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Ministry of Environment, Forest & Climate Change, Govt. of India.
J&K EXPERT APPRAISAL 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)
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MINUTES OF MEETING

MINUTES OF 16th MEETING OF THE JK EXPERT APPRAISAL JKEAC HELD ON 05/10/2020 TO 07/10/2020 VIA VIDEO CONFERENCING OWING TO COVID-19 OUTBREAK AND SUBSEQUENT LOCKDOWN

In pursuance to letter No: JKEIAA/2016/3/111/776 Dated: 21.09.2020 and letter No: JKEIAA/2016/03/111/777 dated: 22.09.2020, the 16th meeting of JKEAC was scheduled from 03/10/2020 TO 07/10/2020 via video Conferencing. However, due to insufficient quorum on 3rd of October, 2020, the meeting on 3rd October, 2020 was postponed vide notice issued under No: EAC/JK/20/ 2173-98 dated: 03/10/2020 and the cases listed for 03/10/2020 were distributed and listed from 05/10/2020 to 07/10/2020 as per convenience of the project Consultants/PPs.

05/10/2020

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

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| 1. Mr. S.C. Sharma, IFS(Rtd.) | Chairman |
| 2. Mr. M.A Tak, IFS(Rtd.) | Member |
| 3. Mr. B.B. Sharma | Member |
| 4. Mr. Irfan Yasin | Member |
| 5. Professor GM Dar | Member |
| 6. Professor Anil Kr. Raina | Member |
| 7. Prof. M.A Khan | Member |
| 8. Prof. Arvind Jasrotia | Member |
| 9. HL Langeh, DD, | representative of G&M Dept. |
| 10. Mr. Humayun Rashid | Secretary |

The Secretary welcomed the participants and the proceedings were conducted in following sequence:-

Agenda Item No: 09 Grant of Environment Clearance in favour of M/S Sanchit Gautam S/o Sh. Ravi Gautam R/o Nagrota Near Toll Post Jammu Jammu, J & K .

Proposal No: SIA/JK/MIN/56836/2019

File No: SEAC/JK/20/279

Title of the Case: Grant of Environment Clearance for MINOR MINERAL (River Bed Material) Project at Block No. 5/9, (Area-

9.52 ha.), Khatharwalli Khad Downstream Manoh Khathar Bridge, Village- Khathar, Tehsil- Akhnoor, District- Jammu, J&K.

Deliberations:

The case was represented by Mr. Brinder Singh Chaudhary on behalf of the Project Proponent Sanchit Gautam S/o Sh. Ravi Gautam R/o Nagrota. the Consultant was represented by Anjali Chachane on behalf of M/s. Overseas Min-Tech Consultants- 501, 5th Floor, Apex Tower, Tonk Road, Jaipur, Rajasthan. The Consultant gave a detailed PowerPoint presentation on the project and informed the JKEAC that the project is under consideration of the JKEIAA in pursuance to Govt. order No. 76-JK(FST) of 2020 dated 29/07/2020 subsequently endorsed by the JKEIAA in its Minutes of Meeting issued vide No.JKEIAA/2016/02/II/631-633 dated 08/08/2020. The Consultant gave a detailed presentation on the project during which she was asked to demonstrate the mining block on Google Earth using the KML file. The discussions continued around mining depth, targeted mineral production, concerns of locals in the light of public hearing report, extraction route, surface plan, CSR and compliance of Terms of reference. When asked about the commitments made by previous PP during public hearing, the representative of the Project Proponent assured that all commitments made during the Public Hearing shall be fulfilled. The JKEAC expressed its dismay at the non-compliance of specific Terms of Reference with respect to mining depth as the Consultant had mentioned 3 m depth in the EIA/EMP/PFR against 0.50 m mining depth mentioned in the approved mining plan. Besides, the Consultant had misrepresented the land-use pattern of the study area with 10kms radius as the same table has been copy pasted in almost all the EIA reports. it was observed that Consultant had not added up the cost on account of e-auction proceeds paid to the Geology & Mining Department as the highest bid which, the JKEAC observed, had implications on calculation of the budget for EMP, CER and CSR. The JKEAC observed that during Public Hearing, the locals have expressed their concerns on illegal mining and have demanded livelihood from the activity. They have also demanded that the mining blocks be properly demarcated with complete information.

The JKEAC desired that the mistakes pointed out during discussions be rectified and pertinent documents be revised immediately. The representative of Project Proponent assured that he would submit the revised version of the documents within a few days and requested the JKEAC to consider the case for grant of EC, conditionally. The JKEAC agreed and asked the Project Proponent to submit video graphic evidence of public hearing and corrected version of EIA/EMP/PFR in soft copy and hard copy in duplicate in the JKEIAA office Jammu within a weeks' time before grant of formal EC.

Recommendations: In view of paucity of river bed material in the UT and consistent efforts of Govt. to fast track the process of grant of EC, subject to prior submission of video graphic evidence and corrected version of the documents in hard and soft form in the office of JKEIAA, the JKEAC recommended the case for grant of Environmental Clearance subject to following

standard and specific conditions, clearly mentioning the geographical coordinates in the EC as per Letter of intent:-

STANDARD CONDITIONS:-

1) Statutory compliance

- a) This Environmental Clearance (EC) is subject to orders/ judgment of Hon'ble Supreme Court of India, Hon'ble High Court of J&K, Hon'ble NGT and any other Court of competent jurisdiction, **as may be applicable.**
- b) The Project Proponent complies with all the statutory requirements and judgement of Hon'ble Supreme Court dated 2nd August,2017 in Writ Petition (Civil) No. 114 of 2014 in matter of Common Cause versus Union of India &Ors before commencing the mining operations.
- c) The UT Government of J&K shall ensure that mining operation shall not be commenced till the entire compensation levied, if any, for illegal mining paid by the Project Proponent through their respective Department of Mining & Geology in strict compliance of Judgement of Hon'ble Supreme Court dated 2nd August, 2017 in Writ Petition (Civil) No. 114 of 2014 in matter of Common Cause versus Union of India &Ors.
- d) This Environmental Clearance shall become operational only after receiving formal NBWL Clearance from MoEF&CC subsequent to the recommendations of the Standing JKEAC of National Board for Wildlife, **if applicable to the Project.**
- e) This Environmental Clearance shall become operational only after receiving formal Forest Clearance (FC) under the provision of Forest Conservation Act, 1980, **if applicable to the Project.**
- f) Project Proponent (PP) shall obtain Consent to Operate after grant of EC and effectively implement all the conditions stipulated therein. The mining activity shall not commence prior to obtaining Consent to Establish / Consent to Operate from the concerned State Pollution Control Board/JKEAC.
- g) The PP shall adhere to the provision of the Mines Act, 1952, Mines and Mineral (Development & Regulation), Act, 2015 and rules & regulations made there under. PP shall adhere to various circulars issued by Directorate General Mines Safety (DGMS) and Indian Bureau of Mines from time to time.
- h) The Project Proponent shall obtain consents from all the concerned land owners, before start of mining operations, as per the provisions of MMDR Act, 1957 and rules made there under in respect of lands which are not owned by it.
- i) The Project Proponent shall follow the mitigation measures provided in MoEFCC's Office Memorandum No. Z-11013/57/2014-IAJI (M), dated 29th October, 2014, titled "Impact of mining activities on Habitations-Issues related to the mining Projects wherein Habitations and villages are the part of mine lease areas or Habitations and villages are surrounded by the mine lease area".
- j) The Project Proponent shall obtain necessary prior permission of the competent authorities for drawl of requisite quantity of surface water and from CGWA for withdrawal of ground water for the project.
- k) A copy of EC letter will be marked to concerned Panchayat / local NGO etc. if any, from whom suggestion / representation has been received while processing the proposal.

- l) State Pollution Control Board/JKEAC shall be responsible for display of this EC letter at its Regional office, District Industries Centre and Collector's office/ Tehsildar's Office for 30 days.
- m) The Project Authorities should widely advertise about the grant of this EC letter by printing the same in at least two local newspapers, one of which shall be in vernacular language of the concerned area.
- n) The advertisement shall be done within 7 days of the issue of the clearance letter mentioning that the instant project has been accorded EC and copy of the EC letter is available with the State Pollution Control Board/JKEAC and web site of the Ministry of Environment, Forest and Climate Change (www.environmentclearance.nic.in). A copy of the advertisement may be forwarded to the concerned MoEFCC Regional Office for compliance and record.
- o) The Project Proponent shall inform the MoEF&CC for any change in ownership of the mining lease. In case there is any change in ownership or mining lease is transferred than mining operation shall only be carried out after transfer of EC as per provisions of the para 11 of EIA Notification, 2006 as amended from time to time.

2) Air quality monitoring and preservation

- a) The Project Proponent shall install a minimum of 3 (three) online Ambient Air Quality Monitoring Stations with 1 (one) in upwind and 2 (two) in downwind direction based on long term climatological data about wind direction such that an angle of 120° is made between the monitoring locations to monitor critical parameters, relevant for mining operations, of air pollution viz. PM10, PM 2.5, NO₂; CO and SO₂ etc. as per the methodology mentioned in NAAQS Notification No. B-29016/20/90/PC/I, dated 18.11.2009 covering the aspects of transportation and use of heavy machinery in the impact zone. The ambient air quality shall also be monitored at prominent places like office building, canteen etc. as per the site condition to ascertain the exposure characteristics at specific places. The above data shall be digitally displayed within 03 months in front of the main Gate of the mine site.
- b) Effective safeguard measures for prevention of dust generation and subsequent suppression (like regular water sprinkling, metalled road construction etc.) shall be carried out in areas prone to air pollution wherein high levels of PM10 and PM2.5 are evident such as haul road, loading and unloading point and transfer points. The Fugitive dust emissions from all sources shall be regularly controlled by installation of required equipment's/ machineries and preventive maintenance: Use of suitable water-soluble chemical dust suppressing agents may be explored for better effectiveness of dust control system. It shall be ensured that air pollution level conform to the standards prescribed by the MoEFCC/ Central Pollution Control Board.

3) Water quality monitoring and preservation

- a) In case, immediate mining scheme envisages intersection of ground water table, then Environmental Clearance shall become operational only after receiving formal clearance from CGWA. In case, mining operation involves intersection of ground water table at a later stage, then PP shall ensure that prior approval from CGWA and MoEFCC is in place before such mining operations. The permission for intersection of ground water table shall essentially be based on detailed hydro-geological study of the area.

- b) Regular monitoring of the flow rate of the springs and perennial nallahs flowing in and around the mine lease shall be carried out and records maintain. The natural water bodies and or streams which are flowing in an around the village, should not be disturbed. The Water Table should be nurtured so as not to go down below the pre-mining period. In case of any water scarcity in the area, the Project Proponent has to provide water to the villagers for their use. A provision for regular monitoring of water table in open dug wall located in village should be incorporated to ascertain the impact of mining over ground water table. The Report on changes in Ground water level and quality shall be submitted on six-monthly basis to the Regional Office of the Ministry, CGWA and State Groundwater Department / State Pollution Control Board.
- c) Project Proponent shall regularly monitor and maintain records w.r.t. ground water level and quality in and around the mine lease by establishing a network of existing wells as well as new piezo-meter installations during the mining operation in consultation with Central Ground Water Authority/ State Ground Water Department. The Report on changes in Ground water level and quality shall be submitted on six-monthly basis to the Regional Office of the Ministry, CGWA and State Groundwater Department / State Pollution Control Board.
- d) The Project Proponent shall undertake regular monitoring of natural water course/ water resources/ springs and perennial nallahs existing/ flowing in and around the mine lease and maintain its records. The Project Proponent shall undertake regular monitoring of water quality upstream and downstream of water bodies passing within and nearby/ adjacent to the mine lease and maintain its records. Sufficient number of gullies shall be provided at appropriate places within the lease for management of water. PP shall carryout regular monitoring w.r.t. pH and included the same in monitoring plan. The parameters to be monitored shall include their water quality vis-à-vis suitability for usage as per CPCB criteria and flow rate. It shall be ensured that no obstruction and/ or alteration be made to water bodies during mining operations without justification and prior approval of MoEFCC. The monitoring of water courses/ bodies existing in lease area shall be carried out four times in a year viz. pre- monsoon (April-May), monsoon (August), post-monsoon (November) and winter (January) and the record of monitored data may be sent regularly to Ministry of Environment, Forest and Climate Change and its Regional Office, Central Ground Water Authority and Regional Director, Central Ground Water Board, State Pollution Control Board and Central Pollution Control Board. Clearly showing the trend analysis on six-monthly basis.
- e) Quality of polluted water generated from mining operations which include Chemical Oxygen Demand (COD) in mines run-off; acid mine drainage and metal contamination in runoff shall be monitored along with Total Suspended Solids (TDS), Dissolved Oxygen (DO), pH and Total Suspended Solids (TSS). The monitored data shall be uploaded on the website of the company as well as displayed at the project site in public domain, on a display board, at a suitable location near the main gate of the Company. The circular No. J- 20012/1/2006-IAJI (M) dated 27.05.2009 issued by Ministry of Environment, Forest and Climate Change may also be referred in this regard.
- f) Project Proponent shall plan, develop and implement rainwater harvesting measures on long term basis to augment ground water resources in the area consultation with Central Ground Water Board/ State Groundwater Department. A report on amount of water recharged needs to be submitted to Regional Office MoEFCC annually.

- g) Industrial waste water (workshop and waste water from the mine) should be properly collected and treated so as to conform to the notified standards prescribed from time to time. The standards shall be prescribed through Consent to Operate (CTO) issued by concerned State Pollution Control Board (SPCB). The workshop effluent shall be treated after its initial passage through Oil and grease trap.
- h) The water balance/water auditing shall be carried out and measure for reducing the consumption of water shall be taken up and reported to the Regional Office of the MoEF&CC and State Pollution Control Board/JKEAC.

4) Noise and vibration monitoring and prevention

- a) The peak particle velocity at 500m distance or within the nearest habitation, whichever is closer shall be monitored periodically as per applicable DGMS guidelines.
- b) The illumination and sound at night at project sites disturb the villages in respect of both human and animal population. Consequent sleeping disorders and stress may affect the health in the villages located close to mining operations. Habitations have a right for darkness and minimal noise levels at night. PPs must ensure that the biological clock of the villages is not disturbed; by orienting the floodlights/ masks away from the villagers and keeping the noise levels well within the prescribed limits for day /night hours.
- c) The Project Proponent shall take measures for control of noise levels below 85 dBA in the work environment. The workers engaged in operations of HEMM, etc. should be provided with ear plugs /muffs. All personnel including laborers working in dusty areas shall be provided with protective respiratory devices along with adequate training, awareness and information on safety and health aspects. The PP shall be held responsible in case it has been found that workers/ personals/ laborers are working without personal protective equipment.

5) Mining plan

- a) The Project Proponent shall adhere to the working parameters of mining plan which was submitted at the time of EC appraisal specified to a maximum depth of 0.5 metres, wherein year-wise plan for a maximum of total excavation to 86100 m tons quantum of mineral and waste, over burden, inter burden and top soil etc has been mentioned. No change in basic mining proposal like mining technology, total excavation, mineral & waste production, lease area and scope of working (viz. method of mining, overburden & dump management , O.B & dump mining, mineral transportation mode, ultimate depth of mining etc.) shall not be carried out without prior approval of the Ministry of Environment, Forest and Climate Change, which entail adverse environmental impacts, even if it is a part of approved mining plan modified after grant of EC or granted by State Govt. in the form to Short Term Pennit (STP), Query license or any other name.
- b) The Project Proponent shall get the Final Mine Closure Plan along with Financial Assurance approved from Indian Bureau of Mines/Department of Mining & Geology as required under the Provision of the MMDR Act, 1957 and Rules/ Guidelines made there under. A copy of approved final mine closure plan shall be submitted within 2 months of the approval of the same from the competent authority to the concerned Regional Office of the Ministry of Environment, Forest and Climate Change for record and verification.
- c) The land-use of the mine lease area at various stages of mining scheme as well as at the end-of-life shall be governed as per the approved Mining Plan. The excavation vis-à-vis

backfilling in the mine lease area and corresponding afforestation to be raised in the reclaimed area shall be governed as per approved mining plan. PP shall ensure the monitoring and management of rehabilitated areas until the vegetation becomes self-sustaining. The compliance status shall be submitted half-yearly to the MoEFCC and its concerned Regional Office.

6) Land reclamation

- a) The Overburden (O.B.) generated during the mining operations shall be stacked at earmarked OB dump site(s) only and it should not be kept active for a long period of time. The physical parameters of the OB dumps like height, width and angle of slope shall be governed as per the approved Mining Plan as per the guidelines/circulars issued by D.G.M.S w.r.t. safety in mining operations shall be strictly adhered to maintain the stability of top soil/OB dumps. The topsoil shall be used for land reclamation and plantation.
- b) The reject/waste generated during the mining operations shall be stacked at earmarked waste dump site(s) only. The physical parameters of the waste dumps like height, width and angle of slope shall be governed as per the approved Mining Plan as per the guidelines/circulars issued by DGMS w.r.t. safety in mining operations shall be strictly adhered to maintain the stability of waste dumps.
- c) The reclamation of waste dump sites shall be done in scientific manner as per the Approved Mining Plan cum Progressive Mine Closure Plan. iv. The slope of dumps shall be vegetated in scientific manner with suitable native species to maintain the slope stability, prevent erosion and surface run off. The selection of local species regulates local climatic parameters and help in adaptation of plant species to the microclimate. The gullies formed on slopes should be adequately taken care of as it impacts the overall stability of dumps. The dump mass should be consolidated with the help of dozer/ compactors thereby ensuring proper filling/ levelling of dump mass. In critical areas, use of geo textiles/ geo-membranes / clay liners / Bentonite etc. shall be undertaken for stabilization of the dump.
- d) The Project Proponent shall carry out slope stability study in case the dump height is more than 30 meters. The slope stability report shall be submitted to concerned regional office of MoEF&CC.
- e) Catch drains, settling tanks and ponds of appropriate size shall be constructed around the mine working, mineral yards and Top Soil/OB/Waste dumps to prevent run off of water and flow of sediments directly into the water bodies (Nallah/ River/ Pond etc.). The collected water should be utilized for watering the mine area, roads, green belt development, plantation etc. The drains/ sedimentation sumps etc. shall be de-silted regularly, particularly after monsoon season, and maintain properly.
- f) Check dams of appropriate size, gradient and length shall be constructed around mine pit and OB dumps to prevent storm run-off and sediment flow into adjoining water bodies. A safety margin of 50% shall be kept for designing of sump structures over and above peak rainfall (based on 50 years data) and maximum discharge in the mine and its adjoining area which shall also help in providing adequate retention time period thereby allowing proper settling of sediments/ silt material. The sedimentation pits/ sumps shall be constructed at the corners of the garland drains,

- g) The top soil, if any, shall temporarily be stored at earmarked site(s) within the mine lease only and should not be kept unutilized for long. The physical parameters of the top soil dumps like height, width and angle of slope shall be governed as per the approved Mining Plan and as per the guidelines framed by DGMS w.r.t. safety in mining operations shall be strictly adhered to maintain the stability of dumps. The topsoil shall be used for land reclamation and plantation purpose.

7) Transportation

- a) No Transportation of the minerals shall be allowed in case of roads passing through villages/ habitations. *(In such cases, PP shall construct a 'bypass' road for the purpose of transportation of the minerals leaving an adequate gap (say at least 200 meters) so that the adverse impact of sound and dust along with chances of accidents could be mitigated.)* All costs resulting from widening and strengthening of existing public road network shall be borne by the PP in consultation with nodal State Govt. Department. Transportation of minerals through road movement in case of existing village/ rural roads shall be allowed in consultation with nodal State Govt. Department only after required strengthening such that the carrying capacity of roads is increased to handle the traffic load. The pollution due to transportation load on the environment will be effectively controlled and water sprinkling will also be done regularly. Vehicular emissions shall be kept under control and regularly monitored. Project should obtain Pollution Under Control (PUC) certificate for all the vehicles from authorized pollution testing centers.
- b) The Main haulage road within the mine lease should be provided with a permanent water sprinkling arrangement for dust suppression. Other roads within the mine lease should be wetted regularly with tanker-mounted water sprinkling system. The other areas of dust generation like crushing zone, material transfer points, material yards etc. should invariably be provided with dust suppression arrangements. The air pollution control equipments like bag filters, vacuum suction hoods, dry fogging system etc. shall be installed at Crushers, belt-conveyors and other areas prone to air pollution. The belt conveyor should be fully covered to avoid generation of dust while transportation. PP shall take necessary measures to avoid generation of fugitive dust emissions.

8) Green Belt

- a) The Project Proponent shall develop greenbelt in 7.5m wide safety zone all along the mine lease boundary as per the guidelines of CPCB in order to arrest pollution emanating from mining operations within the lease. The whole Green belt shall be developed within first 5 years starting from windward side of the active mining area. The development of greenbelt shall be governed as per the EC granted by the Ministry irrespective of the stipulation made in approved mine plan.
- b) The Project Proponent shall carryout plantation/ afforestation in backfilled and reclaimed area of mining lease, around water body, along the roadsides, in community areas etc. by planting the native species in consultation with the State Forest Department/ Agriculture Department/ Rural development department/ Tribal Welfare Department/ Gram Panchayat such that only those species be selected which are of use to the local people. The CPCB guidelines in this respect shall also be adhered. The density of the trees should

be around 2500 saplings per Hectare. Adequate budgetary provision shall be made for protection and care of trees.

- c) The Project Proponent shall make necessary alternative arrangements for livestock feed by developing grazing land with a view to compensate those areas which are coming within the mine lease. The development of such grazing land shall be done in consultation with the State Government. In this regard, Project Proponent should essentially implement the directions of the Hon'ble Supreme Court with regard to acquisition of grazing land. The sparse trees on such grazing ground, which provide mid-day shelter from the scorching sun, should be scrupulously guarded/ protected against felling and plantation of such trees should be promoted.
- d) The Project Proponent shall undertake all precautionary measures for conservation and protection of endangered flora and fauna and Schedule-I species during mining operation. A Wildlife Conservation Plan shall be prepared for the same clearly delineating action to be taken for conservation of flora and fauna. The Plan shall be approved by Chief Wild Life Warden of the State Govt.
- e) And implemented in consultation with the State Forest and Wildlife Department. A copy of Wildlife Conservation Plan and its implementation status (annual) shall be submitted to the Regional Office of the Ministry.

9) **Public hearing and human health issues**

- a) The Project Proponent shall appoint an Occupational Health Specialist for Regular as well as Periodical medical examination of the workers engaged in the mining activities, as per the DGMS guidelines. The records shall be maintain properly. PP shall also carryout Occupational health check-ups in respect of workers which are having ailments like BP, diabetes, habitual smoking, etc. The check-ups shall be undertaken once in six months and necessary remedial/ preventive measures be taken. A status report on the same may be sent to MoEFCC Regional Office and DGMS on half-yearly basis.
- b) The Project Proponent must demonstrate commitment to work towards 'Zero Harm' from their mining activities and carry out Health Risk Assessment (HRA) for identification workplace hazards and assess their potential risks to health and determine appropriate control measures to protect the health and wellbeing of workers and nearby community. The proponent shall maintain accurate and systematic records of the HRA. The HRA for neighbourhood has to focus on Public Health Problems like Malaria, Tuberculosis, HIV, Anaemia, Diarrhoea in children under five, respiratory infections due to bio mass cooking. The proponent shall also create awareness and educate the nearby community and workers for Sanitation, Personal Hygiene, Hand washing, not to defecate in open, Women Health and Hygiene (Providing Sanitary Napkins), hazard of tobacco and alcohol use. The Proponent shall carryout base line HRA for all the category of workers and thereafter every five years.
- c) The Proponent shall carry out Occupational health surveillance which be a part of HRA and include Biological Monitoring where practical and feasible, and the tests and investigations relevant to the exposure (e.g. for Dust a X-Ray chest; For Noise Audiometric; for Lead Exposure Blood Lead, For Welders Full Ophthalmologic Assessment; for Manganese Miners a complete Neurological Assessment by a Certified Neurologist, and Manganese (Mn) Estimation in Blood; For Inorganic ChromiumFortnightly skin inspection of hands and forearms by a responsible person.

Except routine tests all tests would be carried out in a Lab accredited by NABH. Records of Health Surveillance must be kept for 30 years, including the results of and the records of Physical examination and tests. The record of exposure due to materials like Asbestos, Hard Rock Mining, Silica, Gold, Kaolin, Aluminium, Iron, Manganese, Chromium, Lead, Uranium need to be handed over to the Mining Department of the State in case the life of the mine is less than 30 years. It would be obligatory for the State Mines Departments to make arrangements for the safe and secure storage of the records including X-Ray. Only conventional X-Ray will be accepted for record purposes and not the digital one). X-Ray must meet ILO criteria (17 x14 inches and of good quality).

- d) The Proponent shall maintain a record of performance indicators for workers which includes
 - i) there should not be a significant decline in their Body Mass Index and it should stay between 18.5 -24.9,
 - ii) the Final Chest X-Ray compared with the base line X-Ray should not show any capacities ,
 - iii) At the end of their leaving job there should be no Diminution in their Lung Functions Forced Expiratory Volume in one second (FEV1) Forced Vital Capacity (FVC), and the ratio) unless they are smokers which has to be adjusted, and the effect of age,
 - iv) their hearing should not be affected. As a proof an Audiogram (first and last need to be presented),
 - v) they should not have developed any Persistent Back Pain, Neck Pain, and the movement of their Hip, Knee and other joints should have normal range of movement,
 - vi) they should not have suffered loss of any body part. The record of the same should be submitted to the Regional Office, MoEFCC annually along with details of the relief and compensation paid to workers having above indications.
- e) The Project Proponent shall ensure that Personnel working in dusty areas should wear protective respiratory devices and they should also be provided with adequate training and information on safety and health aspects.
- f) Project Proponent shall make provision for the housing for workers/labors or shall construct labour camps within/outside (company owned land) with necessary basic infrastructure/ facilities like fuel for cooking, mobile toilets, mobile STP, safe drinking water, medical health care, crèche for kids etc. The housing may be provided in the form of temporary structures which can be removed after the completion of the project related infrastructure. The domestic waste water should be treated with STP in order to avoid contamination of underground water.
- g) The activities proposed in Action plan prepared for addressing the issues raised during the Public Hearing, if applicable, shall be completed as per the budgetary provisions mentioned in the Action Plan and within the stipulated time frame. The Status Report on implementation of Action Plan shall be submitted to the concerned Regional Office of the Ministry along with District Administration.

10) Corporate Environment Responsibility (CER)

- a) The activities and budget earmarked for Corporate Environmental Responsibility (CER) as per Ministry's O.M No 22-65/2017-IA. III dated 30/09/2020 or as proposed by EAC should be kept in a separate bank account. The activities proposed for CER shall be

implemented in a time bound manner and annual report of implementation of the same along with documentary proof viz. photographs, purchase documents, latitude & longitude of infrastructure developed & road constructed needs to be submitted to Regional Office MoEF&CC annually along with audited statement.

- b) Project Proponent shall keep the funds earmarked for environmental protection measures in a separate account and refrain from diverting the same for other purposes. The Year wise expenditure of such funds should be reported to the MoEFCC and its concerned Regional Office.

11) Miscellaneous

- a) The Project Proponent shall prepare digital map (land use & land cover) of the entire lease area and KML file for recording the base line data and closure time data (after three years) and submit a report to concerned Regional Office of the MoEFCC.
- b) The Project Authorities should inform to the Regional Office regarding date of financial closures and final approval of the project by the concerned authorities and the date of start of land development work.
- c) The Project Proponent shall submit six monthly compliance reports on the status of the implementation of the stipulated environmental safeguards to the MOEFCC & its concerned Regional Office, Central Pollution Control Board and State Pollution Control Board.
- d) A separate 'Environmental Management Cell' with suitable qualified manpower should be set-up under the control of a Senior Executive. The Senior Executive shall directly report to Head of the Organization. Adequate number of qualified Environmental Scientists and Mining Engineers shall be appointed and submit a report to RO, MoEFCC.
- e) The concerned Regional Office of the MoEFCC shall randomly monitor compliance of the stipulated conditions. The project authorities should extend full cooperation to the MoEFCC officer(s) by furnishing the requisite data / information / monitoring reports.

SPECIFIC CONDITIONS: -

- 1 The Project Proponent must obtain NOCs from the concerned HoD of the Forest, Irrigation and Flood Control Department and Fisheries Department prior to grant of formal lease by the Geology & Mining department.
- 2 The cremation ground be properly demarcated and left undisturbed and its map showing geographical coordinates be submitted to JKEIAA before issuance of formal EC. Besides, map showing extraction route bypassing village settlements and agricultural/horticultural land as far as possible be submitted to the JKEIAA before formal grant of EC.
- 3 The maximum exploitation of the RBM site shall be **86100 M. tons** within the approved area and mining depth **of 0.50 mts.** as mentioned in approved mining

plan. Mining depth above 0.50 mts. if mentioned anywhere in any of the submitted documents whether by mistake or otherwise, shall be treated as omitted.

- 4 A green belt shall be developed under close supervision of the local panchayat.
- 5 The river bed material shall be sold to the local population within radial distance of 2 kms from the mine site for residential construction purpose at 50% concessional rates.
- 6 The formal lease shall be granted only after the Project Proponent deposits the funds earmarked under EMP and CER in a separate account to be opened for the purpose and funds be utilized in coordination with DFO, Social Forestry Dept. and concerned Chief Medical Officer(CMO)under supervision of local Panchayat Head. The funds earmarked for CSR shall also be utilized through the concerned district authorities in accordance with CSR Policy Rules.
- 7 All the provisions of Minor Mineral Rules sanctioned under SRO105 with all amendments with respect to pertinent provisions of the legal framework relating to progressive mine closure shall be complied by the Project Proponent.
- 8 This Environmental Clearance is subject to final outcome of any litigation pending before Hon'ble Supreme Court of India, Hon'ble High Court of Jammu & Kashmir, Hon'ble NGT, or any other Court of Law, if any, as may be applicable to this project.
- 9 This Environmental Clearance is without prejudice to the standing instructions /orders from the competent authorities in the MoEF&CC, GoI and the UT of J&K w.r.t river bed mining activity.
- 10 An inspection JKEAC comprising of Additional Dy. Commissioner, District Mineral Officer, representative of Pollution Control Board, Executive Engineer Irrigation & Flood Control Dept. and District Fisheries Officer shall monitor the implementation of the EMP and also certify at the end of each monsoon, that sufficient replenishment of the minor mineral has taken place during monsoon and further mining in the mining block shall not adversely affect the hydrological and ecological settings in the area.
- 11 The Project Proponent shall take all precautionary measures during mining operations for conservation and protection of endangered fauna and flora in the area.
- 12 Masks and PPE shall be provided to the workers in view of COVID-19.

- 13 Social distancing norms and other standard operating procedures relating to COVID-19 shall be followed during mining activity.
- 14 The plan worked out and expenditure made under Occupational Health should be undertaken in consultation with the Local Health Institution/PHC/Sub-Centre for utilization for the health and welfare of the local workers involved in mining activity and villagers living in the close vicinity. Regular Medical checkups and free medicines shall be provided under the fund.
- 15 The Project Proponent must ensure that the biological clock of the villagers in the vicinity of the project is not disturbed by any unauthorized night operations and all measures must be taken for keeping the noise levels within prescribed levels.
- 16 Provision shall be kept for housing of the labour force, toilets, facilities for cooking, safe water, health care, crèche etc. for the labour force.
- 17 A final Mine closure Plan along with details of Corpus fund shall be communicated to the MoEF&CC in advance for approval.
- 18 The top soil in case of surface land mining shall be temporarily stored at the designated / appropriate site and concurrently used for land reclamation.
- 19 The mining operations shall be undertaken in a systematic manner so that it does not damage the aesthetic view of the area.
- 20 Adequate steps should be taken to check soil erosion and engineering structures shall be raised wherever required. The mining shall be restricted to 3/4th of the width of the river/riverlet or 7.5 m(inward) from river bank but upto 10% of the width of the river.
- 21 The compliance report shall be submitted to the Regional Office of the MoEF&CC at Chandigarh with a copy to the Regulatory Authority.
- 22 The mining activity should in no case go beyond the area as mentioned in the Letter of Intent and a buffer area is maintain such that the slopes of adjoining area does not get disturbed.
- 23 All the provisions made and restrictions imposed as covered in the Minor Mineral Rules, shall be complied with, particularly regarding Environment Management Practices and its fund management.
- 24 The recommendations made in the District Survey Report on sustainable mining practices if any shall be complied.

- 25 The mining shall be done in bench form with maximum bench height of 0.50 metres.
- 26 Mining should be initiated only after installation of signboards with demarcation pillars indicating the geo-coordinates of the plot as mentioned in the letter of intent , measurements (length /breadth) and should be laid in presence of the authorized official of the Geology & Mining Department.
- 27 There should be no change in the method of excavation and quantity of minerals to be extracted as per approved mining plan.
- 28 The EC holder shall keep a correct account of quantity of mineral mined out, dispatched from the mine, mode of transport, registration number of vehicle, person in-charge of vehicle and mine plan. This should be produced before officers concerned for inspection.
- 29 The access to mining site should be controlled in a way that vehicles carrying mineral from that area are tracked and accounted for in accordance with standing guidelines issued by the Govt.
- 30 The Geology & Mining Department should use technology like Bar Coding, Information and Communications Technology (ICT), Web based and ICT enabled services, mobile SMS App etc. to account for weight of mineral being taken out of the plot and the number of trucks moving out with the mineral.
- 31 The PP should ensure no agriculture land in the area is used for any storage of sand or gets any damage due to any other transportation activity. Where ever, damages to agricultural land, assets or human life by way of plying of trollies and tippers etc involved in transportation of minor mineral is reported, the Project Proponent shall pay adequate compensation with penalty to the effected persons as to be fixed up by the competent authority.
- 32 Waste generated will be collected on regular basis and will be disposed as per the Municipal Solid Waste Management (Management & Handling) Rule 2000 and its subsequent amendments.
- 33 Spring sources should not be affected due to mining activities. Necessary Protection measures are to be incorporated.
- 34 The mineral transportation shall be carried out through covered trucks only and the vehicles carrying the mineral shall not be overloaded.
- 35 Overloading of trucks and trolleys will be avoided.

- 36 All the instructions from authorities representing various government departments having stakes shall be complied with during the mining operations.
- 37 Haul road will be kept wide, compact and water spraying will be done. It shall be properly maintain by the PP and restored to original position after mining. Axel load on the roads should not exceed the prescribed load as per IRC
- 38 Restricted working hours. Mining operation has to be carried out between 6 am to 7 pm.
- 39 No overhangs shall be allowed to be formed due to mining and mining shall not be allowed in area where subsidence of rocks is likely to occur due to steep angle of slope. Mining activity shall not be avoided in rainy season
- 40 Vehicles used for transportation of material are to be permitted only with fitness and PUC Certificates.
- 41 There shall be no extraction of stone / boulder in landslide prone areas.
- 42 Adequate facility for drinking water and toilets should be provided for the workers.
- 43 There should be controlled clearance of overground vegetation to be undertaken.
- 44 Transport of mineral will not be done through villages / habitations and any private productive or waste land.
- 45 Deep drilled handpump with sufficient funding provision should be earmarked for providing drinking facility to the labour force.
- 46 Recommendations of National Institute for Labour for ensuring good occupational environment for mine workers would also be adopted.
- 47 The PP shall be responsible for enforcement of COVID-19 standard operating procedures and guidelines with respect to safety of workers involved in the mining activity.
- 48 Project Proponent shall ensure that the road may not be damaged due to transportation of the mineral and transport of minerals will be as per IRC relevant guidelines if any in this regard.
- 49 Health and safety of workers should be taken care of. They should also be provided training in safety and health care aspects.
- 50 Junction at takeoff point of approach road with main road be properly developed with proper width and geometry required for safe movement of traffic by

concession holder at his own cost.

- 51 No stacking shall be allowed on road side along National Highway.
- 52 Concealing of any information/data of submission of wrong/fabricated information by the Project Proponent and failure to comply with any of the above conditions may lead to withdrawal of the EC and attract action under the provisions of EP Act, 1986.
- 53 An appeal against the EC shall lie with the Hon'ble NGT, if preferred within 30 days as prescribed under Section 16 of the NGT Act, 2010.
- 54 Mining shall be done manually minimally supported by semi-mechanized methods.
- 55 The progressive mine closure shall be as per Rules in vogue. All actions relating to progressive mine closure shall be taken well in advance during the final year of mining so that the site is rehabilitated ecologically.
- 56 The reasonable concerns expressed by the local population during public hearing shall be addressed by the Project Proponent. No blasting operations shall be allowed.
- 57 No mining activity shall be carried out in flowing water channel area within the mining block and adequate measures shall be taken to safeguard water quality and aquatic life including fisheries if available in the same.
- 58 The EC shall be valid for a period of only **three years** from the date of commencement of the mining operations duly certified by the District Mineral Officer concerned with intimation to the JKEIAA, JKPCB and the concerned District Administration, in view of non-availability of replenishment data in the district survey report.
- 59 Under CSR, within 2 km radial distance, activities like regular health check-up of local villagers once a week shall be undertaken with free medicines. Safe drinking water facility by way of renovation of existing tanks/wells, digging of new tube wells and installation of water filters shall be undertaken. Skill development trainings shall be organized for unemployed local youth. Further, construction of toilets in schools, solar street lighting, free distribution of books, note books, N95 masks, hand sanitizers and school bags among students within 2 km radius from the mine area shall be undertaken. Under EMP, with 2 kms radial distance from mine area; air, water, soil, noise pollution monitoring on half yearly basis, black topping of roads passing through villages and maintenance of haulage /extraction routes, water sprinkling, PPE to mine workers, bearing of school/college fee and

allied costs on education of children of mine workers, bearing of all costs on ailments/healthcare of mine workers, creation of green belt by way of raising and maintenance of 2500 trees per hectare on land identified by DFO Social Forestry concerned in consultation with village panchayat during the period of mining, shall be undertaken.

- 60 The JKEIAA reserves the right to impose any other condition in the EC at any time during the period of mining lease. The JKEIAA reserves the right to revoke the EC in case any of the environmental clearance conditions are violated during the mining activity. Mere grant of Environmental Clearance does not entitle the Project Proponent for grant of mining lease unless he obtains all other clearances as required under other provisions of law.

Agenda Item No: 10 Grant of Environment Clearance in favour of M/S Brinder Singh S/O Kimal Lal R/O Raipur Satwari J&K.
Proposal No: SIA/JK/MIN/56589/2019
File No: SEAC/JK/20/284
Title of the Case: Grant of Environment Clearance for Minor Mineral” (River Bed Material)” at Block No.5/25, (Area 9.43 Ha) Jad Khad Upstream Jourian Bridge, Jammu, J&K.

Deliberations:

The case was represented by Mr. Brinder Singh Chaudhary Project Proponent and the Consultant was represented by Anjali Chachane on behalf of M/s. Overseas Min-Tech Consultants- 501, 5th Floor, Apex Tower, Tonk Road, Jaipur, Rajasthan. The Consultant gave a detailed PowerPoint presentation on the project and informed the JKEAC that the project is under consideration of the JKEIAA in pursuance to Govt. order No. 76-JK(FST) of 2020 dated 29/07/2020 subsequently endorsed by the JKEIAA in its Minutes of Meeting issued vide No.JKEIAA/2016/02/II/631-633 dated 08/08/2020. The Consultant gave a detailed presentation on the project during which she was asked to demonstrate the mining block on Google Earth using the KML file. The discussions continued around mining depth, targeted mineral production, concerns of locals in the light of public hearing report, extraction route, surface plan, CSR and compliance of Terms of reference. When asked about the commitments made by previous PP during public hearing, the representative of the Project Proponent assured that all commitments made during the Public Hearing shall be fulfilled. The JKEAC expressed its dismay at the non-compliance of specific Terms of Reference with respect to mining depth as the Consultant had mentioned 3 m depth in the EIA/EMP/PFR against 0.50 m mining depth mentioned in the approved mining plan. Besides, the Consultant had misrepresented the land-use pattern of the study area with 10kms radius as the same table has been copy pasted in almost all the EIA reports. It was observed that Consultant had not added up the cost on account of e-auction proceeds paid to the Geology & Mining Department as the highest bid which, the JKEAC observed, had implications on calculation of the budget for EMP, CER and CSR. The JKEAC observed that during Public Hearing, the locals

have expressed their concerns on illegal mining and have demanded livelihood from the activity. They have also demanded that the mining blocks be properly demarcated with complete information.

The JKEAC desired that the mistakes pointed out during discussions be rectified and pertinent documents be revised immediately. The representative of Project Proponent assured that he would submit the revised version of the documents within a few days and requested the JKEAC to consider the case for grant of EC, conditionally. The JKEAC agreed and asked the Project Proponent to submit video graphic evidence of public hearing and corrected version of EIA/EMP/PFR in soft copy and hard copy in duplicate in the JKEIAA office Jammu within a weeks' time before grant of formal EC.

Recommendations: In view of paucity of river bed material in the UT and consistent efforts of Govt. to fast track the process of grant of EC, subject to prior submission of video graphic evidence of Public Hearing and corrected version of the EIA/EMP/PFR documents in hard and soft form in the office of JKEIAA, the JKEAC recommended the case for grant of Environmental Clearance subject to following standard and specific conditions, clearly mentioning the geographical coordinates in the EC, as per Letter of intent:-

STANDARD CONDITIONS:-

12) Statutory compliance

- a) This Environmental Clearance (EC) is subject to orders/ judgment of Hon'ble Supreme Court of India, Hon'ble High Court of J&K, Hon'ble NGT and any other Court of competent jurisdiction, **as may be applicable.**
- b) The Project Proponent complies with all the statutory requirements and judgement of Hon'ble Supreme Court dated 2nd August,2017 in Writ Petition (Civil) No. 114 of 2014 in matter of Common Cause versus Union of India &Ors before commencing the mining operations.
- c) The UT Government of J&K shall ensure that mining operation shall not be commenced till the entire compensation levied, if any, for illegal mining paid by the Project Proponent through their respective Department of Mining & Geology in strict compliance of Judgement of Hon'ble Supreme Court dated 2nd August, 2017 in Writ Petition (Civil) No. 114 of 2014 in matter of Common Cause versus Union of India &Ors.
- d) This Environmental Clearance shall become operational only after receiving formal NBWL Clearance from MoEF&CC subsequent to the recommendations of the Standing JKEAC of National Board for Wildlife, **if applicable to the Project.**
- e) This Environmental Clearance shall become operational only after receiving formal Forest Clearance (FC) under the provision of Forest Conservation Act, 1980, **if applicable to the Project.**
- f) Project Proponent (PP) shall obtain Consent to Operate after grant of EC and effectively implement all the conditions stipulated therein. The mining activity shall not commence prior to obtaining Consent to Establish / Consent to Operate from the concerned State Pollution Control Board/JKEAC.
- g) The PP shall adhere to the provision of the Mines Act, 1952, Mines and Mineral (Development & Regulation), Act, 2015 and rules & regulations made there under. PP

shall adhere to various circulars issued by Directorate General Mines Safety (DGMS) and Indian Bureau of Mines from time to time.

- h) The Project Proponent shall obtain consents from all the concerned land owners, before start of mining operations, as per the provisions of MMDR Act, 1957 and rules made there under in respect of lands which are not owned by it.
- i) The Project Proponent shall follow the mitigation measures provided in MoEFCC's Office Memorandum No. Z-11013/57/2014-IAJI (M), dated 29th October, 2014, titled "Impact of mining activities on Habitations-Issues related to the mining Projects wherein Habitations and villages are the part of mine lease areas or Habitations and villages are surrounded by the mine lease area".
- j) The Project Proponent shall obtain necessary prior permission of the competent authorities for drawl of requisite quantity of surface water and from CGWA for withdrawal of ground water for the project.
- k) A copy of EC letter will be marked to concerned Panchayat / local NGO etc. if any, from whom suggestion / representation has been received while processing the proposal.
- l) State Pollution Control Board/JKEAC shall be responsible for display of this EC letter at its Regional office, District Industries Centre and Collector's office/ Tehsildar's Office for 30 days.
- m) The Project Authorities should widely advertise about the grant of this EC letter by printing the same in at least two local newspapers, one of which shall be in vernacular language of the concerned area.
- n) The advertisement shall be done within 7 days of the issue of the clearance letter mentioning that the instant project has been accorded EC and copy of the EC letter is available with the State Pollution Control Board/JKEAC and web site of the Ministry of Environment, Forest and Climate Change (www.environmentclearance.nic.in). A copy of the advertisement may be forwarded to the concerned MoEFCC Regional Office for compliance and record.
- o) The Project Proponent shall inform the MoEF&CC for any change in ownership of the mining lease. In case there is any change in ownership or mining lease is transferred than mining operation shall only be carried out after transfer of EC as per provisions of the para 11 of EIA Notification, 2006 as amended from time to time.

13) **Air quality monitoring and preservation**

- a) The Project Proponent shall install a minimum of 3 (three) online Ambient Air Quality Monitoring Stations with 1 (one) in upwind and 2 (two) in downwind direction based on long term climatological data about wind direction such that an angle of 120° is made between the monitoring locations to monitor critical parameters, relevant for mining operations, of air pollution viz. PM₁₀, PM_{2.5}, NO₂; CO and SO₂ etc. as per the methodology mentioned in NAAQS Notification No. B-29016/20/90/PC/I, dated 18.11.2009 covering the aspects of transportation and use of heavy machinery in the impact zone. The ambient air quality shall also be monitored at prominent places like office building, canteen etc. as per the site condition to ascertain the exposure characteristics at specific places. The above data shall be digitally displayed within 03 months in front of the main Gate of the mine site.
- b) Effective safeguard measures for prevention of dust generation and subsequent suppression (like regular water sprinkling, metalled road construction etc.) shall be

carried out in areas prone to air pollution wherein high levels of PM10 and PM2.5 are evident such as haul road, loading and unloading point and transfer points. The Fugitive dust emissions from all sources shall be regularly controlled by installation of required equipment's/ machineries and preventive maintenance: Use of suitable water-soluble chemical dust suppressing agents may be explored for better effectiveness of dust control system. It shall be ensured that air pollution level conform to the standards prescribed by the MoEFCC/ Central Pollution Control Board.

14) Water quality monitoring and preservation

- a) In case, immediate mining scheme envisages intersection of ground water table, then Environmental Clearance shall become operational only after receiving formal clearance from CGWA. In case, mining operation involves intersection of ground water table at a later stage, then PP shall ensure that prior approval from CGWA and MoEFCC is in place before such mining operations. The permission for intersection of ground water table shall essentially be based on detailed hydro-geological study of the area.
- b) Regular monitoring of the flow rate of the springs and perennial nallahs flowing in and around the mine lease shall be carried out and records maintain. The natural water bodies and or streams which are flowing in an around the village, should not be disturbed. The Water Table should be nurtured so as not to go down below the pre-mining period. In case of any water scarcity in the area, the Project Proponent has to provide water to the villagers for their use. A provision for regular monitoring of water table in open dug wall located in village should be incorporated to ascertain the impact of mining over ground water table. The Report on changes in Ground water level and quality shall be submitted on six-monthly basis to the Regional Office of the Ministry, CGWA and State Groundwater Department / State Pollution Control Board.
- c) Project Proponent shall regularly monitor and maintain records w.r.t. ground water level and quality in and around the mine lease by establishing a network of existing wells as well as new piezo-meter installations during the mining operation in consultation with Central Ground Water Authority/ State Ground Water Department. The Report on changes in Ground water level and quality shall be submitted on six-monthly basis to the Regional Office of the Ministry, CGWA and State Groundwater Department / State Pollution Control Board.
- d) The Project Proponent shall undertake regular monitoring of natural water course/ water resources/ springs and perennial nallahs existing/ flowing in and around the mine lease and maintain its records. The Project Proponent shall undertake regular monitoring of water quality upstream and downstream of water bodies passing within and nearby/ adjacent to the mine lease and maintain its records. Sufficient number of gullies shall be provided at appropriate places within the lease for management of water. PP shall carryout regular monitoring w.r.t. pH and included the same in monitoring plan. The parameters to be monitored shall include their water quality vis-à-vis suitability for usage as per CPCB criteria and flow rate. It shall be ensured that no obstruction and/ or alteration be made to water bodies during mining operations without justification and prior approval of MoEFCC. The monitoring of water courses/ bodies existing in lease area shall be carried out four times in a year viz. pre- monsoon (April-May), monsoon (August), post-monsoon (November) and winter (January) and the record of monitored data may be sent regularly to Ministry of Environment, Forest and Climate Change and

its Regional Office, Central Ground Water Authority and Regional Director, Central Ground Water Board, State Pollution Control Board and Central Pollution Control Board. Clearly showing the trend analysis on six-monthly basis.

- e) Quality of polluted water generated from mining operations which include Chemical Oxygen Demand (COD) in mines run-off; acid mine drainage and metal contamination in runoff shall be monitored along with Total Suspended Solids (TDS), Dissolved Oxygen (DO), pH and Total Suspended Solids (TSS). The monitored data shall be uploaded on the website of the company as well as displayed at the project site in public domain, on a display board, at a suitable location near the main gate of the Company. The circular No. J- 20012/1/2006-IAJI (M) dated 27.05.2009 issued by Ministry of Environment, Forest and Climate Change may also be referred in this regard.
- f) Project Proponent shall plan, develop and implement rainwater harvesting measures on long term basis to augment ground water resources in the area consultation with Central Ground Water Board/ State Groundwater Department. A report on amount of water recharged needs to be submitted to Regional Office MoEFCC annually.
- g) Industrial waste water (workshop and waste water from the mine) should be properly collected and treated so as to conform to the notified standards prescribed from time to time. The standards shall be prescribed through Consent to Operate (CTO) issued by concerned State Pollution Control Board (SPCB). The workshop effluent shall be treated after its initial passage through Oil and grease trap.
- h) The water balance/water auditing shall be carried out and measure for reducing the consumption of water shall be taken up and reported to the Regional Office of the MoEF&CC and State Pollution Control Board/JKEAC.

15) Noise and vibration monitoring and prevention

- a) The peak particle velocity at 500m distance or within the nearest habitation, whichever is closer shall be monitored periodically as per applicable DGMS guidelines.
- b) The illumination and sound at night at project sites disturb the villages in respect of both human and animal population. Consequent sleeping disorders and stress may affect the health in the villages located close to mining operations. Habitations have a right for darkness and minimal noise levels at night. PPs must ensure that the biological clock of the villages is not disturbed; by orienting the floodlights/ masks away from the villagers and keeping the noise levels well within the prescribed limits for day /night hours.
- c) The Project Proponent shall take measures for control of noise levels below 85 dBA in the work environment. The workers engaged in operations of HEMM, etc. should be provided with ear plugs /muffs. All personnel including laborers working in dusty areas shall be provided with protective respiratory devices along with adequate training, awareness and information on safety and health aspects. The PP shall be held responsible in case it has been found that workers/ personals/ laborers are working without personal protective equipment.

16) Mining plan

- a) The Project Proponent shall adhere to the working parameters of mining plan which was submitted at the time of EC appraisal with a maximum depth of 0.5 metres, wherein year-wise plan for maximum total excavation of 90400 M.tons, waste, over burden, inter burden and top soil etc has been mentioned. No change in basic mining proposal like

mining technology, total excavation, mineral & waste production, lease area and scope of working (viz. method of mining, overburden & dump management , O.B & dump mining, mineral transportation mode, ultimate depth of mining etc.) shall not be carried out without prior approval of the Ministry of Environment, Forest and Climate Change, which entail adverse environmental impacts, even if it is a part of approved mining plan modified after grant of EC or granted by State Govt. in the form to Short Term Pennit (STP), Query license or any other name.

- b) The Project Proponent shall get the Final Mine Closure Plan along with Financial Assurance approved from Indian Bureau of Mines/Department of Mining & Geology as required under the Provision of the MMDR Act, 1957 and Rules/ Guidelines made there under. A copy of approved final mine closure plan shall be submitted within 2 months of the approval of the same from the competent authority to the concerned Regional Office of the Ministry of Environment, Forest and Climate Change for record and verification.
- c) The land-use of the mine lease area at various stages of mining scheme as well as at the end-of-life shall be governed as per the approved Mining Plan. The excavation vis-à-vis backfilling in the mine lease area and corresponding afforestation to be raised in the reclaimed area shall be governed as per approved mining plan. PP shall ensure the monitoring and management of rehabilitated areas until the vegetation becomes selfsustaining. The compliance status shall be submitted half-yearly to the MoEFCC and its concerned Regional Office.

17) Land reclamation

- a) The Overburden (O.B.) generated during the mining operations shall be stacked at earmarked OB dump site(s) only and it should not be kept active for a long period of time. The physical parameters of the OB dumps like height, width and angle of slope shall be governed as per the approved Mining Plan as per the guidelines/circulars issued by D.G.M.S w.r.t. safety in mining operations shall be strictly adhered to maintain the stability of top soil/OB dumps. The topsoil shall be used for land reclamation and plantation.
- b) The reject/waste generated during the mining operations shall be stacked at earmarked waste dump site(s) only. The physical parameters of the waste dumps like height, width and angle of slope shall be governed as per the approved Mining Plan as per the guidelines/circulars issued by DGMS w.r.t. safety in mining operations shall be strictly adhered to maintain the stability of waste dumps.
- c) The reclamation of waste dump sites shall be done in scientific manner as per the Approved Mining Plan cum Progressive Mine Closure Plan. iv. The slope of dumps shall be vegetated in scientific manner with suitable native species to maintain the slope stability, prevent erosion and surface run off. The selection of local species regulates local climatic parameters and help in adaptation of plant species to the microclimate. The gullies formed on slopes should be adequately taken care of as it impacts the overall stability of dumps. The dump mass should be consolidated with the help of dozer/ compactors thereby ensuring proper filling/ levelling of dump mass. In critical areas, use of geo textiles/ geo-membranes / clay liners / Bentonite etc. shall be undertaken for stabilization of the dump.

- d) The Project Proponent shall carry out slope stability study in case the dump height is more than 30 meters. The slope stability report shall be submitted to concerned regional office of MoEF&CC.
- e) Catch drains, settling tanks and ponds of appropriate size shall be constructed around the mine working, mineral yards and Top Soil/OB/Waste dumps to prevent run off of water and flow of sediments directly into the water bodies (Nallah/ River/ Pond etc.). The collected water should be utilized for watering the mine area, roads, green belt development, plantation etc. The drains/ sedimentation sumps etc. shall be de-silted regularly, particularly after monsoon season, and maintain properly.
- f) Check dams of appropriate size, gradient and length shall be constructed around mine pit and OB dumps to prevent storm run-off and sediment flow into adjoining water bodies. A safety margin of 50% shall be kept for designing of sump structures over and above peak rainfall (based on 50 years data) and maximum discharge in the mine and its adjoining area which shall also help in providing adequate retention time period thereby allowing proper settling of sediments/ silt material. The sedimentation pits/ sumps shall be constructed at the corners of the garland drains,
- g) The top soil, if any, shall temporarily be stored at earmarked site(s) within the mine lease only and should not be kept unutilized for long. The physical parameters of the top soil dumps like height, width and angle of slope shall be governed as per the approved Mining Plan and as per the guidelines framed by DGMS w.r.t. safety in mining operations shall be strictly adhered to maintain the stability of dumps. The topsoil shall be used for land reclamation and plantation purpose.

18) Transportation

- a) No Transportation of the minerals shall be allowed in case of roads passing through villages/ habitations. *(In such cases, PP shall construct a 'bypass' road for the purpose of transportation of the minerals leaving an adequate gap (say at least 200 meters) so that the adverse impact of sound and dust along with chances of accidents could be mitigated.)* All costs resulting from widening and strengthening of existing public road network shall be borne by the PP in consultation with nodal State Govt. Department. Transportation of minerals through road movement in case of existing village/ rural roads shall be allowed in consultation with nodal State Govt. Department only after required strengthening such that the carrying capacity of roads is increased to handle the traffic load. The pollution due to transportation load on the environment will be effectively controlled and water sprinkling will also be done regularly. Vehicular emissions shall be kept under control and regularly monitored. Project should obtain Pollution Under Control (PUC) certificate for all the vehicles from authorized pollution testing centers.
- b) The Main haulage road within the mine lease should be provided with a permanent water sprinkling arrangement for dust suppression. Other roads within the mine lease should be wetted regularly with tanker-mounted water sprinkling system. The other areas of dust generation like crushing zone, material transfer points, material yards etc. should invariably be provided with dust suppression arrangements. The air pollution control equipments like bag filters, vacuum suction hoods, dry fogging system etc. shall be installed at Crushers, belt-conveyors and other areas prone to air pollution. The belt

conveyor should be fully covered to avoid generation of dust while transportation. PP shall take necessary measures to avoid generation of fugitive dust emissions.

19) Green Belt

- a) The Project Proponent shall develop greenbelt in 7.5m wide safety zone all along the mine lease boundary as per the guidelines of CPCB in order to arrest pollution emanating from mining operations within the lease. The whole Green belt shall be developed within first 5 years starting from windward side of the active mining area. The development of greenbelt shall be governed as per the EC granted by the Ministry irrespective of the stipulation made in approved mine plan.
- b) The Project Proponent shall carryout plantation/ afforestation in backfilled and reclaimed area of mining lease, around water body, along the roadsides, in community areas etc. by planting the native species in consultation with the State Forest Department/ Agriculture Department/ Rural development department/ Tribal Welfare Department/ Gram Panchayat such that only those species be selected which are of use to the local people. The CPCB guidelines in this respect shall also be adhered. The density of the trees should be around 2500 saplings per Hectare. Adequate budgetary provision shall be made for protection and care of trees.
- c) The Project Proponent shall make necessary alternative arrangements for livestock feed by developing grazing land with a view to compensate those areas which are coming within the mine lease. The development of such grazing land shall be done in consultation with the State Government. In this regard, Project Proponent should essentially implement the directions of the Hon'ble Supreme Court with regard to acquisition of grazing land. The sparse trees on such grazing ground, which provide mid-day shelter from the scorching sun, should be scrupulously guarded/ protected against felling and plantation of such trees should be promoted.
- d) The Project Proponent shall undertake all precautionary measures for conservation and protection of endangered flora and fauna and Schedule-I species during mining operation. A Wildlife Conservation Plan shall be prepared for the same clearly delineating action to be taken for conservation of flora and fauna. The Plan shall be approved by Chief Wild Life Warden of the State Govt.
- e) And implemented in consultation with the State Forest and Wildlife Department. A copy of Wildlife Conservation Plan and its implementation status (annual) shall be submitted to the Regional Office of the Ministry.

20) Public hearing and human health issues

- a) The Project Proponent shall appoint an Occupational Health Specialist for Regular as well as Periodical medical examination of the workers engaged in the mining activities, as per the DGMS guidelines. The records shall be maintain properly. PP shall also carryout Occupational health check-ups in respect of workers which are having ailments like BP, diabetes, habitual smoking, etc. The check-ups shall be undertaken once in six months and necessary remedial/ preventive measures be taken. A status report on the same may be sent to MoEFCC Regional Office and DGMS on half-yearly basis.
- b) The Project Proponent must demonstrate commitment to work towards 'Zero Harm' from their mining activities and carry out Health Risk Assessment (HRA) for identification workplace hazards and assess their potential risks to health and determine appropriate

control measures to protect the health and wellbeing of workers and nearby community. The proponent shall maintain accurate and systematic records of the HRA. The HRA for neighbourhood has to focus on Public Health Problems like Malaria, Tuberculosis, HIV, Anaemia, Diarrhoea in children under five, respiratory infections due to bio mass cooking. The proponent shall also create awareness and educate the nearby community and workers for Sanitation, Personal Hygiene, Hand washing, not to defecate in open, Women Health and Hygiene (Providing Sanitary Napkins), hazard of tobacco and alcohol use. The Proponent shall carryout base line HRA for all the category of workers and thereafter every five years.

- c) The Proponent shall carry out Occupational health surveillance which be a part of HRA and include Biological Monitoring where practical and feasible, and the tests and investigations relevant to the exposure (e.g. for Dust a X-Ray chest; For Noise Audiometric; for Lead Exposure Blood Lead, For Welders Full Ophthalmologic Assessment; for Manganese Miners a complete Neurological Assessment by a Certified Neurologist, and Manganese (Mn) Estimation in Blood; For Inorganic ChromiumFortnightly skin inspection of hands and forearms by a responsible person. Except routine tests all tests would be carried out in a Lab accredited by NABH. Records of Health Surveillance must be kept for 30 years, including the results of and the records of Physical examination and tests. The record of exposure due to materials like Asbestos, Hard Rock Mining, Silica, Gold, Kaolin, Aluminium, Iron, Manganese, Chromium, Lead, Uranium need to be handed over to the Mining Department of the State in case the life of the mine is less than 30 years. It would be obligatory for the State Mines Departments to make arrangements for the safe and secure storage of the records including X-Ray. Only conventional X-Ray will be accepted for record purposes and not the digital one). X-Ray must meet ILO criteria (17 x14 inches and of good quality).
- d) The Proponent shall maintain a record of performance indicators for workers which includes
 - i) there should not be a significant decline in their Body Mass Index and it should stay between 18.5 -24.9,
 - ii) the Final Chest X-Ray compared with the base line X-Ray should not show any capacities ,
 - iii) At the end of their leaving job there should be no Diminution in their Lung Functions Forced Expiratory Volume in one second (FEV1)Forced Vital Capacity (FVC), and the ratio) unless they are smokers which has to be adjusted, and the effect of age,
 - iv) their hearing should not be affected. As a proof an Audiogram (first and last need to be presented),
 - v) they should not have developed any Persistent Back Pain, Neck Pain, and the movement of their Hip, Knee and other joints should have normal range of movement,
 - vi) they should not have suffered loss of any body part. The record of the same should be submitted to the Regional Office, MoEFCC annually along with details of the relief and compensation paid to workers having above indications.
- e) The Project Proponent shall ensure that Personnel working in dusty areas should wear protective respiratory devices and they should also be provided with adequate training and information on safety and health aspects.

- f) Project Proponent shall make provision for the housing for workers/labors or shall construct labour camps within/outside (company owned land) with necessary basic infrastructure/ facilities like fuel for cooking, mobile toilets, mobile STP, safe drinking water, medical health care, crèche for kids etc. The housing may be provided in the form of temporary structures which can be removed after the completion of the project related infrastructure. The domestic waste water should be treated with STP in order to avoid contamination of underground water.
- g) The activities proposed in Action plan prepared for addressing the issues raised during the Public Hearing, if applicable, shall be completed as per the budgetary provisions mentioned in the Action Plan and within the stipulated time frame. The Status Report on implementation of Action Plan shall be submitted to the concerned Regional Office of the Ministry along with District Administration.

21) Corporate Environment Responsibility (CER)

- a) The activities and budget earmarked for Corporate Environmental Responsibility (CER) as per Ministry's O.M No 22-65/2017-IA. III dated 30/09/2020 or as proposed by EAC should be kept in a separate bank account. The activities proposed for CER shall be implemented in a time bound manner and annual report of implementation of the same along with documentary proof viz. photographs, purchase documents, latitude & longitude of infrastructure developed & road constructed needs to be submitted to Regional Office MoEF&CC annually along with audited statement.
- b) Project Proponent shall keep the funds earmarked for environmental protection measures in a separate account and refrain from diverting the same for other purposes. The Year wise expenditure of such funds should be reported to the MoEFCC and its concerned Regional Office.

22) Miscellaneous

- a) The Project Proponent shall prepare digital map (land use & land cover) of the entire lease area and KML file for recording the base line data and closure time data (after three years) and submit a report to concerned Regional Office of the MoEFCC.
- b) The Project Authorities should inform to the Regional Office regarding date of financial closures and final approval of the project by the concerned authorities and the date of start of land development work.
- c) The Project Proponent shall submit six monthly compliance reports on the status of the implementation of the stipulated environmental safeguards to the MOEFCC & its concerned Regional Office, Central Pollution Control Board and State Pollution Control Board.
- d) A separate 'Environmental Management Cell' with suitable qualified manpower should be set-up under the control of a Senior Executive. The Senior Executive shall directly report to Head of the Organization. Adequate number of qualified Environmental Scientists and Mining Engineers shall be appointed and submit a report to RO, MoEFCC.
- e) The concerned Regional Office of the MoEFCC shall randomly monitor compliance of the stipulated conditions. The project authorities should extend full cooperation to the MoEFCC officer(s) by furnishing the requisite data / information / monitoring reports.

SPECIFIC CONDITIONS: -

- 1 The Project Proponent must obtain NOCs from the concerned HoD of the Forest, Irrigation and Flood Control Department and Fisheries Department prior to grant of formal lease by the Geology & Mining department.
- 2 The cremation ground be properly demarcated and left undisturbed and its map showing geographical coordinates be submitted to JKEIAA before issuance of formal EC. Besides, map showing extraction route bypassing village settlements and agricultural/horticultural landas far as possible be submitted to the JKEIAA before formal grant of EC.
- 3 The maximum exploitation of the RBM site shall be **90400M. tons** within the approved area and mining depth **of 0.50 mts.**as mentioned in approved mining plan. Mining depth above 0.50 mts. if mentioned anywhere in any of the submitted documents whether by mistake or otherwise, shall be treated as omitted.
- 4 A green belt shall be developed under close supervision of the local panchayat.
- 5 The river bed material shall be sold to the local population within radial distance of 2 kms from the mine site for residential construction purpose at 50% concessional rates.
- 6 The formal lease shall be granted only after the Project Proponent deposits the funds earmarked under EMP and CER in a separate account to be opened for the purpose and funds be utilized in coordination with DFO, Social Forestry Dept. and concerned Chief Medical Officer(CMO)under supervision of local Panchayat Head. The funds earmarked for CSR shall also be utilized through the concerned district authorities in accordance with CSR Policy Rules.
- 7 All the provisions of Minor Mineral Rules sanctioned under SRO105 with all amendments with respect to pertinent provisions of the legal framework relating to progressive mine closure shall be complied by the Project Proponent.
- 8 This Environmental Clearance is subject to final outcome of any litigation pending before Hon'ble Supreme Court of India, Hon'ble High Court of Jammu & Kashmir, Hon'ble NGT, or any other Court of Law, if any, as may be applicable to this project.
- 9 This Environmental Clearance is without prejudice to the standing instructions /orders from the competent authorities in the MoEF&CC, GoI and the UT of J&K

w.r.t river bed mining activity.

- 10 An inspection JKEAC comprising of Additional Dy. Commissioner, District Mineral Officer, representative of Pollution Control Board, Executive Engineer Irrigation & Flood Control Dept. and District Fisheries Officer shall monitor the implementation of the EMP and also certify at the end of each monsoon, that sufficient replenishment of the minor mineral has taken place during monsoon and further mining in the mining block shall not adversely affect the hydrological and ecological settings in the area.
- 11 The Project Proponent shall take all precautionary measures during mining operations for conservation and protection of endangered fauna and flora in the area.
- 12 Masks and PPE shall be provided to the workers in view of COVID-19.
- 13 Social distancing norms and other standard operating procedures relating to COVID-19 shall be followed during mining activity.
- 14 The plan worked out and expenditure made under Occupational Health should be undertaken in consultation with the Local Health Institution/PHC/Sub-Centre for utilization for the health and welfare of the local workers involved in mining activity and villagers living in the close vicinity. Regular Medical checkups and free medicines shall be provided under the fund.
- 15 The Project Proponent must ensure that the biological clock of the villagers in the vicinity of the project is not disturbed by any unauthorized night operations and all measures must be taken for keeping the noise levels within prescribed levels.
- 16 Provision shall be kept for housing of the labour force, toilets, facilities for cooking, safe water, health care, crèche etc. for the labour force.
- 17 A final Mine closure Plan along with details of Corpus fund shall be communicated to the MoEF&CC in advance for approval.
- 18 The top soil in case of surface land mining shall be temporarily stored at the designated / appropriate site and concurrently used for land reclamation.
- 19 The mining operations shall be undertaken in a systematic manner so that it does not damage the aesthetic view of the area.
- 20 Adequate steps should be taken to check soil erosion and engineering structures shall be raised wherever required. The mining shall be restricted to 3/4th of the width of the river/riverlet or 7.5 m(inward) from river bank but upto 10% of the

width of the river.

- 21 The compliance report shall be submitted to the Regional Office of the MoEF&CC at Chandigarh with a copy to the Regulatory Authority.
- 22 The mining activity should in no case go beyond the area as mentioned in the Letter of Intent and a buffer area is maintain such that the slopes of adjoining area does not get disturbed.
- 23 All the provisions made and restrictions imposed as covered in the Minor Mineral Rules, shall be complied with, particularly regarding Environment Management Practices and its fund management.
- 24 The recommendations made in the District Survey Report on sustainable mining practices if any shall be complied.
- 25 The mining shall be done in bench form with maximum bench height of 0.50 metres.
- 26 Mining should be initiated only after installation of signboards with demarcation pillars indicating the geo-coordinates of the plot as mentioned in the letter of intent, measurements (length /breadth) and should be laid in presence of the authorized official of the Geology & Mining Department.
- 27 There should be no change in the method of excavation and quantity of minerals to be extracted as per approved mining plan.
- 28 The EC holder shall keep a correct account of quantity of mineral mined out, dispatched from the mine, mode of transport, registration number of vehicle, person in-charge of vehicle and mine plan. This should be produced before officers concerned for inspection.
- 29 The access to mining site should be controlled in a way that vehicles carrying mineral from that area are tracked and accounted for in accordance with standing guidelines issued by the Govt.
- 30 The Geology & Mining Department should use technology like Bar Coding, Information and Communications Technology (ICT), Web based and ICT enabled services, mobile SMS App etc. to account for weight of mineral being taken out of the plot and the number of trucks moving out with the mineral.
- 31 The PP should ensure no agriculture land in the area is used for any storage /piling up of sand or gets any damage due to any other transportation activity. Where ever, damages to agricultural land, assets or human life by way of plying of trollies and

tippers etc involved in transportation of minor mineral is reported, the Project Proponent shall pay adequate compensation with penalty to the effected persons as to be fixed up by the competent authority..

- 32 Waste generated will be collected on regular basis and will be disposed as per the Municipal Solid Waste Management (Management & Handling) Rule 2000 and its subsequent amendments.
- 33 Spring sources should not be affected due to mining activities. Necessary Protection measures are to be incorporated.
- 34 The mineral transportation shall be carried out through covered trucks only and the vehicles carrying the mineral shall not be overloaded.
- 35 Overloading of trucks and trolleys will be avoided.
- 36 All the instructions from authorities representing various government departments having stakes shall be complied with during the mining operations.
- 37 Haul road will be kept wide, compact and water spraying will be done. It shall be properly maintain by the PP and restored to original position after mining. Axel load on the roads should not exceed the prescribed load as per IRC
- 38 Restricted working hours. Mining operation has to be carried out between 6 am to 7 pm.
- 39 No overhangs shall be allowed to be formed due to mining and mining shall not be allowed in area where subsidence of rocks is likely to occur due to steep angle of slope. Mining activity shall not be avoided in rainy season
- 40 Vehicles used for transportation of material are to be permitted only with fitness and PUC Certificates.
- 41 There shall be no extraction of stone / boulder in landslide prone areas.
- 42 Adequate facility for drinking water and toilets should be provided for the workers.
- 43 There should be controlled clearance of overground vegetation to be undertaken.
- 44 Transport of mineral will not be done through villages / habitations and any private productive or waste land.
- 45 Deep drilled handpump with sufficient funding provision should be earmarked for providing drinking facility to the labour force.

- 46 Recommendations of National Institute for Labour for ensuring good occupational environment for mine workers would also be adopted.
- 47 The PP shall be responsible for enforcement of COVID-19 standard operating procedures and guidelines with respect to safety of workers involved in the mining activity.
- 48 Project Proponent shall ensure that the road may not be damaged due to transportation of the mineral and transport of minerals will be as per IRC relevant guidelines if any in this regard.
- 49 Health and safety of workers should be taken care of. They should also be provided training in safety and health care aspects.
- 50 Junction at takeoff point of approach road with main road be properly developed with proper width and geometry required for safe movement of traffic by concession holder at his own cost.
- 51 No stacking shall be allowed on road side along National Highway.
- 52 Concealing of any information/data of submission of wrong/fabricated information by the Project Proponent and failure to comply with any of the above conditions may lead to withdrawal of the EC and attract action under the provisions of EP Act, 1986.
- 53 An appeal against the EC shall lie with the Hon'ble NGT, if preferred within 30 days as prescribed under Section 16 of the NGT Act, 2010.
- 54 Mining shall be done manually minimally supported by semi-mechanized methods.
- 55 The progressive mine closure shall be as per Rules in vogue. All actions relating to progressive mine closure shall be taken well in advance during the final year of mining so that the site is rehabilitated ecologically.
- 56 The reasonable concerns expressed by the local population during public hearing shall be addressed by the Project Proponent. No blasting operations shall be allowed.
- 57 No mining activity shall be carried out in flowing water channel area within the mining block and adequate measures shall be taken to safeguard water quality and aquatic life including fisheries if available in the same.
- 58 The EC shall be valid for a period of only **three years** from the date of commencement of the mining operations duly certified by the District Mineral

Officer concerned with intimation to the JKEIAA, JKPCB and the concerned District Administration, in view of non-availability of replenishment data in the district survey report.

- 59 Under CSR, within 2 km radial distance, activities like regular health check-up of local villagers once a week shall be undertaken with free medicines. Safe drinking water facility by way of renovation of existing tanks/wells, digging of new tube wells and installation of water filters shall be undertaken. Skill development trainings shall be organized for unemployed local youth. Further, construction of toilets in schools, solar street lighting, free distribution of books, note books, N95 masks, hand sanitizers and school bags among students within 2 km radius from the mine area shall be undertaken. Under EMP, with 2 kms radial distance from mine area; air, water, soil, noise pollution monitoring on half yearly basis, black topping of roads passing through villages and maintenance of haulage /extraction routes, water sprinkling, PPE to mine workers, bearing of school/college fee and allied costs on education of children of mine workers, bearing of all costs on ailments/healthcare of mine workers, creation of green belt by way of raising and maintenance of 2500 trees per hectare on land identified by DFO Social Forestry concerned in consultation with village panchayat during the period of mining, shall be undertaken.
- 60 The JKEIAA reserves the right to impose any other condition in the EC at any time during the period of mining lease. The JKEIAA reserves the right to revoke the EC in case any of the environmental clearance conditions are violated during the mining activity. Mere grant of Environmental Clearance does not entitle the Project Proponent for grant of mining lease unless he obtains all other clearances as required under other provisions of law.

Agenda Item No: 11 Grant of Environment Clearance in favour of M/S KESRI NANDAN MINES R/O- LOGATE, KATHUA, J&K.
Proposal No: SIA/JK/MIN/56683/2019
File No: SEAC/JK/20/285
Title of the Case: Grant of Environment Clearance for MINOR MINERAL (River Bed Material) Project at Block No. 4/1, (Area- 9.72 ha.), Bein River Upstream NH1A Bridge, Samba Village- Badla, Tehsil- Ghagwal, District- Samba.

Deliberations:

The case was represented by Mr. Brinder Singh Chaudhary on behalf of KESRI NANDAN MINES R/O- LOGATE, KATHUA, J&K Project Proponent and the

Consultant was represented by Anjali Chachane on behalf of M/s. Overseas Min-Tech Consultants- 501, 5th Floor, Apex Tower, Tonk Road, Jaipur, Rajasthan. The Consultant gave a detailed PowerPoint presentation on the project and informed the JKEAC that the project is under consideration of the JKEIAA in pursuance to Govt. order No. 76-JK(FST) of 2020 dated 29/07/2020 subsequently endorsed by the JKEIAA in its Minutes of Meeting issued vide No. JKEIAA/2016/02/II/631-633 dated 08/08/2020. The Consultant gave a detailed presentation on the project during which she was asked to demonstrate the mining block on Google Earth using the KML file. The discussions continued around mining depth, targeted mineral production, concerns of locals in the light of public hearing report, extraction route, surface plan, CSR and compliance of Terms of reference. When asked about the commitments made by previous PP during public hearing, the representative of the Project Proponent assured that all commitments made during the Public Hearing shall be fulfilled. The JKEAC expressed its dismay at the non-compliance of specific Terms of Reference with respect to mining depth as the Consultant had mentioned 3 m depth in the EIA/EMP/PFR against 1 meter mining depth mentioned in the approved mining plan. Besides, the Consultant had fudged the land-use pattern of the study area with 10kms radius as the same table has been copy pasted in almost all the EIA reports. It was observed that Consultant had not added up the cost on account of e-auction proceeds paid to the Geology & Mining Department as the highest bid which, the JKEAC observed, had implications on calculation of the budget for EMP, CER and CSR. The JKEAC observed that during Public Hearing, the locals have expressed their concerns on illegal mining and have demanded livelihood from the activity. They have also demanded that the mining blocks be properly demarcated with complete information.

The Consultant informed that the public hearing was conducted on 6th of January, 2020. As per public hearing report, the locals have strongly opposed the project in view of damage caused to their plantations and roads and lack of proper demarcation and unscientific mining. Therefore, the members desired that the EC conditions must address all these concerns of the locals but simultaneously allow sustainable scientific mining in the area.

The JKEAC desired that the mistakes pointed out during discussions be rectified and pertinent documents be revised immediately. The representative of Project Proponent assured that he would submit the revised version of the documents within a few days and requested the JKEAC to consider the case for grant of EC, conditionally. The JKEAC agreed and asked the Project Proponent to submit video graphic evidence of public hearing and corrected version of EIA/EMP/PFR in soft copy and hard copy in duplicate in the JKEIAA office Jammu within a weeks' time before grant of formal EC.

Recommendations: In view of paucity of river bed material in the UT and consistent efforts of Govt. to fast track the process of grant of EC, subject to prior submission of video graphic evidence of Public Hearing and corrected version of the EIA/EMP/PFR documents in hard and soft form in the office of JKEIAA, the JKEAC recommended the case for grant of Environmental Clearance subject to following standard and specific conditions, clearly mentioning the geographical coordinates in the EC, as per letter of intent:-

STANDARD CONDITIONS:-

23) Statutory compliance

- a) This Environmental Clearance (EC) is subject to orders/ judgment of Hon'ble Supreme Court of India, Hon'ble High Court of J&K, Hon'ble NGT and any other Court of competent jurisdiction, **as may be applicable.**
- b) The Project Proponent complies with all the statutory requirements and judgement of Hon'ble Supreme Court dated 2nd August, 2017 in Writ Petition (Civil) No. 114 of 2014 in matter of Common Cause versus Union of India & Ors before commencing the mining operations.
- c) The UT Government of J&K shall ensure that mining operation shall not be commenced till the entire compensation levied, if any, for illegal mining paid by the Project Proponent through their respective Department of Mining & Geology in strict compliance of Judgement of Hon'ble Supreme Court dated 2nd August, 2017 in Writ Petition (Civil) No. 114 of 2014 in matter of Common Cause versus Union of India & Ors.
- d) This Environmental Clearance shall become operational only after receiving formal NBWL Clearance from MoEF&CC subsequent to the recommendations of the Standing JKEAC of National Board for Wildlife, **if applicable to the Project.**
- e) This Environmental Clearance shall become operational only after receiving formal Forest Clearance (FC) under the provision of Forest Conservation Act, 1980, **if applicable to the Project.**
- f) Project Proponent (PP) shall obtain Consent to Operate after grant of EC and effectively implement all the conditions stipulated therein. The mining activity shall not commence prior to obtaining Consent to Establish / Consent to Operate from the concerned State Pollution Control Board/JKEAC.
- g) The PP shall adhere to the provision of the Mines Act, 1952, Mines and Mineral (Development & Regulation), Act, 2015 and rules & regulations made there under. PP shall adhere to various circulars issued by Directorate General Mines Safety (DGMS) and Indian Bureau of Mines from time to time.
- h) The Project Proponent shall obtain consents from all the concerned land owners, before start of mining operations, as per the provisions of MMDR Act, 1957 and rules made there under in respect of lands which are not owned by it.
- i) The Project Proponent shall follow the mitigation measures provided in MoEFCC's Office Memorandum No. Z-11013/57/2014-IAJI (M), dated 29th October, 2014, titled "Impact of mining activities on Habitations-Issues related to the mining Projects wherein Habitations and villages are the part of mine lease areas or Habitations and villages are surrounded by the mine lease area".
- j) The Project Proponent shall obtain necessary prior permission of the competent authorities for drawl of requisite quantity of surface water and from CGWA for withdrawal of ground water for the project.
- k) A copy of EC letter will be marked to concerned Panchayat / local NGO etc. if any, from whom suggestion / representation has been received while processing the proposal.
- l) State Pollution Control Board/JKEAC shall be responsible for display of this EC letter at its Regional office, District Industries Centre and Collector's office/ Tehsildar's Office for 30 days.

- m) The Project Authorities should widely advertise about the grant of this EC letter by printing the same in at least two local newspapers, one of which shall be in vernacular language of the concerned area.
- n) The advertisement shall be done within 7 days of the issue of the clearance letter mentioning that the instant project has been accorded EC and copy of the EC letter is available with the State Pollution Control Board/JKEAC and web site of the Ministry of Environment, Forest and Climate Change (www.environmentclearance.nic.in). A copy of the advertisement may be forwarded to the concerned MoEFCC Regional Office for compliance and record.
- o) The Project Proponent shall inform the MoEF&CC for any change in ownership of the mining lease. In case there is any change in ownership or mining lease is transferred than mining operation shall only be carried out after transfer of EC as per provisions of the para 11 of EIA Notification, 2006 as amended from time to time.

24) Air quality monitoring and preservation

- a) The Project Proponent shall install a minimum of 3 (three) online Ambient Air Quality Monitoring Stations with 1 (one) in upwind and 2 (two) in downwind direction based on long term climatological data about wind direction such that an angle of 120° is made between the monitoring locations to monitor critical parameters, relevant for mining operations, of air pollution viz. PM10, PM 2.5, NO₂; CO and SO₂ etc. as per the methodology mentioned in NAAQS Notification No. B-29016/20/90/PC/I, dated 18.11.2009 covering the aspects of transportation and use of heavy machinery in the impact zone. The ambient air quality shall also be monitored at prominent places like office building, canteen etc. as per the site condition to ascertain the exposure characteristics at specific places. The above data shall be digitally displayed within 03 months in front of the main Gate of the mine site.
- b) Effective safeguard measures for prevention of dust generation and subsequent suppression (like regular water sprinkling, metalled road construction etc.) shall be carried out in areas prone to air pollution wherein high levels of PM10 and PM2.5 are evident such as haul road, loading and unloading point and transfer points. The Fugitive dust emissions from all sources shall be regularly controlled by installation of required equipment's/ machineries and preventive maintenance: Use of suitable water-soluble chemical dust suppressing agents may be explored for better effectiveness of dust control system. It shall be ensured that air pollution level conform to the standards prescribed by the MoEFCC/ Central Pollution Control Board.

25) Water quality monitoring and preservation

- a) In case, immediate mining scheme envisages intersection of ground water table, then Environmental Clearance shall become operational only after receiving formal clearance from CGWA. In case, mining operation involves intersection of ground water table at a later stage, then PP shall ensure that prior approval from CGWA and MoEFCC is in place before such mining operations. The permission for intersection of ground water table shall essentially be based on detailed hydro-geological study of the area.
- b) Regular monitoring of the flow rate of the springs and perennial nallahs flowing in and around the mine lease shall be carried out and records maintain. The natural water bodies and or streams which are flowing in an around the village, should not be disturbed. The

Water Table should be nurtured so as not to go down below the pre-mining period. In case of any water scarcity in the area, the Project Proponent has to provide water to the villagers for their use. A provision for regular monitoring of water table in open dug well located in village should be incorporated to ascertain the impact of mining over ground water table. The Report on changes in Ground water level and quality shall be submitted on six-monthly basis to the Regional Office of the Ministry, CGWA and State Groundwater Department / State Pollution Control Board.

- c) Project Proponent shall regularly monitor and maintain records w.r.t. ground water level and quality in and around the mine lease by establishing a network of existing wells as well as new piezo-meter installations during the mining operation in consultation with Central Ground Water Authority/ State Ground Water Department. The Report on changes in Ground water level and quality shall be submitted on six-monthly basis to the Regional Office of the Ministry, CGWA and State Groundwater Department / State Pollution Control Board.
- d) The Project Proponent shall undertake regular monitoring of natural water course/ water resources/ springs and perennial nallahs existing/ flowing in and around the mine lease and maintain its records. The Project Proponent shall undertake regular monitoring of water quality upstream and downstream of water bodies passing within and nearby/ adjacent to the mine lease and maintain its records. Sufficient number of gullies shall be provided at appropriate places within the lease for management of water. PP shall carryout regular monitoring w.r.t. pH and included the same in monitoring plan. The parameters to be monitored shall include their water quality vis-à-vis suitability for usage as per CPCB criteria and flow rate. It shall be ensured that no obstruction and/ or alteration be made to water bodies during mining operations without justification and prior approval of MoEFCC. The monitoring of water courses/ bodies existing in lease area shall be carried out four times in a year viz. pre- monsoon (April-May), monsoon (August), post-monsoon (November) and winter (January) and the record of monitored data may be sent regularly to Ministry of Environment, Forest and Climate Change and its Regional Office, Central Ground Water Authority and Regional Director, Central Ground Water Board, State Pollution Control Board and Central Pollution Control Board. Clearly showing the trend analysis on six-monthly basis.
- e) Quality of polluted water generated from mining operations which include Chemical Oxygen Demand (COD) in mines run-off; acid mine drainage and metal contamination in runoff shall be monitored along with Total Suspended Solids (TDS), Dissolved Oxygen (DO), pH and Total Suspended Solids (TSS). The monitored data shall be uploaded on the website of the company as well as displayed at the project site in public domain, on a display board, at a suitable location near the main gate of the Company. The circular No. J- 20012/1/2006-IAJI (M) dated 27.05.2009 issued by Ministry of Environment, Forest and Climate Change may also be referred in this regard.
- f) Project Proponent shall plan, develop and implement rainwater harvesting measures on long term basis to augment ground water resources in the area consultation with Central Ground Water Board/ State Groundwater Department. A report on amount of water recharged needs to be submitted to Regional Office MoEFCC annually.
- g) Industrial waste water (workshop and waste water from the mine) should be properly collected and treated so as to conform to the notified standards prescribed from time to time. The standards shall be prescribed through Consent to Operate (CTO) issued by

concerned State Pollution Control Board (SPCB). The workshop effluent shall be treated after its initial passage through Oil and grease trap.

- h) The water balance/water auditing shall be carried out and measure for reducing the consumption of water shall be taken up and reported to the Regional Office of the MoEF&CC and State Pollution Control Board/JKEAC.

26) Noise and vibration monitoring and prevention

- a) The peak particle velocity at 500m distance or within the nearest habitation, whichever is closer shall be monitored periodically as per applicable DGMS guidelines.
- b) The illumination and sound at night at project sites disturb the villages in respect of both human and animal population. Consequent sleeping disorders and stress may affect the health in the villages located close to mining operations. Habitations have a right for darkness and minimal noise levels at night. PPs must ensure that the biological clock of the villages is not disturbed; by orienting the floodlights/ masks away from the villagers and keeping the noise levels well within the prescribed limits for day /night hours.
- c) The Project Proponent shall take measures for control of noise levels below 85 dBA in the work environment. The workers engaged in operations of HEMM, etc. should be provided with ear plugs /muffs. All personnel including laborers working in dusty areas shall be provided with protective respiratory devices along with adequate training, awareness and information on safety and health aspects. The PP shall be held responsible in case it has been found that workers/ personals/ laborers are working without personal protective equipment.

27) Mining plan

- a) The Project Proponent shall adhere to the working parameters of mining plan which was submitted at the time of EC appraisal with a maximum depth of 1.0 meters wherein year-wise plan for a maximum of total excavation, waste, over burden, inter burden and top soil etc has been mentioned. No change in basic mining proposal like mining technology, total excavation, mineral & waste production, lease area and scope of working (viz. method of mining, overburden & dump management , O.B & dump mining, mineral transportation mode, ultimate depth of mining etc.) shall not be carried out without prior approval of the Ministry of Environment, Forest and Climate Change, which entail adverse environmental impacts, even if it is a part of approved mining plan modified after grant of EC or granted by State Govt. in the form to Short Term Pennit (STP), Query license or any other name.
- b) The Project Proponent shall get the Final Mine Closure Plan along with Financial Assurance approved from Indian Bureau of Mines/Department of Mining & Geology as required under the Provision of the MMDR Act, 1957 and Rules/ Guidelines made there under. A copy of approved final mine closure plan shall be submitted within 2 months of the approval of the same from the competent authority to the concerned Regional Office of the Ministry of Environment, Forest and Climate Change for record and verification.
- c) The land-use of the mine lease area at various stages of mining scheme as well as at the end-of-life shall be governed as per the approved Mining Plan. The excavation vis-à-vis backfilling in the mine lease area and corresponding afforestation to be raised in the reclaimed area shall be governed as per approved mining plan. PP shall ensure the monitoring and management of rehabilitated areas until the vegetation becomes

self-sustaining. The compliance status shall be submitted half-yearly to the MoEFCC and its concerned Regional Office.

28) Land reclamation

- a) The Overburden (O.B.) generated during the mining operations shall be stacked at earmarked OB dump site(s) only and it should not be kept active for a long period of time. The physical parameters of the OB dumps like height, width and angle of slope shall be governed as per the approved Mining Plan as per the guidelines/circulars issued by D.G.M.S w.r.t. safety in mining operations shall be strictly adhered to maintain the stability of top soil/OB dumps. The topsoil shall be used for land reclamation and plantation.
- b) The reject/waste generated during the mining operations shall be stacked at earmarked waste dump site(s) only. The physical parameters of the waste dumps like height, width and angle of slope shall be governed as per the approved Mining Plan as per the guidelines/circulars issued by DGMS w.r.t. safety in mining operations shall be strictly adhered to maintain the stability of waste dumps.
- c) The reclamation of waste dump sites shall be done in scientific manner as per the Approved Mining Plan cum Progressive Mine Closure Plan. iv. The slope of dumps shall be vegetated in scientific manner with suitable native species to maintain the slope stability, prevent erosion and surface run off. The selection of local species regulates local climatic parameters and help in adaptation of plant species to the microclimate. The gullies formed on slopes should be adequately taken care of as it impacts the overall stability of dumps. The dump mass should be consolidated with the help of dozer/ compactors thereby ensuring proper filling/ levelling of dump mass. In critical areas, use of geo textiles/ geo-membranes / clay liners / Bentonite etc. shall be undertaken for stabilization of the dump.
- d) The Project Proponent shall carry out slope stability study in case the dump height is more than 30 meters. The slope stability report shall be submitted to concerned regional office of MoEF&CC.
- e) Catch drains, settling tanks and ponds of appropriate size shall be constructed around the mine working, mineral yards and Top Soil/OB/Waste dumps to prevent run off of water and flow of sediments directly into the water bodies (Nallah/ River/ Pond etc.). The collected water should be utilized for watering the mine area, roads, green belt development, plantation etc. The drains/ sedimentation sumps etc. shall be de-silted regularly, particularly after monsoon season, and maintain properly.
- f) Check dams of appropriate size, gradient and length shall be constructed around mine pit and OB dumps to prevent storm run-off and sediment flow into adjoining water bodies. A safety margin of 50% shall be kept for designing of sump structures over and above peak rainfall (based on 50 years data) and maximum discharge in the mine and its adjoining area which shall also help in providing adequate retention time period thereby allowing proper settling of sediments/ silt material. The sedimentation pits/ sumps shall be constructed at the corners of the garland drains,
- g) The top soil, if any, shall temporarily be stored at earmarked site(s) within the mine lease only and should not be kept unutilized for long. The physical parameters of the top soil dumps like height, width and angle of slope shall be governed as per the approved Mining Plan and as per the guidelines framed by DGMS w.r.t. safety in mining

operations shall be strictly adhered to maintain the stability of dumps. The topsoil shall be used for land reclamation and plantation purpose.

29) Transportation

- a) No Transportation of the minerals shall be allowed in case of roads passing through villages/ habitations. *(In such cases, PP shall construct a 'bypass' road for the purpose of transportation of the minerals leaving an adequate gap (say at least 200 meters) so that the adverse impact of sound and dust along with chances of accidents could be mitigated.)* All costs resulting from widening and strengthening of existing public road network shall be borne by the PP in consultation with nodal State Govt. Department. Transportation of minerals through road movement in case of existing village/ rural roads shall be allowed in consultation with nodal State Govt. Department only after required strengthening such that the carrying capacity of roads is increased to handle the traffic load. The pollution due to transportation load on the environment will be effectively controlled and water sprinkling will also be done regularly. Vehicular emissions shall be kept under control and regularly monitored. Project should obtain Pollution Under Control (PUC) certificate for all the vehicles from authorized pollution testing centers.

- b) The Main haulage road within the mine lease should be provided with a permanent water sprinkling arrangement for dust suppression. Other roads within the mine lease should be wetted regularly with tanker-mounted water sprinkling system. The other areas of dust generation like crushing zone, material transfer points, material yards etc. should invariably be provided with dust suppression arrangements. The air pollution control equipments like bag filters, vacuum suction hoods, dry fogging system etc. shall be installed at Crushers, belt-conveyors and other areas prone to air pollution. The belt conveyor should be fully covered to avoid generation of dust while transportation. PP shall take necessary measures to avoid generation of fugitive dust emissions.

30) Green Belt

- a) The Project Proponent shall develop greenbelt in 7.5m wide safety zone all along the mine lease boundary as per the guidelines of CPCB in order to arrest pollution emanating from mining operations within the lease. The whole Green belt shall be developed within first 5 years starting from windward side of the active mining area. The development of greenbelt shall be governed as per the EC granted by the Ministry irrespective of the stipulation made in approved mine plan.
- b) The Project Proponent shall carryout plantation/ afforestation in backfilled and reclaimed area of mining lease, around water body, along the roadsides, in community areas etc. by planting the native species in consultation with the State Forest Department/ Agriculture Department/ Rural development department/ Tribal Welfare Department/ Gram Panchayat such that only those species be selected which are of use to the local people. The CPCB guidelines in this respect shall also be adhered. The density of the trees should be around 2500 saplings per Hectare. Adequate budgetary provision shall be made for protection and care of trees.
- c) The Project Proponent shall make necessary alternative arrangements for livestock feed by developing grazing land with a view to compensate those areas which are coming within the mine lease. The development of such grazing land shall be done in

consultation with the State Government. In this regard, Project Proponent should essentially implement the directions of the Hon'ble Supreme Court with regard to acquisition of grazing land. The sparse trees on such grazing ground, which provide mid-day shelter from the scorching sun, should be scrupulously guarded/ protected against felling and plantation of such trees should be promoted.

- d) The Project Proponent shall undertake all precautionary measures for conservation and protection of endangered flora and fauna and Schedule-I species during mining operation. A Wildlife Conservation Plan shall be prepared for the same clearly delineating action to be taken for conservation of flora and fauna. The Plan shall be approved by Chief Wild Life Warden of the State Govt.
- e) And implemented in consultation with the State Forest and Wildlife Department. A copy of Wildlife Conservation Plan and its implementation status (annual) shall be submitted to the Regional Office of the Ministry.

31) **Public hearing and human health issues**

- a) The Project Proponent shall appoint an Occupational Health Specialist for Regular as well as Periodical medical examination of the workers engaged in the mining activities, as per the DGMS guidelines. The records shall be maintain properly. PP shall also carryout Occupational health check-ups in respect of workers which are having ailments like BP, diabetes, habitual smoking, etc. The check-ups shall be undertaken once in six months and necessary remedial/ preventive measures be taken. A status report on the same may be sent to MoEFCC Regional Office and DGMS on half-yearly basis.
- b) The Project Proponent must demonstrate commitment to work towards 'Zero Harm' from their mining activities and carry out Health Risk Assessment (HRA) for identification workplace hazards and assess their potential risks to health and determine appropriate control measures to protect the health and wellbeing of workers and nearby community. The proponent shall maintain accurate and systematic records of the HRA. The HRA for neighbourhood has to focus on Public Health Problems like Malaria, Tuberculosis, HIV, Anaemia, Diarrhoea in children under five, respiratory infections due to bio mass cooking. The proponent shall also create awareness and educate the nearby community and workers for Sanitation, Personal Hygiene, Hand washing, not to defecate in open, Women Health and Hygiene (Providing Sanitary Napkins), hazard of tobacco and alcohol use. The Proponent shall carryout base line HRA for all the category of workers and thereafter every five years.
- c) The Proponent shall carry out Occupational health surveillance which be a part of HRA and include Biological Monitoring where practical and feasible, and the tests and investigations relevant to the exposure (e.g. for Dust a X-Ray chest; For Noise Audiometric; for Lead Exposure Blood Lead, For Welders Full Ophthalmologic Assessment; for Manganese Miners a complete Neurological Assessment by a Certified Neurologist, and Manganese (Mn) Estimation in Blood; For Inorganic ChromiumFortnightly skin inspection of hands and forearms by a responsible person. Except routine tests all tests would be carried out in a Lab accredited by NABH. Records of Health Surveillance must be kept for 30 years, including the results of and the records of Physical examination and tests. The record of exposure due to materials like Asbestos, Hard Rock Mining, Silica, Gold, Kaolin, Aluminium, Iron, Manganese, Chromium, Lead, Uranium need to be handed over to the Mining Department of the State in case the life of

the mine is less than 30 years. It would be obligatory for the State Mines Departments to make arrangements for the safe and secure storage of the records including X-Ray. Only conventional X-Ray will be accepted for record purposes and not the digital one). X-Ray must meet ILO criteria (17 x14 inches and of good quality).

- d) The Proponent shall maintain a record of performance indicators for workers which includes
 - i) there should not be a significant decline in their Body Mass Index and it should stay between 18.5 -24.9,
 - ii) the Final Chest X-Ray compared with the base line X-Ray should not show any capacities ,
 - iii) At the end of their leaving job there should be no Diminution in their Lung Functions Forced Expiratory Volume in one second (FEV1) Forced Vital Capacity (FVC), and the ratio) unless they are smokers which has to be adjusted, and the effect of age,
 - iv) their hearing should not be affected. As a proof an Audiogram (first and last need to be presented),
 - v) they should not have developed any Persistent Back Pain, Neck Pain, and the movement of their Hip, Knee and other joints should have normal range of movement,
 - vi) they should not have suffered loss of any body part. The record of the same should be submitted to the Regional Office, MoEFCC annually along with details of the relief and compensation paid to workers having above indications.
- e) The Project Proponent shall ensure that Personnel working in dusty areas should wear protective respiratory devices and they should also be provided with adequate training and information on safety and health aspects.
- f) Project Proponent shall make provision for the housing for workers/labors or shall construct labour camps within/outside (company owned land) with necessary basic infrastructure/ facilities like fuel for cooking, mobile toilets, mobile STP, safe drinking water, medical health care, crèche for kids etc. The housing may be provided in the form of temporary structures which can be removed after the completion of the project related infrastructure. The domestic waste water should be treated with STP in order to avoid contamination of underground water.
- g) The activities proposed in Action plan prepared for addressing the issues raised during the Public Hearing, if applicable, shall be completed as per the budgetary provisions mentioned in the Action Plan and within the stipulated time frame. The Status Report on implementation of Action Plan shall be submitted to the concerned Regional Office of the Ministry along with District Administration.

32) Corporate Environment Responsibility (CER)

- a) The activities and budget earmarked for Corporate Environmental Responsibility (CER) as per Ministry's O.M No 22-65/2017-IA. III dated 30/09/2020 or as proposed by EAC should be kept in a separate bank account. The activities proposed for CER shall be implemented in a time bound manner and annual report of implementation of the same along with documentary proof viz. photographs, purchase documents, latitude & longitude of infrastructure developed & road constructed needs to be submitted to Regional Office MoEF&CC annually along with audited statement.

- b) Project Proponent shall keep the funds earmarked for environmental protection measures in a separate account and refrain from diverting the same for other purposes. The Year wise expenditure of such funds should be reported to the MoEFCC and its concerned Regional Office.

33) Miscellaneous

- a) The Project Proponent shall prepare digital map (land use & land cover) of the entire lease area and KML file for recording the base line data and closure time data (after three years) and submit a report to concerned Regional Office of the MoEFCC.
- b) The Project Authorities should inform to the Regional Office regarding date of financial closures and final approval of the project by the concerned authorities and the date of start of land development work.
- c) The Project Proponent shall submit six monthly compliance reports on the status of the implementation of the stipulated environmental safeguards to the MOEFCC & its concerned Regional Office, Central Pollution Control Board and State Pollution Control Board.
- d) A separate 'Environmental Management Cell' with suitable qualified manpower should be set-up under the control of a Senior Executive. The Senior Executive shall directly report to Head of the Organization. Adequate number of qualified Environmental Scientists and Mining Engineers shall be appointed and submit a report to RO, MoEFCC.
- e) The concerned Regional Office of the MoEFCC shall randomly monitor compliance of the stipulated conditions. The project authorities should extend full cooperation to the MoEFCC officer(s) by furnishing the requisite data / information / monitoring reports.

SPECIFIC CONDITIONS: -

- 1 The Project Proponent must obtain NOCs from the concerned HoD of the Forest, Irrigation and Flood Control Department and Fisheries Department prior to grant of formal lease by the Geology & Mining department.
- 2 The cremation ground be properly demarcated and left undisturbed and its map showing geographical coordinates be submitted to JKEIAA before issuance of formal EC. Besides, map showing extraction route bypassing village settlements and agricultural/horticultural landas far as possible be submitted to the JKEIAA before formal grant of EC.
- 3 The maximum exploitation of the RBM site shall be **171800 M. tons** within the approved area with a maximum mining depth **of 1 meter** as mentioned in approved mining plan. Mining depth beyond 1 mt. if mentioned anywhere in any of the submitted documents whether by mistake or otherwise, shall be treated as omitted.

- 4 A green belt shall be developed under close supervision of the local panchayat.
- 5 The river bed material shall be sold to the local population within radial distance of 2 kms from the mine site for residential construction purpose at 50% concessional rates.
- 6 The formal lease shall be granted only after the Project Proponent deposits the funds earmarked under EMP and CER in a separate account to be opened for the purpose and funds be utilized in coordination with DFO, Social Forestry Dept. and concerned Chief Medical Officer(CMO)under supervision of local Panchayat Head. The funds earmarked for CSR shall also be utilized through the concerned district authorities in accordance with CSR Policy Rules.
- 7 All the provisions of Minor Mineral Rules sanctioned under SRO105 with all amendments with respect to pertinent provisions of the legal framework relating to progressive mine closure shall be complied by the Project Proponent.
- 8 This Environmental Clearance is subject to final outcome of any litigation pending before Hon'ble Supreme Court of India, Hon'ble High Court of Jammu & Kashmir, Hon'ble NGT, or any other Court of Law, if any, as may be applicable to this project.
- 9 This Environmental Clearance is without prejudice to the standing instructions /orders from the competent authorities in the MoEF&CC, GoI and the UT of J&K w.r.t river bed mining activity.
- 10 An inspection JKEAC comprising of Additional Dy. Commissioner, District Mineral Officer, representative of Pollution Control Board, Executive Engineer Irrigation & Flood Control Dept. and District Fisheries Officer shall monitor the implementation of the EMP and also certify at the end of each monsoon, that sufficient replenishment of the minor mineral has taken place during monsoon and further mining in the mining block shall not adversely affect the hydrological and ecological settings in the area.
- 11 The Project Proponent shall take all precautionary measures during mining operations for conservation and protection of endangered fauna and flora in the area.
- 12 Masks and PPE shall be provided to the workers in view of COVID-19.
- 13 Social distancing norms and other standard operating procedures relating to COVID-19 shall be followed during mining activity.

- 14 The plan worked out and expenditure made under Occupational Health should be undertaken in consultation with the Local Health Institution/PHC/Sub-Centre for utilization for the health and welfare of the local workers involved in mining activity and villagers living in the close vicinity. Regular Medical checkups and free medicines shall be provided under the fund.
- 15 The Project Proponent must ensure that the biological clock of the villagers in the vicinity of the project is not disturbed by any unauthorized night operations and all measures must be taken for keeping the noise levels within prescribed levels.
- 16 Provision shall be kept for housing of the labour force, toilets, facilities for cooking, safe water, health care, crèche etc. for the labour force.
- 17 A final Mine closure Plan along with details of Corpus fund shall be communicated to the MoEF&CC in advance for approval.
- 18 The top soil in case of surface land mining shall be temporarily stored at the designated / appropriate site and concurrently used for land reclamation.
- 19 The mining operations shall be undertaken in a systematic manner so that it does not damage the aesthetic view of the area.
- 20 Adequate steps should be taken to check soil erosion and engineering structures shall be raised wherever required. The mining shall be restricted to 3/4th of the width of the river/riverlet or 7.5 m(inward) from river bank but upto 10% of the width of the river.
- 21 The compliance report shall be submitted to the Regional Office of the MoEF&CC at Chandigarh with a copy to the Regulatory Authority.
- 22 The mining activity should in no case go beyond the area as mentioned in the Letter of Intent and a buffer area is maintain such that the slopes of adjoining area does not get disturbed.
- 23 All the provisions made and restrictions imposed as covered in the Minor Mineral Rules, shall be complied with, particularly regarding Environment Management Practices and its fund management.
- 24 The recommendations made in the District Survey Report on sustainable mining practices if any shall be complied.
- 25 The mining shall be done in bench form with maximum bench height of 1 metre.
- 26 Mining should be initiated only after installation of signboards with demarcation pillars indicating the geo-coordinates of the plot as mentioned in the letter of

intent, measurements (length /breadth) and should be laid in presence of the authorized official of the Geology & Mining Department.

- 27 There should be no change in the method of excavation and quantity of minerals to be extracted as per approved mining plan.
- 28 The EC holder shall keep a correct account of quantity of mineral mined out, dispatched from the mine, mode of transport, registration number of vehicle, person in-charge of vehicle and mine plan. This should be produced before officers concerned for inspection.
- 29 The access to mining site should be controlled in a way that vehicles carrying mineral from that area are tracked and accounted for in accordance with standing guidelines issued by the Govt.
- 30 The Geology & Mining Department should use technology like Bar Coding, Information and Communications Technology (ICT), Web based and ICT enabled services, mobile SMS App etc. to account for weight of mineral being taken out of the plot and the number of trucks moving out with the mineral.
- 31 The PP should ensure no agriculture land in the area is used for any storage /piling up of sand or gets any damage due to any other transportation activity. Where ever, damages to agricultural land, assets or human life by way of plying of trollies and tippers etc involved in transportation of minor mineral is reported, the Project Proponent shall pay adequate compensation with penalty to the effected persons as to be fixed up by the competent authority...
- 32 Waste generated will be collected on regular basis and will be disposed as per the Municipal Solid Waste Management (Management & Handling) Rule 2000 and its subsequent amendments.
- 33 Spring sources should not be affected due to mining activities. Necessary Protection measures are to be incorporated.
- 34 The mineral transportation shall be carried out through covered trucks only and the vehicles carrying the mineral shall not be overloaded.
- 35 Overloading of trucks and trolleys will be avoided.
- 36 All the instructions from authorities representing various government departments having stakes shall be complied with during the mining operations.
- 37 Haul road will be kept wide, compact and water spraying will be done. It shall be properly maintain by the PP and restored to original position after mining. Axel

load on the roads should not exceed the prescribed load as per IRC

- 38 Restricted working hours. Mining operation has to be carried out between 6 am to 7 pm.
- 39 No overhangs shall be allowed to be formed due to mining and mining shall not be allowed in area where subsidence of rocks is likely to occur due to steep angle of slope. Mining activity shall not be avoided in rainy season
- 40 Vehicles used for transportation of material are to be permitted only with fitness and PUC Certificates.
- 41 There shall be no extraction of stone / boulder in landslide prone areas.
- 42 Adequate facility for drinking water and toilets should be provided for the workers.
- 43 There should be controlled clearance of overground vegetation to be undertaken.
- 44 Transport of mineral will not be done through villages / habitations and any private productive or waste land.
- 45 Deep drilled handpump with sufficient funding provision should be earmarked for providing drinking facility to the labour force.
- 46 Recommendations of National Institute for Labour for ensuring good occupational environment for mine workers would also be adopted.
- 47 The PP shall be responsible for enforcement of COVID-19 standard operating procedures and guidelines with respect to safety of workers involved in the mining activity.
- 48 Project Proponent shall ensure that the road may not be damaged due to transportation of the mineral and transport of minerals will be as per IRC relevant guidelines if any in this regard.
- 49 Health and safety of workers should be taken care of. They should also be provided training in safety and health care aspects.
- 50 Junction at takeoff point of approach road with main road be properly developed with proper width and geometry required for safe movement of traffic by concession holder at his own cost.
- 51 No stacking shall be allowed on road side along National Highway.

- 52 Concealing of any information/data of submission of wrong/fabricated information by the Project Proponent and failure to comply with any of the above conditions may lead to withdrawal of the EC and attract action under the provisions of EP Act, 1986.
- 53 An appeal against the EC shall lie with the Hon'ble NGT, if preferred within 30 days as prescribed under Section 16 of the NGT Act, 2010.
- 54 Mining shall be done manually minimally supported by semi-mechanized methods.
- 55 The progressive mine closure shall be as per Rules in vogue. All actions relating to progressive mine closure shall be taken well in advance during the final year of mining so that the site is rehabilitated ecologically.
- 56 The reasonable concerns expressed by the local population during public hearing shall be addressed by the Project Proponent. No blasting operations shall be allowed.
- 57 No mining activity shall be carried out in flowing water channel area within the mining block and adequate measures shall be taken to safeguard water quality and aquatic life including fisheries if available in the same.
- 58 The EC shall be valid for a period of only **three years** from the date of commencement of the mining operations duly certified by the District Mineral Officer concerned with intimation to the JKEIAA, JKPCB and the concerned District Administration, in view of non-availability of replenishment data in the district survey report.
- 59 Under CSR, within 2 km radial distance, activities like regular health check-up of local villagers once a week shall be undertaken with free medicines. Safe drinking water facility by way of renovation of existing tanks/wells, digging of new tube wells and installation of water filters shall be undertaken. Skill development trainings shall be organized for unemployed local youth. Further, construction of toilets in schools, solar street lighting, free distribution of books, note books, N95 masks, hand sanitizers and school bags among students within 2 km radius from the mine area shall be undertaken. Under EMP, with 2 kms radial distance from mine area; air, water, soil, noise pollution monitoring on half yearly basis, black topping of roads passing through villages and maintenance of haulage /extraction routes, water sprinkling, PPE to mine workers, bearing of school/college fee and allied costs on education of children of mine workers, bearing of all costs on ailments/healthcare of mine workers, creation of green belt by way of raising and maintenance of 2500 trees per hectare on land identified by DFO Social Forestry

concerned in consultation with village panchayat during the period of mining, shall be undertaken.

- 60 The JKEIAA reserves the right to impose any other condition in the EC at any time during the period of mining lease. The JKEIAA reserves the right to revoke the EC in case any of the environmental clearance conditions are violated during the mining activity. Mere grant of Environmental Clearance does not entitle the Project Proponent for grant of mining lease unless he obtains all other clearances as required under other provisions of law.

Agenda Item No: 12 Grant of Environment Clearance in favour of M/S Rahil Choudhary S/o Sh. Rakesh Kumar R/O 51-C,B/D Gandhi Nagar Jammu, J & K.
Proposal No: SIA/JK/MIN/56573/2019
File No: SEAC/JK/20/274
Title of the Case: Grant of Environment Clearance for MINOR MINERAL (River Bed Material) Project at Block No. 5/33, (Area- 9.66 ha.), Khourwali Khad Downstream Khour Bridge, Village- Narayana, Tehsil- Khour, District- Jammu, State- J&K.

Deliberations:

The case was represented by Mr. Brinder Singh Chaudhary on behalf of Rahil Choudhary S/o Sh. Rakesh Kumar Project Proponent and the Consultant was represented by Anjali Chachane on behalf of M/s. Overseas Min-Tech Consultants- 501, 5th Floor, Apex Tower, Tonk Road, Jaipur, Rajasthan. The Consultant gave a detailed PowerPoint presentation on the project and informed the JKEAC that the project is under consideration of the JKEIAA in pursuance to Govt. order No. 76-JK(FST) of 2020 dated 29/07/2020 subsequently endorsed by the JKEIAA in its Minutes of Meeting issued vide No. JKEIAA/2016/02/II/631-633 dated 08/08/2020. The Consultant gave a detailed presentation on the project during which she was asked to demonstrate the mining block on Google Earth using the KML file. The discussions continued around mining depth, targeted mineral production, concerns of locals in the light of public hearing report, extraction route, surface plan, CSR and compliance of Terms of reference. When asked about the commitments made by previous PP during public hearing, the representative of the Project Proponent assured that all commitments made during the Public Hearing shall be fulfilled. The JKEAC expressed its dismay at the non-compliance of specific Terms of Reference with respect to mining depth as the Consultant had mentioned 3 m depth in the EIA/EMP/PFR against 0.50 m mining depth mentioned in the approved mining plan. Besides, the Consultant had fudged the land-use pattern of the study area with 10kms radius as the same table has been copy pasted in almost all the EIA reports. It was observed that Consultant had not added up the cost on account of e-auction proceeds paid to the Geology & Mining Department as the highest bid which, the JKEAC observed, had implications on calculation of the budget for EMP, CER and CSR. The JKEAC observed

that during Public Hearing, the locals have expressed their concerns on illegal mining and have demanded livelihood from the activity. They have also demanded that the mining blocks be properly demarcated with complete information.

The Consultant informed that the public hearing was conducted on 13th of Feb., 2020. As per public hearing report, the locals have expressed their concerns over the illegal mining in the area. They have desired that proper demarcation of the blocks. Therefore, the members desired that the EC conditions must address all these concerns of the locals but simultaneously allow sustainable scientific mining in the area. The members observed that the Public Hearing Report does not mention the block No. 5/33. However, the Consultant informed that Block No. 5/33 is infact the Block 58 of the Public Hearing Report.

The JKEAC desired that the mistakes pointed out during discussions be rectified and pertinent documents be revised immediately. The representative of Project Proponent assured that he would submit the revised version of the documents within a few days and requested the JKEAC to consider the case for grant of EC, conditionally. The JKEAC agreed and asked the Project Proponent to submit video graphic evidence of public hearing and corrected version of EIA/EMP/PFR in soft copy and hard copy in duplicate in the JKEIAA office Jammu within a weeks' time before grant of formal EC.

Recommendations: In view of paucity of river bed material in the UT and consistent efforts of Govt. to fast track the process of grant of EC, subject to prior submission of video graphic evidence of Public Hearing, clarification w.r.t Block No. 5/33 in Public Hearing Report from PCB and corrected version of the EIA/EMP/PFR documents in hard and soft form in the office of JKEIAA, the JKEAC recommended the case for grant of Environmental Clearance subject to following standard and specific conditions, clearly mentioning the geographical coordinates in the EC, as per letter of intent:-

STANDARD CONDITIONS:-

34) Statutory compliance

- a) This Environmental Clearance (EC) is subject to orders/ judgment of Hon'ble Supreme Court of India, Hon'ble High Court of J&K, Hon'ble NGT and any other Court of competent jurisdiction, **as may be applicable.**
- b) The Project Proponent complies with all the statutory requirements and judgement of Hon'ble Supreme Court dated 2nd August,2017 in Writ Petition (Civil) No. 114 of 2014 in matter of Common Cause versus Union of India &Ors before commencing the mining operations.
- c) The UT Government of J&K shall ensure that mining operation shall not be commenced till the entire compensation levied, if any, for illegal mining paid by the Project Proponent through their respective Department of Mining & Geology in strict compliance of Judgement of Hon'ble Supreme Court dated 2nd August, 2017 in Writ Petition (Civil) No. 114 of 2014 in matter of Common Cause versus Union of India &Ors.

- d) This Environmental Clearance shall become operational only after receiving formal NBWL Clearance from MoEF&CC subsequent to the recommendations of the Standing JKEAC of National Board for Wildlife, **if applicable to the Project.**
- e) This Environmental Clearance shall become operational only after receiving formal Forest Clearance (FC) under the provision of Forest Conservation Act, 1980, **if applicable to the Project.**
- f) Project Proponent (PP) shall obtain Consent to Operate after grant of EC and effectively implement all the conditions stipulated therein. The mining activity shall not commence prior to obtaining Consent to Establish / Consent to Operate from the concerned State Pollution Control Board/JKEAC.
- g) The PP shall adhere to the provision of the Mines Act, 1952, Mines and Mineral (Development & Regulation), Act, 2015 and rules & regulations made there under. PP shall adhere to various circulars issued by Directorate General Mines Safety (DGMS) and Indian Bureau of Mines from time to time.
- h) The Project Proponent shall obtain consents from all the concerned land owners, before start of mining operations, as per the provisions of MMDR Act, 1957 and rules made there under in respect of lands which are not owned by it.
- i) The Project Proponent shall follow the mitigation measures provided in MoEFCC's Office Memorandum No. Z-11013/57/2014-IAJI (M), dated 29th October, 2014, titled "Impact of mining activities on Habitations-Issues related to the mining Projects wherein Habitations and villages are the part of mine lease areas or Habitations and villages are surrounded by the mine lease area".
- j) The Project Proponent shall obtain necessary prior permission of the competent authorities for drawl of requisite quantity of surface water and from CGWA for withdrawal of ground water for the project.
- k) A copy of EC letter will be marked to concerned Panchayat / local NGO etc. if any, from whom suggestion / representation has been received while processing the proposal.
- l) State Pollution Control Board/JKEAC shall be responsible for display of this EC letter at its Regional office, District Industries Centre and Collector's office/ Tehsildar's Office for 30 days.
- m) The Project Authorities should widely advertise about the grant of this EC letter by printing the same in at least two local newspapers, one of which shall be in vernacular language of the concerned area.
- n) The advertisement shall be done within 7 days of the issue of the clearance letter mentioning that the instant project has been accorded EC and copy of the EC letter is available with the State Pollution Control Board/JKEAC and web site of the Ministry of Environment, Forest and Climate Change (www.environmentclearance.nic.in). A copy of the advertisement may be forwarded to the concerned MoEFCC Regional Office for compliance and record.
- o) The Project Proponent shall inform the MoEF&CC for any change in ownership of the mining lease. In case there is any change in ownership or mining lease is transferred than mining operation shall only be carried out after transfer of EC as per provisions of the para 11 of EIA Notification, 2006 as amended from time to time.

35) Air quality monitoring and preservation

- a) The Project Proponent shall install a minimum of 3 (three) online Ambient Air Quality Monitoring Stations with 1 (one) in upwind and 2 (two) in downwind direction based on long term climatological data about wind direction such that an angle of 120° is made between the monitoring locations to monitor critical parameters, relevant for mining operations, of air pollution viz. PM10, PM 2.5, NO₂; CO and SO₂ etc. as per the methodology mentioned in NAAQS Notification No. B-29016/20/90/PC/I, dated 18.11.2009 covering the aspects of transportation and use of heavy machinery in the impact zone. The ambient air quality shall also be monitored at prominent places like office building, canteen etc. as per the site condition to ascertain the exposure characteristics at specific places. The above data shall be digitally displayed within 03 months in front of the main Gate of the mine site.
- b) Effective safeguard measures for prevention of dust generation and subsequent suppression (like regular water sprinkling, metalled road construction etc.) shall be carried out in areas prone to air pollution wherein high levels of PM10 and PM2.5 are evident such as haul road, loading and unloading point and transfer points. The Fugitive dust emissions from all sources shall be regularly controlled by installation of required equipment's/ machineries and preventive maintenance: Use of suitable water-soluble chemical dust suppressing agents may be explored for better effectiveness of dust control system. It shall be ensured that air pollution level conform to the standards prescribed by the MoEFCC/ Central Pollution Control Board.

36) Water quality monitoring and preservation

- a) In case, immediate mining scheme envisages intersection of ground water table, then Environmental Clearance shall become operational only after receiving formal clearance from CGWA. In case, mining operation involves intersection of ground water table at a later stage, then PP shall ensure that prior approval from CGWA and MoEFCC is in place before such mining operations. The permission for intersection of ground water table shall essentially be based on detailed hydro-geological study of the area.
- b) Regular monitoring of the flow rate of the springs and perennial nallahs flowing in and around the mine lease shall be carried out and records maintain. The natural water bodies and or streams which are flowing in an around the village, should not be disturbed. The Water Table should be nurtured so as not to go down below the pre-mining period. In case of any water scarcity in the area, the Project Proponent has to provide water to the villagers for their use. A provision for regular monitoring of water table in open dug wall located in village should be incorporated to ascertain the impact of mining over ground water table. The Report on changes in Ground water level and quality shall be submitted on six-monthly basis to the Regional Office of the Ministry, CGWA and State Groundwater Department / State Pollution Control Board.
- c) Project Proponent shall regularly monitor and maintain records w.r.t. ground water level and quality in and around the mine lease by establishing a network of existing wells as well as new piezo-meter installations during the mining operation in consultation with Central Ground Water Authority/ State Ground Water Department. The Report on changes in Ground water level and quality shall be submitted on six-monthly basis to the Regional Office of the Ministry, CGWA and State Groundwater Department / State Pollution Control Board.

- d) The Project Proponent shall undertake regular monitoring of natural water course/ water resources/ springs and perennial nallahs existing/ flowing in and around the mine lease and maintain its records. The Project Proponent shall undertake regular monitoring of water quality upstream and downstream of water bodies passing within and nearby/ adjacent to the mine lease and maintain its records. Sufficient number of gullies shall be provided at appropriate places within the lease for management of water. PP shall carryout regular monitoring w.r.t. pH and included the same in monitoring plan. The parameters to be monitored shall include their water quality vis-à-vis suitability for usage as per CPCB criteria and flow rate. It shall be ensured that no obstruction and/ or alteration be made to water bodies during mining operations without justification and prior approval of MoEFCC. The monitoring of water courses/ bodies existing in lease area shall be carried out four times in a year viz. pre- monsoon (April-May), monsoon (August), post-monsoon (November) and winter (January) and the record of monitored data may be sent regularly to Ministry of Environment, Forest and Climate Change and its Regional Office, Central Ground Water Authority and Regional Director, Central Ground Water Board, State Pollution Control Board and Central Pollution Control Board. Clearly showing the trend analysis on six-monthly basis.
- e) Quality of polluted water generated from mining operations which include Chemical Oxygen Demand (COD) in mines run-off; acid mine drainage and metal contamination in runoff shall be monitored along with Total Suspended Solids (TDS), Dissolved Oxygen (DO), pH and Total Suspended Solids (TSS). The monitored data shall be uploaded on the website of the company as well as displayed at the project site in public domain, on a display board, at a suitable location near the main gate of the Company. The circular No. J- 20012/1/2006-IAJI (M) dated 27.05.2009 issued by Ministry of Environment, Forest and Climate Change may also be referred in this regard.
- f) Project Proponent shall plan, develop and implement rainwater harvesting measures on long term basis to augment ground water resources in the area consultation with Central Ground Water Board/ State Groundwater Department. A report on amount of water recharged needs to be submitted to Regional Office MoEFCC annually.
- g) Industrial waste water (workshop and waste water from the mine) should be properly collected and treated so as to conform to the notified standards prescribed from time to time. The standards shall be prescribed through Consent to Operate (CTO) issued by concerned State Pollution Control Board (SPCB). The workshop effluent shall be treated after its initial passage through Oil and grease trap.
- h) The water balance/water auditing shall be carried out and measure for reducing the consumption of water shall be taken up and reported to the Regional Office of the MoEF&CC and State Pollution Control Board/JKEAC.

37) Noise and vibration monitoring and prevention

- a) The peak particle velocity at 500m distance or within the nearest habitation, whichever is closer shall be monitored periodically as per applicable DGMS guidelines.
- b) The illumination and sound at night at project sites disturb the villages in respect of both human and animal population. Consequent sleeping disorders and stress may affect the health in the villages located close to mining operations. Habitations have a right for darkness and minimal noise levels at night. PPs must ensure that the biological clock of

the villages is not disturbed; by orienting the floodlights/ masks away from the villagers and keeping the noise levels well within the prescribed limits for day /night hours.

- c) The Project Proponent shall take measures for control of noise levels below 85 dBA in the work environment. The workers engaged in operations of HEMM, etc. should be provided with ear plugs /muffs. All personnel including laborers working in dusty areas shall be provided with protective respiratory devices along with adequate training, awareness and information on safety and health aspects. The PP shall be held responsible in case it has been found that workers/ personals/ laborers are working without personal protective equipment.

38) Mining plan

- a) The Project Proponent shall adhere to the working parameters of mining plan which was submitted at the time of EC appraisal wherein year-wise plan with a maximum mine depth of 0.5 meters for a maximum total excavation of 82000 M.tons, waste, over burden, inter burden and top soil etc.has been mentioned. No change in basic mining proposal like mining technology, total excavation, mineral & waste production, lease area and scope of working (viz. method of mining, overburden & dump management , O.B & dump mining, mineral transportation mode, ultimate depth of mining etc.) shall not be carried out without prior approval of the Ministry of Environment, Forest and Climate Change, which entail adverse environmental impacts, even if it is a part of approved mining plan modified after grant of EC or granted by State Govt. in the form to Short Term Pennit (STP), Query license or any other name.
- b) The Project Proponent shall get the Final Mine Closure Plan along with Financial Assurance approved from Indian Bureau of Mines/Department of Mining & Geology as required under the Provision of the MMDR Act, 1957 and Rules/ Guidelines made there under. A copy of approved final mine closure plan shall be submitted within 2 months of the approval of the same from the competent authority to the concerned Regional Office of the Ministry of Environment, Forest and Climate Change for record and verification.
- c) The land-use of the mine lease area at various stages of mining scheme as well as at the end-of-life shall be governed as per the approved Mining Plan. The excavation vis-à-vis backfilling in the mine lease area and corresponding afforestation to be raised in the reclaimed area shall be governed as per approved mining plan. PP shall ensure the monitoring and management of rehabilitated areas until the vegetation becomes selfsustaining. The compliance status shall be submitted half-yearly to the MoEFCC and its concerned Regional Office.

39) Land reclamation

- a) The Overburden (O.B.) generated during the mining operations shall be stacked at earmarked OB dump site(s) only and it should not be kept active for a long period of time. The physical parameters of the OB dumps like height, width and angle of slope shall be governed as per the approved Mining Plan as per the guidelines/circulars issued by D.G.M.S w.r.t. safety in mining operations shall be strictly adhered to maintain the stability of top soil/OB dumps. The topsoil shall be used for land reclamation and plantation.
- b) The reject/waste generated during the mining operations shall be stacked at earmarked waste dump site(s) only. The physical parameters of the waste dumps like height, width

and angle of slope shall be governed as per the approved Mining Plan as per the guidelines/circulars issued by DGMS w.r.t. safety in mining operations shall be strictly adhered to maintain the stability of waste dumps.

- c) The reclamation of waste dump sites shall be done in scientific manner as per the Approved Mining Plan cum Progressive Mine Closure Plan. iv. The slope of dumps shall be vegetated in scientific manner with suitable native species to maintain the slope stability, prevent erosion and surface run off. The selection of local species regulates local climatic parameters and help in adaptation of plant species to the microclimate. The gullies formed on slopes should be adequately taken care of as it impacts the overall stability of dumps. The dump mass should be consolidated with the help of dozer/ compactors thereby ensuring proper filling/ levelling of dump mass. In critical areas, use of geo textiles/ geo-membranes / clay liners / Bentonite etc. shall be undertaken for stabilization of the dump.
- d) The Project Proponent shall carry out slope stability study in case the dump height is more than 30 meters. The slope stability report shall be submitted to concerned regional office of MoEF&CC.
- e) Catch drains, settling tanks and ponds of appropriate size shall be constructed around the mine working, mineral yards and Top Soil/OB/Waste dumps to prevent run off of water and flow of sediments directly into the water bodies (Nallah/ River/ Pond etc.). The collected water should be utilized for watering the mine area, roads, green belt development, plantation etc. The drains/ sedimentation sumps etc. shall be de-silted regularly, particularly after monsoon season, and maintain properly.
- f) Check dams of appropriate size, gradient and length shall be constructed around mine pit and OB dumps to prevent storm run-off and sediment flow into adjoining water bodies. A safety margin of 50% shall be kept for designing of sump structures over and above peak rainfall (based on 50 years data) and maximum discharge in the mine and its adjoining area which shall also help in providing adequate retention time period thereby allowing proper settling of sediments/ silt material. The sedimentation pits/ sumps shall be constructed at the corners of the garland drains,
- g) The top soil, if any, shall temporarily be stored at earmarked site(s) within the mine lease only and should not be kept unutilized for long. The physical parameters of the top soil dumps like height, width and angle of slope shall be governed as per the approved Mining Plan and as per the guidelines framed by DGMS w.r.t. safety in mining operations shall be strictly adhered to maintain the stability of dumps. The topsoil shall be used for land reclamation and plantation purpose.

40) Transportation

- a) No Transportation of the minerals shall be allowed in case of roads passing through villages/ habitations. *(In such cases, PP shall construct a 'bypass' road for the purpose of transportation of the minerals leaving an adequate gap (say at least 200 meters) so that the adverse impact of sound and dust along with chances of accidents could be mitigated.)* All costs resulting from widening and strengthening of existing public road network shall be borne by the PP in consultation with nodal State Govt. Department. Transportation of minerals through road movement in case of existing village/ rural roads shall be allowed in consultation with nodal State Govt. Department only after required strengthening such that the carrying capacity of roads is increased to handle the traffic

load. The pollution due to transportation load on the environment will be effectively controlled and water sprinkling will also be done regularly. Vehicular emissions shall be kept under control and regularly monitored. Project should obtain Pollution Under Control (PUC) certificate for all the vehicles from authorized pollution testing centers.

- b) The Main haulage road within the mine lease should be provided with a permanent water sprinkling arrangement for dust suppression. Other roads within the mine lease should be wetted regularly with tanker-mounted water sprinkling system. The other areas of dust generation like crushing zone, material transfer points, material yards etc. should invariably be provided with dust suppression arrangements. The air pollution control equipments like bag filters, vacuum suction hoods, dry fogging system etc. shall be installed at Crushers, belt-conveyors and other areas prone to air pollution. The belt conveyor should be fully covered to avoid generation of dust while transportation. PP shall take necessary measures to avoid generation of fugitive dust emissions.

41) Green Belt

- a) The Project Proponent shall develop greenbelt in 7.5m wide safety zone all along the mine lease boundary as per the guidelines of CPCB in order to arrest pollution emanating from mining operations within the lease. The whole Green belt shall be developed within first 5 years starting from windward side of the active mining area. The development of greenbelt shall be governed as per the EC granted by the Ministry irrespective of the stipulation made in approved mine plan.
- b) The Project Proponent shall carryout plantation/ afforestation in backfilled and reclaimed area of mining lease, around water body, along the roadsides, in community areas etc. by planting the native species in consultation with the State Forest Department/ Agriculture Department/ Rural development department/ Tribal Welfare Department/ Gram Panchayat such that only those species be selected which are of use to the local people. The CPCB guidelines in this respect shall also be adhered. The density of the trees should be around 2500 saplings per Hectare. Adequate budgetary provision shall be made for protection and care of trees.
- c) The Project Proponent shall make necessary alternative arrangements for livestock feed by developing grazing land with a view to compensate those areas which are coming within the mine lease. The development of such grazing land shall be done in consultation with the State Government. In this regard, Project Proponent should essentially implement the directions of the Hon'ble Supreme Court with regard to acquisition of grazing land. The sparse trees on such grazing ground, which provide mid-day shelter from the scorching sun, should be scrupulously guarded/ protected against felling and plantation of such trees should be promoted.
- d) The Project Proponent shall undertake all precautionary measures for conservation and protection of endangered flora and fauna and Schedule-I species during mining operation. A Wildlife Conservation Plan shall be prepared for the same clearly delineating action to be taken for conservation of flora and fauna. The Plan shall be approved by Chief Wild Life Warden of the State Govt.
- e) And implemented in consultation with the State Forest and Wildlife Department. A copy of Wildlife Conservation Plan and its implementation status (annual) shall be submitted to the Regional Office of the Ministry.

42) Public hearing and human health issues

- a) The Project Proponent shall appoint an Occupational Health Specialist for Regular as well as Periodical medical examination of the workers engaged in the mining activities, as per the DGMS guidelines. The records shall be maintained properly. PP shall also carry out Occupational health check-ups in respect of workers which are having ailments like BP, diabetes, habitual smoking, etc. The check-ups shall be undertaken once in six months and necessary remedial/ preventive measures be taken. A status report on the same may be sent to MoEFCC Regional Office and DGMS on half-yearly basis.
- b) The Project Proponent must demonstrate commitment to work towards 'Zero Harm' from their mining activities and carry out Health Risk Assessment (HRA) for identification of workplace hazards and assess their potential risks to health and determine appropriate control measures to protect the health and wellbeing of workers and nearby community. The proponent shall maintain accurate and systematic records of the HRA. The HRA for neighbourhood has to focus on Public Health Problems like Malaria, Tuberculosis, HIV, Anaemia, Diarrhoea in children under five, respiratory infections due to bio mass cooking. The proponent shall also create awareness and educate the nearby community and workers for Sanitation, Personal Hygiene, Hand washing, not to defecate in open, Women Health and Hygiene (Providing Sanitary Napkins), hazard of tobacco and alcohol use. The Proponent shall carry out base line HRA for all the category of workers and thereafter every five years.
- c) The Proponent shall carry out Occupational health surveillance which be a part of HRA and include Biological Monitoring where practical and feasible, and the tests and investigations relevant to the exposure (e.g. for Dust a X-Ray chest; For Noise Audiometric; for Lead Exposure Blood Lead, For Welders Full Ophthalmologic Assessment; for Manganese Miners a complete Neurological Assessment by a Certified Neurologist, and Manganese (Mn) Estimation in Blood; For Inorganic Chromium Fortnightly skin inspection of hands and forearms by a responsible person. Except routine tests all tests would be carried out in a Lab accredited by NABH. Records of Health Surveillance must be kept for 30 years, including the results of and the records of Physical examination and tests. The record of exposure due to materials like Asbestos, Hard Rock Mining, Silica, Gold, Kaolin, Aluminium, Iron, Manganese, Chromium, Lead, Uranium need to be handed over to the Mining Department of the State in case the life of the mine is less than 30 years. It would be obligatory for the State Mines Departments to make arrangements for the safe and secure storage of the records including X-Ray. Only conventional X-Ray will be accepted for record purposes and not the digital one). X-Ray must meet ILO criteria (17 x14 inches and of good quality).
- d) The Proponent shall maintain a record of performance indicators for workers which includes
 - i) there should not be a significant decline in their Body Mass Index and it should stay between 18.5 -24.9,
 - ii) the Final Chest X-Ray compared with the base line X-Ray should not show any capacities ,
 - iii) At the end of their leaving job there should be no Diminution in their Lung Functions Forced Expiratory Volume in one second (FEV1) Forced Vital Capacity (FVC), and the ratio) unless they are smokers which has to be adjusted, and the effect of age,

- iv) their hearing should not be affected. As a proof an Audiogram (first and last need to be presented),
- v) they should not have developed any Persistent Back Pain, Neck Pain, and the movement of their Hip, Knee and other joints should have normal range of movement,
- vi) they should not have suffered loss of any body part. The record of the same should be submitted to the Regional Office, MoEFCC annually along with details of the relief and compensation paid to workers having above indications.
- e) The Project Proponent shall ensure that Personnel working in dusty areas should wear protective respiratory devices and they should also be provided with adequate training and information on safety and health aspects.
- f) Project Proponent shall make provision for the housing for workers/labors or shall construct labour camps within/outside (company owned land) with necessary basic infrastructure/ facilities like fuel for cooking, mobile toilets, mobile STP, safe drinking water, medical health care, crèche for kids etc. The housing may be provided in the form of temporary structures which can be removed after the completion of the project related infrastructure. The domestic waste water should be treated with STP in order to avoid contamination of underground water.
- g) The activities proposed in Action plan prepared for addressing the issues raised during the Public Hearing, if applicable, shall be completed as per the budgetary provisions mentioned in the Action Plan and within the stipulated time frame. The Status Report on implementation of Action Plan shall be submitted to the concerned Regional Office of the Ministry along with District Administration.

43) Corporate Environment Responsibility (CER)

- a) The activities and budget earmarked for Corporate Environmental Responsibility (CER) as per Ministry's O.M No 22-65/2017-IA. III dated 30/09/2020 or as proposed by EAC should be kept in a separate bank account. The activities proposed for CER shall be implemented in a time bound manner and annual report of implementation of the same along with documentary proof viz. photographs, purchase documents, latitude & longitude of infrastructure developed & road constructed needs to be submitted to Regional Office MoEF&CC annually along with audited statement.
- b) Project Proponent shall keep the funds earmarked for environmental protection measures in a separate account and refrain from diverting the same for other purposes. The Year wise expenditure of such funds should be reported to the MoEFCC and its concerned Regional Office.

44) Miscellaneous

- a) The Project Proponent shall prepare digital map (land use & land cover) of the entire lease area and KML file for recording the base line data and closure time data (after three years) and submit a report to concerned Regional Office of the MoEFCC.
- b) The Project Authorities should inform to the Regional Office regarding date of financial closures and final approval of the project by the concerned authorities and the date of start of land development work.
- c) The Project Proponent shall submit six monthly compliance reports on the status of the implementation of the stipulated environmental safeguards to the MOEFCC & its

concerned Regional Office, Central Pollution Control Board and State Pollution Control Board.

- d) A separate 'Environmental Management Cell' with suitable qualified manpower should be set-up under the control of a Senior Executive. The Senior Executive shall directly report to Head of the Organization. Adequate number of qualified Environmental Scientists and Mining Engineers shall be appointed and submit a report to RO, MoEFCC.
- e) The concerned Regional Office of the MoEFCC shall randomly monitor compliance of the stipulated conditions. The project authorities should extend full cooperation to the MoEFCC officer(s) by furnishing the requisite data / information / monitoring reports.

SPECIFIC CONDITIONS: -

- 1 The Project Proponent must obtain NOCs from the concerned HoD of the Forest, Irrigation and Flood Control Department and Fisheries Department prior to grant of formal lease by the Geology & Mining department.
- 2 The cremation ground be properly demarcated and left undisturbed and its map showing geographical coordinates be submitted to JKEIAA before issuance of formal EC. Besides, map showing extraction route bypassing village settlements and agricultural/horticultural landas far as possible be submitted to the JKEIAA before formal grant of EC.
- 3 The maximum exploitation of the RBM site shall be **82000 M. tons** within the approved area with a maximum mining depth **of 0.50 mt.** as mentioned in approved mining plan. Mining depth beyond 0.50mts. if mentioned anywhere in any of the submitted documents whether by mistake or otherwise, shall be treated as omitted.
- 4 A green belt shall be developed under close supervision of the local panchayat.
- 5 The river bed material shall be sold to the local population within radial distance of 2 kms from the mine site for residential construction purpose at 50% concessional rates.
- 6 The formal lease shall be granted only after the Project Proponent deposits the funds earmarked under EMP and CER in a separate account to be opened for the purpose and funds be utilized in coordination with DFO, Social Forestry Dept. and concerned Chief Medical Officer(CMO)under supervision of local Panchayat Head. The funds earmarked for CSR shall also be utilized through the concerned district authorities in accordance with CSR Policy Rules.

- 7 All the provisions of Minor Mineral Rules sanctioned under SRO105 with all amendments with respect to pertinent provisions of the legal framework relating to progressive mine closure shall be complied by the Project Proponent.
- 8 This Environmental Clearance is subject to final outcome of any litigation pending before Hon'ble Supreme Court of India, Hon'ble High Court of Jammu & Kashmir, Hon'ble NGT, or any other Court of Law, if any, as may be applicable to this project.
- 9 This Environmental Clearance is without prejudice to the standing instructions /orders from the competent authorities in the MoEF&CC, GoI and the UT of J&K w.r.t river bed mining activity.
- 10 An inspection JKEAC comprising of Additional Dy. Commissioner, District Mineral Officer, representative of Pollution Control Board, Executive Engineer Irrigation & Flood Control Dept. and District Fisheries Officer shall monitor the implementation of the EMP and also certify at the end of each monsoon, that sufficient replenishment of the minor mineral has taken place during monsoon and further mining in the mining block shall not adversely affect the hydrological and ecological settings in the area.
- 11 The Project Proponent shall take all precautionary measures during mining operations for conservation and protection of endangered fauna and flora in the area.
- 12 Masks and PPE shall be provided to the workers in view of COVID-19.
- 13 Social distancing norms and other standard operating procedures relating to COVID-19 shall be followed during mining activity.
- 14 The plan worked out and expenditure made under Occupational Health should be undertaken in consultation with the Local Health Institution/PHC/Sub-Centre for utilization for the health and welfare of the local workers involved in mining activity and villagers living in the close vicinity. Regular Medical checkups and free medicines shall be provided under the fund.
- 15 The Project Proponent must ensure that the biological clock of the villagers in the vicinity of the project is not disturbed by any unauthorized night operations and all measures must be taken for keeping the noise levels within prescribed levels.
- 16 Provision shall be kept for housing of the labour force, toilets, facilities for cooking, safe water, health care, crèche etc. for the labour force.

- 17 A final Mine closure Plan along with details of Corpus fund shall be communicated to the MoEF&CC in advance for approval.
- 18 The top soil in case of surface land mining shall be temporarily stored at the designated / appropriate site and concurrently used for land reclamation.
- 19 The mining operations shall be undertaken in a systematic manner so that it does not damage the aesthetic view of the area.
- 20 Adequate steps should be taken to check soil erosion and engineering structures shall be raised wherever required. The mining shall be restricted to 3/4th of the width of the river/riverlet or 7.5 m(inward) from river bank but upto 10% of the width of the river.
- 21 The compliance report shall be submitted to the Regional Office of the MoEF&CC at Chandigarh with a copy to the Regulatory Authority.
- 22 The mining activity should in no case go beyond the area as mentioned in the Letter of Intent and a buffer area is maintain such that the slopes of adjoining area does not get disturbed.
- 23 All the provisions made and restrictions imposed as covered in the Minor Mineral Rules, shall be complied with, particularly regarding Environment Management Practices and its fund management.
- 24 The recommendations made in the District Survey Report on sustainable mining practices if any shall be complied.
- 25 The mining shall be done in bench form with maximum bench height of 0.50 metre.
- 26 Mining should be initiated only after installation of signboards with demarcation pillars indicating the geo-coordinates of the plot as mentioned in the letter of intent, measurements (length /breadth) and should be laid in presence of the authorized official of the Geology & Mining Department.
- 27 There should be no change in the method of excavation and quantity of minerals to be extracted as per approved mining plan.
- 28 The EC holder shall keep a correct account of quantity of mineral mined out, dispatched from the mine, mode of transport, registration number of vehicle, person in-charge of vehicle and mine plan. This should be produced before officers concerned for inspection.

- 29 The access to mining site should be controlled in a way that vehicles carrying mineral from that area are tracked and accounted for in accordance with standing guidelines issued by the Govt.
- 30 The Geology & Mining Department should use technology like Bar Coding, Information and Communications Technology (ICT), Web based and ICT enabled services, mobile SMS App etc. to account for weight of mineral being taken out of the plot and the number of trucks moving out with the mineral.
- 31 The PP should ensure no agriculture land in the area is used for any storage /piling up of sand or gets any damage due to any other transportation activity. Where ever, damages to agricultural land, assets or human life by way of plying of trollies and tippers involved in transportation of minor mineral is reported, the Project Proponent shall pay adequate compensation with penalty to the effected persons as to be fixed up by the competent authority.
- 32 Waste generated will be collected on regular basis and will be disposed as per the Municipal Solid Waste Management (Management & Handling) Rule 2000 and its subsequent amendments.
- 33 Spring sources should not be affected due to mining activities. Necessary Protection measures are to be incorporated.
- 34 The mineral transportation shall be carried out through covered trucks only and the vehicles carrying the mineral shall not be overloaded.
- 35 Overloading of trucks and trolleys will be avoided.
- 36 All the instructions from authorities representing various government departments having stakes shall be complied with during the mining operations.
- 37 Haul road will be kept wide, compact and water spraying will be done. It shall be properly maintain by the PP and restored to original position after mining. Axel load on the roads should not exceed the prescribed load as per IRC
- 38 Restricted working hours. Mining operation has to be carried out between 6 am to 7 pm.
- 39 No overhangs shall be allowed to be formed due to mining and mining shall not be allowed in area where subsidence of rocks is likely to occur due to steep angle of slope. Mining activity shall not be avoided in rainy season
- 40 Vehicles used for transportation of material are to be permitted only with fitness and PUC Certificates.

- 41 There shall be no extraction of stone / boulder in landslide prone areas.
- 42 Adequate facility for drinking water and toilets should be provided for the workers.
- 43 There should be controlled clearance of overground vegetation to be undertaken.
- 44 Transport of mineral will not be done through villages / habitations and any private productive or waste land.
- 45 Deep drilled handpump with sufficient funding provision should be earmarked for providing drinking facility to the labour force.
- 46 Recommendations of National Institute for Labour for ensuring good occupational environment for mine workers would also be adopted.
- 47 The PP shall be responsible for enforcement of COVID-19 standard operating procedures and guidelines with respect to safety of workers involved in the mining activity.
- 48 Project Proponent shall ensure that the road may not be damaged due to transportation of the mineral and transport of minerals will be as per IRC relevant guidelines if any in this regard.
- 49 Health and safety of workers should be taken care of. They should also be provided training in safety and health care aspects.
- 50 Junction at takeoff point of approach road with main road be properly developed with proper width and geometry required for safe movement of traffic by concession holder at his own cost.
- 51 No stacking shall be allowed on road side along National Highway.
- 52 Concealing of any information/data of submission of wrong/fabricated information by the Project Proponent and failure to comply with any of the above conditions may lead to withdrawal of the EC and attract action under the provisions of EP Act, 1986.
- 53 An appeal against the EC shall lie with the Hon'ble NGT, if preferred within 30 days as prescribed under Section 16 of the NGT Act, 2010.
- 54 Mining shall be done manually minimally supported by semi-mechanized methods.
- 55 The progressive mine closure shall be as per Rules in vogue. All actions relating to progressive mine closure shall be taken well in advance during the final year of

mining so that the site is rehabilitated ecologically.

- 56 The reasonable concerns expressed by the local population during public hearing shall be addressed by the Project Proponent. No blasting operations shall be allowed.
- 57 No mining activity shall be carried out in flowing water channel area within the mining block and adequate measures shall be taken to safeguard water quality and aquatic life including fisheries if available in the same.
- 58 The EC shall be valid for a period of only **three years** from the date of commencement of the mining operations duly certified by the District Mineral Officer concerned with intimation to the JKEIAA, JKPCB and the concerned District Administration, in view of non-availability of replenishment data in the district survey report.
- 59 Under CSR, within 2 km radial distance, activities like regular health check-up of local villagers once a week shall be undertaken with free medicines. Safe drinking water facility by way of renovation of existing tanks/wells, digging of new tube wells and installation of water filters shall be undertaken. Skill development trainings shall be organized for unemployed local youth. Further, construction of toilets in schools, solar street lighting, free distribution of books, note books, N95 masks, hand sanitizers and school bags among students within 2 km radius from the mine area shall be undertaken. Under EMP, with 2 kms radial distance from mine area; air, water, soil, noise pollution monitoring on half yearly basis, black topping of roads passing through villages and maintenance of haulage /extraction routes, water sprinkling, PPE to mine workers, bearing of school/college fee and allied costs on education of children of mine workers, bearing of all costs on ailments/healthcare of mine workers, creation of green belt by way of raising and maintenance of 2500 trees per hectare on land identified by DFO Social Forestry concerned in consultation with village panchayat during the period of mining, shall be undertaken.
- 60 The JKEIAA reserves the right to impose any other condition in the EC at any time during the period of mining lease. The JKEIAA reserves the right to revoke the EC in case any of the environmental clearance conditions are violated during the mining activity. Mere grant of Environmental Clearance does not entitle the Project Proponent for grant of mining lease unless he obtains all other clearances as required under other provisions of law.

Agenda Item No: 13 Grant of Environment Clearance in favour of M/S SAI MINES LOGATE TEHSIL & DISTRICT- KATHUA J&K
Proposal No: SIA/JK/MIN/56510/2019
File No: SEAC/JK/20/282
Title of the Case: Grant of Environment Clearance for MINOR MINERAL (River Bed Material) Project at Block No. 3(1/3), (Area- 9.34 ha.), Tawi River Downstream Railway Bridge Kishanpur Manwal Village- Kishanpur (Jammu Block), Tehsil- Jammu, District- Jammu, State- J&K.

Deliberations:

The case was represented by Mr. Brinder Singh Chaudhary on behalf of M/S SAI MINES Project Proponent and the Consultant was represented by Anjali Chachane on behalf of M/s. Overseas Min-Tech Consultants- 501, 5th Floor, Apex Tower, Tonk Road, Jaipur, Rajasthan. The Consultant gave a detailed PowerPoint presentation on the project and informed the JKEAC that the project is under consideration of the JKEIAA in pursuance to Govt. order No. 76-JK(FST) of 2020 dated 29/07/2020 subsequently endorsed by the JKEIAA in its Minutes of Meeting issued vide No. JKEIAA/2016/02/II/631-633 dated 08/08/2020. The Consultant gave a detailed presentation on the project during which she was asked to demonstrate the mining block on Google Earth using the KML file. It was observed that the mining block falls inside the territorial forest boundary available with the JKEAC. Therefore, the JKEAC desired that the PP must obtain prior clarification from the PCCF, J&K w.r.t the legal status of the mining block.

Recommendation: In view of the fact that the mining block seems to be inside the forest boundary, the Project Proponent may be asked to obtain clarification from the PCCF, J&K as to whether the mining block is inside or outside the forest boundary. In case the block is found to be within the forest boundary, the case may be rejected.

LEFTOVER CASES OF 03/10/2020

Agenda Item No: 01 Grant of Terms of Reference in favour of M/S Firdous Ahmad Kumar S/o- Sh. Mohammad Ramzan Kumar R/o: Kralpora Tehsil – Magam & District Budgam, U.T. : Jammu & Kashmir Pin Code – 191111.
Proposal No: SIA/JK/MIN/51520/2020
File No: SEAC/JK/20/266
Title of the Case: Grant of Terms of Reference for Minor Mineral Block No. 19, Goigam Bridge to Magam Bridge, D/stream of Ferozpora Nalla, Tehsil Tangmerg District Baramulla Area 7.94 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 desired the PP to be present through mobile phone for any queries, which he did. 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. It was observed that a small portion of the mining block falls in an agricultural land due to coarsely recorded geographical coordinates.

Recommendation: In view of the above deliberations, the JKEAC recommended that the Project Proponent be asked to get the approved mining plan and letter of Intent revised w.r.t geographical coordinates in such a way that the mining block does not traverse through any cultivated crop land. After, it is done, the Project Proponent may resubmit the case for grant of ToRs.

Agenda Item No: 02 Grant of Terms of Reference in favour of M/S Bashir Ahmad Wani S/o Sh. Jalal Ud Din Wani R/O Ladhoo, Khrew, District Pulwama, J&K UT.-192301.
Proposal No: SIA/JK/MIN/55378/2020
File No: SEAC/JK/20/265
Title of the Case: Grant of Terms of Reference for River Bed Mining Project is situated at Minor Mineral Block – 26, H/O Ghulam Hassan Sheikh Sheikhpora D/Stream Nallah Rambiar, Village- Sheikhpora, Tehsil- Chitragam, District- Shopian, and U.T.- J & K over an area of 9.50 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 was fine 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.

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: 06 Grant of Terms of Reference in favour of M/S J&K Minerals Ltd., R/o: 5th Floor, Jawahar Lal Nehru Udhdyog Bhawan, Rail Head Complex, Jammu., UT-J&K – 184121.

Proposal No: SIA/JK/MIN/56740/2020
File No: SEAC/JK/20/270
Title of the Case: Grant of Terms of Reference for River Bed Mining Project is situated at Minor Mineral Block No- 1/10, Suran River Downstream Madana Bridge, Village Madana, Tehsil- Poonch, District- Poonch, and State/UT- J & K over an area of 3.54 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. Nobody represented from the side of J&K Minerals Ltd., the Project Proponent. The Consultant gave a detailed presentation on the project during which he was asked to display the block on Google Earth platform. While examining the block on the Google Earth platform, it was observed that the block has wrongly been identified as the distance to bridge is only 423 mts, lot of material is available on the left side of the block, part of block covering the water channel and agricultural land on the left side that needs to be excluded.

Recommendation: In view of the above deliberations, the JKEAC desired that the mining block be relocated to an appropriate site free from any encumbrances/cropland and 500 mts away from the bridge excluding the flowing water channel area.

06/10/2020

On 6th of October, 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. Prof. Arvind Jasrotia | Member |
| 5. Professor GM Dar | Member |
| 6. Professor Anil Kr. Raina | Member |
| 7. Prof. M.A Khan | Member |
| 8. HL Langeh, DD, | representative of G&M Dept. |

9. Mr. Humayun Rashid

Secretary

Agenda Item No: 14

Grant of Environment Clearance in favour of M/S Aditya Mahajan S/o Shri S.K Gupta R/o H.No.20 Sector 6/AW. No.54, Trikuta Nagar, Jammu, J&K

Proposal No:

SIA/JK/MIN/56517/2019

File No:

SEAC/JK/20/283

Title of the Case:

Grant of Environment Clearance for MINOR MINERAL (River Bed Material) Project at Block No. 6 (1/6), (Area- 9.74 ha.), Tawi River Downstream Railway Bridge, Kishanpur Manwal Village- Kishanpur (Jammu Block), Tehsil- Jammu, District- Jammu, State- J&K.

Deliberations: The case was represented by Mr. Brinder Singh Chaudhary on behalf of Aditya Mahajan S/o Shri S.K Gupta Project Proponent and the Consultant was represented by Anjali Chachane on behalf of M/s. Overseas Min-Tech Consultants- 501, 5th Floor, Apex Tower, Tonk Road, Jaipur, Rajasthan. The Consultant gave a detailed PowerPoint presentation on the project and informed the JKEAC that the project is under consideration of the JKEIAA in pursuance to Govt. order No. 76-JK(FST) of 2020 dated 29/07/2020 subsequently endorsed by the JKEIAA in its Minutes of Meeting issued vide No. JKEIAA/2016/02/II/631-633 dated 08/08/2020. The Consultant gave a detailed presentation on the project during which she was asked to demonstrate the mining block on Google Earth using the KML file. The JKEAC observed that nearly 30% area of the mining block constitutes flowing water channel. Therefore, the JKEAC observed that the mining block needs to be reduced as per ground reality with denovo approval of the mining plan before grant of formal lease. The discussions continued around mining depth, targeted mineral production, concerns of locals in the light of public hearing report, extraction route, surface plan, CSR and compliance of Terms of reference. When asked about the commitments made by previous PP during public hearing, the representative of the Project Proponent assured that all commitments made during the Public Hearing shall be fulfilled. The JKEAC expressed its dismay at the non-compliance of specific Terms of Reference with respect to mining depth as the Consultant had mentioned 3 m depth in the EIA/EMP/PFR against 0.75 m mining depth mentioned in the approved mining plan. Besides, the Consultant had misrepresented the land-use pattern of the study area with 10kms radius as the same table has been copy pasted in almost all the EIA reports. The Consultant informed that the public hearing was conducted on 11th of March., 2020. The JKEAC observed that during Public Hearing, the locals have expressed their concerns on illegal mining, demanded proper mitigation measures during and after mining and have demanded livelihood from the activity. They have also demanded that the mining blocks be properly demarcated with complete information. Therefore, the members desired that the EC conditions must address all these concerns of the locals but simultaneously allow sustainable scientific mining in the area.

The JKEAC desired that the mistakes pointed out during discussions be rectified and pertinent documents be revised immediately. The representative of Project Proponent

assured that he would submit the revised version of the documents within a few days and requested the JKEAC to consider the case for grant of EC, conditionally. The JKEAC discussed the issue in the light of paucity of RBM in the market and consistent efforts of the J&K Govt. to fast track the process of grant of EC and asked the Project Proponent to submit video graphic evidence of public hearing and corrected version of EIA/EMP/PFR in soft copy and hard copy in duplicate in the JKEIAA office Jammu within a weeks' time before grant of formal EC.

Recommendations: In view of paucity of river bed material in the UT and consistent efforts of Govt. to fast track the process of grant of EC, subject to prior submission of video graphic evidence of Public Hearing and corrected version of the EIA/EMP/PFR documents in hard and soft form in the office of JKEIAA, the JKEAC recommended the case for grant of Environmental Clearance subject to following standard and specific conditions, clearly mentioning the geographical coordinates in the EC, as per letter of intent:-

STANDARD CONDITIONS:-

45) Statutory compliance

- a) This Environmental Clearance (EC) is subject to orders/ judgment of Hon'ble Supreme Court of India, Hon'ble High Court of J&K, Hon'ble NGT and any other Court of competent jurisdiction, **as may be applicable.**
- b) The Project Proponent complies with all the statutory requirements and judgement of Hon'ble Supreme Court dated 2nd August,2017 in Writ Petition (Civil) No. 114 of 2014 in matter of Common Cause versus Union of India &Ors before commencing the mining operations.
- c) The UT Government of J&K shall ensure that mining operation shall not be commenced till the entire compensation levied, if any, for illegal mining paid by the Project Proponent through their respective Department of Mining & Geology in strict compliance of Judgement of Hon'ble Supreme Court dated 2nd August, 2017 in Writ Petition (Civil) No. 114 of 2014 in matter of Common Cause versus Union of India &Ors.
- d) This Environmental Clearance shall become operational only after receiving formal NBWL Clearance from MoEF&CC subsequent to the recommendations of the Standing JKEAC of National Board for Wildlife, **if applicable to the Project.**
- e) This Environmental Clearance shall become operational only after receiving formal Forest Clearance (FC) under the provision of Forest Conservation Act, 1980, **if applicable to the Project.**
- f) Project Proponent (PP) shall obtain Consent to Operate after grant of EC and effectively implement all the conditions stipulated therein. The mining activity shall not commence prior to obtaining Consent to Establish / Consent to Operate from the concerned State Pollution Control Board/JKEAC.
- g) The PP shall adhere to the provision of the Mines Act, 1952, Mines and Mineral (Development & Regulation), Act, 2015 and rules & regulations made there under. PP shall adhere to various circulars issued by Directorate General Mines Safety (DGMS) and Indian Bureau of Mines from time to time.
- h) The Project Proponent shall obtain consents from all the concerned land owners, before start of mining operations, as per the provisions of MMDR Act, 1957 and rules made there under in respect of lands which are not owned by it.

- i) The Project Proponent shall follow the mitigation measures provided in MoEFCC's Office Memorandum No. Z-11013/57/2014-IAJI (M), dated 29th October, 2014, titled "Impact of mining activities on Habitations-Issues related to the mining Projects wherein Habitations and villages are the part of mine lease areas or Habitations and villages are surrounded by the mine lease area".
- j) The Project Proponent shall obtain necessary prior permission of the competent authorities for drawl of requisite quantity of surface water and from CGWA for withdrawal of ground water for the project.
- k) A copy of EC letter will be marked to concerned Panchayat / local NGO etc. if any, from whom suggestion / representation has been received while processing the proposal.
- l) State Pollution Control Board/JKEAC shall be responsible for display of this EC letter at its Regional office, District Industries Centre and Collector's office/ Tehsildar's Office for 30 days.
- m) The Project Authorities should widely advertise about the grant of this EC letter by printing the same in at least two local newspapers, one of which shall be in vernacular language of the concerned area.
- n) The advertisement shall be done within 7 days of the issue of the clearance letter mentioning that the instant project has been accorded EC and copy of the EC letter is available with the State Pollution Control Board/JKEAC and web site of the Ministry of Environment, Forest and Climate Change (www.environmentclearance.nic.in). A copy of the advertisement may be forwarded to the concerned MoEFCC Regional Office for compliance and record.
- o) The Project Proponent shall inform the MoEF&CC for any change in ownership of the mining lease. In case there is any change in ownership or mining lease is transferred than mining operation shall only be carried out after transfer of EC as per provisions of the para 11 of EIA Notification, 2006 as amended from time to time.

46) **Air quality monitoring and preservation**

- a) The Project Proponent shall install a minimum of 3 (three) online Ambient Air Quality Monitoring Stations with 1 (one) in upwind and 2 (two) in downwind direction based on long term climatological data about wind direction such that an angle of 120° is made between the monitoring locations to monitor critical parameters, relevant for mining operations, of air pollution viz. PM10, PM 2.5, NO₂; CO and SO₂ etc. as per the methodology mentioned in NAAQS Notification No. B-29016/20/90/PC/I, dated 18.11.2009 covering the aspects of transportation and use of heavy machinery in the impact zone. The ambient air quality shall also be monitored at prominent places like office building, canteen etc. as per the site condition to ascertain the exposure characteristics at specific places. The above data shall be digitally displayed within 03 months in front of the main Gate of the mine site.
- b) Effective safeguard measures for prevention of dust generation and subsequent suppression (like regular water sprinkling, metalled road construction etc.) shall be carried out in areas prone to air pollution wherein high levels of PM10 and PM2.5 are evident such as haul road, loading and unloading point and transfer points. The Fugitive dust emissions from all sources shall be regularly controlled by installation of required equipment's/ machineries and preventive maintenance: Use of suitable water-soluble chemical dust suppressing agents may be explored for better effectiveness of dust control

system. It shall be ensured that air pollution level conform to the standards prescribed by the MoEFCC/ Central Pollution Control Board.

47) Water quality monitoring and preservation

- a) In case, immediate mining scheme envisages intersection of ground water table, then Environmental Clearance shall become operational only after receiving formal clearance from CGWA. In case, mining operation involves intersection of ground water table at a later stage, then PP shall ensure that prior approval from CGWA and MoEFCC is in place before such mining operations. The permission for intersection of ground water table shall essentially be based on detailed hydro-geological study of the area.
- b) Regular monitoring of the flow rate of the springs and perennial nallahs flowing in and around the mine lease shall be carried out and records maintain. The natural water bodies and or streams which are flowing in an around the village, should not be disturbed. The Water Table should be nurtured so as not to go down below the pre-mining period. In case of any water scarcity in the area, the Project Proponent has to provide water to the villagers for their use. A provision for regular monitoring of water table in open dug wall located in village should be incorporated to ascertain the impact of mining over ground water table. The Report on changes in Ground water level and quality shall be submitted on six-monthly basis to the Regional Office of the Ministry, CGWA and State Groundwater Department / State Pollution Control Board.
- c) Project Proponent shall regularly monitor and maintain records w.r.t. ground water level and quality in and around the mine lease by establishing a network of existing wells as well as new piezo-meter installations during the mining operation in consultation with Central Ground Water Authority/ State Ground Water Department. The Report on changes in Ground water level and quality shall be submitted on six-monthly basis to the Regional Office of the Ministry, CGWA and State Groundwater Department / State Pollution Control Board.
- d) The Project Proponent shall undertake regular monitoring of natural water course/ water resources/ springs and perennial nallahs existing/ flowing in and around the mine lease and maintain its records. The Project Proponent shall undertake regular monitoring of water quality upstream and downstream of water bodies passing within and nearby/ adjacent to the mine lease and maintain its records. Sufficient number of gullies shall be provided at appropriate places within the lease for management of water. PP shall carryout regular monitoring w.r.t. pH and included the same in monitoring plan. The parameters to be monitored shall include their water quality vis-à-vis suitability for usage as per CPCB criteria and flow rate. It shall be ensured that no obstruction and/ or alteration be made to water bodies during mining operations without justification and prior approval of MoEFCC. The monitoring of water courses/ bodies existing in lease area shall be carried out four times in a year viz. pre- monsoon (April-May), monsoon (August), post-monsoon (November) and winter (January) and the record of monitored data may be sent regularly to Ministry of Environment, Forest and Climate Change and its Regional Office, Central Ground Water Authority and Regional Director, Central Ground Water Board, State Pollution Control Board and Central Pollution Control Board. Clearly showing the trend analysis on six-monthly basis.
- e) Quality of polluted water generated from mining operations which include Chemical Oxygen Demand (COD) in mines run-off; acid mine drainage and metal contamination in

runoff shall be monitored along with Total Suspended Solids (TDS), Dissolved Oxygen (DO), pH and Total Suspended Solids (TSS). The monitored data shall be uploaded on the website of the company as well as displayed at the project site in public domain, on a display board, at a suitable location near the main gate of the Company. The circular No. J- 20012/1/2006-IAJI (M) dated 27.05.2009 issued by Ministry of Environment, Forest and Climate Change may also be referred in this regard.

- f) Project Proponent shall plan, develop and implement rainwater harvesting measures on long term basis to augment ground water resources in the area consultation with Central Ground Water Board/ State Groundwater Department. A report on amount of water recharged needs to be submitted to Regional Office MoEFCC annually.
- g) Industrial waste water (workshop and waste water from the mine) should be properly collected and treated so as to conform to the notified standards prescribed from time to time. The standards shall be prescribed through Consent to Operate (CTO) issued by concerned State Pollution Control Board (SPCB). The workshop effluent shall be treated after its initial passage through Oil and grease trap.
- h) The water balance/water auditing shall be carried out and measure for reducing the consumption of water shall be taken up and reported to the Regional Office of the MoEF&CC and State Pollution Control Board/JKEAC.

48) Noise and vibration monitoring and prevention

- a) The peak particle velocity at 500m distance or within the nearest habitation, whichever is closer shall be monitored periodically as per applicable DGMS guidelines.
- b) The illumination and sound at night at project sites disturb the villages in respect of both human and animal population. Consequent sleeping disorders and stress may affect the health in the villages located close to mining operations. Habitations have a right for darkness and minimal noise levels at night. PPs must ensure that the biological clock of the villages is not disturbed; by orienting the floodlights/ masks away from the villagers and keeping the noise levels well within the prescribed limits for day /night hours.
- c) The Project Proponent shall take measures for control of noise levels below 85 dBA in the work environment. The workers engaged in operations of HEMM, etc. should be provided with ear plugs /muffs. All personnel including laborers working in dusty areas shall be provided with protective respiratory devices along with adequate training, awareness and information on safety and health aspects. The PP shall be held responsible in case it has been found that workers/ personals/ laborers are working without personal protective equipment.

49) Mining plan

- a) The Project Proponent shall adhere to the working parameters of mining plan which was submitted at the time of EC appraisal with a maximum depth of 0.75 meters wherein year-wise plan for maximum total excavation of 90720 M.tons, waste, over burden, inter burden and top soil etc has been mentioned. No change in basic mining proposal like mining technology, total excavation, mineral & waste production, lease area and scope of working (viz. method of mining, overburden & dump management , O.B & dump mining, mineral transportation mode, ultimate depth of mining etc.) shall not be carried out without prior approval of the Ministry of Environment, Forest and Climate Change, which entail adverse environmental impacts, even if it is a part of approved mining plan

modified after grant of EC or granted by State Govt. in the form to Short Term Pennit (STP), Query license or any other name.

- b) The Project Proponent shall get the Final Mine Closure Plan along with Financial Assurance approved from Indian Bureau of Mines/Department of Mining & Geology as required under the Provision of the MMDR Act, 1957 and Rules/ Guidelines made there under. A copy of approved final mine closure plan shall be submitted within 2 months of the approval of the same from the competent authority to the concerned Regional Office of the Ministry of Environment, Forest and Climate Change for record and verification.
- c) The land-use of the mine lease area at various stages of mining scheme as well as at the end-of-life shall be governed as per the approved Mining Plan. The excavation vis-à-vis backfilling in the mine lease area and corresponding afforestation to be raised in the reclaimed area shall be governed as per approved mining plan. PP shall ensure the monitoring and management of rehabilitated areas until the vegetation becomes selfsustaining. The compliance status shall be submitted half-yearly to the MoEFCC and its concerned Regional Office.

50) Land reclamation

- a) The Overburden (O.B.) generated during the mining operations shall be stacked at earmarked OB dump site(s) only and it should not be kept active for a long period of time. The physical parameters of the OB dumps like height, width and angle of slope shall be governed as per the approved Mining Plan as per the guidelines/circulars issued by D.G.M.S w.r.t. safety in mining operations shall be strictly adhered to maintain the stability of top soil/OB dumps. The topsoil shall be used for land reclamation and plantation.
- b) The reject/waste generated during the mining operations shall be stacked at earmarked waste dump site(s) only. The physical parameters of the waste dumps like height, width and angle of slope shall be governed as per the approved Mining Plan as per the guidelines/circulars issued by DGMS w.r.t. safety in mining operations shall be strictly adhered to maintain the stability of waste dumps.
- c) The reclamation of waste dump sites shall be done in scientific manner as per the Approved Mining Plan cum Progressive Mine Closure Plan. iv. The slope of dumps shall be vegetated in scientific manner with suitable native species to maintain the slope stability, prevent erosion and surface run off. The selection of local species regulates local climatic parameters and help in adaptation of plant species to the microclimate. The gullies formed on slopes should be adequately taken care of as it impacts the overall stability of dumps. The dump mass should be consolidated with the help of dozer/ compactors thereby ensuring proper filling/ leveling of dump mass. In critical areas, use of geo textiles/ geo-membranes / clay liners / Bentonite etc. shall be undertaken for stabilization of the dump.
- d) The Project Proponent shall carry out slope stability study in case the dump height is more than 30 meters. The slope stability report shall be submitted to concerned regional office of MoEF&CC.
- e) Catch drains, seilmig tanks and ponds of appropriate size shall be constructed around the mine working, mineral yards and Top Soil/OB/Waste dumps to prevent run off of water and flow of sediments directly into the water bodies (Nallah/ River/ Pond etc.). The collected water should be utilized for watering the mine area, roads, green belt

development, plantation etc. The drains/ sedimentation sumps etc. shall be de-silted regularly, particularly after monsoon season, and maintained properly.

- f) Check dams of appropriate size, gradient and length shall be constructed around mine pit and OB dumps to prevent storm run-off and sediment flow into adjoining water bodies. A safety margin of 50% shall be kept for designing of sump structures over and above peak rainfall (based on 50 years data) and maximum discharge in the mine and its adjoining area which shall also help in providing adequate retention time period thereby allowing proper settling of sediments/ silt material. The sedimentation pits/ sumps shall be constructed at the corners of the garland drains,
- g) The top soil, if any, shall temporarily be stored at earmarked site(s) within the mine lease only and should not be kept unutilized for long. The physical parameters of the top soil dumps like height, width and angle of slope shall be governed as per the approved Mining Plan and as per the guidelines framed by DGMS w.r.t. safety in mining operations shall be strictly adhered to maintain the stability of dumps. The topsoil shall be used for land reclamation and plantation purpose.

51) Transportation

- a) No Transportation of the minerals shall be allowed in case of roads passing through villages/ habitations. *(In such cases, PP shall construct a 'bypass' road for the purpose of transportation of the minerals leaving an adequate gap (say at least 200 meters) so that the adverse impact of sound and dust along with chances of accidents could be mitigated.)* All costs resulting from widening and strengthening of existing public road network shall be borne by the PP in consultation with nodal State Govt. Department. Transportation of minerals through road movement in case of existing village/ rural roads shall be allowed in consultation with nodal State Govt. Department only after required strengthening such that the carrying capacity of roads is increased to handle the traffic load. The pollution due to transportation load on the environment will be effectively controlled and water sprinkling will also be done regularly. Vehicular emissions shall be kept under control and regularly monitored. Project should obtain Pollution Under Control (PUC) certificate for all the vehicles from authorized pollution testing centers.
- b) The Main haulage road within the mine lease should be provided with a permanent water sprinkling arrangement for dust suppression. Other roads within the mine lease should be wetted regularly with tanker-mounted water sprinkling system. The other areas of dust generation like crushing zone, material transfer points, material yards etc. should invariably be provided with dust suppression arrangements. The air pollution control equipments like bag filters, vacuum suction hoods, dry fogging system etc. shall be installed at Crushers, belt-conveyors and other areas prone to air pollution. The belt conveyor should be fully covered to avoid generation of dust while transportation. PP shall take necessary measures to avoid generation of fugitive dust emissions.

52) Green Belt

- a) The Project Proponent shall develop greenbelt in 7.5m wide safety zone all along the mine lease boundary as per the guidelines of CPCB in order to arrest pollution emanating from mining operations within the lease. The whole Green belt shall be developed within first 5 years starting from windward side of the active mining area. The development of

greenbelt shall be governed as per the EC granted by the Ministry irrespective of the stipulation made in approved mine plan.

- b) The Project Proponent shall carryout plantation/ afforestation in backfilled and reclaimed area of mining lease, around water body, along the roadsides, in community areas etc. by planting the native species in consultation with the State Forest Department/ Agriculture Department/ Rural development department/ Tribal Welfare Department/ Gram Panchayat such that only those species be selected which are of use to the local people. The CPCB guidelines in this respect shall also be adhered. The density of the trees should be around 2500 saplings per Hectare. Adequate budgetary provision shall be made for protection and care of trees.
- c) The Project Proponent shall make necessary alternative arrangements for livestock feed by developing grazing land with a view to compensate those areas which are coming within the mine lease. The development of such grazing land shall be done in consultation with the State Government. In this regard, Project Proponent should essentially implement the directions of the Hon'ble Supreme Court with regard to acquisition of grazing land. The sparse trees on such grazing ground, which provide mid-day shelter from the scorching sun, should be scrupulously guarded/ protected against felling and plantation of such trees should be promoted.
- d) The Project Proponent shall undertake all precautionary measures for conservation and protection of endangered flora and fauna and Schedule-I species during mining operation. A Wildlife Conservation Plan shall be prepared for the same clearly delineating action to be taken for conservation of flora and fauna. The Plan shall be approved by Chief Wild Life Warden of the State Govt.
- e) And implemented in consultation with the State Forest and Wildlife Department. A copy of Wildlife Conservation Plan and its implementation status (annual) shall be submitted to the Regional Office of the Ministry.

53) **Public hearing and human health issues**

- a) The Project Proponent shall appoint an Occupational Health Specialist for Regular as well as Periodical medical examination of the workers engaged in the mining activities, as per the DGMS guidelines. The records shall be maintained properly. PP shall also carryout Occupational health check-ups in respect of workers which are having ailments like BP, diabetes, habitual smoking, etc. The check-ups shall be undertaken once in six months and necessary remedial/ preventive measures be taken. A status report on the same may be sent to MoEFCC Regional Office and DGMS on half-yearly basis.
- b) The Project Proponent must demonstrate commitment to work towards 'Zero Harm' from their mining activities and carry out Health Risk Assessment (HRA) for identification workplace hazards and assess their potential risks to health and determine appropriate control measures to protect the health and wellbeing of workers and nearby community. The proponent shall maintain accurate and systematic records of the HRA. The HRA for neighborhood has to focus on Public Health Problems like Malaria, Tuberculosis, HIV, Anaemia, Diarrhoea in children under five, respiratory infections due to bio mass cooking. The proponent shall also create awareness and educate the nearby community and workers for Sanitation, Personal Hygiene, Hand washing, not to defecate in open, Women Health and Hygiene (Providing Sanitary Napkins), hazard of tobacco and alcohol

- use. The Proponent shall carry out base line HRA for all the category of workers and thereafter every five years.
- c) The Proponent shall carry out Occupational health surveillance which be a part of HRA and include Biological Monitoring where practical and feasible, and the tests and investigations relevant to the exposure (e.g. for Dust a X-Ray chest; For Noise Audiometric; for Lead Exposure Blood Lead, For Welders Full Ophthalmologic Assessment; for Manganese Miners a complete Neurological Assessment by a Certified Neurologist, and Manganese (Mn) Estimation in Blood; For Inorganic Chromium Fortnightly skin inspection of hands and forearms by a responsible person. Except routine tests all tests would be carried out in a Lab accredited by NABH. Records of Health Surveillance must be kept for 30 years, including the results of and the records of Physical examination and tests. The record of exposure due to materials like Asbestos, Hard Rock Mining, Silica, Gold, Kaolin, Aluminium, Iron, Manganese, Chromium, Lead, Uranium need to be handed over to the Mining Department of the State in case the life of the mine is less than 30 years. It would be obligatory for the State Mines Departments to make arrangements for the safe and secure storage of the records including X-Ray. Only conventional X-Ray will be accepted for record purposes and not the digital one). X-Ray must meet ILO criteria (17 x14 inches and of good quality).
 - d) The Proponent shall maintained a record of performance indicators for workers which includes
 - i) there should not be a significant decline in their Body Mass Index and it should stay between 18.5 -24.9,
 - ii) the Final Chest X-Ray compared with the base line X-Ray should not show any capacities ,
 - iii) At the end of their leaving job there should be no Diminution in their Lung Functions Forced Expiratory Volume in one second (FEV1) Forced Vital Capacity (FVC), and the ratio) unless they are smokers which has to be adjusted, and the effect of age,
 - iv) their hearing should not be affected. As a proof an Audiogram (first and last need to be presented),
 - v) they should not have developed any Persistent Back Pain, Neck Pain, and the movement of their Hip, Knee and other joints should have normal range of movement,
 - vi) they should not have suffered loss of any body part. The record of the same should be submitted to the Regional Office, MoEFCC annually along with details of the relief and compensation paid to workers having above indications.
 - e) The Project Proponent shall ensure that Personnel working in dusty areas should wear protective respiratory devices and they should also be provided with adequate training and information on safety and health aspects.
 - f) Project Proponent shall make provision for the housing for workers/labors or shall construct labour camps within/outside (company owned land) with necessary basic infrastructure/ facilities like fuel for cooking, mobile toilets, mobile STP, safe drinking water, medical health care, crèche for kids etc. The housing may be provided in the form of temporary structures which can be removed after the completion of the project related infrastructure. The domestic waste water should be treated with STP in order to avoid contamination of underground water.

- g) The activities proposed in Action plan prepared for addressing the issues raised during the Public Hearing, if applicable, shall be completed as per the budgetary provisions mentioned in the Action Plan and within the stipulated time frame. The Status Report on implementation of Action Plan shall be submitted to the concerned Regional Office of the Ministry along with District Administration.

54) Corporate Environment Responsibility (CER)

- a) The activities and budget earmarked for Corporate Environmental Responsibility (CER) as per Ministry's O.M No 22-65/2017-IA. III dated 30/09/2020 or as proposed by EAC should be kept in a separate bank account. The activities proposed for CER shall be implemented in a time bound manner and annual report of implementation of the same along with documentary proof viz. photographs, purchase documents, latitude & longitude of infrastructure developed & road constructed needs to be submitted to Regional Office MoEF&CC annually along with audited statement.
- b) Project Proponent shall keep the funds earmarked for environmental protection measures in a separate account and refrain from diverting the same for other purposes. The Year wise expenditure of such funds should be reported to the MoEFCC and its concerned Regional Office.

55) Miscellaneous

- a) The Project Proponent shall prepare digital map (land use & land cover) of the entire lease area and KML file for recording the base line data and closure time data (after three years) and submit a report to concerned Regional Office of the MoEFCC.
- b) The Project Authorities should inform to the Regional Office regarding date of financial closures and final approval of the project by the concerned authorities and the date of start of land development work.
- c) The Project Proponent shall submit six monthly compliance reports on the status of the implementation of the stipulated environmental safeguards to the MOEFCC & its concerned Regional Office, Central Pollution Control Board and State Pollution Control Board.
- d) A separate 'Environmental Management Cell' with suitable qualified manpower should be set-up under the control of a Senior Executive. The Senior Executive shall directly report to Head of the Organization. Adequate number of qualified Environmental Scientists and Mining Engineers shall be appointed and submit a report to RO, MoEFCC.
- e) The concerned Regional Office of the MoEFCC shall randomly monitor compliance of the stipulated conditions. The project authorities should extend full cooperation to the MoEFCC officer(s) by furnishing the requisite data / information / monitoring reports.

SPECIFIC CONDITIONS: -

- 1 The Project Proponent must obtain NOCs from the concerned HoD of the Forest, Irrigation and Flood Control Department and Fisheries Department besides, denovo approval of revised mining plan excluding water channel area, prior to grant of formal lease by the Geology & Mining department.

- 2 The cremation ground be properly demarcated and left undisturbed and its map showing geographical coordinates be submitted to JKEIAA before issuance of formal EC. Besides, map showing extraction route bypassing village settlements and agricultural/horticultural land as far as possible be submitted to the JKEIAA before formal grant of EC.
- 3 The maximum exploitation of the RBM site shall be **90720 tons per annum** within the approved area and mining depth **of 0.75 mt. (after deducting 30% water channel area from the targeted production of 129600 MT per annum)**. Mining depth beyond 0.75mts. if mentioned anywhere in any of the submitted documents whether by mistake or otherwise, shall be treated as omitted.
- 4 A green belt shall be developed under close supervision of the local panchayat.
- 5 The river bed material shall be sold to the local population within radial distance of 2 kms from the mine site for residential construction purpose at 50% concessional rates.
- 6 The formal lease shall be granted only after the Project Proponent deposits the funds earmarked under EMP and CER in a separate account to be opened for the purpose and funds be utilized in coordination with DFO, Social Forestry Dept. and concerned Chief Medical Officer(CMO)under supervision of local Panchayat Head. The funds earmarked for CSR shall also be utilized through the concerned district authorities in accordance with CSR Policy Rules.
- 7 All the provisions of Minor Mineral Rules sanctioned under SRO105 with all amendments with respect to pertinent provisions of the legal framework relating to progressive mine closure shall be complied by the Project Proponent.
- 8 This Environmental Clearance is subject to final outcome of any litigation pending before Hon'ble Supreme Court of India, Hon'ble High Court of Jammu & Kashmir, Hon'ble NGT, or any other Court of Law, if any, as may be applicable to this project.
- 9 This Environmental Clearance is without prejudice to the standing instructions /orders from the competent authorities in the MoEF&CC, GoI and the UT of J&K w.r.t river bed mining activity.
- 10 An inspection JKEAC comprising of Additional Dy. Commissioner, District Mineral Officer, representative of Pollution Control Board, Executive Engineer Irrigation & Flood Control Dept. and District Fisheries Officer shall monitor the implementation of the EMP and also certify at the end of each monsoon, that sufficient replenishment of the minor mineral has taken place during monsoon and

further mining in the mining block shall not adversely affect the hydrological and ecological settings in the area.

- 11 The Project Proponent shall take all precautionary measures during mining operations for conservation and protection of endangered fauna and flora in the area.
- 12 Masks and PPE shall be provided to the workers in view of COVID-19.
- 13 Social distancing norms and other standard operating procedures relating to COVID-19 shall be followed during mining activity.
- 14 The plan worked out and expenditure made under Occupational Health should be undertaken in consultation with the Local Health Institution/PHC/Sub-Centre for utilization for the health and welfare of the local workers involved in mining activity and villagers living in the close vicinity. Regular Medical checkups and free medicines shall be provided under the fund.
- 15 The Project Proponent must ensure that the biological clock of the villagers in the vicinity of the project is not disturbed by any unauthorized night operations and all measures must be taken for keeping the noise levels within prescribed levels.
- 16 Provision shall be kept for housing of the labour force, toilets, facilities for cooking, safe water, health care, crèche etc. for the labour force.
- 17 A final Mine closure Plan along with details of Corpus fund shall be communicated to the MoEF&CC in advance for approval.
- 18 The top soil in case of surface land mining shall be temporarily stored at the designated / appropriate site and concurrently used for land reclamation.
- 19 The mining operations shall be undertaken in a systematic manner so that it does not damage the aesthetic view of the area.
- 20 Adequate steps should be taken to check soil erosion and engineering structures shall be raised wherever required. The mining shall be restricted to 3/4th of the width of the river/rivulet or 7.5 m(inward) from river bank but upto 10% of the width of the river.
- 21 The compliance report shall be submitted to the Regional Office of the MoEF&CC at Chandigarh with a copy to the Regulatory Authority.
- 22 The mining activity should in no case go beyond the area as mentioned in the Letter of Intent and a buffer area is maintained such that the slopes of adjoining

area does not get disturbed.

- 23 All the provisions made and restrictions imposed as covered in the Minor Mineral Rules, shall be complied with, particularly regarding Environment Management Practices and its fund management.
- 24 The recommendations made in the District Survey Report on sustainable mining practices if any shall be complied.
- 25 The mining shall be done in bench form with maximum bench height of 0.75 metre.
- 26 Mining should be initiated only after installation of signboards with demarcation pillars indicating the geo-coordinates of the plot as mentioned in the letter of intent, measurements (length /breadth) and should be laid in presence of the authorized official of the Geology & Mining Department.
- 27 There should be no change in the method of excavation and quantity of minerals to be extracted as per approved mining plan.
- 28 The EC holder shall keep a correct account of quantity of mineral mined out, dispatched from the mine, mode of transport, registration number of vehicle, person in-charge of vehicle and mine plan. This should be produced before officers concerned for inspection.
- 29 The access to mining site should be controlled in a way that vehicles carrying mineral from that area are tracked and accounted for in accordance with standing guidelines issued by the Govt.
- 30 The Geology & Mining Department should use technology like Bar Coding, Information and Communications Technology (ICT), Web based and ICT enabled services, mobile SMS App etc. to account for weight of mineral being taken out of the plot and the number of trucks moving out with the mineral.
- 31 The PP should ensure no agriculture land in the area is used for any storage /piling up of sand or gets any damage due to any other transportation activity. Where ever, damages to agricultural land, assets or human life by way of plying of trollies and tippers involved in transportation of minor mineral is reported, the Project Proponent shall pay adequate compensation with penalty to the effected persons as to be fixed up by the competent authority. Project Proponent.
- 32 Waste generated will be collected on regular basis and will be disposed as per the Municipal Solid Waste Management (Management & Handling) Rule 2000 and its

subsequent amendments.

- 33 Spring sources should not be affected due to mining activities. Necessary Protection measures are to be incorporated.
- 34 The mineral transportation shall be carried out through covered trucks only and the vehicles carrying the mineral shall not be overloaded.
- 35 Overloading of trucks and trolleys will be avoided.
- 36 All the instructions from authorities representing various government departments having stakes shall be complied with during the mining operations.
- 37 Haul road will be kept wide, compact and water spraying will be done. It shall be properly maintained by the PP and restored to original position after mining. Axle load on the roads should not exceed the prescribed load as per IRC
- 38 Restricted working hours. Mining operation has to be carried out between 6 am to 7 pm.
- 39 No overhangs shall be allowed to be formed due to mining and mining shall not be allowed in area where subsidence of rocks is likely to occur due to steep angle of slope. Mining activity shall not be avoided in rainy season
- 40 Vehicles used for transportation of material are to be permitted only with fitness and PUC Certificates.
- 41 There shall be no extraction of stone / boulder in landslide prone areas.
- 42 Adequate facility for drinking water and toilets should be provided for the workers.
- 43 There should be controlled clearance of overground vegetation to be undertaken.
- 44 Transport of mineral will not be done through villages / habitations and any private productive or waste land.
- 45 Deep drilled handpump with sufficient funding provision should be earmarked for providing drinking facility to the labour force.
- 46 Recommendations of National Institute for Labour for ensuring good occupational environment for mine workers would also be adopted.
- 47 The PP shall be responsible for enforcement of COVID-19 standard operating procedures and guidelines with respect to safety of workers involved in the mining

activity.

- 48 Project Proponent shall ensure that the road may not be damaged due to transportation of the mineral and transport of minerals will be as per IRC relevant guidelines if any in this regard.
- 49 Health and safety of workers should be taken care of. They should also be provided training in safety and health care aspects.
- 50 Junction at takeoff point of approach road with main road be properly developed with proper width and geometry required for safe movement of traffic by concession holder at his own cost.
- 51 No stacking shall be allowed on road side along National Highway.
- 52 Concealing of any information/data of submission of wrong/fabricated information by the Project Proponent and failure to comply with any of the above conditions may lead to withdrawal of the EC and attract action under the provisions of EP Act, 1986.
- 53 An appeal against the EC shall lie with the Hon'ble NGT, if preferred within 30 days as prescribed under Section 16 of the NGT Act, 2010.
- 54 Mining shall be done manually minimally supported by semi-mechanized methods.
- 55 The progressive mine closure shall be as per Rules in vogue. All actions relating to progressive mine closure shall be taken well in advance during the final year of mining so that the site is rehabilitated ecologically.
- 56 The reasonable concerns expressed by the local population during public hearing shall be addressed by the Project Proponent. No blasting operations shall be allowed.
- 57 No mining activity shall be carried out in flowing water channel area within the mining block and adequate measures shall be taken to safeguard water quality and aquatic life including fisheries if available in the same.
- 58 The EC shall be valid for a period of only **three years** from the date of commencement of the mining operations duly certified by the District Mineral Officer concerned with intimation to the JKEIAA, JKPCB and the concerned District Administration, in view of non-availability of replenishment data in the district survey report.

- 59 Under CSR, within 2 km radial distance, activities like regular health check-up of local villagers once a week shall be undertaken with free medicines. Safe drinking water facility by way of renovation of existing tanks/wells, digging of new tube wells and installation of water filters shall be undertaken. Skill development trainings shall be organized for unemployed local youth. Further, construction of toilets in schools, solar street lighting, free distribution of books, note books, N95 masks, hand sanitizers and school bags among students within 2 km radius from the mine area shall be undertaken. Under EMP, with 2 kms radial distance from mine area; air, water, soil, noise pollution monitoring on half yearly basis, black topping of roads passing through villages and maintenance of haulage /extraction routes, water sprinkling, PPE to mine workers, bearing of school/college fee and allied costs on education of children of mine workers, bearing of all costs on ailments/healthcare of mine workers, creation of green belt by way of raising and maintenance of 2500 trees per hectare on land identified by DFO Social Forestry concerned in consultation with village panchayat during the period of mining, shall be undertaken.
- 60 The JKEIAA reserves the right to impose any other condition in the EC at any time during the period of mining lease. The JKEIAA reserves the right to revoke the EC in case any of the environmental clearance conditions are violated during the mining activity. Mere grant of Environmental Clearance does not entitle the Project Proponent for grant of mining lease unless he obtains all other clearances as required under other provisions of law.

Agenda Item No: 15 Grant of Environment Clearance in favour of M/S Sushil Kumar S/o Shri Tarsem Lal R/o Flat no-B-13, Sector No.1, Dream Line Society, Trikuta nagar, Jammu, J & K

Proposal No: SIA/JK/MIN/56340/2019
 File No: SEAC/JK/20/278
 Title of the Case: Grant of Environment Clearance for MINOR MINERAL (River Bed Material) Project at Block No. 38 (5/13), (Area- 8.69 ha.), Khatharwalli Khad Upstream Manoh Khathar Bridge, Village- Manoa, Tehsil- Akhnoor, District- Jammu, State- J&K.

Deliberations: The case was represented by Mr. Brinder Singh Chaudhary on behalf of Aditya Mahajan S/o Shri S.K Gupta Project Proponent and the Consultant was represented by Anjali Chachane on behalf of M/s. Overseas Min-Tech Consultants- 501, 5th Floor, Apex Tower, Tonk Road, Jaipur, Rajasthan. The Consultant gave a detailed PowerPoint

presentation on the project and informed the JKEAC that the project is under consideration of the JKEIAA in pursuance to Govt. order No. 76-JK(FST) of 2020 dated 29/07/2020 subsequently endorsed by the JKEIAA in its Minutes of Meeting issued vide No. JKEIAA/2016/02/II/631-633 dated 08/08/2020. The Consultant gave a detailed presentation on the project during which she was asked to demonstrate the mining block on Google Earth using the KML file. While examining the mining block on the Google Earth overlaid with forest boundary, the members observed that the forest boundary was traversing through the mining block. The Consultant informed that the concerned DFO has issued an NOC stating that the mining block lies adjacent to the forest. However, the JKEAC unanimously desired that the clarification must come from the PCCF, J&K before proceeding further.

Recommendation: In view of the above deliberations, the JKEAC desired that the PP may be asked to obtain necessary clarification from the PCCF, J&K on the legal status / ownership of the land which has been designated as mining block 5/13. In case it comes out to be forest, the case may be rejected for grant of EC. However, in the event an NOC is obtained by the PP from PCCF, J&K, the PP may upload the same for further appraisal.

Agenda Item No: 16 Grant of Environment Clearance in favour of M/S Sahil Arora, S/o Sh. Sunil Arora, R/o H: No. 110/P, Sec-2, Ward No, 53, Jammu, Trikuta Nagar, State: J & K
Proposal No: SIA/JK/MIN/56344/2019
File No: SEAC/JK/20/281
Title of the Case: Grant of Environment Clearance for MINOR MINERAL (River Bed Material) Project at Block No. 2 (1/2), (Area- 9.21 ha.), Tawi River Downstream, Railway Bridge, Kishanpur Manwal Village- Kishanpur, Tehsil- Jammu, District- Jammu, State- J&K.

Deliberations: The case was represented by Mr. Brinder Singh Chaudhary on behalf of Sahil Arora, S/o Sh. Sunil Arora Project Proponent and the Consultant was represented by Anjali Chachane on behalf of M/s. Overseas Min-Tech Consultants- 501, 5th Floor, Apex Tower, Tonk Road, Jaipur, Rajasthan. The Consultant gave a detailed PowerPoint presentation on the project and informed the JKEAC that the project is under consideration of the JKEIAA in pursuance to Govt. order No. 76-JK(FST) of 2020 dated 29/07/2020 subsequently endorsed by the JKEIAA in its Minutes of Meeting issued vide No. JKEIAA/2016/02/II/631-633 dated 08/08/2020. The Consultant gave a detailed presentation on the project during which she was asked to demonstrate the mining block on Google Earth using the KML file. While examining the mining block on the time series multirate and multi-season Google Earth image overlaid with forest boundary, the members observed that nearly 60% of the mining block constitutes flowing water channel area while as nearly 40% area of the mining block is only available for extraction of

RBM. Shri HL Langeh, Dy. Director, Geology & Mining Dept, who was also on board during the online proceedings, was asked to clarify as to how mining could be done in a flowing water channel without considerable ecological implications. However, he could not give any satisfactory explanation on this count and the JKEAC desired that the mining block limits be either reduced as per ground reality with revision of the mining plan and its denovo approval before grant of mining lease.

The discussions continued around mining depth, targeted mineral production, concerns of locals in the light of public hearing report, extraction route, surface plan, CSR and compliance of Terms of reference. When asked about the commitments made by previous PP during public hearing, the representative of the Project Proponent assured that all commitments made during the Public Hearing shall be fulfilled. The JKEAC expressed its dismay at the non-compliance of specific Terms of Reference with respect to mining depth as the Consultant had mentioned 3 m depth in the EIA/EMP/PFR against 0.75 m mining depth mentioned in the approved mining plan. Besides, the Consultant had misrepresented the land-use pattern of the study area with 10kms radius as the same table has been copy pasted in almost all the EIA reports. The Consultant informed that the public hearing was conducted on 11th of March., 2020. The JKEAC observed that during Public Hearing, the locals have expressed their concerns on illegal mining, demanded proper mitigation measures during and after mining and have demanded livelihood from the activity. They have also demanded that the mining blocks be properly demarcated with complete information. Therefore, the members desired that the EC conditions must address all these concerns of the locals but simultaneously allow sustainable scientific mining in the area.

The JKEAC desired that the mistakes pointed out during discussions be rectified and pertinent documents be revised immediately. The representative of Project Proponent assured that he would submit the revised version of the documents within a few days and requested the JKEAC to consider the case for grant of EC, conditionally. The JKEAC discussed the issue in the light of paucity of RBM in the market and consistent efforts of the J&K Govt. to fast track the process of grant of EC and asked the Project Proponent to submit video graphic evidence of public hearing and corrected version of EIA/EMP/PFR in soft copy and hard copy in duplicate in the JKEIAA office Jammu within a weeks' time before grant of formal EC.

Recommendations: In view of paucity of river bed material in the UT and consistent efforts of Govt. to fast track the process of grant of EC, subject to prior submission of video graphic evidence of Public Hearing and corrected version of the EIA/EMP/PFR documents in hard and soft form in the office of JKEIAA, the JKEAC recommended the case for grant of Environmental Clearance subject to following standard and specific conditions, clearly mentioning the geographical coordinates in the EC, as per letter of intent:-

STANDARD CONDITIONS:-

56) Statutory compliance

- a) This Environmental Clearance (EC) is subject to orders/ judgment of Hon'ble Supreme Court of India, Hon'ble High Court of J&K, Hon'ble NGT and any other Court of competent jurisdiction, **as may be applicable.**
- b) The Project Proponent complies with all the statutory requirements and judgement of Hon'ble Supreme Court dated 2nd August,2017 in Writ Petition (Civil) No. 114 of 2014

in matter of Common Cause versus Union of India &Ors before commencing the mining operations.

- c) The UT Government of J&K shall ensure that mining operation shall not be commenced till the entire compensation levied, if any, for illegal mining paid by the Project Proponent through their respective Department of Mining & Geology in strict compliance of Judgement of Hon'ble Supreme Court dated 2nd August, 2017 in Writ Petition (Civil) No. 114 of 2014 in matter of Common Cause versus Union of India &Ors.
- d) This Environmental Clearance shall become operational only after receiving formal NBWL Clearance from MoEF&CC subsequent to the recommendations of the Standing JKEAC of National Board for Wildlife, **if applicable to the Project.**
- e) This Environmental Clearance shall become operational only after receiving formal Forest Clearance (FC) under the provision of Forest Conservation Act, 1980, **if applicable to the Project.**
- f) Project Proponent (PP) shall obtain Consent to Operate after grant of EC and effectively implement all the conditions stipulated therein. The mining activity shall not commence prior to obtaining Consent to Establish / Consent to Operate from the concerned State Pollution Control Board/JKEAC.
- g) The PP shall adhere to the provision of the Mines Act, 1952, Mines and Mineral (Development & Regulation), Act, 2015 and rules & regulations made there under. PP shall adhere to various circulars issued by Directorate General Mines Safety (DGMS) and Indian Bureau of Mines from time to time.
- h) The Project Proponent shall obtain consents from all the concerned land owners, before start of mining operations, as per the provisions of MMDR Act, 1957 and rules made there under in respect of lands which are not owned by it.
- i) The Project Proponent shall follow the mitigation measures provided in MoEFCC's Office Memorandum No. Z-11013/57/2014-IAJI (M), dated 29th October, 2014, titled "Impact of mining activities on Habitations-Issues related to the mining Projects wherein Habitations and villages are the part of mine lease areas or Habitations and villages are surrounded by the mine lease area".
- j) The Project Proponent shall obtain necessary prior permission of the competent authorities for drawl of requisite quantity of surface water and from CGWA for withdrawal of ground water for the project.
- k) A copy of EC letter will be marked to concerned Panchayat / local NGO etc. if any, from whom suggestion / representation has been received while processing the proposal.
- l) State Pollution Control Board/JKEAC shall be responsible for display of this EC letter at its Regional office, District Industries Centre and Collector's office/ Tehsildar's Office for 30 days.
- m) The Project Authorities should widely advertise about the grant of this EC letter by printing the same in at least two local newspapers, one of which shall be in vernacular language of the concerned area.
- n) The advertisement shall be done within 7 days of the issue of the clearance letter mentioning that the instant project has been accorded EC and copy of the EC letter is available with the State Pollution Control Board/JKEAC and web site of the Ministry of Environment, Forest and Climate Change (www.environmentclearance.nic.in). A copy of the advertisement may be forwarded to the concerned MoEFCC Regional Office for compliance and record.

- o) The Project Proponent shall inform the MoEF&CC for any change in ownership of the mining lease. In case there is any change in ownership or mining lease is transferred than mining operation shall only be carried out after transfer of EC as per provisions of the para 11 of EIA Notification, 2006 as amended from time to time.

57) Air quality monitoring and preservation

- a) The Project Proponent shall install a minimum of 3 (three) online Ambient Air Quality Monitoring Stations with 1 (one) in upwind and 2 (two) in downwind direction based on long term climatological data about wind direction such that an angle of 120° is made between the monitoring locations to monitor critical parameters, relevant for mining operations, of air pollution viz. PM10, PM 2.5, NO₂; CO and SO₂ etc. as per the methodology mentioned in NAAQS Notification No. B-29016/20/90/PC/I, dated 18.11.2009 covering the aspects of transportation and use of heavy machinery in the impact zone. The ambient air quality shall also be monitored at prominent places like office building, canteen etc. as per the site condition to ascertain the exposure characteristics at specific places. The above data shall be digitally displayed within 03 months in front of the main Gate of the mine site.
- b) Effective safeguard measures for prevention of dust generation and subsequent suppression (like regular water sprinkling, metalled road construction etc.) shall be carried out in areas prone to air pollution wherein high levels of PM10 and PM2.5 are evident such as haul road, loading and unloading point and transfer points. The Fugitive dust emissions from all sources shall be regularly controlled by installation of required equipment's/ machineries and preventive maintenance: Use of suitable water-soluble chemical dust suppressing agents may be explored for better effectiveness of dust control system. It shall be ensured that air pollution level conform to the standards prescribed by the MoEFCC/ Central Pollution Control Board.

58) Water quality monitoring and preservation

- a) In case, immediate mining scheme envisages intersection of ground water table, then Environmental Clearance shall become operational only after receiving formal clearance from CGWA. In case, mining operation involves intersection of ground water table at a later stage, then PP shall ensure that prior approval from CGWA and MoEFCC is in place before such mining operations. The permission for intersection of ground water table shall essentially be based on detailed hydro-geological study of the area.
- b) Regular monitoring of the flow rate of the springs and perennial nallahs flowing in and around the mine lease shall be carried out and records maintain. The natural water bodies and or streams which are flowing in an around the village, should not be disturbed. The Water Table should be nurtured so as not to go down below the pre-mining period. In case of any water scarcity in the area, the Project Proponent has to provide water to the villagers for their use. A provision for regular monitoring of water table in open dug wall located in village should be incorporated to ascertain the impact of mining over ground water table. The Report on changes in Ground water level and quality shall be submitted on six-monthly basis to the Regional Office of the Ministry, CGWA and State Groundwater Department / State Pollution Control Board.
- c) Project Proponent shall regularly monitor and maintain records w.r.t. ground water level and quality in and around the mine lease by establishing a network of existing wells as

well as new piezo-meter installations during the mining operation in consultation with Central Ground Water Authority/ State Ground Water Department. The Report on changes in Ground water level and quality shall be submitted on six-monthly basis to the Regional Office of the Ministry, CGWA and State Groundwater Department / State Pollution Control Board.

- d) The Project Proponent shall undertake regular monitoring of natural water course/ water resources/ springs and perennial nallahs existing/ flowing in and around the mine lease and maintain its records. The Project Proponent shall undertake regular monitoring of water quality upstream and downstream of water bodies passing within and nearby/ adjacent to the mine lease and maintain its records. Sufficient number of gullies shall be provided at appropriate places within the lease for management of water. PP shall carryout regular monitoring w.r.t. pH and included the same in monitoring plan. The parameters to be monitored shall include their water quality vis-à-vis suitability for usage as per CPCB criteria and flow rate. It shall be ensured that no obstruction and/ or alteration be made to water bodies during mining operations without justification and prior approval of MoEFCC. The monitoring of water courses/ bodies existing in lease area shall be carried out four times in a year viz. pre- monsoon (April-May), monsoon (August), post-monsoon (November) and winter (January) and the record of monitored data may be sent regularly to Ministry of Environment, Forest and Climate Change and its Regional Office, Central Ground Water Authority and Regional Director, Central Ground Water Board, State Pollution Control Board and Central Pollution Control Board. Clearly showing the trend analysis on six-monthly basis.
- e) Quality of polluted water generated from mining operations which include Chemical Oxygen Demand (COD) in mines run-off; acid mine drainage and metal contamination in runoff shall be monitored along with Total Suspended Solids (TDS), Dissolved Oxygen (DO), pH and Total Suspended Solids (TSS). The monitored data shall be uploaded on the website of the company as well as displayed at the project site in public domain, on a display board, at a suitable location near the main gate of the Company. The circular No. J- 20012/1/2006-IAJI (M) dated 27.05.2009 issued by Ministry of Environment, Forest and Climate Change may also be referred in this regard.
- f) Project Proponent shall plan, develop and implement rainwater harvesting measures on long term basis to augment ground water resources in the area consultation with Central Ground Water Board/ State Groundwater Department. A report on amount of water recharged needs to be submitted to Regional Office MoEFCC annually.
- g) Industrial waste water (workshop and waste water from the mine) should be properly collected and treated so as to conform to the notified standards prescribed from time to time. The standards shall be prescribed through Consent to Operate (CTO) issued by concerned State Pollution Control Board (SPCB). The workshop effluent shall be treated after its initial passage through Oil and grease trap.
- h) The water balance/water auditing shall be carried out and measure for reducing the consumption of water shall be taken up and reported to the Regional Office of the MoEF&CC and State Pollution Control Board/JKEAC.

59) Noise and vibration monitoring and prevention

- a) The peak particle velocity at 500m distance or within the nearest habitation, whichever is closer shall be monitored periodically as per applicable DGMS guidelines.

- b) The illumination and sound at night at project sites disturb the villages in respect of both human and animal population. Consequent sleeping disorders and stress may affect the health in the villages located close to mining operations. Habitations have a right for darkness and minimal noise levels at night. PPs must ensure that the biological clock of the villages is not disturbed; by orienting the floodlights/ masks away from the villagers and keeping the noise levels well within the prescribed limits for day /night hours.
- c) The Project Proponent shall take measures for control of noise levels below 85 dBA in the work environment. The workers engaged in operations of HEMM, etc. should be provided with ear plugs /muffs. All personnel including laborers working in dusty areas shall be provided with protective respiratory devices along with adequate training, awareness and information on safety and health aspects. The PP shall be held responsible in case it has been found that workers/ personals/ laborers are working without personal protective equipment.

60) Mining plan

- a) The Project Proponent shall adhere to the working parameters of mining plan which was submitted at the time of EC appraisal with a maximum mine depth of 0.75 meters wherein year-wise plan for maximum total excavation of 48300 M.tons, waste, over burden, inter burden and top soil etc has been mentioned. No change in basic mining proposal like mining technology, total excavation, mineral & waste production, lease area and scope of working (viz. method of mining, overburden & dump management , O.B & dump mining, mineral transportation mode, ultimate depth of mining etc.) shall not be carried out without prior approval of the Ministry of Environment, Forest and Climate Change, which entail adverse environmental impacts, even if it is a part of approved mining plan modified after grant of EC or granted by State Govt. in the form to Short Term Pennit (STP), Query license or any other name.
- b) The Project Proponent shall get the Final Mine Closure Plan along with Financial Assurance approved from Indian Bureau of Mines/Department of Mining & Geology as required under the Provision of the MMDR Act, 1957 and Rules/ Guidelines made there under. A copy of approved final mine closure plan shall be submitted within 2 months of the approval of the same from the competent authority to the concerned Regional Office of the Ministry of Environment, Forest and Climate Change for record and verification.
- c) The land-use of the mine lease area at various stages of mining scheme as well as at the end-of-life shall be governed as per the approved Mining Plan. The excavation vis-à-vis backfilling in the mine lease area and corresponding afforestation to be raised in the reclaimed area shall be governed as per approved mining plan. PP shall ensure the monitoring and management of rehabilitated areas until the vegetation becomes selfsustaining. The compliance status shall be submitted half-yearly to the MoEFCC and its concerned Regional Office.

61) Land reclamation

- a) The Overburden (O.B.) generated during the mining operations shall be stacked at earmarked OB dump site(s) only and it should not be kept active for a long period of time. The physical parameters of the OB dumps like height, width and angle of slope shall be governed as per the approved Mining Plan as per the guidelines/circulars issued by D.G.M.S w.r.t. safety in mining operations shall be strictly adhered to maintain the

stability of top soil/OB dumps. The topsoil shall be used for land reclamation and plantation.

- b) The reject/waste generated during the mining operations shall be stacked at earmarked waste dump site(s) only. The physical parameters of the waste dumps like height, width and angle of slope shall be governed as per the approved Mining Plan as per the guidelines/circulars issued by DGMS w.r.t. safety in mining operations shall be strictly adhered to maintain the stability of waste dumps.
- c) The reclamation of waste dump sites shall be done in scientific manner as per the Approved Mining Plan cum Progressive Mine Closure Plan. iv. The slope of dumps shall be vegetated in scientific manner with suitable native species to maintain the slope stability, prevent erosion and surface run off. The selection of local species regulates local climatic parameters and help in adaptation of plant species to the microclimate. The gullies formed on slopes should be adequately taken care of as it impacts the overall stability of dumps. The dump mass should be consolidated with the help of dozer/ compactors thereby ensuring proper filling/ leveling of dump mass. In critical areas, use of geo textiles/ geo-membranes / clay liners / Bentonite etc. shall be undertaken for stabilization of the dump.
- d) The Project Proponent shall carry out slope stability study in case the dump height is more than 30 meters. The slope stability report shall be submitted to concerned regional office of MoEF&CC.
- e) Catch drains, seilmig tanks and ponds of appropriate size shall be constructed around the mine working, mineral yards and Top Soil/OB/Waste dumps to prevent run off of water and flow of sediments directly into the water bodies (Nallah/ River/ Pond etc.). The collected water should be utilized for watering the mine area, roads, green belt development, plantation etc. The drains/ sedimentation sumps etc. shall be de-silted regularly, particularly after monsoon season, and maintained properly.
- f) Check dams of appropriate size, gradient and length shall be constructed around mine pit and OB dumps to prevent storm run-off and sediment flow into adjoining water bodies. A safety margin of 50% shall be kept for designing of sump structures over and above peak rainfall (based on 50 years data) and maximum discharge in the mine and its adjoining area which shall also help in providing adequate retention time period thereby allowing proper settling of sediments/ silt material. The sedimentation pits/ sumps shall be constructed at the corners of the garland drains,
- g) The top soil, if any, shall temporarily be stored at earmarked site(s) within the mine lease only and should not be kept unutilized for long. The physical parameters of the top soil dumps like height, width and angle of slope shall be governed as per the approved Mining Plan and as per the guidelines framed by DGMS w.r.t. safety in mining operations shall be strictly adhered to maintain the stability of dumps. The topsoil shall be used for land reclamation and plantation purpose.

62) Transportation

- a) No Transportation of the minerals shall be allowed in case of roads passing through villages/ habitations. *(In such cases, PP shall construct a 'bypass' road for the purpose of transportation of the minerals leaving an adequate gap (say at least 200 meters) so that the adverse impact of sound and dust along with chances of accidents could be mitigated.)* All costs resulting from widening and strengthening of existing public road

network shall be borne by the PP in consultation with nodal State Govt. Department. Transportation of minerals through road movement in case of existing village/ rural roads shall be allowed in consultation with nodal State Govt. Department only after required strengthening such that the carrying capacity of roads is increased to handle the traffic load. The pollution due to transportation load on the environment will be effectively controlled and water sprinkling will also be done regularly. Vehicular emissions shall be kept under control and regularly monitored. Project should obtain Pollution Under Control (PUC) certificate for all the vehicles from authorized pollution testing centers.

- b) The Main haulage road within the mine lease should be provided with a permanent water sprinkling arrangement for dust suppression. Other roads within the mine lease should be wetted regularly with tanker-mounted water sprinkling system. The other areas of dust generation like crushing zone, material transfer points, material yards etc. should invariably be provided with dust suppression arrangements. The air pollution control equipments like bag filters, vacuum suction hoods, dry fogging system etc. shall be installed at Crushers, belt-conveyors and other areas prone to air pollution. The belt conveyor should be fully covered to avoid generation of dust while transportation. PP shall take necessary measures to avoid generation of fugitive dust emissions.

63) Green Belt

- a) The Project Proponent shall develop greenbelt in 7.5m wide safety zone all along the mine lease boundary as per the guidelines of CPCB in order to arrest pollution emanating from mining operations within the lease. The whole Green belt shall be developed within first 5 years starting from windward side of the active mining area. The development of greenbelt shall be governed as per the EC granted by the Ministry irrespective of the stipulation made in approved mine plan.
- b) The Project Proponent shall carryout plantation/ afforestation in backfilled and reclaimed area of mining lease, around water body, along the roadsides, in community areas etc. by planting the native species in consultation with the State Forest Department/ Agriculture Department/ Rural development department/ Tribal Welfare Department/ Gram Panchayat such that only those species be selected which are of use to the local people. The CPCB guidelines in this respect shall also be adhered. The density of the trees should be around 2500 saplings per Hectare. Adequate budgetary provision shall be made for protection and care of trees.
- c) The Project Proponent shall make necessary alternative arrangements for livestock feed by developing grazing land with a view to compensate those areas which are coming within the mine lease. The development of such grazing land shall be done in consultation with the State Government. In this regard, Project Proponent should essentially implement the directions of the Hon'ble Supreme Court with regard to acquisition of grazing land. The sparse trees on such grazing ground, which provide mid-day shelter from the scorching sun, should be scrupulously guarded/ protected against felling and plantation of such trees should be promoted.
- d) The Project Proponent shall undertake all precautionary measures for conservation and protection of endangered flora and fauna and Schedule-I species during mining operation. A Wildlife Conservation Plan shall be prepared for the same clearly delineating action to

be taken for conservation of flora and fauna. The Plan shall be approved by Chief Wild Life Warden of the State Govt.

- e) And implemented in consultation with the State Forest and Wildlife Department. A copy of Wildlife Conservation Plan and its implementation status (annual) shall be submitted to the Regional Office of the Ministry.

64) Public hearing and human health issues

- a) The Project Proponent shall appoint an Occupational Health Specialist for Regular as well as Periodical medical examination of the workers engaged in the mining activities, as per the DGMS guidelines. The records shall be maintained properly. PP shall also carryout Occupational health check-ups in respect of workers which are having ailments like BP, diabetes, habitual smoking, etc. The check-ups shall be undertaken once in six months and necessary remedial/ preventive measures be taken. A status report on the same may be sent to MoEFCC Regional Office and DGMS on half-yearly basis.
- b) The Project Proponent must demonstrate commitment to work towards 'Zero Harm' from their mining activities and carry out Health Risk Assessment (HRA) for identification workplace hazards and assess their potential risks to health and determine appropriate control measures to protect the health and wellbeing of workers and nearby community. The proponent shall maintain accurate and systematic records of the HRA. The HRA for neighborhood has to focus on Public Health Problems like Malaria, Tuberculosis, HIV, Anaemia, Diarrhoea in children under five, respiratory infections due to bio mass cooking. The proponent shall also create awareness and educate the nearby community and workers for Sanitation, Personal Hygiene, Hand washing, not to defecate in open, Women Health and Hygiene (Providing Sanitary Napkins), hazard of tobacco and alcohol use. The Proponent shall carryout base line HRA for all the category of workers and thereafter every five years.
- c) The Proponent shall carry out Occupational health surveillance which be a part of HRA and include Biological Monitoring where practical and feasible, and the tests and investigations relevant to the exposure (e.g. for Dust a X-Ray chest; For Noise Audiometric; for Lead Exposure Blood Lead, For Welders Full Ophthalmologic Assessment; for Manganese Miners a complete Neurological Assessment by a Certified Neurologist, and Manganese (Mn) Estimation in Blood; For Inorganic ChromiumFortnightly skin inspection of hands and forearms by a responsible person. Except routine tests all tests would be carried out in a Lab accredited by NABH. Records of Health Surveillance must be kept for 30 years, including the results of and the records of Physical examination and tests. The record of exposure due to materials like Asbestos, Hard Rock Mining, Silica, Gold, Kaolin, Aluminium, Iron, Manganese, Chromium, Lead, Uranium need to be handed over to the Mining Department of the State in case the life of the mine is less than 30 years. It would be obligatory for the State Mines Departments to make arrangements for the safe and secure storage of the records including X-Ray. Only conventional X-Ray will be accepted for record purposes and not the digital one). X-Ray must meet ILO criteria (17 x14 inches and of good quality).
- d) The Proponent shall maintained a record of performance indicators for workers which includes
 - i) there should not be a significant decline in their Body Mass Index and it should stay between 18.5 -24.9,

- ii) the Final Chest X-Ray compared with the base line X-Ray should not show any capacities ,
- iii) At the end of their leaving job there should be no Diminution in their Lung Functions Forced Expiratory Volume in one second (FEV1) Forced Vital Capacity (FVC), and the ratio) unless they are smokers which has to be adjusted, and the effect of age,
- iv) their hearing should not be affected. As a proof an Audiogram (first and last need to be presented),
- v) they should not have developed any Persistent Back Pain, Neck Pain, and the movement of their Hip, Knee and other joints should have normal range of movement,
- vi) they should not have suffered loss of any body part. The record of the same should be submitted to the Regional Office, MoEFCC annually along with details of the relief and compensation paid to workers having above indications.
- e) The Project Proponent shall ensure that Personnel working in dusty areas should wear protective respiratory devices and they should also be provided with adequate training and information on safety and health aspects.
- f) Project Proponent shall make provision for the housing for workers/labors or shall construct labour camps within/outside (company owned land) with necessary basic infrastructure/ facilities like fuel for cooking, mobile toilets, mobile STP, safe drinking water, medical health care, crèche for kids etc. The housing may be provided in the form of temporary structures which can be removed after the completion of the project related infrastructure. The domestic waste water should be treated with STP in order to avoid contamination of underground water.
- g) The activities proposed in Action plan prepared for addressing the issues raised during the Public Hearing, if applicable, shall be completed as per the budgetary provisions mentioned in the Action Plan and within the stipulated time frame. The Status Report on implementation of Action Plan shall be submitted to the concerned Regional Office of the Ministry along with District Administration.

65) Corporate Environment Responsibility (CER)

- a) The activities and budget earmarked for Corporate Environmental Responsibility (CER) as per Ministry's O.M No 22-65/2017-IA. III dated 30/09/2020 or as proposed by EAC should be kept in a separate bank account. The activities proposed for CER shall be implemented in a time bound manner and annual report of implementation of the same along with documentary proof viz. photographs, purchase documents, latitude & longitude of infrastructure developed & road constructed needs to be submitted to Regional Office MoEF&CC annually along with audited statement.
- b) Project Proponent shall keep the funds earmarked for environmental protection measures in a separate account and refrain from diverting the same for other purposes. The Year wise expenditure of such funds should be reported to the MoEFCC and its concerned Regional Office.

66) Miscellaneous

- a) The Project Proponent shall prepare digital map (land use & land cover) of the entire lease area and KML file for recording the base line data and closure time data (after three years) and submit a report to concerned Regional Office of the MoEFCC.

- b) The Project Authorities should inform to the Regional Office regarding date of financial closures and final approval of the project by the concerned authorities and the date of start of land development work.
- c) The Project Proponent shall submit six monthly compliance reports on the status of the implementation of the stipulated environmental safeguards to the MOEFCC & its concerned Regional Office, Central Pollution Control Board and State Pollution Control Board.
- d) A separate 'Environmental Management Cell' with suitable qualified manpower should be set-up under the control of a Senior Executive. The Senior Executive shall directly report to Head of the Organization. Adequate number of qualified Environmental Scientists and Mining Engineers shall be appointed and submit a report to RO, MoEFCC.
- e) The concerned Regional Office of the MoEFCC shall randomly monitor compliance of the stipulated conditions. The project authorities should extend full cooperation to the MoEFCC officer(s) by furnishing the requisite data / information / monitoring reports.

SPECIFIC CONDITIONS: -

- 1 The Project Proponent must obtain NOCs from the concerned HoD of the Forest, Irrigation and Flood Control Department and Fisheries Department besides, denovo approval of revised mining plan excluding water channel area, prior to grant of formal lease by the Geology & Mining department.
- 2 The cremation ground be properly demarcated and left undisturbed and its map showing geographical coordinates be submitted to JKEIAA before issuance of formal EC. Besides, map showing extraction route bypassing village settlements and agricultural/horticultural land as far as possible be submitted to the JKEIAA before formal grant of EC.
- 3 The maximum exploitation of the RBM site shall be **48300M.tons per annum** within the approved area and mining depth **of 0.75 mt. (after deducting 60% water channel area from the targeted production of 120750 MT per annum)**. Mining depth above 0.75mts. if mentioned anywhere in any of the submitted documents whether by mistake or otherwise, shall be treated as omitted.
- 4 A green belt shall be developed under close supervision of the local panchayat.
- 5 The river bed material shall be sold to the local population within radial distance of 2 kms from the mine site for residential construction purpose at 50% concessional rates.
- 6 The formal lease shall be granted only after the Project Proponent deposits the funds earmarked under EMP and CER in a separate account to be opened for the

purpose and funds be utilized in coordination with DFO, Social Forestry Dept. and concerned Chief Medical Officer(CMO)under supervision of local Panchayat Head. The funds earmarked for CSR shall also be utilized through the concerned district authorities in accordance with CSR Policy Rules.

- 7 All the provisions of Minor Mineral Rules sanctioned under SRO105 with all amendments with respect to pertinent provisions of the legal framework relating to progressive mine closure shall be complied by the Project Proponent.
- 8 This Environmental Clearance is subject to final outcome of any litigation pending before Hon'ble Supreme Court of India, Hon'ble High Court of Jammu & Kashmir, Hon'ble NGT, or any other Court of Law, if any, as may be applicable to this project.
- 9 This Environmental Clearance is without prejudice to the standing instructions /orders from the competent authorities in the MoEF&CC, GoI and the UT of J&K w.r.t river bed mining activity.
- 10 An inspection JKEAC comprising of Additional Dy. Commissioner, District Mineral Officer, representative of Pollution Control Board, Executive Engineer Irrigation & Flood Control Dept. and District Fisheries Officer shall monitor the implementation of the EMP and also certify at the end of each monsoon, that sufficient replenishment of the minor mineral has taken place during monsoon and further mining in the mining block shall not adversely affect the hydrological and ecological settings in the area.
- 11 The Project Proponent shall take all precautionary measures during mining operations for conservation and protection of endangered fauna and flora in the area.
- 12 Masks and PPE shall be provided to the workers in view of COVID-19.
- 13 Social distancing norms and other standard operating procedures relating to COVID-19 shall be followed during mining activity.
- 14 The plan worked out and expenditure made under Occupational Health should be undertaken in consultation with the Local Health Institution/PHC/Sub-Centre for utilization for the health and welfare of the local workers involved in mining activity and villagers living in the close vicinity. Regular Medical checkups and free medicines shall be provided under the fund.
- 15 The Project Proponent must ensure that the biological clock of the villagers in the vicinity of the project is not disturbed by any unauthorized night operations and all

measures must be taken for keeping the noise levels within prescribed levels.

- 16 Provision shall be kept for housing of the labour force, toilets, facilities for cooking, safe water, health care, crèche etc. for the labour force.
- 17 A final Mine closure Plan along with details of Corpus fund shall be communicated to the MoEF&CC in advance for approval.
- 18 The top soil in case of surface land mining shall be temporarily stored at the designated / appropriate site and concurrently used for land reclamation.
- 19 The mining operations shall be undertaken in a systematic manner so that it does not damage the aesthetic view of the area.
- 20 Adequate steps should be taken to check soil erosion and engineering structures shall be raised wherever required. The mining shall be restricted to 3/4th of the width of the river/rivulet or 7.5 m(inward) from river bank but upto 10% of the width of the river.
- 21 The compliance report shall be submitted to the Regional Office of the MoEF&CC at Chandigarh with a copy to the Regulatory Authority.
- 22 The mining activity should in no case go beyond the area as mentioned in the Letter of Intent and a buffer area is maintained such that the slopes of adjoining area does not get disturbed.
- 23 All the provisions made and restrictions imposed as covered in the Minor Mineral Rules, shall be complied with, particularly regarding Environment Management Practices and its fund management.
- 24 The recommendations made in the District Survey Report on sustainable mining practices if any shall be complied.
- 25 The mining shall be done in bench form with maximum bench height of 0.75 metre.
- 26 Mining should be initiated only after installation of signboards with demarcation pillars indicating the geo-coordinates of the plot as mentioned in the letter of intent, measurements (length /breadth) and should be laid in presence of the authorized official of the Geology & Mining Department.
- 27 There should be no change in the method of excavation and quantity of minerals to be extracted as per approved mining plan.
- 28 The EC holder shall keep a correct account of quantity of mineral mined out,

dispatched from the mine, mode of transport, registration number of vehicle, person in-charge of vehicle and mine plan. This should be produced before officers concerned for inspection.

- 29 The access to mining site should be controlled in a way that vehicles carrying mineral from that area are tracked and accounted for in accordance with standing guidelines issued by the Govt.
- 30 The Geology & Mining Department should use technology like Bar Coding, Information and Communications Technology (ICT), Web based and ICT enabled services, mobile SMS App etc. to account for weight of mineral being taken out of the plot and the number of trucks moving out with the mineral.
- 31 The PP should ensure no agriculture land in the area is used for any storage /piling up of sand or gets any damage due to any other transportation activity. Where ever, damages to agricultural land, assets or human life by way of plying of trollies and tippers involved in transportation of minor mineral is reported, the Project Proponent shall pay adequate compensation with penalty to the effected persons as to be fixed up by the competent authority. Project Proponent
- 32 Waste generated will be collected on regular basis and will be disposed as per the Municipal Solid Waste Management (Management & Handling) Rule 2000 and its subsequent amendments.
- 33 Spring sources should not be affected due to mining activities. Necessary Protection measures are to be incorporated.
- 34 The mineral transportation shall be carried out through covered trucks only and the vehicles carrying the mineral shall not be overloaded.
- 35 Overloading of trucks and trolleys will be avoided.
- 36 All the instructions from authorities representing various government departments having stakes shall be complied with during the mining operations.
- 37 Haul road will be kept wide, compact and water spraying will be done. It shall be properly maintained by the PP and restored to original position after mining. Axel load on the roads should not exceed the prescribed load as per IRC
- 38 Restricted working hours. Mining operation has to be carried out between 6 am to 7 pm.
- 39 No overhangs shall be allowed to be formed due to mining and mining shall not be allowed in area where subsidence of rocks is likely to occur due to steep angle of

- slope. Mining activity shall not be avoided in rainy season
- 40 Vehicles used for transportation of material are to be permitted only with fitness and PUC Certificates.
- 41 There shall be no extraction of stone / boulder in landslide prone areas.
- 42 Adequate facility for drinking water and toilets should be provided for the workers.
- 43 There should be controlled clearance of overground vegetation to be undertaken.
- 44 Transport of mineral will not be done through villages / habitations and any private productive or waste land.
- 45 Deep drilled handpump with sufficient funding provision should be earmarked for providing drinking facility to the labour force.
- 46 Recommendations of National Institute for Labour for ensuring good occupational environment for mine workers would also be adopted.
- 47 The PP shall be responsible for enforcement of COVID-19 standard operating procedures and guidelines with respect to safety of workers involved in the mining activity.
- 48 Project Proponent shall ensure that the road may not be damaged due to transportation of the mineral and transport of minerals will be as per IRC relevant guidelines if any in this regard.
- 49 Health and safety of workers should be taken care of. They should also be provided training in safety and health care aspects.
- 50 Junction at takeoff point of approach road with main road be properly developed with proper width and geometry required for safe movement of traffic by concession holder at his own cost.
- 51 No stacking shall be allowed on road side along National Highway.
- 52 Concealing of any information/data of submission of wrong/fabricated information by the Project Proponent and failure to comply with any of the above conditions may lead to withdrawal of the EC and attract action under the provisions of EP Act, 1986.
- 53 An appeal against the EC shall lie with the Hon'ble NGT, if preferred within 30 days as prescribed under Section 16 of the NGT Act, 2010.

- 54 Mining shall be done manually minimally supported by semi-mechanized methods.
- 55 The progressive mine closure shall be as per Rules in vogue. All actions relating to progressive mine closure shall be taken well in advance during the final year of mining so that the site is rehabilitated ecologically.
- 56 The reasonable concerns expressed by the local population during public hearing shall be addressed by the Project Proponent. No blasting operations shall be allowed.
- 57 No mining activity shall be carried out in flowing water channel area within the mining block and adequate measures shall be taken to safeguard water quality and aquatic life including fisheries if available in the same.
- 58 The EC shall be valid for a period of only **three years** from the date of commencement of the mining operations duly certified by the District Mineral Officer concerned with intimation to the JKEIAA, JKPCB and the concerned District Administration, in view of non-availability of replenishment data in the district survey report.
- 59 Under CSR, within 2 km radial distance, activities like regular health check-up of local villagers once a week shall be undertaken with free medicines. Safe drinking water facility by way of renovation of existing tanks/wells, digging of new tube wells and installation of water filters shall be undertaken. Skill development trainings shall be organized for unemployed local youth. Further, construction of toilets in schools, solar street lighting, free distribution of books, note books, N95 masks, hand sanitizers and school bags among students within 2 km radius from the mine area shall be undertaken. Under EMP, with 2 kms radial distance from mine area; air, water, soil, noise pollution monitoring on half yearly basis, black topping of roads passing through villages and maintenance of haulage /extraction routes, water sprinkling, PPE to mine workers, bearing of school/college fee and allied costs on education of children of mine workers, bearing of all costs on ailments/healthcare of mine workers, creation of green belt by way of raising and maintenance of 2500 trees per hectare on land identified by DFO Social Forestry concerned in consultation with village panchayat during the period of mining, shall be undertaken.
- 60 The JKEIAA reserves the right to impose any other condition in the EC at any time during the period of mining lease. The JKEIAA reserves the right to revoke the EC in case any of the environmental clearance conditions are violated during the mining activity. Mere grant of Environmental Clearance does not entitle the Project Proponent for grant of mining lease unless he obtains all other clearances

as required under other provisions of law.

Agenda Item No: 17 Grant of Environment Clearance in favour of M/S Rahil Choudhary S/o Sh. Rakesh Kumar R/O 51-C,B/D Gandhi Nagar Jammu, State: J&K
Proposal No: SIA/JK/MIN/56388/2019
File No: SEAC/JK/20/276
Title of the Case: Grant of Environment Clearance for Proposed Chauki Chaura Downstream Chagial Bridge (River Bed Material) Mining Project Village- Gangal, Tehsil- Chauki Chaura, District- Jammu, UT J&K Block No. 61(5/36), (Area- 5.28 ha

Deliberations: The case was represented by Mr. Brinder Singh Chaudhary on behalf of Rahil Choudhary S/o Sh. Rakesh Kumar Project Proponent and the Consultant was represented by Anjali Chachane on behalf of M/s. Overseas Min-Tech Consultants- 501, 5th Floor, Apex Tower, Tonk Road, Jaipur, Rajasthan. The Consultant gave a detailed PowerPoint presentation on the project and informed the JKEAC that the project is under consideration of the JKEIAA in pursuance to Govt. order No. 76-JK(FST) of 2020 dated 29/07/2020 subsequently endorsed by the JKEIAA in its Minutes of Meeting issued vide No. JKEIAA/2016/02/II/631-633 dated 08/08/2020. The Consultant gave a detailed presentation on the project during which she was asked to demonstrate the mining block on Google Earth using the KML file.

The discussions continued around mining depth, targeted mineral production, concerns of locals in the light of public hearing report, extraction route, surface plan, CSR and compliance of Terms of reference. When asked about the commitments made by previous PP during public hearing, the representative of the Project Proponent assured that all commitments made during the Public Hearing shall be fulfilled. The JKEAC expressed its dismay at the non-compliance of specific Terms of Reference with respect to mining depth as the Consultant had mentioned 3 m depth in the EIA/EMP/PFR against 0.75 m mining depth mentioned in the approved mining plan. Besides, the Consultant had misrepresented the land-use pattern of the study area with 10kms radius as the same table has been copy pasted in almost all the EIA reports. The Consultant informed that the public hearing was conducted on 11th of Feb., 2020. The JKEAC observed that during Public Hearing, the locals have expressed their concerns on illegal mining, demanded proper mitigation measures during and after mining and have demanded livelihood from the activity. They have also demanded that the mining blocks be properly demarcated with complete information. Therefore, the members desired that the EC conditions must address all these concerns of the locals but simultaneously allow sustainable scientific mining in the area.

The JKEAC desired that the mistakes pointed out during discussions be rectified and pertinent documents be revised immediately. The representative of Project Proponent assured that he would submit the revised version of the documents within a few days and requested the JKEAC to consider the case for grant of EC, conditionally. The JKEAC discussed the issue in the light of

paucity of RBM in the market and consistent efforts of the J&K Govt. to fast track the process of grant of EC and asked the Project Proponent to submit video graphic evidence of public hearing and corrected version of EIA/EMP/PFR in soft copy and hard copy in duplicate in the JKEIAA office Jammu within a weeks' time before grant of formal EC.

Recommendations: In view of paucity of river bed material in the UT and consistent efforts of Govt. to fast track the process of grant of EC, subject to prior submission of video graphic evidence of Public Hearing and corrected version of the EIA/EMP/PFR documents in hard and soft form in the office of JKEIAA, the JKEAC recommended the case for grant of Environmental Clearance subject to following standard and specific conditions, clearly mentioning the geographical coordinates in the EC, as per letter of intent:-

STANDARD CONDITIONS:-

67) Statutory compliance

- a) This Environmental Clearance (EC) is subject to orders/ judgment of Hon'ble Supreme Court of India, Hon'ble High Court of J&K, Hon'ble NGT and any other Court of competent jurisdiction, **as may be applicable.**
- b) The Project Proponent complies with all the statutory requirements and judgement of Hon'ble Supreme Court dated 2nd August,2017 in Writ Petition (Civil) No. 114 of 2014 in matter of Common Cause versus Union of India &Ors before commencing the mining operations.
- c) The UT Government of J&K shall ensure that mining operation shall not be commenced till the entire compensation levied, if any, for illegal mining paid by the Project Proponent through their respective Department of Mining & Geology in strict compliance of Judgement of Hon'ble Supreme Court dated 2nd August, 2017 in Writ Petition (Civil) No. 114 of 2014 in matter of Common Cause versus Union of India &Ors.
- d) This Environmental Clearance shall become operational only after receiving formal NBWL Clearance from MoEF&CC subsequent to the recommendations of the Standing JKEAC of National Board for Wildlife, **if applicable to the Project.**
- e) This Environmental Clearance shall become operational only after receiving formal Forest Clearance (FC) under the provision of Forest Conservation Act, 1980, **if applicable to the Project.**
- f) Project Proponent (PP) shall obtain Consent to Operate after grant of EC and effectively implement all the conditions stipulated therein. The mining activity shall not commence prior to obtaining Consent to Establish / Consent to Operate from the concerned State Pollution Control Board/JKEAC.
- g) The PP shall adhere to the provision of the Mines Act, 1952, Mines and Mineral (Development & Regulation), Act, 2015 and rules & regulations made there under. PP shall adhere to various circulars issued by Directorate General Mines Safety (DGMS) and Indian Bureau of Mines from time to time.
- h) The Project Proponent shall obtain consents from all the concerned land owners, before start of mining operations, as per the provisions of MMDR Act, 1957 and rules made there under in respect of lands which are not owned by it.
- i) The Project Proponent shall follow the mitigation measures provided in MoEFCC's Office Memorandum No. Z-11013/57/2014-IAJI (M), dated 29th October, 2014, titled "Impact of mining activities on Habitations-Issues related to the mining Projects wherein

Habitations and villages are the part of mine lease areas or Habitations and villages are surrounded by the mine lease area".

- j) The Project Proponent shall obtain necessary prior permission of the competent authorities for drawl of requisite quantity of surface water and from CGWA for withdrawal of ground water for the project.
- k) A copy of EC letter will be marked to concerned Panchayat / local NGO etc. if any, from whom suggestion / representation has been received while processing the proposal.
- l) State Pollution Control Board/JKEAC shall be responsible for display of this EC letter at its Regional office, District Industries Centre and Collector's office/ Tehsildar's Office for 30 days.
- m) The Project Authorities should widely advertise about the grant of this EC letter by printing the same in at least two local newspapers, one of which shall be in vernacular language of the concerned area.
- n) The advertisement shall be done within 7 days of the issue of the clearance letter mentioning that the instant project has been accorded EC and copy of the EC letter is available with the State Pollution Control Board/JKEAC and web site of the Ministry of Environment, Forest and Climate Change (www.environmentclearance.nic.in). A copy of the advertisement may be forwarded to the concerned MoEFCC Regional Office for compliance and record.
- o) The Project Proponent shall inform the MoEF&CC for any change in ownership of the mining lease. In case there is any change in ownership or mining lease is transferred than mining operation shall only be carried out after transfer of EC as per provisions of the para 11 of EIA Notification, 2006 as amended from time to time.

68) Air quality monitoring and preservation

- a) The Project Proponent shall install a minimum of 3 (three) online Ambient Air Quality Monitoring Stations with 1 (one) in upwind and 2 (two) in downwind direction based on long term climatological data about wind direction such that an angle of 120° is made between the monitoring locations to monitor critical parameters, relevant for mining operations, of air pollution viz. PM10, PM 2.5, NO₂; CO and SO₂ etc. as per the methodology mentioned in NAAQS Notification No. B-29016/20/90/PC/I, dated 18.11.2009 covering the aspects of transportation and use of heavy machinery in the impact zone. The ambient air quality shall also be monitored at prominent places like office building, canteen etc. as per the site condition to ascertain the exposure characteristics at specific places. The above data shall be digitally displayed within 03 months in front of the main Gate of the mine site.
- b) Effective safeguard measures for prevention of dust generation and subsequent suppression (like regular water sprinkling, metalled road construction etc.) shall be carried out in areas prone to air pollution wherein high levels of PM10 and PM2.5 are evident such as haul road, loading and unloading point and transfer points. The Fugitive dust emissions from all sources shall be regularly controlled by installation of required equipment's/ machineries and preventive maintenance: Use of suitable water-soluble chemical dust suppressing agents may be explored for better effectiveness of dust control system. It shall be ensured that air pollution level conform to the standards prescribed by the MoEFCC/ Central Pollution Control Board.

69) Water quality monitoring and preservation

- a) In case, immediate mining scheme envisages intersection of ground water table, then Environmental Clearance shall become operational only after receiving formal clearance from CGWA. In case, mining operation involves intersection of ground water table at a later stage, then PP shall ensure that prior approval from CGWA and MoEFCC is in place before such mining operations. The permission for intersection of ground water table shall essentially be based on detailed hydro-geological study of the area.
- b) Regular monitoring of the flow rate of the springs and perennial nallahs flowing in and around the mine lease shall be carried out and records maintain. The natural water bodies and or streams which are flowing in an around the village, should not be disturbed. The Water Table should be nurtured so as not to go down below the pre-mining period. In case of any water scarcity in the area, the Project Proponent has to provide water to the villagers for their use. A provision for regular monitoring of water table in open dug wall located in village should be incorporated to ascertain the impact of mining over ground water table. The Report on changes in Ground water level and quality shall be submitted on six-monthly basis to the Regional Office of the Ministry, CGWA and State Groundwater Department / State Pollution Control Board.
- c) Project Proponent shall regularly monitor and maintain records w.r.t. ground water level and quality in and around the mine lease by establishing a network of existing wells as well as new piezo-meter installations during the mining operation in consultation with Central Ground Water Authority/ State Ground Water Department. The Report on changes in Ground water level and quality shall be submitted on six-monthly basis to the Regional Office of the Ministry, CGWA and State Groundwater Department / State Pollution Control Board.
- d) The Project Proponent shall undertake regular monitoring of natural water course/ water resources/ springs and perennial nallahs existing/ flowing in and around the mine lease and maintain its records. The Project Proponent shall undertake regular monitoring of water quality upstream and downstream of water bodies passing within and nearby/ adjacent to the mine lease and maintain its records. Sufficient number of gullies shall be provided at appropriate places within the lease for management of water. PP shall carryout regular monitoring w.r.t. pH and included the same in monitoring plan. The parameters to be monitored shall include their water quality vis-à-vis suitability for usage as per CPCB criteria and flow rate. It shall be ensured that no obstruction and/ or alteration be made to water bodies during mining operations without justification and prior approval of MoEFCC. The monitoring of water courses/ bodies existing in lease area shall be carried out four times in a year viz. pre- monsoon (April-May), monsoon (August), post-monsoon (November) and winter (January) and the record of monitored data may be sent regularly to Ministry of Environment, Forest and Climate Change and its Regional Office, Central Ground Water Authority and Regional Director, Central Ground Water Board, State Pollution Control Board and Central Pollution Control Board. Clearly showing the trend analysis on six-monthly basis.
- e) Quality of polluted water generated from mining operations which include Chemical Oxygen Demand (COD) in mines run-off; acid mine drainage and metal contamination in runoff shall be monitored along with Total Suspended Solids (TDS), Dissolved Oxygen (DO), pH and Total Suspended Solids (TSS). The monitored data shall be uploaded on the website of the company as well as displayed at the project site in public domain, on a

display board, at a suitable location near the main gate of the Company. The circular No. J- 20012/1/2006-IAJI (M) dated 27.05.2009 issued by Ministry of Environment, Forest and Climate Change may also be referred in this regard.

- f) Project Proponent shall plan, develop and implement rainwater harvesting measures on long term basis to augment ground water resources in the area consultation with Central Ground Water Board/ State Groundwater Department. A report on amount of water recharged needs to be submitted to Regional Office MoEFCC annually.
- g) Industrial waste water (workshop and waste water from the mine) should be properly collected and treated so as to conform to the notified standards prescribed from time to time. The standards shall be prescribed through Consent to Operate (CTO) issued by concerned State Pollution Control Board (SPCB). The workshop effluent shall be treated after its initial passage through Oil and grease trap.
- h) The water balance/water auditing shall be carried out and measure for reducing the consumption of water shall be taken up and reported to the Regional Office of the MoEF&CC and State Pollution Control Board/JKEAC.

70) Noise and vibration monitoring and prevention

- a) The peak particle velocity at 500m distance or within the nearest habitation, whichever is closer shall be monitored periodically as per applicable DGMS guidelines.
- b) The illumination and sound at night at project sites disturb the villages in respect of both human and animal population. Consequent sleeping disorders and stress may affect the health in the villages located close to mining operations. Habitations have a right for darkness and minimal noise levels at night. PPs must ensure that the biological clock of the villages is not disturbed; by orienting the floodlights/ masks away from the villagers and keeping the noise levels well within the prescribed limits for day /night hours.
- c) The Project Proponent shall take measures for control of noise levels below 85 dBA in the work environment. The workers engaged in operations of HEMM, etc. should be provided with ear plugs /muffs. All personnel including laborers working in dusty areas shall be provided with protective respiratory devices along with adequate training, awareness and information on safety and health aspects. The PP shall be held responsible in case it has been found that workers/ personals/ laborers are working without personal protective equipment.

71) Mining plan

- a) The Project Proponent shall adhere to the working parameters of mining plan which was submitted at the time of EC appraisal with a maximum mine depth of 0.75 meters, wherein year-wise plan for a maximum total excavation of 61800 M.tons, waste, overburden, interburden and top soil etc has been mentioned. No change in basic mining proposal like mining technology, total excavation, mineral & waste production, lease area and scope of working (viz. method of mining, overburden & dump management, O.B & dump mining, mineral transportation mode, ultimate depth of mining etc.) shall not be carried out without prior approval of the Ministry of Environment, Forest and Climate Change, which entail adverse environmental impacts, even if it is a part of approved mining plan modified after grant of EC or granted by State Govt. in the form of Short Term Permit (STP), Query license or any other name.

- b) The Project Proponent shall get the Final Mine Closure Plan along with Financial Assurance approved from Indian Bureau of Mines/Department of Mining & Geology as required under the Provision of the MMDR Act, 1957 and Rules/ Guidelines made there under. A copy of approved final mine closure plan shall be submitted within 2 months of the approval of the same from the competent authority to the concerned Regional Office of the Ministry of Environment, Forest and Climate Change for record and verification.
- c) The land-use of the mine lease area at various stages of mining scheme as well as at the end-of-life shall be governed as per the approved Mining Plan. The excavation vis-à-vis backfilling in the mine lease area and corresponding afforestation to be raised in the reclaimed area shall be governed as per approved mining plan. PP shall ensure the monitoring and management of rehabilitated areas until the vegetation becomes self-sustaining. The compliance status shall be submitted half-yearly to the MoEFCC and its concerned Regional Office.

72) Land reclamation

- a) The Overburden (O.B.) generated during the mining operations shall be stacked at earmarked OB dump site(s) only and it should not be kept active for a long period of time. The physical parameters of the OB dumps like height, width and angle of slope shall be governed as per the approved Mining Plan as per the guidelines/circulars issued by D.G.M.S w.r.t. safety in mining operations shall be strictly adhered to maintain the stability of top soil/OB dumps. The topsoil shall be used for land reclamation and plantation.
- b) The reject/waste generated during the mining operations shall be stacked at earmarked waste dump site(s) only. The physical parameters of the waste dumps like height, width and angle of slope shall be governed as per the approved Mining Plan as per the guidelines/circulars issued by DGMS w.r.t. safety in mining operations shall be strictly adhered to maintain the stability of waste dumps.
- c) The reclamation of waste dump sites shall be done in scientific manner as per the Approved Mining Plan cum Progressive Mine Closure Plan. iv. The slope of dumps shall be vegetated in scientific manner with suitable native species to maintain the slope stability, prevent erosion and surface run off. The selection of local species regulates local climatic parameters and help in adaptation of plant species to the microclimate. The gullies formed on slopes should be adequately taken care of as it impacts the overall stability of dumps. The dump mass should be consolidated with the help of dozer/ compactors thereby ensuring proper filling/ leveling of dump mass. In critical areas, use of geo textiles/ geo-membranes / clay liners / Bentonite etc. shall be undertaken for stabilization of the dump.
- d) The Project Proponent shall carry out slope stability study in case the dump height is more than 30 meters. The slope stability report shall be submitted to concerned regional office of MoEF&CC.
- e) Catch drains, seilmig tanks and ponds of appropriate size shall be constructed around the mine working, mineral yards and Top Soil/OB/Waste dumps to prevent run off of water and flow of sediments directly into the water bodies (Nallah/ River/ Pond etc.). The collected water should be utilized for watering the mine area, roads, green belt development, plantation etc. The drains/ sedimentation sumps etc. shall be de-silted regularly, particularly after monsoon season, and maintained properly.

- f) Check dams of appropriate size, gradient and length shall be constructed around mine pit and OB dumps to prevent storm run-off and sediment flow into adjoining water bodies. A safety margin of 50% shall be kept for designing of sump structures over and above peak rainfall (based on 50 years data) and maximum discharge in the mine and its adjoining area which shall also help in providing adequate retention time period thereby allowing proper settling of sediments/ silt material. The sedimentation pits/ sumps shall be constructed at the corners of the garland drains,
- g) The top soil, if any, shall temporarily be stored at earmarked site(s) within the mine lease only and should not be kept unutilized for long. The physical parameters of the top soil dumps like height, width and angle of slope shall be governed as per the approved Mining Plan and as per the guidelines framed by DGMS w.r.t. safety in mining operations shall be strictly adhered to maintain the stability of dumps. The topsoil shall be used for land reclamation and plantation purpose.

73) Transportation

- a) No Transportation of the minerals shall be allowed in case of roads passing through villages/ habitations. *(In such cases, PP shall construct a 'bypass' road for the purpose of transportation of the minerals leaving an adequate gap (say at least 200 meters) so that the adverse impact of sound and dust along with chances of accidents could be mitigated.)* All costs resulting from widening and strengthening of existing public road network shall be borne by the PP in consultation with nodal State Govt. Department. Transportation of minerals through road movement in case of existing village/ rural roads shall be allowed in consultation with nodal State Govt. Department only after required strengthening such that the carrying capacity of roads is increased to handle the traffic load. The pollution due to transportation load on the environment will be effectively controlled and water sprinkling will also be done regularly. Vehicular emissions shall be kept under control and regularly monitored. Project should obtain Pollution Under Control (PUC) certificate for all the vehicles from authorized pollution testing centers.
- b) The Main haulage road within the mine lease should be provided with a permanent water sprinkling arrangement for dust suppression. Other roads within the mine lease should be wetted regularly with tanker-mounted water sprinkling system. The other areas of dust generation like crushing zone, material transfer points, material yards etc. should invariably be provided with dust suppression arrangements. The air pollution control equipments like bag filters, vacuum suction hoods, dry fogging system etc. shall be installed at Crushers, belt-conveyors and other areas prone to air pollution. The belt conveyor should be fully covered to avoid generation of dust while transportation. PP shall take necessary measures to avoid generation of fugitive dust emissions.

74) Green Belt

- a) The Project Proponent shall develop greenbelt in 7.5m wide safety zone all along the mine lease boundary as per the guidelines of CPCB in order to arrest pollution emanating from mining operations within the lease. The whole Green belt shall be developed within first 5 years starting from windward side of the active mining area. The development of greenbelt shall be governed as per the EC granted by the Ministry irrespective of the stipulation made in approved mine plan.

- b) The Project Proponent shall carryout plantation/ afforestation in backfilled and reclaimed area of mining lease, around water body, along the roadsides, in community areas etc. by planting the native species in consultation with the State Forest Department/ Agriculture Department/ Rural development department/ Tribal Welfare Department/ Gram Panchayat such that only those species be selected which are of use to the local people. The CPCB guidelines in this respect shall also be adhered. The density of the trees should be around 2500 saplings per Hectare. Adequate budgetary provision shall be made for protection and care of trees.
- c) The Project Proponent shall make necessary alternative arrangements for livestock feed by developing grazing land with a view to compensate those areas which are coming within the mine lease. The development of such grazing land shall be done in consultation with the State Government. In this regard, Project Proponent should essentially implement the directions of the Hon'ble Supreme Court with regard to acquisition of grazing land. The sparse trees on such grazing ground, which provide mid-day shelter from the scorching sun, should be scrupulously guarded/ protected against felling and plantation of such trees should be promoted.
- d) The Project Proponent shall undertake all precautionary measures for conservation and protection of endangered flora and fauna and Schedule-I species during mining operation. A Wildlife Conservation Plan shall be prepared for the same clearly delineating action to be taken for conservation of flora and fauna. The Plan shall be approved by Chief Wild Life Warden of the State Govt.
- e) And implemented in consultation with the State Forest and Wildlife Department. A copy of Wildlife Conservation Plan and its implementation status (annual) shall be submitted to the Regional Office of the Ministry.

75) Public hearing and human health issues

- a) The Project Proponent shall appoint an Occupational Health Specialist for Regular as well as Periodical medical examination of the workers engaged in the mining activities, as per the DGMS guidelines. The records shall be maintained properly. PP shall also carryout Occupational health check-ups in respect of workers which are having ailments like BP, diabetes, habitual smoking, etc. The check-ups shall be undertaken once in six months and necessary remedial/ preventive measures be taken. A status report on the same may be sent to MoEFCC Regional Office and DGMS on half-yearly basis.
- b) The Project Proponent must demonstrate commitment to work towards 'Zero Harm' from their mining activities and carry out Health Risk Assessment (HRA) for identification workplace hazards and assess their potential risks to health and determine appropriate control measures to protect the health and wellbeing of workers and nearby community. The proponent shall maintain accurate and systematic records of the HRA. The HRA for neighborhood has to focus on Public Health Problems like Malaria, Tuberculosis, HIV, Anaemia, Diarrhoea in children under five, respiratory infections due to bio mass cooking. The proponent shall also create awareness and educate the nearby community and workers for Sanitation, Personal Hygiene, Hand washing, not to defecate in open, Women Health and Hygiene (Providing Sanitary Napkins), hazard of tobacco and alcohol use. The Proponent shall carryout base line HRA for all the category of workers and thereafter every five years.

- c) The Proponent shall carry out Occupational health surveillance which be a part of HRA and include Biological Monitoring where practical and feasible, and the tests and investigations relevant to the exposure (e.g. for Dust a X-Ray chest; For Noise Audiometric; for Lead Exposure Blood Lead, For Welders Full Ophthalmologic Assessment; for Manganese Miners a complete Neurological Assessment by a Certified Neurologist, and Manganese (Mn) Estimation in Blood; For Inorganic Chromium Fortnightly skin inspection of hands and forearms by a responsible person. Except routine tests all tests would be carried out in a Lab accredited by NABH. Records of Health Surveillance must be kept for 30 years, including the results of and the records of Physical examination and tests. The record of exposure due to materials like Asbestos, Hard Rock Mining, Silica, Gold, Kaolin, Aluminium, Iron, Manganese, Chromium, Lead, Uranium need to be handed over to the Mining Department of the State in case the life of the mine is less than 30 years. It would be obligatory for the State Mines Departments to make arrangements for the safe and secure storage of the records including X-Ray. Only conventional X-Ray will be accepted for record purposes and not the digital one). X-Ray must meet ILO criteria (17 x14 inches and of good quality).
- d) The Proponent shall maintained a record of performance indicators for workers which includes
- i) there should not be a significant decline in their Body Mass Index and it should stay between 18.5 -24.9,
 - ii) the Final Chest X-Ray compared with the base line X-Ray should not show any capacities ,
 - iii) At the end of their leaving job there should be no Diminution in their Lung Functions Forced Expiratory Volume in one second (FEV1) Forced Vital Capacity (FVC), and the ratio) unless they are smokers which has to be adjusted, and the effect of age,
 - iv) their hearing should not be affected. As a proof an Audiogram (first and last need to be presented),
 - v) they should not have developed any Persistent Back Pain, Neck Pain, and the movement of their Hip, Knee and other joints should have normal range of movement,
 - vi) they should not have suffered loss of any body part. The record of the same should be submitted to the Regional Office, MoEFCC annually along with details of the relief and compensation paid to workers having above indications.
- e) The Project Proponent shall ensure that Personnel working in dusty areas should wear protective respiratory devices and they should also be provided with adequate training and information on safety and health aspects.
- f) Project Proponent shall make provision for the housing for workers/labors or shall construct labour camps within/outside (company owned land) with necessary basic infrastructure/ facilities like fuel for cooking, mobile toilets, mobile STP, safe drinking water, medical health care, crèche for kids etc. The housing may be provided in the form of temporary structures which can be removed after the completion of the project related infrastructure. The domestic waste water should be treated with STP in order to avoid contamination of underground water.
- g) The activities proposed in Action plan prepared for addressing the issues raised during the Public Hearing, if applicable, shall be completed as per the budgetary provisions mentioned in the Action Plan and within the stipulated time frame. The Status Report on

implementation of Action Plan shall be submitted to the concerned Regional Office of the Ministry along with District Administration.

76) Corporate Environment Responsibility (CER)

- a) The activities and budget earmarked for Corporate Environmental Responsibility (CER) as per Ministry's O.M No 22-65/2017-IA. III dated 30/09/2020 or as proposed by EAC should be kept in a separate bank account. The activities proposed for CER shall be implemented in a time bound manner and annual report of implementation of the same along with documentary proof viz. photographs, purchase documents, latitude & longitude of infrastructure developed & road constructed needs to be submitted to Regional Office MoEF&CC annually along with audited statement.
- b) Project Proponent shall keep the funds earmarked for environmental protection measures in a separate account and refrain from diverting the same for other purposes. The Year wise expenditure of such funds should be reported to the MoEFCC and its concerned Regional Office.

77) Miscellaneous

- a) The Project Proponent shall prepare digital map (land use & land cover) of the entire lease area and KML file for recording the base line data and closure time data (after three years) and submit a report to concerned Regional Office of the MoEFCC.
- b) The Project Authorities should inform to the Regional Office regarding date of financial closures and final approval of the project by the concerned authorities and the date of start of land development work.
- c) The Project Proponent shall submit six monthly compliance reports on the status of the implementation of the stipulated environmental safeguards to the MOEFCC & its concerned Regional Office, Central Pollution Control Board and State Pollution Control Board.
- d) A separate 'Environmental Management Cell' with suitable qualified manpower should be set-up under the control of a Senior Executive. The Senior Executive shall directly report to Head of the Organization. Adequate number of qualified Environmental Scientists and Mining Engineers shall be appointed and submit a report to RO, MoEFCC.
- e) The concerned Regional Office of the MoEFCC shall randomly monitor compliance of the stipulated conditions. The project authorities should extend full cooperation to the MoEFCC officer(s) by furnishing the requisite data / information / monitoring reports.

SPECIFIC CONDITIONS: -

- 1 The Project Proponent must obtain NOCs from the concerned HoD of the Forest, Irrigation and Flood Control Department and Fisheries Department besides, prior to grant of formal lease by the Geology & Mining department.
- 2 The cremation ground be properly demarcated and left undisturbed and its map showing geographical coordinates be submitted to JKEIAA before issuance of formal EC. Besides, map showing extraction route bypassing village settlements

and agricultural/horticultural land as far as possible be submitted to the JKEIAA before formal grant of EC.

- 3 The maximum exploitation of the RBM site shall be **61800M.tons per annum** within the approved area and mining depth **of 0.75 mt.** Mining depth above 0.75mts. if mentioned anywhere in any of the submitted documents whether by mistake or otherwise, shall be treated as omitted.
- 4 A green belt shall be developed under close supervision of the local panchayat.
- 5 The river bed material shall be sold to the local population within radial distance of 2 kms from the mine site for residential construction purpose at 50% concessional rates.
- 6 The formal lease shall be granted only after the Project Proponent deposits the funds earmarked under EMP and CER in a separate account to be opened for the purpose and funds be utilized in coordination with DFO, Social Forestry Dept. and concerned Chief Medical Officer(CMO)under supervision of local Panchayat Head. The funds earmarked for CSR shall also be utilized through the concerned district authorities in accordance with CSR Policy Rules.
- 7 All the provisions of Minor Mineral Rules sanctioned under SRO105 with all amendments with respect to pertinent provisions of the legal framework relating to progressive mine closure shall be complied by the Project Proponent.
- 8 This Environmental Clearance is subject to final outcome of any litigation pending before Hon'ble Supreme Court of India, Hon'ble High Court of Jammu & Kashmir, Hon'ble NGT, or any other Court of Law, if any, as may be applicable to this project.
- 9 This Environmental Clearance is without prejudice to the standing instructions /orders from the competent authorities in the MoEF&CC, GoI and the UT of J&K w.r.t river bed mining activity.
- 10 An inspection JKEAC comprising of Additional Dy. Commissioner, District Mineral Officer, representative of Pollution Control Board, Executive Engineer Irrigation & Flood Control Dept. and District Fisheries Officer shall monitor the implementation of the EMP and also certify at the end of each monsoon, that sufficient replenishment of the minor mineral has taken place during monsoon and further mining in the mining block shall not adversely affect the hydrological and ecological settings in the area.
- 11 The Project Proponent shall take all precautionary measures during mining operations for conservation and protection of endangered fauna and flora in the

area.

- 12 Masks and PPE shall be provided to the workers in view of COVID-19.
- 13 Social distancing norms and other standard operating procedures relating to COVID-19 shall be followed during mining activity.
- 14 The plan worked out and expenditure made under Occupational Health should be undertaken in consultation with the Local Health Institution/PHC/Sub-Centre for utilization for the health and welfare of the local workers involved in mining activity and villagers living in the close vicinity. Regular Medical checkups and free medicines shall be provided under the fund.
- 15 The Project Proponent must ensure that the biological clock of the villagers in the vicinity of the project is not disturbed by any unauthorized night operations and all measures must be taken for keeping the noise levels within prescribed levels.
- 16 Provision shall be kept for housing of the labour force, toilets, facilities for cooking, safe water, health care, crèche etc. for the labour force.
- 17 A final Mine closure Plan along with details of Corpus fund shall be communicated to the MoEF&CC in advance for approval.
- 18 The top soil in case of surface land mining shall be temporarily stored at the designated / appropriate site and concurrently used for land reclamation.
- 19 The mining operations shall be undertaken in a systematic manner so that it does not damage the aesthetic view of the area.
- 20 Adequate steps should be taken to check soil erosion and engineering structures shall be raised wherever required. The mining shall be restricted to 3/4th of the width of the river/rivulet or 7.5 m(inward) from river bank but upto 10% of the width of the river.
- 21 The compliance report shall be submitted to the Regional Office of the MoEF&CC at Chandigarh with a copy to the Regulatory Authority.
- 22 The mining activity should in no case go beyond the area as mentioned in the Letter of Intent and a buffer area is maintained such that the slopes of adjoining area does not get disturbed.
- 23 All the provisions made and restrictions imposed as covered in the Minor Mineral Rules, shall be complied with, particularly regarding Environment Management Practices and its fund management.

- 24 The recommendations made in the District Survey Report on sustainable mining practices if any shall be complied.
- 25 The mining shall be done in bench form with maximum bench height of 0.75 metre.
- 26 Mining should be initiated only after installation of signboards with demarcation pillars indicating the geo-coordinates of the plot as mentioned in the letter of intent, measurements (length /breadth) and should be laid in presence of the authorized official of the Geology & Mining Department.
- 27 There should be no change in the method of excavation and quantity of minerals to be extracted as per approved mining plan.
- 28 The EC holder shall keep a correct account of quantity of mineral mined out, dispatched from the mine, mode of transport, registration number of vehicle, person in-charge of vehicle and mine plan. This should be produced before officers concerned for inspection.
- 29 The access to mining site should be controlled in a way that vehicles carrying mineral from that area are tracked and accounted for in accordance with standing guidelines issued by the Govt.
- 30 The Geology & Mining Department should use technology like Bar Coding, Information and Communications Technology (ICT), Web based and ICT enabled services, mobile SMS App etc. to account for weight of mineral being taken out of the plot and the number of trucks moving out with the mineral.
- 31 The PP should ensure no agriculture land in the area is used for any storage /piling up of sand or gets any damage due to any other transportation activity. Where ever, damages to agricultural land, assets or human life by way of plying of trollies and tippers involved in transportation of minor mineral is reported, the Project Proponent shall pay adequate compensation with penalty to the effected persons as to be fixed up by the competent authority. Project Proponent.
- 32 Waste generated will be collected on regular basis and will be disposed as per the Municipal Solid Waste Management (Management & Handling) Rule 2000 and its subsequent amendments.
- 33 Spring sources should not be affected due to mining activities. Necessary Protection measures are to be incorporated.
- 34 The mineral transportation shall be carried out through covered trucks only and the

vehicles carrying the mineral shall not be overloaded.

- 35 Overloading of trucks and trolleys will be avoided.
- 36 All the instructions from authorities representing various government departments having stakes shall be complied with during the mining operations.
- 37 Haul road will be kept wide, compact and water spraying will be done. It shall be properly maintained by the PP and restored to original position after mining. Axle load on the roads should not exceed the prescribed load as per IRC
- 38 Restricted working hours. Mining operation has to be carried out between 6 am to 7 pm.
- 39 No overhangs shall be allowed to be formed due to mining and mining shall not be allowed in area where subsidence of rocks is likely to occur due to steep angle of slope. Mining activity shall not be avoided in rainy season
- 40 Vehicles used for transportation of material are to be permitted only with fitness and PUC Certificates.
- 41 There shall be no extraction of stone / boulder in landslide prone areas.
- 42 Adequate facility for drinking water and toilets should be provided for the workers.
- 43 There should be controlled clearance of overground vegetation to be undertaken.
- 44 Transport of mineral will not be done through villages / habitations and any private productive or waste land.
- 45 Deep drilled handpump with sufficient funding provision should be earmarked for providing drinking facility to the labour force.
- 46 Recommendations of National Institute for Labour for ensuring good occupational environment for mine workers would also be adopted.
- 47 The PP shall be responsible for enforcement of COVID-19 standard operating procedures and guidelines with respect to safety of workers involved in the mining activity.
- 48 Project Proponent shall ensure that the road may not be damaged due to transportation of the mineral and transport of minerals will be as per IRC relevant guidelines if any in this regard.

- 49 Health and safety of workers should be taken care of. They should also be provided training in safety and health care aspects.
- 50 Junction at takeoff point of approach road with main road be properly developed with proper width and geometry required for safe movement of traffic by concession holder at his own cost.
- 51 No stacking shall be allowed on road side along National Highway.
- 52 Concealing of any information/data of submission of wrong/fabricated information by the Project Proponent and failure to comply with any of the above conditions may lead to withdrawal of the EC and attract action under the provisions of EP Act, 1986.
- 53 An appeal against the EC shall lie with the Hon'ble NGT, if preferred within 30 days as prescribed under Section 16 of the NGT Act, 2010.
- 54 Mining shall be done manually minimally supported by semi-mechanized methods.
- 55 The progressive mine closure shall be as per Rules in vogue. All actions relating to progressive mine closure shall be taken well in advance during the final year of mining so that the site is rehabilitated ecologically.
- 56 The reasonable concerns expressed by the local population during public hearing shall be addressed by the Project Proponent. No blasting operations shall be allowed.
- 57 No mining activity shall be carried out in flowing water channel area within the mining block and adequate measures shall be taken to safeguard water quality and aquatic life including fisheries if available in the same.
- 58 The EC shall be valid for a period of only **three years** from the date of commencement of the mining operations duly certified by the District Mineral Officer concerned with intimation to the JKEIAA, JKPCB and the concerned District Administration, in view of non-availability of replenishment data in the district survey report.
- 59 Under CSR, within 2 km radial distance, activities like regular health check-up of local villagers once a week shall be undertaken with free medicines. Safe drinking water facility by way of renovation of existing tanks/wells, digging of new tube wells and installation of water filters shall be undertaken. Skill development trainings shall be organized for unemployed local youth. Further, construction of toilets in schools, solar street lighting, free distribution of books, note books, N95

masks, hand sanitizers and school bags among students within 2 km radius from the mine area shall be undertaken. Under EMP, with 2 kms radial distance from mine area; air, water, soil, noise pollution monitoring on half yearly basis, black topping of roads passing through villages and maintenance of haulage /extraction routes, water sprinkling, PPE to mine workers, bearing of school/college fee and allied costs on education of children of mine workers, bearing of all costs on ailments/healthcare of mine workers, creation of green belt by way of raising and maintenance of 2500 trees per hectare on land identified by DFO Social Forestry concerned in consultation with village panchayat during the period of mining, shall be undertaken.

- 60 The JKEIAA reserves the right to impose any other condition in the EC at any time during the period of mining lease. The JKEIAA reserves the right to revoke the EC in case any of the environmental clearance conditions are violated during the mining activity. Mere grant of Environmental Clearance does not entitle the Project Proponent for grant of mining lease unless he obtains all other clearances as required under other provisions of law.

Agenda Item No: 18 Grant of Environment Clearance in favour of M/S Sushil Kumar S/o Shri Tarsem lal R/o Flat no-B-13, Sector No.1, Dream Line Society, Trikuta nagar, Jammu, J & K

Proposal No: SIA/JK/MIN/56452/2019
File No: SEAC/JK/20/277
Title of the Case: Grant of Environment Clearance for Block No. 8(1/8), Tawi River Downstream Railway Bridge, Kishanpur Manwal, (River Bed Material)Village Kishanpur Tehsil Jammu, District Jammu, Jammu & Kashmir, Area- 8.15 ha.

Deliberations: The case was represented by Mr. Brinder Singh Chaudhary on behalf of Sushil Kumar S/o Shri Tarsem lal Project Proponent and the Consultant was represented by Anjali Chachane on behalf of M/s. Overseas Min-Tech Consultants- 501, 5th Floor, Apex Tower, Tonk Road, Jaipur, Rajasthan. The Consultant gave a detailed PowerPoint presentation on the project and informed the JKEAC that the project is under consideration of the JKEIAA in pursuance to Govt. order No. 76-JK(FST) of 2020 dated 29/07/2020 subsequently endorsed by the JKEIAA in its Minutes of Meeting issued vide No. JKEIAA/2016/02/II/631-633 dated 08/08/2020. The Consultant gave a detailed presentation on the project during which she was asked to demonstrate the mining block on Google Earth using the KML file. While examining

the mining block on the time series multirate and multi-season Google Earth image overlaid with forest boundary, the members observed that nearly 50% of the mining block constitutes flowing water channel area while as nearly 50% area of the mining block is only available for extraction of RBM. The JKEAC desired that the mining block limits be reduced as per ground reality excluding the water channel area with revision of the mining plan and its denovo approval before grant of mining lease.

The discussions continued around mining depth, targeted mineral production, concerns of locals in the light of public hearing report, extraction route, surface plan, CSR and compliance of Terms of reference. When asked about the commitments made by previous PP during public hearing, the representative of the Project Proponent assured that all commitments made during the Public Hearing shall be fulfilled. The JKEAC expressed its dismay at the non-compliance of specific Terms of Reference with respect to mining depth as the Consultant had mentioned 3 m depth in the EIA/EMP/PFR against 0.75 m mining depth mentioned in the approved mining plan. Besides, the Consultant had misrepresented the land-use pattern of the study area with 10kms radius as the same table has been copy pasted in almost all the EIA reports. The JKEAC further observed that the bid amount had not been included in the project cost and this has implications on the CSR/EMP. The Consultant informed that the public hearing was conducted on 12th of March., 2020. The JKEAC observed that during Public Hearing, the locals have expressed their concerns on illegal mining, demanded proper mitigation measures during and after mining and have demanded livelihood from the activity. They have also demanded that the mining blocks be properly demarcated with complete information. Therefore, the members desired that the EC conditions must address all these concerns of the locals but simultaneously allow sustainable scientific mining in the area.

The JKEAC desired that the mistakes pointed out during discussions be rectified and pertinent documents be revised immediately. The representative of Project Proponent assured that he would submit the revised version of the documents within a few days and requested the JKEAC to consider the case for grant of EC, conditionally. The JKEAC discussed the issue in the light of paucity of RBM in the market and consistent efforts of the J&K Govt. to fast track the process of grant of EC and asked the Project Proponent to submit video graphic evidence of public hearing and corrected version of EIA/EMP/PFR in soft copy and hard copy in duplicate in the JKEIAA office Jammu within a weeks' time before grant of formal EC.

Recommendations: In view of paucity of river bed material in the UT and consistent efforts of Govt. to fast track the process of grant of EC, subject to prior submission of video graphic evidence of Public Hearing and corrected version of the EIA/EMP/PFR documents in hard and soft form in the office of JKEIAA, the JKEAC recommended the case for grant of Environmental Clearance subject to following standard and specific conditions, clearly mentioning the geographical coordinates in the EC, as per letter of intent:-

STANDARD CONDITIONS:-

78) Statutory compliance

- a) This Environmental Clearance (EC) is subject to orders/ judgment of Hon'ble Supreme Court of India, Hon'ble High Court of J&K, Hon'ble NGT and any other Court of competent jurisdiction, **as may be applicable.**

- b) The Project Proponent complies with all the statutory requirements and judgement of Hon'ble Supreme Court dated 2nd August,2017 in Writ Petition (Civil) No. 114 of 2014 in matter of Common Cause versus Union of India &Ors before commencing the mining operations.
- c) The UT Government of J&K shall ensure that mining operation shall not be commenced till the entire compensation levied, if any, for illegal mining paid by the Project Proponent through their respective Department of Mining & Geology in strict compliance of Judgement of Hon'ble Supreme Court dated 2nd August, 2017 in Writ Petition (Civil) No. 114 of 2014 in matter of Common Cause versus Union of India &Ors.
- d) This Environmental Clearance shall become operational only after receiving formal NBWL Clearance from MoEF&CC subsequent to the recommendations of the Standing JKEAC of National Board for Wildlife, **if applicable to the Project.**
- e) This Environmental Clearance shall become operational only after receiving formal Forest Clearance (FC) under the provision of Forest Conservation Act, 1980, **if applicable to the Project.**
- f) Project Proponent (PP) shall obtain Consent to Operate after grant of EC and effectively implement all the conditions stipulated therein. The mining activity shall not commence prior to obtaining Consent to Establish / Consent to Operate from the concerned State Pollution Control Board/JKEAC.
- g) The PP shall adhere to the provision of the Mines Act, 1952, Mines and Mineral (Development & Regulation), Act, 2015 and rules & regulations made there under. PP shall adhere to various circulars issued by Directorate General Mines Safety (DGMS) and Indian Bureau of Mines from time to time.
- h) The Project Proponent shall obtain consents from all the concerned land owners, before start of mining operations, as per the provisions of MMDR Act, 1957 and rules made there under in respect of lands which are not owned by it.
- i) The Project Proponent shall follow the mitigation measures provided in MoEFCC's Office Memorandum No. Z-11013/57/2014-IAJI (M), dated 29th October, 2014, titled "Impact of mining activities on Habitations-Issues related to the mining Projects wherein Habitations and villages are the part of mine lease areas or Habitations and villages are surrounded by the mine lease area".
- j) The Project Proponent shall obtain necessary prior permission of the competent authorities for drawl of requisite quantity of surface water and from CGWA for withdrawal of ground water for the project.
- k) A copy of EC letter will be marked to concerned Panchayat / local NGO etc. if any, from whom suggestion / representation has been received while processing the proposal.
- l) State Pollution Control Board/JKEAC shall be responsible for display of this EC letter at its Regional office, District Industries Centre and Collector's office/ Tehsildar's Office for 30 days.
- m) The Project Authorities should widely advertise about the grant of this EC letter by printing the same in at least two local newspapers, one of which shall be in vernacular language of the concerned area.
- n) The advertisement shall be done within 7 days of the issue of the clearance letter mentioning that the instant project has been accorded EC and copy of the EC letter is available with the State Pollution Control Board/JKEAC and web site of the Ministry of Environment, Forest and Climate Change (www.environmentclearance.nic.in). A copy of

the advertisement may be forwarded to the concerned MoEFCC Regional Office for compliance and record.

- o) The Project Proponent shall inform the MoEF&CC for any change in ownership of the mining lease. In case there is any change in ownership or mining lease is transferred than mining operation shall only be carried out after transfer of EC as per provisions of the para 11 of EIA Notification, 2006 as amended from time to time.

79) Air quality monitoring and preservation

- a) The Project Proponent shall install a minimum of 3 (three) online Ambient Air Quality Monitoring Stations with 1 (one) in upwind and 2 (two) in downwind direction based on long term climatological data about wind direction such that an angle of 120° is made between the monitoring locations to monitor critical parameters, relevant for mining operations, of air pollution viz. PM10, PM 2.5, NO₂; CO and SO₂ etc. as per the methodology mentioned in NAAQS Notification No. B-29016/20/90/PC/I, dated 18.11.2009 covering the aspects of transportation and use of heavy machinery in the impact zone. The ambient air quality shall also be monitored at prominent places like office building, canteen etc. as per the site condition to ascertain the exposure characteristics at specific places. The above data shall be digitally displayed within 03 months in front of the main Gate of the mine site.
- b) Effective safeguard measures for prevention of dust generation and subsequent suppression (like regular water sprinkling, metalled road construction etc.) shall be carried out in areas prone to air pollution wherein high levels of PM10 and PM2.5 are evident such as haul road, loading and unloading point and transfer points. The Fugitive dust emissions from all sources shall be regularly controlled by installation of required equipment's/ machineries and preventive maintenance: Use of suitable water-soluble chemical dust suppressing agents may be explored for better effectiveness of dust control system. It shall be ensured that air pollution level conform to the standards prescribed by the MoEFCC/ Central Pollution Control Board.

80) Water quality monitoring and preservation

- a) In case, immediate mining scheme envisages intersection of ground water table, then Environmental Clearance shall become operational only after receiving formal clearance from CGWA. In case, mining operation involves intersection of ground water table at a later stage, then PP shall ensure that prior approval from CGWA and MoEFCC is in place before such mining operations. The permission for intersection of ground water table shall essentially be based on detailed hydro-geological study of the area.
- b) Regular monitoring of the flow rate of the springs and perennial nallahs flowing in and around the mine lease shall be carried out and records maintain. The natural water bodies and or streams which are flowing in an around the village, should not be disturbed. The Water Table should be nurtured so as not to go down below the pre-mining period. In case of any water scarcity in the area, the Project Proponent has to provide water to the villagers for their use. A provision for regular monitoring of water table in open dug wall located in village should be incorporated to ascertain the impact of mining over ground water table. The Report on changes in Ground water level and quality shall be submitted on six-monthly basis to the Regional Office of the Ministry, CGWA and State Groundwater Department / State Pollution Control Board.

- c) Project Proponent shall regularly monitor and maintain records w.r.t. ground water level and quality in and around the mine lease by establishing a network of existing wells as well as new piezo-meter installations during the mining operation in consultation with Central Ground Water Authority/ State Ground Water Department. The Report on changes in Ground water level and quality shall be submitted on six-monthly basis to the Regional Office of the Ministry, CGWA and State Groundwater Department / State Pollution Control Board.
- d) The Project Proponent shall undertake regular monitoring of natural water course/ water resources/ springs and perennial nallahs existing/ flowing in and around the mine lease and maintain its records. The Project Proponent shall undertake regular monitoring of water quality upstream and downstream of water bodies passing within and nearby/ adjacent to the mine lease and maintain its records. Sufficient number of gullies shall be provided at appropriate places within the lease for management of water. PP shall carryout regular monitoring w.r.t. pH and included the same in monitoring plan. The parameters to be monitored shall include their water quality vis-à-vis suitability for usage as per CPCB criteria and flow rate. It shall be ensured that no obstruction and/ or alteration be made to water bodies during mining operations without justification and prior approval of MoEFCC. The monitoring of water courses/ bodies existing in lease area shall be carried out four times in a year viz. pre- monsoon (April-May), monsoon (August), post-monsoon (November) and winter (January) and the record of monitored data may be sent regularly to Ministry of Environment, Forest and Climate Change and its Regional Office, Central Ground Water Authority and Regional Director, Central Ground Water Board, State Pollution Control Board and Central Pollution Control Board. Clearly showing the trend analysis on six-monthly basis.
- e) Quality of polluted water generated from mining operations which include Chemical Oxygen Demand (COD) in mines run-off; acid mine drainage and metal contamination in runoff shall be monitored along with Total Suspended Solids (TDS), Dissolved Oxygen (DO), pH and Total Suspended Solids (TSS). The monitored data shall be uploaded on the website of the company as well as displayed at the project site in public domain, on a display board, at a suitable location near the main gate of the Company. The circular No. J- 20012/1/2006-IAJI (M) dated 27.05.2009 issued by Ministry of Environment, Forest and Climate Change may also be referred in this regard.
- f) Project Proponent shall plan, develop and implement rainwater harvesting measures on long term basis to augment ground water resources in the area consultation with Central Ground Water Board/ State Groundwater Department. A report on amount of water recharged needs to be submitted to Regional Office MoEFCC annually.
- g) Industrial waste water (workshop and waste water from the mine) should be properly collected and treated so as to conform to the notified standards prescribed from time to time. The standards shall be prescribed through Consent to Operate (CTO) issued by concerned State Pollution Control Board (SPCB). The workshop effluent shall be treated after its initial passage through Oil and grease trap.
- h) The water balance/water auditing shall be carried out and measure for reducing the consumption of water shall be taken up and reported to the Regional Office of the MoEF&CC and State Pollution Control Board/JKEAC.

81) Noise and vibration monitoring and prevention

- a) The peak particle velocity at 500m distance or within the nearest habitation, whichever is closer shall be monitored periodically as per applicable DGMS guidelines.
- b) The illumination and sound at night at project sites disturb the villages in respect of both human and animal population. Consequent sleeping disorders and stress may affect the health in the villages located close to mining operations. Habitations have a right for darkness and minimal noise levels at night. PPs must ensure that the biological clock of the villages is not disturbed; by orienting the floodlights/ masks away from the villagers and keeping the noise levels well within the prescribed limits for day /night hours.
- c) The Project Proponent shall take measures for control of noise levels below 85 dBA in the work environment. The workers engaged in operations of HEMM, etc. should be provided with ear plugs /muffs. All personnel including laborers working in dusty areas shall be provided with protective respiratory devices along with adequate training, awareness and information on safety and health aspects. The PP shall be held responsible in case it has been found that workers/ personals/ laborers are working without personal protective equipment.

82) Mining plan

- a) The Project Proponent shall adhere to the working parameters of mining plan which was submitted at the time of EC appraisal with a maximum mine depth of 0.75 meters, wherein year-wise plan for a maximum total excavation of 50325 M.tons, waste, overburden, interburden and top soil etc has been mentioned. No change in basic mining proposal like mining technology, total excavation, mineral & waste production, lease area and scope of working (viz. method of mining, overburden & dump management, O.B & dump mining, mineral transportation mode, ultimate depth of mining etc.) shall not be carried out without prior approval of the Ministry of Environment, Forest and Climate Change, which entail adverse environmental impacts, even if it is a part of approved mining plan modified after grant of EC or granted by State Govt. in the form of Short Term Permit (STP), Query license or any other name.
- b) The Project Proponent shall get the Final Mine Closure Plan along with Financial Assurance approved from Indian Bureau of Mines/Department of Mining & Geology as required under the Provision of the MMDR Act, 1957 and Rules/ Guidelines made there under. A copy of approved final mine closure plan shall be submitted within 2 months of the approval of the same from the competent authority to the concerned Regional Office of the Ministry of Environment, Forest and Climate Change for record and verification.
- c) The land-use of the mine lease area at various stages of mining scheme as well as at the end-of-life shall be governed as per the approved Mining Plan. The excavation vis-à-vis backfilling in the mine lease area and corresponding afforestation to be raised in the reclaimed area shall be governed as per approved mining plan. PP shall ensure the monitoring and management of rehabilitated areas until the vegetation becomes self-sustaining. The compliance status shall be submitted half-yearly to the MoEFCC and its concerned Regional Office.

83) Land reclamation

- a) The Overburden (O.B.) generated during the mining operations shall be stacked at earmarked OB dump site(s) only and it should not be kept active for a long period of time. The physical parameters of the OB dumps like height, width and angle of slope

shall be governed as per the approved Mining Plan as per the guidelines/circulars issued by D.G.M.S w.r.t. safety in mining operations shall be strictly adhered to maintain the stability of top soil/OB dumps. The topsoil shall be used for land reclamation and plantation.

- b) The reject/waste generated during the mining operations shall be stacked at earmarked waste dump site(s) only. The physical parameters of the waste dumps like height, width and angle of slope shall be governed as per the approved Mining Plan as per the guidelines/circulars issued by DGMS w.r.t. safety in mining operations shall be strictly adhered to maintain the stability of waste dumps.
- c) The reclamation of waste dump sites shall be done in scientific manner as per the Approved Mining Plan cum Progressive Mine Closure Plan. iv. The slope of dumps shall be vegetated in scientific manner with suitable native species to maintain the slope stability, prevent erosion and surface run off. The selection of local species regulates local climatic parameters and help in adaptation of plant species to the microclimate. The gullies formed on slopes should be adequately taken care of as it impacts the overall stability of dumps. The dump mass should be consolidated with the help of dozer/ compactors thereby ensuring proper filling/ leveling of dump mass. In critical areas, use of geo textiles/ geo-membranes / clay liners / Bentonite etc. shall be undertaken for stabilization of the dump.
- d) The Project Proponent shall carry out slope stability study in case the dump height is more than 30 meters. The slope stability report shall be submitted to concerned regional office of MoEF&CC.
- e) Catch drains, seilmitg tanks and ponds of appropriate size shall be constructed around the mine working, mineral yards and Top Soil/OB/Waste dumps to prevent run off of water and flow of sediments directly into the water bodies (Nallah/ River/ Pond etc.). The collected water should be utilized for watering the mine area, roads, green belt development, plantation etc. The drains/ sedimentation sumps etc. shall be de-silted regularly, particularly after monsoon season, and maintained properly.
- f) Check dams of appropriate size, gradient and length shall be constructed around mine pit and OB dumps to prevent storm run-off and sediment flow into adjoining water bodies. A safety margin of 50% shall be kept for designing of sump structures over and above peak rainfall (based on 50 years data) and maximum discharge in the mine and its adjoining area which shall also help in providing adequate retention time period thereby allowing proper settling of sediments/ silt material. The sedimentation pits/ sumps shall be constructed at the corners of the garland drains,
- g) The top soil, if any, shall temporarily be stored at earmarked site(s) within the mine lease only and should not be kept unutilized for long. The physical parameters of the top soil dumps like height, width and angle of slope shall be governed as per the approved Mining Plan and as per the guidelines framed by DGMS w.r.t. safety in mining operations shall be strictly adhered to maintain the stability of dumps. The topsoil shall be used for land reclamation and plantation purpose.

84) Transportation

- a) No Transportation of the minerals shall be allowed in case of roads passing through villages/ habitations. *(In such cases, PP shall construct a 'bypass' road for the purpose of transportation of the minerals leaving an adequate gap (say at least 200 meters) so that*

*the adverse impact of sound and dust along with chances of accidents could be mitigated.)*All costs resulting from widening and strengthening of existing public road network shall be borne by the PP in consultation with nodal State Govt. Department. Transportation of minerals through road movement in case of existing village/ rural roads shall be allowed in consultation with nodal State Govt. Department only after required strengthening such that the carrying capacity of roads is increased to handle the traffic load. The pollution due to transportation load on the environment will be effectively controlled and water sprinkling will also be done regularly. Vehicular emissions shall be kept under control and regularly monitored. Project should obtain Pollution Under Control (PUC) certificate for all the vehicles from authorized pollution testing centers.

- b) The Main haulage road within the mine lease should be provided with a permanent water sprinkling arrangement for dust suppression. Other roads within the mine lease should be wetted regularly with tanker-mounted water sprinkling system. The other areas of dust generation like crushing zone, material transfer points, material yards etc. should invariably be provided with dust suppression arrangements. The air pollution control equipments like bag filters, vacuum suction hoods, dry fogging system etc. shall be installed at Crushers, belt-conveyors and other areas prone to air pollution. The belt conveyor should be fully covered to avoid generation of dust while transportation. PP shall take necessary measures to avoid generation of fugitive dust emissions.

85) Green Belt

- a) The Project Proponent shall develop greenbelt in 7.5m wide safety zone all along the mine lease boundary as per the guidelines of CPCB in order to arrest pollution emanating from mining operations within the lease. The whole Green belt shall be developed within first 5 years starting from windward side of the active mining area. The development of greenbelt shall be governed as per the EC granted by the Ministry irrespective of the stipulation made in approved mine plan.
- b) The Project Proponent shall carryout plantation/ afforestation in backfilled and reclaimed area of mining lease, around water body, along the roadsides, in community areas etc. by planting the native species in consultation with the State Forest Department/ Agriculture Department/ Rural development department/ Tribal Welfare Department/ Gram Panchayat such that only those species be selected which are of use to the local people. The CPCB guidelines in this respect shall also be adhered. The density of the trees should be around 2500 saplings per Hectare. Adequate budgetary provision shall be made for protection and care of trees.
- c) The Project Proponent shall make necessary alternative arrangements for livestock feed by developing grazing land with a view to compensate those areas which are coming within the mine lease. The development of such grazing land shall be done in consultation with the State Government. In this regard, Project Proponent should essentially implement the directions of the Hon'ble Supreme Court with regard to acquisition of grazing land. The sparse trees on such grazing ground, which provide mid-day shelter from the scorching sun, should be scrupulously guarded/ protected against felling and plantation of such trees should be promoted.
- d) The Project Proponent shall undertake all precautionary measures for conservation and protection of endangered flora and fauna and Schedule-I species during mining operation.

A Wildlife Conservation Plan shall be prepared for the same clearly delineating action to be taken for conservation of flora and fauna. The Plan shall be approved by Chief Wild Life Warden of the State Govt.

- e) And implemented in consultation with the State Forest and Wildlife Department. A copy of Wildlife Conservation Plan and its implementation status (annual) shall be submitted to the Regional Office of the Ministry.

86) **Public hearing and human health issues**

- a) The Project Proponent shall appoint an Occupational Health Specialist for Regular as well as Periodical medical examination of the workers engaged in the mining activities, as per the DGMS guidelines. The records shall be maintained properly. PP shall also carryout Occupational health check-ups in respect of workers which are having ailments like BP, diabetes, habitual smoking, etc. The check-ups shall be undertaken once in six months and necessary remedial/ preventive measures be taken. A status report on the same may be sent to MoEFCC Regional Office and DGMS on half-yearly basis.
- b) The Project Proponent must demonstrate commitment to work towards 'Zero Harm' from their mining activities and carry out Health Risk Assessment (HRA) for identification workplace hazards and assess their potential risks to health and determine appropriate control measures to protect the health and wellbeing of workers and nearby community. The proponent shall maintain accurate and systematic records of the HRA. The HRA for neighborhood has to focus on Public Health Problems like Malaria, Tuberculosis, HIV, Anaemia, Diarrhoea in children under five, respiratory infections due to bio mass cooking. The proponent shall also create awareness and educate the nearby community and workers for Sanitation, Personal Hygiene, Hand washing, not to defecate in open, Women Health and Hygiene (Providing Sanitary Napkins), hazard of tobacco and alcohol use. The Proponent shall carryout base line HRA for all the category of workers and thereafter every five years.
- c) The Proponent shall carry out Occupational health surveillance which be a part of HRA and include Biological Monitoring where practical and feasible, and the tests and investigations relevant to the exposure (e.g. for Dust a X-Ray chest; For Noise Audiometric; for Lead Exposure Blood Lead, For Welders Full Ophthalmologic Assessment; for Manganese Miners a complete Neurological Assessment by a Certified Neurologist, and Manganese (Mn) Estimation in Blood; For Inorganic ChromiumFortnightly skin inspection of hands and forearms by a responsible person. Except routine tests all tests would be carried out in a Lab accredited by NABH. Records of Health Surveillance must be kept for 30 years, including the results of and the records of Physical examination and tests. The record of exposure due to materials like Asbestos, Hard Rock Mining, Silica, Gold, Kaolin, Aluminium, Iron, Manganese, Chromium, Lead, Uranium need to be handed over to the Mining Department of the State in case the life of the mine is less than 30 years. It would be obligatory for the State Mines Departments to make arrangements for the safe and secure storage of the records including X-Ray. Only conventional X-Ray will be accepted for record purposes and not the digital one). X-Ray must meet ILO criteria (17 x14 inches and of good quality).
- d) The Proponent shall maintained a record of performance indicators for workers which includes

- i) there should not be a significant decline in their Body Mass Index and it should stay between 18.5 -24.9,
 - ii) the Final Chest X-Ray compared with the base line X-Ray should not show any capacities ,
 - iii) At the end of their leaving job there should be no Diminution in their Lung Functions Forced Expiratory Volume in one second (FEV1) Forced Vital Capacity (FVC), and the ratio) unless they are smokers which has to be adjusted, and the effect of age,
 - iv) their hearing should not be affected. As a proof an Audiogram (first and last need to be presented),
 - v) they should not have developed any Persistent Back Pain, Neck Pain, and the movement of their Hip, Knee and other joints should have normal range of movement,
 - vi) they should not have suffered loss of any body part. The record of the same should be submitted to the Regional Office, MoEFCC annually along with details of the relief and compensation paid to workers having above indications.
- e) The Project Proponent shall ensure that Personnel working in dusty areas should wear protective respiratory devices and they should also be provided with adequate training and information on safety and health aspects.
 - f) Project Proponent shall make provision for the housing for workers/labors or shall construct labour camps within/outside (company owned land) with necessary basic infrastructure/ facilities like fuel for cooking, mobile toilets, mobile STP, safe drinking water, medical health care, crèche for kids etc. The housing may be provided in the form of temporary structures which can be removed after the completion of the project related infrastructure. The domestic waste water should be treated with STP in order to avoid contamination of underground water.
 - g) The activities proposed in Action plan prepared for addressing the issues raised during the Public Hearing, if applicable, shall be completed as per the budgetary provisions mentioned in the Action Plan and within the stipulated time frame. The Status Report on implementation of Action Plan shall be submitted to the concerned Regional Office of the Ministry along with District Administration.

87) Corporate Environment Responsibility (CER)

- a) The activities and budget earmarked for Corporate Environmental Responsibility (CER) as per Ministry's O.M No 22-65/2017-IA. III dated 30/09/2020 or as proposed by EAC should be kept in a separate bank account. The activities proposed for CER shall be implemented in a time bound manner and annual report of implementation of the same along with documentary proof viz. photographs, purchase documents, latitude & longitude of infrastructure developed & road constructed needs to be submitted to Regional Office MoEF&CC annually along with audited statement.
- b) Project Proponent shall keep the funds earmarked for environmental protection measures in a separate account and refrain from diverting the same for other purposes. The Year wise expenditure of such funds should be reported to the MoEFCC and its concerned Regional Office.

88) Miscellaneous

- a) The Project Proponent shall prepare digital map (land use & land cover) of the entire lease area and KML file for recording the base line data and closure time data (after three years) and submit a report to concerned Regional Office of the MoEFCC.
- b) The Project Authorities should inform to the Regional Office regarding date of financial closures and final approval of the project by the concerned authorities and the date of start of land development work.
- c) The Project Proponent shall submit six monthly compliance reports on the status of the implementation of the stipulated environmental safeguards to the MOEFCC & its concerned Regional Office, Central Pollution Control Board and State Pollution Control Board.
- d) A separate 'Environmental Management Cell' with suitable qualified manpower should be set-up under the control of a Senior Executive. The Senior Executive shall directly report to Head of the Organization. Adequate number of qualified Environmental Scientists and Mining Engineers shall be appointed and submit a report to RO, MoEFCC.
- e) The concerned Regional Office of the MoEFCC shall randomly monitor compliance of the stipulated conditions. The project authorities should extend full cooperation to the MoEFCC officer(s) by furnishing the requisite data / information / monitoring reports.

SPECIFIC CONDITIONS: -

- 1 The Project Proponent must obtain NOCs from the concerned HoD of the Forest, Irrigation and Flood Control Department and Fisheries Department besides, denovo approval of revised mining plan excluding water channel area, prior to grant of formal lease by the Geology & Mining department.
- 2 The cremation ground be properly demarcated and left undisturbed and its map showing geographical coordinates be submitted to JKEIAA before issuance of formal EC. Besides, map showing extraction route bypassing village settlements and agricultural/horticultural land as far as possible be submitted to the JKEIAA before formal grant of EC.
- 3 The maximum exploitation of the RBM site shall be **50325M.tons per annum** within the approved area and mining depth **of 0.75 mt. (after deducting 50% water channel area from the targeted production of 100650 MT per annum)**. Mining depth above 0.75mts. if mentioned anywhere in any of the submitted documents whether by mistake or otherwise, shall be treated as omitted.
- 4 A green belt shall be developed under close supervision of the local panchayat.
- 5 The river bed material shall be sold to the local population within radial distance of 2 kms from the mine site for residential construction purpose at 50% concessional rates.
- 6 The formal lease shall be granted only after the Project Proponent deposits the

funds earmarked under EMP and CER in a separate account to be opened for the purpose and funds be utilized in coordination with DFO, Social Forestry Dept. and concerned Chief Medical Officer(CMO)under supervision of local Panchayat Head. The funds earmarked for CSR shall also be utilized through the concerned district authorities in accordance with CSR Policy Rules.

- 7 All the provisions of Minor Mineral Rules sanctioned under SRO105 with all amendments with respect to pertinent provisions of the legal framework relating to progressive mine closure shall be complied by the Project Proponent.
- 8 This Environmental Clearance is subject to final outcome of any litigation pending before Hon'ble Supreme Court of India, Hon'ble High Court of Jammu & Kashmir, Hon'ble NGT, or any other Court of Law, if any, as may be applicable to this project.
- 9 This Environmental Clearance is without prejudice to the standing instructions /orders from the competent authorities in the MoEF&CC, GoI and the UT of J&K w.r.t river bed mining activity.
- 10 An inspection JKEAC comprising of Additional Dy. Commissioner, District Mineral Officer, representative of Pollution Control Board, Executive Engineer Irrigation & Flood Control Dept. and District Fisheries Officer shall monitor the implementation of the EMP and also certify at the end of each monsoon, that sufficient replenishment of the minor mineral has taken place during monsoon and further mining in the mining block shall not adversely affect the hydrological and ecological settings in the area.
- 11 The Project Proponent shall take all precautionary measures during mining operations for conservation and protection of endangered fauna and flora in the area.
- 12 Masks and PPE shall be provided to the workers in view of COVID-19.
- 13 Social distancing norms and other standard operating procedures relating to COVID-19 shall be followed during mining activity.
- 14 The plan worked out and expenditure made under Occupational Health should be undertaken in consultation with the Local Health Institution/PHC/Sub-Centre for utilization for the health and welfare of the local workers involved in mining activity and villagers living in the close vicinity. Regular Medical checkups and free medicines shall be provided under the fund.
- 15 The Project Proponent must ensure that the biological clock of the villagers in the vicinity of the project is not disturbed by any unauthorized night operations and all

measures must be taken for keeping the noise levels within prescribed levels.

- 16 Provision shall be kept for housing of the labour force, toilets, facilities for cooking, safe water, health care, crèche etc. for the labour force.
- 17 A final Mine closure Plan along with details of Corpus fund shall be communicated to the MoEF&CC in advance for approval.
- 18 The top soil in case of surface land mining shall be temporarily stored at the designated / appropriate site and concurrently used for land reclamation.
- 19 The mining operations shall be undertaken in a systematic manner so that it does not damage the aesthetic view of the area.
- 20 Adequate steps should be taken to check soil erosion and engineering structures shall be raised wherever required. The mining shall be restricted to 3/4th of the width of the river/rivulet or 7.5 m(inward) from river bank but upto 10% of the width of the river.
- 21 The compliance report shall be submitted to the Regional Office of the MoEF&CC at Chandigarh with a copy to the Regulatory Authority.
- 22 The mining activity should in no case go beyond the area as mentioned in the Letter of Intent and a buffer area is maintained such that the slopes of adjoining area does not get disturbed.
- 23 All the provisions made and restrictions imposed as covered in the Minor Mineral Rules, shall be complied with, particularly regarding Environment Management Practices and its fund management.
- 24 The recommendations made in the District Survey Report on sustainable mining practices if any shall be complied.
- 25 The mining shall be done in bench form with maximum bench height of 0.75 metre.
- 26 Mining should be initiated only after installation of signboards with demarcation pillars indicating the geo-coordinates of the plot as mentioned in the letter of intent, measurements (length /breadth) and should be laid in presence of the authorized official of the Geology & Mining Department.
- 27 There should be no change in the method of excavation and quantity of minerals to be extracted as per approved mining plan.
- 28 The EC holder shall keep a correct account of quantity of mineral mined out,

dispatched from the mine, mode of transport, registration number of vehicle, person in-charge of vehicle and mine plan. This should be produced before officers concerned for inspection.

- 29 The access to mining site should be controlled in a way that vehicles carrying mineral from that area are tracked and accounted for in accordance with standing guidelines issued by the Govt.
- 30 The Geology & Mining Department should use technology like Bar Coding, Information and Communications Technology (ICT), Web based and ICT enabled services, mobile SMS App etc. to account for weight of mineral being taken out of the plot and the number of trucks moving out with the mineral.
- 31 The PP should ensure no agriculture land in the area is used for any storage /piling up of sand or gets any damage due to any other transportation activity. Where ever, damages to agricultural land, assets or human life by way of plying of trollies and tippers involved in transportation of minor mineral is reported, the Project Proponent shall pay adequate compensation with penalty to the effected persons as to be fixed up by the competent authority. Project Proponent
- 32 Waste generated will be collected on regular basis and will be disposed as per the Municipal Solid Waste Management (Management & Handling) Rule 2000 and its subsequent amendments.
- 33 Spring sources should not be affected due to mining activities. Necessary Protection measures are to be incorporated.
- 34 The mineral transportation shall be carried out through covered trucks only and the vehicles carrying the mineral shall not be overloaded.
- 35 Overloading of trucks and trolleys will be avoided.
- 36 All the instructions from authorities representing various government departments having stakes shall be complied with during the mining operations.
- 37 Haul road will be kept wide, compact and water spraying will be done. It shall be properly maintained by the PP and restored to original position after mining. Axel load on the roads should not exceed the prescribed load as per IRC
- 38 Restricted working hours. Mining operation has to be carried out between 6 am to 7 pm.
- 39 No overhangs shall be allowed to be formed due to mining and mining shall not be allowed in area where subsidence of rocks is likely to occur due to steep angle of

- slope. Mining activity shall not be avoided in rainy season
- 40 Vehicles used for transportation of material are to be permitted only with fitness and PUC Certificates.
- 41 There shall be no extraction of stone / boulder in landslide prone areas.
- 42 Adequate facility for drinking water and toilets should be provided for the workers.
- 43 There should be controlled clearance of overground vegetation to be undertaken.
- 44 Transport of mineral will not be done through villages / habitations and any private productive or waste land.
- 45 Deep drilled handpump with sufficient funding provision should be earmarked for providing drinking facility to the labour force.
- 46 Recommendations of National Institute for Labour for ensuring good occupational environment for mine workers would also be adopted.
- 47 The PP shall be responsible for enforcement of COVID-19 standard operating procedures and guidelines with respect to safety of workers involved in the mining activity.
- 48 Project Proponent shall ensure that the road may not be damaged due to transportation of the mineral and transport of minerals will be as per IRC relevant guidelines if any in this regard.
- 49 Health and safety of workers should be taken care of. They should also be provided training in safety and health care aspects.
- 50 Junction at takeoff point of approach road with main road be properly developed with proper width and geometry required for safe movement of traffic by concession holder at his own cost.
- 51 No stacking shall be allowed on road side along National Highway.
- 52 Concealing of any information/data of submission of wrong/fabricated information by the Project Proponent and failure to comply with any of the above conditions may lead to withdrawal of the EC and attract action under the provisions of EP Act, 1986.
- 53 An appeal against the EC shall lie with the Hon'ble NGT, if preferred within 30 days as prescribed under Section 16 of the NGT Act, 2010.

- 54 Mining shall be done manually minimally supported by semi-mechanized methods.
- 55 The progressive mine closure shall be as per Rules in vogue. All actions relating to progressive mine closure shall be taken well in advance during the final year of mining so that the site is rehabilitated ecologically.
- 56 The reasonable concerns expressed by the local population during public hearing shall be addressed by the Project Proponent. No blasting operations shall be allowed.
- 57 No mining activity shall be carried out in flowing water channel area within the mining block and adequate measures shall be taken to safeguard water quality and aquatic life including fisheries if available in the same.
- 58 The EC shall be valid for a period of only **three years** from the date of commencement of the mining operations duly certified by the District Mineral Officer concerned with intimation to the JKEIAA, JKPCB and the concerned District Administration, in view of non-availability of replenishment data in the district survey report.
- 59 Under CSR, within 2 km radial distance, activities like regular health check-up of local villagers once a week shall be undertaken with free medicines. Safe drinking water facility by way of renovation of existing tanks/wells, digging of new tube wells and installation of water filters shall be undertaken. Skill development trainings shall be organized for unemployed local youth. Further, construction of toilets in schools, solar street lighting, free distribution of books, note books, N95 masks, hand sanitizers and school bags among students within 2 km radius from the mine area shall be undertaken. Under EMP, with 2 kms radial distance from mine area; air, water, soil, noise pollution monitoring on half yearly basis, black topping of roads passing through villages and maintenance of haulage /extraction routes, water sprinkling, PPE to mine workers, bearing of school/college fee and allied costs on education of children of mine workers, bearing of all costs on ailments/healthcare of mine workers, creation of green belt by way of raising and maintenance of 2500 trees per hectare on land identified by DFO Social Forestry concerned in consultation with village panchayat during the period of mining, shall be undertaken.
- 60 The JKEIAA reserves the right to impose any other condition in the EC at any time during the period of mining lease. The JKEIAA reserves the right to revoke the EC in case any of the environmental clearance conditions are violated during the mining activity. Mere grant of Environmental Clearance does not entitle the Project Proponent for grant of mining lease unless he obtains all other clearances

as required under other provisions of law.

LEFTOVER CASES OF 03/10/2020

Agenda Item No: 03 Grant of Terms of Reference in favour of M/S Kesari Nandan Mines R/O LoGate, Kathua.
Proposal No: SIA/JK/MIN/55790/2020
File No: SEAC/JK/20/269
Title of the Case: Grant of Terms of Reference for River Bed Material in Block No-25, Patta Khad & Chenab River (Tali), Lease Area-8.78 Hectare District-Reasi, Jammu & Kashmir.

Deliberations: The project was represented by Shri Brinder Singh on behalf of the Project Proponent and his Consultant M/S P&M Solutions, Noida represented by Shri Manas Vyas. The Consultant gave a detailed power point presentation which was followed by demonstration of the local environmental settings using KML file on Google Earth platform. While examining the mining block on the satellite image, the members pointed out that a bridge is located at a distance of 300 mts. Besides, it was found that the block located in Patta Khad stream has been extended over and across the main water channel of river chenab. The members questioned the wisdom behind such a non-technical selection of the mining block.

Recommendations: In view of the above deliberations, the JKEAC unanimously agreed to recommend the case for rejection of TORs to the project.

Agenda Item No: 04 Grant of Terms of Reference in favour of M/S Karanvir Singh S/O Sh. Surinder Singh R/O Lane No-03, Shaheed Udham Singh Nagar, Pathankot, Punjab-145001.
Proposal No: SIA/JK/MIN/55853/2020
File No: SEAC/JK/20/267
Title of the Case: Grant of Terms of Reference for River Bed Material in Block no-26 River Chenab Downstream Baradari Bridge (Kans Khosan Area) Tehsil-Reasi, District Reasi, State-J&K Lease Area-9.57 Hectare.

Deliberations: The project was represented by Karanvir Singh S/O Sh. Surinder Singh the Project Proponent and his Consultant M/S P&M Solutions, Noida represented by Shri Manas Vyas. The Consultant gave a detailed power point presentation which was followed by demonstration of the local environmental settings using KML file on Google Earth platform.

While examining the mining block on the satellite image, the members pointed out that nearly 30% of the area of the block is falling in an active water channel. It was desired that the Project Proponent shall have to revise the mining plan as per ground reality while excluding the water channel area and get the same approved afresh.

Recommendations: After thorough deliberations, the JKEAC recommended the case for grant of following TORs subject to condition, the limits of the mining block are redrawn as per ground reality excluding the water channel and getting the mining plan approved denovo:-

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.

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

Agenda Item No: 05 Grant of Terms of Reference in favour of M/S Karanvir Singh S/O Sh. Surinder Singh R/O Lane No-03, Shaheed Udham Singh Nagar, Pathankot, Punjab-145001.

Proposal No: SIA/JK/MIN/55859/2020
File No: SEAC/JK/20/268
Title of the Case: Grant of Terms of Reference for River Bed Material in Block no-18 ANS River Downstream Sungri Bridge Village-Dhamni Plan 3rd, Tehsil-Mahore, District Reasi, State-J&K Lease Area-7.26 Hectare

Deliberations: The projects were represented by Mr. Karanvir Singh S/O Sh. Surinder Singh Project Proponent. Mr. Manas Vyas on behalf of the Consultant M/S P&M Solutions Noida (U.P) gave a detailed power point presentation on the above cited projects and demonstrated the project sites on the Google Earth Image using KML files of the individual minor mineral blocks. The members recalled the grant of ToRs in favour of mineral block No. 19 and 20 which were located in the same geologically very fragile and prone to landslide area. The loaded tippers shall have to move on a very rough road prone to landslides from Dalmadi to Arnas to Jotipuram on way to Reasi. It was therefore, desired that conditional ToRs may be granted as in the previous cases, in favour of the project subject to detailed impact study of loaded tippers and other traffic on the terrain and once the Project Proponent applies for EC, JKEAC may constitute a sub-JKEAC to conduct a field visit to have an overall assessment of the impacts of all the mining projects and to recommend acceptance of EIA/EMP prescriptions, outright rejection of the cases or recommendation of appropriate mitigation measures to preserve the fragile ecology of the area. A detailed powerpoint presentations were given on the mining block and the JKEAC desired / recommended the following conditional standard and specific Terms of Reference for the project: -

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.

07/10/2020

On 7th of October, 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. Prof. Arvind Jasrotia | Member |
| 5. Professor GM Dar | Member |
| 6. Professor Anil Kr. Raina | Member |
| 7. Prof. M.A Khan | Member |
| 8. Mr. Humayun Rashid | Secretary |

Agenda Item No: 19 Grant of Environment Clearance in favour of M/S Karanveer Singh S/o Shri Surinder Singh R/o Lane No.3,Shaheed Udham Singh Nagar, Pathankot.

Proposal No: SIA/JK/MIN/56264/2019
File No: SEAC/JK/20/280
Title of the Case: Grant of Environment Clearance for MINOR MINERAL (River Bed Material) Project at Block No. 5 (1/5), (Area- 9.86 ha.), Tawi River Downstream Railway Bridge, Kishanpur Manwal Village- Bathuna (Jammu Block), Tehsil- Jammu, District- Jammu, J&K.

The project was represented by Karanvir Singh S/O Sh. Surinder Singh the Project Proponent and the Consultant was represented by Anjali Chachane on behalf of M/s. Overseas Min-Tech Consultants- 501, 5th Floor, Apex Tower, Tonk Road, Jaipur, Rajasthan. The Consultant gave a detailed PowerPoint presentation on the project and informed the JKEAC that the project is under consideration of the JKEIAA in pursuance to Govt. order No. 76-JK(FST) of 2020 dated 29/07/2020 subsequently endorsed by the JKEIAA in its Minutes of Meeting issued vide No.JKEIAA/2016/02/II/631-633 dated 08/08/2020. The Consultant gave a detailed presentation on the project during which she was asked to demonstrate the mining block on Google Earth using the KML file. During examination, the JKEAC observed that there is a linear rectangular field bund plantation running across boundary pillar C & D. The Consultant was asked to clarify as to the ownership of this plantation and the land holding it. But, she was not able to give a satisfactory reply. Therefore, the JKEAC opined that verification of the part of land holding the linear plantation needs to be done prior to appraisal of the case.

The discussions continued around mining depth, targeted mineral production, concerns of locals in the light of public hearing report, extraction route, surface plan, CSR and compliance of Terms of reference. When asked about the commitments made by previous PP during public hearing, the representative of the Project Proponent assured that all commitments made during the Public Hearing shall be fulfilled. The JKEAC expressed its dismay at the non-compliance of specific Terms of Reference with respect to mining depth as the Consultant had mentioned 3 m depth in the EIA/EMP/PFR against 0.75 m mining depth mentioned in the approved mining plan. Besides, the Consultant had fudged the land-use pattern of the study area with 10kms radius as the same table has been copy pasted in almost all the EIA reports. It was observed that the cost on account of e-auction proceeds paid to the Geology & Mining Department as the highest bid are at variance with that as mentioned in table 2.11(project cost estimates) and this needs to be rectified to arrive at true project cost for EMP budget. The JKEAC observed that during Public Hearing conducted on 12/03/2020, the locals have expressed their concerns on illegal mining and have demanded livelihood from the activity. They have also demanded that the mining blocks be properly demarcated with complete information.

Recommendation: In view of above deliberations, the JKEAC recommended that the Project Proponent be asked to obtain NOC from Chief Engineer, Irrigation & Flood Control Department and the local panchayat head with seal and signatures. Besides, the PP shall also obtain a clarification from Dy. Commissioner, Jammu w.r.t ownership of the land bearing the linear plantation in the mining block.

Agenda Item No: 20 Grant of Environment Clearance in favour of M/S Kimat Lal S/o Shri Khola Ram R/o Raipur satwati, Jammu
Proposal No: SIA/JK/MIN/56279/2019
File No: SEAC/JK/20/275
Title of the Case: Grant of Environment Clearance for Proposed Khourwali Khad Upstream Bridge (River Bed Material) Project Village- Thandi Choi, Tehsil- Khour, District- Jammu, J&K Block No. 54 (5/29), (Area- 9.89 ha.).

Deliberations:

The case was represented by Mr. Brinder Singh Chaudhary on behalf of the Project Proponent Kimat Lal S/o Shri Khola Ram. The Consultant was represented by Anjali Chachane on behalf of M/s. Overseas Min-Tech Consultants- 501, 5th Floor, Apex Tower, Tonk Road, Jaipur, Rajasthan. The Consultant gave a detailed PowerPoint presentation on the project and informed the JKEAC that the project is under consideration of the JKEIAA in pursuance to Govt. order No. 76-JK(FST) of 2020 dated 29/07/2020 subsequently endorsed by the JKEIAA in its Minutes of Meeting issued vide No.JKEIAA/2016/02/II/631-633 dated 08/08/2020. The Consultant gave a detailed presentation on the project during which she was asked to demonstrate the mining block on Google Earth using the KML file. The mining block was examined thoroughly on the image and found it to be a dry nallah bed.

The discussions continued around mining depth, targeted mineral production, concerns of locals in the light of public hearing report, extraction route, surface plan, CSR and compliance of Terms of reference. When asked about the commitments made by previous PP during public hearing, the representative of the Project Proponent assured that all commitments made during the Public Hearing shall be fulfilled. The JKEAC expressed its dismay at the non-compliance of specific Terms of Reference with respect to mining depth as the Consultant had mentioned 3 m depth in the EIA/EMP/PFR against 0.50 m mining depth mentioned in the approved mining plan. Besides, the Consultant had misrepresented the land-use pattern of the study area with 10kms radius as the same table has been copy pasted in almost all the EIA reports. It was observed that Consultant had not added up the cost on account of e-auction proceeds paid to the Geology & Mining Department as the highest bid which, the JKEAC observed, had implications on calculation of the budget for EMP/CER/ CSR. The JKEAC observed that during Public Hearing conducted on 13/02/2020, the locals have expressed their concerns on illegal mining and have demanded livelihood from the activity. They have also demanded that the mining blocks be properly demarcated with complete information of the authorities.

The JKEAC desired that the mistakes pointed out during discussions be rectified and pertinent documents be revised immediately. The representative of Project Proponent assured that he would submit the revised version of the documents within a few days and requested the JKEAC to consider the case for grant of EC, conditionally. The JKEAC agreed and asked the Project Proponent to submit The JKEAC agreed and asked the Project Proponent to submit video graphic evidence of public hearing and corrected version of EIA/EMP/PFR in soft copy and hard copy in duplicate in the JKEIAA office Jammu within a weeks' time before grant of formal EC.

Recommendations: In view of paucity of river bed material in the UT and consistent efforts of Govt. to fast track the process of grant of EC, subject to prior submission of video graphic evidence and corrected version of the documents in hard and soft form in the office of JKEIAA, the JKEAC recommended the case for grant of Environmental Clearance subject to following standard and specific conditions, clearly mentioning the geographical coordinates in the EC as per Letter of intent:-

STANDARD CONDITIONS:-

1) Statutory compliance

- a) This Environmental Clearance (EC) is subject to orders/ judgment of Hon'ble Supreme Court of India, Hon'ble High Court of J&K, Hon'ble NGT and any other Court of competent jurisdiction, **as may be applicable.**
- b) The Project Proponent complies with all the statutory requirements and judgement of Hon'ble Supreme Court dated 2nd August,2017 in Writ Petition (Civil) No. 114 of 2014 in matter of Common Cause versus Union of India &Ors before commencing the mining operations.
- c) The UT Government of J&K shall ensure that mining operation shall not be commenced till the entire compensation levied, if any, for illegal mining paid by the Project Proponent through their respective Department of Mining & Geology in strict compliance of Judgement of Hon'ble Supreme Court dated 2nd August, 2017 in Writ Petition (Civil) No. 114 of 2014 in matter of Common Cause versus Union of India &Ors.
- d) This Environmental Clearance shall become operational only after receiving formal NBWL Clearance from MoEF&CC subsequent to the recommendations of the Standing JKEAC of National Board for Wildlife, **if applicable to the Project.**
- e) This Environmental Clearance shall become operational only after receiving formal Forest Clearance (FC) under the provision of Forest Conservation Act, 1980, **if applicable to the Project.**
- f) Project Proponent (PP) shall obtain Consent to Operate after grant of EC and effectively implement all the conditions stipulated therein. The mining activity shall not commence prior to obtaining Consent to Establish / Consent to Operate from the concerned State Pollution Control Board/JKEAC.
- g) The PP shall adhere to the provision of the Mines Act, 1952, Mines and Mineral (Development & Regulation), Act, 2015 and rules & regulations made there under. PP shall adhere to various circulars issued by Directorate General Mines Safety (DGMS) and Indian Bureau of Mines from time to time.
- h) The Project Proponent shall obtain consents from all the concerned land owners, before start of mining operations, as per the provisions of MMDR Act, 1957 and rules made there under in respect of lands which are not owned by it.

- i) The Project Proponent shall follow the mitigation measures provided in MoEFCC's Office Memorandum No. Z-11013/57/2014-IAJI (M), dated 29th October, 2014, titled "Impact of mining activities on Habitations-Issues related to the mining Projects wherein Habitations and villages are the part of mine lease areas or Habitations and villages are surrounded by the mine lease area".
- j) The Project Proponent shall obtain necessary prior permission of the competent authorities for drawl of requisite quantity of surface water and from CGWA for withdrawal of ground water for the project.
- k) A copy of EC letter will be marked to concerned Panchayat / local NGO etc. if any, from whom suggestion / representation has been received while processing the proposal.
- l) State Pollution Control Board/JKEAC shall be responsible for display of this EC letter at its Regional office, District Industries Centre and Collector's office/ Tehsildar's Office for 30 days.
- m) The Project Authorities should widely advertise about the grant of this EC letter by printing the same in at least two local newspapers, one of which shall be in vernacular language of the concerned area. The advertisement shall be done within 7 days of the issue of the clearance letter mentioning that the instant project has been accorded EC and copy of the EC letter is available with the State Pollution Control Board/JKEAC and web site of the Ministry of Environment, Forest and Climate Change (www.environmentclearance.nic.in). A copy of the advertisement may be forwarded to the concerned MoEFCC Regional Office for compliance and record.
- n) The Project Proponent shall inform the MoEF&CC for any change in ownership of the mining lease. In case there is any change in ownership or mining lease is transferred than mining operation shall only be carried out after transfer of EC as per provisions of the para 11 of EIA Notification, 2006 as amended from time to time.

2) Air quality monitoring and preservation

- a) The Project Proponent shall install a minimum of 3 (three) online Ambient Air Quality Monitoring Stations with 1 (one) in upwind and 2 (two) in downwind direction based on long term climatological data about wind direction such that an angle of 120° is made between the monitoring locations to monitor critical parameters, relevant for mining operations, of air pollution viz. PM10, PM 2.5, NO₂; CO and SO₂ etc. as per the methodology mentioned in NAAQS Notification No. B-29016/20/90/PC/I, dated 18.11.2009 covering the aspects of transportation and use of heavy machinery in the impact zone. The ambient air quality shall also be monitored at prominent places like office building, canteen etc. as per the site condition to ascertain the exposure characteristics at specific places. The above data shall be digitally displayed within 03 months in front of the main Gate of the mine site.
- b) Effective safeguard measures for prevention of dust generation and subsequent suppression (like regular water sprinkling, metalled road construction etc.) shall be carried out in areas prone to air pollution wherein high levels of PM10 and PM2.5 are evident such as haul road, loading and unloading point and transfer points. The Fugitive dust emissions from all sources shall be regularly controlled by installation of required equipment's/ machineries and preventive maintenance: Use of suitable water-soluble chemical dust suppressing agents may be explored for better effectiveness of dust control system. It shall be ensured that air pollution level conform to the standards prescribed by the MoEFCC/ Central Pollution Control Board.

3) Water quality monitoring and preservation

- a) In case, immediate mining scheme envisages intersection of ground water table, then Environmental Clearance shall become operational only after receiving formal clearance from CGWA. In case, mining operation involves intersection of ground water table at a later stage, then PP shall ensure that prior approval from CGWA and MoEFCC is in place before such mining operations. The permission for intersection of ground water table shall essentially be based on detailed hydro-geological study of the area.
- b) Regular monitoring of the flow rate of the springs and perennial nallahs flowing in and around the mine lease shall be carried out and records maintain. The natural water bodies and or streams which are flowing in an around the village, should not be disturbed. The Water Table should be nurtured so as not to go down below the pre-mining period. In case of any water scarcity in the area, the Project Proponent has to provide water to the villagers for their use. A provision for regular monitoring of water table in open dug wall located in village should be incorporated to ascertain the impact of mining over ground water table. The Report on changes in Ground water level and quality shall be submitted on six-monthly basis to the Regional Office of the Ministry, CGWA and State Groundwater Department / State Pollution Control Board.
- c) Project Proponent shall regularly monitor and maintain records w.r.t. ground water level and quality in and around the mine lease by establishing a network of existing wells as well as new piezo-meter installations during the mining operation in consultation with Central Ground Water Authority/ State Ground Water Department. The Report on changes in Ground water level and quality shall be submitted on six-monthly basis to the Regional Office of the Ministry, CGWA and State Groundwater Department / State Pollution Control Board.
- d) The Project Proponent shall undertake regular monitoring of natural water course/ water resources/ springs and perennial nallahs existing/ flowing in and around the mine lease and maintain its records. The Project Proponent shall undertake regular monitoring of water quality upstream and downstream of water bodies passing within and nearby/ adjacent to the mine lease and maintain its records. Sufficient number of gullies shall be provided at appropriate places within the lease for management of water. PP shall carryout regular monitoring w.r.t. pH and included the same in monitoring plan. The parameters to be monitored shall include their water quality vis-à-vis suitability for usage as per CPCB criteria and flow rate. It shall be ensured that no obstruction and/ or alteration be made to water bodies during mining operations without justification and prior approval of MoEFCC. The monitoring of water courses/ bodies existing in lease area shall be carried out four times in a year viz. pre- monsoon (April-May), monsoon (August), post-monsoon (November) and winter (January) and the record of monitored data may be sent regularly to Ministry of Environment, Forest and Climate Change and its Regional Office, Central Ground Water Authority and Regional Director, Central Ground Water Board, State Pollution Control Board and Central Pollution Control Board. Clearly showing the trend analysis on six-monthly basis.
- e) Quality of polluted water generated from mining operations which include Chemical Oxygen Demand (COD) in mines run-off; acid mine drainage and metal contamination in runoff shall be monitored along with Total Suspended Solids (TDS), Dissolved Oxygen (DO), pH and Total Suspended Solids (TSS). The monitored data shall be uploaded on

the website of the company as well as displayed at the project site in public domain, on a display board, at a suitable location near the main gate of the Company. The circular No. J- 20012/1/2006-IAJI (M) dated 27.05.2009 issued by Ministry of Environment, Forest and Climate Change may also be referred in this regard.

- f) Project Proponent shall plan, develop and implement rainwater harvesting measures on long term basis to augment ground water resources in the area consultation with Central Ground Water Board/ State Groundwater Department. A report on amount of water recharged needs to be submitted to Regional Office MoEFCC annually.
- g) Industrial waste water (workshop and waste water from the mine) should be properly collected and treated so as to conform to the notified standards prescribed from time to time. The standards shall be prescribed through Consent to Operate (CTO) issued by concerned State Pollution Control Board (SPCB). The workshop effluent shall be treated after its initial passage through Oil and grease trap.
- h) The water balance/water auditing shall be carried out and measure for reducing the consumption of water shall be taken up and reported to the Regional Office of the MoEF&CC and State Pollution Control Board/JKEAC.

4) Noise and vibration monitoring and prevention

- a) The peak particle velocity at 500m distance or within the nearest habitation, whichever is closer shall be monitored periodically as per applicable DGMS guidelines.
- b) The illumination and sound at night at project sites disturb the villages in respect of both human and animal population. Consequent sleeping disorders and stress may affect the health in the villages located close to mining operations. Habitations have a right for darkness and minimal noise levels at night. PPs must ensure that the biological clock of the villages is not disturbed; by orienting the floodlights/ masks away from the villagers and keeping the noise levels well within the prescribed limits for day /night hours.
- c) The Project Proponent shall take measures for control of noise levels below 85 dBA in the work environment. The workers engaged in operations of HEMM, etc. should be provided with ear plugs /muffs. All personnel including laborers working in dusty areas shall be provided with protective respiratory devices along with adequate training, awareness and information on safety and health aspects. The PP shall be held responsible in case it has been found that workers/ personals/ laborers are working without personal protective equipment.

5) Mining plan

- a) The Project Proponent shall adhere to the working parameters of mining plan which was submitted at the time of EC appraisal with a maximum mine depth of 0.50 meters, wherein year-wise plan for maximum total excavation of 81900M.tons, waste, overburden, interburden and top soil etc. No change in basic mining proposal like mining technology, total excavation, mineral & waste production, lease area and scope of working (viz. method of mining, overburden & dump management, O.B & dump mining, mineral transportation mode, ultimate depth of mining etc.) shall not be carried out without prior approval of the Ministry of Environment, Forest and Climate Change, which entail adverse environmental impacts, even if it is a part of approved mining plan modified after grant of EC or granted by State Govt. in the form of Short Term Permit (STP), Query license or any other name.

- b) The Project Proponent shall get the Final Mine Closure Plan along with Financial Assurance approved from Indian Bureau of Mines/Department of Mining & Geology as required under the Provision of the MMDR Act, 1957 and Rules/ Guidelines made there under. A copy of approved final mine closure plan shall be submitted within 2 months of the approval of the same from the competent authority to the concerned Regional Office of the Ministry of Environment, Forest and Climate Change for record and verification.
- c) The land-use of the mine lease area at various stages of mining scheme as well as at the end-of-life shall be governed as per the approved Mining Plan. The excavation vis-à-vis backfilling in the mine lease area and corresponding afforestation to be raised in the reclaimed area shall be governed as per approved mining plan. PP shall ensure the monitoring and management of rehabilitated areas until the vegetation becomes self-sustaining. The compliance status shall be submitted half-yearly to the MoEFCC and its concerned Regional Office.

6) Land reclamation

- a) The Overburden (O.B.) generated during the mining operations shall be stacked at earmarked OB dump site(s) only and it should not be kept active for a long period of time. The physical parameters of the OB dumps like height, width and angle of slope shall be governed as per the approved Mining Plan as per the guidelines/circulars issued by D.G.M.S w.r.t. safety in mining operations shall be strictly adhered to maintain the stability of top soil/OB dumps. The topsoil shall be used for land reclamation and plantation.
- b) The reject/waste generated during the mining operations shall be stacked at earmarked waste dump site(s) only. The physical parameters of the waste dumps like height, width and angle of slope shall be governed as per the approved Mining Plan as per the guidelines/circulars issued by DGMS w.r.t. safety in mining operations shall be strictly adhered to maintain the stability of waste dumps.
- c) The reclamation of waste dump sites shall be done in scientific manner as per the Approved Mining Plan cum Progressive Mine Closure Plan. iv. The slope of dumps shall be vegetated in scientific manner with suitable native species to maintain the slope stability, prevent erosion and surface run off. The selection of local species regulates local climatic parameters and help in adaptation of plant species to the microclimate. The gullies formed on slopes should be adequately taken care of as it impacts the overall stability of dumps. The dump mass should be consolidated with the help of dozer/ compactors thereby ensuring proper filling/ leveling of dump mass. In critical areas, use of geo textiles/ geo-membranes / clay liners / Bentonite etc. shall be undertaken for stabilization of the dump.
- d) The Project Proponent shall carry out slope stability study in case the dump height is more than 30 meters. The slope stability report shall be submitted to concerned regional office of MoEF&CC.
- e) Catch drains, seilmig tanks and ponds of appropriate size shall be constructed around the mine working, mineral yards and Top Soil/OB/Waste dumps to prevent run off of water and flow of sediments directly into the water bodies (Nallah/ River/ Pond etc.). The collected water should be utilized for watering the mine area, roads, green belt development, plantation etc. The drains/ sedimentation sumps etc. shall be de-silted regularly, particularly after monsoon season, and maintained properly.

- f) Check dams of appropriate size, gradient and length shall be constructed around mine pit and OB dumps to prevent storm run-off and sediment flow into adjoining water bodies. A safety margin of 50% shall be kept for designing of sump structures over and above peak rainfall (based on 50 years data) and maximum discharge in the mine and its adjoining area which shall also help in providing adequate retention time period thereby allowing proper settling of sediments/ silt material. The sedimentation pits/ sumps shall be constructed at the corners of the garland drains,
- g) The top soil, if any, shall temporarily be stored at earmarked site(s) within the mine lease only and should not be kept unutilized for long. The physical parameters of the top soil dumps like height, width and angle of slope shall be governed as per the approved Mining Plan and as per the guidelines framed by DGMS w.r.t. safety in mining operations shall be strictly adhered to maintain the stability of dumps. The topsoil shall be used for land reclamation and plantation purpose.

7) Transportation

- a) No Transportation of the minerals shall be allowed in case of roads passing through villages/ habitations. *(In such cases, PP shall construct a 'bypass' road for the purpose of transportation of the minerals leaving an adequate gap (say at least 200 meters) so that the adverse impact of sound and dust along with chances of accidents could be mitigated.)* All costs resulting from widening and strengthening of existing public road network shall be borne by the PP in consultation with nodal State Govt. Department. Transportation of minerals through road movement in case of existing village/ rural roads shall be allowed in consultation with nodal State Govt. Department only after required strengthening such that the carrying capacity of roads is increased to handle the traffic load. The pollution due to transportation load on the environment will be effectively controlled and water sprinkling will also be done regularly. Vehicular emissions shall be kept under control and regularly monitored. Project should obtain Pollution Under Control (PUC) certificate for all the vehicles from authorized pollution testing centers.
- b) The Main haulage road within the mine lease should be provided with a permanent water sprinkling arrangement for dust suppression. Other roads within the mine lease should be wetted regularly with tanker-mounted water sprinkling system. The other areas of dust generation like crushing zone, material transfer points, material yards etc. should invariably be provided with dust suppression arrangements. The air pollution control equipments like bag filters, vacuum suction hoods, dry fogging system etc. shall be installed at Crushers, belt-conveyors and other areas prone to air pollution. The belt conveyor should be fully covered to avoid generation of dust while transportation. PP shall take necessary measures to avoid generation of fugitive dust emissions.

8) Green Belt

- a) The Project Proponent shall develop greenbelt in 7.5m wide safety zone all along the mine lease boundary as per the guidelines of CPCB in order to arrest pollution emanating from mining operations within the lease. The whole Green belt shall be developed within first 5 years starting from windward side of the active mining area. The development of greenbelt shall be governed as per the EC granted by the Ministry irrespective of the stipulation made in approved mine plan.

- b) The Project Proponent shall carryout plantation/ afforestation in backfilled and reclaimed area of mining lease, around water body, along the roadsides, in community areas etc. by planting the native species in consultation with the State Forest Department/ Agriculture Department/ Rural development department/ Tribal Welfare Department/ Gram Panchayat such that only those species be selected which are of use to the local people. The CPCB guidelines in this respect shall also be adhered. The density of the trees should be around 2500 saplings per Hectare. Adequate budgetary provision shall be made for protection and care of trees.
- c) The Project Proponent shall make necessary alternative arrangements for livestock feed by developing grazing land with a view to compensate those areas which are coming within the mine lease. The development of such grazing land shall be done in consultation with the State Government. In this regard, Project Proponent should essentially implement the directions of the Hon'ble Supreme Court with regard to acquisition of grazing land. The sparse trees on such grazing ground, which provide mid-day shelter from the scorching sun, should be scrupulously guarded/ protected against felling and plantation of such trees should be promoted.
- d) The Project Proponent shall undertake all precautionary measures for conservation and protection of endangered flora and fauna and Schedule-I species during mining operation. A Wildlife Conservation Plan shall be prepared for the same clearly delineating action to be taken for conservation of flora and fauna. The Plan shall be approved by Chief Wild Life Warden of the State Govt.
- e) And implemented in consultation with the State Forest and Wildlife Department. A copy of Wildlife Conservation Plan and its implementation status (annual) shall be submitted to the Regional Office of the Ministry.

9) Public hearing and human health issues

- a) The Project Proponent shall appoint an Occupational Health Specialist for Regular as well as Periodical medical examination of the workers engaged in the mining activities, as per the DGMS guidelines. The records shall be maintained properly. PP shall also carryout Occupational health check-ups in respect of workers which are having ailments like BP, diabetes, habitual smoking, etc. The check-ups shall be undertaken once in six months and necessary remedial/ preventive measures be taken. A status report on the same may be sent to MoEFCC Regional Office and DGMS on half-yearly basis.
- b) The Project Proponent must demonstrate commitment to work towards 'Zero Harm' from their mining activities and carry out Health Risk Assessment (HRA) for identification workplace hazards and assess their potential risks to health and determine appropriate control measures to protect the health and wellbeing of workers and nearby community. The proponent shall maintain accurate and systematic records of the HRA. The HRA for neighborhood has to focus on Public Health Problems like Malaria, Tuberculosis, HIV, Anaemia, Diarrhoea in children under five, respiratory infections due to bio mass cooking. The proponent shall also create awareness and educate the nearby community and workers for Sanitation, Personal Hygiene, Hand washing, not to defecate in open, Women Health and Hygiene (Providing Sanitary Napkins), hazard of tobacco and alcohol use. The Proponent shall carryout base line HRA for all the category of workers and thereafter every five years.

- c) The Proponent shall carry out Occupational health surveillance which be a part of HRA and include Biological Monitoring where practical and feasible, and the tests and investigations relevant to the exposure (e.g. for Dust a X-Ray chest; For Noise Audiometric; for Lead Exposure Blood Lead, For Welders Full Ophthalmologic Assessment; for Manganese Miners a complete Neurological Assessment by a Certified Neurologist, and Manganese (Mn) Estimation in Blood; For Inorganic Chromium Fortnightly skin inspection of hands and forearms by a responsible person. Except routine tests all tests would be carried out in a Lab accredited by NABH. Records of Health Surveillance must be kept for 30 years, including the results of and the records of Physical examination and tests. The record of exposure due to materials like Asbestos, Hard Rock Mining, Silica, Gold, Kaolin, Aluminium, Iron, Manganese, Chromium, Lead, Uranium need to be handed over to the Mining Department of the State in case the life of the mine is less than 30 years. It would be obligatory for the State Mines Departments to make arrangements for the safe and secure storage of the records including X-Ray. Only conventional X-Ray will be accepted for record purposes and not the digital one). X-Ray must meet ILO criteria (17 x14 inches and of good quality).
- d) The Proponent shall maintained a record of performance indicators for workers which includes
- i) there should not be a significant decline in their Body Mass Index and it should stay between 18.5 -24.9,
 - ii) the Final Chest X-Ray compared with the base line X-Ray should not show any capacities ,
 - iii) At the end of their leaving job there should be no Diminution in their Lung Functions Forced Expiratory Volume in one second (FEV1), Forced Vital Capacity (FVC), and the ratio) unless they are smokers which has to be adjusted, and the effect of age,
 - iv) their hearing should not be affected. As a proof an Audiogram (first and last need to be presented),
 - v) they should not have developed any Persistent Back Pain, Neck Pain, and the movement of their Hip, Knee and other joints should have normal range of movement,
 - vi) they should not have suffered loss of any body part. The record of the same should be submitted to the Regional Office, MoEFCC annually along with details of the relief and compensation paid to workers having above indications.
- e) The Project Proponent shall ensure that Personnel working in dusty areas should wear protective respiratory devices and they should also be provided with adequate training and information on safety and health aspects.
- f) Project Proponent shall make provision for the housing for workers/labors or shall construct labour camps within/outside (company owned land) with necessary basic infrastructure/ facilities like fuel for cooking, mobile toilets, mobile STP, safe drinking water, medical health care, crèche for kids etc. The housing may be provided in the form of temporary structures which can be removed after the completion of the project related infrastructure. The domestic waste water should be treated with STP in order to avoid contamination of underground water.
- g) The activities proposed in Action plan prepared for addressing the issues raised during the Public Hearing, if applicable, shall be completed as per the budgetary provisions mentioned in the Action Plan and within the stipulated time frame. The Status Report on

implementation of Action Plan shall be submitted to the concerned Regional Office of the Ministry along with District Administration.

10) Corporate Environment Responsibility (CER)

- a) The activities and budget earmarked for Corporate Environmental Responsibility (CER) as per Ministry's O.M No 22-65/2017-IA. III dated 30/09/2020 or as proposed by EAC should be kept in a separate bank account. The activities proposed for CER shall be implemented in a time bound manner and annual report of implementation of the same along with documentary proof viz. photographs, purchase documents, latitude & longitude of infrastructure developed & road constructed needs to be submitted to Regional Office MoEF&CC annually along with audited statement.
- b) Project Proponent shall keep the funds earmarked for environmental protection measures in a separate account and refrain from diverting the same for other purposes. The Year wise expenditure of such funds should be reported to the MoEFCC and its concerned Regional Office.

11) Miscellaneous

- a) The Project Proponent shall prepare digital map (land use & land cover) of the entire lease area and KML file for recording the base line data and closure time data (after three years) and submit a report to concerned Regional Office of the MoEFCC.
- b) The Project Authorities should inform to the Regional Office regarding date of financial closures and final approval of the project by the concerned authorities and the date of start of land development work.
- c) The Project Proponent shall submit six monthly compliance reports on the status of the implementation of the stipulated environmental safeguards to the MOEFCC & its concerned Regional Office, Central Pollution Control Board and State Pollution Control Board.
- d) A separate 'Environmental Management Cell' with suitable qualified manpower should be set-up under the control of a Senior Executive. The Senior Executive shall directly report to Head of the Organization. Adequate number of qualified Environmental Scientists and Mining Engineers shall be appointed and submit a report to RO, MoEFCC.
- e) The concerned Regional Office of the MoEFCC shall randomly monitor compliance of the stipulated conditions. The project authorities should extend full cooperation to the MoEFCC officer(s) by furnishing the requisite data / information / monitoring reports.

SPECIFIC CONDITIONS: -

- 1** The Project Proponent must obtain NOCs from the concerned HoD of the Forest, Irrigation and Flood Control Department and Fisheries Department besides, prior to grant of formal lease by the Geology & Mining department.
- 2** The cremation ground be properly demarcated and left undisturbed and its map showing geographical coordinates be submitted to JKEIAA before issuance of formal EC. Besides, map showing extraction route bypassing village settlements and agricultural/horticultural land as far as possible be submitted to the JKEIAA

before formal grant of EC.

- 3 The maximum exploitation of the RBM site shall be **81900M.tons per annum** within the approved area and mining depth **of 0.50 mt.** Mining depth beyond 0.50mts. if mentioned anywhere in any of the submitted documents whether by mistake or otherwise, shall be treated as omitted.
- 4 A green belt shall be developed under close supervision of the local panchayat.
- 5 The river bed material shall be sold to the local population within radial distance of 2 kms from the mine site for residential construction purpose at 50% concessional rates.
- 6 The formal lease shall be granted only after the Project Proponent deposits the funds earmarked under EMP and CER in a separate account to be opened for the purpose and funds be utilized in coordination with DFO, Social Forestry Dept. and concerned Chief Medical Officer(CMO)under supervision of local Panchayat Head. The funds earmarked for CSR shall also be utilized through the concerned district authorities in accordance with CSR Policy Rules.
- 7 All the provisions of Minor Mineral Rules sanctioned under SRO105 with all amendments with respect to pertinent provisions of the legal framework relating to progressive mine closure shall be complied by the Project Proponent.
- 8 This Environmental Clearance is subject to final outcome of any litigation pending before Hon'ble Supreme Court of India, Hon'ble High Court of Jammu & Kashmir, Hon'ble NGT, or any other Court of Law, if any, as may be applicable to this project.
- 9 This Environmental Clearance is without prejudice to the standing instructions /orders from the competent authorities in the MoEF&CC, GoI and the UT of J&K w.r.t river bed mining activity.
- 10 An inspection JKEAC comprising of Additional Dy. Commissioner, District Mineral Officer, representative of Pollution Control Board, Executive Engineer Irrigation & Flood Control Dept. and District Fisheries Officer shall monitor the implementation of the EMP and also certify at the end of each monsoon, that sufficient replenishment of the minor mineral has taken place during monsoon and further mining in the mining block shall not adversely affect the hydrological and ecological settings in the area.
- 11 The Project Proponent shall take all precautionary measures during mining operations for conservation and protection of endangered fauna and flora in the

area.

- 12 Masks and PPE shall be provided to the workers in view of COVID-19.
- 13 Social distancing norms and other standard operating procedures relating to COVID-19 shall be followed during mining activity.
- 14 The plan worked out and expenditure made under Occupational Health should be undertaken in consultation with the Local Health Institution/PHC/Sub-Centre for utilization for the health and welfare of the local workers involved in mining activity and villagers living in the close vicinity. Regular Medical checkups and free medicines shall be provided under the fund.
- 15 The Project Proponent must ensure that the biological clock of the villagers in the vicinity of the project is not disturbed by any unauthorized night operations and all measures must be taken for keeping the noise levels within prescribed levels.
- 16 Provision shall be kept for housing of the labour force, toilets, facilities for cooking, safe water, health care, crèche etc. for the labour force.
- 17 A final Mine closure Plan along with details of Corpus fund shall be communicated to the MoEF&CC in advance for approval.
- 18 The top soil in case of surface land mining shall be temporarily stored at the designated / appropriate site and concurrently used for land reclamation.
- 19 The mining operations shall be undertaken in a systematic manner so that it does not damage the aesthetic view of the area.
- 20 Adequate steps should be taken to check soil erosion and engineering structures shall be raised wherever required. The mining shall be restricted to 3/4th of the width of the river/rivulet or 7.5 m(inward) from river bank but upto 10% of the width of the river.
- 21 The compliance report shall be submitted to the Regional Office of the MoEF&CC at Chandigarh with a copy to the Regulatory Authority.
- 22 The mining activity should in no case go beyond the area as mentioned in the Letter of Intent and a buffer area is maintained such that the slopes of adjoining area does not get disturbed.
- 23 All the provisions made and restrictions imposed as covered in the Minor Mineral Rules, shall be complied with, particularly regarding Environment Management Practices and its fund management.

- 24 The recommendations made in the District Survey Report on sustainable mining practices if any shall be complied.
- 25 The mining shall be done in bench form with maximum bench height of 0.50 metre.
- 26 Mining should be initiated only after installation of signboards with demarcation pillars indicating the geo-coordinates of the plot as mentioned in the letter of intent, measurements (length /breadth) and should be laid in presence of the authorized official of the Geology & Mining Department.
- 27 There should be no change in the method of excavation and quantity of minerals to be extracted as per approved mining plan.
- 28 The EC holder shall keep a correct account of quantity of mineral mined out, dispatched from the mine, mode of transport, registration number of vehicle, person in-charge of vehicle and mine plan. This should be produced before officers concerned for inspection.
- 29 The access to mining site should be controlled in a way that vehicles carrying mineral from that area are tracked and accounted for in accordance with standing guidelines issued by the Govt.
- 30 The Geology & Mining Department should use technology like Bar Coding, Information and Communications Technology (ICT), Web based and ICT enabled services, mobile SMS App etc. to account for weight of mineral being taken out of the plot and the number of trucks moving out with the mineral.
- 31 The PP should ensure no agriculture land in the area is used for any storage /piling up of sand or gets any damage due to any other transportation activity. Where ever, damages to agricultural land, assets or human life by way of plying of trollies and tippers involved in transportation of minor mineral is reported, the Project Proponent shall pay adequate compensation with penalty to the effected persons as to be fixed up by the competent authority. Project Proponent
- 32 Waste generated will be collected on regular basis and will be disposed as per the Municipal Solid Waste Management (Management & Handling) Rule 2000 and its subsequent amendments.
- 33 Spring sources should not be affected due to mining activities. Necessary Protection measures are to be incorporated.
- 34 The mineral transportation shall be carried out through covered trucks only and the

vehicles carrying the mineral shall not be overloaded.

- 35 Overloading of trucks and trolleys will be avoided.
- 36 All the instructions from authorities representing various government departments having stakes shall be complied with during the mining operations.
- 37 Haul road will be kept wide, compact and water spraying will be done. It shall be properly maintained by the PP and restored to original position after mining. Axle load on the roads should not exceed the prescribed load as per IRC
- 38 Restricted working hours. Mining operation has to be carried out between 6 am to 7 pm.
- 39 No overhangs shall be allowed to be formed due to mining and mining shall not be allowed in area where subsidence of rocks is likely to occur due to steep angle of slope. Mining activity shall not be avoided in rainy season
- 40 Vehicles used for transportation of material are to be permitted only with fitness and PUC Certificates.
- 41 There shall be no extraction of stone / boulder in landslide prone areas.
- 42 Adequate facility for drinking water and toilets should be provided for the workers.
- 43 There should be controlled clearance of overground vegetation to be undertaken.
- 44 Transport of mineral will not be done through villages / habitations and any private productive or waste land.
- 45 Deep drilled handpump with sufficient funding provision should be earmarked for providing drinking facility to the labour force.
- 46 Recommendations of National Institute for Labour for ensuring good occupational environment for mine workers would also be adopted.
- 47 The PP shall be responsible for enforcement of COVID-19 standard operating procedures and guidelines with respect to safety of workers involved in the mining activity.
- 48 Project Proponent shall ensure that the road may not be damaged due to transportation of the mineral and transport of minerals will be as per IRC relevant guidelines if any in this regard.

- 49 Health and safety of workers should be taken care of. They should also be provided training in safety and health care aspects.
- 50 Junction at takeoff point of approach road with main road be properly developed with proper width and geometry required for safe movement of traffic by concession holder at his own cost.
- 51 No stacking shall be allowed on road side along National Highway.
- 52 Concealing of any information/data of submission of wrong/fabricated information by the Project Proponent and failure to comply with any of the above conditions may lead to withdrawal of the EC and attract action under the provisions of EP Act, 1986.
- 53 An appeal against the EC shall lie with the Hon'ble NGT, if preferred within 30 days as prescribed under Section 16 of the NGT Act, 2010.
- 54 Mining shall be done manually minimally supported by semi-mechanized methods.
- 55 The progressive mine closure shall be as per Rules in vogue. All actions relating to progressive mine closure shall be taken well in advance during the final year of mining so that the site is rehabilitated ecologically.
- 56 The reasonable concerns expressed by the local population during public hearing shall be addressed by the Project Proponent. No blasting operations shall be allowed.
- 57 No mining activity shall be carried out in flowing water channel area within the mining block and adequate measures shall be taken to safeguard water quality and aquatic life including fisheries if available in the same.
- 58 The EC shall be valid for a period of only **three years** from the date of commencement of the mining operations duly certified by the District Mineral Officer concerned with intimation to the JKEIAA, JKPCB and the concerned District Administration, in view of non-availability of replenishment data in the district survey report.
- 59 Under CSR, within 2 km radial distance, activities like regular health check-up of local villagers once a week shall be undertaken with free medicines. Safe drinking water facility by way of renovation of existing tanks/wells, digging of new tube wells and installation of water filters shall be undertaken. Skill development trainings shall be organized for unemployed local youth. Further, construction of toilets in schools, solar street lighting, free distribution of books, note books, N95

masks, hand sanitizers and school bags among students within 2 km radius from the mine area shall be undertaken. Under EMP, with 2 kms radial distance from mine area; air, water, soil, noise pollution monitoring on half yearly basis, black topping of roads passing through villages and maintenance of haulage /extraction routes, water sprinkling, PPE to mine workers, bearing of school/college fee and allied costs on education of children of mine workers, bearing of all costs on ailments/healthcare of mine workers, creation of green belt by way of raising and maintenance of 2500 trees per hectare on land identified by DFO Social Forestry concerned in consultation with village panchayat during the period of mining, shall be undertaken.

- 60 The JKEIAA reserves the right to impose any other condition in the EC at any time during the period of mining lease. The JKEIAA reserves the right to revoke the EC in case any of the environmental clearance conditions are violated during the mining activity. Mere grant of Environmental Clearance does not entitle the Project Proponent for grant of mining lease unless he obtains all other clearances as required under other provisions of law.

Agenda Item No: 21 Grant of Terms of Reference in favour of M/S All India Institute of Medical Sciences (AIIMS) Rishikesh Mr. Anurag Singh, Superintending Engineer, All India Institute of Medical Science (AIIMS) Virbhadra Road, Shivaji Nagar, Near Barrage, Sturida Colony, Rishikesh, Uttarahand-249203.

Proposal No: SIA/JK/NCP/56678/2020.

File No: SEAC/JK/20/271

Title of the Case: Grant of Terms of Reference for Townships and Area Development projects, Proposed All India Institute of Medical Sciences "AIIMS Awantipora, Kashmir" at Awantipora, District-Pulwama, J&K.

Deliberations: The project was presented by the Consultant Mr. Mervyn Gilbert from M/S Amaltas Enviro Industrial Consultants LLP, New Delhi. However, nobody represented from the side of the Project Proponent All India Institute of Medical Sciences (AIIMS), Rishikesh. Mr. Gilbert was also joined by Anubhav Arora, from CPWD. The project falls under Sr. No. 8 (b) [Schedule 8 : Building/Construction projects/Area Development Projects and Townships, of EIA Notification 2006]. During PowerPoint presentation, the Consultant informed that the proposed hospital covers an area of 7, 59,878.23 (187.77Arces) (75.99Ha.)

He further informed that all buildings shall be sustainable, energy efficient and use space optimally. The activities in the institute will focus on providing the highest quality, patient care services, and medical education along with advancing medical research. The various issues

relating to water requirement for construction and operational phases came under discussion. One of the members advised the Consultant to approach the Management of Islamic University and to hold discussions with them to gain necessary insight on environmental problems of the site owing to its topography. Threadbare discussions were held on the availability of alternate sources of water supply to augment the water requirement of the project. The Consultant was asked to consult the PHE department and explore the possibility of ground water exploration. Thorough discussions were held on the design of earthquake resistant structures, waste disposal management and storm water management keeping in view the terrain of the site.

Decision: In view of the above deliberations, the following Terms of Reference were sanctioned for enabling the Consultant to prepare the EIA/EMP for the project:-

PART-A: SPECIFIC TERMS OF REFERENCE

1. In view of slopy terrain and risk of flash floods and earthquake, the Environmental Management Plan must include a comprehensive chapter on Disaster Risk Assessment and management plan.
2. The EMP must take care of not disturbing or changing the natural landscape of the area.
3. The EMP must include a comprehensive plan for handling of biomedical wastes generated by the hospital.
4. The ULB authorities in consultation with the Town Planning Organization must be taken on board to ensure planned development of the immediate surrounds of the proposed hospital site so that undesired congested area does not come up due to increased economic activity in the vicinity.
5. A comprehensive transport plan must be provided in the EMP for transportation of the sensitive patients and attendants.
6. The EMP must provide a comprehensive plan under Corporate Environment Responsibility and CSR for which separate bank account shall be maintained.
7. Green building code should be employed while developing the campus.
8. The energy efficient systems should be proposed in the plans.
9. NOCs and comfort letters from all the relevant departments like PHE, Central Ground Water Board, SWRRA, PDD, Disaster Management Department etc. must be obtained.
10. A comprehensive landscape plan must be included in the EMP with proper budgeting.
11. An independent chapter shall be included in the EIA on storm water management owing to hilly terrain.
12. An independent chapter shall be provided on total water requirement for the project and a techno-feasibility report shall have to be obtained from the PHE department for providing adequate water supply during construction and operational phases with adequate budget.
13. One chapter in EIA document shall discuss the training of micro-watershed which drains through the campus with provision for adequate recurring budget
14. A traffic management plan shall be formulated for the project keeping in view the projected vehicular traffic in the vicinity.

15. Plan for management of solid wastes and waste water shall be formulated for construction and operational phases.
16. A proper plan for biomedical waste management needs to be given special emphasis, keeping the non-availability of such a facility in nearby area

PART-B: MODEL TERMS OF REFERENCE

17. Examine details of land use as per Master Plan and land use around 10 km radius of the project site. Analysis should be made based on latest satellite imagery for land use with raw images. Check on flood plain of any river.
18. Submit details of environmentally sensitive places, land acquisition status, rehabilitation of communities/ villages and present status of such activities.
19. Examine baseline environmental quality along with projected incremental load due to the project.
20. Environmental data to be considered in relation to the project development would be (a) land, (b) groundwater, (c) surface water, (d) air, (e) bio-diversity, (f) noise and vibrations, (g) socio economic and health.
21. Submit a copy of the contour plan with slopes, drainage pattern of the site and surrounding area. Any obstruction of the same by the project
22. Submit the details of the trees to be felled for the project.
23. Submit the present land use and permission required for any conversion such as forest, agriculture etc.
24. Submit Roles and responsibility of the developer etc for compliance of environmental regulations under the provisions of EP Act.
25. Ground water classification as per the Central Ground Water Authority.
26. Examine the details of Source of water, water requirement, use of treated waste water and prepare a water balance chart.
27. Rain water harvesting proposals should be made with due safeguards for ground water quality. Maximize recycling of water and utilization of rain water. Examine details.
28. Examine soil characteristics and depth of ground water table for rainwater harvesting.
29. Examine details of solid waste generation treatment and its disposal.
30. Examine and submit details of use of solar energy and alternative source of energy to reduce the fossil energy consumption. Energy conservation and energy efficiency.
31. DG sets are likely to be used during construction and operational phase of the project. Emissions from DG sets must be taken into consideration while estimating the impacts on air environment. Examine and submit details.
32. Examine road/rail connectivity to the project site and impact on the traffic due to the proposed project. Present and future traffic and transport facilities for the region should be analysed with measures for preventing traffic congestion and providing faster trouble free system to reach different destinations in the city.
33. A detailed traffic and transportation study should be made for existing and projected passenger and cargo traffic.

34. Examine the details of transport of materials for construction which should include source and availability.
35. Examine separately the details for construction and operation phases both for Environmental Management Plan and Environmental Monitoring Plan with cost and parameters.
36. Submit details of a comprehensive Disaster Management Plan including emergency evacuation during natural and man-made disaster.
37. Details of litigation pending against the project, if any, with direction /order passed by any Court of Law against the Project should be given.
38. The cost of the Project (capital cost and recurring cost) as well as the cost towards implementation of EMP should be clearly spelt out.
39. Any further clarification on carrying out the above studies including anticipated impacts due to the project and mitigative measure, Project Proponent can refer to the model ToR available on Ministry website "<http://moef.nic.in/Manual/Townships>".
40. The ToRs shall be valid for a period of four years or as provided by the MoEF&CC whichever is less.

Agenda Item No: 22 Grant of Terms of Reference in favour of M/S Bhanu Pratap Singh R/O Tarrah Tehsil & District Kathua.
Proposal No: SIA/JK/MIN/51825/2020
File No: SEAC/JK/20/221
Title of the Case: Grant of Terms of Reference for River Bed Material in downstream of Ravi River at Village-Tarf Tajwal, Tehsil & District-Kathua area 9.98 ha.

Deliberations:

The case was represented online by the Project Proponent Shri Banu Pratap and the Consultant Mr. Manas Vyas on behalf of the Consultant M/S P&M Solutions Noida (U.P). The Consultant invited the attention of JKEAC towards the ambiguity in ownership of the land or authorization w.r.t the Project Proponent pointed out by the JKEAC during the 13th meeting of JKEAC. During observations, it had been found that the mining block exactly lies in the river Ravi on the border between J&K and the state of Punjab. During the sessions, the JKEAC had demanded clarity in respect of the ownership of the Area of Interest (AOI) in favour of the UT of J&K. The JKEAC had further observed on the satellite image that a number of stone crushers and piles of river bed material had been stacked in the vicinity which shows that large scale mining activity is already in progress in violation of EP Act. In the light of deliberations held during the 13th JKEAC meeting, the Consultant presented the copy of an irrevocable power of attorney from the land owners in favour of Shri Banu Pratap authorizing him even to execute any mining lease deed.

With regard to categorical proof of jurisdiction of J&K alone by way of a certificate from the Director, Geology & Mining Department and Financial Commissioner(Revenue) to the effect that the coordinates mentioned in the approved mining plan correspond to Khsra No..2254/1938

which falls within the jurisdiction of UT of J&K alone, demanded by the JKEAC in the 13th JKEAC, the Consultant presented a letter issued by the Dy. Commissioner, Kathua vide No. DCK/SQ/2020-21/795-96 dated 18/09/2020 has issued clarification with respect to title verification and jurisdiction of the site within the geographical limits of district Kathua. Further, When the Project Proponent was asked as to why the project shall not be treated under violation category in view of the fact that satellite imagery of the site shows large scale mining activity already in progress in violation of EP Act, the Project Proponent informed the JKEAC that such an illegal activity by miscreants has been noticed earlier and he or his management team is not involved in the activity and it was beyond his capability to stop such illegal activities. The JKEAC considered the asertion and asked the Project Proponent to file an affidavit before the judicial magistrate first class on this count. The Consultant also submitted a copy of extension letter of the letter of intent.

The JKEAC also observed that the Project Proponent has mentioned mining depth of 3 m in the PFR. However, in deference to the mining plan prescriptions and for ecological considerations and safeguarding environmental setting of the area in absence of any replenishment data, the JKEAC did not agree with the proposed mining depth.

Recommendations: In view of the above deliberations, and subject to furnishing of an affidavit by the PP duly attested by judicial magistrate first class to the effect that he is not involved in any illegal mining activity or storage of illegally extracted RBM in the proposed mining plot, the JKEAC recommended the following terms of reference in favour of the project for enabling the Consultant to formulate the EIA/EMP and to fulfill the 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. The minable reserves shall be calculated accordingly.
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 land use 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 with mining depth of 1mt. 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 Nos: 23,24 and 25

Proposal Nos: SIA/JK/MIN/51865/2020, SIA/JK/MIN/52027/2020 and SIA/JK/MIN/52028/2020

Title of the Cases: Grant of Terms of Reference for River Bed Material Area 8.0 Ha in Ujh River at Village-Jogyian, Tehsil-Nagri Parole & District-Kathua,

Grant of Terms of Reference for River Bed Material Minor Mineral Block Located In Ujh Rriver at Village Jogyian Tehsil Nagri Parole & District Kathua Area of Block- 9.65 Ha.

and

Grant of Terms of Reference for River Bed Material Minor minor mineral block located in Ujh river at village Jogyian tehsil Nagri parole & district Kathua area of block- 9.85 hectares.

Favouring

Shri Paramjeet Singh, R/O 197-Jarai, P.O I.E Kathua, Dist-Kathua, State-Jammu & Kashmir.

Deliberations:

The cases was represented by Project Proponent Mr. Paramjeet Singh and Mr. Manas Vyas on behalf of the Consultant M/S P&M Solutions Noida (U.P). The Consultant invited the attention of the JKEAC members towards the deliberations held during the 13th JKEAC meeting in which the JKEAC had sought title verifications/ authorization by the original owners of the land in favour of Shri Paramjeet Singh to execute the mining lease. The Consultant presented copy of letter from the Dy. Commissioner, Kathua vide No. DCK/SQ/2020-21/795-96 dated 18/09/2020 w.r.t title verification of the site. The Consultant also presented the copy of irrevocable power of attorney executed by the owners of the land proposed for mining activity in favour of Shri Paramjeet Singh wherein he has been permitted to execute even the mining lease.

Recommendations: In view of the above deliberations, the JKEAC recommended the following terms of reference in favour of the project for enabling the Consultant to formulate the EIA/EMP and to fulfill the 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. The minable reserves shall be calculated accordingly.
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 land use 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 with mining depth of 1mt. 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.**

LEFTOVER CASES OF 03/10/2020

Agenda Item No: 07	Grant of Environment Clearance in favour of M/S J & K Projects Construction Corporation Ltd, Office Complex Rail Head, Ambedkar Chowk, Jammu.
Proposal No:	SIA/JK/MIN/56716/2020
File No:	SEAC/JK/20/272
Title of the Case:	Grant of Environment Clearance for Proposed River Bed Mineral Mining lease on 9.8 hectare area at Block No 2/3, Basantar River down Stream of NH 1A Bridge, Village- Samba, Tehsil & District- Samba (Jammu & Kashmir).

Deliberations:- The project was represented by Shri Harkewal Singh, General Manager, JKPCC and the Shri Rajat Soni on behalf of the Consultant M/S Global Management and Engineering Consultants International Saharan Tower, 308, Officer Campus Extension, Sirsi Road, Khatipura, Jaipur. The Consultant informed that the Govt. of J&K had allotted the project to JKPCC under G.O No.95-IND of 2020 dated 27/05/2020. The Consultant gave a detailed PowerPoint presentation on the project during which he was asked to demonstrate the project site on the Google Earth platform. The Consultant informed that the public hearing was done on 8th of January, 2020. As per the conclusion of the public hearing report, the locals demanded legal mining with welfare schemes for the local population and discounted riverbed material for locals. The Consultant informed that the approved mining plan had prescribed mining depth of 1.5 mts but the members pointed out that in view of non-availability of replenishment data furnished in the District Survey reports formulated by the Geology & Mining Dept, the JKEAC is constrained to allow only mining upto a depth of 1 meter. Therefore, the Consultant was asked to revise the EIA/EMP/PFR and submit soft copy immediately and revised hard copy of the corrected version subsequently.

Recommendations: In view of the above deliberations and keeping in view paucity of river bed material in the UT and consistent efforts of Govt. to fast track the process of grant of EC, subject to prior submission of video graphic evidence of Public Hearing and corrected version of the EIA/EMP/PFR documents in hard and soft form in the office of JKEIAA, the JKEAC recommended the case for grant of Environmental Clearance subject to following standard and specific conditions, clearly mentioning the geographical coordinates in the EC:-

STANDARD CONDITIONS:-

1) Statutory compliance

- a) This Environmental Clearance (EC) is subject to orders/ judgment of Hon'ble Supreme Court of India, Hon'ble High Court of J&K, Hon'ble NGT and any other Court of competent jurisdiction, **as may be applicable.**
- b) The Project Proponent complies with all the statutory requirements and judgement of Hon'ble Supreme Court dated 2nd August,2017 in Writ Petition (Civil) No. 114 of 2014 in matter of Common Cause versus Union of India &Ors before commencing the mining operations.
- c) The UT Government of J&K shall ensure that mining operation shall not be commenced till the entire compensation levied, if any, for illegal mining paid by the Project Proponent through their respective Department of Mining & Geology in strict compliance of Judgement of Hon'ble Supreme Court dated 2nd August, 2017 in Writ Petition (Civil) No. 114 of 2014 in matter of Common Cause versus Union of India &Ors.
- d) This Environmental Clearance shall become operational only after receiving formal NBWL Clearance from MoEF&CC subsequent to the recommendations of the Standing JKEAC of National Board for Wildlife, **if applicable to the Project.**
- e) This Environmental Clearance shall become operational only after receiving formal Forest Clearance (FC) under the provision of Forest Conservation Act, 1980, **if applicable to the Project.**
- f) Project Proponent (PP) shall obtain Consent to Operate after grant of EC and effectively implement all the conditions stipulated therein. The mining activity shall not commence prior to obtaining Consent to Establish / Consent to Operate from the concerned State Pollution Control Board/JKEAC.
- g) The PP shall adhere to the provision of the Mines Act, 1952, Mines and Mineral (Development & Regulation), Act, 2015 and rules & regulations made there under. PP shall adhere to various circulars issued by Directorate General Mines Safety (DGMS) and Indian Bureau of Mines from time to time.
- h) The Project Proponent shall obtain consents from all the concerned land owners, before start of mining operations, as per the provisions of MMDR Act, 1957 and rules made there under in respect of lands which are not owned by it.
- i) The Project Proponent shall follow the mitigation measures provided in MoEFCC's Office Memorandum No. Z-11013/57/2014-IAJI (M), dated 29th October, 2014, titled "Impact of mining activities on Habitations-Issues related to the mining Projects wherein Habitations and villages are the part of mine lease areas or Habitations and villages are surrounded by the mine lease area".

- j) The Project Proponent shall obtain necessary prior permission of the competent authorities for drawl of requisite quantity of surface water and from CGWA for withdrawal of ground water for the project.
- k) A copy of EC letter will be marked to concerned Panchayat / local NGO etc. if any, from whom suggestion / representation has been received while processing the proposal.
- l) State Pollution Control Board/JKEAC shall be responsible for display of this EC letter at its Regional office, District Industries Centre and Collector's office/ Tehsildar's Office for 30 days.
- m) The Project Authorities should widely advertise about the grant of this EC letter by printing the same in at least two local newspapers, one of which shall be in vernacular language of the concerned area. The advertisement shall be done within 7 days of the issue of the clearance letter mentioning that the instant project has been accorded EC and copy of the EC letter is available with the State Pollution Control Board/JKEAC and web site of the Ministry of Environment, Forest and Climate Change (www.environmentclearance.nic.in). A copy of the advertisement may be forwarded to the concerned MoEFCC Regional Office for compliance and record.
- n) The Project Proponent shall inform the MoEF&CC for any change in ownership of the mining lease. In case there is any change in ownership or mining lease is transferred than mining operation shall only be carried out after transfer of EC as per provisions of the para 11 of EIA Notification, 2006 as amended from time to time.

2) Air quality monitoring and preservation

- a) The Project Proponent shall install a minimum of 3 (three) online Ambient Air Quality Monitoring Stations with 1 (one) in upwind and 2 (two) in downwind direction based on long term climatological data about wind direction such that an angle of 120° is made between the monitoring locations to monitor critical parameters, relevant for mining operations, of air pollution viz. PM10, PM 2.5, NO₂; CO and SO₂ etc. as per the methodology mentioned in NAAQS Notification No. B-29016/20/90/PC/I, dated 18.11.2009 covering the aspects of transportation and use of heavy machinery in the impact zone. The ambient air quality shall also be monitored at prominent places like office building, canteen etc. as per the site condition to ascertain the exposure characteristics at specific places. The above data shall be digitally displayed within 03 months in front of the main Gate of the mine site.
- b) Effective safeguard measures for prevention of dust generation and subsequent suppression (like regular water sprinkling, metalled road construction etc.) shall be carried out in areas prone to air pollution wherein high levels of PM10 and PM2.5 are evident such as haul road, loading and unloading point and transfer points. The Fugitive dust emissions from all sources shall be regularly controlled by installation of required equipment's/ machineries and preventive maintenance: Use of suitable water-soluble chemical dust suppressing agents may be explored for better effectiveness of dust control system. It shall be ensured that air pollution level conform to the standards prescribed by the MoEFCC/ Central Pollution Control Board.

3) Water quality monitoring and preservation

- a) In case, immediate mining scheme envisages intersection of ground water table, then Environmental Clearance shall become operational only after receiving formal clearance

from CGWA. In case, mining operation involves intersection of ground water table at a later stage, then PP shall ensure that prior approval from CGWA and MoEFCC is in place before such mining operations. The permission for intersection of ground water table shall essentially be based on detailed hydro-geological study of the area.

- b) Regular monitoring of the flow rate of the springs and perennial nallahs flowing in and around the mine lease shall be carried out and records maintain. The natural water bodies and or streams which are flowing in an around the village, should not be disturbed. The Water Table should be nurtured so as not to go down below the pre-mining period. In case of any water scarcity in the area, the Project Proponent has to provide water to the villagers for their use. A provision for regular monitoring of water table in open dug wall located in village should be incorporated to ascertain the impact of mining over ground water table. The Report on changes in Ground water level and quality shall be submitted on six-monthly basis to the Regional Office of the Ministry, CGWA and State Groundwater Department / State Pollution Control Board.
- c) Project Proponent shall regularly monitor and maintain records w.r.t. ground water level and quality in and around the mine lease by establishing a network of existing wells as well as new piezo-meter installations during the mining operation in consultation with Central Ground Water Authority/ State Ground Water Department. The Report on changes in Ground water level and quality shall be submitted on six-monthly basis to the Regional Office of the Ministry, CGWA and State Groundwater Department / State Pollution Control Board.
- d) The Project Proponent shall undertake regular monitoring of natural water course/ water resources/ springs and perennial nallahs existing/ flowing in and around the mine lease and maintain its records. The Project Proponent shall undertake regular monitoring of water quality upstream and downstream of water bodies passing within and nearby/ adjacent to the mine lease and maintain its records. Sufficient number of gullies shall be provided at appropriate places within the lease for management of water. PP shall carryout regular monitoring w.r.t. pH and included the same in monitoring plan. The parameters to be monitored shall include their water quality vis-à-vis suitability for usage as per CPCB criteria and flow rate. It shall be ensured that no obstruction and/ or alteration be made to water bodies during mining operations without justification and prior approval of MoEFCC. The monitoring of water courses/ bodies existing in lease area shall be carried out four times in a year viz. pre- monsoon (April-May), monsoon (August), post-monsoon (November) and winter (January) and the record of monitored data may be sent regularly to Ministry of Environment, Forest and Climate Change and its Regional Office, Central Ground Water Authority and Regional Director, Central Ground Water Board, State Pollution Control Board and Central Pollution Control Board. Clearly showing the trend analysis on six-monthly basis.
- e) Quality of polluted water generated from mining operations which include Chemical Oxygen Demand (COD) in mines run-off; acid mine drainage and metal contamination in runoff shall be monitored along with Total Suspended Solids (TDS), Dissolved Oxygen (DO), pH and Total Suspended Solids (TSS). The monitored data shall be uploaded on the website of the company as well as displayed at the project site in public domain, on a display board, at a suitable location near the main gate of the Company. The circular No. J- 20012/1/2006-IAJI (M) dated 27.05.2009 issued by Ministry of Environment, Forest and Climate Change may also be referred in this regard.

- f) Project Proponent shall plan, develop and implement rainwater harvesting measures on long term basis to augment ground water resources in the area consultation with Central Ground Water Board/ State Groundwater Department. A report on amount of water recharged needs to be submitted to Regional Office MoEFCC annually.
- g) Industrial waste water (workshop and waste water from the mine) should be properly collected and treated so as to conform to the notified standards prescribed from time to time. The standards shall be prescribed through Consent to Operate (CTO) issued by concerned State Pollution Control Board (SPCB). The workshop effluent shall be treated after its initial passage through Oil and grease trap.
- h) The water balance/water auditing shall be carried out and measure for reducing the consumption of water shall be taken up and reported to the Regional Office of the MoEF&CC and State Pollution Control Board/JKEAC.

4) Noise and vibration monitoring and prevention

- a) The peak particle velocity at 500m distance or within the nearest habitation, whichever is closer shall be monitored periodically as per applicable DGMS guidelines.
- b) The illumination and sound at night at project sites disturb the villages in respect of both human and animal population. Consequent sleeping disorders and stress may affect the health in the villages located close to mining operations. Habitations have a right for darkness and minimal noise levels at night. PPs must ensure that the biological clock of the villages is not disturbed; by orienting the floodlights/ masks away from the villagers and keeping the noise levels well within the prescribed limits for day /night hours.
- c) The Project Proponent shall take measures for control of noise levels below 85 dBA in the work environment. The workers engaged in operations of HEMM, etc. should be provided with ear plugs /muffs. All personnel including laborers working in dusty areas shall be provided with protective respiratory devices along with adequate training, awareness and information on safety and health aspects. The PP shall be held responsible in case it has been found that workers/ personals/ laborers are working without personal protective equipment.

5) Mining plan

- a) The Project Proponent shall adhere to the working parameters of mining plan which was submitted at the time of EC appraisal with a maximum mine depth of 1.0 meter, wherein year-wise plan for a maximum total excavation of 198450 M.tons of minerals, waste, over burden, inter burden and top soil etc has been mentioned. No change in basic mining proposal like mining technology, total excavation, mineral & waste production, lease area and scope of working (viz. method of mining, overburden & dump management , O.B & dump mining, mineral transportation mode, ultimate depth of mining etc.) shall not be carried out without prior approval of the Ministry of Environment, Forest and Climate Change, which entail adverse environmental impacts, even if it is a part of approved mining plan modified after grant of EC or granted by State Govt. in the form to Short Term Pannit (STP), Query license or any other name.
- b) The Project Proponent shall get the Final Mine Closure Plan along with Financial Assurance approved from Indian Bureau of Mines/Department of Mining & Geology as required under the Provision of the MMDR Act, 1957 and Rules/ Guidelines made there under. A copy of approved final mine closure plan shall be submitted within 2 months of

the approval of the same from the competent authority to the concerned Regional Office of the Ministry of Environment, Forest and Climate Change for record and verification.

- c) The land-use of the mine lease area at various stages of mining scheme as well as at the end-of-life shall be governed as per the approved Mining Plan. The excavation vis-à-vis backfilling in the mine lease area and corresponding afforestation to be raised in the reclaimed area shall be governed as per approved mining plan. PP shall ensure the monitoring and management of rehabilitated areas until the vegetation becomes self-sustaining. The compliance status shall be submitted half-yearly to the MoEFCC and its concerned Regional Office.

6) Land reclamation

- a) The Overburden (O.B.) generated during the mining operations shall be stacked at earmarked OB dump site(s) only and it should not be kept active for a long period of time. The physical parameters of the OB dumps like height, width and angle of slope shall be governed as per the approved Mining Plan as per the guidelines/circulars issued by D.G.M.S w.r.t. safety in mining operations shall be strictly adhered to maintain the stability of top soil/OB dumps. The topsoil shall be used for land reclamation and plantation.
- b) The reject/waste generated during the mining operations shall be stacked at earmarked waste dump site(s) only. The physical parameters of the waste dumps like height, width and angle of slope shall be governed as per the approved Mining Plan as per the guidelines/circulars issued by DGMS w.r.t. safety in mining operations shall be strictly adhered to maintain the stability of waste dumps.
- c) The reclamation of waste dump sites shall be done in scientific manner as per the Approved Mining Plan cum Progressive Mine Closure Plan. iv. The slope of dumps shall be vegetated in scientific manner with suitable native species to maintain the slope stability, prevent erosion and surface run off. The selection of local species regulates local climatic parameters and help in adaptation of plant species to the microclimate. The gullies formed on slopes should be adequately taken care of as it impacts the overall stability of dumps. The dump mass should be consolidated with the help of dozer/ compactors thereby ensuring proper filling/ leveling of dump mass. In critical areas, use of geo textiles/ geo-membranes / clay liners / Bentonite etc. shall be undertaken for stabilization of the dump.
- d) The Project Proponent shall carry out slope stability study in case the dump height is more than 30 meters. The slope stability report shall be submitted to concerned regional office of MoEF&CC.
- e) Catch drains, seilmig tanks and ponds of appropriate size shall be constructed around the mine working, mineral yards and Top Soil/OB/Waste dumps to prevent run off of water and flow of sediments directly into the water bodies (Nallah/ River/ Pond etc.). The collected water should be utilized for watering the mine area, roads, green belt development, plantation etc. The drains/ sedimentation sumps etc. shall be de-silted regularly, particularly after monsoon season, and maintained properly.
- f) Check dams of appropriate size, gradient and length shall be constructed around mine pit and OB dumps to prevent storm run-off and sediment flow into adjoining water bodies. A safety margin of 50% shall be kept for designing of sump structures over and above peak rainfall (based on 50 years data) and maximum discharge in the mine and its adjoining

area which shall also help in providing adequate retention time period thereby allowing proper settling of sediments/ silt material. The sedimentation pits/ sumps shall be constructed at the corners of the garland drains,

- g) The top soil, if any, shall temporarily be stored at earmarked site(s) within the mine lease only and should not be kept unutilized for long. The physical parameters of the top soil dumps like height, width and angle of slope shall be governed as per the approved Mining Plan and as per the guidelines framed by DGMS w.r.t. safety in mining operations shall be strictly adhered to maintain the stability of dumps. The topsoil shall be used for land reclamation and plantation purpose.

7) Transportation

- a) No Transportation of the minerals shall be allowed in case of roads passing through villages/ habitations. *(In such cases, PP shall construct a 'bypass' road for the purpose of transportation of the minerals leaving an adequate gap (say at least 200 meters) so that the adverse impact of sound and dust along with chances of accidents could be mitigated.)* All costs resulting from widening and strengthening of existing public road network shall be borne by the PP in consultation with nodal State Govt. Department. Transportation of minerals through road movement in case of existing village/ rural roads shall be allowed in consultation with nodal State Govt. Department only after required strengthening such that the carrying capacity of roads is increased to handle the traffic load. The pollution due to transportation load on the environment will be effectively controlled and water sprinkling will also be done regularly. Vehicular emissions shall be kept under control and regularly monitored. Project should obtain Pollution Under Control (PUC) certificate for all the vehicles from authorized pollution testing centers.
- b) The Main haulage road within the mine lease should be provided with a permanent water sprinkling arrangement for dust suppression. Other roads within the mine lease should be wetted regularly with tanker-mounted water sprinkling system. The other areas of dust generation like crushing zone, material transfer points, material yards etc. should invariably be provided with dust suppression arrangements. The air pollution control equipments like bag filters, vacuum suction hoods, dry fogging system etc. shall be installed at Crushers, belt-conveyors and other areas prone to air pollution. The belt conveyor should be fully covered to avoid generation of dust while transportation. PP shall take necessary measures to avoid generation of fugitive dust emissions.

8) Green Belt

- a) The Project Proponent shall develop greenbelt in 7.5m wide safety zone all along the mine lease boundary as per the guidelines of CPCB in order to arrest pollution emanating from mining operations within the lease. The whole Green belt shall be developed within first 5 years starting from windward side of the active mining area. The development of greenbelt shall be governed as per the EC granted by the Ministry irrespective of the stipulation made in approved mine plan.
- b) The Project Proponent shall carryout plantation/ afforestation in backfilled and reclaimed area of mining lease, around water body, along the roadsides, in community areas etc. by planting the native species in consultation with the State Forest Department/ Agriculture Department/ Rural development department/ Tribal Welfare Department/ Gram Panchayat such that only those species be selected which are of use to the local people.

The CPCB guidelines in this respect shall also be adhered. The density of the trees should be around 2500 saplings per Hectare. Adequate budgetary provision shall be made for protection and care of trees.

- c) The Project Proponent shall make necessary alternative arrangements for livestock feed by developing grazing land with a view to compensate those areas which are coming within the mine lease. The development of such grazing land shall be done in consultation with the State Government. In this regard, Project Proponent should essentially implement the directions of the Hon'ble Supreme Court with regard to acquisition of grazing land. The sparse trees on such grazing ground, which provide mid-day shelter from the scorching sun, should be scrupulously guarded/ protected against felling and plantation of such trees should be promoted.
- d) The Project Proponent shall undertake all precautionary measures for conservation and protection of endangered flora and fauna and Schedule-I species during mining operation. A Wildlife Conservation Plan shall be prepared for the same clearly delineating action to be taken for conservation of flora and fauna. The Plan shall be approved by Chief Wild Life Warden of the State Govt.
- e) And implemented in consultation with the State Forest and Wildlife Department. A copy of Wildlife Conservation Plan and its implementation status (annual) shall be submitted to the Regional Office of the Ministry.

9) Public hearing and human health issues

- a) The Project Proponent shall appoint an Occupational Health Specialist for Regular as well as Periodical medical examination of the workers engaged in the mining activities, as per the DGMS guidelines. The records shall be maintained properly. PP shall also carryout Occupational health check-ups in respect of workers which are having ailments like BP, diabetes, habitual smoking, etc. The check-ups shall be undertaken once in six months and necessary remedial/ preventive measures be taken. A status report on the same may be sent to MoEFCC Regional Office and DGMS on half-yearly basis.
- b) The Project Proponent must demonstrate commitment to work towards 'Zero Harm' from their mining activities and carry out Health Risk Assessment (HRA) for identification workplace hazards and assess their potential risks to health and determine appropriate control measures to protect the health and wellbeing of workers and nearby community. The proponent shall maintain accurate and systematic records of the HRA. The HRA for neighborhood has to focus on Public Health Problems like Malaria, Tuberculosis, HIV, Anaemia, Diarrhoea in children under five, respiratory infections due to bio mass cooking. The proponent shall also create awareness and educate the nearby community and workers for Sanitation, Personal Hygiene, Hand washing, not to defecate in open, Women Health and Hygiene (Providing Sanitary Napkins), hazard of tobacco and alcohol use. The Proponent shall carryout base line HRA for all the category of workers and thereafter every five years.
- c) The Proponent shall carry out Occupational health surveillance which be a part of HRA and include Biological Monitoring where practical and feasible, and the tests and investigations relevant to the exposure (e.g. for Dust a X-Ray chest; For Noise Audiometric; for Lead Exposure Blood Lead, For Welders Full Ophthalmologic Assessment; for Manganese Miners a complete Neurological Assessment by a Certified Neurologist, and Manganese (Mn) Estimation in Blood; For Inorganic

ChromiumFortnightly skin inspection of hands and forearms by a responsible person. Except routine tests all tests would be carried out in a Lab accredited by NABH. Records of Health Surveillance must be kept for 30 years, including the results of and the records of Physical examination and tests. The record of exposure due to materials like Asbestos, Hard Rock Mining, Silica, Gold, Kaolin, Aluminium, Iron, Manganese, Chromium, Lead, Uranium need to be handed over to the Mining Department of the State in case the life of the mine is less than 30 years. It would be obligatory for the State Mines Departments to make arrangements for the safe and secure storage of the records including X-Ray. Only conventional X-Ray will be accepted for record purposes and not the digital one). X-Ray must meet ILO criteria (17 x14 inches and of good quality).

- d) The Proponent shall maintained a record of performance indicators for workers which includes
 - i) there should not be a significant decline in their Body Mass Index and it should stay between 18.5 -24.9,
 - ii) the Final Chest X-Ray compared with the base line X-Ray should not show any capacities ,
 - iii) At the end of their leaving job there should be no Diminution in their Lung Functions Forced Expiratory Volume in one second (FEV1),Forced Vital Capacity (FVC), and the ratio) unless they are smokers which has to be adjusted, and the effect of age,
 - iv) their hearing should not be affected. As a proof an Audiogram (first and last need to be presented),
 - v) they should not have developed any Persistent Back Pain, Neck Pain, and the movement of their Hip, Knee and other joints should have normal range of movement,
 - vi) they should not have suffered loss of any body part. The record of the same should be submitted to the Regional Office, MoEFCC annually along with details of the relief and compensation paid to workers having above indications.
- e) The Project Proponent shall ensure that Personnel working in dusty areas should wear protective respiratory devices and they should also be provided with adequate training and information on safety and health aspects.
- f) Project Proponent shall make provision for the housing for workers/labors or shall construct labour camps within/outside (company owned land) with necessary basic infrastructure/ facilities like fuel for cooking, mobile toilets, mobile STP, safe drinking water, medical health care, crèche for kids etc. The housing may be provided in the form of temporary structures which can be removed after the completion of the project related infrastructure. The domestic waste water should be treated with STP in order to avoid contamination of underground water.
- g) The activities proposed in Action plan prepared for addressing the issues raised during the Public Hearing, if applicable, shall be completed as per the budgetary provisions mentioned in the Action Plan and within the stipulated time frame. The Status Report on implementation of Action Plan shall be submitted to the concerned Regional Office of the Ministry along with District Administration.

10) Corporate Environment Responsibility (CER)

- a) The activities and budget earmarked for Corporate Environmental Responsibility (CER) as per Ministry's O.M No 22-65/2017-IA. III dated 30/09/2020 or as proposed by EAC

should be kept in a separate bank account. The activities proposed for CER shall be implemented in a time bound manner and annual report of implementation of the same along with documentary proof viz. photographs, purchase documents, latitude & longitude of infrastructure developed & road constructed needs to be submitted to Regional Office MoEF&CC annually along with audited statement.

- b) Project Proponent shall keep the funds earmarked for environmental protection measures in a separate account and refrain from diverting the same for other purposes. The Year wise expenditure of such funds should be reported to the MoEFCC and its concerned Regional Office.

11) Miscellaneous

- a) The Project Proponent shall prepare digital map (land use & land cover) of the entire lease area and KML file for recording the base line data and closure time data (after three years) and submit a report to concerned Regional Office of the MoEFCC.
- b) The Project Authorities should inform to the Regional Office regarding date of financial closures and final approval of the project by the concerned authorities and the date of start of land development work.
- c) The Project Proponent shall submit six monthly compliance reports on the status of the implementation of the stipulated environmental safeguards to the MOEFCC & its concerned Regional Office, Central Pollution Control Board and State Pollution Control Board.
- d) A separate 'Environmental Management Cell' with suitable qualified manpower should be set-up under the control of a Senior Executive. The Senior Executive shall directly report to Head of the Organization. Adequate number of qualified Environmental Scientists and Mining Engineers shall be appointed and submit a report to RO, MoEFCC.
- e) The concerned Regional Office of the MoEFCC shall randomly monitor compliance of the stipulated conditions. The project authorities should extend full cooperation to the MoEFCC officer(s) by furnishing the requisite data / information / monitoring reports.

SPECIFIC CONDITIONS: -

- 1 The Project Proponent must obtain NOCs from the concerned HoD of the Irrigation and Flood Control Department and Fisheries Department besides, prior to grant of formal lease by the Geology & Mining department.
- 2 The cremation ground be properly demarcated and left undisturbed and its map showing geographical coordinates be submitted to JKEIAA before issuance of formal EC. Besides, map showing extraction route bypassing village settlements and agricultural/horticultural land as far as possible be submitted to the JKEIAA before formal grant of EC.
- 3 The maximum exploitation of the RBM site shall be **198450M. tons per annum** within the approved area after deducting 10% buffer and maximum mining depth **of 1 mt.** (98000-9800x2.25x1). Mining depth beyond 1meters, if mentioned anywhere in any of the submitted documents whether by mistake or otherwise,

shall be treated as omitted.

- 4 A green belt shall be developed under close supervision of the local panchayat.
- 5 The river bed material shall be sold to the local population within radial distance of 2 kms from the mine site for residential construction purpose at 50% concessional rates.
- 6 The formal lease shall be granted only after the Project Proponent deposits the funds earmarked under EMP and CER in a separate account to be opened for the purpose and funds be utilized in coordination with DFO, Social Forestry Dept. and concerned Chief Medical Officer(CMO)under supervision of local Panchayat Head. The funds earmarked for CSR shall also be utilized through the concerned district authorities in accordance with CSR Policy Rules.
- 7 All the provisions of Minor Mineral Rules sanctioned under SRO105 with all amendments with respect to pertinent provisions of the legal framework relating to progressive mine closure shall be complied by the Project Proponent.
- 8 This Environmental Clearance is subject to final outcome of any litigation pending before Hon'ble Supreme Court of India, Hon'ble High Court of Jammu & Kashmir, Hon'ble NGT, or any other Court of Law, if any, as may be applicable to this project.
- 9 This Environmental Clearance is without prejudice to the standing instructions /orders from the competent authorities in the MoEF&CC, GoI and the UT of J&K w.r.t river bed mining activity.
- 10 An inspection JKEAC comprising of Additional Dy. Commissioner, District Mineral Officer, representative of Pollution Control Board, Executive Engineer Irrigation & Flood Control Dept. and District Fisheries Officer shall monitor the implementation of the EMP and also certify at the end of each monsoon, that sufficient replenishment of the minor mineral has taken place during monsoon and further mining in the mining block shall not adversely affect the hydrological and ecological settings in the area.
- 11 The Project Proponent shall take all precautionary measures during mining operations for conservation and protection of endangered fauna and flora in the area.
- 12 Masks and PPE shall be provided to the workers in view of COVID-19.
- 13 Social distancing norms and other standard operating procedures relating to

COVID-19 shall be followed during mining activity.

- 14 The plan worked out and expenditure made under Occupational Health should be undertaken in consultation with the Local Health Institution/PHC/Sub-Centre for utilization for the health and welfare of the local workers involved in mining activity and villagers living in the close vicinity. Regular Medical checkups and free medicines shall be provided under the fund.
- 15 The Project Proponent must ensure that the biological clock of the villagers in the vicinity of the project is not disturbed by any unauthorized night operations and all measures must be taken for keeping the noise levels within prescribed levels.
- 16 Provision shall be kept for housing of the labour force, toilets, facilities for cooking, safe water, health care, crèche etc. for the labour force.
- 17 A final Mine closure Plan along with details of Corpus fund shall be communicated to the MoEF&CC in advance for approval.
- 18 The top soil in case of surface land mining shall be temporarily stored at the designated / appropriate site and concurrently used for land reclamation.
- 19 The mining operations shall be undertaken in a systematic manner so that it does not damage the aesthetic view of the area.
- 20 Adequate steps should be taken to check soil erosion and engineering structures shall be raised wherever required. The mining shall be restricted to 3/4th of the width of the river/rivulet or 7.5 m(inward) from river bank but upto 10% of the width of the river.
- 21 The compliance report shall be submitted to the Regional Office of the MoEF&CC at Chandigarh with a copy to the Regulatory Authority.
- 22 The mining activity should in no case go beyond the area as mentioned in the Letter of Intent and a buffer area is maintained such that the slopes of adjoining area does not get disturbed.
- 23 All the provisions made and restrictions imposed as covered in the Minor Mineral Rules, shall be complied with, particularly regarding Environment Management Practices and its fund management.
- 24 The recommendations made in the District Survey Report on sustainable mining practices if any shall be complied.
- 25 The mining shall be done in bench form with maximum bench height of 1 metre.

- 26 Mining should be initiated only after installation of signboards with demarcation pillars indicating the geo-coordinates of the plot as mentioned in the letter of intent, measurements (length /breadth) and should be laid in presence of the authorized official of the Geology & Mining Department.
- 27 There should be no change in the method of excavation and quantity of minerals to be extracted as per approved mining plan.
- 28 The EC holder shall keep a correct account of quantity of mineral mined out, dispatched from the mine, mode of transport, registration number of vehicle, person in-charge of vehicle and mine plan. This should be produced before officers concerned for inspection.
- 29 The access to mining site should be controlled in a way that vehicles carrying mineral from that area are tracked and accounted for in accordance with standing guidelines issued by the Govt.
- 30 The Geology & Mining Department should use technology like Bar Coding, Information and Communications Technology (ICT), Web based and ICT enabled services, mobile SMS App etc. to account for weight of mineral being taken out of the plot and the number of trucks moving out with the mineral.
- 31 The PP should ensure no agriculture land in the area is used for any storage /piling up of sand or gets any damage due to any other transportation activity. Where ever, damages to agricultural land, assets or human life by way of plying of trollies and tippers involved in transportation of minor mineral is reported, the Project Proponent shall pay adequate compensation with penalty to the effected persons as to be fixed up by the competent authority. Project Proponent.
- 32 Waste generated will be collected on regular basis and will be disposed as per the Municipal Solid Waste Management (Management & Handling) Rule 2000 and its subsequent amendments.
- 33 Spring sources should not be affected due to mining activities. Necessary Protection measures are to be incorporated.
- 34 The mineral transportation shall be carried out through covered trucks only and the vehicles carrying the mineral shall not be overloaded.
- 35 Overloading of trucks and trolleys will be avoided.
- 36 All the instructions from authorities representing various government departments having stakes shall be complied with during the mining operations.

- 37 Haul road will be kept wide, compact and water spraying will be done. It shall be properly maintained by the PP and restored to original position after mining. Axle load on the roads should not exceed the prescribed load as per IRC
- 38 Restricted working hours. Mining operation has to be carried out between 6 am to 7 pm.
- 39 No overhangs shall be allowed to be formed due to mining and mining shall not be allowed in area where subsidence of rocks is likely to occur due to steep angle of slope. Mining activity shall not be avoided in rainy season
- 40 Vehicles used for transportation of material are to be permitted only with fitness and PUC Certificates.
- 41 There shall be no extraction of stone / boulder in landslide prone areas.
- 42 Adequate facility for drinking water and toilets should be provided for the workers.
- 43 There should be controlled clearance of overground vegetation to be undertaken.
- 44 Transport of mineral will not be done through villages / habitations and any private productive or waste land.
- 45 Deep drilled handpump with sufficient funding provision should be earmarked for providing drinking facility to the labour force.
- 46 Recommendations of National Institute for Labour for ensuring good occupational environment for mine workers would also be adopted.
- 47 The PP shall be responsible for enforcement of COVID-19 standard operating procedures and guidelines with respect to safety of workers involved in the mining activity.
- 48 Project Proponent shall ensure that the road may not be damaged due to transportation of the mineral and transport of minerals will be as per IRC relevant guidelines if any in this regard.
- 49 Health and safety of workers should be taken care of. They should also be provided training in safety and health care aspects.
- 50 Junction at takeoff point of approach road with main road be properly developed with proper width and geometry required for safe movement of traffic by concession holder at his own cost.

- 51 No stacking shall be allowed on road side along National Highway.
- 52 Concealing of any information/data of submission of wrong/fabricated information by the Project Proponent and failure to comply with any of the above conditions may lead to withdrawal of the EC and attract action under the provisions of EP Act, 1986.
- 53 An appeal against the EC shall lie with the Hon'ble NGT, if preferred within 30 days as prescribed under Section 16 of the NGT Act, 2010.
- 54 Mining shall be done manually minimally supported by semi-mechanized methods.
- 55 The progressive mine closure shall be as per Rules in vogue. All actions relating to progressive mine closure shall be taken well in advance during the final year of mining so that the site is rehabilitated ecologically.
- 56 The reasonable concerns expressed by the local population during public hearing shall be addressed by the Project Proponent. No blasting operations shall be allowed.
- 57 No mining activity shall be carried out in flowing water channel area within the mining block and adequate measures shall be taken to safeguard water quality and aquatic life including fisheries if available in the same.
- 58 The EC shall be valid for a period of only **three years** from the date of commencement of the mining operations duly certified by the District Mineral Officer concerned with intimation to the JKEIAA, JKPCB and the concerned District Administration, in view of non-availability of replenishment data in the district survey report.
- 59 Under CSR, within 2 km radial distance, activities like regular health check-up of local villagers once a week shall be undertaken with free medicines. Safe drinking water facility by way of renovation of existing tanks/wells, digging of new tube wells and installation of water filters shall be undertaken. Skill development trainings shall be organized for unemployed local youth. Further, construction of toilets in schools, solar street lighting, free distribution of books, note books, N95 masks, hand sanitizers and school bags among students within 2 km radius from the mine area shall be undertaken. Under EMP, with 2 kms radial distance from mine area; air, water, soil, noise pollution monitoring on half yearly basis, black topping of roads passing through villages and maintenance of haulage /extraction routes, water sprinkling, PPE to mine workers, bearing of school/college fee and allied costs on education of children of mine workers, bearing of all costs on ailments/healthcare of mine workers, creation of green belt by way of raising and

maintenance of 2500 trees per hectare on land identified by DFO Social Forestry concerned in consultation with village panchayat during the period of mining, shall be undertaken.

- 60 The JKEIAA reserves the right to impose any other condition in the EC at any time during the period of mining lease. The JKEIAA reserves the right to revoke the EC in case any of the environmental clearance conditions are violated during the mining activity. Mere grant of Environmental Clearance does not entitle the Project Proponent for grant of mining lease unless he obtains all other clearances as required under other provisions of law.

Agenda Item No: 08 Grant of Environment Clearance in favour of M/S J & K Projects Construction Corporation Ltd, Office Complex Rail Head, Ambedkar Chowk, Jammu.
Proposal No: SIA/JK/MIN/56732/2020
File No: SEAC/JK/20/273
Title of the Case: Grant of Environment Clearance for Proposed River Bed Material Mining of Area 8.70 Hectare At Block No 5, Village- Udhampur, Tehsil- Udhampur, District- Udhampur (Jammu & Kashmir).

Deliberations:- The project was represented by Shri Harkewal Singh, General Manager, JKPCC and the Shri Rajat Soni on behalf of the Consultant M/S Global Management and Engineering Consultants International Saharan Tower, 308, Officer Campus Extension, Sirsi Road, Khatipura, Jaipur. The Consultant informed that the Govt. of J&K had allotted the project to JKPCC under G.O No.95-IND of 2020 dated 27/05/2020. The Consultant gave a detailed PowerPoint presentation on the project during which he was asked to demonstrate the project site on the Google Earth platform. The Consultant informed that the public hearing was done on 13th of March, 2020. As per the conclusion of the public hearing report, the locals demanded legal mining with discounted riverbed material for locals and only during day time.

The Consultant informed that the approved mining plan had prescribed mining depth of 1.5 mts but the members pointed out that in view of non-availability of replenishment data furnished in the District Survey reports formulated by the Geology & Mining Dept, the JKEAC is constrained to allow only mining upto a depth of 1 meter. Therefore, the Consultant was asked to revise the minable reserves leaving 10% area as buffer. Necessary corrections be made in EIA/EMP/PFR and submit soft copy immediately and revised hard copy of the corrected version subsequently.

Recommendations: In view of the above deliberations and keeping in view paucity of river bed material in the UT and consistent efforts of Govt. to fast track the process of grant of EC, subject to prior submission of video graphic evidence of Public Hearing and corrected version of the EIA/EMP/PFR documents in hard and soft form in the office of JKEIAA, the JKEAC recommended the case for grant of Environmental Clearance subject to following standard and specific conditions, clearly mentioning the geographical coordinates in the EC:-

STANDARD CONDITIONS:-

1) Statutory compliance

- a) This Environmental Clearance (EC) is subject to orders/ judgment of Hon'ble Supreme Court of India, Hon'ble High Court of J&K, Hon'ble NGT and any other Court of competent jurisdiction, **as may be applicable.**
- b) The Project Proponent complies with all the statutory requirements and judgement of Hon'ble Supreme Court dated 2nd August,2017 in Writ Petition (Civil) No. 114 of 2014 in matter of Common Cause versus Union of India &Ors before commencing the mining operations.
- c) The UT Government of J&K shall ensure that mining operation shall not be commenced till the entire compensation levied, if any, for illegal mining paid by the Project Proponent through their respective Department of Mining & Geology in strict compliance of Judgement of Hon'ble Supreme Court dated 2nd August, 2017 in Writ Petition (Civil) No. 114 of 2014 in matter of Common Cause versus Union of India &Ors.
- d) This Environmental Clearance shall become operational only after receiving formal NBWL Clearance from MoEF&CC subsequent to the recommendations of the Standing JKEAC of National Board for Wildlife, **if applicable to the Project.**
- e) This Environmental Clearance shall become operational only after receiving formal Forest Clearance (FC) under the provision of Forest Conservation Act, 1980, **if applicable to the Project.**
- f) Project Proponent (PP) shall obtain Consent to Operate after grant of EC and effectively implement all the conditions stipulated therein. The mining activity shall not commence prior to obtaining Consent to Establish / Consent to Operate from the concerned State Pollution Control Board/JKEAC.
- g) The PP shall adhere to the provision of the Mines Act, 1952, Mines and Mineral (Development & Regulation), Act, 2015 and rules & regulations made there under. PP shall adhere to various circulars issued by Directorate General Mines Safety (DGMS) and Indian Bureau of Mines from time to time.
- h) The Project Proponent shall obtain consents from all the concerned land owners, before start of mining operations, as per the provisions of MMDR Act, 1957 and rules made there under in respect of lands which are not owned by it.
- i) The Project Proponent shall follow the mitigation measures provided in MoEFCC's Office Memorandum No. Z-11013/57/2014-IAJI (M), dated 29th October, 2014, titled "Impact of mining activities on Habitations-Issues related to the mining Projects wherein Habitations and villages are the part of mine lease areas or Habitations and villages are surrounded by the mine lease area".
- j) The Project Proponent shall obtain necessary prior permission of the competent authorities for drawl of requisite quantity of surface water and from CGWA for withdrawal of ground water for the project.
- k) A copy of EC letter will be marked to concerned Panchayat / local NGO etc. if any, from whom suggestion / representation has been received while processing the proposal.
- l) State Pollution Control Board/JKEAC shall be responsible for display of this EC letter at its Regional office, District Industries Centre and Collector's office/ Tehsildar's Office for 30 days.
- m) The Project Authorities should widely advertise about the grant of this EC letter by printing the same in at least two local newspapers, one of which shall be in vernacular

language of the concerned area. The advertisement shall be done within 7 days of the issue of the clearance letter mentioning that the instant project has been accorded EC and copy of the EC letter is available with the State Pollution Control Board/JKEAC and web site of the Ministry of Environment, Forest and Climate Change (www.environmentclearance.nic.in). A copy of the advertisement may be forwarded to the concerned MoEFCC Regional Office for compliance and record.

- n) The Project Proponent shall inform the MoEF&CC for any change in ownership of the mining lease. In case there is any change in ownership or mining lease is transferred than mining operation shall only be carried out after transfer of EC as per provisions of the para 11 of EIA Notification, 2006 as amended from time to time.

2) Air quality monitoring and preservation

- a) The Project Proponent shall install a minimum of 3 (three) online Ambient Air Quality Monitoring Stations with 1 (one) in upwind and 2 (two) in downwind direction based on long term climatological data about wind direction such that an angle of 120° is made between the monitoring locations to monitor critical parameters, relevant for mining operations, of air pollution viz. PM10, PM 2.5, NO₂; CO and SO₂ etc. as per the methodology mentioned in NAAQS Notification No. B-29016/20/90/PC/I, dated 18.11.2009 covering the aspects of transportation and use of heavy machinery in the impact zone. The ambient air quality shall also be monitored at prominent places like office building, canteen etc. as per the site condition to ascertain the exposure characteristics at specific places. The above data shall be digitally displayed within 03 months in front of the main Gate of the mine site.
- b) Effective safeguard measures for prevention of dust generation and subsequent suppression (like regular water sprinkling, metalled road construction etc.) shall be carried out in areas prone to air pollution wherein high levels of PM10 and PM2.5 are evident such as haul road, loading and unloading point and transfer points. The Fugitive dust emissions from all sources shall be regularly controlled by installation of required equipment's/ machineries and preventive maintenance: Use of suitable water-soluble chemical dust suppressing agents may be explored for better effectiveness of dust control system. It shall be ensured that air pollution level conform to the standards prescribed by the MoEFCC/ Central Pollution Control Board.

3) Water quality monitoring and preservation

- a) In case, immediate mining scheme envisages intersection of ground water table, then Environmental Clearance shall become operational only after receiving formal clearance from CGWA. In case, mining operation involves intersection of ground water table at a later stage, then PP shall ensure that prior approval from CGWA and MoEFCC is in place before such mining operations. The permission for intersection of ground water table shall essentially be based on detailed hydro-geological study of the area.
- b) Regular monitoring of the flow rate of the springs and perennial nallahs flowing in and around the mine lease shall be carried out and records maintain. The natural water bodies and or streams which are flowing in an around the village, should not be disturbed. The Water Table should be nurtured so as not to go down below the pre-mining period. In

case of any water scarcity in the area, the Project Proponent has to provide water to the villagers for their use. A provision for regular monitoring of water table in open dug well located in village should be incorporated to ascertain the impact of mining over ground water table. The Report on changes in Ground water level and quality shall be submitted on six-monthly basis to the Regional Office of the Ministry, CGWA and State Groundwater Department / State Pollution Control Board.

- c) Project Proponent shall regularly monitor and maintain records w.r.t. ground water level and quality in and around the mine lease by establishing a network of existing wells as well as new piezo-meter installations during the mining operation in consultation with Central Ground Water Authority/ State Ground Water Department. The Report on changes in Ground water level and quality shall be submitted on six-monthly basis to the Regional Office of the Ministry, CGWA and State Groundwater Department / State Pollution Control Board.
- d) The Project Proponent shall undertake regular monitoring of natural water course/ water resources/ springs and perennial nallahs existing/ flowing in and around the mine lease and maintain its records. The Project Proponent shall undertake regular monitoring of water quality upstream and downstream of water bodies passing within and nearby/ adjacent to the mine lease and maintain its records. Sufficient number of gullies shall be provided at appropriate places within the lease for management of water. PP shall carryout regular monitoring w.r.t. pH and included the same in monitoring plan. The parameters to be monitored shall include their water quality vis-à-vis suitability for usage as per CPCB criteria and flow rate. It shall be ensured that no obstruction and/ or alteration be made to water bodies during mining operations without justification and prior approval of MoEFCC. The monitoring of water courses/ bodies existing in lease area shall be carried out four times in a year viz. pre- monsoon (April-May), monsoon (August), post-monsoon (November) and winter (January) and the record of monitored data may be sent regularly to Ministry of Environment, Forest and Climate Change and its Regional Office, Central Ground Water Authority and Regional Director, Central Ground Water Board, State Pollution Control Board and Central Pollution Control Board. Clearly showing the trend analysis on six-monthly basis.
- e) Quality of polluted water generated from mining operations which include Chemical Oxygen Demand (COD) in mines run-off; acid mine drainage and metal contamination in runoff shall be monitored along with Total Suspended Solids (TDS), Dissolved Oxygen (DO), pH and Total Suspended Solids (TSS). The monitored data shall be uploaded on the website of the company as well as displayed at the project site in public domain, on a display board, at a suitable location near the main gate of the Company. The circular No. J- 20012/1/2006-IAJI (M) dated 27.05.2009 issued by Ministry of Environment, Forest and Climate Change may also be referred in this regard.
- f) Project Proponent shall plan, develop and implement rainwater harvesting measures on long term basis to augment ground water resources in the area consultation with Central Ground Water Board/ State Groundwater Department. A report on amount of water recharged needs to be submitted to Regional Office MoEFCC annually.
- g) Industrial waste water (workshop and waste water from the mine) should be properly collected and treated so as to conform to the notified standards prescribed from time to time. The standards shall be prescribed through Consent to Operate (CTO) issued by

concerned State Pollution Control Board (SPCB). The workshop effluent shall be treated after its initial passage through Oil and grease trap.

- h) The water balance/water auditing shall be carried out and measure for reducing the consumption of water shall be taken up and reported to the Regional Office of the MoEF&CC and State Pollution Control Board/JKEAC.

4) Noise and vibration monitoring and prevention

- a) The peak particle velocity at 500m distance or within the nearest habitation, whichever is closer shall be monitored periodically as per applicable DGMS guidelines.
- b) The illumination and sound at night at project sites disturb the villages in respect of both human and animal population. Consequent sleeping disorders and stress may affect the health in the villages located close to mining operations. Habitations have a right for darkness and minimal noise levels at night. PPs must ensure that the biological clock of the villages is not disturbed; by orienting the floodlights/ masks away from the villagers and keeping the noise levels well within the prescribed limits for day /night hours.
- c) The Project Proponent shall take measures for control of noise levels below 85 dBA in the work environment. The workers engaged in operations of HEMM, etc. should be provided with ear plugs /muffs. All personnel including laborers working in dusty areas shall be provided with protective respiratory devices along with adequate training, awareness and information on safety and health aspects. The PP shall be held responsible in case it has been found that workers/ personals/ laborers are working without personal protective equipment.

5) Mining plan

- a) The Project Proponent shall adhere to the working parameters of mining plan which was submitted at the time of EC appraisal with a maximum of 1.0 meter mine depth, wherein year-wise plan for a maximum total excavation of 176175 M.tons mineral, waste, overburden, interburden and top soil etc has been mentioned. No change in basic mining proposal like mining technology, total excavation, mineral & waste production, lease area and scope of working (viz. method of mining, overburden & dump management, O.B & dump mining, mineral transportation mode, ultimate depth of mining etc.) shall not be carried out without prior approval of the Ministry of Environment, Forest and Climate Change, which entail adverse environmental impacts, even if it is a part of approved mining plan modified after grant of EC or granted by State Govt. in the form of Short Term Permit (STP), Quarry license or any other name.
- b) The Project Proponent shall get the Final Mine Closure Plan along with Financial Assurance approved from Indian Bureau of Mines/Department of Mining & Geology as required under the Provision of the MMDR Act, 1957 and Rules/ Guidelines made there under. A copy of approved final mine closure plan shall be submitted within 2 months of the approval of the same from the competent authority to the concerned Regional Office of the Ministry of Environment, Forest and Climate Change for record and verification.
- c) The land-use of the mine lease area at various stages of mining scheme as well as at the end-of-life shall be governed as per the approved Mining Plan. The excavation vis-à-vis backfilling in the mine lease area and corresponding afforestation to be raised in the reclaimed area shall be governed as per approved mining plan. PP shall ensure the monitoring and management of rehabilitated areas until the vegetation becomes

self-sustaining. The compliance status shall be submitted half-yearly to the MoEFCC and its concerned Regional Office.

6) Land reclamation

- a) The Overburden (O.B.) generated during the mining operations shall be stacked at earmarked OB dump site(s) only and it should not be kept active for a long period of time. The physical parameters of the OB dumps like height, width and angle of slope shall be governed as per the approved Mining Plan as per the guidelines/circulars issued by D.G.M.S w.r.t. safety in mining operations shall be strictly adhered to maintain the stability of top soil/OB dumps. The topsoil shall be used for land reclamation and plantation.
- b) The reject/waste generated during the mining operations shall be stacked at earmarked waste dump site(s) only. The physical parameters of the waste dumps like height, width and angle of slope shall be governed as per the approved Mining Plan as per the guidelines/circulars issued by DGMS w.r.t. safety in mining operations shall be strictly adhered to maintain the stability of waste dumps.
- c) The reclamation of waste dump sites shall be done in scientific manner as per the Approved Mining Plan cum Progressive Mine Closure Plan. iv. The slope of dumps shall be vegetated in scientific manner with suitable native species to maintain the slope stability, prevent erosion and surface run off. The selection of local species regulates local climatic parameters and help in adaptation of plant species to the microclimate. The gullies formed on slopes should be adequately taken care of as it impacts the overall stability of dumps. The dump mass should be consolidated with the help of dozer/ compactors thereby ensuring proper filling/ leveling of dump mass. In critical areas, use of geo textiles/ geo-membranes / clay liners / Bentonite etc. shall be undertaken for stabilization of the dump.
- d) The Project Proponent shall carry out slope stability study in case the dump height is more than 30 meters. The slope stability report shall be submitted to concerned regional office of MoEF&CC.
- e) Catch drains, seilmitg tanks and ponds of appropriate size shall be constructed around the mine working, mineral yards and Top Soil/OB/Waste dumps to prevent run off of water and flow of sediments directly into the water bodies (Nallah/ River/ Pond etc.). The collected water should be utilized for watering the mine area, roads, green belt development, plantation etc. The drains/ sedimentation sumps etc. shall be de-silted regularly, particularly after monsoon season, and maintained properly.
- f) Check dams of appropriate size, gradient and length shall be constructed around mine pit and OB dumps to prevent storm run-off and sediment flow into adjoining water bodies. A safety margin of 50% shall be kept for designing of sump structures over and above peak rainfall (based on 50 years data) and maximum discharge in the mine and its adjoining area which shall also help in providing adequate retention time period thereby allowing proper settling of sediments/ silt material. The sedimentation pits/ sumps shall be constructed at the corners of the garland drains,
- g) The top soil, if any, shall temporarily be stored at earmarked site(s) within the mine lease only and should not be kept unutilized for long. The physical parameters of the top soil dumps like height, width and angle of slope shall be governed as per the approved Mining Plan and as per the guidelines framed by DGMS w.r.t. safety in mining

operations shall be strictly adhered to maintain the stability of dumps. The topsoil shall be used for land reclamation and plantation purpose.

7) Transportation

- a) No Transportation of the minerals shall be allowed in case of roads passing through villages/ habitations. *(In such cases, PP shall construct a 'bypass' road for the purpose of transportation of the minerals leaving an adequate gap (say at least 200 meters) so that the adverse impact of sound and dust along with chances of accidents could be mitigated.)* All costs resulting from widening and strengthening of existing public road network shall be borne by the PP in consultation with nodal State Govt. Department. Transportation of minerals through road movement in case of existing village/ rural roads shall be allowed in consultation with nodal State Govt. Department only after required strengthening such that the carrying capacity of roads is increased to handle the traffic load. The pollution due to transportation load on the environment will be effectively controlled and water sprinkling will also be done regularly. Vehicular emissions shall be kept under control and regularly monitored. Project should obtain Pollution Under Control (PUC) certificate for all the vehicles from authorized pollution testing centers.
- b) The Main haulage road within the mine lease should be provided with a permanent water sprinkling arrangement for dust suppression. Other roads within the mine lease should be wetted regularly with tanker-mounted water sprinkling system. The other areas of dust generation like crushing zone, material transfer points, material yards etc. should invariably be provided with dust suppression arrangements. The air pollution control equipment's like bag filters, vacuum suction hoods, dry fogging system etc. shall be installed at Crushers, belt-conveyors and other areas prone to air pollution. The belt conveyor should be fully covered to avoid generation of dust while transportation. PP shall take necessary measures to avoid generation of fugitive dust emissions.

8) Green Belt

- a) The Project Proponent shall develop greenbelt in 7.5m wide safety zone all along the mine lease boundary as per the guidelines of CPCB in order to arrest pollution emanating from mining operations within the lease. The whole Green belt shall be developed within first 5 years starting from windward side of the active mining area. The development of greenbelt shall be governed as per the EC granted by the Ministry irrespective of the stipulation made in approved mine plan.
- b) The Project Proponent shall carryout plantation/ afforestation in backfilled and reclaimed area of mining lease, around water body, along the roadsides, in community areas etc. by planting the native species in consultation with the State Forest Department/ Agriculture Department/ Rural development department/ Tribal Welfare Department/ Gram Panchayat such that only those species be selected which are of use to the local people. The CPCB guidelines in this respect shall also be adhered. The density of the trees should be around 2500 saplings per Hectare. Adequate budgetary provision shall be made for protection and care of trees.
- c) The Project Proponent shall make necessary alternative arrangements for livestock feed by developing grazing land with a view to compensate those areas which are coming within the mine lease. The development of such grazing land shall be done in consultation with the State Government. In this regard, Project Proponent should

essentially implement the directions of the Hon'ble Supreme Court with regard to acquisition of grazing land. The sparse trees on such grazing ground, which provide mid-day shelter from the scorching sun, should be scrupulously guarded/ protected against felling and plantation of such trees should be promoted.

- d) The Project Proponent shall undertake all precautionary measures for conservation and protection of endangered flora and fauna and Schedule-I species during mining operation. A Wildlife Conservation Plan shall be prepared for the same clearly delineating action to be taken for conservation of flora and fauna. The Plan shall be approved by Chief Wild Life Warden of the State Govt.
- e) And implemented in consultation with the State Forest and Wildlife Department. A copy of Wildlife Conservation Plan and its implementation status (annual) shall be submitted to the Regional Office of the Ministry.

9) **Public hearing and human health issues**

- a) The Project Proponent shall appoint an Occupational Health Specialist for Regular as well as Periodical medical examination of the workers engaged in the mining activities, as per the DGMS guidelines. The records shall be maintained properly. PP shall also carryout Occupational health check-ups in respect of workers which are having ailments like BP, diabetes, habitual smoking, etc. The check-ups shall be undertaken once in six months and necessary remedial/ preventive measures be taken. A status report on the same may be sent to MoEFCC Regional Office and DGMS on half-yearly basis.
- b) The Project Proponent must demonstrate commitment to work towards 'Zero Harm' from their mining activities and carry out Health Risk Assessment (HRA) for identification workplace hazards and assess their potential risks to health and determine appropriate control measures to protect the health and wellbeing of workers and nearby community. The proponent shall maintain accurate and systematic records of the HRA. The HRA for neighborhood has to focus on Public Health Problems like Malaria, Tuberculosis, HIV, Anaemia, Diarrhoea in children under five, respiratory infections due to bio mass cooking. The proponent shall also create awareness and educate the nearby community and workers for Sanitation, Personal Hygiene, Hand washing, not to defecate in open, Women Health and Hygiene (Providing Sanitary Napkins), hazard of tobacco and alcohol use. The Proponent shall carryout base line HRA for all the category of workers and thereafter every five years.
- c) The Proponent shall carry out Occupational health surveillance which be a part of HRA and include Biological Monitoring where practical and feasible, and the tests and investigations relevant to the exposure (e.g. for Dust a X-Ray chest; For Noise Audiometric; for Lead Exposure Blood Lead, For Welders Full Ophthalmologic Assessment; for Manganese Miners a complete Neurological Assessment by a Certified Neurologist, and Manganese (Mn) Estimation in Blood; For Inorganic ChromiumFortnightly skin inspection of hands and forearms by a responsible person. Except routine tests all tests would be carried out in a Lab accredited by NABH. Records of Health Surveillance must be kept for 30 years, including the results of and the records of Physical examination and tests. The record of exposure due to materials like Asbestos, Hard Rock Mining, Silica, Gold, Kaolin, Aluminium, Iron, Manganese, Chromium, Lead, Uranium need to be handed over to the Mining Department of the State in case the life of the mine is less than 30 years. It would be obligatory for the State Mines Departments to

make arrangements for the safe and secure storage of the records including X-Ray. Only conventional X-Ray will be accepted for record purposes and not the digital one). X-Ray must meet ILO criteria (17 x14 inches and of good quality).

- d) The Proponent shall maintained a record of performance indicators for workers which includes
 - i) there should not be a significant decline in their Body Mass Index and it should stay between 18.5 -24.9,
 - ii) the Final Chest X-Ray compared with the base line X-Ray should not show any capacities ,
 - iii) At the end of their leaving job there should be no Diminution in their Lung Functions Forced Expiratory Volume in one second (FEV1), Forced Vital Capacity (FVC), and the ratio) unless they are smokers which has to be adjusted, and the effect of age,
 - iv) their hearing should not be affected. As a proof an Audiogram (first and last need to be presented),
 - v) they should not have developed any Persistent Back Pain, Neck Pain, and the movement of their Hip, Knee and other joints should have normal range of movement,
 - vi) they should not have suffered loss of any body part. The record of the same should be submitted to the Regional Office, MoEFCC annually along with details of the relief and compensation paid to workers having above indications.
- e) The Project Proponent shall ensure that Personnel working in dusty areas should wear protective respiratory devices and they should also be provided with adequate training and information on safety and health aspects.
- f) Project Proponent shall make provision for the housing for workers/labors or shall construct labour camps within/outside (company owned land) with necessary basic infrastructure/ facilities like fuel for cooking, mobile toilets, mobile STP, safe drinking water, medical health care, crèche for kids etc. The housing may be provided in the form of temporary structures which can be removed after the completion of the project related infrastructure. The domestic waste water should be treated with STP in order to avoid contamination of underground water.
- g) The activities proposed in Action plan prepared for addressing the issues raised during the Public Hearing, if applicable, shall be completed as per the budgetary provisions mentioned in the Action Plan and within the stipulated time frame. The Status Report on implementation of Action Plan shall be submitted to the concerned Regional Office of the Ministry along with District Administration.

10) **Corporate Environment Responsibility (CER)**

- a) The activities and budget earmarked for Corporate Environmental Responsibility (CER) as per Ministry's O.M No 22-65/2017-IA. III dated 30/09/2020 or as proposed by EAC should be kept in a separate bank account. The activities proposed for CER shall be implemented in a time bound manner and annual report of implementation of the same along with documentary proof viz. photographs, purchase documents, latitude & longitude of infrastructure developed & road constructed needs to be submitted to Regional Office MoEF&CC annually along with audited statement.
- b) Project Proponent shall keep the funds earmarked for environmental protection measures in a separate account and refrain from diverting the same for other purposes. The Year

wise expenditure of such funds should be reported to the MoEFCC and its concerned Regional Office.

11) Miscellaneous

- a) The Project Proponent shall prepare digital map (land use & land cover) of the entire lease area and KML file for recording the base line data and closure time data (after three years) and submit a report to concerned Regional Office of the MoEFCC.
- b) The Project Authorities should inform to the Regional Office regarding date of financial closures and final approval of the project by the concerned authorities and the date of start of land development work.
- c) The Project Proponent shall submit six monthly compliance reports on the status of the implementation of the stipulated environmental safeguards to the MOEFCC & its concerned Regional Office, Central Pollution Control Board and State Pollution Control Board.
- d) A separate 'Environmental Management Cell' with suitable qualified manpower should be set-up under the control of a Senior Executive. The Senior Executive shall directly report to Head of the Organization. Adequate number of qualified Environmental Scientists and Mining Engineers shall be appointed and submit a report to RO, MoEFCC.
- e) The concerned Regional Office of the MoEFCC shall randomly monitor compliance of the stipulated conditions. The project authorities should extend full cooperation to the MoEFCC officer(s) by furnishing the requisite data / information / monitoring reports.

SPECIFIC CONDITIONS: -

- 1 The Project Proponent must obtain NOCs from the concerned HoD of the Irrigation and Flood Control Department and Fisheries Department besides, prior to grant of formal lease by the Geology & Mining department.
- 2 The cremation ground be properly demarcated and left undisturbed and its map showing geographical coordinates be submitted to JKEIAA before issuance of formal EC. Besides, map showing extraction route bypassing village settlements and agricultural/horticultural land as far as possible be submitted to the JKEIAA before formal grant of EC.
- 3 The maximum exploitation of the RBM site shall be 176175M. tons per annum within the approved area after deducting 10% buffer and maximum mining depth of 1 mt. (87000-8700x2.25x1). Mining depth beyond 1meter, if mentioned anywhere in any of the submitted documents whether by mistake or otherwise, shall be treated as omitted.
- 4 A green belt shall be developed under close supervision of the local panchayat.
- 5 The river bed material shall be sold to the local population within radial distance of 2 kms from the mine site for residential construction purpose at 50% concessional rates.

- 6 The formal lease shall be granted only after the Project Proponent deposits the funds earmarked under EMP and CER in a separate account to be opened for the purpose and funds be utilized in coordination with DFO, Social Forestry Dept. and concerned Chief Medical Officer(CMO)under supervision of local Panchayat Head. The funds earmarked for CSR shall also be utilized through the concerned district authorities in accordance with CSR Policy Rules.
- 7 All the provisions of Minor Mineral Rules sanctioned under SRO105 with all amendments with respect to pertinent provisions of the legal framework relating to progressive mine closure shall be complied by the Project Proponent.
- 8 This Environmental Clearance is subject to final outcome of any litigation pending before Hon'ble Supreme Court of India, Hon'ble High Court of Jammu & Kashmir, Hon'ble NGT, or any other Court of Law, if any, as may be applicable to this project.
- 9 This Environmental Clearance is without prejudice to the standing instructions /orders from the competent authorities in the MoEF&CC, GoI and the UT of J&K w.r.t river bed mining activity.
- 10 An inspection JKEAC comprising of Additional Dy. Commissioner, District Mineral Officer, representative of Pollution Control Board, Executive Engineer Irrigation & Flood Control Dept. and District Fisheries Officer shall monitor the implementation of the EMP and also certify at the end of each monsoon, that sufficient replenishment of the minor mineral has taken place during monsoon and further mining in the mining block shall not adversely affect the hydrological and ecological settings in the area.
- 11 The Project Proponent shall take all precautionary measures during mining operations for conservation and protection of endangered fauna and flora in the area.
- 12 Masks and PPE shall be provided to the workers in view of COVID-19.
- 13 Social distancing norms and other standard operating procedures relating to COVID-19 shall be followed during mining activity.
- 14 The plan worked out and expenditure made under Occupational Health should be undertaken in consultation with the Local Health Institution/PHC/Sub-Centre for utilization for the health and welfare of the local workers involved in mining activity and villagers living in the close vicinity. Regular Medical checkups and free medicines shall be provided under the fund.

- 15 The Project Proponent must ensure that the biological clock of the villagers in the vicinity of the project is not disturbed by any unauthorized night operations and all measures must be taken for keeping the noise levels within prescribed levels.
- 16 Provision shall be kept for housing of the labour force, toilets, facilities for cooking, safe water, health care, crèche etc. for the labour force.
- 17 A final Mine closure Plan along with details of Corpus fund shall be communicated to the MoEF&CC in advance for approval.
- 18 The top soil in case of surface land mining shall be temporarily stored at the designated / appropriate site and concurrently used for land reclamation.
- 19 The mining operations shall be undertaken in a systematic manner so that it does not damage the aesthetic view of the area.
- 20 Adequate steps should be taken to check soil erosion and engineering structures shall be raised wherever required. The mining shall be restricted to 3/4th of the width of the river/rivulet or 7.5 m(inward) from river bank but upto 10% of the width of the river.
- 21 The compliance report shall be submitted to the Regional Office of the MoEF&CC at Chandigarh with a copy to the Regulatory Authority.
- 22 The mining activity should in no case go beyond the area as mentioned in the Letter of Intent and a buffer area is maintained such that the slopes of adjoining area does not get disturbed.
- 23 All the provisions made and restrictions imposed as covered in the Minor Mineral Rules, shall be complied with, particularly regarding Environment Management Practices and its fund management.
- 24 The recommendations made in the District Survey Report on sustainable mining practices if any shall be complied.
- 25 The mining shall be done in bench form with maximum bench height of 1 metre.
- 26 Mining should be initiated only after installation of signboards with demarcation pillars indicating the geo-coordinates of the plot as mentioned in the letter of intent, measurements (length /breadth) and should be laid in presence of the authorized official of the Geology & Mining Department.
- 27 There should be no change in the method of excavation and quantity of minerals to be extracted as per approved mining plan.

- 28 The EC holder shall keep a correct account of quantity of mineral mined out, dispatched from the mine, mode of transport, registration number of vehicle, person in-charge of vehicle and mine plan. This should be produced before officers concerned for inspection.
- 29 The access to mining site should be controlled in a way that vehicles carrying mineral from that area are tracked and accounted for in accordance with standing guidelines issued by the Govt.
- 30 The Geology & Mining Department should use technology like Bar Coding, Information and Communications Technology (ICT), Web based and ICT enabled services, mobile SMS App etc. to account for weight of mineral being taken out of the plot and the number of trucks moving out with the mineral.
- 31 The PP should ensure no agriculture land in the area is used for any storage /piling up of sand or gets any damage due to any other transportation activity. Where ever, damages to agricultural land, assets or human life by way of plying of trollies and tippers involved in transportation of minor mineral is reported, the Project Proponent shall pay adequate compensation with penalty to the effected persons as to be fixed up by the competent authority. Project Proponent
- 32 Waste generated will be collected on regular basis and will be disposed as per the Municipal Solid Waste Management (Management & Handling) Rule 2000 and its subsequent amendments.
- 33 Spring sources should not be affected due to mining activities. Necessary Protection measures are to be incorporated.
- 34 The mineral transportation shall be carried out through covered trucks only and the vehicles carrying the mineral shall not be overloaded.
- 35 Overloading of trucks and trolleys will be avoided.
- 36 All the instructions from authorities representing various government departments having stakes shall be complied with during the mining operations.
- 37 Haul road will be kept wide, compact and water spraying will be done. It shall be properly maintained by the PP and restored to original position after mining. Axel load on the roads should not exceed the prescribed load as per IRC
- 38 Restricted working hours. Mining operation has to be carried out between 6 am to 7 pm.
- 39 No overhangs shall be allowed to be formed due to mining and mining shall not be

allowed in area where subsidence of rocks is likely to occur due to steep angle of slope. Mining activity shall not be avoided in rainy season


- 40 Vehicles used for transportation of material are to be permitted only with fitness and PUC Certificates.
- 41 There shall be no extraction of stone / boulder in landslide prone areas.
- 42 Adequate facility for drinking water and toilets should be provided for the workers.
- 43 There should be controlled clearance of overground vegetation to be undertaken.
- 44 Transport of mineral will not be done through villages / habitations and any private productive or waste land.
- 45 Deep drilled handpump with sufficient funding provision should be earmarked for providing drinking facility to the labour force.
- 46 Recommendations of National Institute for Labour for ensuring good occupational environment for mine workers would also be adopted.
- 47 The PP shall be responsible for enforcement of COVID-19 standard operating procedures and guidelines with respect to safety of workers involved in the mining activity.
- 48 Project Proponent shall ensure that the road may not be damaged due to transportation of the mineral and transport of minerals will be as per IRC relevant guidelines if any in this regard.
- 49 Health and safety of workers should be taken care of. They should also be provided training in safety and health care aspects.
- 50 Junction at takeoff point of approach road with main road be properly developed with proper width and geometry required for safe movement of traffic by concession holder at his own cost.
- 51 No stacking shall be allowed on road side along National Highway.
- 52 Concealing of any information/data of submission of wrong/fabricated information by the Project Proponent and failure to comply with any of the above conditions may lead to withdrawal of the EC and attract action under the provisions of EP Act, 1986.
- 53 An appeal against the EC shall lie with the Hon'ble NGT, if preferred within 30

days as prescribed under Section 16 of the NGT Act, 2010.

- 54 Mining shall be done manually minimally supported by semi-mechanized methods.
- 55 The progressive mine closure shall be as per Rules in vogue. All actions relating to progressive mine closure shall be taken well in advance during the final year of mining so that the site is rehabilitated ecologically.
- 56 The reasonable concerns expressed by the local population during public hearing shall be addressed by the Project Proponent. No blasting operations shall be allowed.
- 57 No mining activity shall be carried out in flowing water channel area within the mining block and adequate measures shall be taken to safeguard water quality and aquatic life including fisheries if available in the same.
- 58 The EC shall be valid for a period of only **three years** from the date of commencement of the mining operations duly certified by the District Mineral Officer concerned with intimation to the JKEIAA, JKPCB and the concerned District Administration, in view of non-availability of replenishment data in the district survey report.
- 59 Under CSR, within 2 km radial distance, activities like regular health check-up of local villagers once a week shall be undertaken with free medicines. Safe drinking water facility by way of renovation of existing tanks/wells, digging of new tube wells and installation of water filters shall be undertaken. Skill development trainings shall be organized for unemployed local youth. Further, construction of toilets in schools, solar street lighting, free distribution of books, note books, N95 masks, hand sanitizers and school bags among students within 2 km radius from the mine area shall be undertaken. Under EMP, with 2 kms radial distance from mine area; air, water, soil, noise pollution monitoring on half yearly basis, black topping of roads passing through villages and maintenance of haulage /extraction routes, water sprinkling, PPE to mine workers, bearing of school/college fee and allied costs on education of children of mine workers, bearing of all costs on ailments/healthcare of mine workers, creation of green belt by way of raising and maintenance of 2500 trees per hectare on land identified by DFO Social Forestry concerned in consultation with village panchayat during the period of mining, shall be undertaken.
- 60 The JKEIAA reserves the right to impose any other condition in the EC at any time during the period of mining lease. The JKEIAA reserves the right to revoke the EC in case any of the environmental clearance conditions are violated during

the mining activity. Mere grant of Environmental Clearance does not entitle the Project Proponent for grant of mining lease unless he obtains all other clearances as required under other provisions of law.

The minutes of meeting of the 15th JKEAC were confirmed and the meeting ended with vote of thanks to the chair.



SECRETARY
JK-Expert Appraisal JKEAC

No: EAC/JK/20/2558-71

Dated: 20/10/2020

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.