



0191-2474553/0194-2490602

Ministry of Environment, Forest & Climate Change, Govt. of India.
J&K EXPERT APPRAISAL COMMITTEE



Department of Ecology, Environment & Remote Sensing
Paryavaran Bhavan, Gladeni, Transport Nagar, Narwal, Jammu Tawi (November-April)
SDA Housing Colony, Bemina, Srinagar, Kashmir (May-October)
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MINUTES OF MEETING

MINUTES OF 5th MEETING OF THE JK EXPERT APPRAISAL COMMITTEE HELD ON 25/02/2020 IN THE OFFICE COMPLEX OF THE DEPARTMENT OF ECOLOGY, ENVIRONMENT & REMOTE SENSING AT PARYAVARAN BHAVAN, GLADENI, NARWAL, JAMMU TAWI

The following were present:

1. Mr.S.C. Sharma, IFS(Rtd.)	Chairman
2. Mr. B.B. Sharma	Member
3. Mr. M.A Tak, IFS(Rtd.)	Member
4. Mr. Irfan Yasin	Member
5. Prof. M.A Khan	Member
6. Prof. Anil Kumar Raina	Member
7. Prof. A.S Jasrotia	Member
8. Mr. H.L.Langeh, Dy. Director G&M Dept.	Special invitee
9. Mr. Humayun Rashid	Secretary

In pursuance to the Meeting Notice issued vide No. SEAC/20//593-616, dated 13/02/2020 and Addendum Notice issued vide No. 617-632 dated 17/02/2020, the JKEAC met on 25/02/20 to discuss the listed cases for grant of ToR/EC, besides checklists of documents to be sought from the intending project proponents who desire to apply for ToR/EC under various categories of projects.

At the very outset, the Secretary, JKEAC welcomed the Chairman, other members of the JKEAC and representative of Geology & Mining Department. The secretary also presented an action taken report on the decisions taken during the 4th meeting of the Expert Appraisal Committee.

The listed agenda items were discussed as per following sequence:-

Agenda Item No.5:- Since Environmental Clearance process is all encompassing, it needs to take into account concerns of all stake holder Departments that stand to sustainably utilize one or the other phenomenon of natural environment for providing goods and services to human society and safeguard its conservation against over exploitation. Therefore, the JKEAC finds it necessary to know views and opinions of different stakeholders prior to issuance of any environmental clearance, fearing, if it be not so, the individual departments may find it difficult to express even their valid reservations vis. a vis. grant of environmental clearance.

In case of mining of minor minerals, the JKEAC again observed that stake holder consultation should have taken place before the mining blocks were put to auction by the Geology & Mining Department. Yet, in the present circumstances, its importance for environmental protection can't be compromised for convenience of the project proponents. Therefore, in view of importance of the matter and its implication on listed cases of today's meeting, the Committee decided to discuss agenda item 5 in the beginning itself.

The Committee deliberated on the existing checklists in the light of letter No.837/MCC/DGM/SLEIAA/18/1348 dated 20/01/2020 from the Geology & Mining Department, stakes of other departments like Forest, PHE, Flood Control, PCB, Fisheries, Wildlife Protection, Revenue etc. and the legal frame work under Forest Conservation Act of 1980, Fisheries Act of 2018, J&K Water Resources(Management & Regulation) Act of 2010, sand management guidelines, 2016 and Enforcement & Monitoring Guidelines for sand mining 2020 and Brick Kilns(Regulation) Amendment Act, 2016.

The Committee also deliberated on the guidelines provided under MoEF&CC Notification No. S.O 3611(E) of July, 2018 where under importance of stake holder consultation is reflected in clear terms. Accordingly, the Committee upheld existing checklists for mining and construction sector with certain modifications and the final recommended checklists for EC/ToR are enclosed and form **Annexure A,B,C,D, E,F,G,H and I** to these minutes. Besides, in regard to matter of asking NOCs from concerned stake holder departments, the Committee recommended as under:-

- a. Separate checklist of documents may be asked for different categories of projects so that the dealing staff of JKEIAA/ JKEAC and the project proponents have clarity while accepting/submitting the online applications.
- b. In case of minor mineral mining projects of private entrepreneurs falling under B-1 and B-2 category, the project proponents shall continue to submit NOCs from all the relevant stake holder departments or shall submit a joint inspection report with recommendation of Dy. Commissioner concerned and stake holder departments in support of the mining block.
- c. In case minor mineral mining projects from Govt. Contractors feeding extracted materials to important government projects/ developmental works of UT of J&K and or projects of national importance, the project proponent shall obtain a certificate from the concerned executing Govt. department/agency stating that the minor mineral mining is for government executed project only and does not involve violation of any law including Forest Conservation Act 1980, Wildlife Protection Act, 1972, Environment Protection Act, 1986, Mines and Mineral Development Act,1957or any other relevant act and Rules made thereunder, standing orders of Hon'ble Courts of Competent jurisdiction and the Hon'ble NGT. Besides, the project proponent, if it is a contractor, shall apply through the concerned government executing agency.
- d. In case of Brick Earth projects, the project proponent must submit NOCs from Agriculture Department, Revenue Department and other relevant departments depending upon location of the project.
- e. In case of major minerals projects, the project proponent must submit NOCs from all the relevant stake holder departments especially Forest and Wildlife Protection Department from not below the rank of HoD of the concerned department.
- f. In case of construction and area development projects, NOCs/Comfort letters must be obtained by the project proponents from, JMC/SMC/JDA/SDA/ULB/TPO concerned PDD/PHE/Disaster Management Department/Central Ground Water Board/Traffic Department/Revenue Department, as applicable.

Agenda Item No:1

Grant of Environment Clearance in favour of M/S ADARSH BUILDESTATE LTD (Group Housing Project "Palm Riviera") 5th Floor Global Business Square Building No 32 sec 44, Institutional area, Gurgaon, Haryana-122002.

Proposal No:

SIA/JK/MIS/134510/2020

File No:

SEAC/2016/05

Title of the Case: Application for Environment Clearance for Group Housing Project "Palm Riviera" on plot measuring 8542.82 sq. m located at khewat no. 145, khata no.322 min., khasra no. 136 min, Village- Sidhra, Tehsil & District- Jammu, Jammu & Kashmir promoted by AdarshBuildestate Limited.

Deliberations: The project was presented by the authorized consultant M/S Gaurang Environmental Solutions Pvt. Ltd., Jaipur who gave a detailed presentation on the compliance to observations made by the former Expert Appraisal Committee in its 9th meeting held on 8th of September, 2018 at Srinagar. Worthwhile to mention, violation of EP Act, 1986 done by the project proponent by resorting to construction of the project without a valid EC was discovered by the former SEAC in one of the sessions and credible action was taken by the former JKEIAA against the project proponent as per guidelines of MoEF&CC. The Committee examined the documentation produced by the project proponent and desired the project proponent to submit legible copies of important documents which were submitted by the project proponent on spot. The project was considered as a violation case as the project proponent had raised the construction without a valid EC and as per guidelines, the JKEIAA had initiated action and treated the project in terms of MoEF&CC Notification No. 804(E) dated 14th of March, 2017 and Notification No. S.O 1030(E) dated 8th of March, 2018. During deliberations, it was observed that the remediation plan and natural and community resource augmentation plan corresponding to the ecological damage done and economic benefit derived due to violation have not been submitted in the desired manner. During presentation, the consultant informed that 46% i.e 1289m² of the gross built-up area of 27,841.38 m² has been constructed in violation of the EP Act, 1986. The total project cost is 5308.00 Lacs involving 262 dwelling units.

Keeping the stipulations in the Notification No. S.O 1030(E) dated 8th of March, 2018 and the documents presented by consultant during the meeting, in view, the committee unanimously recommended imposition of environmental costs for the said violation under remediation plan, Natural and Community Resource Augmentation Plan. Accordingly, the committee recommended the project for grant of environmental clearance with following conditions:-

PART A: SPECIFIC CONDITIONS

1. The Environment Clearance is subject to compliance to all guidelines/Office Memorandums of MoEF&CC, GoI, Orders of Hon'ble Courts of competent jurisdiction, Orders from Hon'ble NGT issued from time to time with respect to cases involving violation of Environment Protection Act, 1986 or any other Law on the subject read with Rules made thereof.
2. This Environmental Clearance is without prejudice to the outcome of any petition lying disposal before any Hon'ble Court of competent jurisdiction.
3. The project proponent shall revise the Environment Management Plan with a budget of Rs2,57,96 000(Two crores fifty seven lacs and ninety six thousand only) at the rate of Rs 2000/= per m² of total violation of 12898m² to be spent over a period of three years under remediation plan, Natural and Community Resource Augmentation Plan to be spent on environmental conservation activities, upgradation of primary educational facilities, health facilities and sanitation facilities within one km radial distance from the project site as cost of environmental damage due to violation of the EIA Notification read with amendments so that it acts as a matter of deterrence against future violations of environmental laws. This amount will be in addition to funds earmarked under CER

and CSR. The environmental damage in terms of obstruction to sunlight, damage to air quality caused to the low rise residential /commercial structures within 50 meters of the project site shall be mitigated through maintenance and cleanliness of the link roads, lanes, installation of dust bins, free facility of car parking to the adjacent houses and tree planting and their lifelong maintenance. **The revised version of the EMP shall be submitted before formal grant of Environmental clearance.**

4. In accordance with Notification No.S.O 1030(E) dated 8th of March, 2018, the project proponent shall submit a bank guarantee equal to Rs 2,57,96000/=(Two crores fifty seven lacs and ninety six thousand only) with the J&K Pollution Control Board before grant of Environmental Clearance and the same shall be released only after successful implementation of the Remediation plan, Natural and Community Resource Augmentation Plan and on recommendation of the Regional Office of the Ministry of Environment, Forest & Climate Change (MoEF&CC), JK Expert Appraisal Committee(JKEAC) and approval of the JK Environment Impact Assessment Authority.
5. The project proponent shall earmark an amount of Rs 45 lacs to be spent separately under CSR activities under poverty elevation activities, children and women welfare, upgradation of drinking water facility, and development of community parks within radial distance of 2 kms.
6. The project proponent shall earmark an amount of Rs 1.00 crore under Corporate Environment Responsibility to be spent over a period of three years on improvement of landscape and renovation / construction of toilets, painting, furniture and furnishing of class rooms in educational institutions within radial distance of 3kms from the project site.
7. The project proponent shall involve local panchayat/urban body/RWA in identification of works under CSR/CER/EMP and the funds shall be utilized through concerned field functionaries of government departments.
8. The Project Proponent shall ensure that the guidelines issued vide this Ministry's OM No. 19-2/2013-IA.III dated 09.06.2015, are followed for building and construction projects to ensure sustainable environmental management.
9. The Project Proponent shall obtain all necessary clearance/ permission from all relevant agencies including town planning authority before commencement of work.
10. 'Consent to Establish' shall be obtained from State Pollution Control Board under the Air (Prevention and Control of Pollution) Act, 1981 and the Water (Prevention and Control of Pollution) Act, 1974.
9. The width of all internal roads shall be 6 m wide.
10. D.G set shall be at least 6 m away from the boundary.
11. The project proponent shall comply with the conditions of NOC and final Clearance obtained from Fire Department.
12. Before handing over possession of the flats to the public, a Safety audit shall be conducted and clearance obtained from the JK Disaster Management Department.
13. All the construction shall be in accordance with the local building byelaws. The Project Proponent shall obtain all necessary clearances.
14. The project proponent shall put in place a credible enforcement mechanism for compliance of energy conservation measures with its allottees, as projected, in perpetuity. This would be monitored by the designed Energy Conservation/ efficiency Authority in the UT of J&K.
15. Temporary toilets will be provided for all construction labour.
16. Suitable toilet fixtures for water conservation shall be provided.
17. Proponent shall obtain permission for ground water withdrawal from State Ground Water Authority.
18. The rainwater harvesting plan should be incorporated by the CGWA.
19. Provision shall be made for the housing of construction labour within the site with all necessary infrastructure and facilities such as fuel for cooking, mobile toilets, mobile

- STP, safe drinking water, medical health care, creche etc. The housing may be in the form of temporary structures to be removed after the completion of the project.
20. A First Aid Room will be provided in the project both during construction and operation of the project.
 21. All the topsoil excavated during construction activities should be stored for use in horticulture/landscape development within the project site.
 22. Disposal of muck during construction phase should not create any adverse effect on the neighbouring communities and be disposed taking the necessary precautions for general safety and health aspects of people, only in approved sites with the approval of competent authority.
 23. Soil and ground water samples will be tested to ascertain that there is no threat to ground water quality by leaching of heavy metals and other toxic contaminants.
 24. Construction spoils, including bituminous material and other hazardous materials, must not be allowed to contaminate watercourses and the dump sites for such material must be secured so that they should not leach into the ground water.
 25. Any hazardous waste generated during construction phase, should be disposed off as per applicable rules and norms with necessary approvals of the State Pollution Control Board.
 26. The diesel generator sets to be used during construction phase should be low sulphur diesel type and should conform to Environment (Protection) Rules prescribed for air and noise emission standards.
 27. The diesel required for operating DG sets shall be stored in underground tanks and clearance from Chief Controller of Explosives shall be taken, as applicable.
 28. Vehicles hired for bringing construction material to the site should be in good condition and should have a pollution check certificate and should conform to applicable air and noise emission standards and should be operated only during non-peak hours.
 29. Ambient noise levels should conform to residential standards both during day and night as per Noise Pollution (Control and Regulation) Rules, 2000. Incremental pollution loads on the ambient air and noise quality should be closely monitored during construction phase. Adequate measures should be made to reduce ambient air and noise level during construction phase, so as to conform to the stipulated standards by CPCB/SPCB.
 30. Fly ash should be used as building material in the construction as per the provisions of Fly Ash Notification of September, 1999 and amended as on 27th August, 2003. (This is subject to its availability within UT jurisdiction area).
 31. Ready mixed concrete must be used in building construction.
 32. Storm water control and its re-use as per CGWB and BIS standards for various applications.
 33. Water demand during construction should be reduced by use of pre-mixed concrete, curing agents and other best practices referred.
 34. Permission to draw ground water shall be obtained from the competent Authority prior to construction/ operation of the project.
 35. Separation of grey and black water should be done by the use of dual plumbing line for separation of grey and black water.
 36. Fixtures for showers, toilet flushing and drinking should be of low flow either by use of aerators or pressure reducing devices or sensor based control.
 37. Use of glass may be reduced by up-to 400% to reduce the electricity consumption and load on air-conditioning. If necessary, use high quality double glass with special reflective coating in windows.
 38. Regular supervision of the above and other measures for monitoring should be in place all through the construction phase, so as to avoid disturbance to the surroundings.
 39. The quantity of fresh water usage, water recycling and rainwater harvesting shall be measured and recorded to monitor the water balance as projected by the project

- proponent. The record shall be submitted to the Regional Office, MoEF&CC along with six monthly Monitoring reports.
40. The treated wastewater shall be recycled and reused for flushing and gardening to reduce the demand of fresh water as committed.
 41. Solid waste management shall be collected, treated and disposed in accordance with the Municipal Solid Waste (Management & Handling) Rules, 2000. No municipal waste should be disposed off outside the premises.
 42. The Operation and Maintenance of STP shall be made in the MoU with STP supplier. Project Proponent shall ensure regular operation and maintenance of the STP.
 43. Parking facility with 6 m clear driveway shall be provided.
 44. The Project Proponent shall explore the possibilities of reusing the treated wastewater from nearby projects.
 45. The installation of the Sewage Treatment Plant (STP) should be certified by an independent expert and a report in this regard should be submitted to the Ministry before the project is commissioned for operation. Treated effluent emanating from STP shall be recycled/ reused to the maximum extent possible. Treatment of 100% grey water by decentralized treatment should be done. Discharge of unused treated effluent shall conform to the norms and standards of the State Pollution Control Board. Necessary measures should be made to mitigate the odour problem from STP.
 46. The solid waste generated should be properly collected and segregated. Wet garbage should be composted and dry/inert solid waste should be disposed off to the approved sites for land filling after recovering recyclable material.
 47. Diesel power generating set proposed as source of back-up power for elevators and common area illumination during operation phase should be of enclosed type and conform to rules made under the Environment (Protection) Act, 1986. Use low sulphur diesel. The location of the DG set may be decided with in consultation with State Pollution Control Board.
 48. Noise should be controlled to ensure that it does not exceed the prescribed standards. During night time the noise levels measured at the boundary of the building shall be restricted to the permissible levels to comply with the prevalent regulations.
 49. The green belt of the adequate width and density preferably with local species along the periphery of the plot shall be raised so as to provide protection against particulates and noise.
 50. 30% of the total plot area should be maintained under green cover/open.
 51. Rain water harvesting for roof run-off and surface run-off, as plan submitted should be implemented. Before recharging the surface run off, pre-treatment must be done to remove suspended matter, oil and grease. The borewell for rainwater recharging should be kept at least 5m above the highest ground water table.
 52. Energy conservation measures like installation of CFLs/TFLs for the lighting the areas outside the building should be integral part of the project design and should be in place before project commissioning. CFLs and TFLs should be properly collected and disposed off/sent for recycling as per the prevailing guidelines/rules of the regulatory authority to avoid mercury contamination. Use of solar panels may be done to the extent possible. Power consumption should be reduced by 25% through use of LED lamps. All capacitors should be provided with Harmonic filters to avoid distortion in voltage.
 53. Insulation of exposed walls and roof shall be done to minimize heat gains inside the buildings for minimizing air conditioning demand of the buildings.
 54. All compliances shall be made with respect to Construction & Demolition Waste Management Rules, 2016, Solid Waste Management Rules, 2016, Plastic Waste Management Rules, 2016 and Electronic Waste Management Rules, 2016.

PART C: GENERAL CONDITIONS

55. A copy of the environmental clearance letter shall also be displayed on the website of the concerned State Pollution Control Board. The EC letter shall also be displayed at the Regional Office, District Industries centre and Collector's Office/ Tehsildar's office for 30 days.
56. The funds earmarked for environmental protection measures shall be kept in separate account and shall not be diverted for other purpose. Year-wise expenditure shall be reported to this Ministry and its concerned Regional Office.
57. Officials from the Regional Office of MoEF&CC, Chandigarh who would be monitoring the implementation of environmental safeguards should be given full cooperation, facilities and documents/ data by the project proponents during their inspection. A complete set of all the documents submitted to MoEF&CC should be forwarded to the CCF, Regional office of MoEF&CC, Chandigarh.
58. In the case of any change(s) in the scope of the project, the project would require a fresh appraisal by this Ministry.
59. The Ministry reserves the right to add additional safeguard measures subsequently, if found necessary, and to take action including revoking of the environment clearance under the provisions of the Environmental (Protection) Act, 1986, to ensure effective implementation of the suggested safeguard measures in a time bound and satisfactory manner.
60. All other statutory clearances such as the approvals for storage of diesel from Chief Controller of Explosives, Fire Department, Civil Aviation Department, Forest Conservation Act, 1980 and Wildlife (Protection) Act, 1972 etc. shall be obtained, as applicable by project proponents from the respective competent authorities.
61. The above stipulations would be enforced among others under the provisions of Water (Prevention and Control of Pollution) Act, 1974, the Air (Prevention and control of Pollution) act 1981, the Environment (Protection) Act, 1986, the Public Liability (Insurance) Act, 1991 and EIA Notification, 2006.
62. The project proponent should advertise in at least two local Newspapers widely circulated in the region, one of which shall be in the vernacular language informing that the project has been accorded Environmental Clearance and copies of clearance letters are available with the State Pollution Control Board and may also be seen on the website of the Ministry of Environment, Forest & Climate Change at <http://www.envfor.nic.in>. The advertisement should be made within Seven days from the date of receipt of the Clearance letter and a copy of the same should be forwarded to the Regional Office of this Ministry at Chandigarh.
63. This Clearance is subject to final order of the Hon'ble Supreme Court of India in the matter of Goa Foundation Vs Union of India in Writ Petition (Civil) No.460 of 2004 as may be applicable to this project.
64. The Environment Clearance is valid for a period of 5 years or as per standing instructions conveyed in the Office memorandums of the MoEF&CC from time to time.
65. Any appeal against this clearance shall lie with the National Green Tribunal, if preferred, within a period of 30 days as prescribed under Section 16 of the National Green Tribunal Act, 2010.
66. A copy of the clearance letter shall be sent by the proponent to concerned Panchayat/Zilla Parishad/Municipal Corporation/ Urban Local Body and the Local NGO, if any, from whom suggestions/ representations, if any, were received while processing the proposal. The clearance letter shall also be put on the website of the company by the proponent.
67. The proponent shall upload the status of compliance of the stipulated EC conditions, including results of monitored data on their website and shall update the same periodically. It shall simultaneously be sent to the Regional Office of MoEF&CC, the respective Zonal Office of CPCB and the SPCB. The criteria pollutant levels namely; SPM, RSPM, SO₂, NO_x (ambient levels as well as stack emissions) or critical sectorial

parameters, indicated for the project shall be monitored and displayed at a convenient location near the main gate of the company in the public domain.

68. The environmental statement for each financial year ending 31st March in Form-V as is mandated to be submitted by the project proponent to the concerned State Pollution Control Board as prescribed under the Environment (Protection) Rules, 1986, as amended subsequently, shall also be put on the website of the company along with the status of compliance of EC conditions and shall also be sent to the respective Regional Offices of MoEF&CC by e-mail.
69. The Ministry of Environment, Forest & Climate Change, GoI reserves the right to suspend or withdraw the EC at any point of time if it is satisfied that any of the conditions in the EC are not complied by the project proponent during construction and operational phases.

Agenda Item No: 2 Grant of Terms of Reference (ToRs) in favour of M/S Shalimar Stones Mr. Mohd. ShafiWani, S/o Mr. HabibullahWani R/o-Sadiwara, TehsilDoru, District-Anantnag J&K.

Proposal No: SIA/JK/MIN/49012/2019 File No: SEAC/JK/20/162

Title of the Case: Grant of Terms of Reference (ToRs) for enabling Project proponent to prepare EIA/EMP for proposed Limestone mining project (Major Mineral) falling in Village: Sadiwara, Tehsil: Doru, District: Anantnag, Jammu & Kashmir. The Limestone mine lease area is 4.519 Ha.

Deliberations:

The project was presented by the project proponent and the consultant M/S Cognizance Research India Pvt. Ltd., Noida, U.P. During deliberations, the consultant was asked to plot the limits of the mining block using its geo-coordinates captured by the Nodal Officer(K), Mines Surveillance System, Geology & Mining Dept. vide letter No. MSS/DGM/Sgr/F-09/04 dated 10/10/2019 and forming part of the documents submitted by the project proponent, on the Google Earth already loaded with forest demarcation boundary and boundary of protected areas. It was observed that the more than 60% of the mining block falls within the demarcated forest area. In view of the assertions made by the project proponent in Form1, the committee observed that even though the lease deed stood executed in the year 2008, the mine had been shown being operational in the year 2017-18 in violation of the EIA Notification of 2006, therefore, falling under violation category. During discussions, it was observed that the project proponent has obtained NOCs from Wildlife Warden concerned, DFO Concerned and Adl. Dy. Commissioner, Anantnag district. The project proponent also produced copy of 'Consent to Operate' from the J&K Pollution Control Board bearing No. SPCB/T/NOC/Lime stone/35/09/3431-39 dated 03/10/2009 and copy of revenue extracts.

In view of the factual position of the location of Project site, the Committee recommended that the project proponent be asked to obtain a mandatory clarification from the Principal Chief Conservator of Forests with respect to its site status as 'Non-Forest or FCA case whatever so'. Also keeping the proximity of Pir-panjal Chakore reserve in view, the PP shall obtain a categorical no objection certificate from Chief Wildlife warden of JKUT to facilitate JKEAC to decide the category of the project.

Furthermore, taking cognizance of violation of EIA Notification of 2006 by PP, the JKEAC recommends that Department of G&M JK and also PCB be apprised to take the relevant and appropriate action in the matter under rules.

Agenda Item No:3 Grant of Terms of Reference (ToRs) for Area Development project received from by Indian Institute of Technology campus at Jammu.

Proposal No: SIA/JK/NCP/46755/2019

File No: SEAC/JK/20/164

Title of the Case: **Grant of Terms of Reference (ToRs) for enabling Project proponent to prepare EIA/EMP report for seeking EC for Area Development projects for IIT, Jammu at Village Jagti, Block- Dansal, District Jammu, J&K.**

Deliberations: The case was presented by the consultant M/S Amaltas Enviro Industrial Consultants, New Delhi. A detailed power point presentation was given on the various aspects of the project. The consultant informed the committee that the campus has been designed in such a way that its undulating topography will be used to treat waste waters using natural ecosystem concepts. Further, it was appreciated that a non-mechanized multilevel car parking facility has also been proposed while making use of the undulating topography. The committee appreciated the presentation of the consultant and recommended grant of Model Terms of Reference with following specific Terms of Reference:-

PART-A: SPECIFIC TERMS OF REFERENCE

1. The consultant shall design the buildings in such a manner that the structures merge with the natural landscape.
2. Green building code should be employed while developing the campus.
3. The energy efficient systems should be proposed in the plans.
4. Technological models like rainwater harvesting structures, automated irrigation systems, efficient security systems, smart lighting, smart heating etc. should be integrated with the plan
5. The Jammu Development Authority must plan the area outside the campus so that planned development takes place even outside the campus. The developer must support the plan under CSR/CER initiatives for which a separate bank account shall be maintained.
6. In view of close proximity of the project site to Wildlife protected areas, the project proponent must obtain all clearances from Wildlife and Forestry angle in accordance with prevailing laws, Acts and Rules made thereunder, if applicable as on date.
7. Training of all streams running along the campus must be carried out to prevent soil erosion and to conserve water.

PART-B: MODEL TERMS OF REFERENCE

8. Examine details of land use as per Master Plan and land use around 10 km radius of the project site. Analysis should be made based on latest satellite imagery for land use with raw images. Check on flood plain of any river.

9. Submit details of environmentally sensitive places, land acquisition status, rehabilitation of communities/ villages and present status of such activities.
10. Examine baseline environmental quality along with projected incremental load due to the project.
11. Environmental data to be considered in relation to the project development would be (a) land, (b) groundwater, (c) surface water, (d) air, (e) bio-diversity, (f) noise and vibrations, (g) socio economic and health.
12. Submit a copy of the contour plan with slopes, drainage pattern of the site and surrounding area. Any obstruction of the same by the project
13. Submit the details of the trees to be felled for the project.
14. Submit the present land use and permission required for any conversion such as forest, agriculture etc.
15. Submit Roles and responsibility of the developer etc for compliance of environmental regulations under the provisions of EP Act.
16. Ground water classification as per the Central Ground Water Authority.
17. Examine the details of Source of water, water requirement, use of treated waste water and prepare a water balance chart.
18. Rain water harvesting proposals should be made with due safeguards for ground water quality. Maximize recycling of water and utilization of rain water. Examine details.
19. Examine soil characteristics and depth of ground water table for rainwater harvesting.
20. Examine details of solid waste generation treatment and its disposal.
21. Examine and submit details of use of solar energy and alternative source of energy to reduce the fossil energy consumption. Energy conservation and energy efficiency.
22. DG sets are likely to be used during construction and operational phase of the project. Emissions from DG sets must be taken into consideration while estimating the impacts on air environment. Examine and submit details.
23. Examine road/rail connectivity to the project site and impact on the traffic due to the proposed project. Present and future traffic and transport facilities for the region should be analysed with measures for preventing traffic congestion and providing faster trouble free system to reach different destinations in the city.
24. A detailed traffic and transportation study should be made for existing and projected passenger and cargo traffic.
25. Examine the details of transport of materials for construction which should include source and availability.
26. Examine separately the details for construction and operation phases both for Environmental Management Plan and Environmental Monitoring Plan with cost and parameters.
27. Submit details of a comprehensive Disaster Management Plan including emergency evacuation during natural and man-made disaster.
28. Details of litigation pending against the project, if any, with direction /order passed by any Court of Law against the Project should be given.
29. The cost of the Project (capital cost and recurring cost) as well as the cost towards implementation of EMP should be clearly spelt out.
30. Any further clarification on carrying out the above studies including anticipated impacts due to the project and mitigative measure, project proponent can refer to the model ToR available on Ministry website "<http://moef.nic.in/Manual/Townships>".

Agenda Item No:4 Grant of Terms of Reference (ToRs) for preparation of EIA/EMP by AIIMS Reshikesh for area development project viz. All India Institute of Medical Science (AIIMS) at VijayPur, Samba, J&K.

Proposal No: SIA/JK/NCP/50398/2020.

File No: SEAC/JK/20/163

Title of the Case: Grant of Terms of Reference (ToRs) for Area Development projects Proposed for 750 Bedded AIIMS Hospital at Vijaypur district Samba Jammu Kashmir.

Deliberations: The project was presented by the representatives of AIIMS, Reshikesh and the consultant M/S Amaltas Enviro Industrial Consultants, New Delhi. The consultant gave a detailed power point presentation on the proposed 750 bedded AIIMS hospital which is proposed to be developed over an area of 226.84 Acres out of which development shall take place over 165.11 Acres under Phase-I. The committee recommended grant of Model Terms of Reference with following specific Terms of Reference:-

PART-A: SPECIFIC TERMS OF REFERENCE

1. In view of close proximity of the site to the Devak River and risk of earthquake, the Environmental Management Plan must include a comprehensive chapter on Disaster Risk Assessment and management plan.
2. The EMP must take care of not disturbing or changing the natural landscape of the area which would create any future environmental distability. It shall include effective protective embankment along the river side ensuring no shrinking of river channel or disturbing the HFL especially in the downstream of the project area. .
3. The EMP must include a comprehensive plan for handling of biomedical wastes generated by the hospital.
4. The ULB authorities in consultation with the Town Planning Organization must be taken on board to ensure planned development of the immediate surrounds of the proposed hospital site so that undesired congested area does not come up due to increased economic activity in the vicinity.
5. A comprehensive transport plan must be provided in the EMP for transportation of the sensitive patients and attendants across the highway with an over bridge near the entrance in consultation with the traffic department and concerned authorities.
6. The EMP must provide a comprehensive plan under Corporate Environment Responsibility and CSR for which separate bank account shall be maintained.
7. Green building code should be employed while developing the campus.
8. The energy efficient systems should be proposed in the plans.
9. NOCs and comfort letters from all the relevant departments must be obtained.
10. A comprehensive landscape plan must be included in the EMP.

PART-B: MODEL TERMS OF REFERENCE

11. Examine details of land use as per Master Plan and land use around 10 km radius of the project site. Analysis should be made based on latest satellite imagery for land use with raw images. Check on flood plain of any river.

12. Submit details of environmentally sensitive places, land acquisition status, rehabilitation of communities/ villages and present status of such activities.
13. Examine baseline environmental quality along with projected incremental load due to the project.
14. Environmental data to be considered in relation to the project development would be (a) land, (b) groundwater, (c) surface water, (d) air, (e) bio-diversity, (f) noise and vibrations, (g) socio economic and health.
15. Submit a copy of the contour plan with slopes, drainage pattern of the site and surrounding area. Any obstruction of the same by the project
16. Submit the details of the trees to be felled for the project.
17. Submit the present land use and permission required for any conversion such as forest, agriculture etc.
18. Submit Roles and responsibility of the developer etc for compliance of environmental regulations under the provisions of EP Act.
19. Ground water classification as per the Central Ground Water Authority.
20. Examine the details of Source of water, water requirement, use of treated waste water and prepare a water balance chart.
21. Rain water harvesting proposals should be made with due safeguards for ground water quality. Maximize recycling of water and utilization of rain water. Examine details.
22. Examine soil characteristics and depth of ground water table for rainwater harvesting.
23. Examine details of solid waste generation treatment and its disposal.
24. Examine and submit details of use of solar energy and alternative source of energy to reduce the fossil energy consumption. Energy conservation and energy efficiency.
25. DG sets are likely to be used during construction and operational phase of the project. Emissions from DG sets must be taken into consideration while estimating the impacts on air environment. Examine and submit details.
26. Examine road/rail connectivity to the project site and impact on the traffic due to the proposed project. Present and future traffic and transport facilities for the region should be analysed with measures for preventing traffic congestion and providing faster trouble free system to reach different destinations in the city.
27. A detailed traffic and transportation study should be made for existing and projected passenger and cargo traffic.
28. Examine the details of transport of materials for construction which should include source and availability.
29. Examine separately the details for construction and operation phases both for Environmental Management Plan and Environmental Monitoring Plan with cost and parameters.
30. Submit details of a comprehensive Disaster Management Plan including emergency evacuation during natural and man-made disaster.
31. Details of litigation pending against the project, if any, with direction /order passed by any Court of Law against the Project should be given.
32. The cost of the Project (capital cost and recurring cost) as well as the cost towards implementation of EMP should be clearly spelt out.
33. Any further clarification on carrying out the above studies including anticipated impacts due to the project and mitigative measure, project proponent can refer to the model ToR available on Ministry website "<http://moef.nic.in/Manual/Townships>".

Agenda Item No.6 To confirm the minutes of meeting of the 4th JKEAC meeting held on 2001-2020.

The Committee unanimously confirmed the minutes of meeting of the 4thJKEAC held on 20/01/2020 at Jammu.

Agenda Item No. 7: Grant of Environmental Clearance in favour of Shri Riaz Ahmed, Ghat Arwora, Tehsil & District Doda, J&K

Proposal No: SIA/JK/MIN/131066/2019.

File No: SEAC/JK/20/165

Title of the case: Grant of Environmental Clearance for mining of Minor Mineral block III/1, Upstream under construction of bridge at Shivnoti, Chenab river, Tehsil Thatri, District Doda.

Deliberations: The project was represented by the project proponent and the consultant M/S. P and M Solution, Noida, UP. The project was listed for consideration in view of approval of mining plan accorded by various stake holder departments under the chairmanship of the Dy. Commissioner, Doda on 8th of November, 2019, copy of minutes whereof were submitted by the project proponent for consideration. Since, there was no member from the Forest Department in the said Committee, the project proponent submitted NOC from the concerned DFO. The project was appraised in view of discussion under agenda item 5 on finalization of checklist of documents to be sought from the project proponents and considering the high degree of replenishment in Chenab river, the project was approved for grant of EC subject to the following specific conditions and general conditions:

SPECIFIC CONDITIONS:

- 1. This Environmental Clearance is granted subject to final outcome of any litigation pending before Hon'ble Supreme Court of India, Hon'ble High Court of Jammu & Kashmir, Hon'ble NGT, or any other Court of Law, if any, as may be applicable to this project.*
- 2. This Environmental Clearance is without prejudice to the standing instructions /orders from the competent authorities in the MoEF&CC, GoI w.r.t river bed mining activity.*
- 3. The Project proponent shall obtain Consent to Operate from the J&K Pollution Control Board/Committee and effectively implement all the conditions stipulated therein.*
4. Excavation shall be carried out upto a maximum depth of 1.5 meter from the surface of the river bed as prescribed in the approved mine plan of the lease or upto 1 meter above the ground water level whichever is less.
5. The District Mineral Officer shall monitor the replenishment of the mined out areas, traffic management, levels of production, river bank erosion, exit point of the Mineral Block and instruct the Project proponent for initiating measures for mitigating environmental concerns.
6. The Project proponent shall ensure that the roads leading to the Mineral Block and the river banks do not get damaged due to transportation of the mined out mineral and transportation of minerals will be as per IRC guidelines w.r.t axle load specified for the road.

7. The mineral transportation shall be only through covered trucks and vehicles carrying the minerals will not be overloaded.
8. A 2 meters additional buffer shall be left along eastern bank of the lease to ensure there is no damage to the road.
9. The total length of 350 m of the mining block shall be divided into two sub-blocks of approx. 175 m each for carrying out mining in rotation.
10. Water sprinkling of the link road leading to the Mineral Block should be done adequately.
11. Permanent pillars with depth of 1.5 m below ground and 1.2 m above ground should be installed at all vertices of the mineral Block marking its limits exhibiting geo-coordinates, Mineral Block No., Village Name, Lease Area and other details leaving 25 m or 15% of river width whichever is more from bank untouched. A prominent sign board shall also be installed indicating the details of Mineral block like Area, length, breadth, coordinates, depth etc.
12. The project proponent shall take all precautionary measures during mining operations for conservation and protection of endangered fauna and flora in the area.
13. The project proponent must ensure that the biological clock of the villagers in the vicinity of the project, if located within the zone of influence, is not disturbed by night operations and all measures must be taken for keeping the noise levels within prescribed levels.
14. Provision shall be kept for housing of the labour force, toilets, facilities for cooking, safe water, health care, crèche etc. for the labour force.
15. A final Mine closure Plan along with details of Corpus fund shall be communicated to the MoEF&CC in advance for approval.
16. The PP shall submit annual replenishment report certified by Geology & Mining Department. In case the replenishment is lower than the projected rate of production, then the mining activity/ production levels shall be decreased/stopped forthwith.
17. To maintain stability and safety of the river banks, 25 meter or 15% of the width of the river whichever is more, will have to be left as 'No Mining Zone'.
18. The river shall not be diverted for the purpose of sand mining.
19. No blasting operations shall be allowed.
20. Mining shall be done manually minimally supported by semi-mechanized methods.
21. The top soil in case of surface land mining shall be temporarily stored at an appropriate site and concurrently used for land reclamation.
22. The EC holder shall keep proper account of the quantity of mineral mined out, despatched from the mine, mode of transport, registration No. of the vehicle.
23. The regulatory authority concerned should use Information and Communication Technology for monitoring the mining operation and transportation of the mined out mineral as per guidelines provided in the Notification No.SO No. 141(E) of 2016.
24. Spring sources if any should not be disturbed during the mining operations.
25. Mining shall be carried out 500 mts. away from civil structures, irrigation schemes, water supply treatment plants, flood protection structures and 25 m from the edge of National/State Highways, if any.
26. The Project proponent shall appoint an occupational health specialist for the treatment of mine workers and their regular health check-up.
27. CSR activities as applicable to the project shall be undertaken by the Project Proponent in a systematic manner after conducting door to door survey to ascertain the needs of neighbourhood, in consultation with the local panchayat and the report shall be submitted to the MoEF&CC and its Regional Office at Chandigarh on six monthly

basis. An amount of Rs 5.0 lacs shall be utilized under CER for upgradation of local school in the area and an amount of Rs 6.00 lacs under EMP.

28. The mining operations shall be undertaken in a systematic manner so that it does not damage the aesthetic view of the area.
29. Restoration of the flora effected by mining operations should be done immediately and at least 50 trees of indigenous species per hectare should be planted and maintained by the EC holder along the banks of the river adjacent to the Mining Block. The local Panchayat shall be involved in identification of land, planting and the trees/plantation shall be handed over to the local panchayat after the lease period.
30. Protection of fish habitat and other aquatic life shall be maintained by providing requisite corridors across the Mining block along the gradient.
31. Adequate steps should be taken to check soil erosion and engineering structures shall be raised near the banks wherever required.
32. No overhangs shall be allowed to be formed due to mining operations and mining shall not be allowed where subsidence of rocks is likely to occur due to steep slope.
33. No extraction shall be allowed in landslide prone areas and near road.
34. Site clearance and tidiness shall be maintained to have minimum visual impact due to mining. Dumping of waste shall be as per prescriptions in the approved mining plan. The rubbish burial shall not be allowed in the river system.
35. Mining shall not be allowed where there is danger to Flood protection works and places of cultural, religious and historical significance.
36. No staking of material shall be allowed along the banks and roadside.

GENERAL CONDITIONS:

1. The EC holder shall take all measures for protection of Environment and control of Pollution.
2. Any change in mining methodology shall be allowed only with prior approval of the MoEF&CC.
3. There should be no change in the calendar plan and excavation and quantity of minerals.
4. The project proponent shall obtain all clearances from the stake holder departments as applicable prior to the execution of lease.
5. Regular monitoring of the ground water to be carried out at upstream and depth of water in the dug up areas to be measured and recorded twice a year.
6. Monitoring of the ambient Air quality be carried out as per Notification of 2009 as amended from time to time by the CPCB. Water sprinkling to be undertaken at the loading, unloading and transfer points.
7. Regular monitoring of the flow rate of the water flowing in and around the mine lease should be carried out.
8. The critical parameters of the Air and water shall be monitored within the impact zone of the Mine lease particularly in the nearby habitations. The standing instructions issued from time to time by the MoEF&CC and available on its website at www.moef.nic.in shall be referred in this regard for compliance.
9. Measures should be taken to control noise levels below 85 dBA in the work environment. Workers should be provided with ear plugs.
10. Personnel working in dusty areas should wear protective respiratory devices and they should also be provided training in safety and health care aspects.
11. Funds earmarked for environmental protection should be kept in separate account and should not be diverted for other purposes. Year-wise expenditure statement should be submitted to the MoEF&CC and its Regional Office at Chandigarh.

12. The Regional Office of the MoEF&CC shall monitor compliance of the conditions of this EC.
13. The EC holder shall submit half yearly compliance reports w.r.t compliance of EC conditions to the MoEF&CC at its office Chandigarh, Central Ground Water Board and the JK Pollution Control Board/Committee besides, the regulatory authority.
14. The copy of the EC shall be endorsed to the local Panchayat and all stake holder departments.
15. The JK Pollution Control Board/ Committee shall display the EC at its Regional office, District Industries Centre, Collectors office/ Tehsildar Office for 30 days.
16. The Project Proponent shall advertise, within 7 days of the date of issue of the EC, in two local dailies that the project has been granted EC and the copy of EC is uploaded on the MoEF&CC website at www.parivesh.nic.in and copy of same should be endorsed to the Regional Office of the MoEF&CC at Chandigarh for information and necessary action.
17. The MoEF&CC may alter/ modify or stipulate any other condition before, during the operations of the mine lease if it is found to be in the interest of environmental protection.
18. Concealing of any information/data of submission of wrong/fabricated information by the Project Proponent and failure to comply with any of the above conditions may lead to withdrawal of the EC and attract action under the provisions of EP Act, 1986.
19. This environmental Clearance shall be valid for a period of **three years** only and the validity shall be reviewed in the light of updated District Survey Report provided an application for such extension is filed by the EC holder at least one month before such expiry, as per the procedure.
20. An appeal against the EC shall lie with the Hon'ble NGT, if preferred within 30 days as prescribed under Section 16 of the NGT Act, 2010.

Enclosures: *Annexure A,B,C,D,E,F,G,H,I relating to checklist of documents to be sought from the project proponents for appraisal*

Lastly, the meeting concluded with thanks to the chair.

Sd/-
Secretary,
SEAC

No: SEAC/JK/20/637-51

Dated:06/03/2020

Copy submitted to the Member Secretary, J&K Environment Impact Assessment Authority (JKEIAA), /PCCF/Director, Ecology, Environment and Remote Sensing, J&K Govt., Jammu for favour kind information and necessary action please.

Copy by email to:-

1. Sh. S. C Sharma, Chairman, J&K Expert Appraisal Committee, (JKEAC) 331 Shastri Nagar, Jammu-180004 for favour of kind information.
2. Sh. M.A TAK, Member, J&K Expert Appraisal Committee, (JKEAC) 124 Mominabad (Near Jakfed), Anantnag Kashmir,-192101 for favour of kind information.
3. Sh. BrijBhushan Sharma, Member, J&K Expert Appraisal Committee, (JKEAC) 278/2 Channi Himmat, Jammu for favour of kind information.

4. Professor Shakeel Ahmad Romshoo, Member, J&K Expert Appraisal Committee, (JKEAC) Department of Earth Sciences Kashmir University Srinagar-190006 for favour of kind information.
5. Sh. Abdul Rashid Makroo, Member, J&K Expert Appraisal Committee, (JKEAC) H/No. 9 Lane No 11 Sector C, Gulshan Nagar Nowgam Bypass, Srinagar-190019 for favour of kind information.
6. Professor Arvind Jasrotia Member, J&K Expert Appraisal Committee, (JKEAC) 33/D Sainik Colony Jammu-180011 for favour of kind information.
7. Dr. Ghulam Mohammad Dar, Member, J&K Expert Appraisal Committee, (JKEAC) Main Campus IMPA&RD, M.A Road, Srinagar-190001 for favour of kind information.
8. Sh. Irfan Yasin, Member, J&K Expert Appraisal Committee, (JKEAC) Bagh-e-Hyderpora, Bypass, Srinagar for favour of kind information.
9. Professor M. A. Khan, Member, J&K Expert Appraisal Committee, (JKEAC) GPO Post Box No: 726, Srinagar-190001 for favour of kind information.
10. Dr.Falendra Kumar Sudan, Member, J&K Expert Appraisal Committee, (JKEAC) Professor Department of Economics University of Jammu, Jammu for favour of kind information.
11. Professor Anil Kumar Raina, Member, J&K Expert Appraisal Committee, (JKEAC) Department of Environmental Science University of Jammu, Jammu-180006 for favour of kind information.
12. Sh. Anil Saproo, PA to PCCF/Director, DEERS, for information and with the request to upload the minutes of meeting on the Departmental web site.
13. Sh. Sheikh Sajid, PA for information and with the direction to upload the minutes of the Meeting on the parivesh.gov.in.
14. Concerned Files.