



## MINUTES OF MEETING

**MINUTES OF 4<sup>th</sup> MEETING OF THE JK EXPERT APPRAISAL COMMITTEE HELD ON 20/01/2020 IN THE OFFICE COMPLEX OF THE DEPARTMENT OF ECOLOGY, ENVIRONMENT & REMOTE SENSING AT PARYAVARAN BHAVAN, GLADENI, NARWAL, JAMMU TAWI**

**The following were present:**

1. Mr.S.C. Sharma, IFS(Rtd.)	Chairman
2. Mr. B.B. Sharma	Member
3. Mr. M.A Tak, IFS(Rtd.)	Member
4. Mr. Irfan Yasin	Member
5. Mr. Abdul Rashid Makroo	Member
6. Dr. Rajinder Singh Rana, DMO	Representative of Mining Dept.
7. Mr. Humayun Rashid	Secretary

In pursuance to the Meeting Notice issued vide No. SEAC/20/485-508 dated 10/01/2020, the JKEAC met on 20/01/20 to discuss the listed cases for grant of ToR/EC.

At the very outset, the Secretary, JKEAC welcomed the Chairman and other members of the JKEAC forum and representative of Geology & Mining Department. The secretary also presented an action taken report on the decisions taken during the 3<sup>rd</sup> meeting of the Expert Appraisal Committee, minutes whereof, were also confirmed during the deliberations.

The Committee was informed that out of 4 listed cases, the project proponent of case listed as agenda No.1 viz. Aadarsh Build Estate has requested for deferring the case as its representative would not be able to attend due to some unavoidable circumstances.

Meanwhile the SEAC was apprised about compliances with regard to EC for JDA Multiplex Car Parking at Jammu bus stand. The JDA has yet again failed to take steps for necessary implementations of recommended environmental assurances. Accordingly, it was decided to take up the matter with Environment Impact Assessment Authority for intervening in the matter.

The Committee also deliberated on the sand mining guidelines issued by the MoEF&CC in 2016 vide S.O 3611(E) July, 2018 and issue of grant of environmental clearance to the river bed projects in absence of comprehensive District Survey Reports with desired details especially data on rate of replenishment of the proposed river bed mining area. In view of these constraints, the members desired that it be made mandatory upon the Geology & Mining Department to conduct an annual inspection of all the mining blocks in the district for assessing their replenishment and to place on record for information of the State Environment Authority and other stake holders, recommendations on continued suitability of the site for mining activity in the area or prohibition thereof for meeting ecological concerns.

The Committee expressed its displeasure over the conduct of the Consultant M/S Globus Environmental Engineering Solutions, representing almost all river bed mining cases for grant of EC/TOR, who has repeatedly been found to conceal important details and

misrepresent facts and misleading the forum. The Committee unanimously desired that the JKEIAA may like to issue and publicise a notice informing project proponents and their consultants that even if they succeed in obtaining ECs/ToRs through concealment of information or misrepresentation of facts that lead to violation of any Acts and Rules made thereunder or standing orders from Hon'ble Courts/Hon'ble NGT, the ECs/ToRs if so obtained are liable to be scrapped at any point of time without notice and further, any expenditures incurred by the project proponent in processing of such cases for EC/ToRs shall be at his/her own risk and responsibility.

Adhering to the principles of working green the JKEAC desired that the creation of hard bulky paper reports need to be restrained as far as possible. Accordingly the PP's may be asked to limit submissions of paper bound reports to the maximum of 5(five) only for record and reference. However, a soft copy of the documents preferably by email and on a pen drive needs to be provided for the appraisals of the members.

Following these deliberations, the listed cases were discussed as per following sequence:-

**Agenda Item No:1** Grant of Environment Clearance in favour of M/S ADARSH BUILDESTATE LTD (Group Housing Project "Palm Riviera") 5th Floor Global Business Square Building No 32 sec 44, Institutional area, Gurgaon, Haryana-122002.

**Proposal No:** SIA/JK/MIS/134510/2020  
**File No:** SEAC/2016/05  
**Title of the Case:** Application for Environment Clearance for Group Housing Project "Palm Riviera" on plot measuring 8542.82 sq. m located at khewat no. 145, khata no.322 min., khasra no. 136 min, Village- Sidhra, Tehsil & District- Jammu, Jammu & Kashmir promoted by Adarsh Buildestate Limited.  
The case was deferred for next Expert Appraisal Committee meeting on the written request made vide No. 004/PR/2020 dated 20/01/2020. The Committee agreed and desired the case to be listed in the next EAC meeting accordingly.

**Agenda Item No:2** Grant of Environment Clearance in favour of Mr. Amit Andotra R/o Chak Gada Dhar, Kathua, Jammu and Kashmir-184101  
**Proposal No:** SIA/JK/MIN/130633/2019  
**File No:** SEAC/JK/19/159  
**Title of the Case:** Grant of Environment Clearance for Chak Gadha Dhar Gravel Bajri Deposit.

The case was presented by the consultant Aseries Envirotek India Pvt. Ltd. in presence of the project proponent. During deliberations, the members asked the representative of Geology & Mining Department as to why the depth of 1.50 mts has been prescribed and approved in the mining plan. He informed that the thickness of gravel in the said area is about 2 mts. which is minable and which shall get replenished during monsoons. During appraisal it was found that the project proponent had submitted copies of NOCs from the concerned DFO, concerned Executive Engineer, R&B, concerned Executive Engineer, Flood Control Dept., and concerned Executive Engineer, Irrigation Dept. Besides, the Assistant Commissioner, Revenue, Kathua has also issued the title under proprietary land in favour of the

concerned. Accordingly, the Committee recommended the case for grant of Environmental clearance subject to general and specific conditions as under:-

**Specific Conditions:**

1. *This Environmental Clearance is granted 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.*
2. *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.*
3. *The Project proponent shall obtain Consent to Operate from the J&K Pollution Control Board/Committee and effectively implement all the conditions stipulated therein.*
4. In the first year, excavation shall not be carried out beyond a maximum depth of 1.00 meter from the surface of the river bed or upto 1 meter above the ground water level whichever is less. However, after the period of expiry of one complete year from the date mining activity is executed on ground, an inspection committee of the Geology & Mining Department shall certify that the mined out mineral has been replenished and any mining has not caused or will not cause any damage to the local ecology if the mining depth is increased to 1.50 mts as recommended in the approved mining plan, thereafter, the project proponent can be allowed to go upto a depth of 1.50 mts or upto 1 meter above the ground water level whichever is less subject to the condition that annual inspection and subsequent certifications shall be undertaken by the Geology & Mining Department under intimation to regulatory authorities including JKEIAA to protect the stream ecology.
5. The District Mineral Officer shall monitor the replenishment of the mined out areas, traffic management, levels of production, river bank erosion, exit point of the site and instruct the Project proponent for initiating measures for mitigating environmental concerns.
6. The Project proponent shall ensure that the roads leading to the site and the river banks do not get damaged due to transportation of the mined out mineral and transportation of minerals will be as per IRC guidelines w.r.t axle load specified for the road.
7. The mineral transportation shall be only through covered trucks and vehicles carrying the minerals will not be overloaded.
8. Water sprinkling of the roads leading to the mining site should be done adequately.
9. The project proponent shall take all precautionary measures during mining operations for conservation and protection of endangered fauna and flora in the area.
10. The project proponent must ensure that the biological clock of the villagers in the vicinity of the project is not disturbed by night operations and all measures must be taken for keeping the noise levels within prescribed levels.
11. Transportation of minerals passing through villages shall not be allowed. A bypass road/s leaving a gap of 200 m shall be constructed if link road passes through villages.
12. Provision shall be kept for housing of the labour force, toilets, facilities for cooking, safe water, health care, crèche etc. for the labour force.
13. A final Mine closure Plan along with details of Corpus fund shall be communicated to the MoEF&CC in advance for approval.
14. The PP shall submit annual replenishment report certified by Geology & Mining Department. In case the replenishment is lower than the projected rate of production, then the mining activity/ production levels shall be decreased / stopped forthwith.



15. The stream shall not be diverted for the purpose of sand mining.
16. No blasting operations shall be allowed.
17. Mining shall be done manually minimally supported by semi-mechanized methods.
18. The top soil in case of surface land mining shall be temporarily stored at an appropriate site and concurrently used for land reclamation.
19. The EC holder shall keep proper account of the quantity of mineral mined out, despatched from the mine, mode of transport, registration No. of the vehicle.
20. Permanent pillars with depth of 1.5 m below ground and 1.2 m above ground should be installed at all vertices of the mineral Block marking its limits exhibiting geocoordinates, Mineral Block No., Village Name, Lease Area and other details leaving 15% of river width from bank untouched. A prominent sign board shall also be installed indicating the details of Mineral block like Area, length, breadth, coordinates, depth etc.
21. Spring sources if any should not be disturbed during the mining operations.
22. The Project proponent shall appoint an occupational health specialist for the treatment of mine workers and their regular health check-up.
23. CSR activities as applicable to the project shall be undertaken by the Project Proponent in a systematic manner after conducting door to door survey to ascertain the needs of neighbourhood, in consultation with the local panchayat and the report shall be submitted to the MoEF&CC and its Regional Office at Chandigarh on six monthly basis.
24. The mining operations shall be undertaken in a systematic manner so that it does not damage the aesthetic view of the area.
25. Restoration of the flora effected by mining operations should be done immediately and at least 50 trees of indigenous species per hectare should be planted and maintained by the EC holder along the banks of the river adjacent to the Mining area. Protection of turtle, bird habitat, fish habitat and other aquatic life shall be maintained by providing requisite corridors across the Mining area along the gradient.
26. Adequate steps should be taken to check soil erosion and engineering structures shall be raised near the bank wherever required.
27. No overhangs shall be allowed to be formed due to mining operations and mining shall not be allowed where subsidence of rocks is likely to occur due to steep slope.
28. Site clearance and tidiness shall be maintained to have minimum visual impact due to mining. Dumping of waste shall be as per prescriptions in the approved mining plan. The rubbish burial shall not be allowed in the river system.
29. Mining shall not be allowed where there is danger to flood protection works and places of cultural, religious and historical significance.
30. No staking of material shall be allowed along the banks and roadside.

  
**General Conditions:**

1. The EC holder shall take all measures for protection of Environment and control of Pollution.
2. Any change in mining methodology shall be allowed only with prior approval of the MoEF&CC.
3. There should be no change in the calendar plan and excavation and quantity of minerals.
4. Regular monitoring of the ground water to be carried out at upstream and depth of water in the dug up areas to be measured and recorded twice a year.
5. Monitoring of the ambient Air quality be carried out as per Notification of 2009 as amended from time to time by the CPCB. Water sprinkling to be undertaken at the loading, unloading and transfer points.

6. Regular monitoring of the ground water and its quality shall be carried out in four seasons of the year viz. pre-Monsoon, Monsoon, Post monsoon and winter and the data so collected be sent to the MoEF&CC and the Central Ground water Board.
7. The critical parameters of the Air and water shall be monitored within the impact zone of the Mine area particularly in the nearby habitations. The standing instructions issued from time to time by the MoEF&CC and available on its website at [www.moef.nic.in](http://www.moef.nic.in) shall be referred in this regard for compliance.
8. Measures should be taken to control noise levels below 85 dBA in the work environment. Workers should be provided with ear plugs.
9. Personnel working in dusty areas should wear protective respiratory devices and they should also be provided training in safety and health care aspects.
10. Funds earmarked for environmental protection should be kept in separate account and should not be diverted for other purposes. Year-wise expenditure statement should be submitted to the MoEF&CC and its Regional Office at Chandigarh.
11. The Regional Office of the MoEF&CC shall monitor compliance of the conditions of this EC.
12. The EC holder shall submit half yearly compliance reports w.r.t compliance of EC conditions to the MoEF&CC at its office Chandigarh, Central Ground Water Board and the JK Pollution Control Board/Committee.
13. The copy of the EC shall be endorsed to the local Panchayat and all stake holder departments.
14. The JK Pollution Control Board/ Committee shall display the EC at its Regional office, District Industries Centre, Collectors office/ Tehsildar Office for 30 days.
15. The Project Proponent shall advertise, within 7 days of the date of issue of the EC, in two local dailies that the project has been granted EC and the copy of EC is uploaded on the MoEF&CC website at [parivesh.nic.in](http://parivesh.nic.in). and copy of same should be endorsed to the Regional Office of the MoEF&CC at Chandigarh for information and necessary action.
16. The MoEF&CC may alter/ modify or stipulate any other condition before, during the operations of the mine if it is found to be in the interest of environmental protection.
17. 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.
18. This environmental Clearance shall be valid for a period of **three years** only and the validity shall be reviewed in the light of updated District Survey Report provided an application for such extension is filed by the EC holder at least one month before such expiry, as per the procedure.
19. 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.

**Agenda Item No:3**

Grant of Environment Clearance in favour of Mr. Mohammad Ashore Mir S/O Sh. Assadullah R/O - Pattipora, Pulwama, Jammu and Kashmir-192301

**Proposal No:**

SIA/JK/MIN/133343/2019

**File No:**

SEAC/JK/19/160

**Title of the Case**

Grant of Environment Clearance for "Minor Mineral (River Bed Material)" Block No. 02, B -Lassipora SIDCO Bridge, Downstream, Nallah Rambaria, Area-4.63 Ha, at Village-Lassipora, Tehsil & District- Pulwama, J&K.

	and
<b>Agenda Item No:4</b>	Grant of Environment Clearance in favour of Mr. Manzoor Ahmad Mir S/O Shri Abdul Gani Mir Litter, Pulwama, Jammu and Kashmir, Pulwama, Jammu and Kashmir-192301
<b>Proposal No:</b>	SIA/JK/MIN/133294/2019
<b>File No:</b>	SEAC/JK/19/161
<b>Title of the Case:</b>	Grant of Environment Clearance for Minor Mineral "Minor Mineral (River Bed Material) Block No. 01, A-Lassipora SIDCO Bridge, Downstream, Nallah Rambaria, Village- Lassipora, Tehsil & District- Pulwama, J&K

The Consultant, M/S Globus Environmental Engineering Services, UP gave power point presentation on the above cited cases but during appraisal, when the KML file was overlaid on the Google Earth, it was observed that the distance between the mining blocks under Agenda Item No.3 and the mining block listed under Agenda Item No.4 was much less than minimum 500 mts that ought to exist between the 2 blocks. Therefore, the JKEAC rejected both the cases for grant of Environmental Clearance under B2 category on the ground that mining blocks under Agenda Items 3 and 4 formed a cluster and the Project Proponents need to apply afresh under B1 category, prepare a joint EIA/EMP report and undergo public hearing and other formalities required for environmental clearance under B1 category.

JKEAC also expressed its displeasure at the irresponsible attitude and the conduct of the Consultant in not carrying out the requisite due diligence and not guiding the Project Proponents appropriately and wasting the time and resources of the Project Proponents and JKEAC. The Consultant, who had been cautioned for similar approach on an earlier occasion as well, was this time duly warned not to repeat this approach in future lest JKEAC be forced to recommend his de-recognition/ blacklisting.

Therefore, the JKEAC recommended following Standard Terms of Reference combined with some additional specific terms of reference as listed hereunder for Agenda item No.3 & 4 together:-

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

- 1) Year-wise production details since 1994 should be given, clearly stating the highest production achieved in any one year prior to 1994. It may also be categorically informed whether there had been any increase in production after the EIA Notification 1994 came into force, w.r.t. the highest production achieved prior to 1994.
- 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/ topographic sheet, geomorphology and geology of the area 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 Committees.
- 13) Status of forestry clearance for the broken up area and virgin forestland involved in the Project including deposition of net present value (NPV) and compensatory afforestation (CA) should be indicated. A copy of the forestry clearance should also be furnished.
- 14) Implementation status of recognition of forest rights under the Scheduled Tribes and other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006 should be indicated.
- 15) The vegetation in the RF / PF areas in the study area, with necessary details, should be given.
- 16) A study shall be got done to ascertain the impact of the Mining Project on wildlife of the study area and details furnished. Impact of the project on the wildlife in the surrounding and any other protected area and accordingly, detailed mitigative measures required, should be worked out with cost implications and submitted.
- 17) Location of National Parks, Sanctuaries, Biosphere Reserves, Wildlife Corridors, Ramsar site Tiger/ Elephant Reserves/(existing as well as proposed), if any, within 10 km of the mine

lease should be clearly indicated, supported by a location map duly authenticated by Chief Wildlife Warden. Necessary clearance, as may be applicable to such projects due to proximity of the ecologically sensitive areas as mentioned above, should be obtained from the Standing Committee of National Board of Wildlife and copy furnished.

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

19) Proximity to Areas declared as 'Critically Polluted' or the Project areas likely to come under the 'Aravali Range', (attracting court restrictions for mining operations), 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) Similarly, for coastal Projects, A CRZ map duly authenticated by one of the authorized agencies demarcating LTL, HTL, CRZ area, location of the mine lease w.r.t CRZ, coastal features such as mangroves, if any, should be furnished. (Note: The Mining Projects falling under CRZ would also need to obtain approval of the concerned Coastal Zone Management Authority).

21) 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.

22) 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.

23) 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.



- 24) 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.
- 25) Necessary clearance from the Competent Authority for drawl of requisite quantity of water for the Project should be provided.
- 26) 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.
- 27) 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.
- 28) 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.
- 29) 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.
- 30) 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.
- 31) 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.
- 32) 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.
- 33) Details of the onsite shelter and facilities to be provided to the mine workers should be included in the EIA Report.
- 34) 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.
- 35) 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.

36) 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.

37) 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.

38) 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.

39) 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.

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

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

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

43) 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.

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

a) Submission of 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, (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.

### ADDITIONAL 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 river bed and 3-D view draped on the satellite image
3. Details of excavation schedule & sequential mining plan.
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 on mining on aquatic life.
7. Excavation to be carried out upto a maximum depth of 1 m in the river bed or 1 m above water table whichever comes first.
8. 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.
9. The Photography and videography shall be part of the Terms of Reference.
10. The maps shall be submitted on a scale of 1: 3000 and 1: 1500 within 10 kms. radius

The prescribed TORs would be valid for a period of **three years** for submission of the EIA/EMP reports, as per the O.M. No. J-11013/41/2006-IA.II(I) dated 22.3.2010, 22.08.2014, 08.10.2014 and 07.11.2014.

Besides, the TORs are recommended without prejudice to the standing court orders, if any, w.r.t the concerned mining projects or final outcome of writ petitions pending disposal before any competent court of law, if any w.r.t the concerned mining blocks. Further, these ToRs are liable to be scrapped at any point of time without notice in case it is found that the project proponent or his consultant has concealed important information or misrepresented facts that are likely to violate any Acts or Rules made thereunder or directions from Competent Courts of Law /Hon'ble NGT and in that case, any expenditures incurred by the project proponent in processing of the case for EC/ToRs shall be at his/her own risk and responsibility.

After preparing the draft EIA (as per the generic structure prescribed in Appendix- III of the EIA Notification, 2006) covering the above mentioned issues, the proponent will get the public hearing conducted and take further necessary action for obtaining environmental clearance in accordance with the procedure prescribed under the EIA Notification, 2006 read with relevant amendments and Office Memorandums from the MoEF&CC, GoI, New Delhi.

The meeting concluded with thanks to the chair.

  
Secretary,  
SEAC

No: SEAC/JK/20/523-36

Dated:23/01/2020

Copy submitted to 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.



Copy by email to:-

1. Sh. S. C Sharma, Chairman, J&K Expert Appraisal Committee, (JKEAC) 331 Shastri Nagar, Jammu-180004 for favour of kind information.
2. Sh. M.A TAK, Member, J&K Expert Appraisal Committee, (JKEAC) 124 Mominabad (Near Jakfed), Anantnag Kashmir,-192101 for favour of kind information.
3. Sh. Brij Bhushan Sharma, Member, J&K Expert Appraisal Committee, (JKEAC) 278/2 Channi Himmat, Jammu for favour of kind information.
4. Professor Shakeel Ahmad Romshoo, Member, J&K Expert Appraisal Committee, (JKEAC) Department of Earth Sciences Kashmir University Srinagar-190006 for favour of kind information.
5. Sh. Abdul Rashid Makroo, Member, J&K Expert Appraisal Committee, (JKEAC) H/No. 9 Lane No 11 Sector C, Gulshan Nagar Nowgam Bypass, Srinagar-190019 for favour of kind information.
6. Professor Arvind Jasrotia Member, J&K Expert Appraisal Committee, (JKEAC) 33/D Sainik Colony Jammu-180011 for favour of kind information.
7. Dr. Ghulam Mohammad Dar, Member, J&K Expert Appraisal Committee, (JKEAC) Main Campus IMPA&RD, M.A Road, Srinagar-190001 for favour of kind information.
8. Sh. Irfan Yasin, Member, J&K Expert Appraisal Committee, (JKEAC) Bagh-e-Hyderpora, Bypass, Srinagar for favour of kind information.
9. Professor M. A. Khan, Member, J&K Expert Appraisal Committee, (JKEAC) GPO Post Box No: 726, Srinagar-190001 for favour of kind information.
10. Dr. Falendra Kumar Sudan, Member, J&K Expert Appraisal Committee, (JKEAC) Professor Department of Economics University of Jammu, Jammu for favour of kind information.
11. Professor Anil Kumar Raina, Member, J&K Expert Appraisal Committee, (JKEAC) Department of Environmental Science University of Jammu, Jammu-180006 for favour of kind information.
12. Sh. Anil Saproo, PA to PCCF/Director, DEERS, for information and with the request to upload the minutes of meeting on the Departmental web site.
13. Sh. Sheikh Sajid, PA for information and with the direction to upload the minutes of the Meeting on the parivesh.gov.in.
14. Concerned Files.