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Government of India

Ministry of Environment, Forest & Climate Change

J&K ENVIRONMENT IMPACT ASSESSMENT AUTHORITY

(at) DEPARTMENT OF ECOLOGY, ENVIRONMENT AND REMOTE SENSING

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

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**MINUTES OF THE 55TH MEETING OF JK ENVIRONMENT
IMPACT ASSESSMENT AUTHORITY HELD ON 21ST SEPTEMBER,
2021 THROUGH VIDEO CONFERENCING**

In pursuance to the Minutes of the 60TH Meeting of JK Expert Appraisal Committee held on 11th September, 2021 conveyed vide endorsement No.EAC/JK/20/9333-345 dated 18.09.2021, the 55th Meeting of JK Environment Impact Assessment Authority was held on 21st September, 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.01.

Grant of Environment Clearance in favour of Shri Randhir Singh S/O Shri Gian Singh R/O Village Sialsui Tehsil & District Rajouri, JK UT for Minor mineral block 27, NihariTawi River, at Solki, District Rajouri, JK UT area 3.57ha. under proposal No.**SIA/JK/MIN/218124/2021&SIA/JK/MIN/194877/2021.**

Brief Summary.

This case pertains to grant of Environment Clearance under B2 category for Minor mineral block 27, Nihari Tawi River, at Solki, District Rajouri, JK UT area 3.57ha. LOI has been issued on 06-08-2020, which was later extended on 15-04-2021 and was valid up to 31-08-2021. Mining plan has been approved on 05-01-2020. The case was earlier discussed by JKEAC on 25-02-2020. The said block was reduced by Geology & Mining Department on 27-07-2021. As per summary of appraisal report, District Survey Report was not formulated as per guidelines and needs to be revised for including replenishment data etc.,

Status of NOC's in appraisal report shows that Stake holder departments had issued conditional NOC's in favour of the project excluding Jal Shakti Department. However, Fisheries Department vide letter dated 16-07-2019 had objected to the mining activity, but, subsequently, vide letter 22-04-2021, the Fisheries Dept. has also issued conditional NOC.

Deliberations/specific observations of JKEAC:

- a) The project had earlier been discussed during 27th meeting held on 25.02.2020 during which the committee rejected the mining block for the grant of environmental clearance in view of haulage route with huge environmental implications, complaint received from locals and objection of Fisheries Dept. However, the project proponent

has resubmitted the case for reconsideration after getting the mining block area resized by the Geology & Mining Department from 4.60ha to 3.57ha.

- b) The Project proponent has submitted NOCs from the local panchayat heads of the nearby villages wherein the authenticity of the complaint previously received has been contested and termed to be false. As such, the issue of local complaints is shown to have been addressed and complainants have *abinitio* denied having made any complaint.
- c) The project proponent has also proposed an alternative haulage route which was agreed to by the Committee. Besides, the fresh NOC issued by the Fisheries Dept. with conditions was also considered by the Committee.
- d) The JKEAC desired that the conditions of NOC of stakeholder departments including that of Fisheries Department need to be adhered to in letter and spirit.
- 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) EMP needs to be revised with appropriate budget as suggested/recommended by the JKEAC in the remark's column of EMP table.
- g) Revision of the mining plan with mine closure plan, revised mining depth, surface plan, area targeted mineral production and replenishment and its approval by the competent authority.
- h) The PP has used a figure of 2.25 for Bulk Density for working out the minable reserves. This is not agreed and PP must use nominal bulk density of 2 or the actual bulk density measured at site under due supervision of Mining department.

Recommendations of the JKEAC:

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

- a) Standard and Specific Conditions as per Annexure B to the Minutes of JKEC Meeting.
- b) Revision of the mining plan with mine closure plan, revised mining depth, Mining block area, surface plan, targeted mineral production and replenishment data and approval by the competent authority.
- c) Revision of EMP budget as suggested/recommended by the JKEAC.
- d) Mining depth of max. 1m in aggregate in view of non-availability of replenishment data in the DSRs formulated by the Geology & Mining Department.
- e) Bulk density of 2 in absence of actual measurements.
- f) Strict adherence to the terms and conditions of the NOCs of the stakeholder departments especially conditions laid by the Fisheries Department, Irrigation and Flood Control Dept. which need to be monitored by the enforcement agencies and concerned department.
- 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 42800 MT.
- i) The compliance to specific ToR condition pertaining to photographs is missing in the EIA report which needs compliance.
- j) Condition the revised geographical coordinates as per revised area to be conveyed by Geology & Mining Department are mentioned in the EC letter by JKEIAA

- k) 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 JKEIAA:

After due deliberations, the JKEIAA upheld recommendations of JKEAC and agreed to grant Environment Clearance to the project subject fulfillment of following conditions: -

- a) Standard and Specific Conditions as per Annexure B to the Minutes of JKEC Meeting.
- b) Revision of the mining plan with mine closure plan, revised mining depth, Mining block area, surface plan, targeted mineral production and replenishment data and approval by the competent authority.
- c) Revision of EMP budget as suggested/recommended by the JKEAC.
- d) Mining depth of max 1m in aggregate in view of non-availability of replenishment data in the DSRs formulated by the Geology & Mining Department.
- e) The compliance to specific ToR condition pertaining to photographs is missing in the EIA report which needs compliance.
- f) Bulk density of 2 shall be adopted for calculation of quantity subject to Maximum production of 42800 MT.
- g) Strict adherence to the terms and conditions of the NOCs of the stakeholder departments especially conditions laid by the Fisheries Department, Irrigation and Flood Control Dept. which shall be monitored by enforcement agencies and concerned department. They shall take action for violation of conditions and also report to JKEIAA/ JKEAC.
- h) No JCBs/ Excavators/ Bulldozers to be used in mining and no water course to be disturbed while transporting minor minerals.
- i) 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.

Agenda Item No.02.

Grant of Environment Clearance in favour of Shri Mujeeb Dar S/O Shri Fazal Rehman Dar R/O Ward No. 02 Tehsil & District: Rajouri, JK UT for River bed mining of Minor Minerals Block-32 in Nallah Darhali Downstream Ujhan Bridge, at Village-Ujhan, Tehsil & District Rajouri, JK UT, Area 9.14ha. under proposal No.[SI/JK/MIN/60141/2021](#).

Brief Summary.

This case pertains to grant of Environment Clearance under B1 category UT for River bed mining of Minor Minerals Block-32 in Nallah Darhali Downstream Ujhan Bridge, at Village-Ujhan, Tehsil & District- Rajouri, JK UT, Area 9.14ha. LOI has been issued on 19-11-2020, which was later extended on 15-04-2021 and was valid up to 31-08-2021. Mining plan has been approved on 05-01-2021. The Terms of Reference to the project were issued on 22-03-2021 and public hearing of the case was conducted on 10-07-2021. The case was earlier discussed by JKEAC on 15-02-2021. As per summary of appraisal report, District Survey Report was not formulated as per guidelines and needs to be revised for including replenishment data etc.,

Status of NOC's in appraisal report shows that Dy. Commissioner, Rajouri vide No. DCR/2021-22/Acctt/116 dated 29-05-2021 has conveyed NOCs of stake holder

departments. The NOC from Irrigation Department prohibits excavation at least 150 feet upstream and downstream side of head of Kuhl's and there should be no extraction at least 50 to 100 feet from both bank of the river / Nallah to avoid any erosion during rainy season.

Deliberations/specific observations of JKEAC:

- a) The project had earlier been discussed during 26th meeting held on to 15/02/2021 during which the Committee desired that the active water channel shall have to be excluded from the mining activity. The mining therefore has to be restricted to dry shoals only. The project proponent has not submitted figures for dry shoal areas and the revised targeted production.
- b) The Title verification has been obtained from the Dy. Commissioner concerned as per ToR condition.
- c) In view of the peculiar meandering nature of the stream flowing inside the mining block, the Committee desired the PP to submit detailed information on methodology for haulage of material without increasing turbidity levels in flowing water. Laying of adequate number of Hume pipes of appropriate specification need to be proposed so that material is transported without damaging the environmental setting of the area. If need arises, additional haulage route may be proposed with minimum environmental implications under adequate ICT based monitoring mechanism.
- d) The conditions of NOCs issued by the stakeholder departments should be adhered to in letter and spirit.
- e) The compliance to specific ToR condition pertaining to photographs is missing in the EIA report which needs compliance.
- f) The Committee desired that the JKEIAA should take up the matter with JKPC for ensuring that the Public Hearing Reports mandatorily provide a concluding para wherein the authorities conducting the Public Hearing should categorically give conclusion of the public hearing process.
- g) EMP budget is inadequate and therefore needs to be revised with adequate funding including provision for laying of Hume pipes
- h) Compliance in regard to revision of the mining plan with mine closure plan, revised mining depth, surface plan, targeted mineral production and replenishment and its denovo approval by the competent authority is still awaited.

Recommendations of the JKEAC:

In view of the above deliberations / observations made by the Committee hereinabove, the Expert Appraisal Committee has recommended the case for rejection in its present form. However, the project proponent may resubmit the case after excluding the active water channel while calculating the targeted mineral production. Besides, a comprehensive chapter needs to be added in EIA report with all micro-details on the haulage of material. Necessary clarity in regard to haulage route be provided by the project proponent who will also procure the NOC from PRI in case the haulage route passes through inhabited areas, if any. Laying of adequate number of Hume pipes of appropriate specification need to be proposed so that material is transported without damaging the environmental setting of the area. If need arises, additional haulage route may be proposed with minimum environmental implications under adequate ICT based monitoring mechanism. Other compliances in accordance with deliberations herein above may also be ensured for further appraisal.

Decision of JKEIAA:

After thorough deliberations JKEIAA desired to seek additional information and revised documents as per the deliberations of JKEAC for taking final decision in the matter. The JKEIAA deliberated that the active water channel should not be disturbed any manner especially for transportation of mined material, accordingly the haulage route should be so aligned to minimize changes in the environmental setting. In this case, since the water channel runs through middle of the block, an additional haulage route can be considered for both flanks of the mining block. Laying of hume pipes may be minimally used only in the side creeks, if essentially required. No hume pipe to be used in the main water channel.

The PP shall submit following document / additional information for reconsideration:

1. Calculate the net area of dry shoals for extraction along with revised targeted mineral production.
2. Possibility of additional haulage route may be explored for other flank of the block with minimum environmental implications under adequate ICT based monitoring mechanism with all micro-details on the haulage of material. In no case the haulage route should cross the water channel.
3. The NOC from concerned PRI be included, in case the haulage route passes through inhabited areas, if any.
4. Revised EMP as per JKEAC deliberations.

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/2619-23

Dated:23/09/2021

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