



0191-2474553/0194-2490602

Government of India

Ministry of Environment, Forest & Climate Change

J&K ENVIRONMENT IMPACT ASSESSMENT AUTHORITY

(a) DEPARTMENT OF ECOLOGY, ENVIRONMENT AND REMOTE SENSING

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

OBEmail: jkeiaa@gmail.com, website: www.parivesh.nic.in



MINUTES OF THE 84th MEETING OF JK ENVIRONMENT IMPACT ASSESSMENT AUTHORITY HELD ON 04th JULY, 2022 THROUGH VIDEO CONFERENCING

In pursuance to the Minutes of the 96th Meeting of the JK Expert Appraisal Committee held on 27th June, 2022 through video Conferencing issued vide No. EAC/JK/22/14000-14012 dated 29-06-2022, the 84th Meeting of the JK Environment Impact Assessment Authority was held on 04th July, 2022 at 1400 Hrs. through video conferencing:

The following attended the meeting:-

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| 1. Mr. Lal Chand, IFS (Retd.) | Chairman, JKEIAA |
| 2. Er. Nazir Ahmad (Chief Engineer, Retd.) | Member, JKEIAA |
| 3. Shri 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 M/S Aggarwal Mines R/o 328 Defence Colony Chhatwal, Tehsil & District- Pathankot, Punjab for Riverbed Mining Project of Minor Mineral in Block No.17, Mendhar River Upstream Chajjla Bridge Part-1, District-Poonch, JK UT, (Revised area 2.40 ha.) (ADS) under proposal No.SIA/JK/MIN/59967/2021.

Brief Summary: The case pertains to grant of Environment clearance under B1 category for Riverbed Mining Project of Minor Mineral in Block No.17, Mendhar River Upstream Chajjla Bridge Part-1, District-Poonch, JK UT, (Revised area 2.40 ha.).

The LOI has been issued on 09-09-2020, which was extended on 01-04-2022 and its validity was up to 30-06-2022. Mining plan has been approved on 15-12-2020. The Terms of Reference were issued to the project on 30-03-2021 and public hearing the project was conducted on 03-07-2021. The case was earlier discussed by the JKEAC on 13-03-2021/24-03-2022 and area of the project has been reduced by the Geology & Mining Department on 24-03-2022/27-05-2022.

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 NOC's (conditionally) in favour of the project. The NOC from Revenue Department is ambiguous.

DELIBERATIONS/SPECIFIC OBSERVATIONS OF JKEAC:

The case had earlier been discussed by JKEAC in the 29th meeting held on 13/03/2021 during which the committee unanimously recommended the project for grant of ToRs subject to:

- i) Report from Multi Dept. District level Task Force (MDLTF) cell to ascertain and fix responsibility for illegal mining in the block.
- ii) Title verification of the mining block by the concerned revenue authority and subject to exclusion of the private land if any involved due to change of Nallah course.
- iii) Revision of project cost.
- iv) Exclusion of the active water channel.
- a) The case had been discussed by JKEAC in its 93rd meeting held on 18/04/2022 during which the committee had observed that the PP had resized the mining block from 6.57Ha to 4.44 Ha and had applied for grant of EC. JKEAC had not recommended the case for grant of EC for want of following compliances:
 - i. To obtain fresh title verification from the concerned Tehsildar clearly mentioning therein that the land under the revised mining block consists of state land only.
 - ii. Further resizing of the block to approx. 2.40 Ha with a revised surface plan duly attested by Joint Director, G&M dept., Jammu.
 - iii. Revision of haulage route in the PFR/EIA report as per updated one presented by the Consultant on Google image during deliberations and therefore revision of EMP budget also under haulage route maintenance.
 - iv. Report from the Dy. Commissioner, Poonch w.r.t addressing genuine concerns of local people raised during public hearing, especially the issue of non-replenishment of the nallah, after taking on board all the stakeholders including panchayat representatives of the area.
 - v. To obtain of 'fit for mining certificate' from the G&M Dept. to the effect that enough replenishment has taken place as on date and there is adequate RBM available in the resized mining block that can be mined without endangering the ecological and hydrological regime of the nallah.
 - vi. To obtain fresh clarification from Xen Irrigation Dept. mentioning therein that no offtake point of canal /kuhl falls within the block or area within 200m from the periphery of the mining block.
 - vii. 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. Revision of EMP budget with appropriate funding provision.
 - ix. Revision of the mining plan with mine closure plan, revised mining depth, revised area, surface plan, bulk density, revised targeted mineral production and replenishment and its denovo approval by the competent authority.
- b) During deliberations in the instant meeting, the Committee observed as: -
 - i. With respect to item i. supra:- the documentation submitted in support of title of the land under the mining block was not entertained by the Committee as it needs to be got certified and endorsed by the Tehsildar concerned.
 - ii. With respect to item ii, supra the PP has got the resized mining block of 4.44 Ha further resized to 2.40 Ha vide letter No. DGM/J Dir/RMP/DP/3-5 issued by J.D (G&M Dept.) Jammu after excluding the active water channel from the mining block No. 17. The PP has also submitted a revised surface plan duly attested by Joint Director, G&M dept., Jammu.
 - iii. With respect to item iii, Supra the PP has failed to submit the revised Haulage route in accordance with deliberations in the previous meeting when the length of freshly

presented haulage route was found to be almost double the one submitted in the documents. In the previous meeting, JKEAC had recommended revision of the budget under haulage route maintenance in the light of new haulage route presented by the consultant. It was found that the PP has not submitted compliance on this count.

- iv. With respect to item iv) relating to report from the Dy. Commissioner Concerned w.r.t addressing genuine concerns of local people raised during public hearing, especially the issue of non-replenishment of the nallah, the PP has failed to submit the compliance on this count.
- v. With respect to item v, supra, the PP has submitted the 'Fit for mining certificate' for area 2.40 Ha vide letter No. DMO-P/Misc/2022-23/143-45 dated 21/06/2022 issued by DMO (G&M Dept.), Poonch.
- vi. With respect to item vi, Supra, the PP has submitted the revised NOC issued by the Executive Engineer (I&FC Division) Poonch, vide letter No. IFCP/748 dated 17/06/2022 which is self-contradictory as it says that no offtake point exists within 200m from the periphery of the mining block but in the same NOC, it says that No damage should be caused to the supply channel/ headwork of kuhl, if any, in the vicinity of the minor mineral block. By this certificate, it appears the Xen is referring to the offtake point of canals only and not the kuhls, the Committee opined. Therefore, JKEAC desired that PP should obtain fresh NOC from the concerned Executive Engineer, Irrigation Dept. as per format to be downloaded from the website of the Department of Ecology, Environment & Remote Sensing at <http://jkdears.com/eers/files/formats.asp>.
- vii. With respect to item vii, supra, the Compliance to specific ToR condition relating to photographs of display screen of Air Quality Monitoring Station displaying the dates of collection of baseline data is also awaited.
- viii. With respect to item viii, supra, the EMP budget not been revised fully. With respect to item ix, supra the revision of the mining plan is awaited.

RECOMMENDATION OF THE COMMITTEE:

- a) 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.
- b) However, the PP, if he so desires, may again approach JKEIAA after submitting compliance to all the pending queries raised in 93rd meeting and in accordance with observations made by the Committee herein above.

Decisions of the JKEIAA:

After due deliberations, the JKEIAA upheld the recommendations of the JKEAC to reject the case for grant of EC in the present form. However, the PP is if he so desires, may again approach JKEIAA after revision of Lol and submitting compliance to all the pending queries raised in 93rd meeting and in accordance with observations made by the Committee here-in-above.

Agenda Item No.02.

Grant of Environment Clearance in favour of Shri Karanvir Singh S/O Shri Surinder Singh R/o 3, Shaheed Udham Singh Nagar, Pathankot, Punjab for Proposed Project (River Bedm Material) "Minor Mineral" Block 9, Batapora Bridge Downstream, Nallah Rambhara Village – Batapora Shopian Tehsil & District- Shopian, JK UT (Revised area 7.84 ha.) under proposal No.SIA/JK/MIN/66172/2021 & SIA/JK/MIN/56411/2020.

Brief Summary: The case pertains to grant of Environment clearance under B1 category for Proposed Project (River Bedm Material) "Minor Mineral" Block 9, Batapora Bridge Downstream, Nallah Rambhara Village – Batapora Shopian Tehsil & District- Shopian, JK UT (Revised area 7.84 ha.)

LOI has been issued on 20-04-2022, which was extended on 01-04-2022 and its validity was up to 30-06-2022. Mining plan has been approved on 09-06-2020. The Terms of Reference were issued to the project on 24-12-2021 and public hearing the project was conducted on 21-02-2022. The case was earlier discussed by the JKEAC on 11-12-2021 and area of the project has been reduced by the Geology & Mining Department on 30-03-2022.

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 NOC's (conditionally) in favour of the project. The NOC from Revenue Department is ambiguous.

DELIBERATIONS/SPECIFIC OBSERVATIONS OF JKEAC:

- a) The case had earlier been discussed by the JKEAC in the 77th meeting held on 11/12/2021 during which the committee recommended the case for grant of Terms of Reference subject to:
 - i. Fresh NOC from the Revenue Dept. verifying the title of the land under the mining block.
 - ii. Report from Multi Dept. District level Task Force (MDLTF) cell to ascertain and fix responsibility for illegal mining in the block.
 - iii. Securing a 'Fit for mining certificate' from the G& M Dept.
 - iv. Exclusion of active water channel from the mining block.
 - v. Revision of mining plan.
 - vi. NOC from concerned Executive Engineer (I&FC Dept.) indicating the presence or absence of irrigation off-take points within 200 m from the mining block.
 - vii. Detailed chapter on Haulage route with due consent of the owner of land & local PRI also be made essential part of the documentation.
- b) Now, the PP has applied for the grant of EC under B1 category while resizing the mining block from 9.94 Ha to 7.84 Ha. The Committee observed as under:
 - i. Compliance to serial a) regarding title verification has not been submitted.
 - ii. In compliance to serial b) relating to the report on illegal mining and fixing of responsibility thereof, the Consultant presented a communication dated 29/03/2022 which was discussed by the Committee. However, subsequently, while going through the record, it was found that the consultant had erroneously presented the report of Rambhara Nallah, District Pulwama while as the case pertained to Rambhara Nallah, District Shopian. Subsequently, the report issued by MDDLTF Cell, District Shopian, vide communication dated 02/11/2021 which pertained to the case was found available on the record and

the same mentions that the PP is not involved in illegal mining. Therefore, the Committee considered the project under non-violation category.

- iii. In compliance to serial c) the Committee observed that the fit for mining certificate has been issued by Junior Officials of the G&M Dept. without endorsement of the Director/Joint Director concerned. Therefore, the Committee desired that 'fit for mining certificate' should come from the authority competent to issue such certificates.
- iv. Compliance to serial d) has also not been made as the active water channel has not been excluded while calculating the targeted mineral production in the PFR.
- v. Compliance to serial e) is also awaited.
- vi. In compliance to serial f) the PP has submitted NOC from Executive Engineer, I&FC vide letter dated 22/03/2022 where under it has been mentioned that the mining block 9 be resized to keep a safe distance of 50m from the irrigation off-take point of Sathoo Canal. JKEAC did not entertain the NOC as the prescribed minimum distance between the mining block and the canal off-take point must not be less than 200m. Therefore, JKEAC desired that the mining block must be further resized to maintain a safe distance of minimum 200m from the offtake point of the Sathoo canal. Subsequently, the PP should obtain a fresh NOC from the Executive Engineer, Irrigation Dept. for the revised mining block indicating that the offtake point of canal/kuhl is now more than 200m away from the boundary of the mining block, as per format (to be downloaded from the website of the dept. of Ecology, Environment & Remote Sensing).
- vii. Compliance to serial g) regarding detailed chapter on haulage route with consent of land owners/PRI has not been submitted.

RECOMMENDATIONS OF THE COMMITTEE:

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

Decisions of the JKEIAA:

After due deliberations, the JKEIAA upheld the recommendations of the JKEAC to reject the case for grant of EC in the present form. However, the PP if he so desires, may again approach JKEIAA for reconsideration of the case after revalidation of Lol and after submitting compliance to all the conditions of the ToRs and in accordance with observations made here-in-above.

Agenda Item No.03.

Grant of Environment Clearance in favour of Shri Naseem Raja S/O Shri Abdul Satar Bhat R/O H. No- 80, Thanamandi, Azmat Abad, Rajouri JK UT for Riverbed mining of Minor mineral Block 2/1, Nowshera Tawi River Downstream Muradpur Bridge (Chatyari) village Chhattiar, Tehsil Nowshera & District- Rajouri, JK UT, (Reduced area 2.45 ha.) (ADS). under proposal No.SIA/JK/MIN/233536/2021 & SIA/JK/MIN/61180/2021.

Brief Summary: The case pertains to grant of Environment clearance under B2 category for Riverbed mining of Minor mineral Block 2/1, Nowshera Tawi River Downstream Muradpur Bridge

(Chatyari) village Chattiar, Tehsil Nowshera & District- Rajouri, JK UT, (Reduced area 2.45 ha.) (ADS).

The LOI was issued on 06-09-2022, which has been extended on 01-04-2022 and its validity was upto 30-06-2022. Mining plan has been approved on 15-10-2020. The case was earlier discussed by the JKEAC on 29-04-2021/18-12-2021 and area of the project has been reduced by the Geology & Mining Department on 10-09-2020.

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 have issued NOC's (conditionally) in favour of the project.

DELIBERATIONS/SPECIFIC OBSERVATIONS OF JKEAC:

- a) The case had been discussed by the Expert Appraisal Committee earlier during the 39th Meeting held on 29/04/2021 for grant of TORs to the mining block with size of 7.37 Ha and the committee had not approved the case for grant of TORs due to features indicating presence of Irrigation offtake point within the mining block and a bridge at a distance of 269m from the mining block boundary.
- b) The project proponent approached the JKEIAA after resizing the mining block from 7.37 Ha to 2.45 Ha to maintain safe distance to the bridge for consideration under B2 category. The case again came under deliberations in the 78th Meeting during which the Expert Appraisal Committee did not agree to recommend the case and desired compliance to following observations.
 - i. A fresh clarification be sought from the Irrigation Dept. with respect to the location of the off-take point of Sangpur Kuhl vis-a-vis mining block in view of NOC from irrigation and Flood control Division which mentions that old supply channel / Head site of Sangpur Khul falls near the Mineral block and to avoid any disturbance to the source of irrigation Khul, there should be no extraction at least to 500 to 700 Mtrs. away from the upstream of old supply channel/Head site of Sangpur Khul.
 - ii. The Committee desired project proponent to obtain field verification of existence or otherwise of irrigation offtake points of Kuhls/canals within 200m from the mining block boundary by the concerned Executive Engineer, Irrigation Dept.
- c) Now, in the instant meeting, the PP has again approached JKEIAA for reconsideration of the case for grant of EC with following compliances:
 - i. In compliance to Point No i), The PP has submitted a communication from Xen, Flood Control and Irrigation Department, Nowshera issued vide letter dated 07/02/2022 which mentions that after fresh field verification on 02/2/2022, it has been found that none of the source of Kuhls i.e. head site falls within 200 m from the proposed minor mineral block.
 - ii. However, the Committee re-examined the mining block on the latest Google image of May, 2021 in the light of assertion made by the Executive Engineer and to its surprise, found that the offtake point of a kuhl does exist at a distance of about 120m from the boundary of the resized mining block contrary to the claim made in the above NOC.
 - iii. The extraction route proposed by the PP has to pass through huge active water channel and even if block will be further resized, it will not be technically feasible and would invite adverse environmental impacts.

- iv. The certificate issued by the Local PRI, mentioning therein that there is none of the sources of Kuhls within 500 m from the proposed mineral block is also not matching the ground reality visible on the Google image.

RECOMMENDATIONS OF THE COMMITTEE:

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 the JKEIAA:

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

Agenda Item No.04.

Grant of Environment Clearance in favour of Shri Parshotam Singh S/O Shri Baljit Singh R/O H.No. 56, W.No-3 Karma path Jaito Faridkot Punjab for Minor Mineral (River Bed Material) Project at Block No. (5/10) 35, Khatharwalli Khad Upstream Manoh Khathar Bridge, Village Khathar Tehsil Akhnoor, District Jammu, JK UT, (Revised Area 5.73 ha). (ADS). under proposal No.SIA/JK/MIN/58653/2019.

Brief Summary: The case pertains to grant of Environment clearance under B1 category for Minor Mineral (River Bed Material) Project at Block No. (5/10) 35, Khatharwalli Khad Upstream Manoh Khathar Bridge, Village Khathar Tehsil Akhnoor, District Jammu, JK UT, (Revised Area 5.73 ha). LOI was issued on 21-07-2020, which has been extended on 01-04-2022 and its validity was up to 30-06-2022. Mining plan has been approved on 12-04-2020. The Terms of Reference were issued to the project on 26-12-2020 and public hearing of the project was conducted on 11-02-2021. The case was earlier discussed by the JKEAC on 12-04-2021/18-12-2021 and area of the project has been reduced by the Geology & Mining Department on 24-06-2020.

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 NOC's (conditionally) in favour of the project. The Revenue Department has not submitted the NOC as per procedure. NOC from the Patwari /NT concerned needs to be got authenticated by the Tehsildar concerned.

DELIBERATIONS/SPECIFIC OBSERVATIONS OF JKEAC:

- a) The project had earlier been listed in the 35th meeting held on 12/04/2021 and subsequently, it was deliberated in the 78th meeting held on 18/12/2021 during which the Expert Appraisal Committee did not agree to consider the case for grant of EC and desired compliances to the following observations:
 - i. Resizing of the mining block to maintain safe distance of 500m from the bridge.
 - ii. Submission of title verification from the concerned Revenue Authority.
 - iii. Submission of Illegal mining report from the Multi Dept. District level Task Force (MDLTF) Cell and fixing of responsibility besides reporting whether the PP is involved in it.
 - iv. Submission of specific NOC indicating presence or absence of off-take point of any irrigation canal/kuhl within 200m from the mining block.

- v. Specific NOC w.r.t presence of dug well needs to be obtained from the concerned stake holder dept.
 - vi. Compliance of specific ToR condition relating to submission of photographs of display screen displaying the dates of collection of baseline data.
 - vii. Revision of project cost to include cost of Env. Clearance processing fee/ PCCs Consent fee etc.
 - viii. Revision of EMP with appropriate budget.
- b) Now, in the instant meeting, the PP has again approached for reconsideration of the case for grant of EC with following compliances:
- i. In compliance to point no i. supra), the PP has got the area resized form from 8.83 ha to 5.73 ha from the Joint Director, Geology and Mining Department, Jammu vide letter dated 24/06/2022 to maintain a safe distance of 500 m from the bridge. The Committee examined the resized mining block of 5.73 Ha on latest available Google Earth image of January, 2021.
 - ii. In compliance to point no ii.) supra, the PP has submitted title verification from the concerned Patwari / NT but the committee desired that the PP should get it authenticated / endorsed by the concerned Tehsildar, prior to grant of EC.
 - iii. With respect to point no iii. Supra), the PP has submitted a report on illegal mining from the MDDLTF cell vide letter dated 31/03/2022 which mentions that the PP of the said mining block has not beenengaged in any illegal mining activity. Therefore, the committee treated the case under non-violation category.
 - iv. In compliance to point no iv. Supra), the PP has submitted clarification for the Executive Engineer Irrigation Division Akhnoor vide letter dated 21/06/2022 which mentions that the minor mineral block 5/10 is 200 mtrs. away from the lift irrigation scheme.
 - v. With respect to point no v.) the PP has not submitted any specific NOC from the concerned department regarding the presence of dug well in the close vicinity of the mining block. Therefore, the committee desired that the PP should submit NOC from PHE Dept. as per format to be downloaded from the website of the Dept. of Ecology, Environment & Remote Sensing, prior to grant of EC.
 - vi. In compliance to point no vi.) the compliance to specific TOR condition relating to proof of genuine data collection is still missing in the EIA report and the committee desired that the PP should submit photographs of the display screen displaying the dates of collection of baseline data as per specific TOR condition, prior to grant of EC.
 - vii. With respect to point no vii.) the PP has revised the detailed project cost.
 - viii. With respect to point no viii), the PP has mentioned the EMP in detailed project cost but the same is missing in the EIA report, therefore the committee desired that the pp should include the Revised EMP budget in PFR and EIA with budget suggested in the EMP table herein above.
- c) EMP Budget needs to be revised with appropriate budget as suggested in the remark's column of EMP table as above, prior to grant of EC.
- d) Revision of the mining plan with mine closure plan, revised mining depth, revised surface plan, targeted mineral production and replenishment and its denovo approval by the competent authority, prior to grant of EC.
- e) 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.

RECOMMENDATIONS OF THE COMMITTEE:

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) Endorsement/ authentication of title verification by the concerned Tehsildar, prior to grant of EC.
- c) Condition that the PP obtains fresh NOCs from the PHE Dept. regarding the presence or absence of Dug well within 200 m from the boundary of mining block as per the format available from the website of the Dept. of Environment, prior to grant of EC
- d) The Committee also desired that the PP should address all the genuine concerns of the locals raised during the public hearing.
- e) Compliance to specific ToR condition relating to photograph of display screen showing dates of data collection as detailed above, prior to grant of EC.
- f) Maximum targeted mineral production of 68700 MT.
- g) Revision of the mining plan with mine closure plan, revised mining depth, surface plan, targeted mineral production and replenishment and its denovo approval by the competent authority, prior to grant of EC.
- h) Revision of EMP budget as suggested in the remark's column of table above prior to grant of EC.
- i) 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.
- j) No JCBs/ Excavators/ Bulldozers to be used in mining and no water course to be disturbed while transporting minor minerals.
- k) Condition the geographical coordinates as per revised block area to be conveyed by G&M Dept. are mentioned in the EC letter by JKEIAA
- l) Submission of compliance to all other observations made herein above under deliberations, prior to grant of EC.
- m) Validity period of only two years from the date of commencement of the mining operations duly certified by the District Mineral Officer concerned with intimation to the JKEIAA, JKPCB in accordance with Minutes of Meeting of JKEIAA issued vide No. JKEIAA/2016/02/II/631-33 dated 08/08/2020 during which time fresh Public Hearing shall have to be got conducted by the PP.

Decisions of the JKEIAA:

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

- a) Revalidation of Letter of Intent by Geology and Mining Department.
- b) Standard and Specific Conditions as per Annexure B to the Minutes of JKEAC Meeting.
- c) Endorsement/ authentication of title verification by the concerned Tehsildar, prior to grant of EC.
- d) Condition that the PP obtains fresh NOCs from the PHE Dept. regarding the presence or absence of Dug well within 200 m from the boundary of mining block as per the format available from the website of the Dept. of Environment, prior to grant of EC

- e) An affidavit to the effect that the PP should address all the genuine concerns of the locals raised during the public hearing.
- 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) 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 68700 MT.
- h) 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.
- i) Revision of EMP budget as suggested by JKEAC prior to grant of EC.
- j) 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.
- k) No JCBs/ Excavators/ Bulldozers to be used in mining and no water course to be disturbed while transporting minor minerals.
- l) While issuing EC, Member Secretary shall specifically mention revised geographical coordinates for revised area conveyed by G&M Dept.
- m) Validity period of only two years from the date of commencement of the mining operations duly certified by the District Mineral Officer concerned with intimation to the JKEIAA, JKPC in accordance with Minutes of Meeting of JKEIAA issued vide No. JKEIAA/2016/02/II/631-33 dated 08/08/2020 during which time fresh Public Hearing shall have to be got conducted by the PP.

Agenda Item No.05.

Grant of Environment Clearance in favour of Shri Karanvir Singh S/O Shri Surinder Singh, R/O Lane No-03, Shaheed Udham Singh Nagar, Pathankot, Punjab for Minor Mineral Block-2(B), Lassipora SIDCO Bridge, Downstream Nallah Rambhara, District-Pulwama, JK UT, Area 4.63 Ha.(ADS) under proposal No.SIA/JK/MIN/61214/2021.

Brief Summary: The case pertains to grant of Environment clearance under B1 category for Minor Mineral Block-2(B), Lassipora SIDCO Bridge, Downstream Nallah Rambhara, District-Pulwama, JK UT, Area 4.63 Ha.

LOI was issued on 14-08-2020, which has been extended on 01-04-2022 and its validity was upto 30-06-2022. Mining plan has been approved on 07-12-2020. The Terms of Reference were issued to the project on 01-04-2021 and public hearing of the project was conducted on 05-08-2021. The case was earlier discussed by the JKEAC on 20-03-2021/21-10-2021.

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 NOC's (conditionally) in favour of the project. The Dy. Commissioner, Pulwama vide letter No. DCP/Esstt/SM/NOC/421-33 dated 0-05-2021 has conveyed NOCs of stake holders.

DELIBERATIONS/SPECIFIC OBSERVATIONS OF JKEAC:

- a) The case had been discussed by the Expert Appraisal Committee earlier during the 30th Meeting held on 20/03/2021 during which ToRs had been issued to the project.

- b) The case had come for discussion in the 66th meeting held on 21/10/2021 during which Expert Appraisal Committee did not agree to approve the case for grant of EC and had desired following compliances:-
- i) Submission of an explicit report from the Multi Dept. District Level Task Force Cell, to the effect that the PP is not involved in the illegal mining activity.
 - ii) Getting the area falling under Shamlat and Milkhat excluded from the designated mining block or obtain prior consent of the concerned rightful owners and stakeholders as the case may be duly attested by the Competent Authority to enable consideration of the proposal.
 - iii) The area has many flood protection works to safe guard the Lassipora industrial area. Since, the safety of the industrial area/buildings is of paramount importance, the existing flood protection works need to be strengthened. The project proponent would get the area inspected by Flood Control authorities to estimate the cost of such strengthening and provide the same in EMP budget estimates to enable taking up of the strengthening works if and when required.
 - iv) 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.
 - v) EMP Budget needs to be revised
 - vi) Budget for surveillance equipment has not been provided and the Committee has accordingly recommended it as per budget in identical projects.
 - vii) Mining depth be restricted to max.1m in aggregate in view of non-availability of replenishment data in the DSRs formulated by the G&M Dept.
 - viii) The ToR condition relating to submission of photographs of display screen of the air quality monitoring station showing data with date of collection of the baseline data has not been submitted in the EIA report and the same needs to be complied in letter and spirit.
- c) In the instant meeting, the PP has again approached JKEIAA for reconsideration of the case for grant of EC with following compliances:
- i. In compliance to point no i) supra, relating to the report on illegal mining and fixing of responsibility thereof, the consultant presented the report of the Multi-Departmental District Level Task Force Cell(MDDLTF) dated 29/03/2022. The Committee while examining the report observed that the MDDLTF in its report has mentioned that though there is no evidence of direct involvement of the PP in illegal mining activity, yet as per LoI, the PP, was bound neither to carry any extraction nor to allow any extraction, till the grant of mining lease. Further, the MDDLTF Cell in its report mentions that a team of subject experts should visit the sites so that their recommendations are taken into account to avoid any further devastation in and around these mining blocks. In view of the revelations made in the said report, JKEAC is, therefore, of the considered view that the block is not fit for mining and it should be given rest at least for three years or till full replenishment is certified by the stakeholders, specifically the Chief Engineer, Irrigation and Flood Control Department, Kashmir and Director, G&M under their own hand, whichever is later.
 - ii. With respect to point no ii), the PP has submitted copy of a corrigendum issued by the addl. Deputy Commissioner, Pulwama dated 21/12/2021 which was examined by the

Committee with the earlier title verification issued by Adl. Dy. Commissioner, Pulwama dated 03/05/2021.

- iii. In compliance to point no iii), supra regarding inspection of the site by Flood Control Dept. to estimate the cost of strengthening the flood protection works and to provide the same in EMP budget estimates, the PP has failed to submit compliance.
- iv. Compliance to item iv) regarding revision of mining plan has not been submitted.
- v. The compliance to specific ToR condition relating to photographs of display screen displaying the dates of collection of data is missing in EIA report.

RECOMMENDATIONS OF THE COMMITTEE:

In view of the above deliberations / observations made by the Committee here-in-above, the Expert Appraisal Committee rejected the case for grant of EC and recommended that the mining block be given rest at least for three years or till full replenishment is certified by the stakeholders specifically the Chief Engineer, Irrigation and Flood Control Department, Kashmir and Director, G&M under their own hand, whichever is later.

Decisions of the JKEIAA:

After due deliberations, the JKEIAA upheld the recommendations of the JKEAC to reject the case for grant of E.C. The JKEIAA also agreed that the mining block be given rest at least for three years or till full replenishment is certified by the stakeholders specifically the Chief Engineer, Irrigation and Flood Control Department, Kashmir and Director, G&M under their own hand, whichever is later. The Member Secretary shall inform the concerned accordingly.

Agenda Item No.06.

Grant of Environment Clearance in favour of M/S UNITED CEMENTS PRODUCTS TREHGAM, Project Proponent Mrs. Rafiq Begum W/o Ab. Rashid Lone R/O Lone Harrai Tehsil & District Kupwara JK UT for Minor Mineral Block No-18, Trehgam Bridge to Hayan, Downstream Khemil Nallah, Manigah Trehgam Kupwara, with an resized Area of 1.19 Ha.(ADS) under proposal No.SIA/JK/MIN/240954/2021, SIA/JK/MIN/226825/2021 & SIA/JK/MIN/60931/2021.

Brief Summary: The 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, with an resized Area of 1.19 Ha.

The LOI was issued on 28-09-2020, which has been extended on 01-04-2022 and its validity was up to 30-06-2022. 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 24-04-2021/19-03-2022 and area of the project has been reduced by the Geology & Mining Department on 25-11-2021/02-06-2022. 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 NOC's (conditionally) in favour of the project.

DELIBERATIONS/SPECIFIC OBSERVATIONS OF JKEAC:

- a) The case had been discussed by the Expert Appraisal Committee earlier during the 38th Meeting held on 24/04/2021 during which ToRs had been granted to the project subject to title verification and refinement of boundaries in view of presence of cropland in the block.
- b) The project had again come for appraisal in the 90th meeting held on 19/03/2022 for a revised area of 2.23 Ha during which the Expert Appraisal Committee did not agree to approve the case and desired following compliances: -
 - i. Submission of specific NOC indicating presence or absence of off-take point of any irrigation canal/khul within 200m from the mining block.
 - ii. Clarification from the Xen Flood Control dept. w.r.t impact on Flood Protection works in the close vicinity of the block.
 - iii. Submission of Illegal mining report from the Multi Dept. District level Task Force (MDLTF) Cell and fixing of responsibility besides reporting whether the PP is involved in it.
 - iv. Mining depth of 1.00 m in aggregate & bulk density of 2.0 be adopted in absence of actual measurements
- c) Now, in the instant meeting, the PP has again approached JKEIAA for reconsideration of the case for grant of EC with following compliances:
 - i. The RQP informed that the PP has got the block further resized from 2.23 Ha to 1.19Ha from the Joint Director Geology and Mining department Kashmir vide letter dated 02/06/2022 which comprises of three sub-blocks.
 - ii. Regarding compliance to serial No.i, the PP has submitted fresh NOC issued by the Executive Engineer I&FC Division Kupwara for resized mining block of 1.19 Ha, mentioning therein that the flood protection (F.P) works which were earlier within the minor mineral block have now been excluded from the resized mineral block and the offtake points have also been excluded from the resized minor block 1.19ha. However, the Committee observed that the NOC is still ambiguous as it does not clearly mention presence or absence of irrigation kuhl offtake points within the prescribed distance of 200m.
 - iii. The Committee examined the three sub-blocks of the resized mining block of 1.19 Ha on Google Earth image using the KML/KMZ file submitted by the RQP and observed that the sub-block No.1 with pillars A1, A2, A3, A4, A5, A6 and A7 comprising of approx. 0.45 Ha alone can be considered for grant of EC as no kuhl offtake point appears to be located within 200m from its boundary while as the other two sub-blocks were not considered because of presence of features indicative of kuhl offtake points and flood protection works in their close vicinity.
 - iv. However, the Committee desired that the PP should obtain fresh NOC from the concerned Xen, I&FC Dept. in respect of sub-block No.1 as per format to be downloaded from the website of the Department of Ecology, Environment & Remote sensing.
 - v. Where ever haulage of material may involve crossing of the water channels, Hume pipes of appropriate specifications must be installed to ensure free flow of the water for irrigation, the committee opined. Accordingly, EMP budget needs to be revised, prior to grant of EC.
 - vi. The Asst. Director Fisheries Dept. while issuing NOC dated 20/03/2021 reports that the extraction may be allowed on dry patches/shoals only and that the boulders from main

water body should not be extracted as these play an important role in conservation and augmentation of fish species. Therefore, the Committee desired that mining may be allowed manually under strict enforcement regime by the Fisheries Dept.

- vii. JKEAC also desired that transportation should be carried out using carts or tractors and not by tippers and trucks to prevent any adverse impact on the local environmental setting and fragile ecology.
- viii. JKEAC desired that an updated PFR for mining block size of 0.45 Ha should be submitted prior to grant of EC.
- ix. The Committee also desired that the G&M Dept. should ascertain the economic viability of the revised mining block of 0.45 Ha before granting mining lease.

RECOMMENDATIONS OF THE COMMITTEE:

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) Further resizing of the mining block to limit mining to only one subset with pillars A1, A2, A3,14,15,16 and A7 comprising of 0.45 Ha and submission of revised PFR and revised surface plan, prior to grant of EC.
- c) An undertaking duly attested by Magistrate 1st class should be submitted to JKEIAA with copy to Irrigation & Flood Control Dept, Fisheries Dept. & G&M Dept. to the effect that No JCBs and mechanical means shall be used in the mining activity, prior to grant of EC.
- d) Condition transportation shall be undertaken only by carts and tractors and not tippers/tucks.
- e) Maximum targeted mineral production of 5400 MT.
- f) Revision of the mining plan with mine closure plan, revised mining depth, surface plan, targeted mineral production and replenishment and its denovo approval by them competent authority prior to grant of EC.
- 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) Condition the geographical coordinates as per revised mining block of 0.45 Ha 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 the JKEIAA:

After due deliberations, the JKEIAA upheld the recommendations of the JKEAC to grant E.C. to the project for an area of 0.45 Ha only subject to:

- a) Revalidation of Letter of Intent by Geology and Mining Department.
- b) Standard and Specific Conditions as per Annexure B to the Minutes of JKEAC Meeting.

- c) Revision of the PFR, mining plan with mine closure plan, revised mining depth, surface plan, targeted mineral production and replenishment and its denovo approval by the competent authority by resizing of the mining block to limit mining to only one subset with pillars A1, A2, A3, 14, 15, 16 and A7 comprising of 0.45 Ha prior to grant of EC.
- d) An undertaking duly attested by Magistrate 1st class should be submitted to JKEIAA with copy to Irrigation & Flood Control Dept, Fisheries Dept. & G&M Dept. to the effect that No JCBs and mechanical means shall be used in the mining activity, prior to grant of EC.
- e) Condition transportation shall be undertaken only by carts and tractors and not tippers/tucks.
- 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 5400 MT.
- 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) Revision of EMP budget as suggested by JKEAC prior to grant of EC.
- i) 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.
- j) While issuing EC, Member Secretary shall specifically mention revised geographical coordinates for revised area of 0.45 ha only conveyed by G&M Dept.
- k) Validity period of only two years from the date of commencement of the mining operations duly certified by the District Mineral Officer concerned with intimation to the JKEIAA, JKPCC in accordance with Minutes of Meeting of JKEIAA issued vide No. JKEIAA/2016/02/II/631-33 dated 08/08/2020 during which time fresh Public Hearing shall have to be got conducted by the PP.

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/ 7536 - 52

Dated: 26-07-2022

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. Principal 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. 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, Poonch, Shopian, Baramulla, Jammu, Pulwama & Kupwara, 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)

28/07/2022
Director EERS/Member Secretary JKEIAA