



0191-2474553/0194-2490602

**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 32<sup>nd</sup> MEETING OF THE JK EXPERT APPRAISAL COMMITTEE HELD ON 01/04/2021 VIA VIDEO CONFERENCING OWING TO COVID-19 OUTBREAK AND SUBSEQUENT MITIGATIVE MEASURES**

In pursuance to meeting Notice issued vide No: EAC/JK/20/6135-173 dated: 26/03/2021 and Addendum issued vide No. EAC/JK/20/6174-189 dated 27/03/2021, the 32<sup>nd</sup> meeting of JKEAC was held on 01/04/2021 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. Prof. GM Dar	Member
4. Engineer B.B. Sharma	Member
5. Abdul Rashid Makroo	Member
6. Mr. Humayun Rashid	Secretary

The Secretary welcomed the Chairman, Members of the JKEAC, Dr. Isha, representative of the G&M Dept., the participating project proponents and the consultant. The meeting proceeded as per following sequence: -

<b>Agenda Item No: 01</b>	Grant of Terms of Reference in favour of M/S Kiran Kumar Sharma S/O Shri Daleep Kumar Sharma, R/O Ward No- 5, Jawahar Nagar, Rajouri, J&K.
Proposal No:	SIA/JK/MIN/61296/2021.
File No:	SEAC/JK/20/476
Consultant:	<b>COGNIZANCE RESEARCH INDIA PVT LTD</b>
Title of the Case:	Grant of Terms of Reference for MINOR MINERAL BLOCK 1/3, IN NOWSHERA TAWI RIVER DOWNSTREAM MURADPUR BRIDGE, DISTRICT RAJOURI, JAMMU AND KASHMIR MINING LEASE AREA- 8.95 Ha.

**Deliberations:**

The Committee expressed its displeasure at the absence of the project proponent and the consultant at the commencement of the online meeting. However, after repeated calls by the supporting staff, Shri Kiran Kumar, PP and Shri Ankur Sharma joined on behalf of the consultant's M/S COGNIZANCE RESEARCH INDIA PVT. LTD. Shri Ankur was asked as to why he had failed to email the KML files and the PowerPoint presentations of the listed projects which resulted in lack of prior scrutiny of the cases by the Members. Shri Ankur expressed his regrets and apologized for his inability to email the requisite documents in time. He was asked to give presentation on the case. During presentation, he informed that the LoI was issued by the G&M Dept. on 25/11/2020 and the Mining Plan was approved on 16/02/2021 for the project with a cost of 175.15 lacs. The consultant presented the various aspects of the project. It was observed that the consultant had proposed mining depth of 1.25 mts. to 2.5 mts. which was highly objected by the committee in absence of any replenishment data provided in the District Survey Reports. The Consultant was asked to email the KML file for examining the mining block on the Google Earth platform. The mining block was examined on the available Google Earth Image of Dec., 2020 and the Committee observed features indicative of heavy illegal mining within the mining block. Besides, two structures on a small patch of cropland was also found existing within the mining block. The PP ~~was~~ informed the forum that the buildings belong to one Vipul Kumar, Contractor.

**Recommendations:**

In view of the above deliberations, the Committee recommended that the project be rejected for ToRs in the present form. The G&M Dept. may be asked to exclude the area comprising of cropland with two structures falling inside the mining block and to constitute a joint inspection committee comprising of representatives of Irrigation & Flood Control Department, Geology & Mining Department, Soil Conservation Department, Fisheries Dept and SSP Rajouri to file its enquiry report, fixing responsibility for the illegal mining in the designated mining block and its neighbourhood, also recording statements from the local panchayat representatives on the subject. Once, this is done, the PP may apply afresh after obtaining title verification certificate in favour of the resultant mining block from the concerned revenue Authority.

**Agenda 2 to Agenda 5:** Since, Shri Ankur Sharma, Consultant failed to email the KML files and ppts. of the projects listed under agenda 2,3,4 and 5 and to present the cases before the forum, the Committee decided to defer the cases till the documents are emailed by the consultant for prior scrutiny.

**Agenda Item No: 06** Grant of Terms of Reference in favour of M/S Kifayat Ahmad Dar S/O Abdul Rashid Dar R/O Khenibugh Lethpora, Tehsil Pampora Distt. Pulwama J&K.

Proposal No: SIA/JK/MIN/61215/2021.

File No: SEAC/JK/20/481

Consultant: **OCEAO-ENVIRO Management Solutions India Pvt. Ltd.**

Title of the Case: Grant of Terms of Reference for Minor mineral Block No:06,F Lassipora Sidco Bridge Downstream Nallah Rambaria District Pulwama, J&K. MINING LEASE AREA- 3.92 Ha.

**Deliberations:** The project was presented by Shri Varun Bhardwaj and Reshmi Saraswat on behalf of the consultant's M/S OCEAO-ENVIRO Management Solutions India Pvt. Ltd. Detailed presentation was given on various aspects of the project including LoI, Mining plan, mining depth and other aspects of the mining block. The consultant informed that though the area of the block was less than 5ha, yet its is required to be treated under B1 category because of cluster situation. He informed that the LoI was issued by the G&M Dept. on 02/03/2020 which was extended further vide letter dated 08/01/2021. He further informed that the mining plan has been approved on 08/06/2020 and the project cost is 130 lacs. The mining block was examined on the latest available Google Earth image of April, 2020 using the KML file emailed by the consultant in advance and it was opined that the PP shall have to keep provision for flood protection of the Lassipora Industrial Estate.

**Recommendation:** In view of the above deliberations, the Committee recommended the project for grant of ToRs for enabling the project proponent to prepare the EIA/EMP and to conduct Public Hearing through JKPCB. **Project Proponent shall also obtain a NOC from Lassipora Industrial Estate Authorities based on PP's proposals (to be executed at PP's cost) to ensure protection of Industrial Estate against flood damages which may be caused due to meandering of river flow on account of mining in close vicinity.**

## **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. 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.
2. 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.
3. Details of Gradient of riverbed and 3-D view draped on the satellite image
4. Details of excavation schedule & sequential mining plan with a maximum mine depth of 1 mtr.
5. 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.
6. Impact on mining activity on the existing land use in the study area.
7. Impact of mining on aquatic life.
8. NOCs from HoD/competent authority of Irrigation and Flood Control Dept. and Fisheries Dept. should be obtained and submitted while applying for EC.

9. 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.
10. 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
11. 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.
12. The Photography and videography of the mining block shall be part of the Terms of Reference.
13. The maps shall be submitted on a scale of 1: 3000 and 1: 1500 within 10 kms. Radius
14. 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
15. Dust suppression measures should be prescribed in the EIA/EMP. **The EMP should keep a provision for flood protection measures for the Lassipora Industrial Estate.**
16. Post project monitoring plan should be included in the study.
17. Occupational health impacts should be assessed and plan for implementation of COVID-19 SOPs in the mining activity should be detailed.
18. 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.
19. 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.
20. 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.
21. Mining shall be proposed manually minimally supported by semi-mechanized methods.
22. 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.
23. **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.**

After preparing the EIA/EMP (as per the generic structure prescribed in Appendix- III of the EIA Notification, 2006) covering the above mentioned issues, the proponent will apply for EC on the **Parivesh Portal of the MoEF&CC and submit all the relevant documents including Public Hearing report in accordance with the procedure prescribed under the EIA Notification, 2006.**

**Agenda Item No: 07** Grant of Terms of Reference in favour of M/S Zahoor Ahmed Peerzada S/o- Shri Gh. Mohd. Peerzada R/O Aripora, District - Shopian, J&K U.T.- 192305 [shopianblock22@gmail.com](mailto:shopianblock22@gmail.com)

Proposal No: SIA/JK/MIN/61237/2021.  
File No: SEAC/JK/20/482  
Consultant: **OCEAO-ENVIRO Management Solutions India Pvt. Ltd.**

Title of the Case: Grant of Terms of Reference for Minor Mineral Block No.:- 22, Ziarat Syed Rehmatullah Nazneenpora Downstream Nallah Rambiarra, Nazneenpora Keegam Shopian J&K. Area 9.69 Ha.

**Deliberations:** The project was presented by Shri Varun Bhardwaj and Reshmi Saraswat on behalf of the consultant's M/S OCEAO-ENVIRO Management Solutions India Pvt. Ltd. Detailed presentation was given on various aspects of the project including mining LoI, Mining plan, mining depth and other aspects of the mining block. The consultant informed that the LoI was issued by the G&M Dept. on 18/07/2020 which was extended further vide letter dated 08/01/2021. He further informed that the mining plan has been approved on 03/10/2020. He informed that the project cost is Rs 323 lacs. The mining block was examined on the latest available Google Earth image of Sept., 2018 using the KML file emailed by the consultant in advance and it was opined that the PP shall have to take care of the high gradient difference at the upstream and downstream of the mining block while conducting the EIA study.

**Recommendation:** In view of the above deliberations, the Committee recommended the project for grant of ToRs for enabling the project proponent to prepare the EIA/EMP and to conduct Public Hearing through JKPCB:-

**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. 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.
2. 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.
3. Details of Gradient of riverbed and 3-D view draped on the satellite image
4. Details of excavation schedule & sequential mining plan with a maximum mine depth of 1 mtr.
5. 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.
6. Impact on mining activity on the existing land use in the study area.
7. Impact of mining on aquatic life.
8. NOCs from HoD/competent authority of Irrigation and Flood Control Dept. and Fisheries Dept. should be obtained and submitted while applying for EC.
9. 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.

10. 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
11. 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.
12. The Photography and videography of the mining block shall be part of the Terms of Reference.
13. The maps shall be submitted on a scale of 1: 3000 and 1: 1500 within 10 kms. Radius
14. 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
15. Dust suppression measures should be prescribed in the EIA/EMP.
16. Post project monitoring plan should be included in the study.
17. Occupational health impacts should be assessed and plan for implementation of COVID-19 SOPs in the mining activity should be detailed.
18. 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.
19. 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.
20. 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.
21. Mining shall be proposed manually minimally supported by semi-mechanized methods.
22. 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.
23. **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.**

After preparing the EIA/EMP (as per the generic structure prescribed in Appendix- III of the EIA Notification, 2006) covering the above mentioned issues, the proponent will apply for EC on the **Parivesh Portal of the MoEF&CC and submit all the relevant documents including Public Hearing report in accordance with the procedure prescribed under the EIA Notification, 2006.**

**Agenda Item No: 08** Grant of Terms of Reference in favour of M/S Imtiyaz Ahmad Bhat R/O Kandikoot Sagam Booch, Distt. Anantnag, J&K-192202.

Proposal No: SIA/JK/MIN/59136/2020.  
File No: SEAC/JK/20/483  
Consultant: **OCEAO-ENVIRO Management Solutions India Pvt. Ltd.**

Title of the Case: Grant of Terms of Reference for Nallah Bed Mining Project is situated at Minor Mineral Block-08, ANG/BR/08 Soaf Shali Bridge, Bringi Nallah Downstream, Village - Soaf Shali, Tehsil - Kokemag, District- Anantnag, and State/UT- J&K over an area of 7.87 Ha

**Deliberations:** The project was presented by Shri Varun Bhardwaj and Reshmi Saraswat on behalf of the consultant's M/S OCEAO-ENVIRO Management Solutions India Pvt. Ltd. Detailed presentation was given on various aspects of the project including mining LoI, Mining plan, mining depth and other aspects of the mining block. The consultant informed that the LoI was issued by the G&M Dept. on 21/07/2020 which was extended further vide letter dated 08/01/2021. He further informed that the mining plan has been approved on 19/09/2020. He informed that the project cost is 262 lacs. The mining block was examined on the available multirate Google Earth image of Nov., 2020 and Sept. 2013 using the KML file emailed by the consultant in advance and it was observed that the image of Sept. 2013 shows presence of cropland within the identified mining block which prompts title verification.

**Recommendation:** In view of the above deliberations, the Committee recommended the project for grant of following ToRs for enabling the project proponent to prepare the EIA/EMP and to conduct Public Hearing through JKPCB subject to prior title verification certificate from the competent Revenue Authority:-

#### **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. 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.
2. 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.
3. Details of Gradient of riverbed and 3-D view draped on the satellite image
4. Details of excavation schedule & sequential mining plan with a maximum mine depth of 1 mtr.
5. 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.
6. Impact on mining activity on the existing land use in the study area.
7. Impact of mining on aquatic life.
8. NOCs from HoD/competent authority of Irrigation and Flood Control Dept. and Fisheries Dept. should be obtained and submitted while applying for EC.
9. 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.

10. 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
11. 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.
12. The Photography and videography of the mining block shall be part of the Terms of Reference.
13. The maps shall be submitted on a scale of 1: 3000 and 1: 1500 within 10 kms. Radius
14. 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
15. Dust suppression measures should be prescribed in the EIA/EMP.
16. Post project monitoring plan should be included in the study.
17. Occupational health impacts should be assessed and plan for implementation of COVID-19 SOPs in the mining activity should be detailed.
18. 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.
19. 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.
20. 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.
21. Mining shall be proposed manually minimally supported by semi-mechanized methods.
22. 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.
23. **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.**

After preparing the EIA/EMP (as per the generic structure prescribed in Appendix- III of the EIA Notification, 2006) covering the above mentioned issues, the proponent will apply for EC on the **Parivesh Portal of the MoEF&CC and submit all the relevant documents including Public Hearing report in accordance with the procedure prescribed under the EIA Notification, 2006.**

**Agenda Item No: 09** Grant of Terms of Reference in favour of M/S Mohd Iqbal Deva R/O Shankerpora Doru, District Anantnag, J&K.192201.

Proposal No: SIA/JK/MIN/59050/2020.  
File No: SEAC/JK/20/484  
Consultant: **OCEAO-ENVIRO Management Solutions India Pvt. Ltd.**

Title of the Case: Grant of Terms of Reference for nallah Mining Project of Area 4.51 ha on Minor Mineral Block-1, ANG/SA/01 Dooru Bridge Sandran Nallah, Downstream Village: Dooru, District-Anantnag and U.T. - J & K.

**Deliberations:** The project was presented by Shri Varun Bhardwaj and Reshmi Saraswat on behalf of the consultant's M/S OCEAO-ENVIRO Management Solutions India Pvt. Ltd. Detailed presentation was given on various aspects of the project including mining LoI, Mining plan, mining depth and other aspects of the mining block. The consultant informed that though the mining block is only 4.51 ha in size, yet it is required to be treated under B-1 category because of cluster situation. The consultant informed that the LoI was issued by the G&M Dept. on 21/07/2020 which was extended further vide letter dated 08/01/2021. He further informed that the mining plan has been approved on 19/09/2020. He informed that the project cost is 150 lacs. The mining block was examined on the latest available Google Earth image of Nov., 2020 and while going through the image of Nov., 2020, presence of a building complex along the river bed was noticed. On further enquiry it was given to understand that the structure is the Dooru-Shahabad Hospital. The premises was seen located within a distance of 250mts from the mining block. Besides this illegal mining was also noticed within the designated block.

**Recommendation:** In view of the above mentioned facts, the Committee recommended that the ToRs shall not be issued until a district level committee comprising of I &FC, PWD, Superintendent of the Hospital/ CMO of the District , Soil Conservation, Revenue and G&M department clears & categorically recommends/ declares that operation of mining block in close vicinity would not lead to any adverse environmental implications for the Hospital. Besides this, a report explaining the illegal mining already being carried out at the site also needs to be obtained from the concerned agencies and included in the documents to be submitted for obtaining EC..

**Agenda Item No: 10** Grant of Terms of Reference in favour of M/S Nazir Ahmad Lone S/O Abdul Rahim Lone R/O Lelher Distt. Pulwama J&K-192301.

Proposal No: SIA/JK/MIN/59408/2020.  
File No: SEAC/JK/20/485  
Consultant: **OCEAO-ENVIRO Management Solutions India Pvt. Ltd.**

Title of the Case: Grant of Terms of Reference for River Bed Mining Project is situated at Minor Mineral Block No - 19, Govt. MIS Dumwani Downstream, Rambiarra Nallah, Village - Dumwani, Tehsil - Keegam, District - Shopian, and State/UT - J&K over an area of 9.68 ha.

**Deliberations:** The project was presented by Shri Varun Bhardwaj and Reshmi Saraswat on behalf of the consultant's M/S OCEAO-ENVIRO Management Solutions India Pvt. Ltd. Detailed presentation was given on various aspects of the project including mining LoI, Mining plan, mining depth and other aspects of the mining block. The consultant informed that the LoI was issued by the G&M Dept. on 18/07/2020 which was extended further vide letter dated 08/01/2021. He further informed that the mining plan has been approved on 03/10/2020. He informed that the project cost is 320 lacs. The mining block was examined on the latest available Google Earth image of Sept., 2018 and some earlier images using the KML file emailed by the consultant in advance and it was observed that the image of Sept., 2018 shows signs of illegal mining which demand fixing of responsibility for the same. Besides, the members also observed one Electric Transmission Tower within the mining block. The Google image of April, 2014 and Sept., 2014 also shows presence of a bridge inside the mining block which is not noticed in the images of March, 2011 and Sept., 2018 indicating a possibility that a bridge existing at the site may have been washed away during the floods of 2014.

**Recommendation:** In view of the above deliberations, the Committee recommended the project for grant of following ToRs for enabling the project proponent to prepare the EIA/EMP and to conduct Public Hearing

through JKPCB subject to procuring of a prior NOC from the competent Authorities of PWD, PDD and I&FC Dept. and subject to submission of a report based on a joint inspection of the area by a team of representatives of G&M Dept., Soil Conservation Dept., Fisheries Dept and the I&F Control Dept. and the local Police to fix responsibility for the illegal mining. The above cited NOC and the Joint Inspection Report be appended to the application for grant of EC:-

#### **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. 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.
2. 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.
3. Details of Gradient of riverbed and 3-D view draped on the satellite image

4. Details of excavation schedule & sequential mining plan with a maximum mine depth of 1 mtr.
5. 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.
6. Impact on mining activity on the existing land use in the study area.
7. Impact of mining on aquatic life.
8. NOCs from HoD/competent authority of Irrigation and Flood Control Dept. and Fisheries Dept. should be obtained and submitted while applying for EC.
9. 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.
10. 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
11. 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.
12. The Photography and videography of the mining block shall be part of the Terms of Reference.
13. The maps shall be submitted on a scale of 1: 3000 and 1: 1500 within 10 kms. Radius
14. 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
15. Dust suppression measures should be prescribed in the EIA/EMP.
16. Post project monitoring plan should be included in the study.
17. Occupational health impacts should be assessed and plan for implementation of COVID-19 SOPs in the mining activity should be detailed.
18. 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.
19. 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.
20. 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.
21. Mining shall be proposed manually minimally supported by semi-mechanized methods.

22. 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.
23. **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.**

After preparing the EIA/EMP (as per the generic structure prescribed in Appendix- III of the EIA Notification, 2006) covering the above mentioned issues, the proponent will apply for EC on the **Parivesh Portal of the MoEF&CC and submit all the relevant documents including Public Hearing report in accordance with the procedure prescribed under the EIA Notification, 2006.**

**Agenda Item No: 11 Grant of Environment Clearance in favour of M/S HINDUSTAN CONSTRUCTION COMPANY DIST.-REASI (J&K). PRINCIPLE EMPLOYER –KRCL.**

**Proposal No: SIA/JK/MIN/193884/2021**

**File No: SEAC/JK/20/391**

**Consultant: Sahaj Sahyog Consultants P Ltd**

**Title of the Case: Grant of Environment Clearance for STP (RIVER BED MATERIAL DEPOSIT) AT ANJI NALLAHH VILLAGEGHAYALA, TEHSIL-REASI, DISTRICT-REASI, UT. - JAMMU & KASHMIR (AREA: 0.976 HA).**

**Deliberations:**

The case was presented by Shri Pankaj Pandey(RQP) on behalf of the Sahaj Sahyog Consultants P Ltd . The consultant informed that the case had been listed during the 25<sup>th</sup> JKEAC held on 30/01/2021. He further informed that the case had been deliberated threadbare but during presentation of the STP boundary on Google Earth platform, the Committee had observed that the STP area partly falls over a flood protection structure near the bank of the nalla and the Committee had recommended that the STP needs to be relocated to an appropriate site free of any encumbrances. He further presented copy of letter No. DGM/Dy Dir MS/MP Reasi/135-39 dated 16/03/2021 whereunder the Geology & Mining Dept. has excluded the flood protection structures from the STP boundary thereby leading to reduced areal extent of the STP (0.64ha) to be operated upon over a period of three months. The various aspects of the STP were deliberated and the Members decided to treat the STP on the analogy of other STPs cleared in the same locality during the 25<sup>th</sup> JKEAC during which the Consultant had proposed a mining depth of 2mts. in view of high replenishment in the area and the view had been upheld by one of the Members of the forum.

Accordingly a mining depth of 2mts. was also agreed to in this case.

**Recommendation:** In view of the above deliberations, the Committee recommended grant of Environmental Clearance in favour of the STP as per SO 345 dated 13/11/2020 and SO391 of 2020 dated 22/12/2020 and subject to following conditions: -

**GENERAL CONDITIONS: -**

Category	S. No.	Environmental Conditions
<b>Stake holder engagement</b>	1	All the provisions made and restrictions imposed as covered in the Minor Mineral Rules, shall be complied with, particularly regarding Environment Management Practices and its fund management.
	2	The genuine concerns of the local people translated through local Panchayat shall be addressed during the mining operations
	3	The labourers should preferably be from nearby villages
	4	All the orders from Hon'ble Courts of competent jurisdiction and authorities representing various government departments having stakes shall be complied with during the mining operations.
<b>Sustainable Mining Practices</b>	5	The recommendations made in the District Survey Report on sustainable mining practices if any shall be complied
	6	The depth of mining in Riverbed shall not exceed 2 metre or water level whichever is less.
	7	Mining activity shall not be allowed in rainy season
	8	The Geology & Mining Dept. shall study the replenishment of the dugout pits and document it for updating the District survey report
	9	The mining shall be restricted to 3/4 <sup>th</sup> of the width of the river/rivulet or 7.5 m(inward) from river bank but upto 10% of the width of the river.
	10	No stream should be diverted for the purpose of sand mining. No natural water course and/ or water resources are

		obstructed due to mining operations.
	11	Mining shall be carried by low profile machinery out without adoption of drilling & blasting. The RBM shall be exploited manually with spade, chisel, etc.
<b>Identification and Preparation of Mining Site</b>	12	Mining should be initiated only after installation of signboards with demarcation pillars indicating the geo-coordinates of the plot at each corner to be laid in presence of the authorized official of the Geology & Mining Department
	13	There should be no change in the method of excavation and quantity of minerals to be extracted.
<b>Monitoring the Mining of Mineral and its Transportation</b>	14	The EC holder shall keep a correct account of quantity of mineral mined out, dispatched from the mine, mode of transport, registration number of vehicle, person in-charge of vehicle and mine plan. This should be produced before officers concerned for inspection
	15	The access to mining site should be controlled in a way that vehicles carrying mineral from that area are tracked and accounted for in accordance with standing guidelines issued by the Govt.
	16	The Geology & Mining Department should use technology like Bar Coding, Information and Communications Technology (ICT), Web based and ICT enabled services, mobile SMS App etc. to account for weight of mineral being taken out of the plot and the number of trucks moving out with the mineral.
<b>Noise Management</b>	17	Noise arising out of mining and processing shall be abated and controlled at source to keep within permissible limit. Measures should be taken to control noise levels below 85 dBA in the work environment. Workers should be provided with ear plugs.
	18	Restricted working hours. Mining operation has to be carried out between 6 am to 7 pm.
<b>Air Pollution and</b>	19	The EC holder shall take all measures for protection of

<b>Dust Management</b>		Environment and control of Pollution.
	20	The pollution due to transportation load on the environment will be effectively controlled and water sprinkling will also be done regularly at loading, unloading and transfer points.
	21	The critical parameters of the Air and water shall be monitored within the impact zone of the Mine area particularly in the nearby habitations. The standing instructions issued from time to time by the Ministry of Environment, Forest & Climate Change (MoEF&CC) and Central Pollution Control Board (CPCB) shall be referred in this regard for compliance.
	22	Air due to dust, exhaust emission or fumes during mining and processing phase should be controlled and kept in permissible limits specified under environmental laws.
	23	The mineral transportation shall be carried out through covered trucks only and the vehicles carrying the mineral shall not be overloaded.
	24	Overloading of trucks and trolleys will be avoided.
	25	Personal protective equipment's will be provided to the workers.
	26	Haul road will be kept wide, compact and water spraying will be done. It shall be properly maintained by the PP and restored to original position after mining. Axle load on the roads should not exceed the prescribed load as per IRC
<b>Solid waste management</b>	27	Waste generated will be collected on regular basis and will be disposed as per the Municipal Solid Waste Management (Management & Handling) Rule 2000 and its subsequent amendments.
	28	Bins shall have to be provided at site for collection of solid waste.
<b>Bio-Diversity Protection</b>	29	Adequate measures must be taken for the protection of local fauna and flora

	30	Protection of turtle and bird habitats shall be ensured.
	31	No felling of trees near mining site is allowed.
	32	Spring sources should not be affected due to mining activities. Necessary Protection measures are to be incorporated.
<b>Management of Instability and Erosion</b>	33	The PP shall use of oversize material to control erosion and movement of sediments
	34	There shall be no extraction of stone / boulder / sand in landslide prone areas.
	35	There should be controlled clearance of riparian vegetation to be undertaken
	36	The PP should take adequate steps to check soil erosion and control debris flow etc. by constructing engineering structures
	37	No overhangs shall be allowed to be formed due to mining and mining shall not be allowed in area where subsidence of rocks is likely to occur due to steep angle of slope.
<b>Waste Management</b>	38	Site clearance and tidiness is very much needed to have less visual impact of mining.
	39	Dumping of waste shall be done in earmarked places as approved in Mining Plan
	40	Rubbish burial shall not be done in the Rivers.
<b>Enhancement of Road Safety</b>	41	Vehicles used for transportation of sand are to be permitted only with fitness and PUC Certificates
	42	Junction at takeoff point of approach road with main road be properly developed with proper width and geometry required for safe movement of traffic by concession holder at his own cost.
	43	Project Proponent shall ensure that the road may not be damaged due to transportation of the mineral and transport of minerals will be as per IRC relevant guidelines if any in



		this regard.
	44	No stacking shall be allowed on road side along National Highways.
<b>Health and Safety</b>	45	Health and safety of workers should be taken care of. They should also be provided training in safety and health care aspects.
	46	Adequate facility for drinking water and toilets should be provided for the workers
	47	Transport of mineral will not be done through villages / habitations.
	48	Deep drilled handpump with sufficient funding provision should be earmarked for providing drinking facility to the labour force and accordingly it should be reflected in the revised EMP
	49	Recommendations of National Institute for Labour for ensuring good occupational environment for mine workers would also be adopted.
<b>COVID-19 SOPs</b>	50	The PP shall be responsible for enforcement of COVID-19 standard operating procedures and guidelines with respect to safety of workers involved in the mining activity.
<b>Other mandatory requirements</b>	51	The copy of the EC shall be endorsed to the local Panchayat and all stake holder departments.
	52	The JK Pollution Control Board/ Committee shall display the EC at its Regional office, District Industries Centre, Collectors office/ Tehsildar Office for 30 days.
	53	The Project Proponent shall advertise, within 7 days of the date of issue of the EC, in two local dailies that the project has been granted EC and the copy of EC is uploaded on the MoEF&CC website at parivesh.nic.in. and copy of same should be endorsed to the Regional Office of the MoEF&CC at Chandigarh for information and necessary action.

	54	The MoEF&CC may alter/ modify or stipulate any other condition before, during the operations of the mine if it is found to be in the interest of environmental protection.
	55	Concealing of any information/data of submission of wrong/fabricated information by the Project Proponent and failure to comply with any of the above conditions may lead to with drawl of the EC and attract action under the provisions of EP Act, 1986.
	56	An appeal against the EC shall lie with the Hon'ble NGT, if preferred within 30 days as prescribed under Section 16 of the NGT Act, 2010.

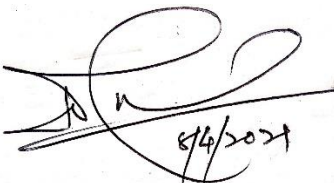
### Specific Conditions:-

1	The EC shall be subject to other statutory clearances including clearance from Wildlife Protection Department and Standing Committee of the National Board of Wildlife, if applicable under rules.
2	The project proponent shall extract only <b>28800 MT</b> within the prescribed mining depth of 2 metre or water level whichever is less, strictly within the size of the plot areas as provided in the letter dated 16/03/2021 from G&M Dept. and within the prescribed period under Rules.
2	The EC shall be subject to the condition that the material extracted is utilized only for the govt. project for which the applicant has applied.
3	The formal STP shall be granted only after the Project proponent transfers funds earmarked under EMP/CER/CSR to the concerned stake holder departments like CMO concerned and DFO concerned <b>in advance before grant of STPs</b> for utilization under close supervision of the Local Panchayat Head.
4	This Environmental Clearance is subject to final outcome of any litigation pending before Hon'ble Supreme Court of India, Hon'ble High Court of Jammu & Kashmir, Hon'ble NGT, or any other Court of Law, if any, as may be applicable to this project.
5	This Environmental Clearance is without prejudice to the standing instructions /orders from the competent authorities in the MoEF&CC, GoI and the UT of J&K w.r.t river bed mining activity.

6	The grant of EC does not imply approval of the Govt. required under any other provision of law applicable in the UT of J&K
7	Before granting the STP, the Geology & Mining Department shall certify that no mining lease is in operation within 500 mts upstream and downstream from the plot identified for STP.
8	The EC holder shall obtain an estimate from the concerned DFO, Social Forestry Division for planting 1000 saplings of indigenous species in the nearby wastelands for which the funds required for planting and its maintenance for 2 years shall be transferred to the DFO, Social Forestry concerned <b>in advance</b> prior to grant of formal Short Term Permit, for utilization to protect local biodiversity in the area. Accordingly, the PP shall revise the Environment Management Plan in consultation with concerned DFO Social Forestry Dept. Separate account shall be maintained for the funds so earmarked.
9	The District Mineral Officer shall monitor the replenishment of the mined-out areas, traffic management, levels of production, river bank erosion, exit point of the site and instruct the Project proponent for initiating measures for mitigating environmental concerns.
10	The project proponent shall take all precautionary measures during mining operations for conservation and protection of endangered fauna and flora in the area.
11	The workers should be provided with PPEs. The plan worked out and expenditure made under Occupational Health should be undertaken in consultation with the Local Health Institution/PHC/Sub-Centre for utilization for the health and welfare of the local workers involved in mining activity and villagers living in the close vicinity. Regular Medical checkups and free medicines shall be provided under the fund. The funds earmarked under Occupational Health care shall be transferred to the CMO concerned <b>in advance</b> before grant of STP in favour of the project proponent who will maintain separate account for the same.
12	The project proponent must ensure that the biological clock of the villagers in the vicinity of the project is not disturbed by any unauthorized night operations and all measures must be taken for keeping the noise levels within prescribed levels.
13	Provision shall be kept for housing of the labour force, toilets, facilities for cooking, safe water, health care, crèche etc. for the labour force.
14	A final Mine closure Plan along with details of Corpus fund shall be

	communicated to the MoEF&CC in advance for approval.
15	The top soil in case of surface land mining shall be temporarily stored at an appropriate site and concurrently used for land reclamation.
16	The mining operations shall be undertaken in a systematic manner so that it does not damage the aesthetic view of the area.
17	Adequate steps should be taken to check soil erosion and engineering structures shall be raised near the bank wherever required.
18	Before granting the STP, the District Mineral Officer concerned shall certify that no mining lease is in operation within 500 mts upstream and downstream from the plot identified for STP.
19	Mining shall not be allowed where there is danger to flood protection works and places of cultural, religious and historical significance.
20	The compliance report shall be submitted to the Regional Office of the MoEF&CC at Chandigarh with a copy to the Regulatory Authority.
21	The EC shall be valid for a period of three months from the date of commencement of the mining operations duly certified by the District Mineral Officer concerned with intimation to the JKEIAA, JKPCB and the concerned District Administration.
22	An amount of Rs 2.48 lacs shall be earmarked by the Project proponent under Environmental Management Plan / CER and funds transferred to concerned govt. departments in advance for utilization as per aspirations of the local panchayat before grant of formal STP by the Geology & Mining Department.

**Lastly, the minutes of the meeting of the 31<sup>st</sup> 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**

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 Comittee, (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](http://parivesh.nic.in).
14. Concerned File.