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



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

## MINUTES OF MEETING

### **MINUTES OF 39<sup>th</sup> MEETING OF THE JK EXPERT APPRAISAL COMMITTEE HELD ON 29/04/2021 VIA VIDEO CONFERENCING OWING TO COVID-19 OUTBREAK AND SUBSEQUENT MITIGATIVE MEASURES**

In pursuance to meeting Notice issued vide No: EAC/JK/20/6867-892 dated: 22.04.2021 the 39<sup>th</sup> meeting of JKEAC was held on 29th of April, 2021 via video Conferencing. The following members attended the meeting on the said dates: -

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

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

The meeting proceeded as per following sequence: -

<b>Agenda Item No: 01</b>	Grant of Terms of Reference in favour of M/S Sanjay Mehta S/O Shri Ram Mehta, R/O H. No- 4/A, Jain Nagar, Talab Tillo, Jammu-180002.
<b>Proposal No:</b>	SIA/JK/MIN/61291/2021.
<b>File No:</b>	SEAC/JK/20/477
<b>Consultant:</b>	<b>COGNIZANCE RESEARCH INDIA PVT LTD</b>
<b>Title of the Case:</b>	Grant of Terms of Reference for RIVER BED Minor mineral Block 5/5, Chenab River Downstream old bridge Akhnoor, District Jammu, Jammu and Kashmir MINING LEASE AREA- 9.99 Ha.

**Deliberations:** The case was represented by Shri Rahul Kumar and Shri Ankur Sharma on behalf of the Consultant COGNIZANCE RESEARCH INDIA PVT LTD., and Shri Zaheer Chaudhary on behalf of the

project proponent. Shri Zaheer Chaudhary was asked to email the authorization letter from the project proponent immediately after the meeting. The consultant gave a detailed PowerPoint presentation on the project and informed the Committee that the LoI was granted by the G&M Dept. on 28/08/2020 and the mining plan was approved by the competent authority on 09/12/2020 at a total cost of the project of 306.56 lacs. The Committee examined the mining block on Google Earth Image of November, 2020 and observed around 80% of the mining block area under active channel of the river Chenab. The Committee expressed its displeasure at the non-application of mind by the concerned in demarcating the mining block in an active water channel which is predominantly under water even during the lean season.

**Recommendation:**

In view of the above deliberations, the Committee unanimously recommended the project for rejection of ToRs in view of major portion of the mining block being under active water channel of river Chenab.

**Agenda Item No: 02**

Grant of Terms of Reference in favour of M/S Kiran Kumar Sharma S/O Sh. Daleep Kumar Sharma, R/O W. No- 05, Jawahar Nagar, Dist. Rajouri, J&K.

**Proposal No:**

SIA/JK/MIN/61238/2021.

**File No:**

SEAC/JK/20/478

**Consultant:**

**COGNIZANCE RESEARCH INDIA PVT LTD**

**Title of the Case:**

Grant of Terms of Reference for RIVER BED MINOR MINERAL BLOCK- 1/2, IN NOWSHERA TAWI RIVER DOWNSTREAM MURADPUR BRIDGE, DISTRICT RAJOURI, JAMMU AND KASHMIR MINING LEASE AREA- 7.89 Ha.

**Deliberations:**

The case was represented by Shri Rahul Kumar and Shri Ankur Sharma on behalf of the Consultant COGNIZANCE RESEARCH INDIA PVT LTD., and Shri Zaheer Chaudhary on behalf of the project proponent. Shri Zaheer Chaudhary was asked to email the authorization letter from the project proponent immediately after the meeting. The consultant gave a detailed PowerPoint presentation on the project and informed the Committee that the LoI was granted by the G&M Dept. on 25/11/2020 and the mining plan was approved by the competent authority on 16/02/2021 at a total project cost of 220.52 lacs. The Committee examined the mining block on multirate Google Earth Images and observed a bridge at a distance of 414mts. upstream from the mining block boundary and a patch of cropland with scattered trees inside the mining block. Therefore, the Committee desired reduction/resizing of the mining block to

exclude the green patch and to maintain safe distance to the bridge. During discussions, the Committee observed that the mining block should be properly demarcated on ground well before the conduct of Public Hearing so that locals are able to know where the mining activity is going to be undertaken. It was further desired that the demarcation should be done by fixing standard sized boundary pillars on the corners below the ground level (at least 2.5 mts. deep below the NSL) to remove any apprehension of their shifting/removal. The committee also observed considerable area under active water channel and desired also its exclusion while calculating targeted mineral production from the mining block. Besides, the Committee also observed features indicative of illegal mining inside the mining block. Same features existed outside the mining block downstream in the vicinity of a stone crusher. Therefore, the Committee desired that the Geology & Mining Department be asked to constitute an interdepartmental committee comprising of officers from Irrigation & Flood Control Department, Geology & Mining Department, Soil Conservation Department, Fisheries Dept and SSP concerned to enquire into the matter in order to fix responsibility for the illegal mining in the designated mineral block and its neighbourhood after recording statements from the local panchayat representatives. In case the PP was involved in the illegal mining, the case shall be treated under violation category. In the meantime, the Committee unanimously recommended grant of ToRs to the project for preparation of EIA/EMP and to undertake Public Hearing through JKPCB, subjectively.

**Recommendations:** In view of the above deliberations, the Committee unanimously recommended as under: -

- i. To include a specific ToR for demarcation of mining block on ground prior to conduct of Public Hearing with quality pillars of standard specifications at least 2.5mts. below NSL.
- i. To include the above specific ToR as well as specific ToR recently recommended w.r.t submission of a detailed **site appreciation note**, retrospectively for the cases where ToRs have already been issued. An addendum to this effect may accordingly be issued by JKEIAA.
- ii. Grant of following ToRs to the instant project for preparation of EIA/EMP and to undertake Public Hearing through JKPCB subject to exclusion of the green patch and active water channel and reduction of mining block size to maintain a safe distance of 500mts. to the bridge and subject to fixing of responsibility for illegal mining by an interdepartmental Committee as deliberated herein above: -

#### **STANDARD TERMS OF REFERENCE**

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

2) A copy of the document in support of the fact that the Proponent is the rightful lessee of the mine should be given.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

a) Executive Summary of the EIA/EMP Report

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

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

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

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

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

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

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

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



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

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

### **SPECIFIC TERMS OF REFERENCE**

1. To submit a detailed **appreciation note** on all areas of interest like bridges if any, active channel, green patches if any besides, environmental setting of its surrounds supported with site photographs of all important features based on field inspection by the consultant.
2. The mining block should be demarcated on ground prior to conduct of Public Hearing with quality pillars of standard specifications at least 2.5mts. below the river bed depth(NSL) and the Public Hearing Report must preferably mention that the local participants have seen the limits of the mining block as demarcated by such boundary pillars.
3. 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.
4. 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.
5. Details of Gradient of riverbed and 3-D view draped on the satellite image
6. Details of excavation schedule & sequential mining plan with a maximum mine depth of 1 mtr.
7. 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.
8. Impact on mining activity on the existing land use in the study area.
9. Impact of mining on aquatic life.
10. NOCs from HoD/competent authority of Irrigation and Flood Control Dept. and Fisheries Dept. should be obtained and submitted while applying for EC.
11. 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.
12. 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
13. 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.
14. The Photography and videography of the mining block shall be part of the Terms of Reference.

15. The maps shall be submitted on a scale of 1: 3000 and 1: 1500 within 10 kms. Radius
16. 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
17. Dust suppression measures should be prescribed in the EIA/EMP.
18. Post project monitoring plan should be included in the study.
19. Occupational health impacts should be assessed and plan for implementation of COVID-19 SOPs in the mining activity should be detailed.
20. 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.
21. 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.
22. 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.
23. Mining shall be proposed manually minimally supported by semi-mechanized methods.
24. The mining plan be approved de novo by the competent authority, after it is technically reviewed by the Irrigation and Flood Control Department and within mining depth of 1mt only due to non-availability of replenishment data and after reducing the size to maintain safe distance of 500mts. to the bridge and after excluding the green patch and active water channel.
25. **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.**

**Agenda Item No: 03** Grant of Terms of Reference in favour of M/S Naseem Raja S/O Shri Abdul Satar Bhat R/O H. No- 80, Thanamandi, Azmat Abad, Rajouri, J&K.

**Proposal No:** SIA/JK/MIN/61180/2021. **File No:** SEAC/JK/20/479

**Consultant:** **COGNIZANCE RESEARCH INDIA PVT LTD**

**Title of the Case:** Grant of Terms of Reference for Minor mineral Block 2/1, Nowshera Tawi River Downstream Muradpur Bridge (Chatyari), District Rajouri, Jammu and Kashmir. MINING LEASE AREA-7.37 Ha.

**Deliberations:**

The case was represented by Shri Rahul Kumar and Shri Ankur Sharma on behalf of the Consultant COGNIZANCE RESEARCH INDIA PVT LTD., and Shri Zaheer Chaudhary on behalf of the project proponent. Shri Zaheer Chaudhary was asked to email the authorization letter from the project proponent immediately after the meeting. The consultant gave a detailed PowerPoint presentation on the project and informed the Committee that the LoI was granted by the G&M Dept. on 06/08/2020 and the mining plan was approved by the competent authority on 16/02/2021 at a total project cost of 178.34 lacs. The Committee examined the mining block on multirate Google Earth Images and observed a bridge at a distance of 269mts. upstream from the mining block boundary and local irrigation canal headway inside the mining block. One of the Members Engineer B.B. Sharma informed the Committee that the local communities in the area have irrigation rights that cannot be ignored and if mining activity is allowed in the mining block it would lower the bed height at the take off point and deprive the local community of irrigation facility. Therefore, the Committee desired reduction/resizing of the mining block to maintain safe distance of 500mts from the bridge besides, seeking prior NOC from the Irrigation & Flood Control Department and the local panchayat representatives w.r.t the irrigation canal headway. The Consultant was asked whether the presence of such an important feature had been mentioned in the approved mining plan to which he replied that the mining plan does not make any mention of the structure. He was also asked if he, as an accredited consultant, had taken cognizance of this important site condition and prescribed necessary mitigative measures in the PFR. But he could not provide any such detail. Therefore, the Committee took a view that the ToRs should not be recommended in this case without prior NOC from the Irrigation & Flood Control Department and local panchayat. Even if NOC is granted by the concerned stake holder department and the local panchayat, the Consultant shall have to include the matter in his Pre-feasibility report and prescribe necessary mitigative measure, if at all technically feasible.

**Recommendation:**

In view of the above deliberations, the Committee recommended that the PP be asked to seek prior NOC from the Irrigation & Flood Control Department and the local panchayat in view of presence of irrigation canal headway inside the mining block. Besides, the mining block be reduced /resized to maintain a safe distance of 500mts from the bridge and targeted mineral production recalculated accordingly, if NOCs granted by stake holders as cited above.

**Agenda Item No: 04**

Grant of Terms of Reference in favour of M/S Jagjeet Bali S/O Shri Om Prakash Bali R/O Ward No. 6, Jawahar Nagar, Rajouri , Jammu and Kashmir.

**Proposal No**

SIA/JK/MIN/61231/2021.

**File No:**  
**Consultant**  
**Title of the Case:**

SEAC/JK/20/480  
**COGNIZANCE RESEARCH INDIA PVT LTD**  
Grant of Terms of Reference for Minor mineral Block 1/5, Nowshera Tawi River Downstream Muradpur Bridge (Kallar), District Rajouri, Jammu and Kashmir. MINING LEASE AREA-9.51 Ha.

**Deliberations:**

The case was represented by Shri Rahul Kumar and Shri Ankur Sharma on behalf of the Consultant COGNIZANCE RESEARCH INDIA PVT LTD., and Shri Zaheer Chaudhary on behalf of the project proponent. Shri Zaheer Chaudhary was asked to email the authorization letter from the project proponent immediately after the meeting. The consultant gave a detailed PowerPoint presentation on the project and informed the Committee that the LoI was granted by the G&M Dept. on 18/08/2020 and the mining plan was approved by the competent authority on 16/02/2021 at a total project cost of 366.53 lacs. The Committee examined the mining block on multirate Google Earth Images and observed a huge green patch with scattered trees inside the mining block necessitating title verification. The Committee accordingly desired reduction/resizing of the mining block to exclude the green patch. The committee also observed some area under active water channel and desired also its exclusion while calculating targeted mineral production from the mining block. Besides, some features on image of Dec., 2020 indicative of illegal mining were observed inside the mining block and same features also existed outside the mining block, downstream. Therefore, the Committee desired that the Geology & Mining Department be asked to constitute an interdepartmental committee comprising of officers from Irrigation & Flood Control Department, Geology & Mining Department, Soil Conservation Department, Fisheries Dept and SSP concerned to file its enquiry report fixing responsibility for the illegal mining in the designated mineral block and its neighbourhood, after recording statements from the local panchayat representatives. In case the PP was involved in the illegal mining, the case shall be treated under violation category. In the meantime, the Committee unanimously recommended grant of ToRs to the project for preparation of EIA/EMP and to undertake Public Hearing through JKPCB, subjectively.

**Recommendations:**

In view of the above deliberations, the Committee unanimously recommended grant of following ToRs to the project for preparation of EIA/EMP and to undertake Public Hearing through JKPCB subject to title verification, exclusion of the green patch and active water channel and subject to fixing of responsibility for illegal mining by an interdepartmental Committee as deliberated herein above: -

**STANDARD TERMS OF REFERENCE**

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

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

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

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

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

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

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

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

19) Proximity to Areas declared as 'Critically Polluted' should also be indicated and where so required, clearance certifications from the prescribed Authorities, such as the SPCB or State

Mining Department should be secured and furnished to the effect that the proposed mining activities could be considered.

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

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

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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.

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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.



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

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

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

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

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

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

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

a) Executive Summary of the EIA/EMP Report

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

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

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

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

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

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

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

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

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

#### **SPECIFIC TERMS OF REFERENCE**

1. To submit a detailed **appreciation note** on all areas of interest like bridges if any, active channel, green patches if any besides, environmental setting of its surrounds supported with site photographs of all important features based on field inspection by the consultant.
2. The mining block should be demarcated on ground prior to conduct of Public Hearing with quality pillars of standard specifications at least 2.5mts. below the river bed depth. and the Public Hearing Report must preferably mention that the local participants have seen the limits of the mining block as demarcated by such boundary pillars.
3. 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.
4. 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.
5. Details of Gradient of riverbed and 3-D view draped on the satellite image
6. Details of excavation schedule & sequential mining plan with a maximum mine depth of 1 mtr.
7. 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.
8. Impact on mining activity on the existing land use in the study area.
9. Impact of mining on aquatic life.
10. NOCs from HoD/competent authority of Irrigation and Flood Control Dept. and Fisheries Dept. should be obtained and submitted while applying for EC.
11. 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.

12. 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
13. 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.
14. The Photography and videography of the mining block shall be part of the Terms of Reference.
15. The maps shall be submitted on a scale of 1: 3000 and 1: 1500 within 10 kms. Radius
16. 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
17. Dust suppression measures should be prescribed in the EIA/EMP.
18. Post project monitoring plan should be included in the study.
19. Occupational health impacts should be assessed and plan for implementation of COVID-19 SOPs in the mining activity should be detailed.
20. 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.
21. 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.
22. 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.
23. Mining shall be proposed manually minimally supported by semi-mechanized methods.
24. The mining plan be approved de novo by the competent authority, after it is technically reviewed by the Irrigation and Flood Control Department and within mining depth of 1mt only due to non-availability of replenishment data and after reducing the size to exclude the green patch and active water channel.
25. **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.**

**Agenda Item No: 05**

**Proposal No:**

**File No:**

**Consultant:**

**Title of the Case:**

Grant of Terms of Reference in favour of M/S Mahavir Mining R/o 01 Lane 3 Sheed Udham Singh Nagar, Pathankot, Punjab.  
[Mahavirmining.ec@rediffmail.com](mailto:Mahavirmining.ec@rediffmail.com)

SIA/JK/MIN/60553/2021

SEAC/JK/20/454

**P and M Solution**

Grant of Terms of Reference for Minor Mineral Block No-26, Suran River Downstream Pamrote Bridge Pamrote Area, District-Poonch, State-Jammu & Kashmir., Area 6.69 Ha.

**Deliberations:**

The project was represented by Shri Md. Rashid Khan, authorized representative of the project proponents. Mr. Rahul Kumar who represented COGNIZANCE RESEARCH INDIA PVT LTD. in the above cited agendas, requested the Committee to allow him to present the case on behalf of P&M Solutions saying that he was also empaneled in that Consultancy and that Shri Manas Vyas was not in a position to give presentation due to health issues. He was asked to email authorization immediately after the conduct of meeting. The Committee allowed him to present the case on behalf of P&M Solutions. He gave a detailed PowerPoint presentation on the project during which he informed the Committee that the LoI was granted by G&M Dept. to the project on 09/09/2020 and the mining plan was approved on 15/12/2020 at a total project cost of 107.59 lacs. Professor Anil Kr. Raina, one of the members asked the consultant that he had, in his earlier presentations relating to projects in vicinity of Arnas village, mentioned that the water requirement would be 7 KLDs. If all the project had similar requirement of water from the same village, how could it be met and therefore, the Consultant was asked to conduct a detailed study under EIA on this aspect. The Committee examined the mining block on the Google Image platform using the KML file emailed by the consultant and it was observed that one suspension bridge exists at a distance of 515mts. The members also pointed out the presence of active water channel and heavy illegal mining inside and outside the mining block.

**Recommendations:**

In view of the above deliberations, the Committee unanimously recommended grant of following ToRs to the project for preparation of EIA/EMP and to undertake Public Hearing through JKPCB subject to exclusion active water channel and subject to fixing of responsibility for illegal mining by an interdepartmental Committee as deliberated herein above: -

**STANDARD TERMS OF REFERENCE**

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

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

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

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

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

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

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

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

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13. 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.
14. The Photography and videography of the mining block shall be part of the Terms of Reference.
15. The maps shall be submitted on a scale of 1: 3000 and 1: 1500 within 10 kms. Radius
16. 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
17. Dust suppression measures should be prescribed in the EIA/EMP.

18. Post project monitoring plan should be included in the study.
19. Occupational health impacts should be assessed and plan for implementation of COVID-19 SOPs in the mining activity should be detailed.
20. 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.
21. 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.
22. 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.
23. Mining shall be proposed manually minimally supported by semi-mechanized methods.
24. The mining plan be approved de novo by the competent authority, after it is technically reviewed by the Irrigation and Flood Control Department and within mining depth of 1mt only due to non-availability of replenishment data and after reducing the size to exclude the active water channel.
25. **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.**

**Agenda Item No: 06** Grant of Terms of Reference in favour of M/S Karanvir Singh S/o Surinder Singh R/o 01 Lane No.03 Shaheed Udham Singh Nagar Pathankot.

**Proposal No:** SIA/JK/MIN/61308/2021.

**File No:** SEAC/JK/20/465

**Consultant:** **P & M Solution**

**Title of the Case:** Grant of Terms of Reference for Riverbed Mining Project of Minor Mineral in Block No.28, Suran River Downstream Dhara Morha Foot Bridge Daraba Area District Poonch, Area: 8.94 Ha.

**Deliberations:** The case was represented by Shri Rahul Kumar on behalf of the Consultant **P & M Solution** and Shri Md. Rashid on behalf of the project proponent. The consultant gave a detailed PowerPoint presentation on the project and informed the Committee that the LoI was granted by the G&M Dept. on 31/07/2020 and the mining plan was approved by the competent authority on 03/02/2021 at a total project cost of 223.04 lacs. The Committee examined the mining block on multirate Google Earth Images and observed one bridge at a distance of 514 mts. and another foot bridge at a distance of 232 mts. from the mining block. Therefore, the Committee desired reduction/resizing of the mining block to maintain a safe distance of 500mts from the footbridge as its abutment falls in the line of flow

of the stream. The committee also observed some area under active water channel and some fringes of the mining block falling on cropland. As such desired their exclusion while calculating targeted mineral production from the mining block. Besides, the Committee also observed features on image of Dec., 2020 indicative of illegal mining inside the mining block. Therefore, the Committee desired that the Geology & Mining Department be asked to constitute an interdepartmental committee comprising of officers from Irrigation & Flood Control Department, Geology & Mining Department, Soil Conservation Department, Fisheries Dept and SSP concerned to file its enquiry report fixing responsibility for the illegal mining in the designated mineral block and its neighbourhood, after recording statements from the local panchayat representatives. In case the PP was involved in the illegal mining, the case shall be treated under violation category. In the meantime, the Committee unanimously recommended grant of ToRs to the project for preparation of EIA/EMP and to undertake Public Hearing through JKPCB, subjectively.

**Recommendations:**

In view of the above deliberations, the Committee unanimously recommended grant of following ToRs to the project for preparation of EIA/EMP and to undertake Public Hearing through JKPCB subject to title verification and exclusion of active water channel and subject to fixing of responsibility for illegal mining by an interdepartmental Committee as deliberated herein above: -

**STANDARD TERMS OF REFERENCE**

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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



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

#### **SPECIFIC TERMS OF REFERENCE**

1. To submit a detailed **appreciation note** on all areas of interest like bridges if any, active channel, green patches if any besides, environmental setting of its surrounds supported with site photographs of all important features based on field inspection by the consultant.
2. The mining block should be demarcated on ground prior to conduct of Public Hearing with quality pillars of standard specifications at least 2.5mts. below the river bed depth.

- and the Public Hearing Report must preferably mention that the local participants have seen the limits of the mining block as demarcated by such boundary pillars.
3. 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.
  4. 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.
  5. Details of Gradient of riverbed and 3-D view draped on the satellite image
  6. Details of excavation schedule & sequential mining plan with a maximum mine depth of 1 mtr.
  7. 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.
  8. Impact on mining activity on the existing land use in the study area.
  9. Impact of mining on aquatic life.
  10. NOCs from HoD/competent authority of Irrigation and Flood Control Dept. and Fisheries Dept. should be obtained and submitted while applying for EC.
  11. 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.
  12. 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
  13. 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.
  14. The Photography and videography of the mining block shall be part of the Terms of Reference.
  15. The maps shall be submitted on a scale of 1: 3000 and 1: 1500 within 10 kms. Radius
  16. 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
  17. Dust suppression measures should be prescribed in the EIA/EMP.
  18. Post project monitoring plan should be included in the study.
  19. Occupational health impacts should be assessed and plan for implementation of COVID-19 SOPs in the mining activity should be detailed.
  20. 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.
  21. 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.
  22. 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.

23. Mining shall be proposed manually minimally supported by semi-mechanized methods.
24. The mining plan be approved de novo by the competent authority, after it is technically reviewed by the Irrigation and Flood Control Department and within mining depth of 1mt only due to non-availability of replenishment data and after reducing the size to maintain a safe distance of 500mts. From the footbridge and after exclusion of active water channel.
25. **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.**

**Agenda Item No: 07** Grant of Environment Clearance in favour of M/S Nishat Minerals R/o H. No: 244 Lane No:2 Adarsh Enclave Trikuta Nagar, Jammu. [autark.bhan@gmail.com](mailto:autark.bhan@gmail.com)

**Proposal No:** SIA/JK/MIN/197891/2021.

**File No:** SEAC/JK/20/515

**Consultant:** **Dr. J. S Jamwal and A K Bhan (RQP)**

**Title of the Case:** Grant of Environment Clearance for MINING PLAN WITH PROGRESSIVE CLOSURE PLAN IN RESPECT OF GYPSUM, DODA, Survey No.43 0/11 Khasra No. 59 Karnoti Assar, Doda Area 4.465 Ha.

**Deliberations:** The project was represented by Shri JS Jamwal, RQP. He was asked as to why he had restricted access to the emailed KML file due to which the Members could not examine the project site in advance. Shri Jamwal assured to resend the KML file. He gave a detailed presentation on the project and informed the Committee that the project is an existing gypsum mine which had earlier been granted Environmental Clearance by the District Level Environment Impact Assessment Authority. He was asked to present and read out the contents of the said Environmental Clearance so that Members could see the date of its validity and production capacity allowed besides other standard and specific conditions. But, the RQP failed to produce the same due to which the case was rejected in the present form for want of additional documents.

**Recommendation:** In view of the above deliberations, the Committee rejected the case in the present form for want of additional document viz. previous Environmental Clearance issued by the District Environment Impact Assessment Authority, compliance report of EC Conditions etc.

**Agenda Item No: 08** Grant of Environment Clearance in favour of M/S Shalimar Minerals (Prop. Shri Rakesh Bhat) Lane No 16, Phase-II, SIDCO Industrial Complex Bari Brahmna Jammu. [shalimarminerals@gmail.com](mailto:shalimarminerals@gmail.com)

**Proposal No:** SIA/JK/MIN/197680/2021.  
**File No:** SEAC/JK/20/516  
**Consultant:** **Dr. J. S Jamwal and A K Bhan (RQP)**  
**Title of the Case:** Grant of Environment Clearance for REVISED MINE PLAN WITH PROGRESSIVE MINE CLOSURE PLAN IN RESPECT OF GYPSUM DEPOSITS, Survey No 43 0/11, Khasra No. 1375, Chadoti Jattar, Assar ,Doda Area 4.30 ha.

**Deliberations:** The project was represented by Shri JS Jamwal, RQP. He was asked as to why he had restricted access to the emailed KML file due to which the Members could not examine the project site in advance. He was allowed to give PowerPoint presentation on the project during which he informed the Committee that the project is an existing gypsum mine of the same nature as the previous one dealt with under agenda item 7 which too had earlier been granted Environmental Clearance by the District Level Environment Impact Assessment Authority. He was again asked to present and read out the contents of the said Environmental Clearance so that Members could see the date of its validity and production capacity allowed besides other standard and specific conditions to proceed further. But, the RQP failed to produce the same due to which the case was rejected in the present form for want of additional documents.

**Recommendation:** In view of the above deliberations, the Committee rejected the case in the present form for want of additional document viz. previous Environmental Clearance issued by the District Environment Impact Assessment Authority, compliance report of EC Conditions etc.

**Lastly, the recommendations of the 38<sup>th</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**

NO:EAC/JK/20/7224-236

Dated:05.05.2021

Copy by email to:

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

2. Sh. S. C. Sharma, Chairman, J&K Expert Appraisal Committee, (JKEAC) 331 Shastri Nagar, Jammu-180004 for favour of kind information.
3. Sh. M.ATak, Member, J&K Expert Appraisal COMMITTEE, (JKEAC) 124 Mominabad (Near Jakfed), Anantnag Kashmir,-192101 for favour of kind information.
4. Sh. Braj Bhushan Sharma, Member, J&K Expert Appraisal COMMITTEE, (JKEAC) 278/2 Channi Himmat, Jammu for favour of kind information.
5. Professor Shakeel Ahmad Romshoo, Member, J&K Expert Appraisal 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.