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Government of India

Ministry of Environment, Forest & Climate Change

## **J&K ENVIRONMENT IMPACT ASSESSMENT AUTHORITY**

(a.t) DEPARTMENT OF ECOLOGY, ENVIRONMENT AND REMOTE SENSING

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

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### **MINUTES OF THE 83<sup>RD</sup> MEETING OF JK ENVIRONMENT IMPACT ASSESSMENT AUTHORITY HELD ON 02<sup>ND</sup> JULY, 2022 THROUGH VIDEO CONFERENCING**

In pursuance to the Minutes of the 95<sup>th</sup> Meeting of the JK Expert Appraisal Committee held on 24<sup>th</sup> June, 2022 through video Conferencing issued vide No.EAC/JK/22/13877-13889 dated 25-06-2022, the 83<sup>rd</sup> Meeting of the JK Environment Impact Assessment Authority was held on 02<sup>nd</sup> July, 2022 at 1400 Hrs. through video conferencing:

The following attended the meeting:

- |   |                          |
|---|--------------------------|
| 1. Mr. Lal Chand, IFS(Retd.)                        | Chairman, JKEIAA         |
| 2. Er. Nazir Ahmad (Chief Engineer, Retd.)          | Member, JKEIAA           |
| 3. Shri Rakesh Kumar, IFS,<br>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 Gayatri Projects Pvt. Ltd. R/O H.No. 305, Sector-5, Channi Himmat, Jammu JK UT for Cluster Short Term Permit (STP) Extraction of River Bed Material Located in Village Darui, Tehsil & District - Samba, JK UT (Cluster Area 3.762 ha). under proposal No.SIA/JK/MIN/272756/2022.**

**Brief Summary:** This case pertains to grant of Environment Clearance under B2 category for Cluster STP Extraction of River Bed Material Located in village: Darui, Tehsil & District - Samba, JK UT (Cluster Area 3.762 ha). under proposal No. SIA/JK/MIN/272756/2022.

LOI has been issued on 05-02-2022, which was extended up to 30-06-2022. Mining plan has been approved on 14-03-2022. 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 have issued NOCs (conditionally) in favour of the project. The NOC from Forest Department is ambiguous as it provides only single coordinate of only one STP and indicates impact on the nearby closure of SFRI.

#### **DELIBERATIONS/SPECIFIC OBSERVATIONS OF JKEAC:**

- The consultant gave a detailed power point presentation on the project during which he informed that cluster of STPs has been proposed to meet the construction

- requirement of the Ring Road, Jammu. He further informed that the mining depth has been proposed at 1m with total proposed production at 99691 MTs in aggregate to be extracted within three months for all the STPs.
- b) It was noted that the Consultant has wrongly mentioned period of STPs as 3 years in the PFR which needs to be corrected to 3 months.
  - c) It was further observed that the PP has not submitted title verification of the land under the STPs.
  - d) While observing the Cluster of STPs on Google image using the KML file uploaded by the consultant on the portal vis-a-vis the digital forest territorial boundary, it was found that STP-1 is entirely inside the forest boundary while as the other STPs too are having major portion inside the forest boundary.
  - e) It was also observed that the STPs have not been properly drawn up as these encompass areas with tree cover falling outside the nallah bed, which is against norms. Therefore, the STPs need to be redrawn / relocated to limit these to nallah bed only.
  - f) The NOC issued by the concerned DFO was found to be ambiguous as it only mentions single coordinate of one of the STPs. It also indicates that the area of the STPs is adjoining the closures of SFRI and is vulnerable to soil erosion. Therefore, the Committee desired that the PP be asked to obtain a fresh NOC as per standard format which may be downloaded from the website of the Dept. of Ecology, Environment & Remote Sensing at [www.jkdears.com](http://www.jkdears.com).
  - g) NOC from the SFRI also need to be obtained as the closure lies in the close vicinity of the STPs as indicated by the DFO in his communication.
  - h) The Haulage route of the STPs was examined on the Google image and it was desired that the title of the land to be used for haulage needs to be ascertained and certified by the concerned Revenue Authority with local PRI on board.
  - i) EMP budget needs to be revised with appropriate budget.
  - j) Mining plan needs to be revised in the light of conditions of approval by the competent authority and the observations of JKEAC.
  - k) Bulk density of 2.65 adopted in the instant mining plan is based on the certificate issued by the Research Officer, Design Directorate. The committee desired that it be got endorsed by the Chief Engineer Concerned.

#### **RECOMMENDATIONS OF THE COMMITTEE:**

In view of the above deliberations / observations made here-in-above, the Expert Appraisal Committee did not agree to recommend the Cluster of STPs for grant of EC in the present form. However, the PP is if he so desires, may again approach JKEIAA for further appraisal after obtaining clarifications on following counts:

1. The STPs need to be redrawn/ relocated to exclude the areas falling outside the Nallah bed.
2. NOC be obtained from the SFRI w.r.t adverse impact of mining activity, if any, on its closures in the vicinity.
3. Clear cut title verification of the land under redrawn/relocated STPs be obtained.
4. Clear cut title verification of the land under haulage routes of the individual STPs to be obtained from concerned Revenue Authority.
5. Fresh NOC from the Forest Dept. (as per format to be downloaded from the website of the Dept. of Ecology, Environment & Remote Sensing) to be obtained, indicating therein the additional details as per following table:

STP No.	Geographical Coordinates of the STP nearest to the pillar coordinate of the forest		Geographical coordinates of the nearest boundary pillar of Forest		Distance between nearest pillar coordinate of STP and the Forest boundary (in mts.)
	Lat.	Long.	Lat.	Long.	
1					
2					
3					
4					

6. Compliance to all other observations made under deliberations.

**Decisions of 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 may, if he so desires, again approach JKEIAA afresh after revalidation of LOI and after obtaining clarifications on the following counts:

1. The STPs need to be redrawn/ relocated to exclude the areas falling outside the Nallah bed.
2. NOC be obtained from the SFRI w.r.t adverse impact of mining activity, if any, on its closures in the vicinity.
3. Clear cut title verification of the land under redrawn/relocated STPs be obtained.
4. Clear cut title verification of the land under haulage routes of the individual STPs to be obtained from concerned Revenue Authority.
5. Fresh NOC from the Forest Dept. (as per format to be downloaded from the website of the Dept. of Ecology, Environment & Remote Sensing) to be obtained.
6. Compliance to all other observations made under deliberations.

**Agenda Item No.02.**

**Grant of Environment Clearance in favour of M/S Sai Mines R/o. Logate, Tehsil and District Kathua, JK UT for River bed mining of Minor Mineral Block No 02 Upstream Sher-e-Kashmir Bridge Part II Village Mangnar and Kunoyian, Tehsil Surankote & District Poonch, JK UT Area 7.47 ha. under proposal No. SIA/JK/MIN/59661/2021.**

**Brief Summary:** This case pertains to grant of Environment Clearance under B1 category for River bed mining of Minor Mineral Block No 02 Upstream Sher-e-Kashmir Bridge Part II Village Mangnar and Kunoyian, Tehsil Surankote & District Poonch, JK UT Area 7.47 ha. under proposal No. SIA/JK/MIN/59661/2021.

LOI has been 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 15-03-2020. 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 NOCs (conditionally) in favour of the project.

### **DELIBERATIONS/SPECIFIC OBSERVATIONS OF JKEAC:**

- a) The case had been discussed by JKEAC in the 29<sup>th</sup> meeting held on 13.03.2021 during which the Committee recommended TORs to the project subject to title verification of the mining block by the concerned Revenue Authority as 'state land' subject to exclusion of the private land if any involved due to change of nallah course and revision of project cost. The PP subsequently obtained title verification of the land under the block.
- b) The case had again been discussed by JKEAC in the 69<sup>th</sup> meeting held on 05.11.2021 during which the committee did not approve the project and the PP had been asked to submit compliance to the following observations:
  - i. From the perusal of Public Hearing notes, it appears that the general mood amongst the people is not in favour of mining activity in the area probably due to the apprehension that as soon as mining activity begins, their Kuhls and canals will be left high and dry and that the agricultural production will suffer for want of adequate water supply for irrigation. In this context, the concerned Dy. Commissioner needs to constitute a Committee comprising of Xen Irrigation, Xen Flood Control, Tehsildar concerned and the representatives of PRI to go through the concerns highlighted in the public hearing report and evolve a comprehensive proposal including engineering works which will ensure uninterrupted flow of water in the existing khuls along the banks of Suran river, the cost thereof shall have to be met by the project proponent.
  - ii. The Committee observed features on Google Image, presumably indicative of an offtake point of irrigation kuhl in the vicinity of the mining block and the Committee desired project proponent to obtain field verification of same by the concerned Xen Irrigation Dept. with seal and signature on the back side of Colour Google image of the area depicting the mining block boundary and Kuhl offtake point, if any, within 200m of the mining block boundary, prior to grant of formal EC.
  - iii. The active water channel passing through the mining block would require to be excluded.
  - iv. Submission of non-involvement in illegal mining activity certificate from the competent authority.
  - v. Submission of photographs of display screen of Air Quality Monitoring Station displaying the dates of collection of baseline data.
  - vi. Revision of project cost.
  - vii. Adopting a mining depth of max. 1m and bulk density of 2 in absence of replenishment study and ground based measurements.
- c) The case had once again been discussed in the 88<sup>th</sup> meeting held on 12.03.2022 during which the committee did not recommend the case for the grant of environmental Clearance and the PP had been asked to submit compliance to the following observations:
  - i. Since, the JKEAC was not satisfied with the compliance to item i, supra, it had desired that the Dy. Commissioner concerned again to call a joint meeting of all the stakeholders including the public representatives who had participated in the public hearing to address and resolve their apprehensions. A report to this effect be submitted to the JKEIAA to help carry forward the appraisal process.
  - ii. The PP had further been asked to obtain fresh NOC from the Executive Engineer stating that:-

- a. The mining block does not fall within 200mts from any Irrigation scheme/Headwork/Off-take point and 50mts from the canal.
- b. That no Inlet / Headwork/ off-take point of any Irrigation canal/irrigation kuhl originates from within the designated mining block.
- c. The mining activity in the designated mining block will not have any adverse effect on the flow of water to the irrigation canal/kuhl/safety of Irrigation works.
- iii. Submission of photographs of display screen of Air Quality Monitoring Station displaying the dates of collection of baseline data.
- iv. Submission of revised mining plan for revised mining depth & bulk density.
- d) During deliberations in the instant meeting, the Committee observed as:
  - i. With respect to item (i), the PP has submitted an inspection report issued by Dy. Commissioner concerned stating therein that joint inspection had been conducted by Executive Engineer (I&FC Division) Poonch, Tehsildar Haveli (Poonch) and DMO (Poonch) in presence of local PRI representative mentioning therein that the local PRI have no issue for opening of the minor mineral block and their apprehensions have been resolved.
  - ii. With respect to item ii, the joint inspection report as cited above and signed by Panch, Sarpanch, Executive Engineer (I&FC Division) Poonch, Tehsildar Haveli (Poonch), DMO (Poonch) and Dy. Commissioner Poonch states that there is no irrigation Khul within 200 m from the outer boundary of the block No. 02. It also mentions that no hydraulic structure/Irrigation Kuhl off take point shall be damaged during the mining operations.
  - iii. With respect to item iii, the photographs of display screen of Air Quality Monitoring Station displaying the dates of collection of baseline data have not been submitted and same needs to be submitted, prior to grant of EC.
  - iv. With respect to item iv, the revised mining plan has not been submitted and the same needs to be submitted, prior to grant of EC.

**RECOMMENDATIONS OF THE COMMITTEE:**

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 detailed above, prior to grant of EC.
- c) Submission of photographs of display screen of Air Quality Monitoring Station displaying the dates 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 89,600 MT.
- g) Condition the geographical coordinates as per LOI issued by G&M Dept. are mentioned in the EC letter by JKEIAA.
- h) Compliance of all other observations made herein above under deliberations.

- 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:**

JKEAC in its 88<sup>th</sup> meeting held on 12-03-2022 had raised some pertinent queries/ observations, based on which EC was not recommended and PP was asked to submit compliance/ ATR to these queries. The compliance report/ ATR submitted by PP has been discussed by the JKEAC in present meeting, based on which JKEAC has recommended grant of EC in favour of PP subject to fulfillment of certain conditions enumerated in its recommendations. After due deliberations on observations of JKEAC, the JKEIAA agreed to uphold recommendations of JKEAC for grant of environmental Clearance subject to fulfillment of following conditions:

- 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.
- 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 89,600 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) 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.
- 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 LOI issued by G&M Dept. are mentioned in the EC letter by JKEIAA.
- 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.

**Agenda Item No.3.**

**Grant of Environmental Clearance (EC) for River bed Mining Project of Minor Mineral in Block No.42 (Revised Area 7.05 Ha) and Block No.43 (revised area 1.62 Ha) at Downstream Nallah Vishu near H/O M. Amin Mir, Check Bala Reshnagari, Tehsil & District Shopian, UT-Jammu & Kashmir in favour M/S Amit Mahajan S/O Sh. Adarsh Mohan Mahajan and Shri Karanvir Singh S/O Shri Surinder Singh respectively (UNDER CLUSTER SITUATION)**

This case pertains to grant of Environment Clearance under B1 for River bed Mining Project of Minor Mineral in Block No.42( Revised Area 7.05 Ha)and Block No.43(revised area 1.62 Ha) at Downstream Nallah Vishu near H/O M. Amin Mir, Check Bala Reshnagari, Tehsil & District Shopian, UT-Jammu & Kashmir in favour M/S Amit Mahajan

S/O Sh. Adarsh Mohan Mahajan and Shri Karanvir Singh S/O Shri Surinder Singh respectively (CLUSTERSITUATION) under proposal No. SIA/JK/MIN/66424/2021, SIA/JK/MIN/56418/2020 and SIA/JK/MIN/66651/2021- SIA/JK/MIN/56381/2020.

#### **CASE SUMMARY OF BLOCK 42**

LOI has been issued on 27-03-2020, which has been 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 20-01-2022 and public hearing to the project was conducted on 17-03-2022. The case was earlier discussed by the JKEAC on 03-01-2022 and are 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 NOCs shows that Stakeholder departments have issued NOC's (conditionally) in favour of the project. The NOC from Revenue Department is ambiguous.

1. NOC from irrigation department mentions that supply channel and main water conductors of Tongri canal and Chin Ladi are in the vicinity.
2. Title verification is ambiguous

#### **CASE SUMMARY OF BLOCK 43**

LOI has been issued on 06-06-2020, which has been extended on 01-04 2022 and its validity was up to 30-06-2022. Mining plan has been approved on 07-08-2020. The Terms of Reference were issued to the project on 20-01-2022 and public hearing to the project was conducted on 17-03-2022. The case was earlier discussed by the JKEAC on 18-12-2021/03-01-2022 and are of the project has been reduced by the Geology & Mining Department on 01-10-2021.

As per summary of appraisal report, District Survey Report has 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 NOCs (conditionally) in favour of the project. The NOC from Revenue Department is ambiguous.

1. NOC from irrigation department mentions that supply channel and main water conductors of Tongri canal and Chin Ladi are in the vicinity.
2. Title verification is ambiguous

#### **DELIBERATIONS/SPECIFIC OBSERVATIONS OF JKEAC:**

- a) The cases had been discussed by the Expert Appraisal Committee earlier during the 81st Meeting held on 03/01/2022 under cluster situation during which the committee granted ToRs to the projects subject to condition that: -
  - i. PP submits report from Multi-Departmental District Level Task Force Cell (MDDLTF) w.r.t illegal mining in the area and fixing of responsibility thereof, besides, reporting whether the PP is involved in it.
  - ii. Submission of revised title verification from the concerned Revenue Authority.
  - iii. Active water channel observed also in the resized mining block 43.
  - iv. The supply channel of presumably water supply scheme exists in the vicinity of the Block - 43 which requires specific NOC from the stakeholder departments.
  - v. Drastic reduction in mining area is bound to affect the economic viability of mining operations in the block - 43 as the viability gap is likely to open doors to illegal mining and result in further degradation of environment.



- vi. The Committee further observed Irrigation offtake point at a distance of 214m from the mining block No.42 and found the canal moving parallel to the mining block at a distance of less than 50m. Further, the Committee also noticed extensive erosion on left bank of the nalla at the site of mining block and apprehended that erosion may be aggravated as and when mining operations commence. The Committee therefore, desired that the PP should incorporate adequate mitigation measures in EMP with appropriate budget aimed at arresting the progression of erosion. Besides, the mining operations shall be restricted beyond a distance of 70 m from the erosion affected edge of the nalla and also maintain a safe distance of 50m from edge of the canal. The mining block shall be resized accordingly.
  - vii. Mining depth of 3.00 m and Bulk density of 2.3 m adopted in the instant mining plan were not agreed by the committee. Mining depth needs to be restricted to max. 1m in aggregate and bulk density be based on actual ground measurements.
- b) Now, the PPs have approached JKEIAA for consideration of the cases for grant of EC after submitting the final EIA and Public Hearing Report with submission of the following compliances:
- i. In compliance to above Point No i), the PPs have submitted a report on illegal mining from the MDDLTF cell vide letter no DMS/PA/21/4237-39 dated 04/02/2022 which mentions that the project proponents of these mining blocks are not involved in any illegal mining activity.
  - ii. With respect to point no ii), the PPs have not submitted any fresh title verification from the concerned Revenue Authority for the revised mining blocks which needs to be submitted prior to grant of EC.
  - iii. With respect to point no iii) regarding presence of active water channel, the committee desired that the PP should exclude the active water channel while calculating the targeted mineral production.
  - iv. In compliance to point no iv), the PPs have submitted the NOC from Executive Engineer Irrigation Division Shopian which mentions that supply channel and main water conductors of Tongri canal and Chin Ladi lie in the vicinity. However, the JKEAC opined that the NOC is on a generalized format and does not indicate presence or absence of any off-take point within distance of 200m and desired that the PP should obtain fresh NOC as per the format to be downloaded from the website of the Dept. of Environment, prior to grant of EC.
  - v. With respect to point no v regarding economic viability of the project, the Committee desired that the G&M Dept. should ascertain the same to ensure that the environmental setting of the area is not impacted.
  - vi. In compliance to point no vi), The PP has resized the mining block-42 to 7.05 ha from 9.72 ha vide letter dated 30/03/2022 to exclude the erosion affected area and to maintain a safe distance of 50m from the edge of the canal.
  - vii. With respect to point no vii viz. revised mining plan, the compliance is yet to be submitted and therefore, needs to be submitted, prior to grant of EC.
- c) Submission of revised title verification for the resized mining blocks be obtained by the PP from the concerned Revenue Authorities, prior to grant of EC.
- d) The compliance to specific ToR condition relating to photographs of display screen is playing the date of collection of data missing in EIA report which needs to be submitted to JKEIAA office, prior to grant of EC.



- e) EM Budget needs to be revised with appropriate budget as suggested in the remark's column of EMP tables above prior to grant of EC.
- f) 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.

**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) Submission of fresh title verifications from the concerned Revenue Authorities for both the resized mining blocks prior to grant of EC.
- c) Condition that the PPs obtain fresh NOCs from Irrigation Dept. as per the format uploaded on the website of the dept. of Environment, prior to grant of EC.
- d) The Committee also desired that the PPs 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 84600 MT for Block-42 and 19400 MT for Block-43 respectively.
- g) Strict adherence to the terms and conditions of the NOCs of the stakeholder 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 LOI to be conveyed by G&M Dept. are mentioned in the EC letter by JKEIAA
- j) Submission of compliance to the 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:**

While going through the deliberations of JKEAC, the following points were observed:

1. In the deliberations of the committee, during its 81<sup>st</sup> meeting held on 03/01/2022 had observed at point number: a (iv) that the supply channel of presumably water supply scheme exists in the vicinity of the Block – 43, which required specific NOC from the stakeholder departments. However, in the deliberations of the 95<sup>th</sup> meeting of JKEAC, it has not been mentioned whether the said NOC has been submitted by the PP from the concerned stakeholder department, which in the said instance is PHE Department. As per the observations of JKEAC, the PP shall obtain an unambiguous and clear-cut NOC from Ex. Engineer PHE and Ex. Engineer I&FC as per the format to be

downloaded from the website of the Dept. of Environment (<http://jkdears.com/eers/files/formats.asp>).

2. PP shall submit the compliances as above within 3-weeks' time from the issue of these minutes, failing which the case shall be rejected.

#### **Agenda Item No.4.**

**Grant of Environmental Clearance for minor mineral block 14, Revised area 2.20 Ha. ANG/II/14 Anag Bridge Lidder Nallah Upstream, District Anantnag, UT of Jammu and Kashmir in favour of Shri Kapil Aggarwal S/O Shri Jugesh Aggarwal, under proposal No.SIA/JK/MIN/257511/2022 & SIA/JK/MIN/63366/2021.**

**Brief Summary:** This case pertains to grant of Environment Clearance under B2 for minor mineral block 14, Revised area 2.20 Ha. ANG/II/14 Anag Bridge Lidder Nallah Upstream, District Anantnag, UT of Jammu and Kashmir in favour of Shri Kapil Aggarwal S/O Shri Jugesh Aggarwal, under proposal No.SIA/JK/MIN/257511/2022 & SIA/JK/MIN/63366/2021.

LOI has been issued on 31-07-2020, which has been extended on 01-04 2022 and its validity was up to 30-06-2022. Mining plan has been approved on 26-04-2021. 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 08-10-2021/15-10-2022.

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. The NOC from Revenue Department is ambiguous. The NOC issued by the Tehsildar (Mattan) is ambiguous without specifically mentioning the title of the resized mining block with area 2.20 ha. The NOC issued by the Fisheries Dept. was valid only up to 31<sup>st</sup>March 2022.

#### **DELIBERATIONS/SPECIFIC OBSERVATIONS OF JKEAC**

- a) The PP had earlier submitted the case for the grant of Terms of Reference in the 77<sup>th</sup>JKEAC meeting held on 11/12/2021 during which ToRs were rejected for following reasons:
  - i. The mining reserves have greatly depleted due to heavy illegal mining and hardly any reserves of minor minerals appeared to be available in the block of resized area of 7.47 Ha ( Original size: 9.23Ha)
  - ii. Non-availability of title verification.
  - iii. Mining block had been observed to be crisscrossed by active water channels at multiple locations with implications for existing irrigation network in the area, besides, surveillance / monitoring of the mining operations that could contribute to further degradation of the existing environment in the area.
- b) The PP has approached JKEIAA after resizing the mining block further from 7.47 Ha to 2.20 Ha and has directly applied for grant of EC under B2 category.
- c) The NOC issued by the Irrigation Dept., is on a generalized format without mentioning specific details relating to location of kuhls/canals offtake points in the area. It mentions that the supply channel of the Mirgund canal is located in the area and extraction of bed material shall adversely affect smooth irrigation facilities to the beneficiaries.

- d) Validity of NOC issued by Fisheries Dept. has expired on 31st march, 2022. Perusal of the same indicates that the Nallah is important from fisheries point of view.
- e) The title verification issued by the concerned Tehsildar for the mining block of original area 9.23Ha indicates that the block comprises of shamlat, state land and proprietary land. However, title verification of the land under the resized mining block of 2.20 ha is not available and involvement of proprietary land in the resized mining block cannot be ruled out.
- f) Even though PP has submitted a Fit for mining certificate issued by G&M Dept. vide letter no. MSK/DGM/SGR/F-267/8387-88 dated 25/03/2022, the Committee is of the considered view that further mining in the area would adversely affect the irrigation network, fisheries potential and the aesthetics of this catchment area of high tourist value, which has already been mined heavily in the past as per features observed on the Google Image.

**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 grant of EC.

**Decisions of JKEIAA:**

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

**Agenda Item No.5.**

**Grant of Terms of Reference for River bed Mining Project of Minor Mineral in Block No.16, Area (8.20) Ha. at ANS River Downstream Narloo Bridge, District-Reasi Jammu & Kashmir in favour of M/S Mahavir Mining R/o 01 Lane No.03 Shaheed Udham Singh Nagar. Punjab, under proposal No.SIA/JK/MIN/61532/2021.**

**Brief Summary:** The case pertains to Grant of Terms of Reference for River bed Mining Project of Minor Mineral in Block No.16, Area (8.20) Ha. at ANS River Downstream Narloo Bridge, District-Reasi Jammu & Kashmir in favour of M/S Mahavir Mining R/o 01 Lane No.03 Shaheed Udham Singh Nagar. Punjab, under proposal No.SIA/JK/MIN/61532/2021.

LOI has been issued on 09-09-2020, which has been extended on 01-02- 2022 and its validity was up to 30-06-2022. Mining plan has been approved on 14-01-2021. The case was earlier discussed by the JKEAC on 22-04-2021/11-12-2021.

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 not issued NOCs in favour of the project as yet. Only the Forest Department had issued NOC in favour of the project mentioning the land as Non-Forest Land.

**DELIBERATIONS/SPECIFIC OBSERVATIONS OF JKEAC:**

- a) The case had been discussed by the Expert Appraisal Committee earlier during the 37th Meeting held on 22/04/2021 and 77th Meeting held on 11/12/2021 during which the Committee did not recommended the case for grant of TORs and desired necessary clarification w.r.t boundaries of mining block vis-à-vis forest boundary.

- b) The PP has now again approached JKEIAA for consideration of the project for grant of TORs after obtaining NOC from concerned DFO, Mahore Forest Division, vide letter no 3170-71 dated 09/03/2022 which mentions that the river Ans, on bed of which Mineral Block No. 16 is located, had changed its course in the past due to construction of Salal Hydro Electric project and the boundary pillars had been washed away. Under the apprehension that forest boundary may be traversing the proposed block between point E&F, (Boundary pillars No. 45 & 46 of Rumbal Thal Forest), the concerned DFO recommends that points E&F of Block no. 16 may be shifted towards G & H of the mining block. However, the Committee observed that the conflict area lies near pillar A and H and not pillar E&F as reported by the DFO. Therefore, it was desired that the PP should resize the mining block to avoid any conflict with the forest boundary.

**RECOMMENDATIONS OF THE COMMITTEE:**

In view of the above deliberations / observations made by the Committee here-in-above, the Expert Appraisal Committee did not recommend the project for grant of TORs in the present form. However, the PP if he so desires, may again approach the JKEIAA after resizing the mining block to avoid any conflict with the forest boundaries both visible on Google Earth in conjunction with the digital forest boundary and in the light of assertions made by DFO in his communication.

**Decisions of JKEIAA:**

After due deliberations, the JKEIAA upheld the recommendations of the JKEAC to reject the case for grant of Terms of Reference in the present form. However, the PP, may again approach the JKEIAA after resizing the mining block to avoid any conflict with the forest boundaries both visible on Google Earth in conjunction with the digital forest boundary and in the light of assertions made by DFO in his communication.

**Agenda Item No.6.**

**Transfer of Environment Clearance from Nallah-bed Mining project Area 4.27 ha. of Minor Mineral Block No.22,V-BrazloBridge Downstream Nallah Village Brazloo, Tehsil & District Kulgam.**

**Brief Summary:** The Environment clearance has been granted in favour of Mr. Viqar Ahmad Dar S/O Shri Bashir Ahmad R/O Matulhama by the District Authority Environment Impact Assessment Authority dated 11-04-2018.

In June, 2020, Letter of Intent has been issued by the Geology & Mining Department vide No./739/MCC/DGM/B-22/Kul/20/1477-84 dated 16-07-2020 in favour of Shri Mushtaq-ul-Islam S/O Shri Gh.Mohi-ud-din Bhat R/O Karimabad, Pulwama. The new project proponent of the aforesaid block viz Shri Mushtaq-ul-Islam has approached this office along with supported documents (as are required for such cases) for transfer of aforesaid Environment Clearance in favour of the applicant.

**Decision of the JKEIAA:**

JKEIAA observed that the District Authority (DEIAA) had granted the Environmental Clearance for mining up to the depth 02 Mtrs., whereas in view of non-availability replenishment data JKEIAA/JKEAC have been prescribing the depth of mining be restricted to 1 mtr in aggregate. In view of above fact, Authority decided that E.C. be

transferred in favour of Shri Mushtaq-ul-Islam S/O Shri Gh. Mohi-ud-din Bhat R/O Karimabad, Pulwama subject to the condition:

- a) The project proponent shall submit afresh Affidavit of the 1st Class Magistrate to the office of JKEIAA mentioning there that Standard/Specific conditions as are laid down in other RBM cases (Annexure-A) will be fully complied by the project proponent
- b) In view of non-availability replenishment data, the depth of mining shall be restricted to 1 mtr only.

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/ 7519 - 35

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. 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, Samba, Poonch, Shopian, Anantnag, Reasi & Kulgam, 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)  
26/07/2022  
Director EERS/Member Secretary JKEIAA