has accordingly recommended it as per budget in similar projects discussed earlier.
- g) EMP needs to be revised with appropriate budget as suggested in the remark's column of EMP table above.
- h) Revision of the mining plan with mine closure plan, revised mining depth, surface plan, area targeted mineral production and replenishment data and its denovo approval by the competent authority prior to grant of EC.
- i) Mining depth be restricted to 1m in aggregate in view of non-availability of replenishment data in the DSRs formulated by the G&M Dept.
- j) As observed from the PH Report, reservations have been expressed by the local municipal representatives of Billawar town on impact of mining activity on availability

of drinking water. But the Xen PHE Dept. has issued NOC in favour of mining activity in the block. However, in view of the reservations expressed by the local public representatives during the public hearing and NOC issued by the Xen PHE Dept., the Members suggested that a comprehensive study on impact of mining activity on ground water availability must be got conducted through an institution of repute by the PHE Dept./concerned stake holder department in a time bound manner for which the JKEIAA must take the matter with G&M Dept. and PHE Dept.

- k) Wherever transportation movement across small water channels is inevitable, the PP shall have to lay Hume pipes in the channels so as not to disturb natural flow of water to avoid turbidity in flowing surface water.

RECOMMENDATION OF THE COMMITTEE

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

- a) Standard and Specific Conditions as per Annexure B to these Minutes of Meeting.
- b) Revision of the mining plan with mine closure plan, revised mining depth, surface plan, targeted mineral production and replenishment data and its denovo approval by the competent authority prior to grant of EC.
- c) Revision of Project cost, EMP, CER and Surveillance budget as suggested in the remark's column of EMP table above, before grant of formal EC.
- d) Revision of EIA report with compliance of specific ToR condition No.19.
- e) Mining depth of 1m in aggregate in view of non-availability of replenishment data in the DSRs formulated by the G&M Dept.
- f) Strict adherence to the terms and conditions of the NOCs of the stakeholder departments especially conditions laid by the Fisheries Department, PHE (Jalshakti) Dept and I&FC Dept. which need to be monitored by the enforcement agencies and concerned dept.
- g) No JCBs/ Excavators/ Bulldozers to be used in mining and no water course to be disturbed while transporting minor minerals.
- h) Maximum targeted mineral production of 99500 MT.
- i) Condition the geographical coordinates as per Lol issued by G&M Dept. are mentioned in the EC letter by JKEIAA
- j) Mining activity under close supervision of the stake holder departments and the local panchayat/ Municipal Committee representatives.
- k) Condition the natural flow of the water channels shall not be diverted.
- l) Validity of only three years from the date of commencement of the mining operations duly certified by the District Mineral Officer concerned with intimation to the JKEIAA and JKPCB in view of non-availability of replenishment data

DECISION OF THE AUTHORITY

After due deliberations on observations of JKEAC, the JKEIAA upheld the recommendations of the Committee to grant Environment clearance to the project subject to fulfillment of following conditions:

- a) Full compliance of Standard and Specific Conditions as per Annexure B to the Minutes of JKEAC Meeting.

- b) Revision of project cost and EMP, CER and Budget for surveillance equipment as per remarks / recommendation made by the committee
- c) Revision of the mining plan with mine closure plan, revised mining depth, surface plan, targeted mineral production and replenishment data and its approval by the competent authority to be submitted within 3 months of issue of conditional E.C.
- d) Mining depth not to exceed 1m below NSL in aggregate in view of non-availability of replenishment data in the DSRs formulated by the G&M Department.
- e) Bulk density of 1.86 shall be adopted for calculation subject to Maximum mineral production of 99500 MT.
- f) Strict adherence to the terms and conditions of the NOCs of the stakeholder departments especially conditions laid by the Fisheries Department, PHE (Jalshakti) Dept and I&FC Dept. which need to be monitored by the enforcement agencies and concerned dept.
- g) No JCBs/ Excavators/ Bulldozers shall be used in mining.
- h) While issuing EC, Member Secretary shall specifically mention revised geographical coordinates for revised area conveyed by G&M Dept.
- i) Mining activity under close supervision of the stake holder departments and the local panchayat/ Municipal Committee representatives.
- j) Natural water course shall not be disturbed/ flow of the water channels shall not be diverted while transporting minor minerals j)
EC is valid only for three years from the date of commencement of the mining operations duly certified by the District Mineral Officer concerned with intimation to the JKEIAA and JKPC in view of non-availability of replenishment data.

AGENDA ITEM NO.3

Grant of Environmental Clearance (EC) for RBM (River Bed Mineral) Minor Mineral Block Mining Project, Block-13 Area: - 9.80 ha., River Ans, Down Stream Narloo Bridge (Plan No. IV) District: - Reasi, Jammu & Kashmir in in favor of Shri Sahil Arora S/o Shri Sunil Arora under proposal No SIA/JK/MIN/60327/2021

BRIEF SUMMARY: This case pertains to grant of Environment Clearance under B1 category for proposed RBM (River Bed Mineral) Mining project, Block-13 Area: - 9.80 ha., River Ans, Down Stream Narloo Bridge (Plan No. IV) District: - Reasi, Jammu & Kashmir (UT). LOI has been issued on 20.07.2020, which was later extended on 15.04.2021 and is valid up to 31.08.2021. Mining plan has been approved on 14.01.2021. As per summary of appraisal report, Approved Mine Plan, District Survey Report, EIA/EMP/CER needs revision. The instant case was earlier discussed by JKEAC on 15/02/2021. The Deputy Commissioner Reasi vide letter dated 16/12/2020 and MoM dated 19/06/2019 has conveyed NOCs of some stake holders depts. However, NOC of PHE is without block No. and ambiguous. Fisheries Dept has issued conditional NOC, whereas Flood Control Dept has not issued NOC.

Further, the JKEAC has made the following specific observations:

- a) The project had earlier been discussed during 26th meeting held on 15.02.2021 during which the committee recommended the project for grant of ToRs.

- b) The compliance to specific ToR condition No.19 relating to photographs of display screen displaying the date of collection of data missing in EIA report which needs to be complied in letter and spirit prior to grant of EC.
- c) The Google Image of December, 2020 shows features indicative of heavy illegal mining and formation of huge and deep pits filled with water. Therefore, the PP needs to obtain certificate from the Multidepartment District Level Task Force Cell constituted vide G.O No.1576 GAD of 2018 dated 22/10/2018 to the effect that the PP is not involved in the illegal mining/mining activity without valid Environmental Clearance, prior to grant of EC or within time period allowed by JKEIAA, failing which the EC so granted be withdrawn.
- d) The NOCs submitted under Single Window Clearance System indicate that all the stake holder departments have not issued NOCs and the NOC issued by Xen PHE Dept. does not mention the mining block Number/name. Therefore, fresh NOC should be obtained by the PP from PHE Dept. prior to grant of EC
- e) The conditions of NOC of stockholder department need to be adhered to in letter and spirit.
- f) Project cost has been underestimated by the consultant as it does not include cost of EMP, surveillance equipment, Env. Clearance processing fee/ PCCs Consent fee etc. and therefore needs to be revised.
- g) The haulage route and its maintenance were discussed during which the Committee opined that an estimate for maintenance of the haulage route shall be obtained from the concerned department.
- h) Budget for surveillance equipment has not been provided and the Committee has accordingly recommended it as per budget in similar projects discussed earlier.
- i) EMP needs to be revised with appropriate budget as suggested in the remark's column of EMP table above.
- j) Revision of the mining plan with mine closure plan, revised mining depth, surface plan, area targeted mineral production and replenishment data and its denovo approval by the competent authority prior to grant of EC.
- k) Mining depth be restricted to maximum 1m in aggregate in view of non-availability of replenishment data in the DSRs formulated by the G&M Dept.

RECOMMENDATION OF THE COMMITTEE

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

- l) Standard and Specific Conditions as per Annexure B to these Minutes of Meeting.
- m) Condition the PP submits the clear-cut certificate from the Multidepartment District Level Committee to the effect that the PP has not been involved in any illegal mining activity / mining activity without valid Environmental Clearance in the designated mining block before or after issuance of Lol in his favour.
- n) Submission of NOCs from all stake holder depts. especially fresh specific NOC mentioning the mining block Number and title from PHE Dept. prior to grant of formal EC.

- o) Revision of the mining plan with mine closure plan, revised mining depth, surface plan, targeted mineral production and replenishment data and its denovo approval by the competent authority prior to grant of EC.
- p) Revision of EIA report with compliance of specific ToR condition No.19 before grant of formal EC.
- q) Revision of Project cost, EMP, CER and Surveillance budget as suggested in the remark's column of EMP table above prior to grant of formal EC.
- r) Mining depth of maximum 1m in aggregate in view of non-availability of replenishment data in the DSRs formulated by the G&M Dept.
- s) Strict adherence to the terms and conditions of the NOCs of the stakeholder departments especially conditions laid by the Fisheries Department, I&FC Dept. and PHE Dept. which need to be monitored by the enforcement agencies and concerned dept.
- t) No JCBs/ Excavators/ Bulldozers to be used in mining and no water course to be disturbed while transporting minor minerals.
- u) Condition the PP obtains estimate from the concerned stake holder dept. for maintenance of the haulage route so that the PP along with PPs of other adjacent mining blocks in the area jointly contribute for the maintenance of the haulage road as per estimate so obtained.
- v) Maximum targeted mineral production of 109300 MT.
- w) Condition the geographical coordinates as per LOI issued by G&M Dept. are mentioned in the EC letter by JKEIAA
- x) Validity of only three years from the date of commencement of the mining operations duly certified by the District Mineral Officer concerned with intimation to the JKEIAA and JKPCB in view of non-availability of replenishment data

DECISION OF THE AUTHORITY

After due deliberations on observations of JKEAC, the JKEIAA upheld the recommendations of the Committee to grant Environment clearance to the project subject to fulfillment of following conditions:

- a) Full compliance of Standard and Specific Conditions as per Annexure B to the Minutes of JKEAC Meeting.
- b) Submission of NOCs from all stake holder depts. especially fresh NOC from PHE Dept, specifically mentioning mining block Number and title. prior to grant of formal EC.
- c) Revision of project cost and EMP, CER and Budget for surveillance equipment as per remarks / recommendation made by the committee
- d) Revision of the mining plan with mine closure plan, revised mining depth, surface plan, targeted mineral production and replenishment data and its approval by the competent authority to be submitted within 3 months of issue of conditional E.C.
- e) Mining depth not to exceed 1m below NSL in aggregate in view of non-availability of replenishment data in the DSRs formulated by the G&M Department.
- f) Bulk density of 1.86 shall be adopted for calculation subject to Maximum mineral production of 109300 MT.
- g) Strict adherence to the terms and conditions of the NOCs of the stakeholder departments especially conditions laid by the Fisheries Department, I&FC Dept. and

PHE Dept. which need to be monitored by the enforcement agencies and concerned dept.

- h) The MDLTF Cell headed by the concerned Dy. Commissioner submits a report to the effect that PP is not involved in the illegal mining activity, within a period of six weeks or before execution of lease of minor mineral block, whichever is earlier, failing which the EC is liable to be revoked.
- i) The PP shall obtain estimate from the concerned stake holder dept. for maintenance of the haulage route so that the PP along with PPs of other adjacent mining blocks in the area jointly contribute for the maintenance of the haulage road as per estimate so obtained.
- j) No JCBs/ Excavators/ Bulldozers to be used in mining.
- k) While issuing EC, Member Secretary shall specifically mention revised geographical coordinates for revised area conveyed by G&M Dept.
- l) Mining activity under close supervision of the stake holder departments and the local panchayat/ Municipal Committee representatives.
- m) Natural water course shall not be disturbed/ flow of the water channels shall not be diverted while transporting minor minerals.
- n) EC is valid only for three years from the date of commencement of the mining operations duly certified by the District Mineral Officer concerned with intimation to the JKEIAA and JKPC in view of non-availability of replenishment data.

ISSUE OUTSIDE AGENDA:

As per Public Hearing Report, Local Municipal Representatives of Billawar town have expressed reservation on impact of mining activity on availability of drinking water. But ignoring these reservations Xen PHE Dept. has issued NOC for mining activity in the block. However, in view of the reservations expressed by the local public representatives during the public hearing and NOC issued by the Xen PHE Dept., JKEAC has suggested that a comprehensive study on impact of mining activity on ground water availability in vicinity of mining blocks in & around Billawar Town must be got conducted through an institution of repute by the PHE Dept./concerned stake holder department in a time bound manner. The JKEIAA agrees with this recommendation of JKEAC that concerns raised by the municipal representatives cannot be ignored just because Xen PHE has issued NOC. Accordingly, Secretary shall take it up with Secretary Jal Shakti Dept and G&M Dept. for conducting a comprehensive study on likely impact of mining activity on sources of water supply in the area & mitigating measures in a time bound manner.

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/ 2016/02/VI/2227-31

Dated:24/08/2021

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/Member Secretary JKEIAA
Ecology, Environment & Remote Sensing, J&K