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**Ministry of Environment, Forest & Climate Change, Govt. of India.
J&K UT LEVEL EXPERT APPRAISAL COMMITTEE(JKEAC)**

Department of Ecology, Environment & Remote Sensing
Paryavaran Bhavan, Gladeni, Transport Nagar, Narwal, Jammu Tawi(November-April)
SDA Housing Colony, Bemina, Srinagar, Kashmir(May-October)
Email: seacers@gmail.com, Website:www.parivesh.nic.in



MINUTES OF MEETING

MINUTES OF 38th MEETING OF THE JK EXPERT APPRAISAL COMMITTEE HELD ON 24/04/2021 VIA VIDEO CONFERENCING OWING TO COVID-19 OUTBREAK AND SUBSEQUENT MITIGATIVE MEASURES

In pursuance to meeting Notice issued vide No: No: EAC/JK/20/6709-735 dated: 16.04.2021 the 38th meeting of JKEAC was held on 24th of April, 2021 via video Conferencing. The following members attended the meeting on the said dates: -

1. Mr. S.C. Sharma, IFS(Rtd.)	Chairman
2. Mr. M.A Tak, IFS(Rtd.)	Member
3. Engineer BB Sharma	Member
4. Prof. Falendra Kumar Sudaan	Member
5. Mr. A.R.Makroo	Member
6. Mr. Irfan Yasin	Member
7. Prof. Anil Kr.Raina	Member
8. Prof. Arvind Jasrotia	Member
9. Mr. Humayun Rashid	Secretary

The Secretary welcomed the Chairman, Members of the JK Level Expert Appraisal Committee, , the participating project proponents and the consultants.

The meeting proceeded as per following sequence: -

Agenda Item No: 01	Grant of Terms of Reference in favour of M/S Abdul Rashid Mir S/O Ghulam Ahmad Mir R/O 99-Markazi Jamia Masjid, Rawalpura, Tehsil Beeru District Budgam. Budgamblockno10@gmail.com
Proposal No:	SIA/JK/MIN/60449/2021.
File No:	SEAC/JK/20/
Consultant:	Oceao Enviro Management Solutions India Pvt Ltd
Title of the Case:	Grant of Terms of Reference for Minor Mineral Block No.:- 10/Bud, Panzan Bridge to Dregam Upstream Shailganga Nallah, Village - Panzan, Tehsil - Beeru & District - Budgam, and UT - J & K, Area 10.00 Ha.

Deliberations: -

The case was represented by the project proponent Shri Abdul Rashid Mir and the consultant M/S Ocea Enviro Management Solutions India Pvt. Ltd. represented by Ms Rashmi Saraswat and Varun Bhardwaj. The consultant gave a detailed PowerPoint presentation on the project during which they informed that the LoI was issued by the G&M dept. on 05/11/2020 and the mining plan was approved on 01/01/2021 at a total project cost of 3.33 crores. The mining block was examined on the Google Earth image of October, 2020 using the KML/KMZ file emailed by the consultant. During examination, it was observed that a bridge exists at a distance of 146mts from the mining block besides, some features on the image that are indicative of heavy illegal mining activity in the area. The Committee also observed human settlements in close vicinity of the mining block. Therefore, it was desired that the Geology & Mining Department be asked to constitute an interdepartmental committee comprising of officers from Irrigation & Flood Control Department, Geology & Mining Department, Soil Conservation Department, Fisheries Dept and SSP Pulwama to enquire into the matter to fix responsibility for the illegal mining in the designated mineral block and its neighbourhood. In the meantime, TORs were recommended subjectively.

Recommendations:

In view of the above deliberations, the committee recommended the case for grant of following Terms of Reference subject to condition that the mining block size is reduced to maintain a safe distance of 500mts from the bridge and subject to inspection report of the interdepartmental committee deliberated herein above: -

STANDARD TERMS OF REFERENCE

- 1) Year-wise production details should be given, clearly stating the highest production achieved in any one year.
- 2) A copy of the document in support of the fact that the Proponent is the rightful lessee of the mine should be given.
- 3) All documents including approved mine plan, EIA and Public Hearing should be compatible with one another in terms of the mine lease area, production levels, waste generation and its management, mining technology etc. and should be in the name of the lessee.
- 4) All corner coordinates of the mine lease area, superimposed on a High-Resolution Imagery/toposheet, topographic sheet, geomorphology and geology of the areas should be provided. Such an Imagery of the proposed area should clearly show the land use and other ecological features of the study area (core and buffer zone).
- 5) Information should be provided on high resolution satellite image on with geological map of the area, geomorphology of land-forms of the area, existing minerals and mining history of the area, important water bodies, streams and rivers and soil characteristics.

6) Details about the land proposed for mining activities should be given with information as to whether mining conforms to the land use policy of the State; land diversion for mining should have approval from State land use board or the concerned authority.

7) It should be clearly stated whether the proponent Company has a well laid down Environment Policy approved by its Board of Directors? If so, it may be spelt out in the EIA Report with description of the prescribed operating process/procedures to bring into focus any infringement/deviation/ violation of the environmental or forest norms/ conditions? The hierarchical system or administrative order of the Company to deal with the environmental issues and for ensuring compliance with the EC conditions may also be given. The system of reporting of non-compliances / violations of environmental norms to the Board of Directors of the Company and/or shareholders or stakeholders at large may also be detailed in the EIA Report.

8) Issues relating to Mine Safety, including subsidence study in case of underground mining and slope study in case of open cast mining, blasting study etc. should be detailed. The proposed safeguard measures in each case should also be provided.

9) The study area will comprise of 10 km zone around the mine lease from lease periphery and the data contained in the EIA such as waste generation etc. should be for the life of the mine / lease period.

10) Land use of the study area delineating forest area, agricultural land, grazing land, wildlife sanctuary, national park, migratory routes of fauna, water bodies, human settlements and other ecological features should be indicated. Land use plan of the mine lease area should be prepared to encompass preoperational, operational and post operational phases and submitted. Impact, if any, of change of land use should be given.

11) Details of the land for any Over Burden Dumps outside the mine lease, such as extent of land area, distance from mine lease, its land use, R&R issues, if any, should be given.

12) A Certificate from the Competent Authority in the State Forest Department should be provided, confirming the involvement of forest land, if any, in the project area. In the event of any contrary claim by the Project Proponent regarding the status of forests, the site may be inspected by the State Forest Department along with the Regional Office of the Ministry to ascertain the status of forests, based on which, the Certificate in this regard as mentioned above be issued. In all such cases, it would be desirable for representative of the State Forest Department to assist the Expert Appraisal Committee's.

13) Status of forestry clearance for the broken-up area and virgin forestland involved in the Project including deposition of net present value (NPV) and compensatory afforestation (CA) should be indicated. A copy of the forestry clearance should also be furnished.

14) Implementation status of recognition of forest rights under the Scheduled Tribes and other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006 should be indicated.

- 15) The vegetation in the RF / PF areas in the study area, with necessary details, should be given.
- 16) A study shall be got done to ascertain the impact of the Mining Project on wildlife of the study area and details furnished. Impact of the project on the wildlife in the surrounding and any other protected area and accordingly, detailed mitigative measures required, should be worked out with cost implications and submitted.
- 17) Location of National Parks, Sanctuaries, Biosphere Reserves, Wildlife Corridors, Ramsar site Tiger/ Elephant Reserves/(existing as well as proposed), if any, within 10 km of the mine lease should be clearly indicated, supported by a location map duly authenticated by Chief Wildlife Warden. Necessary clearance, as may be applicable to such projects due to proximity of the ecologically sensitive areas as mentioned above, should be obtained from the Standing COMMITTEE of National Board of Wildlife and copy furnished.
- 18) A detailed biological study of the study area [core zone and buffer zone (10 km radius of the periphery of the mine lease)] shall be carried out. Details of flora and fauna, endangered, endemic and RET Species duly authenticated, separately for core and buffer zone should be furnished based on such primary field survey, clearly indicating the Schedule of the fauna present. In case of any scheduled-I fauna found in the study area, the necessary plan alongwith budgetary provisions for their conservation should be prepared in consultation with State Forest and Wildlife Department and details furnished. Necessary allocation of funds for implementing the same should be made as part of the project cost.
- 19) Proximity to Areas declared as 'Critically Polluted' should also be indicated and where so required, clearance certifications from the prescribed Authorities, such as the SPCB or State Mining Department should be secured and furnished to the effect that the proposed mining activities could be considered.
- 20) R&R Plan/compensation details for the Project Affected People (PAP) should be furnished. While preparing the R&R Plan, the relevant State/National Rehabilitation & Resettlement Policy should be kept in view. In respect of SCs /STs and other weaker sections of the society in the study area, a need based sample survey, family-wise, should be undertaken to assess their requirements, and action programmes prepared and submitted accordingly, integrating the sectoral programmes of line departments of the State Government. It may be clearly brought out whether the village(s) located in the mine lease area will be shifted or not. The issues relating to shifting of village(s) including their R&R and socio-economic aspects should be discussed in the Report.
- 21) One season (non-monsoon) [i.e. March-May (Summer Season); October-December (post monsoon season) ; December-February (winter season)]primary baseline data on ambient air quality as per CPCB Notification of 2009, water quality, noise level, soil and flora and fauna shall be collected and the AAQ and other data so compiled presented date-wise in the EIA and EMP Report. Site-specific meteorological data should also be collected. The location of the monitoring stations should be such as to represent whole of the study area and justified keeping in view the pre-dominant downwind direction and location of sensitive receptors. There should be at least one

monitoring station within 500 m of the mine lease in the pre-dominant downwind direction. The mineralogical composition of PM10, particularly for free silica, should be given.

22) Air quality modelling should be carried out for prediction of impact of the project on the air quality of the area. It should also take into account the impact of movement of vehicles for transportation of mineral. The details of the model used and input parameters used for modelling should be provided. The air quality contours may be shown on a location map clearly indicating the location of the site, location of sensitive receptors, if any, and the habitation. The wind roses showing pre-dominant wind direction may also be indicated on the map.

23) The water requirement for the Project, its availability and source should be furnished. A detailed water balance should also be provided. Fresh water requirement for the Project should be indicated.

24) Necessary clearance from the Competent Authority for drawl of requisite quantity of water for the Project should be provided.

25) Description of water conservation measures proposed to be adopted in the Project should be given. Details of rainwater harvesting proposed in the Project, if any, should be provided.

26) Impact of the Project on the water quality, both surface and groundwater, should be assessed and necessary safeguard measures, if any required, should be provided.

27) Based on actual monitored data, it may clearly be shown whether working will intersect groundwater. Necessary data and documentation in this regard may be provided. In case the working will intersect groundwater table, a detailed Hydro Geological Study should be undertaken and Report furnished. The Report inter-alia, shall include details of the aquifers present and impact of mining activities on these aquifers. Necessary permission from Central Ground Water Authority for working below ground water and for pumping of ground water should also be obtained and copy furnished.

28) Details of any stream, seasonal or otherwise, passing through the lease area and modification / diversion proposed, if any, and the impact of the same on the hydrology should be brought out.

29) Information on site elevation, working depth, groundwater table etc. Should be provided both in AMSL and bgl. A schematic diagram may also be provided for the same.

30) A time bound Progressive Greenbelt Development Plan shall be prepared in a tabular form (indicating the linear and quantitative coverage, plant species and time frame) and submitted, keeping in mind, the same will have to be executed up front on commencement of the Project. Phase-wise plan of plantation and compensatory afforestation should be charted clearly indicating the area to be covered under plantation and the species to be planted. The details of plantation already done should be given. The plant species selected for green belt should have greater ecological value and should be of good utility value to the local population with emphasis on local and native species and the species which are tolerant to pollution.

- 31) Impact on local transport infrastructure due to the Project should be indicated. Projected increase in truck traffic as a result of the Project in the present road network (including those outside the Project area) should be worked out, indicating whether it is capable of handling the incremental load. Arrangement for improving the infrastructure, if contemplated (including action to be taken by other agencies such as State Government) should be covered. Project Proponent shall conduct Impact of Transportation study as per Indian Road Congress Guidelines.
- 32) Details of the onsite shelter and facilities to be provided to the mine workers should be included in the EIA Report.
- 33) Conceptual post mining land use and Reclamation and Restoration of mined out areas (with plans and with adequate number of sections) should be given in the EIA report.
- 34) Occupational Health impacts of the Project should be anticipated and the proposed preventive measures spelt out in detail. Details of pre-placement medical examination and periodical medical examination schedules should be incorporated in the EMP. The project specific occupational health mitigation measures with required facilities proposed in the mining area may be detailed.
- 35) Public health implications of the Project and related activities for the population in the impact zone should be systematically evaluated and the proposed remedial measures should be detailed along with budgetary allocations.
- 36) Measures of socio-economic significance and influence to the local community proposed to be provided by the Project Proponent should be indicated. As far as possible, quantitative dimensions may be given with time frames for implementation.
- 37) Detailed environmental management plan (EMP) to mitigate the environmental impacts which, should inter-alia include the impacts of change of land use, loss of agricultural and grazing land, if any, occupational health impacts besides other impacts specific to the proposed Project.
- 38) Public Hearing points raised and commitment of the Project Proponent on the same along with time bound Action Plan with budgetary provisions to implement the same should be provided and also incorporated in the final EIA/EMP Report of the Project.
- 39) Details of litigation pending against the project, if any, with direction /order passed by any Court of Law against the Project should be given.
- 40) The cost of the Project (capital cost and recurring cost) as well as the cost towards implementation of EMP should be clearly spelt out.
- 41) A Disaster management Plan shall be prepared and included in the EIA/EMP Report.
- 42) Benefits of the Project if the Project is implemented should be spelt out. The benefits of the Project shall clearly indicate environmental, social, economic, employment potential, etc.
- 43) Besides the above, the below mentioned general points are also to be followed:

- a) Executive Summary of the EIA/EMP Report
- b) All documents to be properly referenced with index and continuous page numbering.
- c) Where data are presented in the Report especially in Tables, the period in which the data were collected and the sources should be indicated.
- d) Project Proponent shall enclose all the analysis/testing reports of water, air, soil, noise etc. using the MoEF & CC/NABL accredited laboratories. All the original analysis/testing reports should be available during appraisal of the Project.
- e) Where the documents provided are in a language other than English, an English translation should be provided.
- f) The Questionnaire for environmental appraisal of mining projects as devised earlier by the Ministry shall also be filled and submitted.
- g) While preparing the EIA report, the instructions for the Proponents and instructions for the Consultants issued by MoEF&CC vide O.M. No. J-11013/41/2006-IA.II(I) dated 4th August, 2009, which are available on the website of this Ministry, should be followed.
- h) Changes, if any made in the basic scope and project parameters (as submitted in Form-I and the PFR for securing the TOR) should be brought to the attention of MoEF&CC with reasons for such changes and permission should be sought, as the TOR may also have to be altered. Post Public Hearing changes in structure and content of the draft EIA/EMP (other than modifications arising out of the P.H. process) will entail conducting the PH again with the revised documentation.
- i) As per the circular no. J-11011/618/2010-IA.II(I) dated 30.5.2012, certified report of the status of compliance of the conditions stipulated in the environment clearance for the existing operations of the project, should be obtained from the Regional Office of Ministry of Environment, Forest and Climate Change, as may be applicable.
- j) The EIA report should also include (i) surface plan of the area indicating contours of main topographic features, drainage and mining area measurements, (ii) geological maps and sections and (iii) sections of the mine pit and external dumps, if any, clearly showing the land features of the adjoining area.

SPECIFIC TERMS OF REFERENCE

1. To submit a detailed **appreciation note** on all areas of interest like bridges if any, active channel, green patches if any besides, environmental setting of its surrounds supported with site photographs of all important features based on field inspection by the consultant.
2. A comprehensive chapter be included in the EIA report on Cost Benefit Analysis of the mining activity in the mining block underlining the environmental and social costs.

3. Impact of mining activity on adjacent agricultural land with particular reference to runoff, soil erosion and top-soil loss due to change in topography.
4. Details of Gradient of riverbed and 3-D view draped on the satellite image
5. Details of excavation schedule & sequential mining plan with a maximum mine depth of 1 mtr.
6. Details of transportation of mined out materials with respect to axle load specified for the road as per the Indian Road congress for both the ways (loaded as well as unloaded trucks) load and its impact on the environment.
7. Impact on mining activity on the existing land use in the study area.
8. Impact of mining on aquatic life.
9. NOCs from HoD/competent authority of Irrigation and Flood Control Dept. and Fisheries Dept. should be obtained and submitted while applying for EC.
10. The quantification of river bed material be based on excavation only upto a **maximum depth of 1 m** in the riverbed or 1 m above water table whichever comes first to safeguard ecological conditions in view of non-availability of replenishment data in DSR.
11. A digitalised surface plan showing coordinates, physical measurements, river gradient and inter-cross sections at different intervals should be a mandatory part of mining plan
12. Specific measures to be undertaken to mitigate the impact of mining activity on the habitat and migration of fish in the river/stream and concurrence thereof from the Fisheries Department.
13. The Photography and videography of the mining block shall be part of the Terms of Reference.
14. The maps shall be submitted on a scale of 1: 3000 and 1: 1500 within 10 kms. Radius
15. The shortest extraction route leading to the main road but with minimum interference with human settlements should be identified and described in detail. This along with the map and its KML file be part of an exclusive chapter in the EMP
16. Dust suppression measures should be prescribed in the EIA/EMP.
17. Post project monitoring plan should be included in the study.
18. Occupational health impacts should be assessed and plan for implementation of COVID-19 SOPs in the mining activity should be detailed.
19. The Consultant while presenting field data in the EIA report, should ensure that the site-specific date-wise datasheets duly attested by the local panchayat head with his name, signatures and stamp and attested by District Mineral Officer with seal and signature are included in the EIA report.
20. The impact of mining activity on the neighbouring villages need to be studied and extraction road need to be such that it has least crossing through village settlements.
21. The data displayed on air quality monitoring stations should be captured with digital camera displaying the date on the photograph so captured and same should be submitted in support of the date-wise data sheets. These digital photographs should be submitted in soft as well as appended with the EIA report.
22. Mining shall be proposed manually minimally supported by semi-mechanized methods.

23. The mining plan be approved de novo by the competent authority, after it is technically reviewed by the Irrigation and Flood Control Department and within mining depth of 1mt only due to non-availability of replenishment data and after reducing the size to maintain safe distance of 500mts. to the bridge.
24. **The prescribed TORs would be valid for a period of four years for submission of the EIA/EMP reports, as per the S.O. No. 751(E) dated 17th of Feb., 2020.**

Besides, the TORs are recommended without prejudice to the standing court orders, if any, w.r.t the concerned mining project or final outcome of writ petitions/LPAs pending disposal before any competent court of law w.r.t the concerned mining block.

Agenda Item No: 02 Grant of Terms of Reference in favour of M/S Mohd Abass Raina S/O Mohd Abdullah Raina R/O Arihal District Pulwama-192301. Shopianblock54@gmail.com

Proposal No: SIA/JK/MIN/59217/2020.
File No: SEAC/JK/20/
Consultant: **Oceao Enviro Management Solutions India Pvt Ltd**
Title of the Case: Grant of Terms of Reference for Nallah Bed Mining Project - Area 5.35 Ha located at Minor Mineral Block No.54, Kalampora Bridge to Link Road Dumpora Downstream Nallah Sasara, Village - Kalampora, Tehsil -Keegam & District - Shopian, and UT - J&K

Deliberations: - The case was represented by Ms Rashmi Saraswat and Varun Bhardwaj on behalf of the consultant M/S Oceao Enviro Management Solutions India Pvt. Ltd.. The project proponent did not join the proceedings. The consultant gave a detailed PowerPoint presentation on the project during which they informed that the LoI was issued by the G&M dept. on 18/07/2020 and the mining plan was approved on 03/10/2020 at a total project cost of 1.50 crores. The mining block was examined on the Google Earth platform using the KML/KMZ file emailed by the consultant. During examination, it was observed that a bridge exists at a distance of 220mts from the mining block. Another foot bridge appears from the same side at a distance of 157 mts. The Committee also observed human settlements in close vicinity of the mining block. The active water channel is also prominent and it was desired that area under active water channel need to be reduced while calculating the targeted mineral production from the mining block. The committee also observed that while reducing the size of the mining block for maintaining safe distance to bridge and while excluding the active water channel, the resultant size of the mining block may be rendered less than 5ha. In that case, the project proponent is free to apply directly for EC under B2 category, if he wishes so. In the meantime, TORs were recommended subjectively.

Recommendations:

In view of the above deliberations, the committee recommended the case for grant of following Terms of Reference subject to condition that the mining block size is reduced to maintain a safe distance of 500mts from the bridges and subject to exclusion of the active water channel while calculating the targeted mineral production as deliberated herein above: -

STANDARD TERMS OF REFERENCE

- 1) Year-wise production details should be given, clearly stating the highest production achieved in any one year.
- 2) A copy of the document in support of the fact that the Proponent is the rightful lessee of the mine should be given.
- 3) All documents including approved mine plan, EIA and Public Hearing should be compatible with one another in terms of the mine lease area, production levels, waste generation and its management, mining technology etc. and should be in the name of the lessee.
- 4) All corner coordinates of the mine lease area, superimposed on a High Resolution Imagery/ toposheet, topographic sheet, geomorphology and geology of the areas should be provided. Such an Imagery of the proposed area should clearly show the land use and other ecological features of the study area (core and buffer zone).
- 5) Information should be provided on high resolution satellite image on with geological map of the area, geomorphology of land-forms of the area, existing minerals and mining history of the area, important water bodies, streams and rivers and soil characteristics.
- 6) Details about the land proposed for mining activities should be given with information as to whether mining conforms to the land use policy of the State; land diversion for mining should have approval from State land use board or the concerned authority.
- 7) It should be clearly stated whether the proponent Company has a well laid down Environment Policy approved by its Board of Directors? If so, it may be spelt out in the EIA Report with description of the prescribed operating process/procedures to bring into focus any infringement/deviation/ violation of the environmental or forest norms/ conditions? The hierarchical system or administrative order of the Company to deal with the environmental issues and for ensuring compliance with the EC conditions may also be given. The system of reporting of non-compliances / violations of environmental norms to the Board of Directors of the Company and/or shareholders or stakeholders at large may also be detailed in the EIA Report.
- 8) Issues relating to Mine Safety, including subsidence study in case of underground mining and slope study in case of open cast mining, blasting study etc. should be detailed. The proposed safeguard measures in each case should also be provided.

9) The study area will comprise of 10 km zone around the mine lease from lease periphery and the data contained in the EIA such as waste generation etc. should be for the life of the mine / lease period.

10) Land use of the study area delineating forest area, agricultural land, grazing land, wildlife sanctuary, national park, migratory routes of fauna, water bodies, human settlements and other ecological features should be indicated. Land use plan of the mine lease area should be prepared to encompass preoperational, operational and post operational phases and submitted. Impact, if any, of change of land use should be given.

11) Details of the land for any Over Burden Dumps outside the mine lease, such as extent of land area, distance from mine lease, its land use, R&R issues, if any, should be given.

12) A Certificate from the Competent Authority in the State Forest Department should be provided, confirming the involvement of forest land, if any, in the project area. In the event of any contrary claim by the Project Proponent regarding the status of forests, the site may be inspected by the State Forest Department along with the Regional Office of the Ministry to ascertain the status of forests, based on which, the Certificate in this regard as mentioned above be issued. In all such cases, it would be desirable for representative of the State Forest Department to assist the Expert Appraisal Committee's.

13) Status of forestry clearance for the broken-up area and virgin forestland involved in the Project including deposition of net present value (NPV) and compensatory afforestation (CA) should be indicated. A copy of the forestry clearance should also be furnished.

14) Implementation status of recognition of forest rights under the Scheduled Tribes and other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006 should be indicated.

15) The vegetation in the RF / PF areas in the study area, with necessary details, should be given.

16) A study shall be got done to ascertain the impact of the Mining Project on wildlife of the study area and details furnished. Impact of the project on the wildlife in the surrounding and any other protected area and accordingly, detailed mitigative measures required, should be worked out with cost implications and submitted.

17) Location of National Parks, Sanctuaries, Biosphere Reserves, Wildlife Corridors, Ramsar site Tiger/ Elephant Reserves/(existing as well as proposed), if any, within 10 km of the mine lease should be clearly indicated, supported by a location map duly authenticated by Chief Wildlife Warden. Necessary clearance, as may be applicable to such projects due to proximity of the ecologically sensitive areas as mentioned above, should be obtained from the Standing COMMITTEE of National Board of Wildlife and copy furnished.

18) A detailed biological study of the study area [core zone and buffer zone (10 km radius of the periphery of the mine lease)] shall be carried out. Details of flora and fauna, endangered, endemic and RET Species duly authenticated, separately for core and buffer zone should be furnished based

on such primary field survey, clearly indicating the Schedule of the fauna present. In case of any scheduled-I fauna found in the study area, the necessary plan alongwith budgetary provisions for their conservation should be prepared in consultation with State Forest and Wildlife Department and details furnished. Necessary allocation of funds for implementing the same should be made as part of the project cost.

19) Proximity to Areas declared as 'Critically Polluted' should also be indicated and where so required, clearance certifications from the prescribed Authorities, such as the SPCB or State Mining Department should be secured and furnished to the effect that the proposed mining activities could be considered.

20) R&R Plan/compensation details for the Project Affected People (PAP) should be furnished. While preparing the R&R Plan, the relevant State/National Rehabilitation & Resettlement Policy should be kept in view. In respect of SCs /STs and other weaker sections of the society in the study area, a need based sample survey, family-wise, should be undertaken to assess their requirements, and action programmes prepared and submitted accordingly, integrating the sectoral programmes of line departments of the State Government. It may be clearly brought out whether the village(s) located in the mine lease area will be shifted or not. The issues relating to shifting of village(s) including their R&R and socio-economic aspects should be discussed in the Report.

21) One season (non-monsoon) [i.e. March-May (Summer Season); October-December (post monsoon season) ; December-February (winter season)]primary baseline data on ambient air quality as per CPCB Notification of 2009, water quality, noise level, soil and flora and fauna shall be collected and the AAQ and other data so compiled presented date-wise in the EIA and EMP Report. Site-specific meteorological data should also be collected. The location of the monitoring stations should be such as to represent whole of the study area and justified keeping in view the pre-dominant downwind direction and location of sensitive receptors. There should be at least one monitoring station within 500 m of the mine lease in the pre-dominant downwind direction. The mineralogical composition of PM10, particularly for free silica, should be given.

22) Air quality modelling should be carried out for prediction of impact of the project on the air quality of the area. It should also take into account the impact of movement of vehicles for transportation of mineral. The details of the model used and input parameters used for modelling should be provided. The air quality contours may be shown on a location map clearly indicating the location of the site, location of sensitive receptors, if any, and the habitation. The wind roses showing pre-dominant wind direction may also be indicated on the map.

23) The water requirement for the Project, its availability and source should be furnished. A detailed water balance should also be provided. Fresh water requirement for the Project should be indicated.

24) Necessary clearance from the Competent Authority for drawl of requisite quantity of water for the Project should be provided.

- 25) Description of water conservation measures proposed to be adopted in the Project should be given. Details of rainwater harvesting proposed in the Project, if any, should be provided.
- 26) Impact of the Project on the water quality, both surface and groundwater, should be assessed and necessary safeguard measures, if any required, should be provided.
- 27) Based on actual monitored data, it may clearly be shown whether working will intersect groundwater. Necessary data and documentation in this regard may be provided. In case the working will intersect groundwater table, a detailed Hydro Geological Study should be undertaken and Report furnished. The Report inter-alia, shall include details of the aquifers present and impact of mining activities on these aquifers. Necessary permission from Central Ground Water Authority for working below ground water and for pumping of ground water should also be obtained and copy furnished.
- 28) Details of any stream, seasonal or otherwise, passing through the lease area and modification / diversion proposed, if any, and the impact of the same on the hydrology should be brought out.
- 29) Information on site elevation, working depth, groundwater table etc. Should be provided both in AMSL and bgl. A schematic diagram may also be provided for the same.
- 30) A time bound Progressive Greenbelt Development Plan shall be prepared in a tabular form (indicating the linear and quantitative coverage, plant species and time frame) and submitted, keeping in mind, the same will have to be executed up front on commencement of the Project. Phase-wise plan of plantation and compensatory afforestation should be charted clearly indicating the area to be covered under plantation and the species to be planted. The details of plantation already done should be given. The plant species selected for green belt should have greater ecological value and should be of good utility value to the local population with emphasis on local and native species and the species which are tolerant to pollution.
- 31) Impact on local transport infrastructure due to the Project should be indicated. Projected increase in truck traffic as a result of the Project in the present road network (including those outside the Project area) should be worked out, indicating whether it is capable of handling the incremental load. Arrangement for improving the infrastructure, if contemplated (including action to be taken by other agencies such as State Government) should be covered. Project Proponent shall conduct Impact of Transportation study as per Indian Road Congress Guidelines.
- 32) Details of the onsite shelter and facilities to be provided to the mine workers should be included in the EIA Report.
- 33) Conceptual post mining land use and Reclamation and Restoration of mined out areas (with plans and with adequate number of sections) should be given in the EIA report.
- 34) Occupational Health impacts of the Project should be anticipated and the proposed preventive measures spelt out in detail. Details of pre-placement medical examination and periodical medical

examination schedules should be incorporated in the EMP. The project specific occupational health mitigation measures with required facilities proposed in the mining area may be detailed.

35) Public health implications of the Project and related activities for the population in the impact zone should be systematically evaluated and the proposed remedial measures should be detailed along with budgetary allocations.

36) Measures of socio-economic significance and influence to the local community proposed to be provided by the Project Proponent should be indicated. As far as possible, quantitative dimensions may be given with time frames for implementation.

37) Detailed environmental management plan (EMP) to mitigate the environmental impacts which, should inter-alia include the impacts of change of land use, loss of agricultural and grazing land, if any, occupational health impacts besides other impacts specific to the proposed Project.

38) Public Hearing points raised and commitment of the Project Proponent on the same along with time bound Action Plan with budgetary provisions to implement the same should be provided and also incorporated in the final EIA/EMP Report of the Project.

39) Details of litigation pending against the project, if any, with direction /order passed by any Court of Law against the Project should be given.

40) The cost of the Project (capital cost and recurring cost) as well as the cost towards implementation of EMP should be clearly spelt out.

41) A Disaster management Plan shall be prepared and included in the EIA/EMP Report.

42) Benefits of the Project if the Project is implemented should be spelt out. The benefits of the Project shall clearly indicate environmental, social, economic, employment potential, etc.

43) Besides the above, the below mentioned general points are also to be followed:

a) Executive Summary of the EIA/EMP Report

b) All documents to be properly referenced with index and continuous page numbering.

c) Where data are presented in the Report especially in Tables, the period in which the data were collected and the sources should be indicated.

d) Project Proponent shall enclose all the analysis/testing reports of water, air, soil, noise etc. using the MoEF & CC/NABL accredited laboratories. All the original analysis/testing reports should be available during appraisal of the Project.

e) Where the documents provided are in a language other than English, an English translation should be provided.

f) The Questionnaire for environmental appraisal of mining projects as devised earlier by the Ministry shall also be filled and submitted.

g) While preparing the EIA report, the instructions for the Proponents and instructions for the Consultants issued by MoEF&CC vide O.M. No. J-11013/41/2006-IA.II(I) dated 4th August, 2009, which are available on the website of this Ministry, should be followed.

h) Changes, if any made in the basic scope and project parameters (as submitted in Form-I and the PFR for securing the TOR) should be brought to the attention of MoEF&CC with reasons for such changes and permission should be sought, as the TOR may also have to be altered. Post Public Hearing changes in structure and content of the draft EIA/EMP (other than modifications arising out of the P.H. process) will entail conducting the PH again with the revised documentation.

i) As per the circular no. J-11011/618/2010-IA.II(I) dated 30.5.2012, certified report of the status of compliance of the conditions stipulated in the environment clearance for the existing operations of the project, should be obtained from the Regional Office of Ministry of Environment, Forest and Climate Change, as may be applicable.

j) The EIA report should also include (i) surface plan of the area indicating contours of main topographic features, drainage and mining area measurements, (ii) geological maps and sections and (iii) sections of the mine pit and external dumps, if any, clearly showing the land features of the adjoining area.

SPECIFIC TERMS OF REFERENCE

1. To submit a detailed **appreciation note** on all areas of interest like bridges if any, active channel, green patches if any besides, environmental setting of its surrounds supported with site photographs of all important features based on field inspection by the consultant.
2. A comprehensive chapter be included in the EIA report on Cost Benefit Analysis of the mining activity in the mining block underlining the environmental and social costs.
3. Impact of mining activity on adjacent agricultural land with particular reference to run off, soil erosion and top-soil loss due to change in topography.
4. Details of Gradient of riverbed and 3-D view draped on the satellite image
5. Details of excavation schedule & sequential mining plan with a maximum mine depth of 1 mtr.
6. Details of transportation of mined out materials with respect to axle load specified for the road as per the Indian Road congress for both the ways (loaded as well as unloaded trucks) load and its impact on the environment.
7. Impact on mining activity on the existing land use in the study area.
8. Impact of mining on aquatic life.
9. NOCs from HoD/competent authority of Irrigation and Flood Control Dept. and Fisheries Dept. should be obtained and submitted while applying for EC.
10. The quantification of river bed material be based on excavation only upto a **maximum depth of 1 m** in the riverbed or 1 m above water table whichever comes first to

safeguard ecological conditions in view of non-availability of replenishment data in DSR.

11. A digitalised surface plan showing coordinates, physical measurements, river gradient and inter-cross sections at different intervals should be a mandatory part of mining plan
12. Specific measures to be undertaken to mitigate the impact of mining activity on the habitat and migration of fish in the river/stream and concurrence thereof from the Fisheries Department.
13. The Photography and videography of the mining block shall be part of the Terms of Reference.
14. The maps shall be submitted on a scale of 1: 3000 and 1: 1500 within 10 kms. Radius
15. The shortest extraction route leading to the main road but with minimum interference with human settlements should be identified and described in detail. This along with the map and its KML file be part of an exclusive chapter in the EMP
16. Dust suppression measures should be prescribed in the EIA/EMP.
17. Post project monitoring plan should be included in the study.
18. Occupational health impacts should be assessed and plan for implementation of COVID-19 SOPs in the mining activity should be detailed.
19. The Consultant while presenting field data in the EIA report, should ensure that the site-specific date-wise datasheets duly attested by the local panchayat head with his name, signatures and stamp and attested by District Mineral Officer with seal and signature are included in the EIA report.
20. The impact of mining activity on the neighbouring villages need to be studied and extraction road need to be such that it has least crossing through village settlements.
21. The data displayed on air quality monitoring stations should be captured with digital camera displaying the date on the photograph so captured and same should be submitted in support of the date-wise data sheets. These digital photographs should be submitted in soft as well as appended with the EIA report.
22. Mining shall be proposed manually minimally supported by semi-mechanized methods.
23. The mining plan be approved de novo by the competent authority, after it is technically reviewed by the Irrigation and Flood Control Department and within mining depth of 1mt only due to non-availability of replenishment data, after reducing the size to maintain safe distance of 500mts. to the bridge and after excluding the active water channel from targetted mineral production.
24. **The prescribed TORs would be valid for a period of four years for submission of the EIA/EMP reports, as per the S.O. No. 751(E) dated 17th of Feb., 2020.**

Besides, the TORs are recommended without prejudice to the standing court orders, if any, w.r.t the concerned mining project or final outcome of writ petitions/LPAs pending disposal before any competent court of law w.r.t the concerned mining block.

Agenda Item No: 03

Grant of Terms of Reference in favour of M/S Mohd Abass Raina
S/O Mohd Abdullah Raina R/O Arihal District Pulwama-192301.
Shopianblock24@gmail.com

Proposal No:

SIA/JK/MIN/61026/2021.

File No:

SEAC/JK/20/

Consultant:

Oceao Enviro Management Solutions India Pvt Ltd

Title of the Case:

Grant of Terms of Reference for River Bed Mining Project - Area 9.28 Ha located at Minor Mineral Block No. 24, Sheikpora Trenz Bridge Upstream Nallah Rambiar, Village - Sheikpora Trenz, Tehsil - Keegam & District – Shopian.

Deliberations: -

The case was represented by Ms Rashmi Saraswat and Varun Bhardwaj on behalf of the consultant M/S Oceao Enviro Management Solutions India Pvt. Ltd.. The project proponent did not join the proceedings. The consultant gave a detailed PowerPoint presentation on the project during which they informed that the LoI was issued by the G&M dept. on 20/07/2020, further extended on 15/04/2021 and the mining plan was approved on 03/10/2020 at a total project cost of 3.10 crores. The mining block was examined on the Google Earth platform using the KML/KMZ file emailed by the consultant. During examination, it was observed that a small bridge exists in the direct line of flow at a distance of 307mts from the mining block. In the meantime, TORs were recommended subjectively.

Recommendations:

In view of the above deliberations, the committee recommended the case for grant of following Terms of Reference subject to condition that the mining block size is reduced to maintain a safe distance of 500mts from the small bridge in the direct line of flow and subject to NOC from the PWD(R&B) and the local panchayat and after recalculating the targeted mineral production owing to reduced mining block size and mining depth of 1mt. :-

STANDARD TERMS OF REFERENCE

- 1) Year-wise production details should be given, clearly stating the highest production achieved in any one year.
- 2) A copy of the document in support of the fact that the Proponent is the rightful lessee of the mine should be given.
- 3) All documents including approved mine plan, EIA and Public Hearing should be compatible with one another in terms of the mine lease area, production levels, waste generation and its management, mining technology etc. and should be in the name of the lessee.
- 4) All corner coordinates of the mine lease area, superimposed on a High Resolution Imagery/toposheet, topographic sheet, geomorphology and geology of the areas should be provided. Such

an Imagery of the proposed area should clearly show the land use and other ecological features of the study area (core and buffer zone).

5) Information should be provided on high resolution satellite image on with geological map of the area, geomorphology of land-forms of the area, existing minerals and mining history of the area, important water bodies, streams and rivers and soil characteristics.

6) Details about the land proposed for mining activities should be given with information as to whether mining conforms to the land use policy of the State; land diversion for mining should have approval from State land use board or the concerned authority.

7) It should be clearly stated whether the proponent Company has a well laid down Environment Policy approved by its Board of Directors? If so, it may be spelt out in the EIA Report with description of the prescribed operating process/procedures to bring into focus any infringement/deviation/ violation of the environmental or forest norms/ conditions? The hierarchical system or administrative order of the Company to deal with the environmental issues and for ensuring compliance with the EC conditions may also be given. The system of reporting of non-compliances / violations of environmental norms to the Board of Directors of the Company and/or shareholders or stakeholders at large may also be detailed in the EIA Report.

8) Issues relating to Mine Safety, including subsidence study in case of underground mining and slope study in case of open cast mining, blasting study etc. should be detailed. The proposed safeguard measures in each case should also be provided.

9) The study area will comprise of 10 km zone around the mine lease from lease periphery and the data contained in the EIA such as waste generation etc. should be for the life of the mine / lease period.

10) Land use of the study area delineating forest area, agricultural land, grazing land, wildlife sanctuary, national park, migratory routes of fauna, water bodies, human settlements and other ecological features should be indicated. Land use plan of the mine lease area should be prepared to encompass preoperational, operational and post operational phases and submitted. Impact, if any, of change of land use should be given.

11) Details of the land for any Over Burden Dumps outside the mine lease, such as extent of land area, distance from mine lease, its land use, R&R issues, if any, should be given.

12) A Certificate from the Competent Authority in the State Forest Department should be provided, confirming the involvement of forest land, if any, in the project area. In the event of any contrary claim by the Project Proponent regarding the status of forests, the site may be inspected by the State Forest Department along with the Regional Office of the Ministry to ascertain the status of forests, based on which, the Certificate in this regard as mentioned above be issued. In all such cases, it would be desirable for representative of the State Forest Department to assist the Expert Appraisal Committee's.

13) Status of forestry clearance for the broken-up area and virgin forestland involved in the Project including deposition of net present value (NPV) and compensatory afforestation (CA) should be indicated. A copy of the forestry clearance should also be furnished.

14) Implementation status of recognition of forest rights under the Scheduled Tribes and other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006 should be indicated.

15) The vegetation in the RF / PF areas in the study area, with necessary details, should be given.

16) A study shall be got done to ascertain the impact of the Mining Project on wildlife of the study area and details furnished. Impact of the project on the wildlife in the surrounding and any other protected area and accordingly, detailed mitigative measures required, should be worked out with cost implications and submitted.

17) Location of National Parks, Sanctuaries, Biosphere Reserves, Wildlife Corridors, Ramsar site Tiger/ Elephant Reserves/(existing as well as proposed), if any, within 10 km of the mine lease should be clearly indicated, supported by a location map duly authenticated by Chief Wildlife Warden. Necessary clearance, as may be applicable to such projects due to proximity of the ecologically sensitive areas as mentioned above, should be obtained from the Standing COMMITTEE of National Board of Wildlife and copy furnished.

18) A detailed biological study of the study area [core zone and buffer zone (10 km radius of the periphery of the mine lease)] shall be carried out. Details of flora and fauna, endangered, endemic and RET Species duly authenticated, separately for core and buffer zone should be furnished based on such primary field survey, clearly indicating the Schedule of the fauna present. In case of any scheduled-I fauna found in the study area, the necessary plan alongwith budgetary provisions for their conservation should be prepared in consultation with State Forest and Wildlife Department and details furnished. Necessary allocation of funds for implementing the same should be made as part of the project cost.

19) Proximity to Areas declared as 'Critically Polluted' should also be indicated and where so required, clearance certifications from the prescribed Authorities, such as the SPCB or State Mining Department should be secured and furnished to the effect that the proposed mining activities could be considered.

20) R&R Plan/compensation details for the Project Affected People (PAP) should be furnished. While preparing the R&R Plan, the relevant State/National Rehabilitation & Resettlement Policy should be kept in view. In respect of SCs /STs and other weaker sections of the society in the study area, a need based sample survey, family-wise, should be undertaken to assess their requirements, and action programmes prepared and submitted accordingly, integrating the sectoral programmes of line departments of the State Government. It may be clearly brought out whether the village(s) located in the mine lease area will be shifted or not. The issues relating to shifting of village(s) including their R&R and socio-economic aspects should be discussed in the Report.

21) One season (non-monsoon) [i.e. March-May (Summer Season); October-December (post monsoon season) ; December-February (winter season)] primary baseline data on ambient air quality as per CPCB Notification of 2009, water quality, noise level, soil and flora and fauna shall be collected and the AAQ and other data so compiled presented date-wise in the EIA and EMP Report. Site-specific meteorological data should also be collected. The location of the monitoring stations should be such as to represent whole of the study area and justified keeping in view the pre-dominant downwind direction and location of sensitive receptors. There should be at least one monitoring station within 500 m of the mine lease in the pre-dominant downwind direction. The mineralogical composition of PM10, particularly for free silica, should be given.

22) Air quality modelling should be carried out for prediction of impact of the project on the air quality of the area. It should also take into account the impact of movement of vehicles for transportation of mineral. The details of the model used and input parameters used for modelling should be provided. The air quality contours may be shown on a location map clearly indicating the location of the site, location of sensitive receptors, if any, and the habitation. The wind roses showing pre-dominant wind direction may also be indicated on the map.

23) The water requirement for the Project, its availability and source should be furnished. A detailed water balance should also be provided. Fresh water requirement for the Project should be indicated.

24) Necessary clearance from the Competent Authority for drawl of requisite quantity of water for the Project should be provided.

25) Description of water conservation measures proposed to be adopted in the Project should be given. Details of rainwater harvesting proposed in the Project, if any, should be provided.

26) Impact of the Project on the water quality, both surface and groundwater, should be assessed and necessary safeguard measures, if any required, should be provided.

27) Based on actual monitored data, it may clearly be shown whether working will intersect groundwater. Necessary data and documentation in this regard may be provided. In case the working will intersect groundwater table, a detailed Hydro Geological Study should be undertaken and Report furnished. The Report inter-alia, shall include details of the aquifers present and impact of mining activities on these aquifers. Necessary permission from Central Ground Water Authority for working below ground water and for pumping of ground water should also be obtained and copy furnished.

28) Details of any stream, seasonal or otherwise, passing through the lease area and modification / diversion proposed, if any, and the impact of the same on the hydrology should be brought out.

29) Information on site elevation, working depth, groundwater table etc. Should be provided both in AMSL and bgl. A schematic diagram may also be provided for the same.

- 30) A time bound Progressive Greenbelt Development Plan shall be prepared in a tabular form (indicating the linear and quantitative coverage, plant species and time frame) and submitted, keeping in mind, the same will have to be executed up front on commencement of the Project. Phase-wise plan of plantation and compensatory afforestation should be charted clearly indicating the area to be covered under plantation and the species to be planted. The details of plantation already done should be given. The plant species selected for green belt should have greater ecological value and should be of good utility value to the local population with emphasis on local and native species and the species which are tolerant to pollution.
- 31) Impact on local transport infrastructure due to the Project should be indicated. Projected increase in truck traffic as a result of the Project in the present road network (including those outside the Project area) should be worked out, indicating whether it is capable of handling the incremental load. Arrangement for improving the infrastructure, if contemplated (including action to be taken by other agencies such as State Government) should be covered. Project Proponent shall conduct Impact of Transportation study as per Indian Road Congress Guidelines.
- 32) Details of the onsite shelter and facilities to be provided to the mine workers should be included in the EIA Report.
- 33) Conceptual post mining land use and Reclamation and Restoration of mined out areas (with plans and with adequate number of sections) should be given in the EIA report.
- 34) Occupational Health impacts of the Project should be anticipated and the proposed preventive measures spelt out in detail. Details of pre-placement medical examination and periodical medical examination schedules should be incorporated in the EMP. The project specific occupational health mitigation measures with required facilities proposed in the mining area may be detailed.
- 35) Public health implications of the Project and related activities for the population in the impact zone should be systematically evaluated and the proposed remedial measures should be detailed along with budgetary allocations.
- 36) Measures of socio-economic significance and influence to the local community proposed to be provided by the Project Proponent should be indicated. As far as possible, quantitative dimensions may be given with time frames for implementation.
- 37) Detailed environmental management plan (EMP) to mitigate the environmental impacts which, should inter-alia include the impacts of change of land use, loss of agricultural and grazing land, if any, occupational health impacts besides other impacts specific to the proposed Project.
- 38) Public Hearing points raised and commitment of the Project Proponent on the same along with time bound Action Plan with budgetary provisions to implement the same should be provided and also incorporated in the final EIA/EMP Report of the Project.
- 39) Details of litigation pending against the project, if any, with direction /order passed by any Court of Law against the Project should be given.

40) The cost of the Project (capital cost and recurring cost) as well as the cost towards implementation of EMP should be clearly spelt out.

41) A Disaster management Plan shall be prepared and included in the EIA/EMP Report.

42) Benefits of the Project if the Project is implemented should be spelt out. The benefits of the Project shall clearly indicate environmental, social, economic, employment potential, etc.

43) Besides the above, the below mentioned general points are also to be followed:

a) Executive Summary of the EIA/EMP Report

b) All documents to be properly referenced with index and continuous page numbering.

c) Where data are presented in the Report especially in Tables, the period in which the data were collected and the sources should be indicated.

d) Project Proponent shall enclose all the analysis/testing reports of water, air, soil, noise etc. using the MoEF & CC/NABL accredited laboratories. All the original analysis/testing reports should be available during appraisal of the Project.

e) Where the documents provided are in a language other than English, an English translation should be provided.

f) The Questionnaire for environmental appraisal of mining projects as devised earlier by the Ministry shall also be filled and submitted.

g) While preparing the EIA report, the instructions for the Proponents and instructions for the Consultants issued by MoEF&CC vide O.M. No. J-11013/41/2006-IA.II(I) dated 4th August, 2009, which are available on the website of this Ministry, should be followed.

h) Changes, if any made in the basic scope and project parameters (as submitted in Form-I and the PFR for securing the TOR) should be brought to the attention of MoEF&CC with reasons for such changes and permission should be sought, as the TOR may also have to be altered. Post Public Hearing changes in structure and content of the draft EIA/EMP (other than modifications arising out of the P.H. process) will entail conducting the PH again with the revised documentation.

i) As per the circular no. J-11011/618/2010-IA.II(I) dated 30.5.2012, certified report of the status of compliance of the conditions stipulated in the environment clearance for the existing operations of the project, should be obtained from the Regional Office of Ministry of Environment, Forest and Climate Change, as may be applicable.

j) The EIA report should also include (i) surface plan of the area indicating contours of main topographic features, drainage and mining area measurements, (ii) geological maps

and sections and (iii) sections of the mine pit and external dumps, if any, clearly showing the land features of the adjoining area.

SPECIFIC TERMS OF REFERENCE

1. To submit a detailed **appreciation note** on all areas of interest like bridges if any, active channel, green patches if any besides, environmental setting of its surrounds supported with site photographs of all important features based on field inspection by the consultant.
2. A comprehensive chapter be included in the EIA report on Cost Benefit Analysis of the mining activity in the mining block underlining the environmental and social costs.
3. Impact of mining activity on adjacent agricultural land with particular reference to run off, soil erosion and top-soil loss due to change in topography.
4. Details of Gradient of riverbed and 3-D view draped on the satellite image
5. Details of excavation schedule & sequential mining plan with a maximum mine depth of 1 mtr.
6. Details of transportation of mined out materials with respect to axle load specified for the road as per the Indian Road congress for both the ways (loaded as well as unloaded trucks) load and its impact on the environment.
7. Impact on mining activity on the existing land use in the study area.
8. Impact of mining on aquatic life.
9. NOCs from HoD/competent authority of Irrigation and Flood Control Dept. and Fisheries Dept., PWD and the local panchayat should be obtained and submitted while applying for EC.
10. The quantification of river bed material be based on excavation only upto a **maximum depth of 1 m** in the riverbed or 1 m above water table whichever comes first to safeguard ecological conditions in view of non-availability of replenishment data in DSR.
11. A digitalised surface plan showing coordinates, physical measurements, river gradient and inter-cross sections at different intervals should be a mandatory part of mining plan
12. Specific measures to be undertaken to mitigate the impact of mining activity on the habitat and migration of fish in the river/stream and concurrence thereof from the Fisheries Department.
13. The Photography and videography of the mining block shall be part of the Terms of Reference.
14. The maps shall be submitted on a scale of 1: 3000 and 1: 1500 within 10 kms. Radius
15. The shortest extraction route leading to the main road but with minimum interference with human settlements should be identified and described in detail. This along with the map and its KML file be part of an exclusive chapter in the EMP
16. Dust suppression measures should be prescribed in the EIA/EMP.
17. Post project monitoring plan should be included in the study.
18. Occupational health impacts should be assessed and plan for implementation of COVID-19 SOPs in the mining activity should be detailed.

19. The Consultant while presenting field data in the EIA report, should ensure that the site-specific date-wise datasheets duly attested by the local panchayat head with his name, signatures and stamp and attested by District Mineral Officer with seal and signature are included in the EIA report.
20. The impact of mining activity on the neighbouring villages need to be studied and extraction road need to be such that it has least crossing through village settlements.
21. The data displayed on air quality monitoring stations should be captured with digital camera displaying the date on the photograph so captured and same should be submitted in support of the date-wise data sheets. These digital photographs should be submitted in soft as well as appended with the EIA report.
22. Mining shall be proposed manually minimally supported by semi-mechanized methods.
23. The mining plan be approved de novo by the competent authority, after it is technically reviewed by the Irrigation and Flood Control Department and within mining depth of 1mt. only due to non-availability of replenishment data, after reducing the size to maintain safe distance of 500mts. to the bridge and after revising the targetted mineral production.
24. **The prescribed TORs would be valid for a period of four years for submission of the EIA/EMP reports, as per the S.O. No. 751(E) dated 17th of Feb., 2020.**

Besides, the TORs are recommended without prejudice to the standing court orders, if any, w.r.t the concerned mining project or final outcome of writ petitions/LPAs pending disposal before any competent court of law w.r.t the concerned mining block.

Agenda Item No: 04

Grant of Terms of Reference in favour of M/S Nazir Ahmad Wani S/O Abdul Wahid Wani R/O Shumnag Tehsil and District Kupwara. wainazirahmad25@gmail.com
 Proposal No: SIA/JK/MIN/60956/2021.
 File No: SEAC/JK/20/
 Consultant: **Oceao Enviro Management Solutions India Pvt Ltd**
 Title of the Case: Grant of Terms of Reference for Bed Mining Project - Area 10.00 Ha located at Minor Mineral Block No.10, Shartmuqam Bridget to Check Drugmullah Upstream Nallah Pohru, Village - Shath Muqam, Tehsil - Kupwara & District - Kupwara, and UT: Jammu & Kashmir.

Deliberations: -

The case was represented by Ms Rashmi Saraswat and Varun Bhardwaj on behalf of the consultant M/S Oceao Enviro Management Solutions India Pvt. Ltd.. The project proponent did not join the proceedings. The consultant gave a detailed PowerPoint presentation on the project during which they informed that the LoI was issued by the G&M dept. on 28/08/2020, further extended on 15/04/2021 and the mining plan was approved on 28/10/2020 at total project cost of 3.33 crores. The mining block was examined on the Google Earth platform using the KML/KMZ file emailed by the consultant. During examination, it was observed that a small green

patch exists on the satellite image of November, 2003 and therefore, the Committee desired title verification of the mining block by the competent revenue authority. Further, it was observed that more than 40% of the mining block falls under active water channel which needs to be excluded for calculating the targeted mineral production from the mining block with necessary correction in the mining plan. TORs were recommended subjectively.

Recommendations:

In view of the above deliberations, the committee recommended the case for grant of following Terms of Reference subject to title verification by the competent revenue authority and after recalculation of the targeted mineral production by excluding the active water channel: -

STANDARD TERMS OF REFERENCE

- 1) Year-wise production details should be given, clearly stating the highest production achieved in any one year.
- 2) A copy of the document in support of the fact that the Proponent is the rightful lessee of the mine should be given.
- 3) All documents including approved mine plan, EIA and Public Hearing should be compatible with one another in terms of the mine lease area, production levels, waste generation and its management, mining technology etc. and should be in the name of the lessee.
- 4) All corner coordinates of the mine lease area, superimposed on a High Resolution Imagery/toposheet, topographic sheet, geomorphology and geology of the areas should be provided. Such an Imagery of the proposed area should clearly show the land use and other ecological features of the study area (core and buffer zone).
- 5) Information should be provided on high resolution satellite image on with geological map of the area, geomorphology of land-forms of the area, existing minerals and mining history of the area, important water bodies, streams and rivers and soil characteristics.
- 6) Details about the land proposed for mining activities should be given with information as to whether mining conforms to the land use policy of the State; land diversion for mining should have approval from State land use board or the concerned authority.
- 7) It should be clearly stated whether the proponent Company has a well laid down Environment Policy approved by its Board of Directors? If so, it may be spelt out in the EIA Report with description of the prescribed operating process/procedures to bring into focus any infringement/deviation/ violation of the environmental or forest norms/ conditions? The hierarchical system or administrative order of the Company to deal with the environmental issues and for ensuring compliance with the EC conditions may also be given. The system of reporting of non-compliances / violations of environmental norms to the Board of Directors of the Company and/or shareholders or stakeholders at large may also be detailed in the EIA Report.

- 8) Issues relating to Mine Safety, including subsidence study in case of underground mining and slope study in case of open cast mining, blasting study etc. should be detailed. The proposed safeguard measures in each case should also be provided.
- 9) The study area will comprise of 10 km zone around the mine lease from lease periphery and the data contained in the EIA such as waste generation etc. should be for the life of the mine / lease period.
- 10) Land use of the study area delineating forest area, agricultural land, grazing land, wildlife sanctuary, national park, migratory routes of fauna, water bodies, human settlements and other ecological features should be indicated. Land use plan of the mine lease area should be prepared to encompass preoperational, operational and post operational phases and submitted. Impact, if any, of change of land use should be given.
- 11) Details of the land for any Over Burden Dumps outside the mine lease, such as extent of land area, distance from mine lease, its land use, R&R issues, if any, should be given.
- 12) A Certificate from the Competent Authority in the State Forest Department should be provided, confirming the involvement of forest land, if any, in the project area. In the event of any contrary claim by the Project Proponent regarding the status of forests, the site may be inspected by the State Forest Department along with the Regional Office of the Ministry to ascertain the status of forests, based on which, the Certificate in this regard as mentioned above be issued. In all such cases, it would be desirable for representative of the State Forest Department to assist the Expert Appraisal Committee's.
- 13) Status of forestry clearance for the broken-up area and virgin forestland involved in the Project including deposition of net present value (NPV) and compensatory afforestation (CA) should be indicated. A copy of the forestry clearance should also be furnished.
- 14) Implementation status of recognition of forest rights under the Scheduled Tribes and other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006 should be indicated.
- 15) The vegetation in the RF / PF areas in the study area, with necessary details, should be given.
- 16) A study shall be got done to ascertain the impact of the Mining Project on wildlife of the study area and details furnished. Impact of the project on the wildlife in the surrounding and any other protected area and accordingly, detailed mitigative measures required, should be worked out with cost implications and submitted.
- 17) Location of National Parks, Sanctuaries, Biosphere Reserves, Wildlife Corridors, Ramsar site Tiger/ Elephant Reserves/(existing as well as proposed), if any, within 10 km of the mine lease should be clearly indicated, supported by a location map duly authenticated by Chief Wildlife Warden. Necessary clearance, as may be applicable to such projects due to proximity of the ecologically sensitive areas as mentioned above, should be obtained from the Standing COMMITTEE of National Board of Wildlife and copy furnished.

18) A detailed biological study of the study area [core zone and buffer zone (10 km radius of the periphery of the mine lease)] shall be carried out. Details of flora and fauna, endangered, endemic and RET Species duly authenticated, separately for core and buffer zone should be furnished based on such primary field survey, clearly indicating the Schedule of the fauna present. In case of any scheduled-I fauna found in the study area, the necessary plan alongwith budgetary provisions for their conservation should be prepared in consultation with State Forest and Wildlife Department and details furnished. Necessary allocation of funds for implementing the same should be made as part of the project cost.

19) Proximity to Areas declared as 'Critically Polluted' should also be indicated and where so required, clearance certifications from the prescribed Authorities, such as the SPCB or State Mining Department should be secured and furnished to the effect that the proposed mining activities could be considered.

20) R&R Plan/compensation details for the Project Affected People (PAP) should be furnished. While preparing the R&R Plan, the relevant State/National Rehabilitation & Resettlement Policy should be kept in view. In respect of SCs /STs and other weaker sections of the society in the study area, a need based sample survey, family-wise, should be undertaken to assess their requirements, and action programmes prepared and submitted accordingly, integrating the sectoral programmes of line departments of the State Government. It may be clearly brought out whether the village(s) located in the mine lease area will be shifted or not. The issues relating to shifting of village(s) including their R&R and socio-economic aspects should be discussed in the Report.

21) One season (non-monsoon) [i.e. March-May (Summer Season); October-December (post monsoon season) ; December-February (winter season)]primary baseline data on ambient air quality as per CPCB Notification of 2009, water quality, noise level, soil and flora and fauna shall be collected and the AAQ and other data so compiled presented date-wise in the EIA and EMP Report. Site-specific meteorological data should also be collected. The location of the monitoring stations should be such as to represent whole of the study area and justified keeping in view the pre-dominant downwind direction and location of sensitive receptors. There should be at least one monitoring station within 500 m of the mine lease in the pre-dominant downwind direction. The mineralogical composition of PM10, particularly for free silica, should be given.

22) Air quality modelling should be carried out for prediction of impact of the project on the air quality of the area. It should also take into account the impact of movement of vehicles for transportation of mineral. The details of the model used and input parameters used for modelling should be provided. The air quality contours may be shown on a location map clearly indicating the location of the site, location of sensitive receptors, if any, and the habitation. The wind roses showing pre-dominant wind direction may also be indicated on the map.

23) The water requirement for the Project, its availability and source should be furnished. A detailed water balance should also be provided. Fresh water requirement for the Project should be indicated.

- 24) Necessary clearance from the Competent Authority for drawl of requisite quantity of water for the Project should be provided.
- 25) Description of water conservation measures proposed to be adopted in the Project should be given. Details of rainwater harvesting proposed in the Project, if any, should be provided.
- 26) Impact of the Project on the water quality, both surface and groundwater, should be assessed and necessary safeguard measures, if any required, should be provided.
- 27) Based on actual monitored data, it may clearly be shown whether working will intersect groundwater. Necessary data and documentation in this regard may be provided. In case the working will intersect groundwater table, a detailed Hydro Geological Study should be undertaken and Report furnished. The Report inter-alia, shall include details of the aquifers present and impact of mining activities on these aquifers. Necessary permission from Central Ground Water Authority for working below ground water and for pumping of ground water should also be obtained and copy furnished.
- 28) Details of any stream, seasonal or otherwise, passing through the lease area and modification / diversion proposed, if any, and the impact of the same on the hydrology should be brought out.
- 29) Information on site elevation, working depth, groundwater table etc. Should be provided both in AMSL and bgl. A schematic diagram may also be provided for the same.
- 30) A time bound Progressive Greenbelt Development Plan shall be prepared in a tabular form (indicating the linear and quantitative coverage, plant species and time frame) and submitted, keeping in mind, the same will have to be executed up front on commencement of the Project. Phase-wise plan of plantation and compensatory afforestation should be charted clearly indicating the area to be covered under plantation and the species to be planted. The details of plantation already done should be given. The plant species selected for green belt should have greater ecological value and should be of good utility value to the local population with emphasis on local and native species and the species which are tolerant to pollution.
- 31) Impact on local transport infrastructure due to the Project should be indicated. Projected increase in truck traffic as a result of the Project in the present road network (including those outside the Project area) should be worked out, indicating whether it is capable of handling the incremental load. Arrangement for improving the infrastructure, if contemplated (including action to be taken by other agencies such as State Government) should be covered. Project Proponent shall conduct Impact of Transportation study as per Indian Road Congress Guidelines.
- 32) Details of the onsite shelter and facilities to be provided to the mine workers should be included in the EIA Report.
- 33) Conceptual post mining land use and Reclamation and Restoration of mined out areas (with plans and with adequate number of sections) should be given in the EIA report.

- 34) Occupational Health impacts of the Project should be anticipated and the proposed preventive measures spelt out in detail. Details of pre-placement medical examination and periodical medical examination schedules should be incorporated in the EMP. The project specific occupational health mitigation measures with required facilities proposed in the mining area may be detailed.
- 35) Public health implications of the Project and related activities for the population in the impact zone should be systematically evaluated and the proposed remedial measures should be detailed along with budgetary allocations.
- 36) Measures of socio-economic significance and influence to the local community proposed to be provided by the Project Proponent should be indicated. As far as possible, quantitative dimensions may be given with time frames for implementation.
- 37) Detailed environmental management plan (EMP) to mitigate the environmental impacts which, should inter-alia include the impacts of change of land use, loss of agricultural and grazing land, if any, occupational health impacts besides other impacts specific to the proposed Project.
- 38) Public Hearing points raised and commitment of the Project Proponent on the same along with time bound Action Plan with budgetary provisions to implement the same should be provided and also incorporated in the final EIA/EMP Report of the Project.
- 39) Details of litigation pending against the project, if any, with direction /order passed by any Court of Law against the Project should be given.
- 40) The cost of the Project (capital cost and recurring cost) as well as the cost towards implementation of EMP should be clearly spelt out.
- 41) A Disaster management Plan shall be prepared and included in the EIA/EMP Report.
- 42) Benefits of the Project if the Project is implemented should be spelt out. The benefits of the Project shall clearly indicate environmental, social, economic, employment potential, etc.
- 43) Besides the above, the below mentioned general points are also to be followed:
- a) Executive Summary of the EIA/EMP Report
 - b) All documents to be properly referenced with index and continuous page numbering.
 - c) Where data are presented in the Report especially in Tables, the period in which the data were collected and the sources should be indicated.
 - d) Project Proponent shall enclose all the analysis/testing reports of water, air, soil, noise etc. using the MoEF & CC/NABL accredited laboratories. All the original analysis/testing reports should be available during appraisal of the Project.
 - e) Where the documents provided are in a language other than English, an English translation should be provided.

f) The Questionnaire for environmental appraisal of mining projects as devised earlier by the Ministry shall also be filled and submitted.

g) While preparing the EIA report, the instructions for the Proponents and instructions for the Consultants issued by MoEF&CC vide O.M. No. J-11013/41/2006-IA.II(I) dated 4th August, 2009, which are available on the website of this Ministry, should be followed.

h) Changes, if any made in the basic scope and project parameters (as submitted in Form-I and the PFR for securing the TOR) should be brought to the attention of MoEF&CC with reasons for such changes and permission should be sought, as the TOR may also have to be altered. Post Public Hearing changes in structure and content of the draft EIA/EMP (other than modifications arising out of the P.H. process) will entail conducting the PH again with the revised documentation.

i) As per the circular no. J-11011/618/2010-IA.II(I) dated 30.5.2012, certified report of the status of compliance of the conditions stipulated in the environment clearance for the existing operations of the project, should be obtained from the Regional Office of Ministry of Environment, Forest and Climate Change, as may be applicable.

j) The EIA report should also include (i) surface plan of the area indicating contours of main topographic features, drainage and mining area measurements, (ii) geological maps and sections and (iii) sections of the mine pit and external dumps, if any, clearly showing the land features of the adjoining area.

SPECIFIC TERMS OF REFERENCE

1. To submit a detailed **appreciation note** on all areas of interest like bridges if any, active channel, green patches if any besides, environmental setting of its surrounds supported with site photographs of all important features based on field inspection by the consultant.
2. A comprehensive chapter be included in the EIA report on Cost Benefit Analysis of the mining activity in the mining block underlining the environmental and social costs.
3. Impact of mining activity on adjacent agricultural land with particular reference to run off, soil erosion and top-soil loss due to change in topography.
4. Details of Gradient of riverbed and 3-D view draped on the satellite image
5. Details of excavation schedule & sequential mining plan with a maximum mine depth of 1 mtr.
6. Details of transportation of mined out materials with respect to axle load specified for the road as per the Indian Road congress for both the ways (loaded as well as unloaded trucks) load and its impact on the environment.
7. Impact on mining activity on the existing land use in the study area.
8. Impact of mining on aquatic life.
9. NOCs from HoD/competent authority of Irrigation and Flood Control Dept. and Fisheries Dept. should be obtained and submitted while applying for EC. Besides, title verification certificate from Tehsildar/competent revenue authority.

10. The quantification of river bed material be based on excavation only upto a **maximum depth of 1 m** in the riverbed or 1 m above water table whichever comes first to safeguard ecological conditions in view of non-availability of replenishment data in DSR.
11. A digitalised surface plan showing coordinates, physical measurements, river gradient and inter-cross sections at different intervals should be a mandatory part of mining plan
12. Specific measures to be undertaken to mitigate the impact of mining activity on the habitat and migration of fish in the river/stream and concurrence thereof from the Fisheries Department.
13. The Photography and videography of the mining block shall be part of the Terms of Reference.
14. The maps shall be submitted on a scale of 1: 3000 and 1: 1500 within 10 kms. Radius
15. The shortest extraction route leading to the main road but with minimum interference with human settlements should be identified and described in detail. This along with the map and its KML file be part of an exclusive chapter in the EMP
16. Dust suppression measures should be prescribed in the EIA/EMP.
17. Post project monitoring plan should be included in the study.
18. Occupational health impacts should be assessed and plan for implementation of COVID-19 SOPs in the mining activity should be detailed.
19. The Consultant while presenting field data in the EIA report, should ensure that the site-specific date-wise datasheets duly attested by the local panchayat head with his name, signatures and stamp and attested by District Mineral Officer with seal and signature are included in the EIA report.
20. The impact of mining activity on the neighbouring villages need to be studied and extraction road need to be such that it has least crossing through village settlements.
21. The data displayed on air quality monitoring stations should be captured with digital camera displaying the date on the photograph so captured and same should be submitted in support of the date-wise data sheets. These digital photographs should be submitted in soft as well as appended with the EIA report.
22. Mining shall be proposed manually minimally supported by semi-mechanized methods.
23. The mining plan be approved de novo by the competent authority, after it is technically reviewed by the Irrigation and Flood Control Department and within mining depth of 1mt. only due to non-availability of replenishment data, after excluding the active water channel and after revising the targetted mineral production.
24. **The prescribed TORs would be valid for a period of four years for submission of the EIA/EMP reports, as per the S.O. No. 751(E) dated 17th of Feb., 2020.**

Besides, the TORs are recommended without prejudice to the standing court orders, if any, w.r.t the concerned mining project or final outcome of writ petitions/LPAs pending disposal before any competent court of law w.r.t the concerned mining block.

Agenda Item No: 05

Grant of Terms of Reference in favour of M/S UNITED CEMENTS PRODUCTS TREHGAM, Project Proponent Rafiqa Begum W/o Ab. Rashid Lone R/O Lone Harrai Tehsil & District Kupwara-193224. Kupwarablock18@gmail.com

Proposal No:

SIA/JK/MIN/60931/2021.

File No:

SEAC/JK/20/

Consultant:

Oceao Enviro Management Solutions India Pvt Ltd

Title of the Case:

Grant of Terms of Reference for Minor Mineral Block No.18, Trehgam Bridge to Hayan, Downstream Khemil Nallah, Manigah Trehgam Kupwara, Area 10 Ha.

Deliberations: -

The case was represented by Ms Rashmi Saraswat and Varun Bhardwaj on behalf of the consultant M/S Oceao Enviro Management Solutions India Pvt. Ltd.. The project proponent did not join the proceedings. The consultant gave a detailed PowerPoint presentation on the project during which they informed that the LoI was issued by the G&M dept. on 28/08/2020, further extended on 15/04/2021 and the mining plan was approved on 28/10/2020 at a total project cost of 3.33 crores. The mining block was examined on the Google Earth platform using the KML/KMZ file emailed by the consultant. During examination, it was observed that the boundary of the mining block has been coarsely laid and at some places it falls over cropland. Therefore, the Committee desired fine tuning of the mining block boundaries to exclude the cropland fringes/ areas outside the riverbed with necessary corrections in the mining plan, besides, title verification by the competent authority of the revenue department. The Committee also desired that the targeted mineral production needs to be recalculated after excluding the active water channel. TORs were recommended subjectively.

Recommendations:

In view of the above deliberations, the committee recommended the case for grant of following Terms of Reference subject to title verification by the competent revenue authority, refinement of boundaries of the mining block for exclusion of the cropland/land outside the river bed and after recalculation of the targeted mineral production by excluding the active water channel : -

STANDARD TERMS OF REFERENCE

- 1) Year-wise production details should be given, clearly stating the highest production achieved in any one year.
- 2) A copy of the document in support of the fact that the Proponent is the rightful lessee of the mine should be given.

- 3) All documents including approved mine plan, EIA and Public Hearing should be compatible with one another in terms of the mine lease area, production levels, waste generation and its management, mining technology etc. and should be in the name of the lessee.
- 4) All corner coordinates of the mine lease area, superimposed on a High Resolution Imagery/toposheet, topographic sheet, geomorphology and geology of the areas should be provided. Such an Imagery of the proposed area should clearly show the land use and other ecological features of the study area (core and buffer zone).
- 5) Information should be provided on high resolution satellite image on with geological map of the area, geomorphology of land-forms of the area, existing minerals and mining history of the area, important water bodies, streams and rivers and soil characteristics.
- 6) Details about the land proposed for mining activities should be given with information as to whether mining conforms to the land use policy of the State; land diversion for mining should have approval from State land use board or the concerned authority.
- 7) It should be clearly stated whether the proponent Company has a well laid down Environment Policy approved by its Board of Directors? If so, it may be spelt out in the EIA Report with description of the prescribed operating process/procedures to bring into focus any infringement/deviation/ violation of the environmental or forest norms/ conditions? The hierarchical system or administrative order of the Company to deal with the environmental issues and for ensuring compliance with the EC conditions may also be given. The system of reporting of non-compliances / violations of environmental norms to the Board of Directors of the Company and/or shareholders or stakeholders at large may also be detailed in the EIA Report.
- 8) Issues relating to Mine Safety, including subsidence study in case of underground mining and slope study in case of open cast mining, blasting study etc. should be detailed. The proposed safeguard measures in each case should also be provided.
- 9) The study area will comprise of 10 km zone around the mine lease from lease periphery and the data contained in the EIA such as waste generation etc. should be for the life of the mine / lease period.
- 10) Land use of the study area delineating forest area, agricultural land, grazing land, wildlife sanctuary, national park, migratory routes of fauna, water bodies, human settlements and other ecological features should be indicated. Land use plan of the mine lease area should be prepared to encompass preoperational, operational and post operational phases and submitted. Impact, if any, of change of land use should be given.
- 11) Details of the land for any Over Burden Dumps outside the mine lease, such as extent of land area, distance from mine lease, its land use, R&R issues, if any, should be given.
- 12) A Certificate from the Competent Authority in the State Forest Department should be provided, confirming the involvement of forest land, if any, in the project area. In the event of any contrary

claim by the Project Proponent regarding the status of forests, the site may be inspected by the State Forest Department along with the Regional Office of the Ministry to ascertain the status of forests, based on which, the Certificate in this regard as mentioned above be issued. In all such cases, it would be desirable for representative of the State Forest Department to assist the Expert Appraisal Committee's.

13) Status of forestry clearance for the broken-up area and virgin forestland involved in the Project including deposition of net present value (NPV) and compensatory afforestation (CA) should be indicated. A copy of the forestry clearance should also be furnished.

14) Implementation status of recognition of forest rights under the Scheduled Tribes and other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006 should be indicated.

15) The vegetation in the RF / PF areas in the study area, with necessary details, should be given.

16) A study shall be got done to ascertain the impact of the Mining Project on wildlife of the study area and details furnished. Impact of the project on the wildlife in the surrounding and any other protected area and accordingly, detailed mitigative measures required, should be worked out with cost implications and submitted.

17) Location of National Parks, Sanctuaries, Biosphere Reserves, Wildlife Corridors, Ramsar site Tiger/ Elephant Reserves/(existing as well as proposed), if any, within 10 km of the mine lease should be clearly indicated, supported by a location map duly authenticated by Chief Wildlife Warden. Necessary clearance, as may be applicable to such projects due to proximity of the ecologically sensitive areas as mentioned above, should be obtained from the Standing COMMITTEE of National Board of Wildlife and copy furnished.

18) A detailed biological study of the study area [core zone and buffer zone (10 km radius of the periphery of the mine lease)] shall be carried out. Details of flora and fauna, endangered, endemic and RET Species duly authenticated, separately for core and buffer zone should be furnished based on such primary field survey, clearly indicating the Schedule of the fauna present. In case of any scheduled-I fauna found in the study area, the necessary plan alongwith budgetary provisions for their conservation should be prepared in consultation with State Forest and Wildlife Department and details furnished. Necessary allocation of funds for implementing the same should be made as part of the project cost.

19) Proximity to Areas declared as 'Critically Polluted' should also be indicated and where so required, clearance certifications from the prescribed Authorities, such as the SPCB or State Mining Department should be secured and furnished to the effect that the proposed mining activities could be considered.

20) R&R Plan/compensation details for the Project Affected People (PAP) should be furnished. While preparing the R&R Plan, the relevant State/National Rehabilitation & Resettlement Policy should be kept in view. In respect of SCs /STs and other weaker sections of the society in the study

area, a need based sample survey, family-wise, should be undertaken to assess their requirements, and action programmes prepared and submitted accordingly, integrating the sectoral programmes of line departments of the State Government. It may be clearly brought out whether the village(s) located in the mine lease area will be shifted or not. The issues relating to shifting of village(s) including their R&R and socio-economic aspects should be discussed in the Report.

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24) Necessary clearance from the Competent Authority for drawl of requisite quantity of water for the Project should be provided.

25) Description of water conservation measures proposed to be adopted in the Project should be given. Details of rainwater harvesting proposed in the Project, if any, should be provided.

26) Impact of the Project on the water quality, both surface and groundwater, should be assessed and necessary safeguard measures, if any required, should be provided.

27) Based on actual monitored data, it may clearly be shown whether working will intersect groundwater. Necessary data and documentation in this regard may be provided. In case the working will intersect groundwater table, a detailed Hydro Geological Study should be undertaken and Report furnished. The Report inter-alia, shall include details of the aquifers present and impact of mining activities on these aquifers. Necessary permission from Central Ground Water Authority for working below ground water and for pumping of ground water should also be obtained and copy furnished.

- 28) Details of any stream, seasonal or otherwise, passing through the lease area and modification / diversion proposed, if any, and the impact of the same on the hydrology should be brought out.
- 29) Information on site elevation, working depth, groundwater table etc. Should be provided both in AMSL and bgl. A schematic diagram may also be provided for the same.
- 30) A time bound Progressive Greenbelt Development Plan shall be prepared in a tabular form (indicating the linear and quantitative coverage, plant species and time frame) and submitted, keeping in mind, the same will have to be executed up front on commencement of the Project. Phase-wise plan of plantation and compensatory afforestation should be charted clearly indicating the area to be covered under plantation and the species to be planted. The details of plantation already done should be given. The plant species selected for green belt should have greater ecological value and should be of good utility value to the local population with emphasis on local and native species and the species which are tolerant to pollution.
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- 37) Detailed environmental management plan (EMP) to mitigate the environmental impacts which, should inter-alia include the impacts of change of land use, loss of agricultural and grazing land, if any, occupational health impacts besides other impacts specific to the proposed Project.

38) Public Hearing points raised and commitment of the Project Proponent on the same along with time bound Action Plan with budgetary provisions to implement the same should be provided and also incorporated in the final EIA/EMP Report of the Project.

39) Details of litigation pending against the project, if any, with direction /order passed by any Court of Law against the Project should be given.

40) The cost of the Project (capital cost and recurring cost) as well as the cost towards implementation of EMP should be clearly spelt out.

41) A Disaster management Plan shall be prepared and included in the EIA/EMP Report.

42) Benefits of the Project if the Project is implemented should be spelt out. The benefits of the Project shall clearly indicate environmental, social, economic, employment potential, etc.

43) Besides the above, the below mentioned general points are also to be followed:

a) Executive Summary of the EIA/EMP Report

b) All documents to be properly referenced with index and continuous page numbering.

c) Where data are presented in the Report especially in Tables, the period in which the data were collected and the sources should be indicated.

d) Project Proponent shall enclose all the analysis/testing reports of water, air, soil, noise etc. using the MoEF & CC/NABL accredited laboratories. All the original analysis/testing reports should be available during appraisal of the Project.

e) Where the documents provided are in a language other than English, an English translation should be provided.

f) The Questionnaire for environmental appraisal of mining projects as devised earlier by the Ministry shall also be filled and submitted.

g) While preparing the EIA report, the instructions for the Proponents and instructions for the Consultants issued by MoEF&CC vide O.M. No. J-11013/41/2006-IA.II(I) dated 4th August, 2009, which are available on the website of this Ministry, should be followed.

h) Changes, if any made in the basic scope and project parameters (as submitted in Form-I and the PFR for securing the TOR) should be brought to the attention of MoEF&CC with reasons for such changes and permission should be sought, as the TOR may also have to be altered. Post Public Hearing changes in structure and content of the draft EIA/EMP (other than modifications arising out of the P.H. process) will entail conducting the PH again with the revised documentation.

i) As per the circular no. J-11011/618/2010-IA.II(I) dated 30.5.2012, certified report of the status of compliance of the conditions stipulated in the environment clearance for the

existing operations of the project, should be obtained from the Regional Office of Ministry of Environment, Forest and Climate Change, as may be applicable.

j) The EIA report should also include (i) surface plan of the area indicating contours of main topographic features, drainage and mining area measurements, (ii) geological maps and sections and (iii) sections of the mine pit and external dumps, if any, clearly showing the land features of the adjoining area.

SPECIFIC TERMS OF REFERENCE

1. To submit a detailed **appreciation note** on all areas of interest like bridges if any, active channel, green patches if any besides, environmental setting of its surrounds supported with site photographs of all important features based on field inspection by the consultant.
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3. Impact of mining activity on adjacent agricultural land with particular reference to run off, soil erosion and top-soil loss due to change in topography.
4. Details of Gradient of riverbed and 3-D view draped on the satellite image
5. Details of excavation schedule & sequential mining plan with a maximum mine depth of 1 mtr.
6. Details of transportation of mined out materials with respect to axle load specified for the road as per the Indian Road congress for both the ways (loaded as well as unloaded trucks) load and its impact on the environment.
7. Impact on mining activity on the existing land use in the study area.
8. Impact of mining on aquatic life.
9. NOCs from HoD/competent authority of Irrigation and Flood Control Dept. and Fisheries Dept. should be obtained and submitted while applying for EC. Besides, title verification certificate from Tehsildar/competent revenue authority.
10. The quantification of river bed material be based on excavation only upto a **maximum depth of 1 m** in the riverbed or 1 m above water table whichever comes first to safeguard ecological conditions in view of non-availability of replenishment data in DSR.
11. A digitalised surface plan showing coordinates, physical measurements, river gradient and inter-cross sections at different intervals should be a mandatory part of mining plan
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15. The shortest extraction route leading to the main road but with minimum interference with human settlements should be identified and described in detail. This along with the map and its KML file be part of an exclusive chapter in the EMP
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22. Mining shall be proposed manually minimally supported by semi-mechanized methods.
23. The mining plan be approved de novo by the competent authority, after it is technically reviewed by the Irrigation and Flood Control Department and within mining depth of 1mt. only due to non-availability of replenishment data, after excluding the active water channel and after revising the targetted mineral production.
24. **The prescribed TORs would be valid for a period of four years for submission of the EIA/EMP reports, as per the S.O. No. 751(E) dated 17th of Feb., 2020.**

Besides, the TORs are recommended without prejudice to the standing court orders, if any, w.r.t the concerned mining project or final outcome of writ petitions/LPAs pending disposal before any competent court of law w.r.t the concerned mining block.illegal

Agenda Item No: 06 Grant of Terms of Reference in favour of M/S MANGAL SINGH S/O SHRI OM PRAKASH R/o- Village-Saidgarh Tehsil-Bishnah, District Jammu. ms8622016@gmail.com
 Proposal No: SIA/JK/MIN/61196/2021.
 File No: SEAC/JK/20/
 Consultant: **Gaurang Environmental Solutions Pvt.Ltd.**
 Title of the Case: Grant of Terms of Reference for RBM (River Bed Mineral), Block-31 an area of 9.18 ha; Situated at Dharli Nallah Downstream Ujan Bridge at Village Choudhary Nar, Rajouri. (J & K).

Deliberations: The case was represented by Ms. Somiya on behalf of the consultant M/S GAURANG ENVIRONMENTAL SOLUTIONS PVT.LTD. Certificate No.: NABET/EIA/1720/IA0026 102, SNG, Shri Ratna Apartment, Near Tambi Petrol Pump, Peetal Factory, Jhotwara Road, Jaipur-302016. The consultant gave a detailed PowerPoint presentation on the project during which she informed that the LoI was issued by the G&M dept. on 18/08/2020, and the mining plan was approved on 16/02/2021 at a total project cost of 2.60 crores. When the consultant demonstrated the mining block on the Google Earth

platform, the Committee observed features on the satellite image of September, 2020 indicative of illegal mining and therefore desired the G&M Dept. to constitute a committee comprising of representatives of Geology & Mining Dept., I&F Control Dept, Soil Conservation Dept., Fisheries Dept. and the local Police to fix responsibility for the illegal mining after recording views of local panchayat representatives. In case the project proponent is found to have been involved directly or indirectly in such activity, the case shall be treated as a violation case and dealt under relevant guidelines. The Committee also observed a stone crusher in the vicinity of the mining block. Besides, a green patch comprising of trees and scrub was also found inside the mining block. The Committee also desired that the active water channel need to be excluded from the mining activity and the targeted mineral production be recalculated after excluding the green patch and active water channel, accordingly.

Recommendations:

In view of the above deliberations, the committee recommended the case for grant of following Terms of Reference subject to condition that the green patch and the active water channel is excluded from the mining block and subject to joint inspection by the interdepartmental committee to fix responsibility for illegal mining in the mining block, as deliberated herein above: -

STANDARD TERMS OF REFERENCE

- 1) Year-wise production details should be given, clearly stating the highest production achieved in any one year.
- 2) A copy of the document in support of the fact that the Proponent is the rightful lessee of the mine should be given.
- 3) All documents including approved mine plan, EIA and Public Hearing should be compatible with one another in terms of the mine lease area, production levels, waste generation and its management, mining technology etc. and should be in the name of the lessee.
- 4) All corner coordinates of the mine lease area, superimposed on a High Resolution Imagery/ toposheet, topographic sheet, geomorphology and geology of the areas should be provided. Such an Imagery of the proposed area should clearly show the land use and other ecological features of the study area (core and buffer zone).
- 5) Information should be provided on high resolution satellite image on with geological map of the area, geomorphology of land-forms of the area, existing minerals and mining history of the area, important water bodies, streams and rivers and soil characteristics.
- 6) Details about the land proposed for mining activities should be given with information as to whether mining conforms to the land use policy of the State; land diversion for mining should have approval from State land use board or the concerned authority.
- 7) It should be clearly stated whether the proponent Company has a well laid down Environment Policy approved by its Board of Directors? If so, it may be spelt out in the EIA Report with

description of the prescribed operating process/procedures to bring into focus any infringement/deviation/ violation of the environmental or forest norms/ conditions? The hierarchical system or administrative order of the Company to deal with the environmental issues and for ensuring compliance with the EC conditions may also be given. The system of reporting of non-compliances / violations of environmental norms to the Board of Directors of the Company and/or shareholders or stakeholders at large may also be detailed in the EIA Report.

8) Issues relating to Mine Safety, including subsidence study in case of underground mining and slope study in case of open cast mining, blasting study etc. should be detailed. The proposed safeguard measures in each case should also be provided.

9) The study area will comprise of 10 km zone around the mine lease from lease periphery and the data contained in the EIA such as waste generation etc. should be for the life of the mine / lease period.

10) Land use of the study area delineating forest area, agricultural land, grazing land, wildlife sanctuary, national park, migratory routes of fauna, water bodies, human settlements and other ecological features should be indicated. Land use plan of the mine lease area should be prepared to encompass preoperational, operational and post operational phases and submitted. Impact, if any, of change of land use should be given.

11) Details of the land for any Over Burden Dumps outside the mine lease, such as extent of land area, distance from mine lease, its land use, R&R issues, if any, should be given.

12) A Certificate from the Competent Authority in the State Forest Department should be provided, confirming the involvement of forest land, if any, in the project area. In the event of any contrary claim by the Project Proponent regarding the status of forests, the site may be inspected by the State Forest Department along with the Regional Office of the Ministry to ascertain the status of forests, based on which, the Certificate in this regard as mentioned above be issued. In all such cases, it would be desirable for representative of the State Forest Department to assist the Expert Appraisal Committee's.

13) Status of forestry clearance for the broken-up area and virgin forestland involved in the Project including deposition of net present value (NPV) and compensatory afforestation (CA) should be indicated. A copy of the forestry clearance should also be furnished.

14) Implementation status of recognition of forest rights under the Scheduled Tribes and other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006 should be indicated.

15) The vegetation in the RF / PF areas in the study area, with necessary details, should be given.

16) A study shall be got done to ascertain the impact of the Mining Project on wildlife of the study area and details furnished. Impact of the project on the wildlife in the surrounding and any other protected area and accordingly, detailed mitigative measures required, should be worked out with cost implications and submitted.

17) Location of National Parks, Sanctuaries, Biosphere Reserves, Wildlife Corridors, Ramsar site Tiger/ Elephant Reserves/(existing as well as proposed), if any, within 10 km of the mine lease should be clearly indicated, supported by a location map duly authenticated by Chief Wildlife Warden. Necessary clearance, as may be applicable to such projects due to proximity of the ecologically sensitive areas as mentioned above, should be obtained from the Standing COMMITTEE of National Board of Wildlife and copy furnished.

18) A detailed biological study of the study area [core zone and buffer zone (10 km radius of the periphery of the mine lease)] shall be carried out. Details of flora and fauna, endangered, endemic and RET Species duly authenticated, separately for core and buffer zone should be furnished based on such primary field survey, clearly indicating the Schedule of the fauna present. In case of any scheduled-I fauna found in the study area, the necessary plan alongwith budgetary provisions for their conservation should be prepared in consultation with State Forest and Wildlife Department and details furnished. Necessary allocation of funds for implementing the same should be made as part of the project cost.

19) Proximity to Areas declared as 'Critically Polluted' should also be indicated and where so required, clearance certifications from the prescribed Authorities, such as the SPCB or State Mining Department should be secured and furnished to the effect that the proposed mining activities could be considered.

20) R&R Plan/compensation details for the Project Affected People (PAP) should be furnished. While preparing the R&R Plan, the relevant State/National Rehabilitation & Resettlement Policy should be kept in view. In respect of SCs /STs and other weaker sections of the society in the study area, a need based sample survey, family-wise, should be undertaken to assess their requirements, and action programmes prepared and submitted accordingly, integrating the sectoral programmes of line departments of the State Government. It may be clearly brought out whether the village(s) located in the mine lease area will be shifted or not. The issues relating to shifting of village(s) including their R&R and socio-economic aspects should be discussed in the Report.

21) One season (non-monsoon) [i.e. March-May (Summer Season); October-December (post monsoon season) ; December-February (winter season)]primary baseline data on ambient air quality as per CPCB Notification of 2009, water quality, noise level, soil and flora and fauna shall be collected and the AAQ and other data so compiled presented date-wise in the EIA and EMP Report. Site-specific meteorological data should also be collected. The location of the monitoring stations should be such as to represent whole of the study area and justified keeping in view the pre-dominant downwind direction and location of sensitive receptors. There should be at least one monitoring station within 500 m of the mine lease in the pre-dominant downwind direction. The mineralogical composition of PM10, particularly for free silica, should be given.

22) Air quality modelling should be carried out for prediction of impact of the project on the air quality of the area. It should also take into account the impact of movement of vehicles for transportation of mineral. The details of the model used and input parameters used for modelling

should be provided. The air quality contours may be shown on a location map clearly indicating the location of the site, location of sensitive receptors, if any, and the habitation. The wind roses showing pre-dominant wind direction may also be indicated on the map.

23) The water requirement for the Project, its availability and source should be furnished. A detailed water balance should also be provided. Fresh water requirement for the Project should be indicated.

24) Necessary clearance from the Competent Authority for drawl of requisite quantity of water for the Project should be provided.

25) Description of water conservation measures proposed to be adopted in the Project should be given. Details of rainwater harvesting proposed in the Project, if any, should be provided.

26) Impact of the Project on the water quality, both surface and groundwater, should be assessed and necessary safeguard measures, if any required, should be provided.

27) Based on actual monitored data, it may clearly be shown whether working will intersect groundwater. Necessary data and documentation in this regard may be provided. In case the working will intersect groundwater table, a detailed Hydro Geological Study should be undertaken and Report furnished. The Report inter-alia, shall include details of the aquifers present and impact of mining activities on these aquifers. Necessary permission from Central Ground Water Authority for working below ground water and for pumping of ground water should also be obtained and copy furnished.

28) Details of any stream, seasonal or otherwise, passing through the lease area and modification / diversion proposed, if any, and the impact of the same on the hydrology should be brought out.

29) Information on site elevation, working depth, groundwater table etc. Should be provided both in AMSL and bgl. A schematic diagram may also be provided for the same.

30) A time bound Progressive Greenbelt Development Plan shall be prepared in a tabular form (indicating the linear and quantitative coverage, plant species and time frame) and submitted, keeping in mind, the same will have to be executed up front on commencement of the Project. Phase-wise plan of plantation and compensatory afforestation should be charted clearly indicating the area to be covered under plantation and the species to be planted. The details of plantation already done should be given. The plant species selected for green belt should have greater ecological value and should be of good utility value to the local population with emphasis on local and native species and the species which are tolerant to pollution.

31) Impact on local transport infrastructure due to the Project should be indicated. Projected increase in truck traffic as a result of the Project in the present road network (including those outside the Project area) should be worked out, indicating whether it is capable of handling the incremental load. Arrangement for improving the infrastructure, if contemplated (including action

to be taken by other agencies such as State Government) should be covered. Project Proponent shall conduct Impact of Transportation study as per Indian Road Congress Guidelines.

32) Details of the onsite shelter and facilities to be provided to the mine workers should be included in the EIA Report.

33) Conceptual post mining land use and Reclamation and Restoration of mined out areas (with plans and with adequate number of sections) should be given in the EIA report.

34) Occupational Health impacts of the Project should be anticipated and the proposed preventive measures spelt out in detail. Details of pre-placement medical examination and periodical medical examination schedules should be incorporated in the EMP. The project specific occupational health mitigation measures with required facilities proposed in the mining area may be detailed.

35) Public health implications of the Project and related activities for the population in the impact zone should be systematically evaluated and the proposed remedial measures should be detailed along with budgetary allocations.

36) Measures of socio-economic significance and influence to the local community proposed to be provided by the Project Proponent should be indicated. As far as possible, quantitative dimensions may be given with time frames for implementation.

37) Detailed environmental management plan (EMP) to mitigate the environmental impacts which, should inter-alia include the impacts of change of land use, loss of agricultural and grazing land, if any, occupational health impacts besides other impacts specific to the proposed Project.

38) Public Hearing points raised and commitment of the Project Proponent on the same along with time bound Action Plan with budgetary provisions to implement the same should be provided and also incorporated in the final EIA/EMP Report of the Project.

39) Details of litigation pending against the project, if any, with direction /order passed by any Court of Law against the Project should be given.

40) The cost of the Project (capital cost and recurring cost) as well as the cost towards implementation of EMP should be clearly spelt out.

41) A Disaster management Plan shall be prepared and included in the EIA/EMP Report.

42) Benefits of the Project if the Project is implemented should be spelt out. The benefits of the Project shall clearly indicate environmental, social, economic, employment potential, etc.

43) Besides the above, the below mentioned general points are also to be followed:

a) Executive Summary of the EIA/EMP Report

b) All documents to be properly referenced with index and continuous page numbering.

- c) Where data are presented in the Report especially in Tables, the period in which the data were collected and the sources should be indicated.
- d) Project Proponent shall enclose all the analysis/testing reports of water, air, soil, noise etc. using the MoEF & CC/NABL accredited laboratories. All the original analysis/testing reports should be available during appraisal of the Project.
- e) Where the documents provided are in a language other than English, an English translation should be provided.
- f) The Questionnaire for environmental appraisal of mining projects as devised earlier by the Ministry shall also be filled and submitted.
- g) While preparing the EIA report, the instructions for the Proponents and instructions for the Consultants issued by MoEF&CC vide O.M. No. J-11013/41/2006-IA.II(I) dated 4th August, 2009, which are available on the website of this Ministry, should be followed.
- h) Changes, if any made in the basic scope and project parameters (as submitted in Form-I and the PFR for securing the TOR) should be brought to the attention of MoEF&CC with reasons for such changes and permission should be sought, as the TOR may also have to be altered. Post Public Hearing changes in structure and content of the draft EIA/EMP (other than modifications arising out of the P.H. process) will entail conducting the PH again with the revised documentation.
- i) As per the circular no. J-11011/618/2010-IA.II(I) dated 30.5.2012, certified report of the status of compliance of the conditions stipulated in the environment clearance for the existing operations of the project, should be obtained from the Regional Office of Ministry of Environment, Forest and Climate Change, as may be applicable.
- j) The EIA report should also include (i) surface plan of the area indicating contours of main topographic features, drainage and mining area measurements, (ii) geological maps and sections and (iii) sections of the mine pit and external dumps, if any, clearly showing the land features of the adjoining area.

SPECIFIC TERMS OF REFERENCE

1. To submit a detailed **appreciation note** on all areas of interest like bridges if any, active channel, green patches if any besides, environmental setting of its surrounds supported with site photographs of all important features based on field inspection by the consultant.
2. A comprehensive chapter be included in the EIA report on Cost Benefit Analysis of the mining activity in the mining block underlining the environmental and social costs.
3. Impact of mining activity on adjacent agricultural land with particular reference to run off, soil erosion and top-soil loss due to change in topography.
4. Details of Gradient of riverbed and 3-D view draped on the satellite image

5. Details of excavation schedule & sequential mining plan with a maximum mine depth of 1 mtr.
6. Details of transportation of mined out materials with respect to axle load specified for the road as per the Indian Road congress for both the ways (loaded as well as unloaded trucks) load and its impact on the environment.
7. Impact on mining activity on the existing land use in the study area.
8. Impact of mining on aquatic life.
9. NOCs from HoD/competent authority of Irrigation and Flood Control Dept. and Fisheries Dept. should be obtained and submitted while applying for EC.
10. The quantification of river bed material be based on excavation only upto a **maximum depth of 1 m** in the riverbed or 1 m above water table whichever comes first to safeguard ecological conditions in view of non-availability of replenishment data in DSR.
11. A digitalised surface plan showing coordinates, physical measurements, river gradient and inter-cross sections at different intervals should be a mandatory part of mining plan
12. Specific measures to be undertaken to mitigate the impact of mining activity on the habitat and migration of fish in the river/stream and concurrence thereof from the Fisheries Department.
13. The Photography and videography of the mining block shall be part of the Terms of Reference.
14. The maps shall be submitted on a scale of 1: 3000 and 1: 1500 within 10 kms. Radius
15. The shortest extraction route leading to the main road but with minimum interference with human settlements should be identified and described in detail. This along with the map and its KML file be part of an exclusive chapter in the EMP
16. Dust suppression measures should be prescribed in the EIA/EMP.
17. Post project monitoring plan should be included in the study.
18. Occupational health impacts should be assessed and plan for implementation of COVID-19 SOPs in the mining activity should be detailed.
19. The Consultant while presenting field data in the EIA report, should ensure that the site-specific date-wise datasheets duly attested by the local panchayat head with his name, signatures and stamp and attested by District Mineral Officer with seal and signature are included in the EIA report.
20. The impact of mining activity on the neighbouring villages need to be studied and extraction road need to be such that it has least crossing through village settlements.
21. The data displayed on air quality monitoring stations should be captured with digital camera displaying the date on the photograph so captured and same should be submitted in support of the date-wise data sheets. These digital photographs should be submitted in soft as well as appended with the EIA report.
22. Mining shall be proposed manually minimally supported by semi-mechanized methods.
23. The mining plan be approved de novo by the competent authority, after it is technically reviewed by the Irrigation and Flood Control Department and within

mining depth of 1mt only due to non-availability of replenishment data and after excluding the green patch and the active water channel.

24. The prescribed TORs would be valid for a period of four years for submission of the EIA/EMP reports, as per the S.O. No. 751(E) dated 17th of Feb., 2020.

Besides, the TORs are recommended without prejudice to the standing court orders, if any, w.r.t the concerned mining project or final outcome of writ petitions/LPAs pending disposal before any competent court of law w.r.t the concerned mining block.

Agenda Item No: 07 Grant of Terms of Reference in favour of M/S MANGAL SINGH S/O SHRI OM PRAKASH R/o- Village-Saidgarh Tehsil-Bishnah, District Jammu. ms8622016@gmail.com
Proposal No: SIA/JK/MIN/61194/2021.
File No: SEAC/JK/20/
Consultant: **Gaurang Environmental Solutions Pvt.Ltd.**
Title of the Case: Grant of Terms of Reference for RBM (River Bed Mineral) Minor Mineral Block Mining Block-2/8 an area of 7.47ha; Situated at Nowshera Tawi River, Down Stream Muradpur Bridge(Chowki Katera) Rajouri (Plan-XII), Tehsil & Distt- Rajouri, J&K

Deliberations: The case was represented by Ms. Somiya on behalf of the consultant M/S GAURANG ENVIRONMENTAL SOLUTIONS PVT.LTD. Certificate No.: NABET/EIA/1720/IA0026 102, SNG, Shri Ratna Apartment, Near Tambi Petrol Pump, Peetal Factory, Jhotwara Road, Jaipur-302016. The consultant gave a detailed PowerPoint presentation on the project during which she informed that the LoI was issued by the G&M dept. on 23/10/2020, and the mining plan was approved on 16/02/2021 at a total project cost of 30.0 lacs. When the consultant demonstrated the mining block on the Google Earth platform, the Committee observed nearly 25% area under active water channel and therefore, desired that the same need to be excluded from the mining activity and the targeted mineral production be recalculated, accordingly.

Recommendations: In view of the above deliberations, the committee recommended the case for grant of following Terms of Reference subject to condition that the active water channel is excluded while calculating the targeted mineral production, as deliberated herein above: -

STANDARD TERMS OF REFERENCE

- 1) Year-wise production details should be given, clearly stating the highest production achieved in any one year.
- 2) A copy of the document in support of the fact that the Proponent is the rightful lessee of the mine should be given.

- 3) All documents including approved mine plan, EIA and Public Hearing should be compatible with one another in terms of the mine lease area, production levels, waste generation and its management, mining technology etc. and should be in the name of the lessee.
- 4) All corner coordinates of the mine lease area, superimposed on a High Resolution Imagery/toposheet, topographic sheet, geomorphology and geology of the areas should be provided. Such an Imagery of the proposed area should clearly show the land use and other ecological features of the study area (core and buffer zone).
- 5) Information should be provided on high resolution satellite image on with geological map of the area, geomorphology of land-forms of the area, existing minerals and mining history of the area, important water bodies, streams and rivers and soil characteristics.
- 6) Details about the land proposed for mining activities should be given with information as to whether mining conforms to the land use policy of the State; land diversion for mining should have approval from State land use board or the concerned authority.
- 7) It should be clearly stated whether the proponent Company has a well laid down Environment Policy approved by its Board of Directors? If so, it may be spelt out in the EIA Report with description of the prescribed operating process/procedures to bring into focus any infringement/deviation/ violation of the environmental or forest norms/ conditions? The hierarchical system or administrative order of the Company to deal with the environmental issues and for ensuring compliance with the EC conditions may also be given. The system of reporting of non-compliances / violations of environmental norms to the Board of Directors of the Company and/or shareholders or stakeholders at large may also be detailed in the EIA Report.
- 8) Issues relating to Mine Safety, including subsidence study in case of underground mining and slope study in case of open cast mining, blasting study etc. should be detailed. The proposed safeguard measures in each case should also be provided.
- 9) The study area will comprise of 10 km zone around the mine lease from lease periphery and the data contained in the EIA such as waste generation etc. should be for the life of the mine / lease period.
- 10) Land use of the study area delineating forest area, agricultural land, grazing land, wildlife sanctuary, national park, migratory routes of fauna, water bodies, human settlements and other ecological features should be indicated. Land use plan of the mine lease area should be prepared to encompass preoperational, operational and post operational phases and submitted. Impact, if any, of change of land use should be given.
- 11) Details of the land for any Over Burden Dumps outside the mine lease, such as extent of land area, distance from mine lease, its land use, R&R issues, if any, should be given.
- 12) A Certificate from the Competent Authority in the State Forest Department should be provided, confirming the involvement of forest land, if any, in the project area. In the event of any contrary

claim by the Project Proponent regarding the status of forests, the site may be inspected by the State Forest Department along with the Regional Office of the Ministry to ascertain the status of forests, based on which, the Certificate in this regard as mentioned above be issued. In all such cases, it would be desirable for representative of the State Forest Department to assist the Expert Appraisal Committee's.

13) Status of forestry clearance for the broken-up area and virgin forestland involved in the Project including deposition of net present value (NPV) and compensatory afforestation (CA) should be indicated. A copy of the forestry clearance should also be furnished.

14) Implementation status of recognition of forest rights under the Scheduled Tribes and other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006 should be indicated.

15) The vegetation in the RF / PF areas in the study area, with necessary details, should be given.

16) A study shall be got done to ascertain the impact of the Mining Project on wildlife of the study area and details furnished. Impact of the project on the wildlife in the surrounding and any other protected area and accordingly, detailed mitigative measures required, should be worked out with cost implications and submitted.

17) Location of National Parks, Sanctuaries, Biosphere Reserves, Wildlife Corridors, Ramsar site Tiger/ Elephant Reserves/(existing as well as proposed), if any, within 10 km of the mine lease should be clearly indicated, supported by a location map duly authenticated by Chief Wildlife Warden. Necessary clearance, as may be applicable to such projects due to proximity of the ecologically sensitive areas as mentioned above, should be obtained from the Standing COMMITTEE of National Board of Wildlife and copy furnished.

18) A detailed biological study of the study area [core zone and buffer zone (10 km radius of the periphery of the mine lease)] shall be carried out. Details of flora and fauna, endangered, endemic and RET Species duly authenticated, separately for core and buffer zone should be furnished based on such primary field survey, clearly indicating the Schedule of the fauna present. In case of any scheduled-I fauna found in the study area, the necessary plan alongwith budgetary provisions for their conservation should be prepared in consultation with State Forest and Wildlife Department and details furnished. Necessary allocation of funds for implementing the same should be made as part of the project cost.

19) Proximity to Areas declared as 'Critically Polluted' should also be indicated and where so required, clearance certifications from the prescribed Authorities, such as the SPCB or State Mining Department should be secured and furnished to the effect that the proposed mining activities could be considered.

20) R&R Plan/compensation details for the Project Affected People (PAP) should be furnished. While preparing the R&R Plan, the relevant State/National Rehabilitation & Resettlement Policy should be kept in view. In respect of SCs /STs and other weaker sections of the society in the study

area, a need based sample survey, family-wise, should be undertaken to assess their requirements, and action programmes prepared and submitted accordingly, integrating the sectoral programmes of line departments of the State Government. It may be clearly brought out whether the village(s) located in the mine lease area will be shifted or not. The issues relating to shifting of village(s) including their R&R and socio-economic aspects should be discussed in the Report.

21) One season (non-monsoon) [i.e. March-May (Summer Season); October-December (post monsoon season) ; December-February (winter season)] primary baseline data on ambient air quality as per CPCB Notification of 2009, water quality, noise level, soil and flora and fauna shall be collected and the AAQ and other data so compiled presented date-wise in the EIA and EMP Report. Site-specific meteorological data should also be collected. The location of the monitoring stations should be such as to represent whole of the study area and justified keeping in view the pre-dominant downwind direction and location of sensitive receptors. There should be at least one monitoring station within 500 m of the mine lease in the pre-dominant downwind direction. The mineralogical composition of PM10, particularly for free silica, should be given.

22) Air quality modelling should be carried out for prediction of impact of the project on the air quality of the area. It should also take into account the impact of movement of vehicles for transportation of mineral. The details of the model used and input parameters used for modelling should be provided. The air quality contours may be shown on a location map clearly indicating the location of the site, location of sensitive receptors, if any, and the habitation. The wind roses showing pre-dominant wind direction may also be indicated on the map.

23) The water requirement for the Project, its availability and source should be furnished. A detailed water balance should also be provided. Fresh water requirement for the Project should be indicated.

24) Necessary clearance from the Competent Authority for drawl of requisite quantity of water for the Project should be provided.

25) Description of water conservation measures proposed to be adopted in the Project should be given. Details of rainwater harvesting proposed in the Project, if any, should be provided.

26) Impact of the Project on the water quality, both surface and groundwater, should be assessed and necessary safeguard measures, if any required, should be provided.

27) Based on actual monitored data, it may clearly be shown whether working will intersect groundwater. Necessary data and documentation in this regard may be provided. In case the working will intersect groundwater table, a detailed Hydro Geological Study should be undertaken and Report furnished. The Report inter-alia, shall include details of the aquifers present and impact of mining activities on these aquifers. Necessary permission from Central Ground Water Authority for working below ground water and for pumping of ground water should also be obtained and copy furnished.

- 28) Details of any stream, seasonal or otherwise, passing through the lease area and modification / diversion proposed, if any, and the impact of the same on the hydrology should be brought out.
- 29) Information on site elevation, working depth, groundwater table etc. Should be provided both in AMSL and bgl. A schematic diagram may also be provided for the same.
- 30) A time bound Progressive Greenbelt Development Plan shall be prepared in a tabular form (indicating the linear and quantitative coverage, plant species and time frame) and submitted, keeping in mind, the same will have to be executed up front on commencement of the Project. Phase-wise plan of plantation and compensatory afforestation should be charted clearly indicating the area to be covered under plantation and the species to be planted. The details of plantation already done should be given. The plant species selected for green belt should have greater ecological value and should be of good utility value to the local population with emphasis on local and native species and the species which are tolerant to pollution.
- 31) Impact on local transport infrastructure due to the Project should be indicated. Projected increase in truck traffic as a result of the Project in the present road network (including those outside the Project area) should be worked out, indicating whether it is capable of handling the incremental load. Arrangement for improving the infrastructure, if contemplated (including action to be taken by other agencies such as State Government) should be covered. Project Proponent shall conduct Impact of Transportation study as per Indian Road Congress Guidelines.
- 32) Details of the onsite shelter and facilities to be provided to the mine workers should be included in the EIA Report.
- 33) Conceptual post mining land use and Reclamation and Restoration of mined out areas (with plans and with adequate number of sections) should be given in the EIA report.
- 34) Occupational Health impacts of the Project should be anticipated and the proposed preventive measures spelt out in detail. Details of pre-placement medical examination and periodical medical examination schedules should be incorporated in the EMP. The project specific occupational health mitigation measures with required facilities proposed in the mining area may be detailed.
- 35) Public health implications of the Project and related activities for the population in the impact zone should be systematically evaluated and the proposed remedial measures should be detailed along with budgetary allocations.
- 36) Measures of socio-economic significance and influence to the local community proposed to be provided by the Project Proponent should be indicated. As far as possible, quantitative dimensions may be given with time frames for implementation.
- 37) Detailed environmental management plan (EMP) to mitigate the environmental impacts which, should inter-alia include the impacts of change of land use, loss of agricultural and grazing land, if any, occupational health impacts besides other impacts specific to the proposed Project.

38) Public Hearing points raised and commitment of the Project Proponent on the same along with time bound Action Plan with budgetary provisions to implement the same should be provided and also incorporated in the final EIA/EMP Report of the Project.

39) Details of litigation pending against the project, if any, with direction /order passed by any Court of Law against the Project should be given.

40) The cost of the Project (capital cost and recurring cost) as well as the cost towards implementation of EMP should be clearly spelt out.

41) A Disaster management Plan shall be prepared and included in the EIA/EMP Report.

42) Benefits of the Project if the Project is implemented should be spelt out. The benefits of the Project shall clearly indicate environmental, social, economic, employment potential, etc.

43) Besides the above, the below mentioned general points are also to be followed:

a) Executive Summary of the EIA/EMP Report

b) All documents to be properly referenced with index and continuous page numbering.

c) Where data are presented in the Report especially in Tables, the period in which the data were collected and the sources should be indicated.

d) Project Proponent shall enclose all the analysis/testing reports of water, air, soil, noise etc. using the MoEF & CC/NABL accredited laboratories. All the original analysis/testing reports should be available during appraisal of the Project.

e) Where the documents provided are in a language other than English, an English translation should be provided.

f) The Questionnaire for environmental appraisal of mining projects as devised earlier by the Ministry shall also be filled and submitted.

g) While preparing the EIA report, the instructions for the Proponents and instructions for the Consultants issued by MoEF&CC vide O.M. No. J-11013/41/2006-IA.II(I) dated 4th August, 2009, which are available on the website of this Ministry, should be followed.

h) Changes, if any made in the basic scope and project parameters (as submitted in Form-I and the PFR for securing the TOR) should be brought to the attention of MoEF&CC with reasons for such changes and permission should be sought, as the TOR may also have to be altered. Post Public Hearing changes in structure and content of the draft EIA/EMP (other than modifications arising out of the P.H. process) will entail conducting the PH again with the revised documentation.

i) As per the circular no. J-11011/618/2010-IA.II(I) dated 30.5.2012, certified report of the status of compliance of the conditions stipulated in the environment clearance for the

existing operations of the project, should be obtained from the Regional Office of Ministry of Environment, Forest and Climate Change, as may be applicable.

j) The EIA report should also include (i) surface plan of the area indicating contours of main topographic features, drainage and mining area measurements, (ii) geological maps and sections and (iii) sections of the mine pit and external dumps, if any, clearly showing the land features of the adjoining area.

SPECIFIC TERMS OF REFERENCE

1. To submit a detailed **appreciation note** on all areas of interest like bridges if any, active channel, green patches if any besides, environmental setting of its surrounds supported with site photographs of all important features based on field inspection by the consultant.
2. A comprehensive chapter be included in the EIA report on Cost Benefit Analysis of the mining activity in the mining block underlining the environmental and social costs.
3. Impact of mining activity on adjacent agricultural land with particular reference to run off, soil erosion and top-soil loss due to change in topography.
4. Details of Gradient of riverbed and 3-D view draped on the satellite image
5. Details of excavation schedule & sequential mining plan with a maximum mine depth of 1 mtr.
6. Details of transportation of mined out materials with respect to axle load specified for the road as per the Indian Road congress for both the ways (loaded as well as unloaded trucks) load and its impact on the environment.
7. Impact on mining activity on the existing land use in the study area.
8. Impact of mining on aquatic life.
9. NOCs from HoD/competent authority of Irrigation and Flood Control Dept. and Fisheries Dept. should be obtained and submitted while applying for EC.
10. The quantification of river bed material be based on excavation only upto a **maximum depth of 1 m** in the riverbed or 1 m above water table whichever comes first to safeguard ecological conditions in view of non-availability of replenishment data in DSR.
11. A digitalised surface plan showing coordinates, physical measurements, river gradient and inter-cross sections at different intervals should be a mandatory part of mining plan
12. Specific measures to be undertaken to mitigate the impact of mining activity on the habitat and migration of fish in the river/stream and concurrence thereof from the Fisheries Department.
13. The Photography and videography of the mining block shall be part of the Terms of Reference.
14. The maps shall be submitted on a scale of 1: 3000 and 1: 1500 within 10 kms. Radius
15. The shortest extraction route leading to the main road but with minimum interference with human settlements should be identified and described in detail. This along with the map and its KML file be part of an exclusive chapter in the EMP
16. Dust suppression measures should be prescribed in the EIA/EMP.
17. Post project monitoring plan should be included in the study.

18. Occupational health impacts should be assessed and plan for implementation of COVID-19 SOPs in the mining activity should be detailed.
19. The Consultant while presenting field data in the EIA report, should ensure that the site-specific date-wise datasheets duly attested by the local panchayat head with his name, signatures and stamp and attested by District Mineral Officer with seal and signature are included in the EIA report.
20. The impact of mining activity on the neighbouring villages need to be studied and extraction road need to be such that it has least crossing through village settlements.
21. The data displayed on air quality monitoring stations should be captured with digital camera displaying the date on the photograph so captured and same should be submitted in support of the date-wise data sheets. These digital photographs should be submitted in soft as well as appended with the EIA report.
22. Mining shall be proposed manually minimally supported by semi-mechanized methods.
23. The mining plan be approved de novo by the competent authority, after it is technically reviewed by the Irrigation and Flood Control Department and within mining depth of 1mt only due to non-availability of replenishment data and after excluding the active water channel and recalculating the targetted mineral production.
24. **The prescribed TORs would be valid for a period of four years for submission of the EIA/EMP reports, as per the S.O. No. 751(E) dated 17th of Feb., 2020.**

Besides, the TORs are recommended without prejudice to the standing court orders, if any, w.r.t the concerned mining project or final outcome of writ petitions/LPAs pending disposal before any competent court of law w.r.t the concerned mining block.

Agenda Item No: 08 Grant of Terms of Reference in favour of M/S Amit Gupta S/O Ashok Kumar R/O 21/06 Trikuta Nagar Jammu. amitgmines@gmail.com
 Proposal No: SIA/JK/MIN/61170/2021.
 File No: SEAC/JK/20/
 Consultant: **Gaurang Environmental Solutions Pvt.Ltd.**
 Title of the Case: Grant of Terms of Reference for RBM (River Bed Mineral) Minor Mineral Block Mining Project, Block-1/4, Area:9.58 ha. ; Minor Mineral Block (1/4), nowshera tawi River, Down Stream Muradpur Bridge (Kallar Area) Rajouri (Plan-IV)

Deliberations: The case was represented by Ms. Somya on behalf of the consultant M/S GAURANG ENVIRONMENTAL SOLUTIONS PVT.LTD. Certificate No.: NABET/EIA/1720/IA0026 102, SNG, Shri Ratna Apartment, Near Tambi Petrol Pump, Peetal Factory, Jhotwara Road, Jaipur-302016. The consultant gave a detailed PowerPoint presentation on the project during which she informed that the LoI was issued by the G&M dept. on 12/11/2020, and the mining plan was approved on 16/02/2021 at a total project cost of 35.0 lacs. When the consultant demonstrated the mining block on the Google Earth

platform, the Committee observed features on the satellite image of December, 2020 indicative of illegal mining and therefore desired the G&M Dept. to constitute a committee comprising of representatives of Geology & Mining Dept., I&F Control Dept, Soil Conservation Dept., Fisheries Dept. and the local Police to fix responsibility for the illegal mining after recording views of local panchayat representatives. In case the project proponent is found to have been involved directly or indirectly in such activity, the case shall be treated as a violation case and dealt under relevant guidelines. The Committee also observed a stone crusher in the vicinity of the mining block. The Committee also desired that the active water channel need to be excluded from the mining activity and the targeted mineral production be recalculated after excluding active water channel, accordingly.

Recommendations: In view of the above deliberations, the committee recommended the case for grant of following Terms of Reference subject to condition that the active water channel is excluded from the mining block and subject to joint inspection by the interdepartmental committee to fix responsibility for illegal mining in the mining block, as deliberated herein above: -

STANDARD TERMS OF REFERENCE

- 1) Year-wise production details should be given, clearly stating the highest production achieved in any one year.
- 2) A copy of the document in support of the fact that the Proponent is the rightful lessee of the mine should be given.
- 3) All documents including approved mine plan, EIA and Public Hearing should be compatible with one another in terms of the mine lease area, production levels, waste generation and its management, mining technology etc. and should be in the name of the lessee.
- 4) All corner coordinates of the mine lease area, superimposed on a High Resolution Imagery/toposheet, topographic sheet, geomorphology and geology of the areas should be provided. Such an Imagery of the proposed area should clearly show the land use and other ecological features of the study area (core and buffer zone).
- 5) Information should be provided on high resolution satellite image on with geological map of the area, geomorphology of land-forms of the area, existing minerals and mining history of the area, important water bodies, streams and rivers and soil characteristics.
- 6) Details about the land proposed for mining activities should be given with information as to whether mining conforms to the land use policy of the State; land diversion for mining should have approval from State land use board or the concerned authority.
- 7) It should be clearly stated whether the proponent Company has a well laid down Environment Policy approved by its Board of Directors? If so, it may be spelt out in the EIA Report with description of the prescribed operating process/procedures to bring into focus any

infringement/deviation/ violation of the environmental or forest norms/ conditions? The hierarchical system or administrative order of the Company to deal with the environmental issues and for ensuring compliance with the EC conditions may also be given. The system of reporting of non-compliances / violations of environmental norms to the Board of Directors of the Company and/or shareholders or stakeholders at large may also be detailed in the EIA Report.

8) Issues relating to Mine Safety, including subsidence study in case of underground mining and slope study in case of open cast mining, blasting study etc. should be detailed. The proposed safeguard measures in each case should also be provided.

9) The study area will comprise of 10 km zone around the mine lease from lease periphery and the data contained in the EIA such as waste generation etc. should be for the life of the mine / lease period.

10) Land use of the study area delineating forest area, agricultural land, grazing land, wildlife sanctuary, national park, migratory routes of fauna, water bodies, human settlements and other ecological features should be indicated. Land use plan of the mine lease area should be prepared to encompass preoperational, operational and post operational phases and submitted. Impact, if any, of change of land use should be given.

11) Details of the land for any Over Burden Dumps outside the mine lease, such as extent of land area, distance from mine lease, its land use, R&R issues, if any, should be given.

12) A Certificate from the Competent Authority in the State Forest Department should be provided, confirming the involvement of forest land, if any, in the project area. In the event of any contrary claim by the Project Proponent regarding the status of forests, the site may be inspected by the State Forest Department along with the Regional Office of the Ministry to ascertain the status of forests, based on which, the Certificate in this regard as mentioned above be issued. In all such cases, it would be desirable for representative of the State Forest Department to assist the Expert Appraisal Committee's.

13) Status of forestry clearance for the broken-up area and virgin forestland involved in the Project including deposition of net present value (NPV) and compensatory afforestation (CA) should be indicated. A copy of the forestry clearance should also be furnished.

14) Implementation status of recognition of forest rights under the Scheduled Tribes and other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006 should be indicated.

15) The vegetation in the RF / PF areas in the study area, with necessary details, should be given.

16) A study shall be got done to ascertain the impact of the Mining Project on wildlife of the study area and details furnished. Impact of the project on the wildlife in the surrounding and any other protected area and accordingly, detailed mitigative measures required, should be worked out with cost implications and submitted.

17) Location of National Parks, Sanctuaries, Biosphere Reserves, Wildlife Corridors, Ramsar site Tiger/ Elephant Reserves/(existing as well as proposed), if any, within 10 km of the mine lease should be clearly indicated, supported by a location map duly authenticated by Chief Wildlife Warden. Necessary clearance, as may be applicable to such projects due to proximity of the ecologically sensitive areas as mentioned above, should be obtained from the Standing COMMITTEE of National Board of Wildlife and copy furnished.

18) A detailed biological study of the study area [core zone and buffer zone (10 km radius of the periphery of the mine lease)] shall be carried out. Details of flora and fauna, endangered, endemic and RET Species duly authenticated, separately for core and buffer zone should be furnished based on such primary field survey, clearly indicating the Schedule of the fauna present. In case of any scheduled-I fauna found in the study area, the necessary plan alongwith budgetary provisions for their conservation should be prepared in consultation with State Forest and Wildlife Department and details furnished. Necessary allocation of funds for implementing the same should be made as part of the project cost.

19) Proximity to Areas declared as 'Critically Polluted' should also be indicated and where so required, clearance certifications from the prescribed Authorities, such as the SPCB or State Mining Department should be secured and furnished to the effect that the proposed mining activities could be considered.

20) R&R Plan/compensation details for the Project Affected People (PAP) should be furnished. While preparing the R&R Plan, the relevant State/National Rehabilitation & Resettlement Policy should be kept in view. In respect of SCs /STs and other weaker sections of the society in the study area, a need based sample survey, family-wise, should be undertaken to assess their requirements, and action programmes prepared and submitted accordingly, integrating the sectoral programmes of line departments of the State Government. It may be clearly brought out whether the village(s) located in the mine lease area will be shifted or not. The issues relating to shifting of village(s) including their R&R and socio-economic aspects should be discussed in the Report.

21) One season (non-monsoon) [i.e. March-May (Summer Season); October-December (post monsoon season) ; December-February (winter season)]primary baseline data on ambient air quality as per CPCB Notification of 2009, water quality, noise level, soil and flora and fauna shall be collected and the AAQ and other data so compiled presented date-wise in the EIA and EMP Report. Site-specific meteorological data should also be collected. The location of the monitoring stations should be such as to represent whole of the study area and justified keeping in view the pre-dominant downwind direction and location of sensitive receptors. There should be at least one monitoring station within 500 m of the mine lease in the pre-dominant downwind direction. The mineralogical composition of PM10, particularly for free silica, should be given.

22) Air quality modelling should be carried out for prediction of impact of the project on the air quality of the area. It should also take into account the impact of movement of vehicles for transportation of mineral. The details of the model used and input parameters used for modelling

should be provided. The air quality contours may be shown on a location map clearly indicating the location of the site, location of sensitive receptors, if any, and the habitation. The wind roses showing pre-dominant wind direction may also be indicated on the map.

23) The water requirement for the Project, its availability and source should be furnished. A detailed water balance should also be provided. Fresh water requirement for the Project should be indicated.

24) Necessary clearance from the Competent Authority for drawl of requisite quantity of water for the Project should be provided.

25) Description of water conservation measures proposed to be adopted in the Project should be given. Details of rainwater harvesting proposed in the Project, if any, should be provided.

26) Impact of the Project on the water quality, both surface and groundwater, should be assessed and necessary safeguard measures, if any required, should be provided.

27) Based on actual monitored data, it may clearly be shown whether working will intersect groundwater. Necessary data and documentation in this regard may be provided. In case the working will intersect groundwater table, a detailed Hydro Geological Study should be undertaken and Report furnished. The Report inter-alia, shall include details of the aquifers present and impact of mining activities on these aquifers. Necessary permission from Central Ground Water Authority for working below ground water and for pumping of ground water should also be obtained and copy furnished.

28) Details of any stream, seasonal or otherwise, passing through the lease area and modification / diversion proposed, if any, and the impact of the same on the hydrology should be brought out.

29) Information on site elevation, working depth, groundwater table etc. Should be provided both in AMSL and bgl. A schematic diagram may also be provided for the same.

30) A time bound Progressive Greenbelt Development Plan shall be prepared in a tabular form (indicating the linear and quantitative coverage, plant species and time frame) and submitted, keeping in mind, the same will have to be executed up front on commencement of the Project. Phase-wise plan of plantation and compensatory afforestation should be charted clearly indicating the area to be covered under plantation and the species to be planted. The details of plantation already done should be given. The plant species selected for green belt should have greater ecological value and should be of good utility value to the local population with emphasis on local and native species and the species which are tolerant to pollution.

31) Impact on local transport infrastructure due to the Project should be indicated. Projected increase in truck traffic as a result of the Project in the present road network (including those outside the Project area) should be worked out, indicating whether it is capable of handling the incremental load. Arrangement for improving the infrastructure, if contemplated (including action

to be taken by other agencies such as State Government) should be covered. Project Proponent shall conduct Impact of Transportation study as per Indian Road Congress Guidelines.

32) Details of the onsite shelter and facilities to be provided to the mine workers should be included in the EIA Report.

33) Conceptual post mining land use and Reclamation and Restoration of mined out areas (with plans and with adequate number of sections) should be given in the EIA report.

34) Occupational Health impacts of the Project should be anticipated and the proposed preventive measures spelt out in detail. Details of pre-placement medical examination and periodical medical examination schedules should be incorporated in the EMP. The project specific occupational health mitigation measures with required facilities proposed in the mining area may be detailed.

35) Public health implications of the Project and related activities for the population in the impact zone should be systematically evaluated and the proposed remedial measures should be detailed along with budgetary allocations.

36) Measures of socio-economic significance and influence to the local community proposed to be provided by the Project Proponent should be indicated. As far as possible, quantitative dimensions may be given with time frames for implementation.

37) Detailed environmental management plan (EMP) to mitigate the environmental impacts which, should inter-alia include the impacts of change of land use, loss of agricultural and grazing land, if any, occupational health impacts besides other impacts specific to the proposed Project.

38) Public Hearing points raised and commitment of the Project Proponent on the same along with time bound Action Plan with budgetary provisions to implement the same should be provided and also incorporated in the final EIA/EMP Report of the Project.

39) Details of litigation pending against the project, if any, with direction /order passed by any Court of Law against the Project should be given.

40) The cost of the Project (capital cost and recurring cost) as well as the cost towards implementation of EMP should be clearly spelt out.

41) A Disaster management Plan shall be prepared and included in the EIA/EMP Report.

42) Benefits of the Project if the Project is implemented should be spelt out. The benefits of the Project shall clearly indicate environmental, social, economic, employment potential, etc.

43) Besides the above, the below mentioned general points are also to be followed:

a) Executive Summary of the EIA/EMP Report

b) All documents to be properly referenced with index and continuous page numbering.

- c) Where data are presented in the Report especially in Tables, the period in which the data were collected and the sources should be indicated.
- d) Project Proponent shall enclose all the analysis/testing reports of water, air, soil, noise etc. using the MoEF & CC/NABL accredited laboratories. All the original analysis/testing reports should be available during appraisal of the Project.
- e) Where the documents provided are in a language other than English, an English translation should be provided.
- f) The Questionnaire for environmental appraisal of mining projects as devised earlier by the Ministry shall also be filled and submitted.
- g) While preparing the EIA report, the instructions for the Proponents and instructions for the Consultants issued by MoEF&CC vide O.M. No. J-11013/41/2006-IA.II(I) dated 4th August, 2009, which are available on the website of this Ministry, should be followed.
- h) Changes, if any made in the basic scope and project parameters (as submitted in Form-I and the PFR for securing the TOR) should be brought to the attention of MoEF&CC with reasons for such changes and permission should be sought, as the TOR may also have to be altered. Post Public Hearing changes in structure and content of the draft EIA/EMP (other than modifications arising out of the P.H. process) will entail conducting the PH again with the revised documentation.
- i) As per the circular no. J-11011/618/2010-IA.II(I) dated 30.5.2012, certified report of the status of compliance of the conditions stipulated in the environment clearance for the existing operations of the project, should be obtained from the Regional Office of Ministry of Environment, Forest and Climate Change, as may be applicable.
- j) The EIA report should also include (i) surface plan of the area indicating contours of main topographic features, drainage and mining area measurements, (ii) geological maps and sections and (iii) sections of the mine pit and external dumps, if any, clearly showing the land features of the adjoining area.

SPECIFIC TERMS OF REFERENCE

1. To submit a detailed **appreciation note** on all areas of interest like bridges if any, active channel, green patches if any besides, environmental setting of its surrounds supported with site photographs of all important features based on field inspection by the consultant.
2. A comprehensive chapter be included in the EIA report on Cost Benefit Analysis of the mining activity in the mining block underlining the environmental and social costs.
3. Impact of mining activity on adjacent agricultural land with particular reference to run off, soil erosion and top-soil loss due to change in topography.
4. Details of Gradient of riverbed and 3-D view draped on the satellite image

5. Details of excavation schedule & sequential mining plan with a maximum mine depth of 1 mtr.
6. Details of transportation of mined out materials with respect to axle load specified for the road as per the Indian Road congress for both the ways (loaded as well as unloaded trucks) load and its impact on the environment.
7. Impact on mining activity on the existing land use in the study area.
8. Impact of mining on aquatic life.
9. NOCs from HoD/competent authority of Irrigation and Flood Control Dept. and Fisheries Dept. should be obtained and submitted while applying for EC.
10. The quantification of river bed material be based on excavation only upto a **maximum depth of 1 m** in the riverbed or 1 m above water table whichever comes first to safeguard ecological conditions in view of non-availability of replenishment data in DSR.
11. A digitalised surface plan showing coordinates, physical measurements, river gradient and inter-cross sections at different intervals should be a mandatory part of mining plan
12. Specific measures to be undertaken to mitigate the impact of mining activity on the habitat and migration of fish in the river/stream and concurrence thereof from the Fisheries Department.
13. The Photography and videography of the mining block shall be part of the Terms of Reference.
14. The maps shall be submitted on a scale of 1: 3000 and 1: 1500 within 10 kms. Radius
15. The shortest extraction route leading to the main road but with minimum interference with human settlements should be identified and described in detail. This along with the map and its KML file be part of an exclusive chapter in the EMP
16. Dust suppression measures should be prescribed in the EIA/EMP.
17. Post project monitoring plan should be included in the study.
18. Occupational health impacts should be assessed and plan for implementation of COVID-19 SOPs in the mining activity should be detailed.
19. The Consultant while presenting field data in the EIA report, should ensure that the site-specific date-wise datasheets duly attested by the local panchayat head with his name, signatures and stamp and attested by District Mineral Officer with seal and signature are included in the EIA report.
20. The impact of mining activity on the neighbouring villages need to be studied and extraction road need to be such that it has least crossing through village settlements.
21. The data displayed on air quality monitoring stations should be captured with digital camera displaying the date on the photograph so captured and same should be submitted in support of the date-wise data sheets. These digital photographs should be submitted in soft as well as appended with the EIA report.
22. Mining shall be proposed manually minimally supported by semi-mechanized methods.
23. The mining plan be approved de novo by the competent authority, after it is technically reviewed by the Irrigation and Flood Control Department and within

mining depth of 1mt only due to non-availability of replenishment data and after excluding the active water channel.

24. The prescribed TORs would be valid for a period of four years for submission of the EIA/EMP reports, as per the S.O. No. 751(E) dated 17th of Feb., 2020.

Besides, the TORs are recommended without prejudice to the standing court orders, if any, w.r.t the concerned mining project or final outcome of writ petitions/LPAs pending disposal before any competent court of law w.r.t the concerned mining block.

Agenda Item No: 09 Grant of Terms of Reference in favour of M/S Amit Gupta S/O Ashok Kumar R/O 21/06 Trikuta Nagar Jammu. amitgmines@gmail.com
Proposal No: SIA/JK/MIN/61173/2021.
File No: SEAC/JK/20/
Consultant: **Gaurang Environmental Solutions Pvt.Ltd.**
Title of the Case: Grant of Terms of Reference for RBM (River Bed Mineral) Minor Mineral Block Mining Project, Block-1/7 Area :-9.12 ha. ; Ans River, Downstream Kotranka Brtdge (Kotranka Area), Rajouri (Plan-II) In Distt Rajouri J&K

Deliberations: The case was represented by Ms. Somiya on behalf of the consultant M/S GAURANG ENVIRONMENTAL SOLUTIONS PVT.LTD. Certificate No.: NABET/EIA/1720/IA0026 102, SNG, Shri Ratna Apartment, Near Tambi Petrol Pump, Peetal Factory, Jhotwara Road, Jaipur-302016. The consultant gave a detailed PowerPoint presentation on the project during which she informed that the LoI was issued by the G&M dept. on 06/08/2020, and the mining plan was approved on 16/02/2021 at a total project cost of 125.0 lacs. When the consultant demonstrated the mining block on the Google Earth platform, the Committee observed features on the satellite image of December, 2020 indicative of illegal mining and therefore desired the G&M Dept. to constitute a committee comprising of representatives of Geology & Mining Dept., I&F Control Dept, Soil Conservation Dept., Fisheries Dept. and the local Police to fix responsibility for the illegal mining after recording views of local panchayat representatives. In case the project proponent is found to have been involved directly or indirectly in such activity, the case shall be treated as a violation case and dealt under relevant guidelines. The committee desired that comprehensive detail be provided under haulage route and its maintenance.

Recommendations: In view of the above deliberations, the committee recommended the case for grant of following Terms of Reference subject to joint inspection by the interdepartmental committee to fix responsibility for illegal mining in the mining block, as deliberated herein above: -

STANDARD TERMS OF REFERENCE

1) Year-wise production details should be given, clearly stating the highest production achieved in any one year.

- 2) A copy of the document in support of the fact that the Proponent is the rightful lessee of the mine should be given.
- 3) All documents including approved mine plan, EIA and Public Hearing should be compatible with one another in terms of the mine lease area, production levels, waste generation and its management, mining technology etc. and should be in the name of the lessee.
- 4) All corner coordinates of the mine lease area, superimposed on a High Resolution Imagery/ toposheet, topographic sheet, geomorphology and geology of the areas should be provided. Such an Imagery of the proposed area should clearly show the land use and other ecological features of the study area (core and buffer zone).
- 5) Information should be provided on high resolution satellite image on with geological map of the area, geomorphology of land-forms of the area, existing minerals and mining history of the area, important water bodies, streams and rivers and soil characteristics.
- 6) Details about the land proposed for mining activities should be given with information as to whether mining conforms to the land use policy of the State; land diversion for mining should have approval from State land use board or the concerned authority.
- 7) It should be clearly stated whether the proponent Company has a well laid down Environment Policy approved by its Board of Directors? If so, it may be spelt out in the EIA Report with description of the prescribed operating process/procedures to bring into focus any infringement/deviation/ violation of the environmental or forest norms/ conditions? The hierarchical system or administrative order of the Company to deal with the environmental issues and for ensuring compliance with the EC conditions may also be given. The system of reporting of non-compliances / violations of environmental norms to the Board of Directors of the Company and/or shareholders or stakeholders at large may also be detailed in the EIA Report.
- 8) Issues relating to Mine Safety, including subsidence study in case of underground mining and slope study in case of open cast mining, blasting study etc. should be detailed. The proposed safeguard measures in each case should also be provided.
- 9) The study area will comprise of 10 km zone around the mine lease from lease periphery and the data contained in the EIA such as waste generation etc. should be for the life of the mine / lease period.
- 10) Land use of the study area delineating forest area, agricultural land, grazing land, wildlife sanctuary, national park, migratory routes of fauna, water bodies, human settlements and other ecological features should be indicated. Land use plan of the mine lease area should be prepared to encompass preoperational, operational and post operational phases and submitted. Impact, if any, of change of land use should be given.
- 11) Details of the land for any Over Burden Dumps outside the mine lease, such as extent of land area, distance from mine lease, its land use, R&R issues, if any, should be given.

12) A Certificate from the Competent Authority in the State Forest Department should be provided, confirming the involvement of forest land, if any, in the project area. In the event of any contrary claim by the Project Proponent regarding the status of forests, the site may be inspected by the State Forest Department along with the Regional Office of the Ministry to ascertain the status of forests, based on which, the Certificate in this regard as mentioned above be issued. In all such cases, it would be desirable for representative of the State Forest Department to assist the Expert Appraisal Committee's.

13) Status of forestry clearance for the broken-up area and virgin forestland involved in the Project including deposition of net present value (NPV) and compensatory afforestation (CA) should be indicated. A copy of the forestry clearance should also be furnished.

14) Implementation status of recognition of forest rights under the Scheduled Tribes and other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006 should be indicated.

15) The vegetation in the RF / PF areas in the study area, with necessary details, should be given.

16) A study shall be got done to ascertain the impact of the Mining Project on wildlife of the study area and details furnished. Impact of the project on the wildlife in the surrounding and any other protected area and accordingly, detailed mitigative measures required, should be worked out with cost implications and submitted.

17) Location of National Parks, Sanctuaries, Biosphere Reserves, Wildlife Corridors, Ramsar site Tiger/ Elephant Reserves/(existing as well as proposed), if any, within 10 km of the mine lease should be clearly indicated, supported by a location map duly authenticated by Chief Wildlife Warden. Necessary clearance, as may be applicable to such projects due to proximity of the ecologically sensitive areas as mentioned above, should be obtained from the Standing COMMITTEE of National Board of Wildlife and copy furnished.

18) A detailed biological study of the study area [core zone and buffer zone (10 km radius of the periphery of the mine lease)] shall be carried out. Details of flora and fauna, endangered, endemic and RET Species duly authenticated, separately for core and buffer zone should be furnished based on such primary field survey, clearly indicating the Schedule of the fauna present. In case of any scheduled-I fauna found in the study area, the necessary plan alongwith budgetary provisions for their conservation should be prepared in consultation with State Forest and Wildlife Department and details furnished. Necessary allocation of funds for implementing the same should be made as part of the project cost.

19) Proximity to Areas declared as 'Critically Polluted' should also be indicated and where so required, clearance certifications from the prescribed Authorities, such as the SPCB or State Mining Department should be secured and furnished to the effect that the proposed mining activities could be considered.

20) R&R Plan/compensation details for the Project Affected People (PAP) should be furnished. While preparing the R&R Plan, the relevant State/National Rehabilitation & Resettlement Policy should be kept in view. In respect of SCs /STs and other weaker sections of the society in the study area, a need based sample survey, family-wise, should be undertaken to assess their requirements, and action programmes prepared and submitted accordingly, integrating the sectoral programmes of line departments of the State Government. It may be clearly brought out whether the village(s) located in the mine lease area will be shifted or not. The issues relating to shifting of village(s) including their R&R and socio-economic aspects should be discussed in the Report.

21) One season (non-monsoon) [i.e. March-May (Summer Season); October-December (post monsoon season) ; December-February (winter season)]primary baseline data on ambient air quality as per CPCB Notification of 2009, water quality, noise level, soil and flora and fauna shall be collected and the AAQ and other data so compiled presented date-wise in the EIA and EMP Report. Site-specific meteorological data should also be collected. The location of the monitoring stations should be such as to represent whole of the study area and justified keeping in view the pre-dominant downwind direction and location of sensitive receptors. There should be at least one monitoring station within 500 m of the mine lease in the pre-dominant downwind direction. The mineralogical composition of PM10, particularly for free silica, should be given.

22) Air quality modelling should be carried out for prediction of impact of the project on the air quality of the area. It should also take into account the impact of movement of vehicles for transportation of mineral. The details of the model used and input parameters used for modelling should be provided. The air quality contours may be shown on a location map clearly indicating the location of the site, location of sensitive receptors, if any, and the habitation. The wind roses showing pre-dominant wind direction may also be indicated on the map.

23) The water requirement for the Project, its availability and source should be furnished. A detailed water balance should also be provided. Fresh water requirement for the Project should be indicated.

24) Necessary clearance from the Competent Authority for drawl of requisite quantity of water for the Project should be provided.

25) Description of water conservation measures proposed to be adopted in the Project should be given. Details of rainwater harvesting proposed in the Project, if any, should be provided.

26) Impact of the Project on the water quality, both surface and groundwater, should be assessed and necessary safeguard measures, if any required, should be provided.

27) Based on actual monitored data, it may clearly be shown whether working will intersect groundwater. Necessary data and documentation in this regard may be provided. In case the working will intersect groundwater table, a detailed Hydro Geological Study should be undertaken and Report furnished. The Report inter-alia, shall include details of the aquifers present and impact of mining activities on these aquifers. Necessary permission from Central Ground Water Authority

for working below ground water and for pumping of ground water should also be obtained and copy furnished.

28) Details of any stream, seasonal or otherwise, passing through the lease area and modification / diversion proposed, if any, and the impact of the same on the hydrology should be brought out.

29) Information on site elevation, working depth, groundwater table etc. Should be provided both in AMSL and bgl. A schematic diagram may also be provided for the same.

30) A time bound Progressive Greenbelt Development Plan shall be prepared in a tabular form (indicating the linear and quantitative coverage, plant species and time frame) and submitted, keeping in mind, the same will have to be executed up front on commencement of the Project. Phase-wise plan of plantation and compensatory afforestation should be charted clearly indicating the area to be covered under plantation and the species to be planted. The details of plantation already done should be given. The plant species selected for green belt should have greater ecological value and should be of good utility value to the local population with emphasis on local and native species and the species which are tolerant to pollution.

31) Impact on local transport infrastructure due to the Project should be indicated. Projected increase in truck traffic as a result of the Project in the present road network (including those outside the Project area) should be worked out, indicating whether it is capable of handling the incremental load. Arrangement for improving the infrastructure, if contemplated (including action to be taken by other agencies such as State Government) should be covered. Project Proponent shall conduct Impact of Transportation study as per Indian Road Congress Guidelines.

32) Details of the onsite shelter and facilities to be provided to the mine workers should be included in the EIA Report.

33) Conceptual post mining land use and Reclamation and Restoration of mined out areas (with plans and with adequate number of sections) should be given in the EIA report.

34) Occupational Health impacts of the Project should be anticipated and the proposed preventive measures spelt out in detail. Details of pre-placement medical examination and periodical medical examination schedules should be incorporated in the EMP. The project specific occupational health mitigation measures with required facilities proposed in the mining area may be detailed.

35) Public health implications of the Project and related activities for the population in the impact zone should be systematically evaluated and the proposed remedial measures should be detailed along with budgetary allocations.

36) Measures of socio-economic significance and influence to the local community proposed to be provided by the Project Proponent should be indicated. As far as possible, quantitative dimensions may be given with time frames for implementation.

- 37) Detailed environmental management plan (EMP) to mitigate the environmental impacts which, should inter-alia include the impacts of change of land use, loss of agricultural and grazing land, if any, occupational health impacts besides other impacts specific to the proposed Project.
- 38) Public Hearing points raised and commitment of the Project Proponent on the same along with time bound Action Plan with budgetary provisions to implement the same should be provided and also incorporated in the final EIA/EMP Report of the Project.
- 39) Details of litigation pending against the project, if any, with direction /order passed by any Court of Law against the Project should be given.
- 40) The cost of the Project (capital cost and recurring cost) as well as the cost towards implementation of EMP should be clearly spelt out.
- 41) A Disaster management Plan shall be prepared and included in the EIA/EMP Report.
- 42) Benefits of the Project if the Project is implemented should be spelt out. The benefits of the Project shall clearly indicate environmental, social, economic, employment potential, etc.
- 43) Besides the above, the below mentioned general points are also to be followed:
- a) Executive Summary of the EIA/EMP Report
 - b) All documents to be properly referenced with index and continuous page numbering.
 - c) Where data are presented in the Report especially in Tables, the period in which the data were collected and the sources should be indicated.
 - d) Project Proponent shall enclose all the analysis/testing reports of water, air, soil, noise etc. using the MoEF & CC/NABL accredited laboratories. All the original analysis/testing reports should be available during appraisal of the Project.
 - e) Where the documents provided are in a language other than English, an English translation should be provided.
 - f) The Questionnaire for environmental appraisal of mining projects as devised earlier by the Ministry shall also be filled and submitted.
 - g) While preparing the EIA report, the instructions for the Proponents and instructions for the Consultants issued by MoEF&CC vide O.M. No. J-11013/41/2006-IA.II(I) dated 4th August, 2009, which are available on the website of this Ministry, should be followed.
 - h) Changes, if any made in the basic scope and project parameters (as submitted in Form-I and the PFR for securing the TOR) should be brought to the attention of MoEF&CC with reasons for such changes and permission should be sought, as the TOR may also have to be altered. Post Public Hearing changes in structure and content of the draft EIA/EMP

(other than modifications arising out of the P.H. process) will entail conducting the PH again with the revised documentation.

i) As per the circular no. J-11011/618/2010-IA.II(I) dated 30.5.2012, certified report of the status of compliance of the conditions stipulated in the environment clearance for the existing operations of the project, should be obtained from the Regional Office of Ministry of Environment, Forest and Climate Change, as may be applicable.

j) The EIA report should also include (i) surface plan of the area indicating contours of main topographic features, drainage and mining area measurements, (ii) geological maps and sections and (iii) sections of the mine pit and external dumps, if any, clearly showing the land features of the adjoining area.

SPECIFIC TERMS OF REFERENCE

1. To submit a detailed **appreciation note** on all areas of interest like bridges if any, active channel, green patches if any besides, environmental setting of its surrounds supported with site photographs of all important features based on field inspection by the consultant.
2. A comprehensive chapter be included in the EIA report on Cost Benefit Analysis of the mining activity in the mining block underlining the environmental and social costs.
3. Impact of mining activity on adjacent agricultural land with particular reference to run off, soil erosion and top-soil loss due to change in topography.
4. Details of Gradient of riverbed and 3-D view draped on the satellite image
5. Details of excavation schedule & sequential mining plan with a maximum mine depth of 1 mtr.
6. Details of transportation of mined out materials with respect to axle load specified for the road as per the Indian Road congress for both the ways (loaded as well as unloaded trucks) load and its impact on the environment.
7. Impact on mining activity on the existing land use in the study area.
8. Impact of mining on aquatic life.
9. NOCs from HoD/competent authority of Irrigation and Flood Control Dept. and Fisheries Dept. should be obtained and submitted while applying for EC.
10. The quantification of river bed material be based on excavation only upto a **maximum depth of 1 m** in the riverbed or 1 m above water table whichever comes first to safeguard ecological conditions in view of non-availability of replenishment data in DSR.
11. A digitalised surface plan showing coordinates, physical measurements, river gradient and inter-cross sections at different intervals should be a mandatory part of mining plan
12. Specific measures to be undertaken to mitigate the impact of mining activity on the habitat and migration of fish in the river/stream and concurrence thereof from the Fisheries Department.
13. The Photography and videography of the mining block shall be part of the Terms of Reference.
14. The maps shall be submitted on a scale of 1: 3000 and 1: 1500 within 10 kms. Radius

15. The shortest extraction route leading to the main road but with minimum interference with human settlements should be identified and described in detail. This along with the map and its KML file be part of an exclusive chapter in the EMP
16. Dust suppression measures should be prescribed in the EIA/EMP.
17. Post project monitoring plan should be included in the study.
18. Occupational health impacts should be assessed and plan for implementation of COVID-19 SOPs in the mining activity should be detailed.
19. The Consultant while presenting field data in the EIA report, should ensure that the site-specific date-wise datasheets duly attested by the local panchayat head with his name, signatures and stamp and attested by District Mineral Officer with seal and signature are included in the EIA report.
20. The impact of mining activity on the neighbouring villages need to be studied and extraction road need to be such that it has least crossing through village settlements.
21. The data displayed on air quality monitoring stations should be captured with digital camera displaying the date on the photograph so captured and same should be submitted in support of the date-wise data sheets. These digital photographs should be submitted in soft as well as appended with the EIA report.
22. Mining shall be proposed manually minimally supported by semi-mechanized methods.
23. The mining plan be approved de novo by the competent authority, after it is technically reviewed by the Irrigation and Flood Control Department and within mining depth of 1mt only due to non-availability of replenishment data.
24. **The prescribed TORs would be valid for a period of four years for submission of the EIA/EMP reports, as per the S.O. No. 751(E) dated 17th of Feb., 2020.**

Besides, the TORs are recommended without prejudice to the standing court orders, if any, w.r.t the concerned mining project or final outcome of writ petitions/LPAs pending disposal before any competent court of law w.r.t the concerned mining block.

Agenda Item No: 10

Grant of Terms of Reference in favour of M/S Aqib Maqbool S/o Mohammad Maqbool Lone, 140(1) Gousia Colony Baramulla District- Baramulla State: J&K Pin code – 193101.

Proposal No: SIA/JK/MIN/58167/2020.

File No: SEAC/JK/20/512

Consultant: **Globus Environment Engineering Services, Lucknow**

Title of the Case: Grant of Terms of Reference for “Masonry Stone” (Minor Mineral) Cluster Quarry Block at Gojri, Mohalla Drangbal Khasra No. 25, 35, 37, 918 Area-1.92 Ha, Tehsil- Baramulla, District- Baramulla, State- J&K.

Deliberations:

The case was represented by Shri Akhilesh Gupta from Globus Environment Engineering Services, Lucknow. The consultant gave a detailed PowerPoint presentation and informed the forum that the case pertains to a cluster of three quarries. He informed that the case is being considered under B1 category as there are some more

clusters of quarries in close vicinity of the project. The quarries were declared under Annexure-A to G&M Department's No. 317/MCC/DGM/CQA/16/3517-19 dated: 22/08/2017. However, the Committee observed that though the cluster of three quarries has been declared by the G& M Dept., yet it does not mention the names of the quarry holders. On the other hand, the mining plan has been approved in the name of the applicant notwithstanding the fact, there are two other quarry holders. Therefore, in order to do away with any ambiguity and to ensure there are no legal implications of processing the case in favour of only one quarry holder instead of three, the Committee desired that the Geology & Mining Department should equally distribute the entire area of 1.92 ha among the three quarry holders and demarcate the boundaries of the three quarry sites forming the cluster on ground with boundary pillars mentioning the geo-coordinates. The details viz. name of quarry holder, quarry site identification No., boundary pillar coordinates of the quarry be reflected in the mining plan and each of the quarry holder be made responsible for the acts of omission and commission within the said quarry site.

When the KML/KMZ file of the project was examined on the Google Earth platform, it was observed that there are few scars on the hills depicting quarries falling outside the boundary of the cluster. Therefore, the Secretary uploaded the KML/KMZ files of the other two projects falling under agenda item 11 and 12 on the Google Earth Image and it was observed that two more clusters of quarries have been designated by the G&M Dept. within a few hundred metres of each other allotted to 14 and 16 quarry holders respectively, as per annexure to the letter of allotment. Further, it was observed that as per annexure A of the communication No. 317/MCC/DGM/CQA/16/3517-19 dated: 22/08/2017 from the G&M Dept., there are three more clusters in the region for which applicants are yet to approach this forum.

The consultant informed that each designated cluster has a number of beneficiaries represented by the single project proponents. At this, the members desired that in the instant case, all the three quarry holders should apply together for grant of ToRs/EC so that they are equally responsible for their area of operation in future. Further, it was desired that the three quarry holders as project proponents of the cluster, must jointly obtain an NOC from the concerned Tehsildar prior to issuance of ToRs. Besides, it was also desired that the 3 quarry holders should form an association in order to ensure coordination among the quarry holders to avert accidents in future. The Committee observed that all the EC cases under agenda item 10,11 and 12 relating to the stone quarry clusters are represented by single Consultant and therefore, it was thought appropriate if a

comprehensive EIA study of all the stone quarries on Dangerpora Baramulla Hill is carried out by him only.

Recommendations:

In view of the above deliberations, the Committee rejected the case for grant of ToRs in the present form and desired that the area of the cluster be equally distributed by the G&M Dept. among the three quarry holders indicating name of quarry holder, quarry site identification No., boundary pillar coordinates of each quarry in consultation with the concerned revenue authority. Besides, a single mining plan be formulated for the cluster with the three quarry holders as applicants with equal stakes and responsibilities, indicating their area of operation, corner coordinates of their allotted area of land besides other details. Thereafter, they may jointly apply for grant of ToR/EC under the banner of an association.

Agenda Item No: 11

Grant of Terms of Reference in favour of M/S Aijaz Ahmad Malik S/o Abdul Ahad Malik, Taki Sultan/Malik Mohalla Drangbal, Baramulla, State: J & K.

Proposal No:

SIA/JK/MIN/58169/2020

File No:

SEAC/JK/20/513

Consultant:

Globus Environment Engineering Services, Lucknow

Title of the Case:

Grant of Terms of Reference for Proposed Project “Minor Mineral (Masonry Stone) Cluster Quarry Block at Khasra No. 727, Area: 9.82 Ha. Village: Taki Sultan/Malik Mohalla, Drangbal, Tehsil & District- Baramulla, State: J&K.

Deliberations:

The case was represented by Shri Akhilesh Gupta from Globus Environment Engineering Services, Lucknow. The consultant informed the forum that the case pertains to a cluster of 14 quarries. He informed that the case is being considered under B1 category as the area is more than 5ha and it is also in close vicinity of other quarries. He informed that the quarries were declared under Annexure-A to G&M Department's No. 317/MCC/DGM/CQA/16/3517-19 dated: 22/08/2017. However, the Committee observed that though the cluster of 14 quarries has been declared by the G& M Dept., yet it does not mention the names of the quarry holders. On the other hand, the mining plan has been approved in the name of the applicant notwithstanding the fact, there are 13 other quarry holders. Therefore, in order to do away with any ambiguity and to ensure there are no legal implications of processing the case in favour of only one quarry holder instead of three, the Committee desired that the Geology & Mining Department should equally distribute the entire area of 9.82 ha among the 14 quarry holders and demarcate the boundaries of the 14 quarry sites forming the cluster on ground with boundary pillars mentioning the corner geo-coordinates. The details viz. name of quarry holder, quarry site

identification No., boundary pillar coordinates of the quarry be reflected in the mining plan and each of the quarry holder be made responsible for the acts of omission and commission within the said quarry site. Further, after incorporating necessary changes in the mining plan, it be got approved denovo by the competent authority.

The consultant informed that each designated cluster has a number of beneficiaries represented by the single project proponents. At this, the members desired that in the instant case, all the 14 quarry holders should apply together for grant of ToRs/EC so that they are equally responsible for their area of operation in future. Further, it was desired that the 14 quarry holders as project proponents of the cluster, must jointly obtain an NOC from the concerned Tehsildar prior to issuance of ToRs. Besides, it was also desired that the 14 quarry holders should form a duly registered association so that there is coordination among the quarry holders to avert accidents in future. The Committee observed that all the EC cases under agenda item 10,11 and 12 relating to the stone quarry clusters are represented by single Consultant and therefore, it was thought appropriate if a comprehensive EIA study of all the stone quarries on Dangerpora Baramulla Hill is carried out by him only.

Recommendations:

In view of the above deliberations, the Committee rejected the case for grant of ToRs in the present form and desired that the area of the cluster be equally distributed by the G&M Dept. among the 14 quarry holders indicating name of quarry holder, quarry site identification No., boundary pillar coordinates of the each quarry in consultation with the concerned revenue authority. Besides, a single mining plan be formulated for the cluster with the 14 quarry holders as applicants with equal stakes and responsibilities, indicating their area of operation, corner coordinates of their allotted area of land besides other important details. Thereafter, they may jointly apply for grant of ToR/EC under the banner of an association.

Agenda Item No: 12

Grant of Terms of Reference in favour of M/S Ghulam Mohammad Malik S/o Mohammad Jamal Malik R/o- Taki Sultan, Baramulla, J&K.

Proposal No:

SIA/JK/MIN/58185/2020

File No:

SEAC/JK/20/514

Consultant:

Globus Environment Engineering Services, Lucknow

Title of the Case:

Grant of Terms of Reference for Proposed Project “Minor Mineral (Masonry Stone) Cluster Quarry Block at Khasra No: 884, Area: 6.74 Ha, Village: Turan Nagrad/Mir Mohalla, Drangbal, Tehsil & District: Baramulla, State: J&K.

Deliberations:

The case was represented by Shri Akhilesh Gupta from Globus Environment Engineering Services, Lucknow. The consultant informed the forum that the case pertains to a cluster of 16 quarries. He informed that the case is being considered under B1 category as the area is more than 5ha and it is also in close vicinity of other quarries. He informed that the quarries were declared under Annexure-A to G&M Department's No. 317/MCC/DGM/CQA/16/3517-19 dated: 22/08/2017. However, the Committee observed that though the cluster of 16 quarries has been declared by the G& M Dept., yet it does not mention the names of the quarry holders. On the other hand, the mining plan has been approved in the name of the applicant notwithstanding the fact, there are 15 other quarry holders. Therefore, in order to do away with any ambiguity and to ensure there are no legal implications of processing the case in favour of only one quarry holder instead of three, the Committee desired that the Geology & Mining Department should equally distribute the entire area of 6.74 ha among the 16 quarry holders and demarcate the boundaries of the 16 quarry sites forming the cluster on ground with boundary pillars mentioning the corner geo-coordinates. The details viz. name of quarry holder, quarry site identification No., boundary pillar coordinates of the quarry be reflected in the mining plan and each of the quarry holder be made responsible for the acts of omission and commission within the said quarry site. Further, after incorporating necessary changes in the mining plan, it be got approved denovo by the competent authority.

The consultant informed that each designated cluster has a number of beneficiaries represented by the single project proponents. At this, the members desired that in the instant case, all the 16 quarry holders should apply together for grant of ToRs/EC so that they are equally responsible for their area of operation in future. Further, it was desired that the 16 quarry holders as project proponents of the cluster, must jointly obtain an NOC from the concerned Tehsildar prior to issuance of ToRs. Besides, it was also desired that the 16 quarry holders should form a duly registered association so that there is coordination among the quarry holders to avert accidents in future. The Committee observed that all the EC cases under agenda item 10,11 and 12 relating to the stone quarry clusters are represented by single Consultant and therefore, it was thought appropriate if a comprehensive EIA study of all the stone quarries on Dangerpora Baramulla Hill is carried out by him.

Recommendations:

In view of the above deliberations, the Committee rejected the case for grant of ToRs in the present form and desired that the area of the cluster be equally distributed by the G&M Dept. among the 14 quarry holders indicating name of quarry holder, quarry site identification No., boundary pillar coordinates of each quarry in

consultation with the concerned revenue authority. Besides, a single mining plan be formulated for the cluster with the 14 quarry holders as applicants with equal stakes and responsibilities, indicating their area of operation, corner coordinates of their allotted area of land besides other important details. Thereafter, they may jointly apply for grant of ToR/EC under the banner of an association.

Agenda Item No.13 To discuss the implementation of Hon'ble NGT Order dated February 26, 2021 passed in Original Application No. 360/2015 and other connected matters w.r.t sand mining issues.

Deliberations: The Secretary gave a brief account of the order dated 26/02/2021 passed by the Hon'ble National Green Tribunal w.r.t river bed mining in the country and informed the chair that the same had been circulated among the esteemed members for detailed study and its implications on the appraisal process particularly when dealing with violation cases. The summary indicating the points that need consideration by various functionaries of the Forest & Environment sector including JKEIAA/JKEAC as indicated in the letter No. JKPCB/INGT/LS/110/2021 /1984- 90 Date: 23/03/2021 written by the Member Secretary JKPCB to the Commissioner/Secretary, Forest, Ecology & Environment Department was deliberated upon in detail.

Recommendations: In view of the above deliberations and to comply the orders of the Hon'ble NGT, the Committee recommended: -

1. Constitution of a five-member monitoring Committee for conducting periodic inspection of the mining leases.
2. Environment Department may also develop an appropriate mobile App for receiving and redressing the grievances against the sand mining, including connivance of the authorities and also a mechanism to fix accountability of the concerned officers.
3. Formulation of an annual report on River bed mining in the UT, be filed with the MoEF&CC on or before 30.04.2022 copy whereof be posted on the website of the Department of Environment.
4. Annual Environmental Audit of the mining leases by experts to be empanelled by the Department of Environment with standard Terms of Reference and Remuneration to be utilized by the Department of Geology & Mining on regular basis.
5. Empanelment of Expert Institutions with standard Terms of Reference to formulate Environmental Restoration Plans to be utilized regularly by the Dept. of Geology & Mining. The plans could be funded out of the Environment Fund to be constituted by the Geology & Mining Dept. out of the royalty earned, in accordance with directions passed in the said orders.
6. JKEIAA may have periodic interaction with all the stake holders especially enforcement agencies.

7. Strict adherence to the SSMG (2016) read with EMGSM (2020) formulated by the MoEF&CC.
8. Any other pertinent direction passed in the said order.

Lastly, the minutes of the meeting of the 37th JKEAC were confirmed and the meeting ended with vote of thanks to the Chair and the members.



**(Humayun Rashid)
S E C R E T A R Y
JKUT level Expert Appraisal Committee**

NO:EAC/JK/20/7067-079

Dated:04.05.2021

Copy by email to:

1. 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.
2. Sh. S. C. Sharma, Chairman, J&K Expert Appraisal Committee, (JKEAC) 331 Shastri Nagar, Jammu-180004 for favour of kind information.
3. Sh. M.ATak, Member, J&K Expert Appraisal COMMITTEE, (JKEAC) 124 Mominabad (Near Jakfed), Anantnag Kashmir,-192101 for favour of kind information.
4. Sh. Braj Bhushan Sharma, Member, J&K Expert Appraisal COMMITTEE, (JKEAC) 278/2 Channi Himmat, Jammu for favour of kind information.
5. Professor Shakeel Ahmad Romshoo, Member, J&K Expert Appraisal Committee, (JKEAC) Department of Earth Sciences Kashmir University Srinagar-190006 for favour of kind information and necessary action please.
6. 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 please.
7. Professor Arvind Jasrotia Member, J&K Expert Appraisal COMMITTEE, (JKEAC) 33/D Sainik Colony Jammu-180011 for favour of kind information please.
8. 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 please.
9. Sh. Irfan Yasin, Member, J&K Expert Appraisal COMMITTEE, (JKEAC) Bagh-e-Hyderpora, Bypass, Srinagar for favour of kind information please.
10. 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 please.
11. Professor M. A. Khan, Member, J&K Expert Appraisal COMMITTEE, (JKEAC) Khan House, A-27 Milatabad, Peerbagh "B" Srinagar for favour of kind information please.

12. Dr.Falendra Kumar Sudan, Member, J&K Expert Appraisal COMMITTEE, (JKEAC) Professor Department of Economics University of Jammu, Jammu for favour of kind information please.
13. Sh. Sheikh Sajid, PA for information and with direction to upload the minutes on the environmental clearance portal at parivesh.nic.in.
14. Concerned File.