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

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MINUTES OF THE MEETING

In pursuance to the Minutes of the 90th / 91st & 92nd Meetings of the JK Expert Appraisal Committee held on 19th/28th & 31st March, 2022 through video Conferencing issued vide No. EAC/JK/22/13328-13340, No. EAC/JK/22/13414-13426 & No.EAC/JK/22/13427-13439 dated 31-03-2022, the 80th Meeting of the JK Environment Impact Assessment Authority was held on 13th April, 2022 at 1100 Hrs. through video conferencing:

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| 1. Mr. Lal Chand, IFS (Retd.) | Chairman, JKEIAA |
| 2. Er. Nazir Ahmad (Retd. Chief Engineer) | Member, JKEIAA |
| 3. Mr. S. Rakesh Kumar, IFS,
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 Firdous Ahmad Kumar S/O Shri Mohammad Ramzan Kumar R/O Kralpora, Magam District Budgam, JK UT for Nallah Bed Mining Project – resized Area of 1.00ha. located at Minor Mineral Block No.19, Goigam Bridge To Magam Bridge downstream, Village- Goigam to Magam, Tehsil- Tangmarg & District: Baramulla, JK UT under proposal No. SIA/JK/MIN/234334/2021, SIA/JK/MIN/210688/2021 & SIA/JK/MIN/51520/2020.

Brief Summary: This case pertains to grant of Environment Clearance under B2 category for Nallah Bed Mining Project – resized Area of 1.00ha. located at Minor Mineral Block No.19, Goigam Bridge to Magam Bridge downstream, Village- Goigam to Magam, Tehsil- Tangmarg & District: Baramulla, JK UT.

LOI has been issued on 29-07-2019, which has been extended on 18-09-2021 and was valid up to 30-11-2021. Mining plan has been approved on 19-06-2020. The Terms of Reference were issued to the project on 05-10-2020 The case was earlier discussed by the JKEAC on 05-10-2020/13-11-2021 and 01-01-2022. The area of the project was reduced by the Geology & Mining Department on 13-03-2021 and 22-02-2022.

As per summary of appraisal report, District Survey Report has not been formulated as per guidelines and needs to be revised for including replenishment data etc.,

Status of NOC's shows that Stakeholder departments have issued NOCs (conditionally) in favour of the project. Dy. Commissioner Baramulla under single window clearance system has conveyed NOCs of Stakeholder departments vide letter No: ADCB/Reader/2020-21/116- 29 Dated 04-05-2021. However, the Revenue Department has mentioned the land as **propriety & State Land**. NOC from Xen. Irrigation Division Budgam mentions that the Sakinari and Panzwal canal are off taking from the branch of Ferozpora Nallah in the vicinity.

Deliberations/specific observations of JKEAC:

- a) The case had been discussed by the Expert Appraisal Committee earlier during the 16th Meeting held on 05/10/2020 for grant of ToR for original block of 7.94 Ha during which the Committee had desired the PP to resize the block to exclude the cropland prior to consideration for grant of TORs. The case had again been presented in 71st meeting held on 13/11/2021 for grant of EC after getting the block resized to 2.87Ha vide letter dated 10/03/2021 issued by G&M Dept. during which the Expert Appraisal Committee had not approved the case and desired the PP to comply the following observations:
 - i) To obtain consent from stakeholders / rightful owners / local PRIs in view of presence of proprietary and Shamlat land within the original mining block.
 - ii) Field verification report from concerned Xen, Irrigation Dept. reporting therein presence or absence of offtake points of irrigation kuhls/canals within 200m of the mining block boundary.
 - iii) The archive Google images up to 2013 reveal that the mining block encompasses cropland.
 - iv) Illegal mining observed in the mining block and its vicinity which demands report from the Muti dept. District Level Task Force Cell to the effect that the PP is not involved in it.
 - v) Revision of Project cost
 - vi) Revision of the mining plan.
- b) The case again came to be discussed during the 84th JKEAC held on 01/01/2022 during which the Committee had observed as under:
 - i. Notwithstanding the fact that the project proponent has complied with the observations/conditions stipulated above, the revised NOC issued by the Xen Irrigation Dept. vide letter dated 14/12/2021 and presented before the Committee indicates that Saknari Canal and Panzwal canal are off taking from the branch of Ferozpora Nallah in this reach.
 - ii. The Committee examined the feedback Google image forwarded by the Xen, identified the location on live Google Image and noted that the two water courses traverse right through the proposed mining block. It further observed that any mining activity in close vicinity of the block will adversely affect the capacity of the said water courses to transport irrigation water, thereby affecting its availability for irrigation. Accordingly, the project had been rejected for grant of EC.
- c) Subsequently, the PP represented before the JKEIAA and his case was forwarded for reconsideration after he had further got the mining block resized to 1Ha vide letter dated 22/02/2022 issued by G&M Dept. to maintain a safe distance of 200m from the irrigation offtake points.
- d) In the instant meeting, the Committee examined the resized mining block of 1ha represented by the latest KML file on Google image and observed that the resized mining block of 1Ha could be considered for grant of EC as it is beyond 200m away from the offtake point of Panzwal kuhl. However, the Committee in view of the conditions of NOC issued by the Executive Engineer, Irrigation Dept., desired that the PP should obtain fresh NOC from the Xen Irrigation Dept. indicating that after resizing of the mining block to 1Ha, there is no offtake point of irrigation canal/kuhl within 200m and any mining activity in the resized portion of 1Ha, shall have no adverse impact on the availability of water for irrigation, prior to grant of EC.

- e) The PP has revised the budget for EMP, yet the Committee has suggested some more refinement as suggested in the remark's column of the EMP table and the same be updated accordingly, prior to grant of EC.
- f) Since, as per title verification, part of the original mining block comprised of proprietary and Shamlat land, revised title verification for the resized mining block of 1Ha shall have to be obtained by the PP from the concerned revenue authorities and in case, the resized block falls under proprietary land, the consent of the concerned owners of the said land be also obtained, prior to grant of EC.
- g) Active water channel should be excluded and mining should be restricted to only dry shoals of the mining block.
- h) Revision of the mining plan with mine closure plan, revised mining depth, revised mining block area, revised surface plan, targeted mineral production and replenishment and its denovo approval by the competent authority, prior to grant of EC.
- i) Mining depth be restricted to max.1.00 m in aggregate in view of non-availability of replenishment data in the DSRs and bulk density of 2 be applied in absence of field measurements.

Recommendations of the JKEAC:

In view of the above deliberations / observations made by the Committee herein above, the Expert Appraisal Committee recommended the project for grant of EC subject to: -

- a) Standard and Specific Conditions as per Annexure B to the Minutes of JKEAC Meeting.
- b) Revised title verification for the resized area of 1Ha from the competent revenue authority as per deliberations herein above, prior to grant of EC.
- c) Maximum targeted mineral production of 12000 MT.
- d) Strict adherence to the terms and conditions of the NOCs of the stockholder departments which needs to be monitored by the enforcement agencies and concerned department.
- e) No JCBs/ Excavators/ Bulldozers to be used in mining and no water course to be disturbed while transporting minor minerals.
- f) Condition the geographical coordinates as per revised area of 1Ha to be conveyed by G&M Dept. are mentioned in the EC letter by JKEIAA.
- g) Submission of all other compliances to the observations made herein above under deliberations prior to grant of EC.
- h) 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.

Decisions of JKEIAA:

After due deliberations, the JKEIAA upheld the recommendations of the JKEAC to grant Environment clearance for 1.00 ha only of the project subject to:

- (a) Revalidation of Letter of Intent by Geology and Mining Department.
- (b) Standard and Specific Conditions as stipulated by JKEIAA/JKEAC.
- (c) Submission of all other compliances to the observations made herein above under deliberations prior to grant of EC.
- (d) Revised title verification for the resized area of 1Ha from the competent revenue authority, prior to grant of EC.
- (e) Revision of the mining plan with mine closure plan, revised mining depth, surface plan, and its approval by the competent authority within a period of three months from the date of issuance of E.C.

- (f) Active water channel be excluded and mining be restricted to only dry shoals of the mining block
- (g) Mining depth be restricted to max. 1m in aggregate and bulk density of 2.0 be adopted for calculating mineral production subject to maximum production of 12000 MT.
- (h) Revision of EIA, EMP/CER Budget as suggested by JKEAC prior to grant of EC.
- (i) Strict adherence to the terms and conditions of the NOCs of the stakeholder departments which need to be monitored and acted upon by the enforcement agencies/ concerned dept. in case of any violation of laws governing minor minerals.
- (j) No JCBs/ Excavators/ Bulldozers to be used in mining and no water course to be disturbed while transporting minor minerals.
- (k) While issuing EC, Member Secretary shall specifically mention revised geographical coordinates for revised area conveyed by G&M Dept.
- (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.

Agenda Item No.02.

Grant of Environment Clearance in favour of Shri Reyaz Ahmad Sofi S/O Shri Habib-Ullah Sofi R/O Waskhura Ganipora, Handwara, JK UT for Minor Mineral Block No. 02, Shedipora, Rukhmachwari (Bakahakar) Bridge to Kachiwara Downstream, Talri Nallah Village Bakahakar Rajwar District Kupwara, JK UT reduced area 3.89ha. under proposal No.SIA/JK/MIN/254822/2022 & SIA/JK/MIN/58521/2020.

Brief Summary: This case pertains to grant of Environment Clearance under B2 category for Minor Mineral Block No. 02, Shedipora, Rukhmachwari (Bakahakar) Bridge to Kachiwara Downstream, Talri Nallah Village Bakahakar Rajwar District Kupwara, JK UT reduced area 3.89ha.

LOI has been issued on 29-07-2020, which has been extended on 28-12-2021 and was valid up to 31-03-2022. Mining plan has been approved on 17-09-2020. The Terms of Reference were issued to the project on 18-01-2021 and public hearing of the project was conducted on 29-06-2021. The case was earlier discussed by the JKEAC on 09-01-2021/23-09-2021 and 30-11-2021. The area of the project was reduced by the Geology & Mining Department on 31-01-2022.

As per summary of appraisal report, District Survey Report has not been not formulated as per guidelines and needs to be revised for including replenishment data etc., status of NOCs shows that stakeholder departments have issued NOCs (conditionally) in favor of the project. The block is recorded in estate Bakiaker under survey no. 1847 (193 Kanals & 2 Marlas). The land is state land with 114 Kanals recorded as Nallah out of 193 kanals & 2 marlas.

Deliberations/specific observations of JKEAC:

- a) The project had earlier been discussed in the 23rd meeting held on 09.01.2021 during which the committee recommended TORs to the project subject to condition that boundaries of the mining block are redefined/redrawn so as to exclude land outside the nallah bed (including land parcels bearing tree cover) besides obtaining a certificate from the concerned Revenue Authority (Tehsildar Concerned) to the effect that the mining block covers only the river bed and does not include any land outside the river bed including proprietary land.

- b) The project was again discussed in the 61st meeting held on 23.09.2021 during which the Committee had rejected the case for grant of EC and desired PP to submit following compliances:
- i. To exclude the area outside nalla bed.
 - ii. To obtain certificate from Revenue Authority to the effect that the mining block covers only Nalla bed and does not include any land outside the river bed including proprietary land.
 - iii. To propose mitigation measures to address the concerns of locals raised during public hearing w.r.t lowering down of the water table due to mining activity.
 - iv. Non-involvement report in illegal mining activity from MDDLTF Cell.
- c) The case was once again discussed in the 76th meeting held on 30/11/2021 during which the Committee had not approved the case and made following observations:
- i. The compliance to item i, has not been submitted. Though the PP has resized the block to maintain safe distance to the bridge, he has failed to exclude the areas outside the nallah bed.
 - ii. The compliance to item ii, has also not been made.
 - iii. With respect to item iii, the PP has proposed some measures w.r.t the points raised during public hearing especially the concerns relating to the water availability in the nearby well. But, the Committee was not satisfied with the proposals made in this regard.
 - iv. In spite of considerable concern /apprehension shown by the locals during public hearing in regard to depletion of ground water due to proposed mining, the project proponent / Consultant has failed in enunciating any engineering mitigation measures to protect the water table from further depletion.
 - v. With respect to item iv, the PP has submitted the report from the MDDLTF Cell stating that the PP is not involved in illegal mining in & around the mining block.
 - vi. Earlier, during the 61st JKEAC meeting, the Committee had opined that interest of the public can be best served by not allowing mining activity in the area as agriculture is the mainstay and source of livelihood of majority of people residing here.
 - vii. The depletion of water table and its adverse effect on local crops has also been clearly brought out by the Tehsildar concerned through his communication dated 31/08/2021. Accordingly, the case had been rejected for grant of Environmental Clearance.
- d) Now, the PP has again approached JKEIAA after further resizing the mining block to 3.89 Ha from already resized block area of 7.83 Ha (original area of 9.51Ha) and has submitted a cluster certificate vide No. DMO/KUP/e-auction/21/1839 dated 18/01/2022. from G&M Dept. for consideration under B2 category.
- e) While examining the resized mining block of 3.89Ha on Google Image, it was observed that the PP has now proposed the mining activity in the Nallah bed only while resizing the mining block.
- f) The Committee further observed that the mining block has been depleted due to heavy illegal mining and there is little material available on site. Therefore, the Committee desired that the PP should obtain 'fit for mining certificate' from the G&M Dept. indicating that enough replenishment has taken place and there is adequate material available in the block which can be extracted without endangering the ecological and hydrological regime of the nalla prior to grant of EC.
- g) Title verification of the land under the original block with area 9.51 Ha indicates that the block area falls under state land.

- h) Further, in view of adverse report of the Tehsildar concerned w.r.t depletion of water level and its impact on horticulture issued vide letter dated 31/08/2021, the PP should obtain a fresh report from the Tehsildar concerned with local PRI on board, allaying the genuine concerns of the locals w.r.t the resized mining block of 3.89 Ha, prior to grant of EC.
- i) Active water channel needs to be excluded while calculating minable reserves and revised PFR needs to be submitted, prior to grant of EC.
- j) Revision of the mining plan with mine closure plan, revised area, revised mining depth, surface plan, targeted mineral production and replenishment and its denovo approval by the competent authority, prior to grant of EC.
- k) Mining depth of 2.5 m & bulk density of 2.3 adopted in the instant mining plan were not agreed by the committee. Mining depth be restricted to max. 1m in aggregate and bulk density be restricted to 2 in absence of actual field measurements.

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 Environmental Clearance subject to: -

- a) Standard and Specific Conditions as per Annexure B to the Minutes of JKEAC Meeting.
- b) Submission of Fit for Mining Certificate as per deliberations, prior to grant of EC.
- c) Submission of fresh report from Tehsildar concerned with local PRI on board in as per deliberations, prior to grant of EC.
- d) Revision of the mining plan as per deliberations, prior to grant of EC.
- e) Mining of dry shoals only wherever available without disturbing the natural course of water.
- 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 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 46,600 MT.
- i) Condition the geographical coordinates as per revised area issued by G&M Dept. are mentioned in the EC letter by JKEIAA.
- j) Compliance of all other observations made herein above under deliberations, prior to grant of EC.
- 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.

Decisions of JKEIAA:

After due deliberations, the JKEIAA upheld the recommendations of the JKEAC to grant Environment clearance for 3.89 ha only of the project subject to:

- (a) Revalidation of Letter of Intent by Geology and Mining Department.
- (b) Standard and Specific Conditions as stipulated by JKEIAA/JKEAC.
- (c) Submission of all other compliances to the observations made herein above under deliberations prior to grant of EC.
- (d) Submission of Fit for Mining Certificate as per deliberations, prior to grant of EC.
- (e) Submission of fresh report from Tehsildar concerned prior to grant of EC.
- (f) Submission of NOC from the local PRI prior to grant of EC.

- (g) Revision of the mining plan with mine closure plan, revised mining depth, surface plan, and its approval by the competent authority within a period of three months from the date of issuance of E.C.
- (h) Active water channel be excluded and mining be restricted to only dry shoals of the mining block
- (i) Mining depth be restricted to max. 1m in aggregate and bulk density of 2.0 be adopted for calculating mineral production subject to maximum production of 46,600 MT.
- (j) Revision of EIA, EMP/CER Budget as suggested by JKEAC prior to grant of EC.
- (k) Strict adherence to the terms and conditions of the NOCs of the stakeholder departments which need to be monitored and acted upon by the enforcement agencies/ concerned dept. in case of any violation of laws governing minor minerals.
- (l) No JCBs/ Excavators/ Bulldozers to be used in mining and no water course to be disturbed while transporting minor minerals.
- (m) While issuing EC, Member Secretary shall specifically mention revised geographical coordinates for revised area conveyed by G&M Dept.
- (n) 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.03.

Grant of Environment Clearance in favour of Shri Parvaiz Ahmad Kuchey, Manzoor Ahmad Dar and Mohammad Shafi Bhat R/O Safapora District Ganderbal. for Quarry Mine Project Area 2.50ha. village Pehlipora Tehsil Lar District Ganderbal, JK UT under proposal No.SIA/JK/MIN/133613/2019.

Brief Summary:

This case pertains to grant of Environment Clearance under B2 category for Quarry Mine Project Area 2.50ha. village Pehlipora Tehsil Lar District Ganderbal, JK UT.

Project Event Dates

List of 127 quarry Holders Communicated to G&M Dept. by Dy. Commissioner, Ganderbal for rehabilitation of displaced quarry holders of Safapur belt	Declaration of site as Cluster of Quarries by G&M Dept under Rule 14 of JKMMC Rues of 2016	Date of approval of Mining Plan	Affidavit filed by quarry holders in favour of Project proponent as their representative	No Objection Certificate from Wildlife Protection Dept.	Clarification from G&M Dept. on No. of quarry holders/ Cluster of quarries
10/10/2018	23/01/2019	05/03/2019	25/04/2019	15/03/2021	05/06/2021

Status of NOC's shows that Wild Life Protection/Revenue Departments had issued NOC's in favour of the project.

Deliberations/specific observations of JKEAC:

- a) The case was discussed in 21st JKEAC meeting held on 5/12/2020 during which the Committee had desired as under: -
 - i. To obtain the copy of letter No. DC/GBL/PS/F-20/1256-60 dated 10/10/2018 issued by the Dy. Commissioner, Ganderbal wherein the list of affected quarry holders of Safapora stone quarry belt to be rehabilitated had been communicated to the Director, Geology & Mining Department.
 - ii. To seek clarification from the Geology & Mining Department whether, the area of 2.5 ha allotted for rehabilitation of the affected quarry holders of Safapora is the only land declared as cluster of quarries for rehabilitation of the affected quarry holders or 2.5 ha land has been allotted to only three project proponents viz. Parvaiz Ahmad, Manzoor Ahmad Dar and Mohammad Shafi Bhat and others are in queue and are yet to apply for EC.
 - iii. To seek clarification from the Chief Wildlife Warden, J&K and Regional Wildlife Warden (Kashmir) as to whether the quarry area is inside or outside the Ajas Conservation Reserve.
- b) The case was again discussed during 48th JKEAC held on 24/07/2021 during which the PP presented following compliances:
 - i. Copy of letter No. 1126/MCC/DGM/DMO/09/1004 dated 05/06/2021 from the Director G&M Dept. addressed to the Member Secretary, JKEIAA with copy of letter dated 10/10/2018 from Dy. Commissioner, Ganderbal District showing the 127 number of quarry holder beneficiaries being represented by the project proponents.
 - ii. Copy of letter No. MSN/DGM/SGR/F02/1221-22 dated 09/03/2021 from the Joint Director, G&M Dept. Kashmir indicating that the area of 2.5 ha is the only land declared as cluster of quarries for rehabilitation of 127 quarry holders identified by the Dy. Commissioner Ganderbal.
 - iii. Copy of Letter No. WLP/Tech/2021/423-25 dated 15/03/2021 from the office of Chief Wildlife Warden, J&K which indicates that the quarry site falls under Survey No. 1086 min and is at a distance of 300mts away from the boundary of Ajas Wildlife Conservation Reserve.
- c) Notwithstanding the fact that the PP had submitted above compliances, the Committee sought the following additional compliances to proceed further in the matter:-
 - i. Fresh affidavit from the 127 nominated beneficiaries as identified by the Dy. Commissioner, Ganderbal District duly attested by the Magistrate 1st class to the effect that they have authorized the project proponents for all matters relating to application for grant of EC before JKEIAA.
 - ii. Total Number of quarries in the cluster, with area and their geo- coordinates.
 - iii. Number of beneficiaries in each quarry, their names / details, Modus operandi of collective management and responsibilities.
 - iv. Declaration of legal entitlement and functional rights of the quarry holders by concerned authorities.
 - v. Revision of mining plan giving details about the 127 beneficiaries, area allotted in each quarry of the cluster with physical measurements and coordinates showing annual / total quarry excavation depth. It should be ensured that the parameters affecting the stability of the quarry site and its surrounds are well taken care of. It should also include a well-defined closure plan of each quarry detailing the responsibility of the stake holders.
 - vi. Provision for mid-term safety audit of the entire quarry cluster.

- vii. The EMP need to be revised with details about haulage route with map and budget for haulage route and Occupational health safety for mine workers.
- d) During deliberations in the instant meeting, the Committee observed as: -
 - i. In response to the points raised from serial (a) to serial (d) here-in-above, Director, G&M Dept. vide letter No. 1126/MCC/DGM/DMO/1704 dated 03/02/2022 has clarified the points raised during the earlier deliberations besides submitting following compliances/assurances/clarifications:
 - ii. Fresh affidavit from 127 beneficiaries/quarry holders of Pahlipora site duly attested by the Magistrate 1st class as desired by the Committee in the earlier meeting.
 - iii. As per furnished information, there are 127 quarries and area of each quarry has been proposed as 0.1968 Ha.
 - iv. Number of beneficiaries in each quarry, their names and Modus operandi of collective management and responsibilities.
 - v. Updation of the Mining plan to be taken care by the consultant.
 - vi. Annual third-party audit of each concessionaire.
 - vii. Individual and collective responsibility to implement the EMP by concerned beneficiaries.
 - viii. The consultant assured that the detailed revised mining plan and closure plan as suggested by the Committee will be submitted in due course of time.
- d) The Committee desired that the beneficiaries shall submit an affidavit to the effect that they will be collectively responsible for ecological rehabilitation of the mining site as envisaged in the closure plan, prior to grant of EC.
- e) The PP has revised the EMP budget with provision/budget for haulage route maintenance & OH&S of workers. However, the Committee has suggested some refinement in the EMP table herein above and same needs to be updated in the documentation, prior to grant of EC.
- f) The PP has also submitted the haulage route map.
- g) Provision for CER budget has not been provided & the same needs to be submitted, prior to grant of EC.

Recommendations of the JKEAC:

In view of the above deliberations / observations made by the Committee herein above, the Expert Appraisal Committee recommended the project for grant of EC subject to:

1. Standard and Specific Conditions as per Annexure D to the Minutes of JKEAC Meeting.
2. Compliance to the provisions of MMDR Act and Mining Rules of J&K granted under SRO105 and amendments thereof besides, standing orders from Hon'ble Courts of competent jurisdiction.
3. Condition that all other statutory clearances are obtained by the PP prior to commencement of mining operations.
4. Condition that the quarry area of each mine is properly and equitably demarcated among the quarry holders by the G&M Dept. on ground.
5. Condition that vibration studies of blasting (Zone of influence) are done by a recognized Institute prior to commencement of mining operations.
6. Condition that the responsibility of implementation of EMP and ecological rehabilitation of the site, as envisaged in the closure plan, is shared collectively by all the beneficiaries and an affidavit to this effect, duly sworn before Magistrate 1st Class is submitted to JKEIAA, prior to grant of EC.
7. The area of the cluster is properly demarcated on ground by the G&M Dept.

8. Up-dation of the EMP as suggested in the remarks column herein above, prior to grant of EC.
9. The EC shall be valid for a period of 5 years.

Decisions of JKEIAA:

After due deliberations, the JKEIAA upheld the recommendations of the JKEAC to grant of Environment clearance to the project subject to:-

1. Standard and Specific Conditions as per Annexure D to the Minutes of JKEAC Meeting.
2. Compliance to the provisions of MMDR Act and Mining Rules of J&K granted under SRO105 and amendments thereof besides, standing orders from Hon'ble Courts of competent jurisdiction.
3. Condition that all other statutory clearances are obtained by the PP prior to commencement of mining operations.
4. Condition that the quarry area of each mine is properly and equitably demarcated among the quarry holders by the G&M Dept. on ground.
5. Condition that vibration studies of blasting (Zone of influence) are done by a recognized Institute prior to commencement of mining operations.
6. Condition that the responsibility of implementation of EMP and ecological rehabilitation of the site, as envisaged in the closure plan, is shared collectively by all the beneficiaries and an affidavit to this effect, duly sworn before Magistrate 1st Class is submitted to JKEIAA, prior to grant of EC.
7. The area of the cluster is properly demarcated on ground by the G&M Dept.
8. Up-dation of the EMP as suggested by JKEAC, prior to grant of EC.
9. The EC shall be valid for a period of 5 years.

Agenda Item No.04.

Grant of Environment Clearance in favour of Rafiq Begum W/O Shri Abdul Rashid Lone R/O Lone Harrai Tehsil & District Kupwara, JK UT Prop. M/S UNITED CEMENTS PRODUCTS TREHGAM, District Kupwara, JK UT for Minor Mineral Block No-18, Trehgam Bridge to Hayan, Downstream Khemil Nallah, Manigah Trehgam Kupwara, JK UT with an resized Area of 2.23ha. under proposal No.SIA/JK/MIN/240954/2021, SIA/JK/MIN/226825/2021& SIA/JK/MIN/60931/2021.

Brief Summary: This case pertains to grant of Environment Clearance under B2 category for Minor Mineral Block No-18, Trehgam Bridge to Hayan, Downstream Khemil Nallah, Manigah Trehgam Kupwara, JK UT with an resized Area of 2.23ha.

LOI has been issued on 28-09-2020, which has been extended on 28-12-2021 and was valid upto 31-03-2022. Mining plan has been approved on 28-10-2020. The Terms of Reference were issued to the project on 24-04-2021 and public hearing of the project was conducted on 08-05-2021. The case was earlier discussed by the JKEAC on 24-04-2021. The area of the project was reduced by the Geology & Mining Department on 25-11-2021.

As per summary of appraisal report, District Survey Report has not been formulated as per guidelines and needs to be revised for including replenishment data etc.,

Status of NOC's shows that Stakeholder departments have issued NOCs (conditionally) in favour of the project.

Deliberations/specific observations of JKEAC:

- a) The case had been discussed by the Expert Appraisal Committee earlier in the 38th Meeting held on 24/04/2021 during which the Committee recommended the project for grant of ToRs subject to: -
 1. Title verification by the competent revenue authority.
 2. Refinement of boundaries of the mining block for exclusion of the cropland/ land outside the river bed.
 3. Recalculation of the targeted mineral production.
 4. Exclusion of active water channel.
- b) The PP has again approached the JKEIAA for reconsideration of the case after getting the block resized to 2.23 ha from its original area of 10.0 ha vide letter dated 25/11/2021 from the G&M Dept. after excluding the cropland from the mining block. The PP has submitted a cluster certificate from Joint Director G&M department Kashmir vide letter dated 26/11/2021 which mentions that no e-auctioned minor mineral block falls within a distance of 500 mts. of the e-auctioned mineral block no 18.
- c) Now in compliance to the Point No i. the PP has submitted the title verification from the concerned Tehsildar Tregam vide letter dated 02/02/2022 which mentions the mining block as State Land.
- d) With respect to point no. ii, the PP has resized the mining block to 2.23 Ha to exclude the cropland from the mining block.
- e) With respect to point No. iii, the PP has recalculated the targeted mineral production as per the resized area in the Prefeasibility Report. However, the mining depth of 3 m and bulk density of 2.3 mentioned in approved mining plan has not been rectified yet.
- f) With respect to point iv, the active water channel has been excluded and the proposed mining area is restricted to only dry shoal in the mining block.
- g) The Committee while examining the resized mining block on latest available Google Image of June, 2020, observed features indicative of an off-take point of irrigation kuhl originating from the mining block and therefore, desired project proponent to obtain field verification of same by the concerned Xen Irrigation Dept reporting therein presence or absence of irrigation offtake point of zamandari kuhls within 200m of the mining block.
- h) The Committee further observed flood protection structures running along but inside the resized mining block on Google image which needs clarification from the Xen Flood Control dept.
- i) Further, the Committee also observed features indicative of illegal mining which need clarification from the MDDLTF Cell, fixing of responsibility and report whether the PP is involved in it.
- j) Mining depth of 3.00 m & bulk density of 2.3 adopted in the instant mining plan were not agreed by the committee.

Recommendations of the JKEAC:

In view of the above deliberations / observations made by the Committee herein above, the Expert Appraisal Committee did not agree to approve the case in the present form. However, the PP if he so desires, may again approach the JKEIAA for consideration of the case after submitting compliance to the points raised under observations herein above.

Decisions of JKEIAA:

After due deliberations, the JKEIAA upheld the recommendations of the JKEAC to reject the case in the present form. However, the PP, may approach JKEIAA for reconsideration of the case after revalidation of LOI and ensuring compliance to the observations made by JKEAC here-in-above under deliberations.

Agenda Item No.05.

Grant of Environment Clearance in favour of Shri Mushtaq Ahmad Khanday S/O Shri Lal ud-Din Khanday District-Kulgam, JK UT for Minor Mineral Block No – 17, Q - Kulgam Bridge U/Stream Nallah Vishu DISTRICT – Kulgam JK UT (AREA – 1.20ha.) under proposal No.SIA/JK/MIN/69623/2021 & SIA/JK/MIN/57493/2020.

Brief Summary: This case pertains to grant of Environment Clearance under B1 category for Minor Mineral Block No – 17, Q - Kulgam Bridge U/Stream Nallah Vishu District – Kulgam JK UT (Area – 1.20ha.)

LOI has been issued on 16-07-2020, which has been extended on 28-12-2021 and was valid upto 31-03-2022. Mining plan has been approved on 31-08-2020. The Terms of Reference were issued to the project on 26-07-2021 and public hearing of the project was conducted on 16-11-2021. The case was earlier discussed by the JKEAC on 17-11-2020 and 10-07-2021. The area of the project was reduced by the Geology & Mining Department on 10-03-2021. As per summary of appraisal report, District Survey Report has not been formulated as per guidelines and needs to be revised for including replenishment data etc., Status of NOC's shows that Stakeholder departments had issued NOCs (conditionally) in favour of the project.

Deliberations/specific observations of JKEAC:

- a) The project had earlier been discussed during 19th meeting held on 17/11/2020 during which the Committee rejected the mining block comprising of area 4.08Ha for grant of ToRs in view of proximity to bridge.
- b) The case was again discussed during the 47th meeting held on 10/07/2021 during which the Committee recommended the project for grant of Terms of Reference subject to:
 - i. Mining Depth of 1m in aggregate due to non-availability of replenishment data.
 - ii. Mining Area 1.20 Ha after exclusion of green patch/active water channel/Flood protection structures/safe distance to bridge/irrigation canal headway etc.
 - iii. Condition that the project proponent obtains a detailed and categorical NOC from the Executive Engineer, Irrigation Dept. indicating the position (Geo- coordinates) of the Canal headway vis-a-vis the mining block to the effect that the mining activity will not impact any infrastructure and the delivery system.
 - iv. Condition that the project proponent obtains a detailed and categorical NOC from Assistant Director, Fisheries Dept. concerned specifying therein that the mining activity in the designated mining block shall not have any adverse impact on fish fauna in the area.
 - v. Condition, the PP also obtains categorical NOC from the Executive Engineer, Flood Control Dept to the effect that the mining activity will not impact any Flood Protection infrastructure in the area.
 - vi. Condition, the haulage route does not traverse through the active water channel.
 - vii. Condition, the bulk density is restricted to max.2 in absence of actual measurements.

- viii. Revision of mining plan with revised area, revised coordinates, revised surface plan, and revised calculation of minor mineral production at maximum 1m depth in aggregate in the light of deliberations of the JKEAC and its de-novo approval by the competent authority prior to grant of ToR or as decided by the JKEIAA.
- c) Now, the PP has again approached JKEIAA for grant of environmental clearance under B1 category owing to cluster situation with revised area of 1.20 Ha.
- d) The Committee examined the mining block on Google Earth image of August, 2019 and observed features indicative of offtake point of irrigation khul at a distance of 96m. Further, the Committee observed that as per the condition in the NOC issued by the Xen Irrigation Dept., no mining activity should be allowed within 750m from the offtake points. Therefore, the Committee desired project proponent to obtain field verification report on the observations made by the Committee from the concerned Xen Irrigation Dept with local PRI on board indicating therein presence or absence of irrigation offtake point within 200m of the resized mining block of 1.20Ha preferably with details marked on Colour Google image of the area depicting the mining block boundary and Kuhls/canals off-take points.
- e) The NOCs have been obtained individually from the concerned Depts. which are in a generalized format and not under Single window System.
- f) Illegal mining activity detected outside the mining block as per features on Google image which needs clarification from the Multi Dept. District level Task Force (MDLTF) Cell indicating that the PP is not involved in any illegal mining.
- g) The compliance to specific ToR condition relating to photographs of display screen displaying the date of collection of data missing in EIA report which needs to be submitted.
- h) Mining depth of 2.5m & bulk density of 2.3 adopted in the mining plan not agreed by the Committee.

Recommendations of the JKEAC:

In view of the above deliberations and insight gained during the above cited appraisal process, the Committee rejected the case for grant of Environmental Clearance in the present form. However, the PP if he so desires may again approach the JKEIAA for reconsideration of the case after submitting compliance to the observations made here-in-above.

Decisions of JKEIAA:

After due deliberations, the JKEIAA upheld the recommendations of the JKEAC to reject the case for grant of Environment clearance. However, the PP, may approach JKEIAA for reconsideration of the case after revalidation of LOI and ensuring compliance to the observations made by JKEAC here-in-above under deliberations. Besides, illegal mining activity was observed in and around the mining block as per features on latest available Google image of 2018. The Committee desired to know whether such illegal mining activity has continued in the block and if so, appropriate action needs to be taken by the competent authority. Member Secretary JKEIAA as per the provisions of Section 5 in The Environment (Protection) Act, 1986 shall write to the Dy. Commissioner concerned heading the MDLTF Cell and shall submit a report to JKEIAA and take the necessary action in the matter

Agenda Item No.06.

Grant of Environment Clearance in favour of Shri Mohammad Shafi Mir, S/O Shri Gh Nabi Mir, R/O Kharnama, Tangmarg, Baramulla, JK UT for River Bed Mining in Block No.14 at Nallah Ferozpura District–Baramulla Mining Lease Area - 2.74ha. JK UT under proposal No.SIA/JK/MIN/261332/2022 & SIA/JK/MIN/54958/2020.

Brief Summary: This case pertains to grant of Environment Clearance under B2 category for River Bed Mining in Block No.14 at Nallah Ferozपुरa District–Baramulla Mining Lease Area-2.74 ha. JK UT.

LOI has been issued on 27-03-2020, which has been extended on 02-02-2020 and was valid upto 26-03-2022. Mining plan has been approved on 19-06-2020. The case was earlier discussed by the JKEAC on 27-03-2022. The area of the project was reduced by the Geology & Mining Department on 25-03-2021.

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 shows that Stakeholder departments had issued NOCs (conditionally in favour of the project. However, the NOC of Revenue Department is ambiguous. The Dy. Commissioner Baramulla under single window clearance system had conveyed NOC's vide letter No: ADCB/Reader/21-22/211-23 Dated 04-03-2021.

In the NOC issued under single window Ferozपुरa Basin Irrigation Division Tangmarag (Jal shakti) mentions that the designed boundary of this mining block is too close to the take-off point of khul on the right side of the Ferozपुरa nallah and should be shifted accordingly.

Deliberations/specific observations of JKEAC:

- a) The case had been discussed by the Expert Appraisal Committee earlier during the 31st Meeting held on 27/03/2022 during which the Committee rejected the project for grant of ToRs in view of presence of paddy land with plantations inside the mining block.
- b) Now, the PP has again approached the JKEIAA for grant of Environmental Clearance after getting the mining block resized to 2.74 ha from its original area of 7.69 ha vide letter 7832-34 dated 25/02/2021 from the joint Director G&M Dept.
- c) The Committee while examining the resized mining block of 2.74 Ha on the Google image using KML file submitted by the consultant, observed features indicating a irrigation kuhl passing through the resized mining block near pillar – H. Therefore, the Committee desired that the PP should further get the mining block resized to 2.0 Ha to maintain a safe distance of at least 50m from the said kuhl, prior to grant of EC.
- d) The PP has submitted copy of letter No 8039-40 dated 08/03/2022 from Joint Director(K) G&M department which mentions that e-auctioned Minor Mineral Block no.13 (4.24ha) Baramulla and e-auctioned Minor Mineral Block no.15 (6.87ha) of Baramulla falls within a distance of 500 mtr. of the e-auctioned minor mineral block 14. However, the PP has informed that the block no. 13 and 15 which formed cluster with the instant block have been rejected for grant of ToRs earlier and therefore, the instant project may be considered under B2 category. However, the Committee desired that before considering the case under B2 category, the PP must submit a fresh cluster certificate indicating that no minor mineral block exists within 500m of the block No.14 on either sides.
- e) NOC issued under single window by Ferozपुरa Basin Irrigation Division Tangmarag (Jal shakti) for original block mentions that the designed boundary of this mining block is too close to the take-off point of a khul on the right side of the Ferozपुरa nallah and should be shifted accordingly. Therefore, the committee desired project proponent to obtain fresh NOC for the resized minor mineral block of size 2.00 Ha from the concerned Xen Irrigation Dept. reporting therein absence of irrigation offtake point / zamandari kuhl within 200m of the resized mining block, prior to grant of EC.
- f) Further, the Committee also observed features indicative of heavy illegal mining which need clarification from the MDDLTF Cell, fixing of responsibility and report whether the

PP is involved in it, prior to grant of EC. In case the PP is found to be involved in it, the process for grant of EC shall be aborted.

- g) Mining depth of 3.00 m & bulk density of 2.5 adopted in the instant mining plan were not agreed by the committee. Mining depth be restricted to max. 1m in aggregate and bulk density of 2.0 only be adopted for calculating the production targets in absence of actual field measurements. The mining plan should accordingly be revised.

Recommendations of the JKEAC:

In view of the above deliberations / observations made by the Committee herein above, the Expert Appraisal Committee recommended the project for grant of EC subject to: -

- a) Standard and Specific Conditions as per Annexure B to the Minutes of JKEAC Meeting.
- b) Fresh cluster certificate indicating therein that no other minor mineral block lies within a distance of 500 mts from the mining block 14 on either sides, prior to grant of EC.
- c) Submission of consent of local panchayat and field verification report from concerned Xen, Irrigation Dept. on the observations made by the Committee with seal and signature on the back side of Colour Google image of the area depicting the mining block boundary and Kuhls/canals off-take points with annotations, if any within 200m of the mining block boundary, stating therein that there are no irrigation off-take points in the vicinity of the resized mining block of 2 Ha, prior to grant of formal EC.
- d) Securing of "Non-involvement in illegal mining" certificate from the Multi Dept. District level Task Force (MDLTF) Cell, prior to grant of formal EC.
- e) Maximum targeted mineral production of 24000 MT.
- f) Condition the geographical coordinates as per revised area of 2.00ha. to be conveyed by G&M Dept. are mentioned in the EC letter by JKEIAA.
- g) Strict adherence to the terms and conditions of the NOCs of the stockholder departments which needs to be monitored by the enforcement agencies and concerned department.
- h) No JCBs/ Excavators/ Bulldozers to be used in mining and no water course to be disturbed while transporting minor minerals.
- i) Submission of compliance to all other observations made herein above under deliberations prior to grant of EC.
- j) 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.

Decisions of JKEIAA:

After due deliberations, the JKEIAA upheld the recommendations of the JKEAC to grant Environment clearance for 2.0 ha only of the project subject to:

- (a) Revalidation of Letter of Intent by Geology & Mining Department.
- (b) Standard and Specific Conditions as per Annexure B to the Minutes of JKEAC Meeting.
- (c) Fresh cluster certificate indicating therein that no other minor mineral block lies within a distance of 500 mts from the mining block 14 on either side, prior to grant of EC.
- a) Submission of consent of local panchayat and field verification report from concerned Xen, Irrigation Dept. on the observations made by the Committee with seal and signature on Colour Google image of the area depicting the mining block boundary and Kuhls/canals off-take points with annotations certifying therein that there are no irrigation off-take points within 200m periphery of revised mining block area of 2 Ha, prior to grant of formal EC.

- (d) Submission of “Non-involvement in illegal mining” certificate from the Multi Dept. District level Task Force (MDLTF) Cell, prior to grant of formal EC.
- (e) Revision of the mining plan with mine closure plan, revised mining depth, surface plan, and its approval by the competent authority within a period of three months from the date of issuance of E.C.
- (f) Mining depth be restricted to max. 1m in aggregate and bulk density of 2.0 be adopted for calculating mineral production subject to maximum production of 24000 MT.
- (g) Submission of photographs of display screen of Air Quality Monitoring Station displaying the dates of collection of baseline data within the six months of the grant of EC.
- (h) Revision of EIA, EMP/CER Budget as suggested by JKEAC prior to grant of EC.
- (i) Strict adherence to the terms and conditions of the NOCs of the stakeholder departments which need to be monitored and acted upon by the enforcement agencies/ concerned dept. in case of any violation of laws governing minor minerals.
- (j) No JCBs/ Excavators/ Bulldozers to be used in mining and no water course to be disturbed while transporting minor minerals.
- (k) While issuing EC, Member Secretary shall specifically mention revised geographical coordinates for revised area conveyed by G&M Dept.
- (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.

Agenda Item No.07.

Grant of Environment Clearance in favour of Shri Dawwer Ashraf Khanday S/o Shri Mohammad Ashraf Khanday District – Kulgam JK UT for River Bed Mining Project, Block 06 F, Nehama Bridge Downstream Nallah Vishu, Kulgam, JK UT Area 9.14ha. under proposal No.SIA/JK/MIN/57376/2020.

Brief Summary: This case pertains to grant of Environment Clearance under B1 category for River Bed Mining Project, Block 06 F, Nehama Bridge Downstream Nallah Vishu, Kulgam, JK UT Area 9.14ha.

LOI has been issued on 16-07-2020, which has been extended on 28-12--2021 and was valid upto 30-11-2021. Mining plan has been approved on 31-08-2020. The Terms of Reference were issued to the project on 09-01-2021 and public hearing of the project was conducted on 16-11-2021. The case was earlier discussed by the JKEAC on 09-01-2021.

As per summary of appraisal report, District Survey Report has not been formulated as per guidelines and needs to be revised for including replenishment data etc., Status of NOC’s shows that Stakeholder departments had issued NOCs (conditionally in favour of the project. The Dy. Commissioner Kulgam under single window clearance system has conveyed NOC’s of stakeholder departments vide letter No.DCK/Estt/2021-22/321 dated 07-06-2021. NOC has been denied to the project by Xen PHE due to impact on pipelines.

Deliberations/specific observations of JKEAC:

- a) The case had been discussed by the Expert Appraisal Committee earlier in the 23rd Meeting held on 09/01/2021 for grant of ToR during which the Committee recommended Terms of Reference for the project.
- b) The PP has now applied for grant of EC and has submitted the Final EIA and Public hearing repot.

- c) NOC from Executive Engineer PHE Division Kulgam Vide letter dated 02/04/2021 mentions that NOC can't be issued to the mining block as the extraction of minerals will affect the head works /Pipeline of WSS Kulgam Town and WSS Bachipora.
- d) NOC issued by the Executive Engineer Irrigation Division Kulgam vide letter no 1028- 30 dated 04/06/2021 is in a generalized format and mentions that mining activity should be allowed 750m from the offtake points. However, the Committee observed features indicative of an offtake point at a distance of 96m from the mining block.
- e) Illegal mining activity was observed in and around the mining block as per features on latest available Google image of 2018. The Committee desired to know whether such illegal mining activity has continued in the block and if so, appropriate action needs to be taken by the competent authority.
- f) The ToR condition relating to submission of photographs of display screen of the air quality monitoring station showing data with dates of collection of the baseline data has not been submitted in the EIA report.
- a) Mining depth of 2.5m and bulk density 2.3 adopted in the instant mining plan were not agreed by the committee.

Recommendations of the JKEAC

In view of the above deliberations/observations made by the Committee herein above, the Expert Appraisal Committee did not agree to recommend the case for grant of EC.

Decisions of JKEIAA:

After due deliberations, the JKEIAA upheld the recommendations of the JKEAC to reject the case for grant of Environment clearance. Besides, illegal mining activity was observed in and around the mining block as per features on latest available Google image of 2018. The Committee desired to know whether such illegal mining activity has continued in the block and if so, appropriate action needs to be taken by the competent authority. Member Secretary JKEIAA as per the provisions of Section 5 in The Environment (Protection) Act, 1986 shall write to the Dy. Commissioner concerned heading the MDLTF Cell and shall submit a report to JKEIAA and take the necessary action in the matter

Agenda Item No.08.

Grant of Environment Clearance in favour of Shri Aajaz Ahmad Magray S/o GH Mohi – Ud Din Magray R/O Kandi Khass, Handwara, District, Kupwara, JK UT for Minor Mineral Block-09, Check Drugmula Bridge to Parepora Upstream Pohru Nallah Village: Check Drugmula Tehsil & District Kupwara JK UT (Resized working area 1.2 ha.) under proposal No. SIA/JK/MIN/235606/2021, SIA/JK/MIN/64540/2021 & SIA/JK/MIN/58384/2020.

Brief Summary: This case pertains to grant of Environment Clearance under B2 category for Minor Mineral Block-09, Check Drugmula Bridge to Parepora Upstream Pohru Nallah Village: Check Drugmula Tehsil & District Kupwara JK UT (Resized working area 1.2 ha.)

LOI has been issued on 29-07-2020, which has been extended on 15-04-2021 and was valid up to 31-03-2022. Mining plan has been approved on 17-09-2020. The Terms of Reference were issued to the project on 14-08-2021. The case was earlier discussed by the JKEAC on 23-06-2021/14-08-2021 and 01-02-2022. The area of the project has been reduced by the Geology & Mining Department on 16-10-2021.

As per summary of appraisal report, District Survey Report has not been formulated as per guidelines and needs to be revised for including replenishment data etc., Status of NOC's

shows that Stakeholder departments have issued NOCs (conditionally) in favour of the project. NOC from Ex. Engineer Jal shakti PHE division Kupwara mentions that after spot inspection by Asst. Ex. Engineer PHE sub division Kupwara that the Dug well is not located in the said block i.e. between Drugmula bridge and Parepora and this office has No Objection if the applicant is allowed to proceed ahead as per the norms in vogue at your end.

Deliberations/specific observations of JKEAC:

- a) The case had been discussed by the Expert Appraisal Committee earlier in the 23rd Meeting held on 23/06/2021 for ToR for original block 9.40 Ha during which the committee recommended rejection of ToRs to the project and had desired that the PP should get the boundaries of the mining block refined/redrawn so as to exclude the green patches comprising of tree groves and the L shaped building structure.
- b) The case had again been presented in 52nd Meeting held on 14/08/2021 after resizing the block to 3.38 Ha during which the expert Appraisal Committee had recommended grant of Terms of Reference to the project subject to further resizing of the block to maintain safe distance to the bridge besides, excluding the active water channel, revising the mining plan/PFR/mining depth/surface plan etc.
- c) The PP has got the mining block resized to 1.2 Ha from its earlier area of 3.38 Ha by the Geology and Mining department vide letter dated 16/10/2021 to maintain a safe distance of 500mts. from the bridge and by excluding the active water active channel.
- d) Subsequently, the case again came to be discussed during the 84th JKEAC meeting held on 01/02/2022 during which the Expert Appraisal Committee again rejected the case for grant of EC and desired the PP to submit compliance to following:-
 - i. Fresh NOC from the Xen, PHE certifying that the dug well is located at a location more than 200 m away from the said mining block and that mining operations shall not adversely affect the availability of water in the said dug well.
 - ii. Non-involvement in illegal mining report.
 - iii. Revision of mining plan
- e) Now the PP has again approached to the JKEIAA for grant of EC after submission of following compliances:-
 - i. In compliance to point no i, the PP has submitted fresh NOC from the Ex. Engineer Jal shakti PHE Division Kupwara vide letter No 4058-59 dated 03/03/2022 which mentions that the Dug well is not located in the said block i.e. between Drugmula bridge and Parepora and this office has no objection if the applicant is allowed to proceed ahead as per the norms in vogue at your end.
 - ii. In compliance to point no ii. the PP has submitted a report on illegal mining from MDDLTF cell vide letter dated 11/03/2022 which mentions that illegal mining has not occurred in the mining block after e-auction and the PP is not involved in any illegal mining in the said mining block No (09).
 - iii. W.r.t point No.iii viz. revised mining plan, the Compliance is yet to be submitted.

Recommendations of the JKEC:

In view of the above deliberations / observations made by the Committee herein above, the Expert Appraisal Committee recommended the project for grant of EC subject to: -

- a) Standard and Specific Conditions as per Annexure B to the Minutes of JKEAC Meeting.
- b) Revision of EMP as suggested by the Committee in the remark's column, prior to grant of EC.
- c) Maximum targeted mineral production of 14400 MT.

- d) Condition the revised geographical coordinates of resized area to be conveyed by G&M Dept. are mentioned in the EC letter by JKEIAA
- e) Strict adherence to the terms and conditions of the NOCs of the stockholder departments which needs to be monitored by the enforcement agencies and concerned department.
- f) No JCBs/ Excavators/ Bulldozers to be used in mining and no water course to be disturbed while transporting minor minerals.
- g) Submission of compliance to the observations made herein above under deliberations, prior to grant of EC.
- h) 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.

Decisions of JKEIAA:

After due deliberations, the JKEIAA upheld the recommendations of the JKEAC to grant Environment clearance for 1.2 ha only of the project subject to:

- (a) Revalidation of Letter of Intent by Geology & Mining Department.
- (b) Standard and Specific Conditions as per Annexure B to the Minutes of JKEAC Meeting.
- (c) Revision of the mining plan with mine closure plan, revised mining depth, surface plan, and its approval by the competent authority within a period of three months from the date of issuance of E.C.
- (d) Mining depth be restricted to max. 1m in aggregate and bulk density of 2.0 be adopted for calculating mineral production subject to maximum production of 14400 MT.
- (e) Revision of EIA, EMP/CER Budget as suggested by JKEAC prior to grant of EC.
- (f) Strict adherence to the terms and conditions of the NOCs of the stakeholder departments which need to be monitored and acted upon by the enforcement agencies/ concerned dept. in case of any violation of laws governing minor minerals.
- (g) No JCBs/ Excavators/ Bulldozers to be used in mining and no water course to be disturbed while transporting minor minerals.
- (h) 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.09.

Grant of Environment Clearance in favour of Shri Bashir Ahmad Wani S/O Shri Jalal Ud Din Wani R/o- Ladhoo, Khrew District- Pulwama, JK UT for Minor Mineral Block – 25, Sheikhpora Trenz Bridge D/Stream Nallah Rambiar, Tehsil Chitragam District Shopian, J&K UT (Resized working area 1.62ha). under proposal No.SIA/JK/MIN/253697/2022 & SIA/JK/MIN/55339/2020

Brief Summary: This case pertains to grant of Environment Clearance under B2 category for Minor Mineral Block – 25, Sheikhpora Trenz Bridge D/Stream Nallah Rambiar, tehsil Chitragam district Shopian, J&K UT (Resized working area 1.62ha).

LOI has been issued on 01-04-2020, which has been extended on 29-12-2021 and was valid upto 31-03-2022. Mining plan has been approved on 09-06-2020. The case was earlier discussed by the JKEAC on 16-09-2020. The area of the project has been reduced by the Geology & Mining Department on 15-01-2022.

As per summary of appraisal report, District Survey Report has not been formulated as per guidelines and needs to be revised for including replenishment data etc., Status of NOC's shows that Stakeholder departments have issued NOCs (conditionally in favour of the project.

Deliberations/specific observations of JKEAC:

- a) The case had earlier been discussed by JKEAC during 14th meeting held on 16.09.2020 during which the committee recommended the case for grant of Terms of Reference subject to condition that the G&M Dept. relocates /resizes the mining block by maintaining a distance of 500 m downstream from the Rambiarra bridge.
- b) The PP has now got the mining block resized from original area of 9.12 Ha to 1.62 Ha while maintaining a safe distance of 500 m to the civil structures & excluding the major portion of the active water channel from the mining block. Although, the mining block 25 forms a cluster with mining block 26 and 27, the PP has submitted the case for grant of EC under B2 category, while not taking into account the proximity of the existing cluster of mining blocks to mining block No.27. Therefore, the Committee desired that the PP must apply under B1 category before proceeding further with the appraisal process.
- c) Heavy illegal mining activity detected in & around the mining block as per features on Google image of Dec, 2021 which needs clarification from the Multi Dept. District level Task Force (MDLTF) Cell, stating whether the PP is involved or not in illegal mining activity.
- d) The NOC issued by the Irrigation Dept. is in a generalized format but indicates that the Saller Kuhl main water conductor falls in the vicinity of the mining block. Therefore, the PP must obtain explicit clarification from the Xen, Irrigation indicating that the main water conductor of Salar Kuhl falls at a distance of more than 200m from the resized mining block.
- e) The Committee stipulates that in view of poor prospects of availability of the material due to heavy illegal mining in the area, the PP shall obtain 'fit for mining certificate' from G&M Dept. also stating therein that adequate replenishment has taken place and there is enough material available in the proposed mining block that can be excavated without endangering ecological and hydrological regime of the area.
- f) Revision of the mining plan with mine closure plan, revised mining depth, surface plan, revised area, revised targeted mineral production and replenishment and its denovo approval by the competent authority.
- g) Mining depth of 2 m & bulk density of 2.3 mentioned in mining plan not agreed by the Committee.

Recommendations of the JKEAC:

In view of the above deliberations and insight gained during the above cited appraisal process, the Committee did not consider the case for appraisal under B2 category due to cluster situation. However, the PP if he so desires, may again approach JKEIAA for consideration of the case subject to condition that the PP applies under B1 category and also complies with all the observations recorded herein above.

Decisions of JKEIAA:

After due deliberations, the JKEIAA upheld the recommendations of the JKEAC not consider the case for appraisal under B2 category due to cluster situation. However, the project proponent if he so desires, may again approach JKEIAA for consideration of the case after revalidation of LOI and subject to condition that the project proponent applies under B1 category and also complies with all the observations made by the JKEAC during deliberations of the Meeting. Besides, illegal mining activity was observed in and around the mining block as per features on latest available Google image of 2018. The Committee desired to know whether such illegal mining activity has continued in the block and if so, appropriate action needs to be taken by the competent authority. Member Secretary JKEIAA as per the provisions of Section 5 in The Environment (Protection) Act, 1986 shall write to the Dy. Commissioner concerned heading the MDLTF Cell and shall submit a report to JKEIAA and take the necessary action in the matter.

Agenda Item No.10.

Grant of Environment Clearance in favour of Shri Bashir Ahmad Wani S/o Shri. Jalal Ud Din Wani R/o- Ladhoo, Khrew District- Pulwama, JK UT For Minor Mineral Block: 26, H/O Ghulam Hassan Sheikh Sheikhpura Downstream Nallah Rambiarra Village – Sheikhpura Tehsil – Chitragam District – Shopian UT: Jammu & Kashmir (resized area – 2.60ha). under proposal No.SIA/JK/MIN/253617/2022, SIA/JK/MIN/226458/2021 & SIA/JK/MIN/55378/2020.

Brief Summary: This case pertains to grant of Environment Clearance under B1 category for Minor Mineral Block: 26, H/O Ghulam Hassan Sheikh Sheikhpura Downstream Nallah Rambiarra Village – Sheikhpura Tehsil – Chitragam District – Shopian UT: Jammu & Kashmir (resized area – 2.60ha).

LOI has been issued on 02-04-2020, which has been extended on 29-12-2021 and was valid upto 31-03-2022. Mining plan has been approved on 09-06-2020. The Terms of Reference were issued to the project on 05-11-2020 and public hearing of the project was conducted on 05-05-2021. The case was earlier discussed by the JKEAC on 03-10-2020. The area of the project has been reduced by the Geology & Mining Department on 15-01-2022.

As per summary of appraisal report, District Survey Report has not been formulated as per guidelines and needs to be revised for including replenishment data etc., Status of NOC's shows that Stakeholder departments had issued NOCs (conditionally) in favour of the project. Revenue Department had mentioned the land as State Land.

Deliberations/specific observations of JKEAC:

- a) The case had earlier been discussed by JKEAC in the 16th meeting held on 03.10.2020 during which the committee recommended the case for grant of Terms of Reference.
- b) The PP has now got the mining block resized from original area of 9.50 Ha to 2.60 Ha without mentioning the reasons.
- c) The PP has changed the consultant from M/S OCEAO Enviro Management Solutions India to M/S Globus Env. Engineering Services, Lucknow.
- d) Taking cognizance of the strong opposition against mining activity in the block as expressed in the public hearing, the Committee is of the opinion that the Dy. Commissioner concerned should constitute a committee of stakeholder departments to assess the grievances of the locals and propose mitigation measures to set at rest the apprehensions as regards the adverse impact of mining on the means of their livelihood. The same committee may also examine and certify that sufficient replenishment has

- taken place in the block and there is adequate material available to be extracted without any adverse impact on the hydrological regime of the nalla.
- e) The NOC issued by the Irrigation Dept. is in a generalized format but indicates that the Saller Kuhl main water conductor falls in the vicinity of the mining block. Therefore, the PP must obtain explicit clarification from the Xen, Irrigation Dept. indicating that the main water conductor of Salar Kuhl falls at a distance of more than 200m from the resized mining block.
 - f) Heavy illegal mining activity detected in & around the mining block as per features on Google image of Dec, 2021 which needs clarification from the Multi Dept. District level Task Force (MDLTF) Cell, stating whether the PP is involved or not in illegal mining activity.
 - g) Compliance to specific ToR condition relating to photographs of display screen of Air Quality Monitoring Station displaying the dates of collection of baseline data has not been submitted.
 - h) Mining depth of 2 m & bulk density of 2.3 mentioned in mining plan not agreed by the Committee.

Recommendations of the JKEAC:

In view of the above deliberations and insight gained during the above cited appraisal process, the Committee did not agree to recommend the case for grant of EC in the present form. However, the PP, if he so desires, may approach the JKEIAA again after complying with the requirements/observations made herein above under deliberations.

Decisions of JKEIAA:

After due deliberations, the JKEIAA upheld the recommendations of the JKEAC to reject the case in the present form. However, the PP, may approach JKEIAA for reconsideration of the case subject to the revalidation of LOI and after ensuring compliance to the observations made by JKEAC here-in-above under deliberations.

Agenda Item No.11.

Grant of Environment Clearance in favour of Shri Danish Yousuf S/O Shri Mohd. Yosuf Mir R/O Doughama, Kakpora District – Pulwama, JK UT for Minor Mineral Block 15, Army Camp Balapur D/Stream Nallah Rambaira District – Shopian JK UT (resized area 3.57ha.) under proposal No. SIA/JK/MIN/227099/2021 & SIA/JK/MIN/56959/2020.

Brief Summary: This case pertains to grant of Environment Clearance under B1 category for Minor Mineral Block 15, Army Camp Balapur D/Stream Nallah Rambaira District – Shopian JK UT (resized area 3.57ha.)

LOI has been issued on 02-05-2020, which has been extended on 29-12-2021 and was valid up to 31-03-2022. Mining plan has been approved on 09-06-2020. The Terms of Reference were issued to the project on 02-11-2020 and public hearing of the project was conducted on 05-05-2021. The case was earlier discussed by the JKEAC on 04-11-2020 and 13-11-2021. The area of the project has been reduced by the Geology & Mining Department on 30-11-2021. As per summary of appraisal report, District Survey Report has not been formulated as per guidelines and needs to be revised for including replenishment data etc., Status of NOC's shows that Stakeholder departments have issued NOCs (conditionally) in favour of the project.

Deliberations/specific observations of JKEAC:

- a) The project had earlier been discussed by JKEAC during 18th meeting held on 04.11.2020 during which the committee recommended the case for grant of Terms of Reference.
- b) The case was again discussed by JKEAC in the 71st meeting held on 13/11/2021 during which the committee had not agreed to recommend the case for grant of EC and had asked the PP to submit compliance to the following observations:
 - i. The Committee observed that the local people of Balpora village strongly opposed the mining activity stating that the land under the block belongs to the village panchayat for which they had revenue papers on record. Therefore, the Committee had desired that the Dy. Commissioner Concerned should issue a categorical title verification of the land with geo-coordinates of the mining block. In case the land under the block pertains to category other than state land, the PP should obtain consent of the land owners and the local PRIs through the Tehsildar concerned before considering the case for deliberations.
 - ii. The Committee had also observed that during the public hearing the locals have raised the concern regarding impact of mining activity on the irrigation network and agricultural activity. This also needs to be got clarified from the concerned Irrigation Dept.
 - iii. The Committee had also observed that the Fisheries Dept. while issuing the NOC had laid down a condition that the mining activity shall have to be 100feet away from the edge of the active water channel.
 - iv. In view of two electric transmission towers lying outside the mining block at an approx. distance of 20mts-22 mts, the PP shall obtain NOC from the concerned stakeholder dept./Electric Transmission Division and ensure minimum safe buffer of 50m to the block boundary for which the block be even considered for resizing.
 - v. Exclusion of active water channel while calculating the targeted mineral production.
 - vi. Illegal mining activity detected in the mining block and in its close vicinity as per features on Google image of 09, 2018 and it needs to be verified whether it is still continuing. Therefore, clarification from the Multi Dept. District level Task Force (MDLTF) Cell needs to be obtained stating whether the PP is involved in any kind of illegal mining activity.
 - vii. Submission of Compliance to specific ToR condition relating to photographs of display screen of Air Quality Monitoring Station displaying the dates of collection of baseline data.
 - viii. Submission of revised mining plan.
 - ix. Mining depth of 3 m & bulk density of 2.3 adopted in the instant mining plan were not agreed by the Committee. Mining depth be restricted to max. 1m in aggregate and bulk density of 2.0 only be adopted for calculating the production targets in absence of actual field measurements.
- c) During deliberations in the instant meeting, the Committee observed as: -
 - i. The PP has changed the Consultant from M/S Atmos Sustainable Solutions Pvt. Ltd. to M/S Globus Environmental Engineering Services, Lucknow.
 - ii. With respect to item i, the PP has submitted the title verification of the mining block issued by Adl.Dy. Commissioner, Shopian Vide letter No. DCS/ADC-PS/21/8010-12 dated 24/11/2021 which states that as per report of the Tehsildar, Shopian the area under the mining block is state land with total area of (419 Kanals & 08 Marlas). However, the geo- coordinates have not been provided.
 - iii. The PP has also submitted NOC from the residents of the Balpora village duly signed by the Sarpanch concerned in favour of the minor mineral block No. 15. As per NOC,

the residents of the Balpora area have no objection if the scientific & systematic mining is encouraged & the condition put by Dept. especially Irrigation & Flood control are followed in letter & spirit.

- iv. With respect to item ii, the PP has submitted the NOC issued by the Executive Engineer, Jal Shakti Dept. (Irrigation Division, Shopian) Vide letter No. 4088-89 dated 17/11/2021 stating that under serial No.15, “that the proposed mining activity in the mining block No.15, 28 and 30 will not affect the existing irrigation facilities and hydraulic structures in the vicinity of the mining blocks.”
 - v. The PP has also submitted the NOC from Agriculture Dept. issued by Chief Agriculture Officer Vide Letter No. CAO/SPN/DEV/2021/3032 dated 22/11/2021 stating that “this Dept. has no objection in execution of mining leases to the minor mineral block No. 15 in accordance with the set parameters by the Dept.”
 - vi. With respect to item iii, the PP has submitted an undertaking/Affidavit stating that the mining activity shall be 100 feet away from the edge of the active water channel.
 - vii. With respect to item iv, the PP has submitted the resizing letter issued by JD (G&M Dept.) Vide letter No. MSK/DGM/Sgr/F-13/B- 15/Shopian/6270-73 dated 30/11/2021 stating that the mining block has been resized from 4.63 Ha to 3.57 Ha. Accordingly, the PP has obtained NOC from JKPTCL, Bemina issued by Executive Engineer, TLMD-7 Sgr Vide letter No. TLMD-7/TS/2061-65 dated 08/02/2022 stating that the identified spot (block No. 15) was got inspected & it has been found that the spot is about 50 m horizontally away from the existing 132 KV D/C Lassipora, Shopian power transmission line.
 - viii. With respect to item v, the PP is required to exclude the entire active water channel portion from the mining block, prior to grant of EC.
 - ix. With respect to item vi, the PP has submitted the report from Multi Dept. District level Task Force (MDLTF) cell, which states that the PP is not involved in any kind of illegal mining activity in and around the mining block.
 - x. With respect to item vii, the Compliance to specific ToR condition relating to photographs of display screen displaying the dates of collection of baseline data has not been submitted and compliance needs to be made prior to grant of EC.
 - xi. With respect to item viii, the revision of the mining plan is awaited and same needs to be submitted prior to grant of EC.
 - xii. With respect to item ix, the PP has revised the mining depth to 1m & bulk density to 2 in EIA report. However, the same needs to be updated in the revised mining plan, prior to grant of EC.
- d) Project cost needs revision, prior to grant of EC as it does not include the cost of EMP, CER etc.
 - e) EMP budget has been under estimated and the same needs to be updated as suggested in the remark’s column herein above, prior to grant of EC.

Recommendations of then JKEAC:

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

- a) Standard and Specific Conditions as per Annexure B to the Minutes of JKEAC Meeting.
- b) Submission of compliance to Specific ToR condition relating to photographs of display screen displaying the date of collection of baseline data, prior to grant of EC.
- c) Revision of mining plan as deliberated herein above, prior to grant of EC.
- d) Revision of project cost as deliberated herein above, prior to grant of EC.

- e) Revision of EMP budget as deliberated herein above, prior to grant of EC.
- f) Strict adherence to the terms and conditions of the NOCs of the stakeholder departments 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 42,800 MT.
- i) Condition the geographical coordinates as per revised area to be conveyed by G&M Dept. are mentioned in the EC letter by JKEIAA.
- j) Submission of compliance to all other observations made herein above under deliberations, prior to grant of EC.
- 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.

Decisions of JKEIAA:

After due deliberations, the JKEIAA upheld the recommendations of the JKEAC to grant Environment clearance for 3.57 ha of the project subject to:

- (a) Revalidation of Letter of Intent by Geology and Mining Department.
- (b) Standard and Specific Conditions as stipulated by JKEIAA/JKEAC.
- (c) Submission of compliance to the observations made by JKEAC here-in-above prior to grant of EC.
- (d) Revision of the mining plan with mine closure plan, revised mining depth, surface plan, and its approval by the competent authority within a period of three months from the date of issuance of E.C.
- (e) Mining depth be restricted to max. 1m in aggregate and bulk density of 2.0 be adopted for calculating mineral production subject to maximum production of 42,800 MT.
- (f) Submission of photographs of display screen of Air Quality Monitoring Station displaying the dates of collection of baseline data within the six months of the grant of EC.
- (g) Revision of Project Cost, EIA, EMP/CER Budget as suggested by JKEAC prior to grant of EC.
- (h) Strict adherence to the terms and conditions of the NOCs of the stakeholder departments which need to be monitored and acted upon by the enforcement agencies/ concerned dept. in case of any violation of laws governing minor minerals.
- (i) No JCBs/ Excavators/ Bulldozers to be used in mining and no water course to be disturbed while transporting minor minerals.
- (j) While issuing EC, Member Secretary shall specifically mention revised geographical coordinates for revised area conveyed by G&M Dept.
- (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.

Agenda Item No.12.

Grant of Environment Clearance in favour of Shri Kapil Agarwal S/O Shri Jugesh Agarwal R/O H. no. 179 Near Panjpir Mandir Anandpur Pathankot, Gurdaspur, Punjab for Minor Minerals (RBM) Mining Area (5.80 ha.) at Block-8 Batapora Bridge Downstream Rambiara Nallah, District- Shopian, JK UT under proposal No.SIA/JK/MIN/59615/2021.

Brief Summary: This case pertains to grant of Environment Clearance under B1 category for Minor Minerals (RBM) Mining Area (5.80 ha.) at Block-8 Batapora Bridge Downstream Rambiara Nallah, District- Shopian, JK UT.

LOI has been issued on 18-07-2020, which has been extended on 29-12-2021 and was valid upto 31-03-2022. Mining plan has been approved on 03-10-2020. The Terms of Reference were issued to the project on 12-02-2021 and public hearing of the project was conducted on 26-08-2021. The case was earlier discussed by the JKEAC on 19-01-2021/30-10-2021 & 23-02-2022. The area of the project has been reduced by the Geology & Mining Department on 11-10-2021.

As per summary of appraisal report, District Survey Report has not been formulated as per guidelines and needs to be revised for including replenishment data etc., Status of NOC's shows that Stakeholder departments had issued NOCs (conditionally) in favour of the project. Revenue Department had mentioned the land as State Land.

Deliberations/specific observations of JKEAC:

- a) The project had earlier been discussed by JKEAC in the 24th meeting held on 19.01.2021 during which the committee recommended TORs to the project subject to resizing of the mining block to maintain a safe distance of 500 mts from the bridge. The project proponent has applied afresh after resizing the mining block.
- b) The case had again been discussed by JKEAC for grant of EC in the 68th meeting held on 30-10-2021 during which the committee had not approved the case & desired prior compliance to following observations:
 - i) Existence of school in the neighborhood and reservations expressed by teacher during public hearing to be addressed.
 - ii) The District Administration should prescribe a specific haulage route which minimizes the problem of noise and air pollution in consultation with the local school authorities.
 - iii) Clarification from DMO concerned w.r.t use, nature and legal status of the structures observed in the close vicinity of the mining block.
 - iv) Preventive/protective measures to minimize the pollution resulting from mining operations need to be proposed and cost thereof provided in the EMP budget.
 - v) The PP needs to propose mining in dry shoals only and where crossing of active channels is unavoidable, scientific methods which minimize the disturbance of natural flow need to be proposed / adopted.
 - vi) Securing of non-involvement in illegal mining certificate from the competent authority.
 - vii) Securing a 'fit for mining certificate' from G&M Dept. to the effect that adequate replenishment has taken place and there is enough material available in the proposed mining block that can be excavated without endangering ecological and hydrological regime of the area.
 - viii) Compliance to specific ToR condition relating to photographs of display screen of Air Quality Monitoring Station displaying the date of collection of baseline data.
 - ix) Revision of project cost.

- x) Revision of the mining plan with mine closure plan, revised area, mining depth, surface plan, revised targeted mineral production and replenishment and its denovo approval by the competent authority.
- c) The case was again discussed by JKEAC for the grant of EC in the 86th meeting held on 23-02-2022 during which the committee had not recommended the case for the grant of Environmental Clearance & had desired prior compliance to following observations:
 - i. The Committee had desired that the PP should get clarification from the District Adm. stating that the mining activity shall not have any adverse impact on the local environment especially environment of the school and that the haulage shall be exclusively from the District Police Lines side and not from the school side.
 - ii. Exclusion of active water channel while calculating the targeted mineral production.
 - iii. Compliance to specific ToR condition relating to photographs of display screen of Air Quality Monitoring Station displaying the date of collection of baseline data.
 - iv. Revision of the mining plan with mine closure plan, revised area, revised mining depth, bulk density, surface plan, targeted mineral production and replenishment and its denovo approval by the competent authority.
- d) During deliberations in the instant meeting, the Committee observed as under: -
 - i. With respect to item i, the PP has submitted a fresh NOC issued by the Addl. Deputy Commissioner, Shopian vide letter No. DCS/ADC-PS/22/10523-25 dated 11/03/2022 stating that the PP has already resized the mining block from 9.64 Ha to 5.80 Ha. In view of the objections raised in public hearing, the PP has left 300 m from the school premises which is enough to protect the school from any damage that may result from extraction of minor mineral & has left 500 m distance from the Batpora bridge. Further, the transit road will be taken from police line side, as reported by DMO, Shopian.
 - ii. With respect to item ii, active water channel has been excluded while calculating mineral production.
 - iii. With respect to item iii, the compliance to specific ToR condition relating to photographs of display screen displaying the date of collection of baseline data has not been submitted and compliance needs to be made prior to grant of EC.
 - iv. With respect to item iv, the revision of the mining plan is awaited and same needs to be submitted prior to grant of EC.

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 the grant of environmental Clearance subject to:

- a) Standard and Specific Conditions as per Annexure B to the Minutes of JKEAC Meeting.
- b) Revision of Mining plan as deliberated herein above, prior to grant of EC.
- c) Submission of compliance to Specific ToR condition relating to photographs of display screen displaying the date of collection of baseline data, prior to grant of EC.
- d) Strict adherence to the terms and conditions of the NOCs of the stakeholder departments which need to be monitored by the enforcement agencies and concerned Dept.
- e) No JCBs/ Excavators/ Bulldozers to be used in mining and no water course to be disturbed while transporting minor minerals.
- f) Maximum targeted mineral production of 69,600 MT.
- g) Condition the geographical coordinates as per revised area to be conveyed by G&M Dept. are mentioned in the EC letter by JKEIAA.

- h) Submission of compliance to all other observations made herein above under deliberations, prior to grant of EC.
- 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.

Decisions of JKEIAA:

After due deliberations, the JKEIAA upheld the recommendations of the JKEAC to grant Environment clearance for the project subject to:

- (a) Revalidation of Letter of Intent by Geology and Mining Department.
- (b) Standard and Specific Conditions as stipulated by JKEIAA/JKEAC.
- (c) Submission of compliance to the observations made by JKEAC here-in-above prior to grant of EC.
- (d) Revision of the mining plan with mine closure plan, revised mining depth, surface plan, and its approval by the competent authority within a period of three months from the date of issuance of E.C.
- (e) Mining depth be restricted to max. 1m in aggregate and bulk density of 2.0 be adopted for calculating mineral production subject to maximum production of 69,600 MT.
- (f) The MDLTF Cell headed by the concerned Dy. Commissioner shall submit a report to JKEIAA, within a period of six weeks or before execution of lease of minor mineral block, whichever is earlier, that PP is not involved in the illegal mining activity, failing which the EC is liable to be revoked.
- (g) Submission of photographs of display screen of Air Quality Monitoring Station displaying the dates of collection of baseline data within the six months of the grant of EC.
- (h) Revision of Project Cost, EIA, EMP/CER Budget as suggested by JKEAC prior to grant of EC.
- (i) Strict adherence to the terms and conditions of the NOCs of the stakeholder departments which need to be monitored and acted upon by the enforcement agencies/ concerned dept. in case of any violation of laws governing minor minerals.
- (j) No JCBs/ Excavators/ Bulldozers to be used in mining and no water course to be disturbed while transporting minor minerals.
- (k) While issuing EC, Member Secretary shall specifically mention revised geographical coordinates for revised area conveyed by G&M Dept.
- (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.

Agenda Item No.13.

Grant of Environment Clearance in favour of Shri Jagdish Singh S/O Shri Vijay Singh R/O Malakpur District Pathankot, Punjab for minor mineral block-7, Batpora Bridge Upstream Rambiarra Nallah, District Shopian, JK UT Area 9.83ha. under proposal No.SIA/JK/MIN/59669/2021.

Brief Summary: This case pertains to grant of Environment Clearance under B1 category for minor mineral block-7, Batpora Bridge Upstream Rambiarra Nallah, District Shopian, JK UT Area 9.83ha.

LOI has been issued on 18-07-2020, which has been extended on 29-12-2021 and was valid upto 31-03-2022. Mining plan has been approved on 03-10-2020. The Terms of Reference

were issued to the project on 19-01-2021 and public hearing of the project was conducted on 21-02-2022. The case was earlier discussed by the JKEAC on 19-01-2021.

As per summary of appraisal report, District Survey Report has not been formulated as per guidelines and needs to be revised for including replenishment data etc., Status of NOC's shows that Stakeholder departments have issued NOCs (conditionally) in favour of the project. NOC issued by Astt. Ex. Engineer irrigation Sub-division Manul zoura shopian mentions the presence of supply channel Nattoo canal, Manul Zoura canal Lar, Sanigloo and Sathoo canal.

Deliberations/specific observations of JKEAC:

- a) The case had been discussed by the Expert Appraisal Committee earlier in the 24th Meeting held on 19/01/2021 for grant of ToR during which the Committee recommended Terms of Reference for the project subject to title verification of the river bed due to presence of Parking site of a school and NOC from Irrigation and Flood Control department.
- b) The PP has now applied for grant of EC and in the instant meeting, during examination of the mining block on Google Earth using the KML file uploaded on the portal, it was found that the boundary of the mining block encompasses an area of more than 11.0 Ha while the mining block area is only 9.83 Ha as per the sanctioned Lol.
- c) The mining block was examined using KML file of Shopian district received from the G&M Dept. and it was also found to be at variance with the mining block boundary submitted by the consultant. Further, the area of mining block as depicted by the KML file of G&M Dept. was also at variance with the area mentioned in the Lol.
- d) The Committee observed that as per surface plan an unmined area of approx. 0.38Ha inside the mining block has been earmarked without any technical justification and as such, is unacceptable.
- e) The Committee also observed a school in the close vicinity of the mining block and opined that if desired buffer is left to protect the school from the adverse impact of the mining activity, it would hardly leave any area to be mined out in the block.

Recommendations of the JKEAC:

In view of the above deliberations / observations made by the Committee herein above, the Expert Appraisal Committee rejected the case for grant of EC.

Decisions of JKEIAA:

After due deliberations, the JKEIAA upheld the recommendations of the JKEAC to reject the case for grant of Environment clearance.

Agenda Item No.14.

Grant of Environment Clearance in favour of Shri Amit Mahajan S/O Shri Adarsh Mohan Mahajan R/O, Near Kali Mata Mandir, Kolluwali Gali Pathankot, Punjab for Minor Mineral in Block-5, Under Construction Bridge Chappergund to wayil upstream River Sindh, District Ganderbal., JK UT (Revised working area 4.22 ha.) under proposal No. SIA/JK/MIN/263177/2022, SIA/JK/MIN/67988/2021 & SIA/JK/MIN/61359/2021.

Brief Summary: This case pertains to grant of Environment Clearance under B2 category for Minor Mineral in Block-5, Under Construction Bridge Chappergund to wayil upstream River Sindh, District Ganderbal., JK UT (Revised working area 4.22 ha.)

LOI has been issued on 20-07-2020, which has been extended on 29-12-2021 and was valid upto 31-03-2022. Mining plan has been approved on 22-02-2021. The case was earlier discussed by the JKEAC on 26-10-2021. The area of the project has been reduced by the Geology & Mining Department on 19-03-2022.

As per summary of appraisal report, District Survey Report has not been formulated as per guidelines and needs to be revised for including replenishment data etc., Status of NOC's shows that Stakeholder departments had issued NOCs (conditionally) in favour of the project. Revenue Department had mentioned the land as State Land.

NOCs issued under Single window system had been conveyed by Deputy Commissioner Ganderbal Vide No: DCG/ARA/1473-76 dated 22-05-2021.

Deliberations/specific observations of JKEAC:

- a) The case had been discussed by the Expert Appraisal Committee earlier in the 67th Meeting held on 26/10/2021 for grant of ToR during which the Committee had declined to recommend Terms of Reference to the project unless following compliances were made by the PP: -
 - i) Submission of Fit for Mining certificate.
 - ii) Submission of Illegal Mining report from MDLTF cell.
 - iii) To maintain a safe distance of 500m from the bridge.
 - iv) Specific and categorical clearance be obtained from the Irrigation and
 - v) Flood Control Dept. due to presence of Kuhl in close vicinity of the mining block.
- b) Now, in compliance to point No i), the PP has submitted a fit for mining certificate from the Mineral officer G&M dept. vide letter dated 03/02/2022, mentioning therein that there is enough potential for extraction of minor minerals and the block is feasible for mining. However, the Committee desired that the report should be endorsed by the Joint Director, G&M Dept., Kashmir as per procedure.
- c) In compliance to point no ii), the PP has submitted a report on illegal mining from the MDDLTF cell which mentions that the PP is not involved in any illegal mining activity.
- d) With respect to compliance to no iii), the PP has again approached JKEIAA for consideration of the case after getting the Minor Mineral block resized to 4.22 ha from its original area of 8.00 ha from Joint Director G&M dept. vide letter dated 19/03/2022 while maintaining a safe distance of 500 mts. from the bridge and excluding the active water channel from the mining block.
- e) With respect to point No.iv, the PP has submitted NOC with Google image screen shot from the Irrigation and Flood control department Ganderbal vide letter dated 02/12/2021, which mentions that there is no irrigation canal network within the block for a width of 200 mts. The Committee observed that the NOC is ambiguous in nature and the distance of 200 mts. from the offtake points has been wrongly plotted on the Google image screen shot. Therefore, the Committee desired that the PP should obtain fresh clarification from the Xen Irrigation Division, Ganderbal mentioning therein that no offtake points of any zamandari kuhl or canal lies within a distance of 200m from the boundary of resized mining block having area of 4.22 ha with the consent of local PRI with the seal and signatures preferably on the Colour Google image of the area depicting the resized mining block boundary and Kuhl offtake points, if any.
- f) The PP has submitted Title verification from the concerned Tehsildar Ganderbal vide letter dated 10/01/2022 that mentions the said mining block as state land.

- g) The PP has also submitted a cluster certificate from Joint Director G&M department vide letter dated 23/03/2022 which mentions that no e-auctioned minor mineral block falls within a distance of 500 mts from the e-auctioned minor mineral block no 05.
- h) Active water channel needs to be excluded from the mining block while calculating the targeting mineral production and mining should be restricted to only dry shoals of the mining block.
- i) Bulk density 2.3 adopted in the instant mining plan was not agreed by the committee.

Recommendations of the JKEAC:

In view of the deliberations and observations recorded herein above, the Committee did not agree to recommend the case for grant of EC in its present form. However, the PP, if he so desires, may again approach JKEIAA for grant of EC after complying with the observations recorded herein above under deliberations.

Decisions of JKEIAA:

After due deliberations, the JKEIAA upheld the recommendations of the JKEAC to reject the case in the present form. However, the PP, may approach JKEIAA for reconsideration of the case after revalidation of LOI and ensuring compliance to the observations made by JKEAC here-in-above under deliberations.

Agenda Item No.15.

Grant of Environment Clearance in favour of Shri Mushtaq Ul Islam S/O Shri Gh. Mohiud Din Bhat R/O Karimabad District Pulwama JK UT for Minor Mineral Block-10 J- Ching Adigan Bridge Downstream Vishu Nallah, Village: Chingi Adigan Tehsil: D.H. Pora District: Kulgam, JK UT (Resize area 0.65 Ha.) under proposal No. SIA/JK/MIN/261931/2022, SIA/JK/MIN/235936/2021, SIA/JK/MIN/62988/2021 & SIA/JK/MIN/57824/2020.

Brief Summary: This case pertains to grant of Environment Clearance under B2 category for Minor Mineral Block-10 J- Ching Adigan Bridge Downstream Vishu Nallah, Village: Chingi Adigan Tehsil: D.H. Pora District: Kulgam, JK UT (Resize area 0.65 Ha.)

LOI has been issued on 16-07-2020, which has been extended on 28-12-2021 and was valid upto 31-03-2022. Mining plan has been approved on 14-09-2020. The case was earlier discussed by the JKEAC on 05-12-2020/10-07-2021 and 20-11-2021. The area of the project has been reduced by the Geology & Mining Department on 14-03-2022.

As per summary of appraisal report, District Survey Report has not been formulated as per guidelines and needs to be revised for including replenishment data etc., Status of NOC's shows that Stakeholder departments have issued NOCs (conditionally) in favour of the project.

Deliberations/specific observations of JKEAC:

- a) The project had earlier been discussed by JKEAC in the 21st meeting held on 05.12.2020 during which the Committee had rejected the case for grant of Terms of Reference as it had been found that the mining block encompassed large chunk of orchards and cultivated land covering almost 45% of the area of the mining block.
- b) The project had again been discussed by JKEAC during its 47th meeting held on 10.07.2021 after the PP had resized the mining block from 8.84 Ha to 4.99 Ha by excluding the area under orchards and cultivated land. However, the Committee had rightly rejected the case specifically keeping in view the anticipated /potential adverse

- environmental fallout of mining activity on availability of water for irrigation and water supply schemes in the area.
- c) The project again came under discussion in the 73rd meeting held on 20.11.2021 after the PP had further resized the mining block from 4.99 Ha to 1.84 Ha thereby maintaining a safe distance from an irrigation off-take point in the vicinity of the block. However, the Committee had not recommended the case for the grant of EC after making following observations:
- i) The Committee while examining the mining block on Google Earth platform revealed features indicative of existence of another irrigation off-take point at a distance of approx.75m from the resized mining block. The consultant was asked to clarify as to how the block could be considered when another irrigation off-take point is located within 200m from the block which is against the national guidelines. The consultant could not provide the committee with a satisfactory explanation in this regard.
 - ii) The Committee also observed that even in the fresh NOC obtained by PP from the concerned Xen Irrigation Dept. vide letter dated 18/10/2021, wherein, as per the condition No.1, though no distance to any specific offtake points has been mentioned, it is clarified that extraction of RBM should not be carried out in the vicinity of offtake points of supply channel of any canal.
 - iii) The consultant has also failed to evolve or suggest any mitigation measures which could enable taking up mining operations without potential adverse effects on supply/availability of water for irrigation purpose.
- d) During deliberations in the instant meeting, the Committee observed as under: -
- i) The PP has once again submitted the case after further resizing the mining block from 1.84 Ha to 0.65 Ha.
 - ii) The PP has submitted a fresh NOC issued by Executive Engineer, Irrigation Division Kulgam Vide letter no. 6811-14 dated 19-03-2022 which states that in continuation to the NOC issued earlier, the spot was revisited for resizing & after spot verification it was found that the nearest point of the block 10 J-ching Adigan i.e, B1 having Latitude 33° 37' 32.98" N & Longitude 74° 55' 58.77" E is at a distance of 190 m away from the offtake point of supply channel of Mav Khul & Laisoo Adigan Ladi & is at a distance of 70 m away from the later running adjacent to it. The Consultant informed that he had applied for further resizing of the block to 0.60 Ha to maintain more than 200m distance from the offtake point of the Kuhl and the Committee desired that the PP should obtain fresh clarification from the concerned Xen Irrigation Dept. to the extent that the distance of the resized mining block area of 0.60 Ha is now more than 200m from any off-take point of the Kuhls/canals in the vicinity, prior to grant of EC.
- e) EMP cost has been under estimated & the same needs to be updated as suggested in the remarks column herein above, prior to grant of EC.
- f) Exclusion of active water channel while calculating the targeted mineral production.
- g) Revision of the mining plan with mine closure plan, revised area, revised mining depth, bulk density, surface plan, targeted mineral production and replenishment and its denovo approval by the competent authority, prior to grant of EC.

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 the grant of Environmental clearance subject to:

- a) Standard and Specific Conditions as per Annexure B to the Minutes of JKEAC Meeting.
- b) Further resizing of the mining block to 0.60 Ha with fresh certification from the Xen Irrigation Dept. stating that the resized mining block is now more than 200m from any offtake point of kuhls/canals, prior to grant of EC.
- c) Revision of Mining plan as deliberated herein above, prior to grant of EC.
- d) Revision of EMP cost as deliberated herein above, prior to grant of EC.
- e) Exclusion of active water channel from the block, prior to grant of EC.
- f) Strict adherence to the terms and conditions of the NOCs of the stakeholder departments 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 7200 MT.
- i) Condition the geographical coordinates as per revised area to be conveyed by G&M Dept. are mentioned in the EC letter by JKEIAA.
- j) Submission of compliance to all other observations made herein above under deliberations, prior to grant of EC.
- 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.

Decisions of JKEIAA:

After due deliberations, the JKEIAA upheld the recommendations of the JKEAC to grant Environment clearance for 0.6 ha only of the project subject to:

- (a) Revalidation of Letter of Intent by Geology and Mining Department.
- (b) Standard and Specific Conditions as stipulated by JKEIAA/JKEAC.
- (c) Submission of compliance to the observations made by JKEAC here-in-above prior to grant of EC.
- (d) Further resizing of the mining block to 0.60 Ha with fresh certification from the Xen Irrigation Dept. stating that the periphery of the reduced mining block is now more than 200m from any offtake point of kuhls/canals, prior to grant of EC.
- (e) Revision of the mining plan with mine closure plan, revised mining depth, surface plan, by excluding the active water channel and its approval by the competent authority within a period of three months from the date of issuance of E.C.
- (f) Mining depth be restricted to max. 1m in aggregate and bulk density of 2.0 be adopted for calculating mineral production subject to maximum production of 7200 MT.
- (g) Revision of Project Cost, EIA, EMP/CER Budget as suggested by JKEAC prior to grant of EC.
- (h) Strict adherence to the terms and conditions of the NOCs of the stakeholder departments which need to be monitored and acted upon by the enforcement agencies/ concerned dept. in case of any violation of laws governing minor minerals.
- (i) No JCBs/ Excavators/ Bulldozers to be used in mining and no water course to be disturbed while transporting minor minerals.
- (j) While issuing EC, Member Secretary shall specifically mention revised geographical coordinates for revised area conveyed by G&M Dept.
- (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.

Agenda Item No.16.

Grant of Environment Clearance in favour of Shri Abdul Rashid Bhat S/O Shri Abdul Ahad Bhat R/O Chatripora District Shopian JK UT for Minor Mineral Block–20, T– Brazlo Bridge Upstream Vishu Nallah, Kulgam, JK UT (Revised working area 1.85 Ha.) under proposal No.SIA/JK/MIN/57321/2020 & SIA/JK/MIN/226236/2021.

Brief Summary: This case pertains to grant of Environment Clearance under B1 category for Minor Mineral Block–20, T– Brazlo Bridge Upstream Vishu Nallah, Kulgam, JK UT (Revised working area 1.85 Ha.)

LOI has been issued on 16-07-2020, which has been extended on 28-12-2021 and was valid up to 31-03-2022. Mining plan has been approved on 31-08-2020. The Terms of Reference were issued to the project on 17-11-2020 and public hearing of the project was conducted on 08-05-2021. The case was earlier discussed by the JKEAC on 17-11-2020 and 13-08-2021. The area of the project has been reduced by the Geology & Mining Department on 14-01-2022. As per summary of appraisal report, District Survey Report has not been formulated as per guidelines and needs to be revised for including replenishment data etc., Status of NOC's shows that Stakeholder departments had issued NOCs (conditionally) in favour of the project. Revenue Department had mentioned the land as Shamlat and State Land. NOC issued by Ex. Engineer Jal Shakti (PHE) Division Qazigund mentions WS scheme of Pahloo Kilam, WSS Gund, Sahoo Sachan, Malpora Brari, Bumthan Lelipora, Furrah Bumthan, Palpora Lasipora regional Devsar and WSS Chowgam. Fresh Title of the resized area not submitted by the PP. However, the PP has submitted NOC from the Local PRI that they have no objection if the mining is done with scientific manner in the mining block.

Deliberations/specific observations of JKEAC:

- a) The case had been discussed by the Expert Appraisal Committee earlier in the 19th Meeting held on 17/11/2020 for grant of ToR for original block 9.09 Ha during which the committee recommended ToRs to the project subject to the condition, there is no such irrigation canal headway taking off near the mining block. The case was again presented in 71st Meeting held on 13/08/2021 during which the Expert Appraisal Committee rejected the case for grant of EC due the following observations: -
 - i) Existence of a well-defined irrigation off-take point taking off from the centre of the mining block.
 - ii) The multi-date Google image of 09/2012 and 05/2012 shows some patches of cultivable land in the mining block.
 - iii) Land title documents Intikhab, Jamabandi, uploaded on the portal indicates that the mining block area is constituted of Shamlat and State land.
- b) Now, the PP has again approached JKEIAA for reconsideration of the case for grant of EC after getting the mining block resized to 1.85 ha from its original area 9.09 ha by Joint Director G&M Dept.vide letter dated 14/01/2022 to exclude the irrigation off-take point taking off from the centre of the mining block, and patches of cultivable land from the mining block.
- c) PP has submitted a fresh NOC from the Local PRI which mentions that as per the Jammu and Kashmir Common Lands regulation Act, 1956, shamlat Land is owned by the village Panchayat, they have no objection if systematic and scientific mining is done, the conditions put by departments especially by I&FC department are followed in letter and spirit besides providing Job opportunities to the local youth.

- d) NOC issued by Ex. Engineer Jal shakti (PHE) division Qazigund vide letter dated 04/06/2021 in favour of the original block mentions the name of water supply schemes likely to get affected by mining are WS scheme of Pahloo Kilam, WSS Gund, Sahoo Sachan, Malpora Brari, Bumthan Lelipora, Furrah Bumthan, Palpora Lasipora regional Devsar and WSS chowgam.
- e) The Committee examined the NOCs issued by the stake holder departments earlier for the original mining block and found some ambiguities vis-a-vis actual ground conditions as observed on the Google image. The Committee as such, is of the considered view that the concerned Dy. Commissioner should constitute a multidisciplinary technical committee comprising of Xen Irrigation, Xen PHE, Xen, Flood Control and Asst. Director Fisheries and the concerned Tehsildar to visit the site and reassess the environmental impact of mining activity in the resized mining block on the irrigation network, flood control mechanism and fisheries potential existing in the area and submit a categorical recommendation in this regard, prior to grant of EC.
- f) The Committee desired that the PP should obtain a fresh clarification from the Xen Irrigation Dept. and Xen PHE Dept. indicating therein, that no irrigation offtake point or PHE Water Supply Schemes lie within 200m of the boundary of the resized mining block of 1.85 Ha, prior to grant of EC.
- g) The Committee examined the haulage route proposed by the consultant, on Google image and found that it was traversing through the main water channel. Therefore, the Committee desired that the consultant should submit a fresh proposal for alternate haulage route downstream of the block involving least number of active water crossings and to propose use of Hume pipe crossing wherever found necessary so as not to disturb, change the existing pattern of flow, prior to grant of EC.
- h) EMP budget needs to be revised with appropriate budget suggested in the remark's column here in above, prior to grant of EC.
- i) Revision of the CER budget with the updated budget given in the remark's column herein above prior to grant of EC.
- j) The ToR condition relating to submission of photographs of display screen of the air quality monitoring station showing data with dates of collection of the baseline data has not been submitted in the EIA report and the same needs to be submitted, prior to grant of formal EC.
- k) Active water channel needs to be excluded from the mining block while calculating the targeting mineral production and mining should be restricted to only dry shoals of the mining block.
- l) Mining depth of 2.5 m and bulk density 2.3 adopted in the instant mining plan were not agreed by the committee. Mining depth be restricted to max. 1m in aggregate and bulk density of 2.0 only be adopted for calculating the production targets in absence of actual field measurements.
- m) The JKEAC desired that the conditions of NOC of stakeholder department need to be adhered to in letter and spirit under close supervision of the stakeholder departments.

Recommendations of the JKEAC:

In view of the above deliberations / observations made by the Committee herein above, the Expert Appraisal Committee recommended the project for grant of EC subject to: -

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

- b) Submission of positive report from the Multidept. Technical Committee recommending the mining activity in the resized block as per deliberations here-in-above, prior to grant of EC.
- c) Submission of field verification report from concerned Xen, Jal shakti (PHE Division) Qazigund and Xen, Irrigation Dept. with seal and signature with local PRI on board, certifying therein that there are no water supply schemes and Irrigation offtake points within 200m of the resized mining block of 1.85 Ha, preferably substantiated with the Colour Google image, prior to grant of formal EC.
- d) Compliance to specific ToR condition relating to photograph of display screen showing dates of data collection as detailed above, prior to grant of EC.
- e) Maximum targeted mineral production of 22200 MT.
- f) Condition that the geographical coordinates as per revised area to be conveyed by G&M Dept. are mentioned in the EC letter by JKEIAA.
- g) Strict adherence to the terms and conditions of the NOCs of the stockholder departments which needs to be monitored by the enforcement agencies and concerned department.
- h) No JCBs/ Excavators/ Bulldozers to be used in mining and no water course to be disturbed while transporting minor minerals.
- i) Submission of compliance to all other observations made herein above under deliberations, prior to grant of EC.
- j) 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.

Decisions of JKEIAA:

After due deliberations, the JKEIAA upheld the recommendations of the JKEAC to grant Environment clearance for 1.85 ha of the project subject to:-

- (a) Revalidation of Letter of Intent by Geology and Mining Department.
- (b) Standard and Specific Conditions as stipulated by JKEIAA/JKEAC.
- (c) Submission of compliance to the observations made by JKEAC here-in-above prior to grant of EC.
- (d) The MDLTF Cell headed by the concerned Dy. Commissioner shall submit a report to JKEIAA, within a period of six weeks or before execution of lease of minor mineral block, whichever is earlier, that PP is not involved in the illegal mining activity, failing which the EC is liable to be revoked.
- (e) Submission of field verification report from concerned Xen, Jal shakti (PHE Division) Qazigund and Xen, Irrigation Dept. with seal and signature with local PRI on board, certifying therein that there are no water supply and Irrigation offtake points within 200m from the periphery of the resized mining block of 1.85 Ha, preferably substantiated with the Colour Google image, prior to grant of formal EC.
- (f) Revision of the mining plan with mine closure plan, revised mining depth, surface plan, by excluding the active water channel and its approval by the competent authority within a period of three months from the date of issuance of E.C.
- (g) Mining depth be restricted to max. 1m in aggregate and bulk density of 2.0 be adopted for calculating mineral production subject to maximum production of 22200 MT.
- (h) Revision of Project Cost, EIA, EMP/CER Budget as suggested by JKEAC prior to grant of EC.
- (i) Submission of photographs of display screen of Air Quality Monitoring Station displaying the dates of collection of baseline data within the six months of the grant of EC.

- (j) The PP should submit a fresh proposal for alternate haulage route downstream of the block involving least number of active water crossings and to propose use of Hume pipe crossing wherever found necessary so as not to disturb, change the existing pattern of flow, prior to grant of EC.
- (k) Strict adherence to the terms and conditions of the NOCs of the stakeholder departments which need to be monitored and acted upon by the enforcement agencies/ concerned dept. in case of any violation of laws governing minor minerals.
- (l) No JCBs/ Excavators/ Bulldozers to be used in mining and no water course to be disturbed while transporting minor minerals.
- (m) While issuing EC, Member Secretary shall specifically mention revised geographical coordinates for revised area conveyed by G&M Dept.
- (n) 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.

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

Sd/-
S. Rakesh Kumar, IFS, 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/VIII/ 6947-65

Dated:25-04-2022

Copy by email to:

1. Mr. Lal Chand, IFS (Rtd.), Hon'ble Chairman, JKEIAA, for information.
2. Er. Nazir Ahmad (Rtd. Chief Engineer), Hon'ble Member, JKEIAA, for information.
3. Commissioner/Secretary to Government, Mining Department, J&K Government for favour of information.
4. Commissioner/Secretary to Government, Forest, Ecology & Environment Department, J&K Government, Civil Secretariat, Jammu for favour of kind information.
5. S. Rakesh Kumar, IFS, Director, EE&RS, Member Secretary, JKEIAA, for information
6. Director, Geology & Mining Department, J&K Government, Jammu for information and necessary action.
7. Deputy Commissioner, Baramulla, Kupwara, Ganderbal, Kulgam, Shopian for information.
8. Chief Engineer, PDD, Jammu/Kashmir for information and n/a.
9. Chief Engineer, Irrigation & Flood Control Department, Jammu/Srinagar for information and n/a.
10. Chief Engineer, PHE, Jal Shakti, Jammu/Srinagar for information and n/a.
11. The Secretary, JK Expert Appraisal Committee for information.
12. Website(s)


(Staff Officer)

Director EERS/Member Secretary JKEIAA