



0191-2474553/0194-2490602

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 THE MEETING

In pursuance to the Minutes of the 66th Meeting of the JK Expert Appraisal Committee held on 21st October, 2021 through video Conferencing issued vide No.EAC/JK/21/10141-10153 dated: 22-10-2021, the 61st Meeting of the JK Environment Impact Assessment Authority was held on 30th October, 2021 at 1100 Hrs.through video conferencing.

The following attended the meeting:

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

Following are the deliberations & decisions of the meeting:-

Agenda Item No.01.

Grant of Environment Clearance in favour of Shri Karanvir Singh S/O Shri Surinder Singh, R/O Lane No.03, Shaheed Udham Singh Nagar, Pathankot, Punjab for River Bed Material in Block No.18, ANS River downstream Sungri Bridge Village-Dhamni Plan 3rd, Tehsil-Mahore, District-Reasi, JK UT Area 7.26ha. under proposal No. SIA/JK/MIN/55859/2020.

Brief Summary: This case pertains to grant of Environment Clearance under B1 category for River Bed Material in Block No.18, ANS River downstream Sungri Bridge Village-Dhamni Plan 3rd, Tehsil-Mahore, District-Reasi, JK UT Area 7.26ha. LOI has been issued on 03-06-2020, which was later extended on 18-09-2021 and is valid up to 30-11-2021. Mining plan has been approved on 10-08-2020. The case was earlier discussed by the JKEAC on 03-10-2020. The Terms of Reference were issued to the project on 05-11-2020 and public hearing of the project was conducted on 31-03-2021.

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 conveyed NOCs (conditionally) in favour of the project. However, the NOC of Revenue Department is still awaited.

Deliberations/specific observations of JKEAC:

- a) The project had earlier been discussed during 13th meeting held on 03.10.2020 during which the Committee recommended TORs to the project subject for detailed impact study of loaded tippers and other traffic on the terrain and report of Sub-Committee of

JKEAC to be constituted for site visit, once the PP applies for EC, to have an overall assessment of the impacts of all the mining projects in the area and to recommend acceptance of EIA/EMP prescriptions or outrightly reject the cases or recommend appropriate mitigative measures to preserve the fragile ecology of the area.

- b) The Committee observed that the PP has not complied with the requirements stipulated earlier and has not produced the desired report. The Committee is still of the opinion that on account of the fragile geology prevalent in the area and the comparatively narrowness of the roads marked with steep gradient, the detailed assessment of impact resulting from increased traverse of heavy loaded vehicles is pre-requisite for objective appraisal of the proposal.
- c) On submission of the report based on study described herein above, the PP may approach JKEIAA for taking up the site visit by JKEAC Sub-Committee to be constituted subsequently.
- d) The G&M Dept. may obtain the present status of the irrigation network executed in Mahore-Dharmari area under various schemes of the Govt. The Committee is given to understand that most of the irrigation network created under DPAP programme is presently defunct or only partly functional due to spate of slips & slides at the take-off points. Besides, keeping in view the past experience of mining activity in hilly areas, the G&M Dept. may be asked to convey its considered opinion whether the area is fit for mining activity and that excavation in the deep Nalas will not set off landslides.
- e) A considerable area of the mining block falls under active water channel which needs to be excluded while calculating targeted mineral production. However, as per the EIA document/PFR, the consultant has calculated the targeted mineral on the entire area that includes even the active water channel.
- f) The NOCs have been obtained individually from the concerned Depts. The title of the land under the block has not been got verified from the concerned revenue authority for which action needs to be taken.
- g) The compliance to specific ToR condition relating to photographs of display screen of the air quality monitoring station displaying the date of collection of data missing in EIA report which needs to be complied in letter and spirit prior to grant of EC.
- h) Project cost has been underestimated by the consultant as it does not include cost of Consent fee of JKPC and therefore, needs to be revised.
- i) Revision of the mining plan with mine closure plan, revised mining depth, surface plan, area targeted mineral production and replenishment and its denovo approval by the competent authority prior to grant of EC or as decided by JKEIAA.

Recommendations of the JKEAC:

- a) In view of the above deliberations and insight gained during the above cited appraisal process, the Expert Appraisal Committee rejected the case in the present form. The project proponent, however, if he so desires, may again approach the JKEIAA for appraisal, after complying with the requirements and taking action in light of the observations / deliberations made herein above.
- b) The G&M Dept. shall take a holistic view of the observations made herein above and formally communicate to JKEIAA whether the Mahore area, in view of its fragile geology, is fit for mining activity to enable the Committee to proceed in the matter.

Decision of JKEIAA:

After due deliberations, JKEIAA upheld recommendations of JKEAC not to approve EC in the present form. However, PP may resubmit the case again after fulfilling the conditions and submission of revised documents as recommended by JKEAC.

The G&M Dept. shall take a holistic view of the observations made hereinabove and formally communicate to JKEIAA whether, in view of its fragile geology, Mahore area is suitable for mining activity to enable the Committee to proceed in the matter.

Agenda Item No.02.

Grant of Environment Clearance in favour of Shri KishoriLal S/O Shri Kuldeep Singh, R/O MakhwalKathua for River Bed Material Block 19, in Ans River at Village-Sungri Tehsil Mahore, District-Reasi, State-Jammu & Kashmir. (Area 5.43 Ha). Page 2 under proposal No.SIA/JK/MIN/54787/2020.

Brief Summary.

This case pertains to grant of Environment Clearance under B1 category for River Bed Material Block 19, in Ans River at Village-Sungri Tehsil Mahore, District-Reasi, State-Jammu & Kashmir. (Area 5.43 Ha). LOI has been issued on 27-03-2020, which was later extended on 18-09-2021 and is valid up to 30-11-2021. Mining plan has been approved on 04-06-2020. The case was earlier discussed by the JKEAC on 06-08-2020. The Terms of Reference were issued to the project on 17-08-2020 and public hearing of the project was conducted on 31-03-2021. 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 conveyed NOCs (conditionally) in favour of the project. However, the NOC of Revenue Department is still awaited.

Deliberations/specific observations of JKEAC:

- a) The project had earlier been discussed during 10th meeting held on 06.08.2020 during which the committee recommended TORs to the project subject to detailed impact study of load bearing and carrying capacity of the area to sustain mining activity and conduct of site visit by Sub-Committee of JKEAC to be constituted to have an overall assessment of the impacts of all the mining projects in the area, after the PP applies for EC, in view of fragile ecology of the area which being highly landslide prone.
- b) The Committee observed that the PP has not complied with the requirements stipulated earlier and has not produced the desired study. The Committee is still of the opinion that on account of the fragile geology prevalent in the area and the comparatively narrowness of the roads marked with steep gradient, the detailed assessment of impact resulting from increased traverse of heavy loaded vehicles is pre-requisite for objective appraisal of the proposal.
- c) On submission of the Impact Assessment study described herein above, the PP may approach JKEIAA for taking up the site visit by JKEAC Sub-Committee to be constituted subsequently.

- d) It was further observed that at the time of recommending ToRs, the Committee had desired the Geology & Mining Department to get a detailed ecological study done through an expert research institution of repute to determine the cumulative impact of mining activity on the fragile geology of the area as there is apprehension that such mining activities may trigger landslides in the area. Action on this count may be sought from the G&M Dept.
- e) The G&M Dept. may obtain the present status of the irrigation network executed in Mahore- Dharmari area under various schemes of the Govt. The Committee is given to understand that most of the irrigation network created under DPAP programme is presently defunct or onl partly functional due to spate of slips & slides at the take-off points. Besides, keeping in view the past experience of mining activity in hilly areas, the G&M Dept. may be asked to convey its considered opinion whether the area is fit for mining activity and that excavation in the deep Nalas will not set off landslides.
- f) A considerable area of the mining block falls under active water channel which needs to be excluded while calculating targeted mineral production. However, as per the EIA document/PFR, the consultant has calculated the targeted mineral on the entire area that includes even the active water channel.
- g) The NOC have been obtained individually from the concerned Depts. The title of the land under the block has not been got verified from the concerned revenue authority for which action needs to be taken.
- h) The compliance to specific ToR condition relating to photographs of display screen of the air quality monitoring station displaying the date of collection of data missing in EIA report which needs to be complied in letter and spirit prior to grant of EC.
- i) Project cost has been underestimated by the consultant as it does not include cost of Consent fee of JKPC and therefore, needs to be revised.
- j) Revision of the mining plan with mine closure plan, revised mining depth, surface plan, area targeted mineral production and replenishment and its denovo approval by the competent authority prior to grant of EC or as decided by JKEIAA

Recommendations of the JKEAC:

- a) In view of the above deliberations and insight gained during the above cited appraisal process, the Expert Appraisal Committee rejected the case in the present form. The project proponent, however, if he so desires, may again approach the JKEIAA for appraisal, after complying with the requirements and taking action in light of the observations / deliberations made herein above.
- b) The G&M Dept. shall take a holistic view of the observations made herein above and formally communicate to JKEIAA whether the Mahore area, in view of its fragile geology, is fit for mining activity to enable the Committee to proceed in the matter.

Decision of JKEIAA.

After due deliberations, JKEIAA upheld recommendations of JKEAC not to approve EC in the present form. However, PP may resubmit the case again after fulfilling the conditions and submission of revised documents as recommended by JKEAC.

The G&M Dept. shall take a holistic view of the observations made herein above and formally communicate to JKEIAA whether, in view of its fragile geology, Mahore area is suitable for mining activity to enable the Committee to proceed in the matter.

Agenda Item No.03.

Grant of Environment Clearance in favour of ShriKapil Aggarwal S/O Shri Jugesh Aggarwal, R/O House No 179 Near PanjpirMandirMohallaAnandpur, Pathankot, Punjab for River Bed Material, Block 20 in Ans River at Village-Sungri Tehsil Mahore District - Reasi, JK UT Area 5.76ha. under proposal No.SIA/JK/MIN/54788/2020.

Brief Summary: This case pertains to grant of Environment Clearance under B1 category for River Bed Material, Block 20 in Ans River at Village-Sungri Tehsil Mahore District - Reasi, JK UT Area 5.76ha. LOI has been issued on 27-03-2020, which was later extended on 18-09-2021 and is valid up to 30-11-2021. Mining plan has been approved on 04-06-2020. The case was earlier discussed by the JKEAC on 06-08-2020. The Terms of Reference were issued to the project on 17-08-2020 and public hearing of the project was conducted on 31-03-2021.

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 conveyed NOCs (conditionally) in favour of the project. However, the NOC of Revenue Department is still awaited.

Deliberations/specific observations of JKEAC:

- a) The project had earlier been discussed during 10th meeting held on 06.08.2020 during which the committee recommended TORs to the project subject to detailed impact study of load bearing and carrying capacity of the area to sustain mining activity and conduct of site visit by a Sub-Committee of JKEAC to be constituted to have an overall assessment of the impacts of all the mining projects in the area, after the PP applies for EC, in view of fragile ecology of the area which being highly landslide prone.
- b) The Committee observed that the PP has not complied with the requirements stipulated earlier and has not produced the desired study. The Committee is still of the opinion that on account of the fragile geology prevalent in the area and the comparatively narrowness of the roads marked with steep gradient, the detailed assessment of impact resulting from increased traverse of heavy loaded vehicles is pre-requisite for objective appraisal of the proposal.
- c) On submission of the Impact Assessment study described herein above, the PP may approach JKEIAA for taking up the site visit by JKEAC Sub-Committee to be constituted subsequently.
- d) It was further observed that at the time of recommending ToRs, the Committee had desired the Geology & Mining Department to get a detailed ecological study done through an expert research institution of repute to determine the cumulative impact of mining activity on the fragile geology of the area as there is apprehension that such mining activities may trigger landslides in the area. Action on this count may be sought from the G&M Dept.

- e) The G&M Dept. may obtain the present status of the irrigation network executed in Mahore-Dharmari area under various schemes of the Govt. The Committee is given to understand that most of the irrigation network created under DPAP programme is presently defunct or only partly functional due to spate of slips & slides at the take-off points. Besides, keeping in view the past experience of mining activity in hilly areas, the G&M Dept. may be asked to convey its considered opinion whether the area is fit for mining activity and that excavation in the deep Nalas will not set off landslides.
- f) A considerable area of the mining block falls under active water channel which needs to be excluded while calculating targeted mineral production. However, as per the EIA document/PFR, the consultant has calculated the targeted mineral on the entire area that includes even the active water channel.
- g) The NOC have been obtained individually from the concerned Depts. The title of the land under the block has not been got verified from the concerned revenue authority for which action needs to be taken.
- h) The compliance to specific ToR condition relating to photographs of display screen of the air quality monitoring station displaying the date of collection of data missing in EIA report which needs to be complied in letter and spirit prior to grant of EC.
- i) Project cost has been underestimated by the consultant as it does not include cost of Consent fee of JKPC and therefore, needs to be revised.
- j) Revision of the mining plan with mine closure plan, revised mining depth, surface plan, area targeted mineral production and replenishment and its denovo approval by the competent authority prior to grant of EC or as decided by JKEIAA.

Recommendations of the JKEAC:

- a) In view of the above deliberations and insight gained during the above cited appraisal process, the Expert Appraisal Committee rejected the case in the present form. The project proponent, however, if he so desires, may again approach the JKEIAA for appraisal, after complying with the requirements and taking action in light of the observations / deliberations made here-in -above.
- b) The G&M Dept. shall take a holistic view of the observations made herein above and formally communicate to JKEIAA whether the Mahore area, in view of its fragile geology, is fit for mining activity to enable the Committee to proceed in the matter.

Decision of JKEIAA:

After due deliberations, JKEIAA upheld recommendations of JKEAC not to approve EC in the present form. However, PP may resubmit the case again after fulfilling the conditions and submission of revised documents as recommended by JKEAC.

The G&M Dept. shall take a holistic view of the observations made herein above and formally communicate to JKEIAA whether, in view of its fragile geology, Mahore area is suitable for mining activity to enable the Committee to proceed in the matter.

Agenda Item No.04.

Grant of Environment Clearance in favour of ShriAmit Mahajan S/O Adarsh Mohan Mahajan R/O Near Kali Mata MandirKalluwaliGaliPathankotGurdaspur, Punjab for Riverbed Mining Project of Minor Mineral in Block No.29, A3 -Matalhama Village Up & Downstream VishuNalla, District-Kulgam, JK UT Area 2.74ha. under proposal No.SIA/JK/MIN/232011/2021/ &SIA/JK/MIN/197853/2021.

Brief Summary: This case pertains to grant of Environment Clearance under B2 category for Riverbed Mining Project of Minor Mineral in Block No.29, A3 -Matalhama Village Up & Downstream Vishu Nalla, District-Kulgam, JK UT Area 2.74ha. LOI has been issued on 05-08-2020, which was later extended on 18-09-2021 and is valid up to 30-11-2021. Mining plan has been approved on 04-12-2020.

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 stakeholder departments have conveyed NOCs (conditionally) in favour of the project. The NOC issued by the ACR Kulgam reveals that the title of the land under the block is Shamlat.

Deliberations/specific observations of JKEAC:

- a) As per NOC issued by the ACR Kulgam, the title of the entire land of the mining block is Shamlat. The consent of the respective rightful owners / stake holders of such category of land has either not been obtained or not enclosed with the documents. Until and unless such consent is obtained and made part of documentation, such areas cannot be considered for appraisal.
- b) The archive Google images reveal features indicative of heavy illegal mining in and around the designated mining block.

Recommendations of the JKEAC:

In view of the above deliberations and insight gained during the above cited appraisal process, the Committee recommended the project for rejection of Environmental Clearance in view of the fact that the title of land under the designated mining block is not State land. However, the project proponent, if he so desires, may again approach the JKEIAA for consideration of the case after obtaining consent of the rightful owners of the land under the proposed mining block duly attested by the Competent Authority.

Decision of JKEIAA:

After due deliberations, JKEIAA upheld recommendations of JKEAC to reject grant of EC in the present form. However, PP may resubmit case again after fulfilling conditions and submission of revised documents as recommended by JKEAC, besides, obtaining consent of the rightful owners of the land under the proposed mining block duly attested by the Competent Authority.

Agenda Item No.05.

Grant of Environment Clearance in favour of Shri Karanvir Singh S/O Shri. Surinder Singh, R/O Lane No. 03, Shaheed Udham Singh Nagar, Pathankot, Punjab for Minor Mineral Block-1, Lassipora SIDCO Bridge, Downstream NallahRambiara, District Pulwama, JK UT area 4.62. under proposal No.SIA/JK/MIN/61204/2021.

Brief Summary: This case pertains to grant of Environment Clearance under B1 category for Minor Mineral Block-1, Lassipora SIDCO Bridge, Downstream NallahRambiara, District Pulwama, JK UT area 4.62. LOI has been issued on 18-09-2020, 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 case was earlier discussed by the JKEAC on 20-03-2021. The Terms of Reference were issued to the project on 01-04-2021 and public hearing of the project was conducted on 05-08-2021. 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, Pulwama vide reference No. DCP/Esstt/SM/NOC/408-420 dated 03-05-2021 has conveyed NOCs of stakeholder departments. The NOC from Revenue indicates presence of Milkiat land and Shamlat land in the designated mining block.

Deliberations/specific observations of JKEAC:

- a) The case had been discussed by the Expert Appraisal Committee earlier during the 30th Meeting held on 20/03/2021 during which the Committee had observed features indicative of heavy illegal mining in the mineral block and had recommended the case for grant of ToRs subject to Multi-Departmental report for fixing responsibility for the illegal mining activity in the area after recording statements of local panchayat representatives.
- b) JKEAC expressed surprise as to how the case had been forwarded for appraisal when the PP had not complied with the condition under which ToRs had been granted to the project. It further observed that it has been recommending cases for EC conditionally, specifically when illegal mining is detected during appraisal process. In the instant case, project proponent has failed to comply with conditions under which ToRs had been granted despite the lapse of nearly 6 months.
- c) The failure of PP to produce report, as sought by JKEAC creates suspicion about involvement of PP in illegal mining and under the circumstances, the case cannot be proceeded with.
- d) The area proposed for mining includes Shamlat and Milkiat lands but the consent of the respective rightful owners / stakeholders has either not been obtained or not enclosed with the documents. Until and unless such consent is obtained and made part of documentation or such areas need to be excluded from the proposed mining block to enable JKEAC to proceed further in the matter.
- e) The area has many flood protection works to safe guard the Lassipora industrial area. Since, the safety of the industrial area/buildings is of paramount importance, the existing flood protection works need to be strengthened. The project proponent would get the area inspected by Flood Control authorities to estimate the cost of such strengthening and provide the same in EMP budget estimates to enable taking up of the strengthening works if and when required.

- f) Revision of the mining plan with mine closure plan, revised mining depth, revised mining block area, revised surface plan, targeted mineral production and replenishment and its denovo approval by the competent authority prior to grant of EC or as decided by JKEIAA.
- g) EMP Budget needs to be revised with appropriate budget as suggested/ in the remark's column of EMP table above.
- h) The active water channel runs along the length of the mining block from U/Stream to D/Stream.
- i) Budget for surveillance equipment has not been provided and the Committee has accordingly recommended it as per budget in identical projects.
- j) Mining depth to be restricted to max.1m in aggregate in view of non-availability of replenishment data in the DSRs formulated by the G&M Dept.
- k) The ToR condition relating to submission of photographs of display screen of the air quality monitoring station showing data with date of collection of the baseline data has not been submitted in the EIA report and the same needs to be complied in letter and spirit.

Recommendations of the JKEAC:

- a) In view of the above deliberations / observations made by the Committee herein above, the Expert Appraisal Committee did not agree to approve the case in the present form.
- b) The Project proponent, if he so desires, may again approach the JKEIAA for grant of EC after getting the area falling under Shamlat and Milkiat excluded from the designated mining block or obtain prior consent of the concerned rightful owners and stakeholders as the case may be duly attested by the Competent Authority to enable consideration of the proposal.
- c) Production of an explicit report from the Multi Dept. District Level Task Force Cell, as required in accordance with the observations made in the meeting held on 20/03/2021, to the effect that the PP is not involved in the illegal mining activity shall also be prerequisite for reconsideration.

Decision of JKEIAA:

After due deliberations, JKEIAA upheld recommendations of JKEAC not to approve EC in the present form. However, PP may resubmit the case again after fulfilling the conditions and submission of revised documents as recommended by JKEAC. Besides getting the area falling under Shamlat and Milkiat excluded from the designated mining block or obtain prior consent of the concerned rightful owners and stakeholders as the case may be duly attested by the Competent Authority to enable consideration of the proposal.

Agenda Item No.06.

Grant of Environment Clearance in favour of M/S Sai Mines R/O Logate, Kathua JK UT for minor mineral Block No. 11, Ziarat of GunjBhakashArhama Upstream RambiaraNallah, District Shopian, JK UT area 9.42ha. under proposal No. SIA/JK/MIN/59672/2021

Brief Summary: This case pertains to grant of Environment Clearance under B1 category for minor mineral Block No. 11, Ziarat of GunjBhakashArhama Upstream RambiaraNallah,

District Shopian, JK UTarea 9.42ha. LOI has been issued on 18-09-2020, which was later extended on 15-04-2021 and was valid up to 31-08-2021. Mining plan has been approved on 03-10-2020. The case was earlier discussed by the JKEAC on 19-01-2021. The Terms of Reference were issued to the project on 12-02-2021 and public hearing of the project was conducted on 05-08-2021.

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, Shopian has conveyed NOCs of stake holder departments.

Deliberations/specific observations of JKEAC:

- a) The case had been discussed by the Expert Appraisal Committee earlier during the 24th Meeting held on 19/01/2021 during which ToRs were granted to the project.
- b) Revision of the mining plan with mine closure plan, revised mining depth, revised mining block area, revised surface plan, targeted mineral production and replenishment and its denovo approval by the competent authority prior to grant of EC or as decided by JKEIAA.
- c) Report from the MDLTF Cell to the effect the PP is not involved in illegal mining.
- d) EMP Budget needs to be revised with appropriate budget as suggested in the remark's column of EMP.
- e) The NOCs issued by Irrigation & Flood Control Dept., in most cases are not site specific and reiterate only the broad guidelines as contained in the SWARA Act, 2010. In the instant case, even though the NOC makes mention of the existence of a number of irrigation water supply lines in vicinity of the mining block and the consultant was able to point out the existence of one canal head at a distance of nearly 4Kms from the edge of the proposed mining block.
- f) The Committee expressed its dismay at the absence of concerned stake holder depts. although the G&M Dept. had been requested to ensure their presence in the meeting for providing necessary clarification as and when required.
- g) The conditions of NOC of stockholder department need to be adhered to in letter and spirit.
- h) Mining depth needs to be restricted to max. 1m in aggregate in view of non-availability of replenishment data in the DSRs formulated by the G&M Dept
- i) The ToR condition relating to photographs of display screen of air quality monitoring station showing data with dates of the baseline data collection is missing from the EIA report and therefore the Committee desired that the PP should comply with this ToR condition in letter and spirit before grant of EC.
- j) The active water channel should not be disturbed at all costs.
- k) The concerns raised by the locals during the Public Hearing need to be addressed by the PP.
 - l) by providing employment opportunities with adequate budget to mitigate flood threat.
- m) The PP need to submit report from the Multidept. District Level Task Force Cell for fixing responsibility for illegal mining prior to grant of EC.
- n) Bulk density of 2.1 in Mining Plan not agreed. Committee desired that in absence of actual measurements, a nominal bulk density of 2.0 be adopted.

Recommendations of the JKEAC:

In view of the above deliberations/observations made by the Committee here-in-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 here-in-above under deliberations.
- c) Maximum targeted mineral production of 113000 MT.
- d) Condition the geographical coordinates as per Lol issued by G&M Dept. are mentioned in the EC letter by JKEIAA.
- e) Strict adherence to the terms and conditions of the NOCs of the stakeholder 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) Validity of only three years from the date of commencement of the mining operations duly certified by the District Mineral Officer concerned with intimation to the JKEIAA and JKPCB in view of non-availability of replenishment data.

Decision of JKEIAA:

After due deliberations the authority upheld the recommendations of JKEAC to grant Environment clearance to the project subject to fulfillment of following conditions:

- a) Revalidation of Lol by the Geology and Mining Department.
- b) Full compliance of Standard and Specific Conditions as per Annexure B to the Minutes of JKEAC Meeting.
- 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) Mining depth should not exceed 1 m in aggregate with maximum targeted mineral production of 113000 MT on the basis of bulk density of 2 in view of non-availability of replenishment data.
- e) Submission of compliance to the observations made by JKEAC.
- f) Strict adherence to the terms and conditions of the NOCs of the stakeholder departments which need to be monitored by the enforcement agencies and concerned department. Any violations of conditions of EC shall be reported to concerned authority for appropriate action.
- g) No JCBs/ Excavators/ Bulldozers to be used in mining and no water course to be disturbed while transporting minor minerals.
- h) Validity of only three years from the date of commencement of the mining operations duly certified by the District Mineral Officer concerned with intimation to the JKEIAA and JKPCB in view of non-availability of replenishment data.

Agenda Item No.07.

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

Brief Summary: This case pertains to grant of Environment Clearance under B1 category for Minor Mineral Block-2(B), Lassipora SIDCO Bridge, Downstream Nallah Rambiara, District Pulwama, JK UT area 4.63ha. LOI has been issued on 18-09-2020, which was later extended on 15-04-2021 and was valid up to 31-08-2021. Mining plan has been approved on 07-12-2020. The case was earlier discussed by the JKEAC on 20-03-2021. The Terms of Reference were issued to the project on 01-04-2021 and public hearing of the project was conducted on 05-08-2021.

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, Pulwama vide reference letter No.DCP/Esstt/SM/NOC/421-33 dated 03-05-2021 has conveyed NOCs of stake holder departments.

Deliberations/specific observations of JKEAC:

- a) The case had been discussed by the Expert Appraisal Committee earlier during the 30th Meeting held on 20/03/2021 during which the Committee had observed features indicative of heavy illegal mining in the mineral block and had recommended the case for grant of ToRs subject to Multi-Departmental report for fixing responsibility for the illegal mining activity in the area after recording statements of local panchayat representatives.
- b) JKEAC expressed surprise as to how the case had been forwarded for appraisal when the PP had not complied with the condition under which ToRs had been granted to the project. It further observed that it has been recommending cases for EC conditionally, specifically when
- c) illegal mining is detected during appraisal process. In the instant case, project proponent has failed to comply with conditions under which ToRs had been granted despite the lapse of nearly 6 months.
- d) The failure of PP to produce report, as sought by JKEAC creates suspicion about involvement of PP in illegal mining and under the circumstances, the case cannot be proceeded with.
- e) The area proposed for mining includes Shamlat and Milkiat lands but the consent of the respective rightful owners / stakeholders has either not been obtained or not enclosed with the documents. Until and unless such consent is obtained and made part of documentation, such areas need to be excluded from the proposed mining block to enable JKEAC to proceed further in the matter.
- f) The area has many flood protection works to safe guard the Lassipora industrial area. Since, the safety of the industrial area/buildings is of paramount importance, the existing flood protection works need to be strengthened. The project proponent would get the area inspected by Flood Control authorities to estimate the cost of such

strengthening and provide the same in EMP budget estimates to enable taking up of the strengthening works if and when required.

- g) Revision of the mining plan with mine closure plan, revised mining depth, revised mining block area, revised surface plan, targeted mineral production and replenishment and its denovo approval by the competent authority prior to grant of EC or as decided by JKEIAA.
- h) EMP Budget needs to be revised with appropriate budget as suggested in the remark's column of EMP.
- i) The active water channel runs along the length of the mining block from U/Stream to D/Stream.
- j) Budget for surveillance equipment has not been provided and the Committee has accordingly recommended it as per budget in identical projects.
- k) 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.
- l) The ToR condition relating to submission of photographs of display screen of the air quality monitoring station showing data with date of collection of the baseline data has not been submitted in the EIA report and the same needs to be complied in letter and spirit.

Recommendations of the JKEAC:

- a) In view of the above deliberations / observations made by the Committee here-in-above, the Expert Appraisal Committee did not agree to approve the case in the present form.
- b) The project proponent, if he so desires, may again approach the JKEIAA for grant of EC after getting the area falling under Shamlat and Milkiat excluded from the designated mining block or obtain prior consent of the concerned rightful owners and stakeholders as the case may be duly attested by the Competent Authority to enable consideration of the proposal.
- c) Production of an explicit report from the Multi Dept. District Level Task Force Cell, as required in accordance with the observations made in the meeting held on 20/03/2021, to the effect that the PP is not involved in the illegal mining activity shall also be prerequisite for reconsideration.

Decision of JKEIAA:

After due deliberations, JKEIAA upheld recommendations of JKEAC not to approve EC in the present form. However, PP may resubmit the case again after fulfilling the conditions and submission of revised documents as recommended by JKEAC along with revalidation of Lol. Besides the area falling under Shamlat and Milkiat be excluded from the designated mining block or obtain prior consent of the concerned rightful owners and stakeholders, as the case may be, duly attested by the Competent Authority to enable consideration of the proposal.

Agenda Item No.08.

Grant of Environment Clearance in favour of M/S Sai Mines R/O Logate, Kathua JKUT for River bed Mining Project of Minor Mineral in Block No.30, A-Chowgam Bridge Downstream VeythvetrooNalla, District Kulgam, JK UT area 3.27ha. underproposal No.SIA/JK/MIN/197867/2021.

Brief Summary.

This case pertains to grant of Environment Clearance under B2 category for River bed Mining Project of Minor Mineral in Block No.30, A-Chowgam Bridge Downstream VeythvetrooNalla, District Kulgam, JK UT area 3.27ha. LOI has been issued on 16-07-2020, which was later extended on 15-04-2021 and was valid up to 31-08-2021. Mining plan has been approved on 04-12-2020. 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 Dy. Commissioner, Kulgam vide letter No.DCK/Acctts/2021-22/12-26/98-21 dated 03-04-2021 has conveyed NOCs of stakeholder departments.

Deliberations/specific observations of JKEAC:

- a. One bridge exists inside the mining block and another at a distance of 386 mts. from the mining block boundary towards Upstream. Therefore, the Committee desired that the mining block needs to be resized to maintain a safe distance of 500m from the bridges. It was further observed on Google Image platform that while maintaining safe distance to the bridges as per guidelines, the mining block area may be rendered less than 1Ha. for which the PP and his consultant need to assess the feasibility and financial viability of the project to undertake mining in the resized block.
- b. Revision of the mining plan with mine closure plan, revised mining depth, revised mining block area, revised surface plan, targeted mineral production and replenishment and its denovo approval by the competent authority prior to grant of EC or as decided by JKEIAA.
- c. EMP Budget needs to be revised with appropriate budget.
- d. Illegal mining observed in the mining block and its vicinity which demands report from the Multi-department District Level Task Force Cell to the effect that the PP is not involved in it.
- e. In view of heavy illegal mining activity having taken place the Committee also desired the PP to obtain a certificate from the G&M Dept. to the effect that the mining block is still fit for any further mining.
- f. 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. Bulk density above 2 not agreed by the Committee. A nominal bulk density of 2 be used 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 did not approve the project in present form. However, the PP, if

he so desires, is free to resubmit the case after getting the mining block resized by the competent authority to maintain safe distance of 500mts from the bridges upstream and downstream of the mining block, besides complying with all the observations made herein above under deliberations.

Decision of JKEIAA:

After due deliberations, JKEIAA upheld recommendations of JKEAC not to approve EC in the present form. However, PP may resubmit the case again after fulfilling the conditions and submission of revised documents as recommended by JKEAC along with revalidation of Lol.

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

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

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

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

No: JKEIAA/2016/02/VI/3028-32

Dated:30/10/2021

Copy by email to:

1. Mr. Lal Chand, IFS (Rtd.), Chairman, JKEIAA, for information.
2. Er. Nazir Ahmad (Rtd. Chief Engineer), Member, JKEIAA, for information.
3. Dr. Neelu Gera, IFS PCCF/Director, EE&RS, Member Secretary, JKEIAA, for information.
4. The Secretary, JK Expert Appraisal Committee for information.
5. Website(s)


(Staff Officer)
to PCCF/Member Secretary JKEIAA
Ecology, Environment & Remote Sensing, J&K