



Government of India
Ministry of Environment, Forest & Climate Change



J&K ENVIRONMENT IMPACT ASSESSMENT AUTHORITY
(at) DEPARTMENT OF ECOLOGY, ENVIRONMENT AND REMOTE SENSING

S.D.A. Colony, Bemina, Srinagar-190018 (May-Oct)/ ParyavaranBhawan, Transport Nagar, Gladni, Jammu-180006 (Nov-Apr)
Email: jkseiaa@gmail.com, website:www.parivesh.nic.in

MINUTES OF MEETING

In pursuance to the Minutes of the 73rd Meeting of the JK Expert Appraisal Committee held on 20th November, 2021 through video Conferencing issued vide No. EAC/JK/21/11251-11263 dated 24-11-2021 and 74th Meeting of the JK Expert Appraisal Committee held on 23rd November, 2021 through video Conferencing issued vide No.EAC/JK/21/11336-11348 dated 24-11-202, the 68th Meeting of the JK Environment Impact Assessment Authority was held on **27th November, 2021** at 1100 Hrs. through video conferencing:-

The following members attended the meeting:-

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|--|--------------------------|
| 1. Mr. Lal Chand, IFS(Retd.) | Chairman, JKEIAA |
| 2. Er. Nazir Ahmad (Retd. Chief Engineer) | Member, JKEIAA |
| 3. Dr. Neelu Gera, IFS, Pr.CCF
Director, EE&RS, J&K | Member-Secretary, JKEIAA |

The following agenda items were discussed in the meeting:-

Agenda Item No.01.

Grant of Environment Clearance in favour of Shri Surjeet Kumar S/O Shri Isher Dass R/O Village Bhajwal, Tehsil Sunderbani, District Rajouri, JK UT for River Bed Mining of Miner Mineral Block 3/4, Nowshera Tawi River Downstream Nowshera Jabba Bridge (Bhaganoti), (DANDESAR AREA) RAJOURI, JK UT (PART- II), Area 9.61ha. under proposal No.SIA/JK/MIN/61244/2021.

Brief Summary: This case pertains to grant of Environment Clearance under B1 category for River Bed Mining of Miner Mineral Block 3/4, Nowshera Tawi River Downstream Nowshera Jabba Bridge (Bhaganoti), (DANDESAR AREA) RAJOURI, JK UT (PART- II), Area 9.61ha. LOI has been issued on 22-12-2020, which was later extended on 10-09-2021 and is valid up to 30-11-2021. Mining plan has been approved on 16-02--2021. The Terms of Reference were issued to the project on 19-04--2021 and public hearing of the project was conducted on 26-08-2021. The case was earlier discussed by the JKEAC on 27-03-2021.

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 NOCs in appraisal report 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 during 31st meeting held on 27.03.2021 during which the Committee recommended TORs to the project subject to condition that the PP obtains NOC from the Fisheries Department and I&FC Dept., besides obtaining, 'non-involvement in illegal mining activity' report from Multi Dept. Committee after recording views of local panchayat representatives.
- b) The PP has obtained clarification from the Multi departmental District Level Task Force (MDLTF) Cell, stating that the PP is not involved in any kind of illegal mining activity in the said mining block.
- c) The Committee while observing the mining block boundary on the Google image of 5/2021, desired to exclude the active water channel leaving only 4.98 Ha of area for mining activity. Accordingly, the minable reserves shall be recalculated and revised PFR / EIA be submitted prior to grant of EC.
- d) The Public Hearing Report indicates that the locals have strongly raised the issue of illegal mining in the area and have questioned the proposed mining activity when the material stands already extracted due to heavy illegal mining in the area.
- e) The Committee while observing the latest available Google Image of 5/2021 found that the mining block area still appears to be depleted due to heavy illegal mining in the block and desired to know the status of availability of the material as on date.
- f) In view of the poor prospects of availability of material, the Committee desired that G&M Dept. should physically verify the availability of material on site and issue a 'fit for mining certificate' for the block, if they find adequate replenishment has taken place post 5/2021 and there is enough material available in the proposed mining block that can be excavated without endangering ecological and hydrological regime of the area, prior to grant of EC.
- g) Scattered trees found within the block which need protection during mining operations. The PP needs to submit an undertaking attested by 1st class judicial magistrate to the effect that due protection shall be given to the vegetation / trees within the mining block.
- h) The compliance to specific ToR condition relating to photographs of display screen of Air Quality Monitoring Station displaying the dates of collection of data is missing in EIA report and needs to be submitted prior to grant of EC.
- i) Project cost has been underestimated by the consultant as it does not include cost of EMP, CER and therefore needs to be revised, prior to grant of EC.
- j) EMP budget needs to be revised with appropriate budget as suggested in the remark's column above, prior to grant of EC.
- k) Revision of the mining plan with mine closure plan, revised mining depth, revised area, surface plan, targeted mineral production and replenishment and its denovo approval by the competent authority prior to grant of EC or as decided by JKEIAA.
- l) Mining depth of 2.0 m & bulk density of 2.25 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 JKEAC:

- a) 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) Compliance of observations made herein above under deliberations, prior to grant of EC.
- c) Submission of 'fit for mining certificate' from the G&M Dept. as per above deliberations prior to grant of EC.
- d) Resizing of the mining block as per deliberations, prior to grant of EC.
- e) 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 department.
- f) No JCBs/ Excavators/ Bulldozers to be used in mining and no water course to be disturbed while transporting minor minerals.
- g) Maximum targeted mineral production of 59700 MT.
- h) Condition the geographical coordinates as per revised area to be conveyed by G&M Dept. are mentioned in the EC letter by JKEIAA.
- 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 mining over 4.98 ha only subject to:-

- a) Standard and Specific Conditions as per Annexure B to the Minutes of JKEAC Meeting.
- b) Compliance to the observations made by JKEAC during deliberations herein above prior to grant of EC.
- c) Submission of 'fit for mining certificate' from the G&M Dept. as recommended by JKEAC prior to grant of EC.
- d) Compliance to the specific ToR condition relating to photographs of display screen displaying the date of collection of data within six months of grant of formal EC.
- e) PP Needs to submit an undertaking attested by 1st Class Judicial Magistrate to the effect that due protection shall be given to the vegetation/trees witing the mining block.
- f) 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.

- 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 59700 MT.
- h) Revision of EIA, EMP/CER Budget as suggested by JKEAC prior to grant of EC.
- i) Resizing of the mining block by excluding active water channel, thus leaving only 4.98 Ha of area for mining activity prior to grant of EC.
- j) 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 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) To ensure protection of Infrastructure in vicinity of mining block, minimum distance guidelines provided under standard environmental conditions as given in Sustainable Sand Mining Guidelines, 2016, at S.No. 49 - Protection of Infrastructure shall be maintained.
- 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.02.

Grant of Environment Clearance in favour of Shri Surjeet Kumar S/O Shri IsherDass R/O Village Bhajwal, Tehsil Sunderbani, District Rajouri, JK UT for Minor Mineral Block no. 3/2 NowsheraTawi River Downstream, Nowshera Jabba Bridge (Dandesar Area) Rajouri (Part-II) RAJOURI, JK UT. Resized area 3.93ha. under proposal No.SIA/JK/MIN/61239/2021.

Brief Summary: This case pertains to grant of Environment Clearance under B2category (Subject to production of cluster certificate) for Minor Mineral Block no. 3/2 Nowshera Tawi River Downstream Nowshera Jabba Bridge (Dandesar Area) Rajouri (Part-II) RAJOURI, JK UT, reduced area 3.93ha. LOI has been issued on 25-11-2020, which was later extended on 10-09-2021 and is valid up to 30-11-2021. Mining plan has been approved on 16-02--2021. The Terms of Reference were issued to the project on 19-04-2021 and public hearing of the project was conducted on 26-08-2021. The case was earlier discussed by the JKEAC on 27-03-2021. The area of the project was reduced by Geology & Mining Department on 27-10-2021.

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 NOCs in appraisal report 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 during 31st meeting held on 27.03.2021 during which the Committee recommended TORs to the project subject to NOC

from the Fisheries Department and I&FC Department, besides proper justification from the Geology & Mining Dept. for identifying the mining block of 9.66 Ha with only 3.93 Ha as minable area. However, the PP has got the mining block resized from 9.66 Ha to 3.93 Ha from the G&M Dept. vide letter dated 27/10/21 and has excluded the active water channel from the mining block.

- b) The Consultant was asked to present the Site Appreciation note. During perusal, the Committee detected discrepancies in the data presented as it failed to indicate the existence of dug wells at distances less than 200m as observed on the Google image. The Committee felt that it was a case of misrepresentation and an effort to suppress a fact which if reported could have resulted in denial of grant of EC due to non-conformance with national guidelines. Therefore, the Committee warned the consultant with disciplinary action if the act is repeated in future. The Committee also decided to send an appropriate communication to the consultant on the issue and a copy to all consultants advising them to remain cautious while preparing the appreciation note and to report the facts, as exist on ground, faithfully.
- c) The Committee observed that the two dug wells were existing at a distance of approx. 165m and 88m downstream of the block and as such opined that the PP shall resize the block to maintain a safe distance of at least 200m from the nearest dug well leaving the resultant area of block only 3.65 Ha. Besides, the PP should obtain specific consent for carrying out mining activity in the said block from the PHE Dept., prior to grant of EC.
- d) Therefore, keeping in view the revised area of the mining block, the Committee agreed to consider the case under B2 category subject to production of cluster certificate in the office of JKEIAA indicating that no other mining block exists within 500m on either side of the block, prior to grant of EC.
- e) Illegal mining activity detected in the mining block as per features on Google image of May, 2021 which needs clarification from the Multi Dept. District level Task Force (MDLTF) Cell to fix responsibility for the illegal mining and to report whether the PP is involved in it or not, prior to grant of EC. In case the PP is found to be involved in illegal mining, the process for grant of EC shall be aborted.
- f) Project cost has been underestimated by the consultant as it does not include cost of EMP, CER and therefore needs to be revised, prior to grant of EC.
- g) EMP budget needs to be revised with appropriate budget as suggested in the remark's column prior to grant of EC.
- h) Revision of the mining plan with mine closure plan, revised mining depth, revised area, surface plan, targeted mineral production and replenishment and its denovo approval by the competent authority prior to grant of EC.
- i) Mining depth of 3.0 m & bulk density of 2.25 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 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) Compliance of observations made herein above under deliberations, prior to grant of EC.
- c) Specific consent from the PHE Dept. w.r.t dug wells in close vicinity of the block as per deliberations, prior to grant of EC.
- d) Securing of 'Non-involvement in illegal mining activity' certificate from the MDLTF Cell as per deliberations, prior to grant of EC.
- e) Further resizing of the mining block to 3.65Ha, prior to grant of EC.
- f) Submission of cluster certificate indicating that no mining block exists within 500m on either side of the block, prior to 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) Maximum targeted mineral production of 43800 MT.
- j) Condition the geographical coordinates as per revised area conveyed by G&M Dept. are mentioned in the EC letter by JKEIAA.
- k) Validity of only three years from the date of commencement of the mining operations duly certified by the District Mineral Officer concerned with intimation to the JKEIAA and JKPCB in view of non-availability of replenishment data.

Besides, the JKEIAA may take cognizance to the misrepresentation of facts by the consultants while preparing the site appreciation note. A reprimand be issued to the consultant M/S P&M Solutions Pvt. Ltd. and a word of caution to all the consultants in this regard. The Committee decided that all cases, in which misrepresentation of material facts is detected, shall be summarily rejected imposing costs, as deemed fit by JKEIAA for wasting valuable time of statutory authorities.

Decisions of JKEIAA:

After due deliberations, the JKEIAA upheld the recommendations of the JKEAC to grant Environment clearance for mining over 3.65ha only (leaving safe distance of 200m from wells) subject to:-

- a) Standard and Specific Conditions as per Annexure B to the Minutes of JKEAC Meeting.
- b) Compliance to the observations made by JKEAC during deliberations herein above prior to grant of EC.
- c) Specific consent from the PHE Dept. w.r.t dug wells in close vicinity of the block as per deliberations, prior to grant of EC.

- d) The MDLTF Cell headed by the concerned Dy. Commissioner shall submit a report to the effect that PP is not involved in the illegal mining activity, within a period of six weeks or before execution of lease of minor mineral block, whichever is earlier, failing which the EC is liable to be revoked.
- e) Compliance to the specific ToR condition relating to photographs of display screen displaying the date of collection of data within six months of grant of formal EC.
- f) Resizing of the mining block to 3.65Ha, 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) 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 43800 MT.
- i) Revision of EIA, EMP/CER Budget as suggested by JKEAC prior to grant of EC.
- j) Submission of cluster certificate indicating that no mining block exists within 500m periphery of the block, 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 by the enforcement agencies and concerned dept.
- l) No JCBs/ Excavators/ Bulldozers to be used in mining and no water course to be disturbed while transporting minor minerals.
- a) While issuing EC, Member Secretary shall specifically mention revised geographical coordinates for revised area conveyed by G&M Dept.
- b) To ensure protection of Infrastructure in vicinity of mining block, minimum distance guidelines provided under standard environmental conditions as given in Sustainable Sand Mining Guidelines, 2016, at S.No. 49 - Protection of Infrastructure, shall be maintained.
- m) 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.

Besides, the JKEIAA took cognizance to the misrepresentation of facts by the consultants while preparing the site appreciation note. Member-Secretary, JKEIAA shall issue a warning to the consultant M/S P&M Solutions Pvt. Ltd. and a word of caution to all the consultants in this regard. The JKEIAA also agreed that, in cases where misrepresentation of material facts is detected, same shall be summarily rejected by imposing costs for wasting valuable time of statutory authorities.

Agenda Item No.03.

Grant of Environment Clearance in favour of Shri Mushtaq-Ul- Islam S/o of Sh. Ghulam Mohi-ud-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 (Area reduce 1.84) under proposal No.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 (Area reduce 1.84) LOI has been issued on 16-07-2020, which was later extended on 21-09-2021 and is valid up to 30-11-2021. Mining plan has been approved on 14-09-2021. The case was earlier discussed by the JKEAC on 05-12-2020 & 10-07-2021. The area of the project was reduced by the Geology & Mining Department on 27-09-2021.

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 NOCs in appraisal report 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 during 21st meeting held on 05.12.2020 during which the Committee rejected the case for grant of Terms of Reference as it was found that the mining block encompasses large chunk of orchards and cultivated land almost 45% of the area of the mining block.
- b) The project was once again discussed during 47th meeting held on 25.10.2021 after the PP had resized the mining block from 8.84Ha to 4.99 Ha by excluding the area under orchards and cultivated land. However, the Committee had out 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) However, the PP has once again approached the JKEIAA for reconsideration of the case after further resizing the mining block from 4.99 Ha to 1.84 Ha. after maintaining a safe distance from an irrigation off-take point in the vicinity of the block.
- d) But, further examination of 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.
- e) The Committee 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.
- f) 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.

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 rejection of Environment clearance.

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.04.

Grant of Environment Clearance in favour of Shri Vinod Kumar Shukla S/O Shri. Chander Narayan, R/O Behinar, Unnao Uttar Pradesh for Riverbed material mining, Block No. 07, G (Panzran Block) Lassipora SIDCO Bridge Downstream Nalla Rambiar, Pulwama, JK UT Area 4.39ha. under proposal No.SIA/JK/MIN/54911/2020.

Brief Summary: This case pertains to grant of Environment Clearance under B1 Category (Cluster situation) for Riverbed material mining, Block No. 07, G (Panzran Block) Lassipora SIDCO Bridge Downstream Nalla Rambiar, Pulwama, JK UT Area 4.39ha. LOI has been issued on 16-06-2020, which was later extended on 18-09-2021 and is valid upto 30-11-2021. Mining plan has been approved on 10-07-2021. The Terms of Reference were issued to the project on 20-10-2020 and public hearing of the project was conducted on 09-09-2021. The case was earlier discussed by the JKEAC on 26-09-2020.

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 NOCs in appraisal report shows that Addl. Dy. Commissioner, Pulwama vide letter No. DCP/Estt/SM/NOC/486-98 dated 03-05-2021 has conveyed NOCs of Stakeholder departments.

Deliberations/specific observations of JKEAC:

- a) The case had been discussed by the Expert Appraisal Committee earlier during the 15th Meeting held on 26/09/2020 during which the Committee unanimously agreed to consider the case for grant of Terms of reference.
- b) The examination of mining block on Google Earth platform revealed features that are suggestive of irrigation off-take point in the close vicinity of the mining block at approx. 85m. The NOC issued by the concerned Dept. was found to be in a generalized format and not specific to the ground realities. However, the concerned Xen while issuing NoC has put a condition that area 200m upstream and downstream of offtake points of irrigation kuhls/canals should be declared as prohibited zone and no RBM extraction be allowed in the said zone.
- c) The issue of adverse impact on irrigation network owing to heavy illegal mining in the area has also been forcefully raised by the locals during public hearing.
- d) The conclusion part of the Public Hearing reads, 'the general public / residents of adjoining village and proprietors of the industrial unit I.G.C Lassipora are against the proposed activity'.

- e) The Committee also observed that the Consultant and the PP who were present during the public hearing did not seem to have reassured the people who were complaining against the adverse effects of the illegal mining that had already devastated the nallah reach. The consultant also did not suggest any mitigation measures intended to be put in place to allay the concerns raised by the general public.
- f) The examination of the block boundary on Google Earth Image of 5/2021 indeed revealed deep fissures and trenches filled with water indicative of very heavy illegal mining in the block.
- g) In view of over exploitation of river bed material in the block, formation of deep trenches filled with water and the issues with respect to impacts of heavy mining on irrigation network raised during public hearing, the Committee was of the opinion that the block area should be given rest for at least three years or till it gets adequately replenished. The mining block be considered for mining operations only after due certification by G&M Dept. backed with video-graphic and photographic evidence indicating that adequate replenishment has taken place in the block.
- h) The NOC from revenue department mentions the title of the mining block as State land, Shamlat and Milkiyat.
- i) 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.

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 Environment clearance.

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.05.

Grant of Environment Clearance in favour of Shri Khursheed Ahmad Mir S/O Shri Gh. Mohammad Mir R/O Pahoo Dahoogam, District-Pulwama, JK UT.for Minor Mineral Block – 03, C- Lassipora SIDCO Bridge D/Stream Nallah Rambhara, Lassipora, Litter, Pulwama, 4.37 Ha (ADS). under proposal No.SIA/JK/MIN/63796/2020 & SIA/JK/MIN/56774/2020.

Brief Summary: This case pertains to grant of Environment Clearance under B1 category (Cluster Situation) for Minor Mineral Block – 03, C- Lassipora SIDCO Bridge D/Stream Nallah Rambhara, Lassipora, Litter, Pulwama, 4.37 Ha (ADS). LOI has been issued on 20-07-2020, which was later extended on 01-09-2021 and is valid up to 30-11-2021. Mining plan has been approved on 08-06-2021. The Terms of Reference were issued to the project on 21-11-2020 and public hearing of the project was conducted on 10-05-2021. The case was earlier discussed by the JKEAC on 05-11-2021 & 26-10-2021.

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 NOCs in appraisal report shows that NOCs have been issued by Adll. Deputy Commissioner, Pulwama vide No. DCP/Estt/SM/NOC/434-46 dated 03-05-2021.

Deliberations/specific observations of JKEAC:

- a) The case had been discussed by the Expert Appraisal Committee earlier during the 18th Meeting held on 05/11/2020 and 67th meeting held on 26/10/2021 during which the Committee desired that:
 - i. The PP should get the area falling under Shamlat and Milkiat excluded from the designated mining block by the competent authority or obtain the consent of rightful owners of such lands for undertaking mining activity.
 - ii. The PP should submit a fit for mining certificate from G&M Dept.
 - iii. The PP should obtain an explicit report from the MDLTF Cell to the effect that the PP is not involved in illegal mining activity in the block.
- b) Now, in compliance to point No.i, the PP has submitted the copy of Corrigendum issued by the Adl. Dy. Commissioner, Pulwama vide No. DCP/Esst/NOC/1791-1803 dated 05/11/2021 where under it has been clarified that the title of the land under the block is 'state land'.
- c) Also, the PP has submitted a 'fit for mining certificate' vide letter no dated 05/11/2021 from Geology and Mining department mentioning that the said mining block would be fit for scientific and systemic mining. The report enclosed with the certificate was also perused by the Committee wherein, there is no mention of any replenishment in any part but there is mention of mounds and ditches created due to illegal mining which reportedly are likely to pose threat to life and property. The report of G&M Dept. is also corroborated by the Google Image of the site.
- d) Even though there are sparse quantity of RBM and the mining block is in devastated state due to extensive illegal mining, the case for grant of EC in the instant case is being considered in view of report from Joint Director, G&M Dept., Kashmir wherein he has indicated that some material for mining is available in the block which requires to be extracted to safeguard the life and property.
- e) However, the compliance to item iii w.r.t report on illegal mining is still awaited from the PP which needs to be submitted prior to grant of EC. In case, it is reported that the PP is involved in illegal mining activity, the EC so processed shall be liable to be aborted.
- f) Mining activity needs to be carried out under close supervision of the stakeholder departments.
- g) Revision of the mining plan with mine closure plan, revised mining depth, targeted mineral production and replenishment and its denovo approval by the competent authority prior to grant of EC.
- h) EMP Budget needs to be revised with appropriate budget as suggested in the remark's column of EMP table above.
- i) 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 submitted prior to grant of EC.

- j) Mining depth of 3.00 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 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 compliance to the observations made herein above under deliberations, prior to grant of EC.
- c) Securing a 'non-involvement in illegal mining certificate' from the competent authority as detailed above, prior to grant of 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 35000 MT. This quantity corresponds to estimated quantity of RBM expected to be available in the mounds which alone ought to be excavated. G&M Dept. needs to exercise extra vigil to ensure that only mounds above the water line are mined and no mining /excavation is carried out in the ditches created earlier due to illegal mining.
- f) 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.
- g) No JCBs/ Excavators/ Bulldozers to be used in mining and no water course to be disturbed while transporting minor minerals.
- h) Condition the geographical coordinates as per LoI issued by G&M Dept. are mentioned in the EC letter by JKEIAA.
- 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 to the project subject to:-

- a) Standard and Specific Conditions as per Annexure B to the Minutes of JKEAC Meeting.
- b) Submission of compliance to the observations made herein above under deliberations, prior to grant of EC.
- c) The MDLTF Cell headed by the concerned Dy. Commissioner shall submit a report to the effect that PP is not involved in the illegal mining activity, within a period

- of six weeks or before execution of lease of minor mineral block, whichever is earlier, failing which the EC is liable to be revoked.
- d) Compliance to the specific ToR condition relating to photographs of display screen displaying the date of collection of data within six months of 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 35000 MT. This quantity corresponds to estimated quantity of RBM expected to be available in the mounds which alone ought to be excavated. G&M Dept. needs to exercise extra vigil to ensure that only mounds above the water line are mined and no mining /excavation is carried out in the ditches created earlier due to illegal mining.
 - g) Revision of EIA, EMP/CER Budget as suggested by JKEAC prior to grant of EC.
 - c) 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.
 - d) No JCBs/ Excavators/ Bulldozers to be used in mining and no water course to be disturbed while transporting minor minerals.
 - e) While issuing EC, Member Secretary shall specifically mention revised geographical coordinates for revised area conveyed by G&M Dept.
 - f) To ensure protection of Infrastructure in vicinity of mining block, minimum distance guidelines provided under standard environmental conditions as given in Sustainable Sand Mining Guidelines, 2016, at S.No. 49 - Protection of Infrastructure shall be maintained.
 - g) 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.06.

Grant of Environment Clearance in favour of Shri Mohd Altaf Dobhi S/O Shri Mohd Jamal Dobhi R/o Khrew Pulwama JK UT for Nalla Bed Mining, Block No. 07, Bani Bridge to Lalpora Bridge, D/stream of Ferozpora nalla, Village Bani, Tehsil –Tangmarg & District: Baramulla, JK UT (reduced area 4.5 Ha.) under proposal No.SIA/JK/MIN/231125/2021, SIA/JK/MIN/66646/2021 & SIA/JK/MIN/55071/2020.

Brief Summary: This case pertains to grant of Environment Clearance under B2 category for Nalla Bed Mining, Block No. 07, Bani Bridge to Lalpora Bridge, D/stream of Ferozpora nalla, Village Bani, Tehsil –Tangmarg, District: Baramulla, JK UT (reduced area 4.5 Ha.) LOI has been issued on 29-07-2019, which was later extended on 15-04-2021 and is valid up to 31-08-2021. Mining plan has been approved on 19-06-2020. The case was earlier discussed by the JKEAC on 28-08-2021 & 18-10-2021. The area of the project has been reduced by the Geology & Mining Department on 16-09-2021.

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 NOCs in appraisal report shows that Dy. Commissioner, Baramulla vide reference No. ADCB/Reader/2021-22/89-101 dated 04-05-2021 had conveyed NOCs of Stakeholder departments.

Deliberations/specific observations of JKEAC:

- a) The project had earlier been discussed in the 57th meeting held on to 28/08/2021, and 65th meeting held on 18/10/2021. In the 65th meeting the Committee had recommended PP to submit a table Top Map /Google Image screen shot showing the location of the Kuhls vis-a-vis mining block boundaries with a categorical certificate from the Irrigation & FC Dept. and PRI that the mining activity shall not affect the availability of water in the Kuhls mentioned in the NOC.
- b) The committee observed that the PP has submitted compliance by way of a certificate from concerned Xen, Irrigation & flood Control Dept. and Google image with mining block boundary indicating the location of the off-take points of kuhls vis-à-vis the resized mining block boundary duly certified by the concerned Hydraulic Engineer. Besides, the PP has also obtained consent of the local PRI to extract minor mineral from the block.
- c) The project proponent, has got the mining block resized to 4.5 Ha vide letter No. MSK/DGM/Sgr/F-18/Bla/4959-61 dated 16/09/2021.
- d) A cluster certificate has been obtained by the project proponent from the joint Director, G&M Dept, Kashmir vide No. MSK/DGM/Bla/5030 dated 21/09/2021 where under it has been reported that there is no other mining block within 500m from the said mining block with resized area of 4.5 Ha.
- e) The PP has also submitted the revised EMP budget as suggested by Committee in the previous meeting.
- f) The project proponent has also obtained report from the Addl. Dy. Commissioner, Baramulla vide letter No. ADCB/Reader/2021-22/390 dated 25/09/2021 on Illegal mining activity detected in the mining block as per features on Google image of Jun., 2021 wherein it has been reported that the PP is not involved in such illegal mining.
- g) The conditions of NOC of stockholder department need to be adhered to in letter and spirit.
- h) 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.

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 compliance to the observations made herein above under deliberations, prior to grant of EC.

- c) Revision of the mining plan mine, closure plan, revised mining depth and area, surface plan, targeted mineral production and replenishment and its denovo approval by the competent authority prior to grant of EC.
- d) Maximum targeted mineral production of 54000 MT.
- 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) Condition the revised geographical coordinates as per revised area of 4.5 Ha conveyed by G&M Dept. are mentioned in the EC letter by JKEIAA.
- 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 to the project subject to:

- a) Standard and Specific Conditions as per Annexure B to the Minutes of JKEAC Meeting.
- b) Submission of compliance to the observations made herein above under deliberations, prior to grant of EC.
- 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.
- c) 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 54000 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) While issuing EC, Member Secretary shall specifically mention revised geographical coordinates for revised area conveyed by G&M Dept.
- g) To ensure protection of Infrastructure in vicinity of mining block, minimum distance guidelines provided under standard environmental conditions as given in Sustainable Sand Mining Guidelines, 2016, at S.No. 49 - Protection of Infrastructure, shall be maintained.
- 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.07.

Grant of Environment Clearance in favour of Shri Kishori Lal S/O Shri Kuldeep Singh R/O Makwal, Tehsil & District- Kathua, JK UT for Riverbed Minor Mineral Block No. 07 in Bhini River Downstream Kishanpur Road Bridge, District Kathua(Plan-II) JK UT, Resized area 6.90 ha. under proposal No.SIA/JK/MIN/62463/2021

Brief Summary:

This case pertains to grant of Environment Clearance under B1 category for River Bed Minor Mineral Block No. 07 in Bhini River Downstream Kishanpur Road Bridge, District Kathua(Plan-II) JK UT, Resized area 6.90 ha. LOI has been issued on 14-10-2020, which was later extended on 18-09-2021 and is valid up to 30-11-2021. Mining plan has been approved on 17-02-2021. The Terms of Reference were issued to the project on 13-07-2021 and public hearing of the project was conducted on 23-09-2021. The case was earlier discussed by the JKEAC on 14-06-2021 and area of the project has been reduced by the Geology & Mining Department on 01-11-2021.

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 NOCs in appraisal report 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 45th meeting held on 14.06.2021 during which the committee recommended TORs to the project subject to :
 - i. The condition that the project proponent obtains a detailed report and NOC from the stake holder departments to the effect that the mining activity will not have any adverse impact on irrigation canals /kuhls and there shall be no adverse impact on the availability of drinking water in the villages downstream of the mining block.
 - ii. The condition, the haulage route does not traverse through the active water channel.
 - iii. The condition, the mining block is resized / relocated or realigned along the flow of nallah.
 - iv. Revision of mining plan with revised coordinates and 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.
 - v. The condition, the local public representatives of Billawar Town who had submitted a complaint earlier are consulted during the Public Hearing and their views are recorded and concerns addressed appropriately.
- b) The PP has obtained fresh clarification on NOCs already issued from the stake holder departments which were perused by the Committee. It was found that one of the stakeholder departments viz. Irrigation dept. has withdrawn the NOC issued earlier and has now objected to mining activity in the said block.
- c) The haulage route has been planned along the bank but it crosses through an active water channel.

- d) The PP has resized the mining block from 8.79 Ha to 6.90 Ha.
- e) The mining plan has not yet been revised.
- f) The local public representatives who had earlier complained against the proposed mining activity in the area, had also participated in the proceedings of the Public Hearing and as per the Public Hearing Report, they too have objected to any mining activity in the specific block.
- g) An email compliant dated 23/09/2021 (from Shri Sanjeet Sharma, Social Activist) had been submitted to the JKPCB copy whereof forms part of the PH Report against the mining block.
- h) The compliance to specific ToR condition relating to photographs of display screen of Air Quality Monitoring Station displaying the dates of collection of data is missing in EIA report.
- i) Project cost has been underestimated by the consultant as it does not include cost of EMP, CER.
- j) Revised mining plan not submitted.

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 rejection of Environmental Clearance to the project.

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.08

Grant of Environment Clearance in favour of Shri Jagdish Singh S/O Shri Vijay Singh, R/O Malakpur, Pathankot Gurdaspur, Punjab for Minor Mineral Block-4, D- Lassipora SIDCO Bridge, Downstream Nallah Rambiar, District-Pulwama. JK UT, Area 4.07ha. under proposal No.SIA/JK/MIN/61223/2021.

Brief Summary:

This case pertains to grant of Environment Clearance under B1 category for Minor Mineral Block-4, D- Lassipora SIDCO Bridge, Downstream Nallah Rambiar, District-Pulwama. JK UT, Area 4.07ha. LOI has been issued on 14-08-2020, which was later extended on 18-09-2021 and is valid up to 30-11-2021. Mining plan has been approved on 12-01-2021. The Terms of Reference were issued to the project on 19-04-2021 and public hearing of the project was conducted on 09-10-2021. The case was earlier discussed by the JKEAC on 27-03-2021.

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 NOCs in appraisal report shows that NOCs have been issued under single window system by Addl. Deputy Commissioner vide No. DCP/ESST/SM/NOC/447- 59 Dated 03-05-2021 which indicate that the block falls under shamlat and proprietary land besides, the state land.

Deliberations/specific observations of JKEAC:

- a) The project had earlier been discussed during 31st meeting held on 27.03.2021 during which the Committee recommended TORs to the project subject to:
 - i. Securing of a Non-involvement in illegal mining report from MDLTF Cell.
 - ii. Strengthening of Nalla banks in close vicinity of the Lassipora Industrial Estate.
- b) The project proponent has failed to submit compliance to the conditions under which ToRs had been granted including the report on illegal mining from the competent authority indicating his non-involvement in illegal mining activity in the block.
- c) The conclusion part of the Public Hearing reads, 'the general public / residents of adjoining village and proprietors of the industrial unit I.G.C Lassipora are against the proposed activity'.
- d) The Committee also observed that the Consultant and the PP who were present during the public hearing failed to reassure the people who were complaining against the adverse effects of the illegal mining that had already devastated the nallah reach. The consultant also did not suggest any mitigation measures intended to be put in place to allay the concerns raised by the general public.
- e) The examination of the block boundary on Google Earth Image of 5/2021 indeed revealed deep fissures and large linear trenches filled with water indicative of heavy and deep illegal mining in the block.
- f) In view of over exploitation of river bed material in the block, formation of deep trenches filled with water and the issues with respect to impacts of heavy mining on irrigation network raised during public hearing, the Committee was of the opinion that the block area should be given rest for at least three years or till it gets adequately replenished. The mining block be considered for mining operations only after due certification by G&M Dept. backed with video-graphic and photographic evidence indicating that adequate replenishment has taken place in the block.
- g) The NOC from revenue department mentions the title of the mining block as State land, Shamlat and Milkiyat.
- h) 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.

Recommendations of the JKEAC:

In view of the above deliberations / observations made by the Committee here-in-above, the Expert Appraisal Committee rejected the case for grant of Environment clearance.

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.09.

Grant of Environment Clearance in favour of Shri Hira Singh S/O Shri Nirmal Singh R/o Village Murliwala Farm Dhampur Afzalgarh, Bijnor, Uttar Pradesh. for Minor Mineral Block No. 08 in Bhini River Downstream Kishanpur Road Bridge, District Kathua (Plan-III) JK UT (Resized area 5.87ha.) under proposal No.SIA/JK/MIN/62685/2021.

Brief Summary:

This case pertains to grant of Environment Clearance under B1 category for Minor Mineral Block No. 08 in Bhini River Downstream Kishanpur Road Bridge, District Kathua (Plan-III) JK UT (Resized area 5.87ha.). LOI has been issued on 14-10-2020, which was later extended on 18-09-2021 and is valid up to 30-11-2021. Mining plan has been approved on 17-02-2021. The Terms of Reference were issued to the project on 14-07-2021 and public hearing of the project was conducted on 23-09-2021. The case was earlier discussed by the JKEAC on 07-06-2021 and area of the project was reduced by Geology & Mining Department on 01-11-2021.

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 NOCs in appraisal report 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 44th meeting held on 07.06.2021 during which the Committee recommended TORs to the project subject to:
 - i. The condition that the project proponent obtains a detailed report and NOC from the HoDs of PHE Dept. and Irrigation & Flood Control Dept. with respect to impact of mining activity on the availability of drinking water particularly on the dug wells in the vicinity and regulation of water in irrigation canals /kuhls in the villages downstream of the mining block.
 - ii. Realignment of the mining block along the flow of nala to enable channelizing of the nalla bed or alternatively resizing of the mining block to exclude the active water channel.
 - iii. Condition, the haulage route does not traverse through the active water channel.
 - iv. Revision of mining plan with calculation of minor mineral production at 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.
 - v. Condition, the local public representatives are consulted during the Public Hearing and their views are recorded and addressed in clear terms.
- b) The PP has obtained fresh clarification to the NOCs already issued by the Irrigation & PHE Dept. besides a joint inspection report which were perused by the Committee. It was observed that the concerned departments have clarified that there exists no departmental infrastructures in and around the block which could get impacted by the mining activity.

- c) The PP has resized the mining block from 8.60 Ha to 5.87 Ha. by restricting the mining activity to area south of the active water channel.
- d) The haulage route has been planned along the bank but it crosses through a small water creek which needs protection by laying of Hume Pipes to cross over.
- e) The mining plan has not yet been revised and action on this count is awaited from the PP.
- f) The local public representatives have participated in the proceedings of the Public Hearing.
- g) The local PRIs have issued their consent to permit mining activity in the block.
- h) The JKEAC desired that the conditions of NOC need to be adhered to in letter and spirit in close supervision of stakeholder departments.
- i) Exclusion of active water channel while calculating the targeted mineral production and submission of revised PFR/EIA prior to grant of formal EC.
- j) The compliance to specific ToR condition relating to photographs of display screen of Air Quality Monitoring Station displaying the dates of collection of data is missing in EIA report and needs to be submitted prior to grant of EC.
- k) Project cost has been underestimated by the consultant as it does not include cost of EMP, CER and therefore needs to be revised, prior to grant of EC.
- l) EMP budget needs to be revised with appropriate budget as suggested in the remark's column above, prior to grant of EC.
- m) 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.
- n) Mining depth of 2.0 m & bulk density of 2.25 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 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) Compliance of observations made herein above under deliberations, prior to grant of EC.
- c) 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.
- d) No JCBs/ Excavators/ Bulldozers to be used in mining and no water course to be disturbed while transporting minor minerals.
- e) Maximum targeted mineral production of 70400 MT.
- f) Condition the geographical coordinates as per revised area conveyed by G&M Dept. are mentioned in the EC letter by JKEIAA.

- g) 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 in favour of the project subject to:-

- a) Standard and Specific Conditions as per Annexure B to the Minutes of JKEAC Meeting.
- b) Compliance of observations made herein above under deliberations, prior to grant of EC.
- c) Compliance to the specific ToR condition relating to photographs of display screen displaying the date of collection of data within six months of grant of formal EC.
- d) The PP shall lay hume pipes of appropriate specifications for crossing of haulage route over small water creek.
- 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 70400 MT.
- g) Revision of 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 by the enforcement agencies and concerned dept.
- i) No JCBs/ Excavators/ Bulldozers to be used in mining and no water course to be disturbed while transporting minor minerals.
- i) While issuing EC, Member Secretary shall specifically mention revised geographical coordinates for revised area conveyed by G&M Dept.
- j) To ensure protection of Infrastructure in vicinity of mining block, minimum distance guidelines provided under standard environmental conditions as given in Sustainable Sand Mining Guidelines, 2016, at S.No. 49 - Protection of Infrastructure, shall be maintained.
- 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.10.

Grant of Environment Clearance in favour of M/S Mahavir Mining Address- R/O 01 Lane No 0,3 Saheed Udham Singh Nagar Tehsil & Distt- Pathankot, Punjab. for Minor Mineral Block No. 9 in Bhini River Downstream Kishanpur Road Bridge, District Kathua, JK UT, (Resized area 6.53 ha.) under proposal No.SIA/JK/MIN/62477/2021.

Brief Summary:

This case pertains to grant of Environment Clearance under B1 category for Minor Mineral Block No. 9 in Bhini River Downstream Kishanpur Road Bridge, District Kathua, JK UT, (Resized area 6.53 ha.) LOI has been issued on 22-09-2020, which was later extended on 18-09-2021 and is valid up to 30-11-2021. Mining plan has been approved on 17-02-2021. The Terms of Reference were issued to the project on 13-07-2021 and public hearing of the project was conducted on 23-09-2021. The case was earlier discussed by the JKEAC on 14-06-2021 and area of the project was reduced by Geology & Mining Department on 29-10-2021.

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 NOCs in appraisal report 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 during the 45th Meeting held on 14/06/2021 during which the Committee recommended the project for ToRs subject to the condition that:-
 - i. The project proponent obtains a detailed report and NOC from the stakeholder departments to the effect that the mining activity will not have any adverse impact on irrigation canals/kuhls and there shall be no adverse impact on the availability of drinking water in the villages downstream of the mining block.
 - ii. The haulage route does not traverse through the active water channel.
 - iii. The mining block is resized / relocated or realigned along the flow of nallah.
 - iv. The local public representatives of Billawar Town who had submitted complaint earlier are consulted during the Public Hearing and their views are recorded and their concerns addressed appropriately.
- b) The PP has obtained fresh clarification to the NOCs already issued by the stakeholder departments which were perused by the Committee and it was observed that the concerned departments have issued a categorical statement that mining activity in the block shall not have any adverse impact on the irrigation network and ground water recharging / water supply.
- c) With respect to condition iii, the PP has resized the mining block from 9.15 Ha to 6.53 Ha by excluding the active water channel in such a manner that the block gets bifurcated into two blocks separated by a 'no-mining zone' in the centre.
- d) The PP presented separate haulage routes the two portions of the mining block. However, it was observed that the PP has not submitted an updated EIA report with the revised haulage routes and therefore, the Committee desired that the PP should submit an updated EIA report with revised haulage routes, prior to grant of EC.
- e) The PP has obtained fresh clarification to the NOCs already issued by the Irrigation & PHE Dept. besides a joint inspection report which were perused by the Committee. It was observed that the concerned departments have clarified

- that there exists no departmental infrastructures in and around the block which could get impacted by the mining activity.
- f) The KML file depicting the boundary of the resized block emailed by the consultant pertains to the No-mining zone excluded from the mining block through resizing. Therefore, the consultant was asked to email it a fresh to JKEAC Office, prior to grant of EC.
 - g) The local public representatives have participated in the proceedings of the Public Hearing.
 - h) The local PRIs have issued their consent to permit mining activity in the block.
 - i) The JKEAC desired that the conditions of NOC need to be adhered to in letter and spirit in close supervision of stakeholder departments.
 - j) Revision of the mining plan with mine closure plan, revised mining depth, revised area surface area plan, targeted mineral production and replenishment and its denovo approval by the competent authority prior to grant of EC or as decided by JKEIAA.
 - k) EMP Budget needs to be revised with appropriate budget as suggested in the remark's column.
 - l) 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.
 - m) Mining depth of 3.00 m & bulk density of 2.25 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 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 compliance to the observations made herein above under deliberations, prior to grant of EC.
- c) Compliance to specific ToR condition relating to photograph of display screen showing dates of data collection as detailed above, prior to grant of EC.
- d) Submission of revised EIA report with updated alternative haulage routes for northern and southern sections of the resized mining block, prior to grant of EC.
- e) Maximum targeted mineral production of 78300 MT.
- f) 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.
- g) No JCBs/ Excavators/ Bulldozers to be used in mining and no water course to be disturbed while transporting minor minerals.

- h) Condition the geographical coordinates as per revised area to be conveyed by G&M Dept. are mentioned in the EC letter by JKEIAA.
- 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 in favour of the project subject to:-

- a) Standard and Specific Conditions as per Annexure B to the Minutes of JKEAC Meeting.
- b) Compliance of observations made herein above under deliberations, prior to grant of EC.
- c) Compliance to the specific ToR condition relating to photographs of display screen displaying the date of collection of data within six months of grant of formal 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 78300 MT.
- f) Revision of EIA with updated alternative haulage routes for northern and southern sections of the resized mining block, prior to grant of EC.
- g) Submission of revised 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 by the enforcement agencies and concerned dept.
- i) 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) To ensure protection of Infrastructure in vicinity of mining block, minimum distance guidelines provided under standard environmental conditions as given in Sustainable Sand Mining Guidelines, 2016, at S.No. 49 - Protection of Infrastructure, shall be maintained.
- 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.11.

Grant of Environment Clearance in favour of Shri Karanvir Singh S/O Shri Surinder Singh R/o 01 Lane No.03 Shaheed Udham Singh Nagar Pathankot for Minor Mineral in Block No.28, Suran River Downstream DharaMorha Foot Bridge Daraba Area District

Poonch, (Resized area 2.30ha.) under proposal No.SIA/JK/MIN/236805/2021 & SIA/JK/MIN/61308/2021.

Brief Summary:

This case pertains to grant of Environment Clearance under B2 category LOI has been issued on 31-07-2020, which was later extended on 18-09-2021 and is valid up to 30-11-2021. Mining plan has been approved on 03-02-2021. The case was earlier discussed by the JKEAC on 27-03-2021 and area of the project was reduced by Geology & Mining Department on 27-10-2021.

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 NOCs in appraisal report shows that NOCs have been issued by Adll. Deputy Commissioner, Poonch vide No.DCP/PA/1328- 39 dated 22-05-2021.

Deliberations/specific observations of JKEAC:

- a) The case had been discussed by the Expert Appraisal Committee earlier during the 31th Meeting held on 27/03/ 2021 during which the Committee did not recommend the case for grant of ToRs and the case was deferred for want of Site Appreciation note detailing all the attributes of the site and its surroundings as the consultant had failed to inform the committee about the existence of Dhara Mohra Footbridge at a distance of 233m and existence of a huge active water channel besides, large scale illegal mining in the block.
- b) The PP has now again approached the JKEIAA for considering the project under B2 category after getting the block resized from G&M Dept. with a resultant area of 2.30 Ha after maintaining a safe distance of 500m from the footbridge and excluding the active water channel. The cluster certificate has been issued by the G&M Dept. was also presented by the consultant.
- c) The Committee observed that the illegal mining activity has been continuing in the block as revealed by features on the Google Image of 06/2021 which has heavily depleted the mineral resources in the block. Therefore, in view of heavy depletion of river bed material in the block, the project proponent would require to obtain a 'fit for mining' certificate from the G&M Dept. after ascertaining that enough replenishment has taken place in the block, substantiated with photographic and videographic evidences.
- d) The PP should also obtain a 'Non-involvement in illegal mining activity' certificate from the competent authority, prior to grant of EC. In case, it is reported that the PP has been involved in illegal mining / mining without a valid EC, the process for grant of EC shall be liable to be aborted.
- e) The Haulage route proposed by the consultant was not agreed by the Committee as it traverses through the permanent active water channel. Therefore, the PP needs to submit an alternative haulage route with consent of local PRI prior to grant of EC.
- f) The Committee further observed features on Google Image, indicative of an off-take point of irrigation kuhls in the vicinity of the mining block and desired project proponent to obtain field verification of same by the concerned Xen

Irrigation Dept. In case, it is found that such irrigation facility is not existing, same needs to be recorded by the concerned hydraulic engineer with consent of local PRI 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 stating that there are no irrigation off-take points in the vicinity of the mining block that could adversely affect the irrigation works in the area, prior to grant of EC.

- g) Project cost has been underestimated by the PP as it does include the Cost of EMP and CER, hence needs to be revised prior to grant of EC.
- h) Revision of the mining plan with mine closure plan, revised mining depth, revised area, surface plan, targeted mineral production and replenishment and its denovo approval by the competent authority prior to grant of EC.
- i) EMP Budget needs to be revised with appropriate budget as suggested in the remark's column of EMP prior to grant of EC.
- j) Mining depth of 2.5 m & bulk density of 2.25 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 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 flowing compliances:

- a) Standard and Specific Conditions as per Annexure B to the Minutes of JKEAC Meeting.
- b) Submission of compliance to the observations made herein above under deliberations, prior to grant of EC.
- c) Submission of 'fit for mining certificate' as per deliberations herein above, prior to grant of 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) Submission of an alternative haulage route with consent of local PRI that does not traverse the active water channel prior to grant of EC.
- f) 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 mining block or otherwise that could adversely affect the irrigation works in the area, prior to grant of formal EC.
- g) Maximum targeted mineral production of 27,600 MT.
- h) 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.

- i) No JCBs/ Excavators/ Bulldozers to be used in mining and no water course to be disturbed while transporting minor minerals.
- j) Condition the geographical coordinates as per revised area to be conveyed by G&M Dept. are mentioned in the EC letter by JKEIAA.
- k) Validity of only three years from the date of commencement of the mining operations duly certified by the District Mineral Officer concerned with intimation to the JKEIAA and JKPCB in view of non-availability of replenishment data.

Decisions of JKEIAA:

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

- a) Standard and Specific Conditions as per Annexure B to the Minutes of JKEAC Meeting.
- b) Compliance of observations made herein above under deliberations, prior to grant of EC.
- c) The MDLTF Cell headed by the concerned Dy. Commissioner shall submit a report to the effect that PP is not involved in the illegal mining activity, within a period of six weeks or before execution of lease of minor mineral block, whichever is earlier, failing which the EC is liable to be revoked.
- d) Submission of 'fit for mining certificate' as per deliberations herein above, prior to grant of EC.
- e) Submission of an alternative haulage route with consent of local PRI that it does not traverse the active water channel prior to grant of EC.
- f) Submission of field verification report from concerned Xen, Irrigation Dept. minimum distance guidelines provided under standard environmental conditions as given in Sustainable Sand Mining Guidelines, 2016, at S.No. 49 - Protection of Infrastructure, prior to grant of formal EC.
- g) Compliance to the specific ToR condition relating to photographs of display screen displaying the date of collection of data within six months of grant of formal EC.
- 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) 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 27,600 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 by the enforcement agencies and concerned dept.
- 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) To ensure protection of Infrastructure in vicinity of mining block, minimum distance guidelines provided under standard environmental conditions as given in Sustainable Sand Mining Guidelines, 2016, at S.No. 49 - Protection of Infrastructure, shall be maintained.
- m) 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.

To examine the representation filed by Shri Kanwarjit Singh S/O Shri Tirath Singh, H. No 280 Dhangu Road Sunder Nagar, Pathankot, Punjab against rejection of Environment Clearance to minor mineral Block No.05 Village-Lassipora Tehsil-Litter, District Pulwama(JK UT) Area: 4.53ha.(under proposal No.**SIA/JK/MIN/54896/2020.**

Brief Summary:

The case pertains to grant of Environment clearance for minor mineral Block No.05 Village-Lassipora Tehsil-Litter, District Pulwama (JK UT) Area: 4.53ha. In pursuance to letter No: JKEIAA/2016/02/VI/4153 dated 12.11.2021 received from the office of Member Secretary, J&K Environment Impact Assessment Authority (JKEIAA), the JKEAC re-examined the case.

Case History:

The case relating to mining block5/Rambiara Nalla was listed for ToRs in the 14th Meeting of the JKEAC during which the Committee recommended ToRs to the project subject to site visit by the Sub- Committee. The JKEIAA in its meeting held on 24/09/2020 decided that ToRs shall be granted only after receipt of the recommendation from the Sub-Committee. In pursuance to the recommendations of the JKEAC, the Sub-Committee was constituted vide No. EAC/JK/20/2052-64 Dated: 22/09/2020 which was also endorsed to the project proponent. The concerned PP/consultant were advised to report at site for accompanying the Sub-Committee on their visit. However, when the PP failed to respond to the repeated requests, the Sub-Committee conducted the site visit without the project proponent or his representative being present and submitted following recommendations:

1. ToRs granted in favour of mining block-5 may also be confirmed subject to condition, the PP applies under violation category.
2. An undertaking may be taken from the PP that only manual with minimal mechanical methods shall be used and that heavy machinery like hydraulic excavators shall not be used for extraction of the river bed material, so that mining depth is as per technical deliberations of the Expert Appraisal Committee. The Committee upheld the recommendations of the Sub-Committee and recommended confirmation of ToRs in favour of mining block No.5 subject to condition that Project Proponent applies for Environmental Clearance under relevant notifications/OMs dealing with violation category cases. However, the PP applied for grant of EC under non-violation category and the case came

under discussions in the 57th meeting held on 28/08/2021 during which the Committee observed as under: In the light of above, the JKEAC observed the mining block on multirate Google Image platform and found that the fresh image of May, 2021 also shows features indicative of large scale illegal mining with huge pits filled with water, much more than the Committee had observed on the previous Google image while recommending the ToRs conditionally. This shows the illegal mining activity is still continuing which has rendered the mining block unfit for further mining as per the criteria evolved and being followed by the Expert Appraisal Committee. On the basis of deliberations made herein above, the Committee finally recommended as under:-

In view of the above deliberations and insight gained during the above cited appraisal process, the Committee recommended the case for rejection of Environmental Clearance on the ground that the unabated illegal mining has rendered the mining block unfit for further mining. The Committee as such recommends that the mining block area be given rest for 3 years or till it gets adequately replenished.

Points raised in the representation and reply:

S.No	Points Raised	Reply
1.	The PP was not given an opportunity by Sub-Committee to present his case	The Committee observed that the allegation is totally baseless. In fact, the PP was asked to present himself on the spot for facilitating the site visit through emailed communications and his consultant was also requested repeatedly telephonically, but there was no cooperation and response from the PP and consultant either. The emailed communications made to the PP are very much on record.
2.	The Sub-Committee went by hearsay and based their report on the basis of word of locals gathered at site during the site visit.	Though, the locals informed the Sub-Committee at site that illegal mining activity was being done by the Lol holder and identified the site office of the Lol holder with men and machinery at the spot which was documented with photographic evidence, yet the Sub-Committee recommended confirmation of ToRs to the project subject to appraisal under violation Category.
3.	The Sub-Committee should have given its report on technical aspects only without fixing responsibility for illegal mining as the PP was hospitalized and could not	The Committee observed that the Sub-Committee had given a comprehensive technical report on illegal mining activity in the block and on the basis of photographic evidence depicting site office with men and machinery on spot and made its opinion about involvement of the PP in illegal mining activity. The site visit and the

	<p>have been involved in any illegal mining.</p>	<p>illegal mining activity was verified on 21/11/2020, yet the PP asserts in his representation that he was not involved in illegal mining as he was hospitalized at that time. He has produced discharge certificate of Hospital which shows his stay in hospital during July 2021 while as the illegal mining activity was verified on ground in November, 2020 and therefore, has no connectivity in the case.</p>
<p>4.</p>	<p>The JKEAC has cleared similarly placed cases while rejecting his case in a biased manner</p>	<p>The Committee observed that the PP has made an unsubstantiated claim without any basis. During presentation of the case in the 74th JKEAC meeting, the consultant and representative of the PP were given an opportunity to support their claim with technical reasons, if any that could add to its merit for grant of EC. The Committee after detailed examination of the latest available Google image (May, 2021) is of unanimous opinion that the mining block has already been overexploited due to extensive illegal mining and any further mining could adversely impact the ecological and hydrological regime of the nalla. As of now, there are practically no RBM reserves that could safely be mined out keeping in view restricted mining depth of max. 1m applied due to non-availability of replenishment data in the District Survey Report compiled by G&M Dept. The Committee, therefore, reiterates its earlier stand of giving rest for three years to the said mining block or till it gets adequately replenished.</p> <p>The comparative conditions of the blocks rejected or approved for EC in the vicinity were examined on the Google images and shown to the consultant and representative of the PP. They could neither shed any further light nor did they advance any objective reasons for reconsideration of the case.</p>

Recommendations of the JKEAC:

In view of the above deliberations, the Committee did not find any merit in the representation filed by the PP and therefore, recommended it for rejection.

Decisions of JKEIAA:

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

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

Sd/-
Dr. Neelu Gera, IFS PCCF/Director,
Member Secretary, JKEIAA, EE&RS

Sd/-
Nazir Ahmad (Rtd. Chief Engineer)
Member, JKEIAA

Sd/-
Lal Chand, IFS (Rtd.)
Chairman, JKEIAA

No: JKEIAA/2014/02/VII/4583-4603
Copy by email to:

Dated: 27/11/2021

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. Dr. Neelu Gera, IFS PCCF/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, Rajouri, Ridgway, Pulwama, Baramulla, Kathua ^{Poonch.} 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) | 2021
to PCCF/Member Secretary JKEIAA
Ecology, Environment & Remote Sensing, J&K