



**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 18th MEETING OF THE JK EXPERT APPRAISAL COMMITTEE HELD ON 04/11/2020 AND 05/11/2020 VIA VIDEO CONFERENCING OWING TO COVID-19 OUTBREAK AND SUBSEQUENT LOCKDOWN

In pursuance to letter No: JKEIAA/2018/3/III/804 dated: 01.10.2020, No: JKEIAA/2018/03/106/733 dated: 04.09.2020 and No: JKEIAA/2018/03/106/592 dated: 29.07.2020 and subsequent addendum / Corrigendum issued vide No:EAC/JK/20/2824-36 dated:28 /10/2020, the 18th meeting of JKEAC was held on 04/11/2020 and 05/11/2020 via video Conferencing. The meeting proceeded in the following sequence :-

04/11/2020

On 4th of November, 2020, the following attended the session via video conferencing:

1. Mr. S.C. Sharma, IFS(Rtd.)	Chairman
2. Mr. M.A Tak, IFS(Rtd.)	Member
3. Mr. B.B. Sharma	Member
4. Professor Arvind Jasrotia	Member
5. Professor Anil Kr. Raina	Member
6. Mr.A.R.Makroo	Member
7. Mr. Humayun Rashid	Secretary

The Secretary welcomed the Chairman and Members of JKEAC forum and the participating project proponents and the consultants.

Agenda Item No: 1	Grant of Terms of Reference in favour of M/S Sahib Singh S/o Sh. Paras Singh R/o- Ferozpur, Kalan, Tehsil: Pathankot Baheri Bazurag District: Gurdaspur, State: Punjab.
Proposal No:	SIA/JK/MIN/56123/2020
File No:	SEAC/JK/20/305
Title of the Case:	Grant of Terms of Reference for "MINOR MINERAL (RIVER BED MATERIAL)" AT BLOCK NO. 27 WITH THE DESCRIPTION, ARMY CAMP AGHAMA D/STREAM NALLAH RAMBIARA, AREA- 9.43 HA, VILLAGE-

AGHAMA, TALUKA- CHITRAGAM, DISTRICT -
SHOPIAN, STATE- J&K.

Deliberations:

The project was presented by Shri Akhilesh Gupta from M/S Globus Environmental Engineering Consultants, Lucknow and Shri Sahib Singh, Project proponent via video conferencing. The Consultant gave a detailed power point presentation during which he was asked to demonstrate the mining block on the Google Earth platform. The consultant demonstrated the mining block on Google Earth and discussed the various aspects of the project including the extraction route. The Committee asked the consultant to produce NOC from the Irrigation & Flood Control Department while applying for Environmental Clearance. The Committee further desired that the Geology & Mining Department be asked to obtain prior NOCs for mining blocks before putting these to e-auction in future. The Committee recommended the following Terms of Reference in favour of the project for enabling the consultant to formulate the EIA/EMP and to conduct the Public Hearing besides other formalities:-

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 JKEACs.

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 JKEAC 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. Impact of mining activity on adjacent agricultural land with particular reference to runoff, soil erosion and top-soil loss due to change in topography.
2. Details of Gradient of riverbed and 3-D view draped on the satellite image
3. Details of excavation schedule & sequential mining plan with a maximum mine depth of 1 mtr.
4. 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.
5. Impact on mining activity on the existing land use in the study area.
6. Impact of mining on aquatic life.
7. NOCs from HoD/competent authority of Irrigation and Flood Control Dept. and Fisheries Dept. should be obtained and submitted while applying for EC.
8. 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.
9. 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
10. 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.
11. The Photography and videography of the mining block shall be part of the Terms of Reference.
12. The maps shall be submitted on a scale of 1: 3000 and 1: 1500 within 10 kms. Radius
13. 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
14. Dust suppression measures should be prescribed in the EIA/EMP.
15. Post project monitoring plan should be included in the study.
16. Occupational health impacts should be assessed and plan for implementation of COVID-19 SOPs in the mining activity should be detailed.
17. 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.
18. 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.
19. 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.
20. Mining shall be proposed manually minimally supported by semi-mechanized methods.

21. The mining plan be approved de novo by the competent authority, after it is technically reviewed by the Irrigation and Flood Control Department and should be based on the technical feasibility report of I&FC Dept.
22. **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: 2 Grant of Terms of Reference in favour of M/S RANBIR SINGH S/O SHRI GULWANT SINGH R/O SHEIKHPUR BAGH, SBS NAGAR, PUNJAB (144515)

Proposal No: SIA/JK/MIN/54959/2020

File No: SEAC/JK/20/306

Title of the Case: Grant of Terms of Reference for “MINOR MINERAL (River Bed Material)” AT BLOCK NO. 12/D, (AREA- 3.72 Ha), BUNDZOO BRIDGE DOWNSTREAM NALLAH SASARA, VILLAGE- BUNDZOO, TALUKA- BUNDZOO, DISTRICT- PULWAMA, STATE- J&K

Deliberations: The project was presented by Shri Akhilesh Gupta from M/S Globus Environmental Engineering Consultants, Lucknow via video conferencing. The Consultant gave a detailed power point presentation during which he was asked to demonstrate the mining block on the Google Earth platform. The consultant demonstrated the mining block on Google Earth and discussed the various aspects of the project including the replenishment, mining depth and extraction route and boundaries of the block and distance to the bridge. The Committee expressed dismay at the non-availability of replenishment data in the DSR in the face of concerted efforts of J&K Govt. to fast track the process of Environmental Clearance. The Committee asked the consultant to produce NOC from the Irrigation & Flood Control Department while applying for Environmental Clearance. The Committee further observed that the mining block is within 245m from the bridge. Therefore, it was desired that the mining block needs to be relocated/reduced in length to provide minimum 500m distance from the bridge. The Committee further observed that after relocation/reduction in length of the block, there is every possibility that category of mining block may change to B2

category if there is no other mining block forming cluster with it in the downstream. In that case, the PP is free to apply directly for EC under B2 category. However, the Committee desired that subject to formation of cluster even after relocation/reduction in length, the Project proponent must tie up with other project proponents /consultants representing the other mining blocks in the cluster and formulate a comprehensive EIA/EMP for the entire cluster. In that case, the Committee recommended the following Terms of Reference in favour of the project for enabling the consultant to formulate the EIA/EMP and to conduct the Public Hearing besides other formalities: -

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 JKEACs.

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 JKEAC 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 along with 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

23. 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.
24. Details of Gradient of riverbed and 3-D view draped on the satellite image
25. Details of excavation schedule & sequential mining plan with a maximum mine depth of 1 mtr.
26. 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.
27. Impact on mining activity on the existing land use in the study area.
28. Impact of mining on aquatic life.
29. NOCs from HoD/competent authority of Irrigation and Flood Control Dept. and Fisheries Dept. should be obtained and submitted while applying for EC.

30. 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.
31. 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
32. 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.
33. The Photography and videography of the mining block shall be part of the Terms of Reference.
34. The maps shall be submitted on a scale of 1: 3000 and 1: 1500 within 10 kms. Radius
35. 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
36. Dust suppression measures should be prescribed in the EIA/EMP.
37. Post project monitoring plan should be included in the study.
38. Occupational health impacts should be assessed and plan for implementation of COVID-19 SOPs in the mining activity should be detailed.
39. 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.
40. 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.
41. 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.
42. Mining shall be proposed manually minimally supported by semi-mechanized methods.
43. The mining plan be approved de novo by the competent authority, after the mining block is reduced/relocated and technically reviewed by the Irrigation and Flood Control Department and should be based on the technical feasibility report of I&FC Dept.
44. **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: 3 Grant of Terms of Reference in favour of M/S Faroq Ahmad Wani R/Oudipora, Awantipora District Pulwama, J&K.

Proposal No: SIA/JK/MIN/56811/2020

File No: SEAC/JK/20/307

Title of the Case: Grant of Terms of Reference for Minor Mineral Block – 33, House of Ab. Gaffar Bhat Sugun U/Stream Nallah Rambiar, Sugun, Shopian, Area 9.27 Ha.

Deliberations: The project was represented by the project Consultant Mr Hemanshu Goel on behalf of the Consultant M/s OCEAO-ENVIRO Management Solutions (India) Private Limited 217, 1st Floor, Sector 12, Judge Colony, Vasundhara, Ghaziabad, U.P – 201012. When asked as to why the Project Proponent had not logged in, he informed that he was not able to log in due to poor internet connectivity and therefore the JKEAC asked him to be present through mobile phone for any queries. The Consultant gave a detailed PowerPoint presentation on the project. He was asked to overlay the boundary of the mining block on Google image using KML file. The JKEAC observed that the block qualifies for grant of ToRs.

Recommendations: In view of the above deliberations, the JKEAC unanimously recommended grant of following Terms of Reference to the project for enabling the PP to undertake other formalities: -

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 JKEACs.

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

19. 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.
20. Mining shall be proposed manually minimally supported by semi-mechanized methods.
21. The mining plan be approved de novo by the competent authority, after it is technically reviewed by the Irrigation and Flood Control Department and should be based on the technical feasibility report of I&FC Dept.
22. 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.
23. 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: 04 Grant of Terms of Reference in favour of M/S Danish Yousuf S/o Sh. Mohd. Yousuf Mir R/O Doughama, Kakpora District Pulwama, J&K UT – 192301.

Proposal No: SIA/JK/MIN/56959/2020

File No: SEAC/JK/20/308

Title of the Case: Grant of Terms of Reference for River Bed Mining Project is situated at Minor Mineral Block – 15, Army Camp Balapur D/Stream Nallah Rambhara, Village- Balapur, Tehsil- Shopian, District- Shopian, and U.T.- J & K over an area of 4.63 ha.

Deliberations: The project was represented by the project Consultant Mr Hemanshu Goel on behalf of the Consultant M/s OCEAO-ENVIRO Management Solutions (India) Private Limited 217, 1st Floor, Sector 12, Judge Colony, Vasundhara, Ghaziabad, U.P – 201012. When asked as to why the Project Proponent had not logged in, he informed that he was not able to log in due to poor internet connectivity and therefore the JKEAC asked him to be present through mobile phone for any queries. The Consultant gave a detailed PowerPoint presentation on the project. He was asked to overlay the boundary of the mining block on Google image using KML file. The consultant informed the Committee that the mining block though less than 5 ha, forms a cluster with mining block 16 and therefore, change in membership of category to B1. The Committee desired that the Consultant must join hands with other consultants

/Project proponents of the cluster blocks and prepare a joint and comprehensive EIA/EMP /PFR for the entire cluster in accordance with standing guidelines from the MoEF&CC.

Recommendations: In view of the above deliberations, the JKEAC unanimously recommended grant of following Terms of Reference to the project for enabling the PP to undertake other formalities:-

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 JKEACs.

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

9. 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
10. 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.
11. The Photography and videography of the mining block shall be part of the Terms of Reference.
12. The maps shall be submitted on a scale of 1: 3000 and 1: 1500 within 10 kms. Radius
13. 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
14. Dust suppression measures should be prescribed in the EIA/EMP.
15. Post project monitoring plan should be included in the study.
16. Occupational health impacts should be assessed and plan for implementation of COVID-19 SOPs in the mining activity should be detailed.
17. 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.
18. 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.
19. 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.
20. Mining shall be proposed manually minimally supported by semi-mechanized methods.
21. The mining plan be approved de novo by the competent authority, after it is technically reviewed by the Irrigation and Flood Control Département and should be based on the technical feasibility report of I&FC Dept.
22. 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.
23. 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: 05 Grant of Terms of Reference in favour of M/S Khurshid Ahmad Mir S/o Sh. Gh. Mohammad Mir Address Dahoogam District - Pulwama, J&K UT – 192301.

Proposal No: SIA/JK/MIN/56774/2020
File No: SEAC/JK/20/309
Title of the Case: Grant of Terms of Reference for River Bed Mining Project is situated at Minor Mineral Block – 03, C- Lassipora Sidco Bridge D/Stream Nallah Rambiar, Village-Lassipora, Tehsil- Litter, District- Pulwama, and U.T.- J & K over an area of 4.37 ha.

Deliberations: The project was represented by the project Consultant Mr Hemanshu Goel on behalf of the Consultant M/s OCEAO-ENVIRO Management Solutions (India) Private Limited 217, 1st Floor, Sector 12, Judge Colony, Vasundhara, Ghaziabad, U.P – 201012. When asked as to why the Project Proponent had not logged in, he informed that he was not able to log in due to poor internet connectivity and therefore the JKEAC asked him to be present through mobile phone for any queries. The Consultant gave a detailed PowerPoint presentation on the project. He was asked to overlay the boundary of the mining block on Google image using KML file. The consultant informed the Committee that the mining block though less than 5 ha, forms a cluster with mining block 2 and 4 and therefore, change in membership of category to B1. The Committee desired that the Consultant must join hands with other consultants /Project proponents of the cluster blocks in the area and prepare a joint and comprehensive EIA/EMP/ PFR for the entire cluster in accordance with standing guidelines from the MoEF&CC.

The Committee observed that PP holding individual mining blocks in a cluster situation are independently hiring separate consultants. Keeping the requirement of joint EIA/EMP/PFR for the single cluster in view, the same can be done by one consultant alone which can reduce the efforts, time as well as financial burden on the part of project proponents of the cluster. Therefore, the Committee desired that the Geology & Mining Department may take note of it and publicise all clusters of mining blocks and advise project proponents to join hands to hire single NABET accredited consultant for preparation of EIA/EMP/PFR for the cluster.

Recommendations: In view of the above deliberations, the JKEAC unanimously recommended grant of following Terms of Reference to the cluster project for enabling the PPs to undertake other formalities:-

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 JKEACs.

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 mitigation 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 JKEAC of National Board of Wildlife and copy furnished.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

a) Executive Summary of the EIA/EMP Report

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

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

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

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

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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.

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2. Details of Gradient of riverbed and 3-D view draped on the satellite image
3. Details of excavation schedule & sequential mining plan with a maximum mine depth of 1 mtr.
4. 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.
5. Impact on mining activity on the existing land use in the study area.
6. Impact of mining on aquatic life.
7. NOCs from HoD/competent authority of Irrigation and Flood Control Dept. and Fisheries Dept. should be obtained and submitted while applying for EC.
8. 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.
9. 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
10. 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.

11. The Photography and videography of the mining block shall be part of the Terms of Reference.
12. The maps shall be submitted on a scale of 1: 3000 and 1: 1500 within 10 kms. Radius
13. 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
14. Dust suppression measures should be prescribed in the EIA/EMP.
15. Post project monitoring plan should be included in the study.
16. Occupational health impacts should be assessed and plan for implementation of COVID-19 SOPs in the mining activity should be detailed.
17. 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.
18. 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.
19. 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.
20. Mining shall be proposed manually minimally supported by semi-mechanized methods.
21. The mining plan be approved de novo by the competent authority, after it is technically reviewed by the Irrigation and Flood Control Department and should be based on the technical feasibility report of I&FC Dept. after evaluating commulative impact of the cluster.
22. 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.
23. 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.**

05/11/2020

On 5th of November, 2020, the following attended the session via video conferencing:

- | | |
|-------------------------------|----------|
| 1. Mr. S.C. Sharma, IFS(Rtd.) | Chairman |
| 2. Mr. M.A Tak, IFS(Rtd.) | Member |
| 3. Mr. B.B. Sharma | Member |
| 4. Professor GM Dar | Member |
| 5. Professor Anil Kr. Raina | Member |

6. Professor Arvind Jasrotia
7. Mr. Humayun Rashid

Member
Secretary

Agenda Item Nos: 06, 07, 08 and 09

Proposal Nos: SIA/JK/MIN/56698/2019, SIA/JK/MIN/56634/2019,
SIA/JK/MIN/56635/2019 and SIA/JK/MIN/56651/2019

Title of the Cases: Grant of Environment Clearance for RIVERBED MATERIAL FROM DOWNSTREAM OLD CHENAB BRIDGE,, AKHNOOR AT BLOCK NO..5/6 Area 9.90 Ha. in favour of M/S Surjeet Kumar S/o Shri Ishar Dass R/o Kali Deh, Banpuri, Bhajwal, Rajouri Jammu & Kashmir,

Grant of Environment Clearance for “MINOR MINERAL (River Bed Material)” at Block No. 28 (5/3), Chenab River Downstream Old Bridge, Akhnoor, Malpur, Bhalwal, Jammu, Area: 9.94 Ha. in favour of M/S Vipin Kumar S/o Shri Sat Pal Mehta R/o Dhangri, Rajouri Jammu & Kashmir,

Grant of Environment Clearance for “MINOR MINERAL (River Bed Material)” at Block No. 29(5/4), Chenab River Downstream Old Chenab Bridge, Akhnoor, Malpur, Bhalwal, Jammu , Area: 9.32 Ha. in favour of M/S Rameshwar Singh S/o Shri Glan Singh R/o H.No.03, Lane No.1, Sharika Vihar, Talab Tillo Jammu,

and

Grant of Environment Clearance for “MINOR MINERAL (River Bed Material)” at Block No- 27(5/2), Chenab River Downstream Old Bridge Akhnoor, Malpur, Bhalwal, Jammu , Area: 9.16 Ha. in favour of M/S Zaheer Choudhary S/o Shri Gulam Mohd. R/o Lane No.3, Madina Hills, Near Boys Madarasa, Bathindi, Jammu.

Deliberations: The cluster of projects with total cluster size of 38.32 ha was presented by Shri Manas Vyas from M/S P&M Solutions, 1st Floor C-88, Sector-65 Noida. The consultant put a detailed Power Point presentation on the project during which he was asked to demonstrate the cluster of mining blocks on Google Earth using the KML file. It was observed that major portion of one of the blocks viz. Block No.5/6 falls in the running waters of the river and owing to in-stream mining, qualifies for rejection in the light of national guidelines. It was further observed that the Consultant has Block No.5/4 in the PFR instead of Block 5/6. The Secretary pointed out that the Block No. mentioned in the Public Hearing is 31 while as the letter of intent mentions it as Block No.5/6. The consultant clarified that the Block 31 is in fact also named as the Block 5/6 and it is the same mining block. The Members observed that the river Chenab bifurcates to yield a delta type parcel of land in which the cluster of mining blocks have been identified and e-auctioned in its southern limits. The Committee expressed apprehensions that the mining activity may change the river course from the major axis in the north of the parcel to the southern side due to deepening of the river bed, it may result in flood hazard and threaten the villages in the south. Therefore, it was suggested that mining activity be undertaken only after thorough technical assessment by the Flood Control Department. Accordingly, the Committee agreed to recommend

the mining blocks 5/2, 5/3 and 5/4 only after PPs obtains NOC from the Chief Engineer, Flood Control Department. Shri Zaheer Chaudhary who was representing other project proponents also, requested the committee not to refer the cases to the JKEIAA but to defer the cases so that the project proponents obtain the NOC from the Chief Engineer, Flood Control Department immediately and submit same to JKEAC for consideration in the next JKEAC meeting scheduled on 17th of November. This was agreed to by the Chairman, who advised the Secretary to list the case again on 17th of November, 2020 for further deliberations, in the event the desired NOC is received well in time, as assured by the Project Proponent. The project Proponent shall also quantify the mine material as per the block design modifications, if any and recommendations thereof by the I & FC Department. Keeping the existing structures of I & FC Department in the vicinity in view, the transportation route may also be affixed and the map of same be produced before the JKEAC accordingly.

Recommendation: In view of the above deliberations, the Committee recommended rejection of EC in favour of mining block No. 5/6. However, the Committee deferred the deliberations of Block 5/2,5/3 and 5/4 till the project proponent obtains NOC / approvals from the Chief Engineer, Flood Control Department or till next meeting of JKEAC, whichever is earlier.

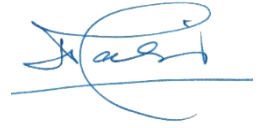
Agenda Item No: 10 Grant of Environment Clearance in favour of Mr Ubaid Hussain Lala R/O Tawheed Abad-II, Nowhsera, Srinagar J&K-190001 for M/S Mehboob Cement Industries (Pvt.) Ltd.

Proposal No: SIA/JK/IND/57808/2012 & SIA/JK/IND/18687/2012

Title of the Case: Grant of Environment Clearance for Environmental Clearance for Proposed Mehboob Cement Industries (Pvt.) Ltd. A Cement Manufacturing Unit of Capacity 600 TPD at Village – Wuyan Bala, Tehsil - Pampore, District - Pulwama.

Deliberations: The Secretary shared the applications from the project proponent with the members in which he had informed the Member Secretary, JKEIAA that the case relating to grant of EC in favour of the Cement plant had been recommended by the JKEAC for grant of EC. However, subsequently, the EC was kept on hold by JKEIAA in compliance to OM dated 8th of August, 2019 issued by the MoEF&CC. He had further informed the JKEIAA that, on the other hand, the Ministry of Environment & Forest have granted EC in identical cases. He has quoted and appended the EC granted by MoEF&CC in favour of Mr. Ovaice Ishaq Zaroo, Partner, Kashmir Cements which is situated at a distance of 3.7 kms from the Dachigam National Park, without asking for prior clearance from the National Board for Wildlife. The Secretary further informed that the project proponent has asked for a similar treatment with him. The Committee deliberated upon the matter threadbare and found that the OM dated 8th of August 2019 had not been invoked while granting EC in favour of M/S Kashmir Cements but recourse has been taken to OM No.22-34/2018-III dated 09/08/2018 relating to Standard Environmental conditions for granting EC under various sectors. The representative of the project proponent requested for similar treatment to be granted and if required, clarification may be sought from the Ministry of Environment, Forest & Climate Change, GoI, New Delhi.

Recommendation: The JKEAC desired that the entire matter be brought to the notice of MoEF&CC in a chronological manner and further insight be obtained to proceed further in the matter.



SECRETARY
JK-Expert Appraisal JKEAC

No: EAC/JK/20/3010-26

Dated: 11/11/2020

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 JKEAC, (JKEAC) 331 Shastri Nagar, Jammu-180004 for favour of kind information.
3. Sh. M.ATak, Member, J&K Expert Appraisal JKEAC, (JKEAC) 124 Mominabad (Near Jakfed), Anantnag Kashmir,-192101 for favour of kind information.
4. Sh. Braj Bhushan Sharma, Member, J&K Expert Appraisal JKEAC, (JKEAC) 278/2 ChanniHimmat, Jammu for favour of kind information.
5. Professor Shakeel Ahmad Romshoo, Member, J&K Expert Appraisal JKEAC, (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 JKEAC, (JKEAC) H/No. 9 Lane No 11 Sector C, Gulshan Nagar Nowgam Bypass, Srinagar-190019 for favour of kind information please.
7. Professor ArvindJasrotia Member, J&K Expert Appraisal JKEAC, (JKEAC) 33/D Sainik Colony Jammu-180011 for favour of kind information please.
8. Dr. Ghulam Mohammad Dar, Member, J&K Expert Appraisal JKEAC, (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 JKEAC, (JKEAC) Bagh-e-Hyderpora, Bypass, Srinagar for favour of kind information please.
10. Professor Anil Kumar Raina, Member, J&K Expert Appraisal JKEAC, (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 JKEAC, (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 JKEAC, (JKEAC) Professor Department of Economics University of Jammu, Jammu for favour of kind information please.
13. Sh. Sheikh Sajid, PA for information and with direction to upload the minutes on the environmental clearance portal at parivesh.nic.in.
14. Concerned File.