



0191-2474553(J)/0194-0194-2494585 (S)

Ministry of Environment, Forest & Climate Change, Govt. of India.

J&K UT LEVEL EXPERT APPRAISAL COMMITTEE (JKEAC)

Department of Ecology, Environment & Remote Sensing

SDA Housing Colony, Bemina, Srinagar, Kashmir

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MINUTES OF MEETING

MINUTES OF 103RD MEETING OF THE JK EXPERT APPRAISAL COMMITTEE HELD ON 26TH OF DECEMBER, 2022 VIA VIDEO CONFERENCING

In pursuance to Meeting Notice issued vide No: EAC/JK/22/14434-14454 Dated: 21/12/2022, the 103rd Meeting of JK Level Expert Appraisal Committee (JKEAC) was held on 26th of December, 2022 at 11:00 A.M. via video Conferencing. The following attended the meeting:-

No.	Name	Designation
1	Mr. S.C. Sharma, IFS(Rtd.)	Chairman
2	Mr. M.A Tak, IFS(Rtd.)	Member
3	Engineer B.B. Sharma	Member
4	Mr. Irfan Yasin	Member
5	Mr. A.R. Makroo	Member
6	Shri J.N Sharma, JKPCC	Special invitee
7	Mr. Humayun Rashid	Secretary

The Secretary, JKEAC welcomed the Chairman, Members of the JK Expert Appraisal Committee, Shri JN Sharma, Environmental Engineer (Special invitee from JK Pollution Control Committee), the project proponents and the consultants.

The meeting proceeded as per following sequence: -

AGENDA ITEM NO: 01

Title of case:	Grant of Environmental Clearance (EC) for chemical Industry located at SIDCO Industries Growth Center, Phase-I, Tehsil: Samba, District: Jammu, UT of Jammu & Kashmir for Expansion of API Manufacturing Industries Unit in favour of "M/S Indswift Laboratories Ltd". (ADS)
Project type: (whether mining lease/STP/ Quarry license/brick earth/ Industry)	Synthetic organic chemical industry (Expansion)
Category (B1/B2)	B2 (Refer MoEF&CC OM S.O. 2859 (E) dated 16/07/2021)
Proposal no:	SIA/JK/IND2/204316/2021 // SIA/JK/IND2/152747/2020
File no:	SEAC/2018/64
Consultant with validity	M/S Eco Laboratories and Consultants Pvt Ltd. Valid till: 09/07/2021
Presenter of consultant:	Dr. Simranjeet Kaur and Dr. Priyanka
Project proponent / representative of	Dr. Atul Kumar Chaubey

Project proponent:	
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CASE SUMMARY

Status	Category of the project	Project cost (in Cr.)	Spent so far (in Cr.)	Proposed for expansion (in Cr.)	EPM cost proposed (in lacs)		CER budget proposed (lacs)
					Capital	Recurring	
Expansion of existing plant	5 (f)-B	73.73	56.98	16.75	35.00	11.00	17.00

COMPLIANCE REPORT OF EARLIER EC

Date of submission of application for grant of EC for expansion	Compliance Report of previous Environmental Clearance conditions	Date of site inspection by JKPC to verify Compliance of EC conditions	Submission date of compliance report
17/03/2021	Verified by JK Pollution Control Committee	17/07/2021	03/08/2021

CONSENT STATUS FROM JK UT PCC

Date of renewal of Consent to Establish/Operate	Date of authorization under Rule6(2) of the Hazardous & other waste Management & Trans-boundary movement Rules, 2016
25/01/2021	25/01/2021

APPRAISAL PROCESS

STATUS OF DOCUMENTATION

S. No	Document	Status	Remarks of the Committee
1	Form 1/Form 2 as applicable	Submitted	Duly filled Form 2 need to be submitted in accordance with OM dated 20 April, 2018 issued by MoEF&CC, GoI, New Delhi
2	Pre-feasibility report (PFR)	Submitted	

3	Environmental Management Plan	Submitted	
4.	Compliance report of earlier EC conditions	Submitted	Verified by JK Pollution Control Committee
5	Corporate Environmental Responsibility Plan	Submitted	

LAND USE PLANNING DETAILS

S. No	Details	Area
1	Total plot area (plot1+ plot 2)	30,000 sq. m (3 hectares)
2	Total covered area (plot1 + plot 2)	8,822.51 sq. m
3	Green area (plot1 + plot 2)	9,908.61 sq. m
4	Other area	11,268.88 sq. m

SOLID WASTE MANAGEMENT DETAILS

Solid waste Generation (Kg/month) (Existing)	Solid waste Generation (Kg/month) (Proposed)	Solid waste Generation (Kg/month) (Total)	Waste water generation (KLD) (Existing)	Waste water generation (KLD) (Proposed)	Waste water generation (KLD) (Total)
50-60	100-110	150-160	85	34	119

POWER REQUIREMENT DETAILS

Power Requirement (KW) (Existing)	Power Requirement (KW) (Proposed)	Power Requirement (KW) (Total)	Supplying Agency	No of Diesel Gen sets/capacity (KVA) (Existing)	No of Diesel Gen sets/capacity (KVA) (Proposed)
932.12	417.88	1350	PDD, JAMMU	02 NO. (500 & 1010 KVA)	01 No. (1010 KVA)

WATER REQUIREMENT DETAILS

Fresh water demand (KLD) (Existing)	Fresh water demand (KLD) (Proposed)	Fresh water demand (KLD) (Total)	Source of fresh water
150	48	198	Borewell (1 No.)

PROJECT DETAILS OF EXISTING UNIT AND PROPOSED EXPANSION

S. No	Description	Existing	Proposed	Total (After expansion)
1	Total plot area	3 hectares		
2	Total production	294.3 TPA	262.6 TPA	556.9 TPA
3	Fresh water demand	150 KLD	48 KLD	198 KLD
4	Waste water generated	85 KLD	34 KLD	119 KLD
5	ETP capacity	66 KLD		
	MEE capacity	48 KLD		
	STP capacity	15 KLD		
6	Power load	932.12 KW	417.88 KW	1350 KW
7	Project cost	56.98 CR. (spent so far)	16.75 CR.	73.73 CR.

MANPOWER REQUIREMENT

S. No	Description	Existing	Proposed	Total (after expansion)
1	Manpower	331 persons		

Expenditure on typical Environmental Protection Measures for (Expansion)

S. No	Environmental Protection Measures	Capital Cost (Rs in Lakhs)	Recurring Cost (Rs in Lakhs)	Remarks
1	Air pollution control	5	1.5	
2	Water pollution control measures	-	3	
3	Green belt development	-	1	
4	Solid & Hazardous waste management	20	3	
5	Environment monitoring & Management	-	1	
6	Health, Safety & Risk Assessment	-	1	
7	Miscellaneous	10	0.5	
	Total	35.00	11.00	

Corporate Environmental Responsibility Activity

S. No	Activities	Timeline (After grant of EC)	Total Expenditure in 1 year (in lakhs)	Remarks
1	Maintenance of pond in village Diani Samba	2 Years	8.5	
	Total amount to be spent under CER		17.00	

DELIBERATIONS/SPECIFIC OBSERVATION(S) OF COMMITTEE:

- a) Earlier the expansion proposal had been considered in terms of MoEF & CC, Govt. of India vide Notification No. S.O. 1223(E) dated 27th March, 2020 read with latest Notification No. S.O. 2859(E) dated 16/07/2021 which reads as:-
“All proposals for projects or activities in respect of Active Pharmaceutical Ingredients (API), received from 16th July, 2021 to 31st December, 2021, shall be appraised, as Category ‘B2’ projects, provided that any subsequent amendment or expansion or change

in product mix, after the 31st December, 2021, shall be considered as per the provisions in force at that time.”

The project had accordingly been discussed in the 80th meeting held on 29/12/2021 during which the Committee asked the PP to submit compliance to the following observations:

- i. Submission of compliance to General Condition No.5 under Air Quality Monitoring of the earlier EC.*
- ii. Solution for upgrading the existing air pollution control devices to match the future pollution load owing to expansion proposal.*
- iii. Amelioration of existing ETP to cater to the treatment of the increased quantity of waste water due to expansion of the existing facility.*
- iv. Updation of PFR with Clarification as to how the project proponent could expand the unit within the existing space of 3 Ha as there is already shortage of space for any expansion.*
- v. Upgradation of the existing ETP with the ZLD technology preferably Multi-effect evaporation system or MBR technology.*
- vi. PFR needs to be updated to provide solution for arresting the odour emanating from the unit which needs to be taken care of by suitable pollution control measures.*
- vii. Submission of Safety audit report from the UT Disaster Management Authority/Department which should cover entire gamut of protocols required under rules for such units.*
- viii. The Committee had also desired that the PP should submit material safety data sheets for each of the raw material to be stored in the premises of the unit.*
- ix. Submission of thumb rule for calculation of water as per designed criteria and the specification with design of all the APCDs and ETP for adequacy of the pollution control measures.*
- x. Submission of audited data to reflect the actual production achieved against the production capacity projected especially after the grant of Environmental Clearance for expansion by JKEIAA.*
- xi. Collection of the requisite base data afresh along with photographs in presence of PCCs Officers duly analyzed by some other reputed NABEL accredited laboratory with proven track record as the existing consultant was blacklisted by JKPCC.*
- xii. Submission of compliance report of the consent conditions in case, the consent to operate has already been granted to the existing unit by the JK UT PCC.*
- xiii. The Committee also desired that the project proponent should obtain a certificate from the J&K Pollution Control Committee to the effect that further expansion of the pharmaceutical industry with introduction of the products proposed under the present expansion will not cause any future environmental implication in the area that would adversely impact the human and livestock health, agricultural activity, Air & water quality and livelihoods. The JKPCC may also propose various mitigation measures that could be undertaken by the project proponent to address implications that may arise owing to such expansion.*

- b) On 26/12/2022, in the instant meeting, JKEAC asked the consultant Dr. Simranjeet Kaur to present compliances to the observations made by JKEAC in the previous meeting.
- c) The consultant presented following compliances:-
- i. With respect to item i, Supra, the consultant informed Terma Cyclone has been installed on 5 TPH boiler so as to achieve SPM emission limit of 100 mg/Nm³. Shri JN Sharma, Environmental Engineer suggested to go for additional two stage treatment for Air Control Pollution design.
 - ii. With respect to item ii, Supra the consultant presented the test reports of stack emission of boiler & incinerator along with DG sets, conducted by JKPC. In addition, ambient air monitoring, stack emissions from boiler & work zone monitoring (fugitive emissions) has also been conducted by NABL accredited laboratory viz. Eco Paryavaran Laboratories & Consultants Pvt. Ltd., the consultant said. Shri JN Sharma asked if there was any solution planned for upgrading additional scrubber on the new process stake. Dr. priyanka presented the Line Diagram showing scrubber systems. But the same was not considered satisfactory and **she was asked to revise the same.**
 - iii. With respect to item iii, Supra the PP informed that it has been proposed to upgrade existing capacity of ETP from 66 KLD to 80 KLD and existing capacity of MEE from 48 KLD to 60 KLD for future expansion. Feasibility report for ETP of 80 KLD capacity and MEE of 60 KLD stands submitted.
 - iv. With respect to item iv, Supra the consultant informed that PP plans to expand 02 buildings (civil) in plot-1 to cater the future expansion capacity of the project. Also, existing steel shed in plot-2 will be dismantled to act as green area of 9908.61 sq. m. so as to comply the condition of 33% green belt area. Copy of layout plan depicting proposed plant 02 building in plot 1 and shed which is to be demolished in plot-2 was presented. However, JKEAC desired to examine the unit on Google Image and found that the campus of the unit is bisected by a road and that the PP was planning to substitute the green space of the unit across the road. JKEAC desired to assess the ground situation by a Sub-Committee being constituted for site visit to the unit.
 - v. With respect to item v, Supra the PP has submitted compliance under Annexure D1 and D2.
 - vi. With respect to item vi, **Compliance awaited.**
 - vii. With respect to item vii, The Consultant informed that on the direction of District Magistrate, the Fire Service Dept. had issued the NOC but the JKEAC had desired to obtain it from Disaster Mgmt. Authority in the previous meeting. In this regard, the PP informed that they had approached DDMA, Samba after which the PP was asked to get the third party audit for safety concerns done vide letter No. DCS/HQA/22-23/216-17 dated 08/07/2022. However, the JKEAC was of the opinion that the third party expert agency has to submit onsite emergency plan duly attested by the DDMA while as for offsite emergency, the responsibility has to be taken by the DDMA. Therefore, the necessary documentation is required to be submitted by the PP for enabling JKEAC to consider the case. In this regard, JKEIAA may take up the matter with the concerned authority, the Committee desired.
 - viii. With respect to item viii, Supra the PP informed that the material safety data sheets for key materials have been submitted.

- ix. With respect to item ix, Supra the PP has submitted that water demand calculations have been estimated based on actual requirement of the process and considering seasonal variation of atmospheric temperature of the cooling towers. She informed that there is as such, no thumb rule for calculation of water. Further, engineering design practices are followed by the agencies for the designing of APCD as well as ETP. Practical learning from earlier installations are also considered while designing the air & water pollution control systems, the consultant informed.
 - x. With respect to item x, Supra the PP informed that production capacity of 250.64 MT was achieved during the year 2021 which is less as compared to production capacity of 294 MT granted in earlier EC. CA certificate stating the same was presented.
 - xi. With respect to item xi, Supra the PP informed that a fresh analysis has been carried out by NABL accredited laboratory i.e. Eco Paryavaran Laboratories & Consultants Pvt. Ltd. Copy of test reports was presented. In addition, samples for the analysis of inlet & outlet of ETP, Boiler, incinerator stacks & DG sets have been collected by PCCs officers of JKPCC vide letter dated 22/08/2022. Copy of test reports were presented before the forum.
 - xii. With respect to item xii, compliance was presented before the committee.
 - xiii. With respect to item xiii, **compliance is awaited.**
- d) JKEAC desired the PP to present the compliance of all conditions of the previous ECs duly verified by concerned agency including those of expansions granted from time to time.
- e) JKEAC desired that before further appraisal of the case, it would be appropriate to constitute a Sub-Committee to visit the premises for making on the spot assessment of the various environmental factors at play and suitability of the site for further expansion of the unit vis-à-vis the compliances made so far and recorded herein above.

RECOMMENDATION OF THE COMMITTEE:

In view of the above deliberations and insight gained during the above cited appraisal process, the Committee recommended as:

1. The following sub-committee is constituted to conduct site visit of the unit in the 2nd week of January, 2023 as agreed by the project proponent and the consultant, to assess the suitability of the premises for further expansion. The Sub-Committee will also verify the compliances of conditions of all the ECs including those of expansions granted earlier from time to time and those of CTOs made by the proponent at site besides, reporting any other aspect of the unit that is considered useful in the appraisal process. The following Sub-Committee was constituted:
 - a. Er. B.B Sharma..... Member
 - b. Mr. Irfan Yasin.....Member
 - c. Prof. A.K Raina.....Member
 - d. Shri J.N Sharma, Environmental Engineer, JKPCC

In this connection, the project proponent and the consultant shall liase with the concerned members for smooth conduct of the site visit.

AGENDA ITEM NO: 02

Title of case:	Grant of Environmental Clearance (EC) for (River bed Mining) Project of Minor Mineral in Block No.21, Resized Area (2.35) Ha U-Brazlo bridge upstream Vishu Nallah, village: Brazlo, tehsil and District kulgam and U.T Jammu and Kashmir in favour of M/S Showket Ahmad Ganie R/O Shri. Gh. Ahmad Ganie R/O near jammia Masjid Amberpora Devsar, Bona Devsar District Pulwama Jammu and Kashmir U.T. kulgamblock21@gmail.com
Project type (whether mining lease/STP/ Quarry license/brick earth)	Mining Lease
Category(B1/B2)	B1(Cluster Situation)
Proposal no:	SIA/JK/MIN/63018/2021& SIA/JK/MIN/57505/2020
File no:	SEAC/JK/20/317
Consultant with validity	OCEAO-ENVIRO Management Solutions (India) Pvt. Ltd Valid till: 04/08/2024
Presenter of consultant:	Hemanshu Goel
Project proponent / representative of Project proponent:	Mr. Showket Ahmad Ganie

CASE SUMMARY

Status	Resized Area (Ha)	Bid cost (in lacs)	Project cost (in lacs)	EMP cost proposed (in lacs)		CER budget proposed (lacs/annum)
				Capital	Recurring	
New Project	2.35	63.00	327.97	13.77	2.93	5.98

Mine Closure plan proposed (in lacs)	Proposed mining depth provided in mining plan (mts)	Revised Mining depth proposed by the PP in EIA/ PFR (mts.)	Haulage Route (Kms)	Revised Bulk density proposed by the proponent in EIA/PFR	Cluster situation (Yes/No)
0.15	2.5	1.00	0.52	2.00	Yes

PROJECT EVENT DATES

Date of Letter of Intent (LoI)	LoI –Date of Extension, if any	LoI Date of Validity	Date of Mining Plan approval	ToRs granted on
16/7/2020	01/07/2022	31/12/2022	31/08/2020	08/11/2021

G.O 76JK-FST of 2020 dated 29/07/2021 implemented by JKEIAA for the project on	Previous Project proponent	Baseline data Collection by project proponent as the case may be	Public Hearing held on	Case discussed by JKEAC earlier on	Area reduced by G&M Dept.
NA	NA	Oct-Dec 2020	17/03/2022	17/11/2020 24/07/2022	10/03/2021

APPRAISAL PROCESS

(To be filled by JKEAC during online appraisal)

STATUS OF DOCUMENTATION

S. No.	Document	Status	Remarks of the Committee
1	Form 1/Form 2 /Form 1-M as applicable	Submitted	
2	Pre-feasibility report (PFR)	Submitted	To be revised as per deliberations
3	Approved Mine Plan /Mine closure Plan	Formulated not as per guidelines	Mine Plan needs to be revised for mining depth, closure plan, surface plan, targeted mineral production, mining methodology etc.
4	District Survey Report	Formulated	
5	Environmental Management Plan/ Corporate Environmental Responsibility (EMP/CER)	Formulated	To be revised as per deliberations

NO OBJECTION CERTIFICATES

S. No.	Department	status as per NOC	Remarks/ Reference
1	Irrigation Dept.	Issued conditionally	NOCs have not been submitted as
2	Flood Control Dept.	Issued conditionally	

3	Fisheries Dept.	Issued conditionally	per standard format available on the website of the Dept. of Environment at URL www.jkdears.com and are generalized in nature, especially those from Irrigation, Fisheries and Flood Control Dept.
4	Forest Dept. (if required)	Issued conditionally	
5	Wildlife Protection Dept (If required)	Issued conditionally	
6	Pollution Control Board	Issued conditionally	
7	Revenue Dept.	Issued	
8	PHE (Jalshakti) Dept.	Issued	
10	Soil and Water Conservation dept.	-	

ENVIRONMENTAL MANAGEMENT PLAN

S. No	Proposed actions	Budget proposed by Proponent (in lacs)		Remarks/ Budget recommended by Committee (in lacs)	
		Capital	Recurring	Capital	Recurring
1	Pollution Control/Dust suppression/ Water sprinkling	0.31	0.31	1.00	1.00
2	Haulage route maintenance	0.31	0.31	2.00	1.00
3.	Pollution monitoring	0.42	0.42	1.00	2.00
4	Green belt development	0.40	0.10	3.00	2.00
5	Occupational Health & Safety of mine workers	3.55	0.57	3.55	1.00
6	Solid waste management	0.23	0.15	0.25	0.25
7.	Laying of Hume Pipes/ Engineering / Soil& water conservation works	5.00	0.50	5.00	2.00
	Total	10.22	2.36	15.80	9.25

CORPORATE ENVIRONMENT RESPONSIBILITY

S. No.	Project activity	Activities	Annual Budget proposed by Proponent (in lacs)	Remarks/
1	Health	Free Distribution of medicines, health check-ups Installation of hand pumps/ Distribution of sanitizer's, gloves & N95 masks to nearby village	0.00	

2	Electrification	Solar Lamp distribution & Solar street light installation	2.99	
3	Sanitation	Construction of ladies' toilets in the village.	0.00	
4	Education	Provision of making smart classes in the nearby school / Distribution of Computers, projectors, microphones and cameras	2.99	
	Total		5.98	

BUDGET FOR SURVILIENCE

S. No.	Particulars	Budget proposed by Proponent (in lacs)		Remarks
		Capital	Recurring (in lacs)	
1	Transport Permit	2.00	0.0	
2	CCTV Camera	1.00	0.5	
3	Weight Bridge	10.00	0.50	
4	Personal Computer with power backup	1.00	0.5	
5	Mobile Application Barcode scanner	1.00	0.2	
6	Radio Frequency Identification Tag (RFID) and GPS	1.00	0.2	
7	Annual Audit of lease	0.00	0.25	
8	Security Guard	0.00	0.96	
	Total	16.00	1.85	

GENERAL PUBLIC HEARING CONCERNS

S. No.	Usual concerns expressed by the public during proceedings	Yes/NO
1.	No proprietary land of the local inhabitants should be leased out	Yes
2	Legal mining should be carried out and the concerned department should monitor the extraction work on a regular basis so that no damage occurs to the environment. Extraction work should be carried out properly/ scientifically	Yes
3	Proper demarcation of mining block/mining depth to be maintained / proper check by regular inspections so that illegal mining should be stopped	Yes
4	indiscriminate mining activities have already degraded the environment of Local river and it should be protected from any further deterioration	Yes
5	RBM material to locals on concessional rates / Mining should be restricted to certain permissible limits.	Yes
6	Mining should be carried out scientifically if the project proponent fails to do so then we will raise a loud voice.	Yes

EXAMINATION OF MINING SITE ON MULTIDATE GOOGLE EARTH IMAGE PLATFORM USING KML /KMZ FILE EMAILED/UPLOADED BY THE PROJECT PROPONENT/CONSULTANT

S.no.	Features observed	Within Mining site boundary (Yes/No/Not identifiable)	Outside mining site boundary (Yes/No/Not identifiable)	Upstream from mining block (Mts.)	Downstream From mining block (Mts.)	Remarks
1	Features indicative of any Illegal mining.	Yes	Yes	-	-	Google Image of Oct/2021
2	Bridge with midstream piers, if any, located within mining area/ within 500 mts. from the ends of mining block.	No	No	-	-	
3	Bridge /causeway with only abutments, if any, located within mining area/ within 500 mts. from the ends of mining block.	No	No	-	-	
4	Foot bridge with only abutments on two banks, if any located within mining area/ within 500 mts. from the ends of mining block.	No	No	-	-	
5	Green patch (Cropland / trees /orchard etc. if	No	No	-	-	-

	any located within mining block/adjacent to mining block or within 500 mts. from the mining block.					
6	Structures of any kind (buildings /Flood control/ protection works/ electric installations, if any located within/adjacent/ in close vicinity to mining block or within 500 mts. of the mining block.	Yes	Yes	-	-	Flood embankment visible on Google image at a distance of approx. 90m to 95 m beyond the threshold of 50m
7	Irrigation canal headworks/ khul inlets, if any located within mining block or within 500 mts. of the mining block.	Not identifiable	Not identifiable	-	-	Not identifiable on Google image of POct,2022
8	Active water channels, if any crossing the mining block.	Yes	Yes	-	-	Need to be excluded from mining activity
9	National Park/Wildlife Sanctuary/ESZ, if any located in close vicinity of the mining block and distance thereof from the mining block.	No	No	-	-	

10	Forest land, if any located in close vicinity of the mining block. If yes, the distance thereof from the ends of mining block.	No	No	-	-	
12	Any other relevant feature of interest or condition which is critical to grant of ToRs/EC to the proposed project	No	No	-	-	

DELIBERATIONS/SPECIFIC OBSERVATION(S) OF COMMITTEE, IF ANY:

- a) The case had been discussed by the Expert Appraisal Committee earlier in the 19th Meeting held on 17/11/2020 for grant of ToRs favouring mining block with original size of 4.15Ha during which the Committee had observed that the mining block was found to be at a distance of only 299 mts. from the bridge. The Committee had recommended rejection of ToRs for the project or alternatively, resizing/relocating it at the request of the project proponent from the Geology and Mining Department to ensure a minimum distance of 500mts from the bridge.
- b) The PP had again approached the JKEIAA for considering the case for the Grant of TORs in the 48th meeting held on 24/07/2021 with a resized mining block area of 2.35 ha, during which the committee asked PP to obtain the following additional details from the concerned: -
- i. Copy of NOCs issued by the concerned stakeholder departments especially; Irrigation Dept., Flood Control Dept, Fisheries Dept. etc in favour of Mining block as reflected in the Annexure to letter No. DCK/Estt/2021-22/364 dated 15/06/2021 issued by Adl. Dy. Commissioner, Kulgam District.
 - ii. In view of apprehensions expressed by the AEE, Jal shakti is concerned, a clear-cut NOC from the concerned department be submitted to the effect that the mining activity in the designated mining block will not affect the water supply schemes in the area.
 - iii. A clear-cut NOC from the Irrigation department be submitted to the effect that the mining activity in the designated mining block will not affect the flow of water into the Irrigation Kuhls in the area.
- c) The PP had again approached the JKEIAA for considering the case for the Grant of TORS during the 67th meeting held on 26/10/2021 during which the committee recommended the Project for Grant of TORs subject to:

- i. *Report on illegal mining from MDDLTF cell to the effect that the PP is not involved in any illegal mining activity.*
 - ii. *Fit for mining certificate.*
 - iii. *Budget for Surveillance equipment.*
 - iv. *Revised detailed project cost*
 - v. *Revised Bulk density.*
- d) As per records, the PP had subsequently applied for grant of EC on 29/03/2022 but the Letter of Intent (LoI) issued by the G&M Dept. in favour of the PP expired on 31/03/2022 as a result of which JKEIAA issued an Essential Documents Sought(EDS) on the parivesh portal for obtaining the LoI from the G&M Dept.
- e) **Subsequently, the PP filed a writ petition on 21/06/2022 under No. WPC/1343/2022 and CMP No. 3186/2022 before the Hon'ble High Court of J&K at Srinagar. The Hon'ble High Court issued an interim order dated 23/06/2022, the operative part of which directed the respondents 1-6(including JKEIAA as respondent No.6) to consider the claim of the petitioner for environmental clearance within a period of one week.**
- f) **Subsequently, the Member Secretary, JKEIAA filed the response on behalf of JKEIAA with a consideration order bearing No. 68-DEERS of 2022 dated 28/07/2022 informing the Hon'ble Court that the case was currently lying in the domain of the project proponent and would be considered as and when the PP uploads the LoI to be issued by the G&M Dept.**
- g) Now, after the PP uploaded the copy of extension to his LoI on the portal, the case has been forwarded to JKEAC for appraisal for grant of EC
- h) In the instant meeting, the consultant Shri Hemanshu Goel in his PowerPoint presentation, presented the replenishment report of the mining block compiled by the Department of Geology & Mining. As per the report, the average annual replenishment recorded in the mining block is of the order of 0.30m which is based on L-Section only and the same is not in conformity with the sand mining guidelines of 2020. As such, the Committee desired that the replenishment rate may be adopted and treated actionable for the year 2022-23 only. The Committee however, observed that though the process of replenishment studies has been initiated but the same needs to be made fully conformant with the sand mining guidelines and needs to be based on both L-Section and Cross Section with data recorded in the appropriate months peculiar to unique climatic / weather conditions of Kashmir valley (as already dealt with in the 102nd Minutes of Meeting of JKEAC).
- i) JKEAC after thorough deliberations further desired that JKEIAA may take a policy decision on not granting EC to those RBM cases where the average annual replenishment rate is reported less than 0.30m, considering as poor and not justified for mining. Accordingly, the ECs for RBM cases may be considered only if the average annual replenishment is 0.30m (1 foot) and above, provided other environmental conditions are also within the acceptable norms including physical condition of the mining block as discernable from the Google Earth images.
- j) The Committee observed that G&M Department had only submitted replenishment reports for block 3, Block 17 and block 21 of Vishu Nala of Kulgam district where EC is yet to be considered but had failed to submit replenishment reports of other mining blocks where EC stand already granted. JKEAC therefore, desired that the G&M Dept. be asked to submit the replenishment reports of all the remaining mining blocks whether in operation or otherwise, failing which the District Administration may be asked to

stop mining operations in all such mining blocks where replenishment reports for the year 2022-23 have not been submitted by the G&M Dept.

- k) JKEAC also referred to page 34-35 of the Enforcement & Monitoring Guidelines for Sand Mining 2020 relating to compliance of Hon'ble NGT order dated 04.09.2018 in O.A. 173/2018 which makes annual environmental audit of the mining leases mandatory and reads as, *“One of the conditions of every lease of mine or minerals would be that there will be independent environmental audit at least once in a year by reputed third party entity and report of such audit be placed in the public domain. In the course of such an environmental audit, a three-member committee of the local inhabitants will also be associated. Composition of three member's committee may preferably include ex-servicemen, a former teacher and former civil servant. The Committee will be nominated by the District Magistrate.”*

Therefore, JKEAC desires that JKEIAA may empanel / register persons qualified in Environmental Science who could be engaged by the mine lease holders to act as environmental Auditors for conducting yearly environmental audit of the mine leases and thereby facilitating compliance to the orders of Hon'ble NGT.

- l) The consultant presented the report on illegal mining from Multi Department District Level Task Force Cell(MDDLTF) cell vide letter dated 30/03/2022 mentioning therein, that the PP is not involved in any illegal mining activity in the said mining block.
- m) The consultant also presented a *'fit for mining cum replenishment certificate'* from the Geology & Mining Dept. which has however, not been officially endorsed to JKEIAA by the Director/Joint Director, G&M department, the Committee observed and desired the same to be got endorsed, prior to grant of EC.
- n) Other compliances against observations made during the grant of ToRs have also been made.
- o) The compliance to specific ToR condition relating to photographs of display screen displaying the date of collection of data missing in EIA report which needs to be submitted.
- p) The NOC issued by Flood Control Dept. is on a generalized format and not as per the standard format available on the website of the Department of Ecology, Environment & Remote Sensing at www.jkdears.com. JKEAC desired that the NOC w.r.t resized mining block be submitted to JKEIAA as per standard format.
- q) JKEAC also observed that NOCs issued by Irrigation Dept. and Fisheries Dept. are also on a generalized format. JKEAC desired that the NOC w.r.t resized mining block be submitted to JKEIAA as per standard format.
- r) NOC from PHE(Jalshakti) Department and title verification from Revenue Dept. though not as per standard format, yet these are clear and were found to be useful in the appraisal process.
- s) The EIA/EMP and the Public Hearing report were also deliberated upon by the Committee. JKEAC desired that the PP should revise the EMP in accordance with the deliberations made herein above.
- t) Mining depth of 0.30m per annum and bulk density of 2 be adopted and the PFR/EIA/EMP be accordingly updated.
- u) The Committee desired PP to get the mining plan revised for permissible mining depth and revised area, bulk density, etc.

RECOMMENDATION OF THE COMMITTEE:-

In view of the above deliberations/observations made by the Committee herein above, the Expert Appraisal Committee recommended EC to the mining block subject to:-

- a) Condition that the EC shall be valid for a period of **one year only** and further extension shall be subject to submission of replenishment report formulated as per methodology and Enforcement & Monitoring Guidelines for Sand Mining 2020 and subject to minimum average annual replenishment of 0.30m.
- b) Annual environmental audit by third party entity registered/empanelled by JKEIAA.
- c) Standard and Specific Conditions as per **Annexure B** to these Minutes of Meeting.
- d) Revision of mining plan as per deliberations made herein above, **prior to grant of EC.**
- e) Compliance of specific ToR condition relating to photographs of display screen displaying the dates of collection of baseline data, **prior to grant of EC.**
- f) Revision of EMP budget as suggested in the remark's column of EMP table herein above, **prior to grant of EC.**
- g) Submission of revised NOCs from Irrigation, Flood Control and Fisheries Dept. as per standard format, **prior to grant of EC.**
- h) **Strict adherence to the terms and conditions of the NOCs of the stakeholder departments especially conditions laid by the Fisheries Department, Irrigation and Flood Control Dept. which need to be monitored by the enforcement agencies and concerned dept.**
- i) **No JCBs/ Excavators/ Bulldozers to be used in mining and no water course to be disturbed while transporting minor minerals.**
- j) Maximum targeted mineral production of **8400 MT.**
- k) Condition that the geographical coordinates as per revised area issued by G&M Dept. are mentioned in the EC letter by JKEIAA.
- l) **Compliance of other observations made herein above under deliberations, prior to grant of EC.**

AGENDA ITEM NO: 03

Title of case:	Grant of Environmental Clearance (EC) for Minor Mineral Block No. 17, revised area 1.20 Ha, located at Q - Kulgam Bridge, Upstream Nallah Vishu, Village- Kulgam, Tehsil- Kulgam & Dist.- Kulgam, UT of J&K in favor of Shri Mushtaq Ahmad Khanday S/O Lalud Din Khanday. (ADS)
Project type (whether mining lease/STP/ Quarry license/brick earth)	Mining Lease
Category (B1/B2)	B1
Proposal no:	SIA/JK/MIN/69623/2021 // SIA/JK/MIN/57493 /2020
File no:	SEAC/2020/316
Consultant with validity	M/S OCEAO-ENVIRO Management Solutions Pvt. Ltd. Valid till: 04/08/2024
Presenter of consultant:	Mr.Hemanshu Goel
Project proponent / representative of Project proponent:	Mr. Mushtaq Ahmad Khanday

CASE SUMMARY

Status	Revised Area	Bid cost (in lacs)	Project cost (in lacs)	EMP cost proposed (in lacs)	CER budget proposed
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	(Ha)			Capital	Recurring	(lacs/annum)
New Project	1.20	54.80	167.72	7.84	10.00	3.13

Mine Closure plan proposed (in lacs)	Mining depth as per Mining plan (mts)	Revised Mining depth proposed in PFR (mts.)	Haulage Route (Kms)	Revised Bulk density proposed by proponent	Cluster situation (Yes/No)
0.15	2.5	1.00	0.46	2.00	Yes

PROJECT EVENT DATES

Date of Letter of Intent (LoI)	LoI –Date of Extension, if any	LoI Date of Validity	Date of Mining Plan approval	ToRs granted on
16/07/2020	28/12/2021	31/12/2022	31/08/2020	26/07/2021

G.O 76JK-FST of 2020 dated 29/07/2021 implemented by JKEIAA for the project on	Previous Project proponent	Baseline data Collection by project proponent as the case may be	Public Hearing held on	Case discussed by JKEAC earlier on	Area reduced by G&M Dept.
NA	NA	Oct-Dec 2020	16/11/2021	17/11/2020 10/07/2021 & 19/03/2022	10/03/2021

APPRAISAL PROCESS

(To be filled by JKEAC during online appraisal)

STATUS OF DOCUMENTATION

S. No.	Document	Status	Remarks of the Committee
1	Form 1/Form 2 /Form 1-M as applicable	Submitted	
2	Pre-feasibility report (PFR)	Submitted	To be revised as per deliberations

3	Approved Mine Plan /Mine closure Plan	Formulated not as per guidelines	Mine Plan needs to be revised for mining depth, closure plan, surface plan, targeted mineral production, mining methodology etc.
4	District Survey Report	Formulated not as per guidelines	
5	Environmental Impact Assessment / Environmental Management Plan/ Corporate Environmental Responsibility (EIA/EMP/CER)	Formulated but needs revision	Needs revision as per deliberations/ observations /recommendations

NO OBJECTION CERTIFICATES

S. No.	Department	status as per NOC	Remarks/ Reference
1	Irrigation Dept.	Issued conditionally	
2	Flood Control Dept.	Issued conditionally	
3	Fisheries Dept.	Issued conditionally	
4	Forest Dept. (if required)	Issued as non-forest	
5	Wildlife Protection Dept (If required)	Not submitted	
6	Pollution Control Board	Issued	
7	Revenue Dept.	Issued as State land	
8	PHE (Jalshakti) Dept.	Issued	
10	Soil and Water Conservation dept.	---	

ENVIRONMENTAL MANAGEMENT PLAN

S. No.	Proposed actions	Budget proposed by Proponent (in lacs)		Remarks/ Budget recommended by Committee (in lacs)	
		Capital	Recurring	Capital	Recurring
1	Green belt development	2.00	1.50	3.00	2.00
2	Haulage route maintenance	3.00	2.50	3.00	2.50
3	Env. Awareness programme	0.00	1.50	0.00	1.50
4	Pollution monitoring	0.00	1.75	1.00	2.00
5	Dust suppression	0.00	0.00	1.00	1.00
6	Occupational Health & Safety of mine workers	2.84	2.75	2.84	2.75

7	Laying of Hume pipes / Engineering/Soil & water Conservation works	0.00	0.00	5.00	2.00
	Total	7.84	10.00	15.84	13.75

COORPORATE ENVIRONMENT RESPONSIBILITY

S. No.	Project activity	Activities	Annual Budget proposed by Proponent (in lacs)	Budget recommended by Committee (in lacs)
1	Health/drinking water	Free Distribution of medicines, health check-up Installation of hand pumps	0.88	
2	Electrification	Solar Lamp distribution & Solar street light installation in the village.	0.88	
3	Sanitation	Construction of ladies' toilets in the village.	0.49	
4	Education	Distribution of school bags & books in nearby Primary School Education Grants to girl child to check drop outs in schools.	0.88	
	Total		3.13	

BUDGET FOR SURVILIENCE

S. No.	Particulars	Budget proposed by Proponent (in lacs)		Remarks	
		Capital	Recurring (in lacs)		
1	Transport Permit	2.00	0.00		
2	CCTV Camera	1.00	0.10		
3	Weight Bridge	10.00	1.00		
4	Personal Computer with power backup	0.50	0.05		

5	Mobile Application Barcode scanner	0.50	0.05	
6	Radio Frequency Identification Tag (RFID) and GPS	1.00	0.10	
7	Annual Audit of lease	0.00	0.70	
8	Security Guard	0.00	0.80	
	Total	15.00	2.80	

GENERAL PUBLIC HEARING CONCERNS

S. No.	Usual concerns expressed by public during proceedings	(Yes/No)
1	Proper demarcation of mining block/mining depth to be maintained	Yes
2	Prevention of illegal mining	Yes
3	EMP cost to be implemented practically	---
4	CER/CSR Activities for social upliftment	---
5	RBM material to locals on concessional rates	---
6	Manual mining & Employment to the local unemployed youth	Yes
7	Display of contact details of concerned authorities for enabling locals to report illegal mining or violation of EC conditions	---
8	Pollution, land degradation, loss of water body, irrigation channels and rivulets	---
9	Loss of land, unemployment and environmental concerns	Yes
10	Impact on social life and horticultural/pasturelands	---
11	Money generated should be utilized at panchayat level	---
12	Pitched for early grant of EC	Yes
14	No damage shall occur to nearby land, irrigation & environment	Yes
15	Extraction should be done scientifically	Yes
16	Sediment load should be cleared as soon as possible	Yes
17	Channelling & demarcation should be done near the bridges	Yes

EXAMINATION OF MINING SITE ON MULTIDATE GOOGLE EARTH IMAGE PLATFORM USING KML /KMZ FILE EMAILED/UPLOADED BY THE PROJECT PROPONENT/CONSULTANT

S.no.	Features observed	Within Mining site boundary (Yes/No/Not identifiable)	Outside mining site boundary (Yes/No/Not identifiable)	Upstream from mining block (Mts.)	Downstream From mining block (Mts.)	Remarks
1	Features indicative of any Illegal mining.	Yes	Yes	-	-	Features indicative of illegal mining activity on

						Google Image of 10/2020
2	Bridge with midstream piers, if any, located within mining area/ within 500 mts. from the ends of mining block.	No	No	-	-	
3	Bridge with only abutments, if any, located within mining area/ within 500 mts. from the ends of mining block.	No	No	-	-	
4	Foot bridge with only abutments on two banks, if any located within mining area/ within 500 mts. from the ends of mining block.	No	No	-	-	
5	Green patch (Cropland / trees /orchard etc. if any located within mining block/adjacent to mining block or within 500 mts. from the mining block.	No	No	-	-	
6	Structures of any kind (buildings /Flood control/	Yes	Yes	-	-	Flood control embankment

	protection works/ electric installations, if any located within/adjacent/ in close vicinity to mining block or within 500 mts. of the mining block.					at a distance of 85 mts from the boundary as revealed from Google image
7	Irrigation canal headworks/ khul inlets, if any located within mining block or within 500 mts. of the mining block.	Yes	Yes	-	-	Beyond 200m from the mining block
8	Active water channels, if any crossing the mining block.	Yes	Yes	-	-	Need to be excluded from mining activity
9	National Park/Wildlife Sanctuary/ESZ, if any located in close vicinity of the mining block and distance thereof from the mining block.	No	No	-	-	
10	Forest land, if any located in close vicinity of the mining block. If yes, the distance thereof from the ends of mining block.	No	No	-	-	
12	Any other relevant feature of interest or condition which	No	No	-	-	

is critical to grant of ToRs/EC to the proposed project					
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DELIBERATIONS/SPECIFIC OBSERVATION(S) OF COMMITTEE, IF ANY:

- a) The project had earlier been discussed in 19th meeting held on 17/11/2020 during which the Committee rejected the mining block comprising of area 4.08Ha for grant of ToRs in the present form (in view of proximity to bridge). Alternatively, if the Geology & Mining Department relocates/resizes the mining blocks of the cluster on the request of the concerned PPs to ensure 500mts distance from mining block to the bridge, the case may be resubmitted for reconsideration for grant of ToRs.
- b) Subsequently, the case was again discussed during the 47th meeting held on 10/07/2021 during which the Committee recommended the project for grant of Terms of Reference.
- c) Thereafter the PP had approached JKEIAA for the grant of environmental clearance under B1 category (owing to cluster situation) in the 90th JKEAC held on 19/03/2022 with revised area of 1.20 Ha. to maintain safe distance from the bridge, during which the committee had asked to submit compliance to the following observations:
 - i. *The Committee desired project proponent to obtain field verification report on the observations made by the Committee (regarding presence of a kuhl headway as observed on Google image), from the concerned Xen Irrigation Dept with local PRI on board indicating therein presence or absence of irrigation offtake point within 200m of the resized mining block of 1.20 Ha preferably with details marked on Colour Google image of the area depicting the mining block boundary and Kuhls/canals off-take points.*
 - ii. *Non-involvement of PP in illegal mining activity from the Multi Dept. District level Task Force (MLDDTF) Cell.*
 - iii. *Compliance to specific ToR condition relating to photographs of display screen displaying the date of collection of data missing in EIA report which needs to be submitted.*
 - iv. *Mining depth of 2.5m & bulk density of 2.3 adopted in the mining plan not agreed by the Committee.*
- d) During deliberations in the instant meeting, the JKEAC observed as: -
 - i. The PP has changed the consultant from M/S Globus Environment Engineering Services to M/S OCEAO-ENVIRO Management Solutions Pvt. Ltd.
 - ii. In the instant meeting, the consultant Shri Hemanshu Goel in his PowerPoint presentation, presented the replenishment report of the mining block compiled by the Department of Geology & Mining. As per the report, the average annual replenishment recorded in the mining block is of the order of 0.30m which is based on L-Section only and the same is not in conformity with the sand mining guidelines of 2020. Therefore, the Committee desired that the replenishment rate may be adopted and treated actionable for the year 2022-23 only. The Committee however, observed that though the process of replenishment studies has been initiated but the same needs to be made fully conformant with the sand

mining guidelines and needs to be based on both L-Section and Cross Section with data recorded in the appropriate months peculiar to unique climatic / weather conditions of Kashmir valley (as already dealt with in the 102nd Minutes of Meeting of JKEAC).

- iii. JKEAC reiterated its stand as deliberated herein above under agenda 2 wherein JKEAC desired JKEIAA to take a policy decision on not granting EC to those RBM cases where the average annual replenishment rate is reported less than 0.30m, considering as poor and not justified for mining. As such, the ECs for RBM cases may be considered only if the average annual replenishment is 0.30m (1 foot) and above, provided other environmental conditions are also within the acceptable norms including physical condition of the mining block as discernable from the Google Earth images.
- iv. In compliance to item-i of deliberations of previous meeting as referred herein above, the PP has submitted the revised NOC issued by the Executive Engineer (Irrigation Division Kulgam) vide No. 6847-48 dated 17/11/2022 which states that no irrigation dept. asset viz. head work/intake/inlet of an irrigation scheme/canal/surface water conductor/ siphon/ khul is located within the area covered under the allocated mining block and the area stretching 250 m, both upstream & downstream from the edge of the mining block.
- v. With respect to item ii of deliberations of previous meeting as referred herein above, the PP has submitted the report from Multi Dept. District level Task Force (MLDDTF) Cell which states that the PP is not involved in any illegal mining activity in and around the mining block.
- vi. With respect to item iii of deliberations of previous meeting as referred herein above, the PP has not submitted the compliance to specific ToR condition relating to photographs of display screen displaying the date of collection of baseline data. Therefore, JKEAC desired that the same be submitted.
- vii. With respect to item iv, supra the PP has not submitted the revised mining plan with respect to mining depth & bulk density. Therefore, JKEAC desired PP to submit same as per deliberations.
- viii. EMP needs to be revised with appropriate budget as suggested in the remark's column of EMP table herein above.
- ix. Active water channel detected in the mining block which needs to be excluded while calculating the revised targeted mineral production.
- x. The EIA/EMP and the Public Hearing report were also deliberated upon by the Committee. JKEAC desired that the PP should revise the EMP in accordance with the deliberations made herein above.
- xi. Mining depth of 0.30m per annum and bulk density of 2 be adopted and the PFR/EIA/EMP be accordingly updated.
- xii. The Committee desired PP to get the mining plan revised for mining depth and revised area, bulk density, etc.

RECOMMENDATION OF THE COMMITTEE:

In view of the above deliberations and insight gained during the above cited appraisal process, the Committee recommended the case for grant of Environmental Clearance subject to: -

- a) Condition that the EC shall be valid for a period of **one year only** and further extension shall be subject to submission of replenishment report formulated as per methodology and Enforcement & Monitoring Guidelines for Sand Mining 2020 and subject to minimum average annual replenishment of 0.30m.
- b) Annual environmental audit by third party entity registered/empanelled by JKEIAA.
- c) Standard and Specific Conditions as per **Annexure B** to these Minutes of Meeting.
- d) Revision of mining plan as per deliberations made herein above, **prior to grant of EC.**
- e) Compliance of specific ToR condition relating to photographs of display screen displaying the dates of collection of baseline data, **prior to grant of EC.**
- f) Revision of EMP budget as suggested in the remark's column of EMP table herein above **prior to grant of EC.**
- g) Submission of revised NOCs from Irrigation, Flood Control and Fisheries Dept. as per standard format, **prior to grant of EC.**
- h) **Strict adherence to the terms and conditions of the NOCs of the stakeholder departments especially conditions laid by the Fisheries Department, Irrigation and Flood Control Dept. which need to be monitored by the enforcement agencies and concerned dept.**
- i) **No JCBs/ Excavators/ Bulldozers to be used in mining and no water course to be disturbed while transporting minor minerals.**
- j) Maximum targeted mineral production of 4300 MT.
- k) Condition that the geographical coordinates as per revised area issued by G&M Dept. are mentioned in the EC letter by JKEIAA.
- l) **Compliance of other observations made herein above under deliberations, prior to grant of EC.**

AGENDA ITEM NO: 04

Title of case:	Grant of Environmental Clearance (EC) for River bed Mining Project of Minor Mineral in Block No.05, revised Area 4.22 Ha Under Construction Bridge Chappergund to Wayil Upstream, Sind River, Village: Chappergund to Wayil, Tehsil & District- Ganderbal & U.T.: Jammu & Kashmir in favour of Shri. Amit Mahajan S/o Shri. Adarsh Mohan Mahajan R/o Near Kali Mata mandir, Kolluwali Gali, Tehsil & District - Pathankot, State - Panjab – 145001 ganderbalblock05@gmail.com
Project type (whether mining lease/STP/ Quarry license/brick earth)	Mining Lease
Category(B1/B2)	B2
Proposal no:	SIA/JK/MIN/263177/2022, SIA/JK/MIN/67988/2021 & SIA/JK/MIN/61359/2021
File no:	SEAC/JK/20/548
Consultant with validity	P and M Solution valid till (10/12/2022)
Presenter of consultant:	Mynas Vyas
Project proponent / representative of Project proponent:	Shri. Amit Mahajan

CASE SUMMARY

Status	Resized Area (Ha)	Bid cost (in lacs)	Project cost (in lacs)	EMP cost proposed (in lacs)		CER budget proposed (lacs/annum)
				Capital	Recurring	
New Project	4.22	135.50	253.23	10.71	9.21	5.00

Mine Closure plan proposed (in lacs)	Mining depth as per mining plan (mts.)	Revised Mining depth proposed by PP in PFR (mts.)	Haulage Route (mts)	Revised Bulk density proposed by the proponent in PFR (mts)	Cluster situation (Yes/No)
0.15	2.00	1.00	257.61	2.00	NO

PROJECT EVENT DATES

Date of Letter of Intent (LoI)	LoI –Date of Extension, if any	LoI Date of Validity	Date of Mining Plan approval	ToRs granted on
20/7/2020	01/07/2022	31/12/2022	22/02/2021	Declined on 26/10/2021

G.O 76JK-FST of 2020 dated 29/07/2021 implemented by JKEIAA for the project on	Previous Project proponent	Baseline data Collection by project proponent as the case may be	Public Hearing held on	Case discussed by JKEAC earlier on	Area reduced by G&M Dept.
NA	NA	-	-	26/10/2021 & 31/03/2022	19/03/2022

APPRAISAL PROCESS

(To be filled by JKEAC during online appraisal)

STATUS OF DOCUMENTATION

S. No.	Document	Status	Remarks of the Committee
1	Form 1/Form 2 /Form 1-M as applicable	Submitted	
2	Pre-feasibility report (PFR)	Submitted	
3	Approved Mine Plan /Mine closure Plan	Formulated	
4	District Survey Report	Formulated	
5	Pre-Feasibility Report / Environmental Management Plan/ Corporate Environmental Responsibility (PFR/EMP/CER)	Formulated	

NO OBJECTION CERTIFICATES

S. No.	Department	status as per NOC	Remarks/ Reference
1	Irrigation Dept.	Issued conditionally	NOCs issued under Single window system by Deputy Commissioner Ganderbal Vide No: DCG/ARA/1473-76 dated: 22/05/2021.
2	Flood Control Dept.	Issued conditionally	
3	Fisheries Dept.	Issued conditionally	
4	Forest Dept. (if required)	Issued as non-forest	
5	Wildlife Protection Dept (If required)	Issued	
6	Pollution Control Board	Issued	
7	Revenue Dept.	State Land	
8	PHE (Jalshakti) Dept.	Not submitted	
10	Soil and Water Conservation dept.	---	

ENVIRONMENTAL MANAGEMENT PLAN

S. No	Proposed actions	Budget proposed by Proponent (in lacs)		Remarks/	
		Capital	Recurring		
1	Green belt development	0.43	1.00		
2	Haulage route maintenance	1.28	1.50		
3.	Env. Awareness programme	0.00	0.00		
4	Pollution Monitoring	3.50	3.00		
5	Pollution control/ water sprinkling/Dust suppression	3.50	2.70		
6	Solid waste management	0.00	0.00		
7.	Occupational Health & Safety of mine workers	2.00	2.00		
9	Lying of Hume Pipes	0.00	0.00		
	Total	10.71	9.21		

COORPORATE ENVIRONMENT RESPONSIBILITY

S. No.	Project activity	Activities	Annual Budget proposed by Proponent (in lacs)	Remarks/
1	Health	Free Distribution of medicines, health check-up Installation of hand pumps/ Distribution of sanitizer's, gloves & N95 masks to nearby village	2.00	
2	Electrification	Solar Lamp distribution & Solar street light installation	0.00	
3	Sanitation	Construction of ladies' toilets in the village.	0.00	

4	Education	Distribution of school bags & books in nearby Primary School Education Grants to girl child to check drop outs in schools.	1.50	
5	Donation of Pattal & Dona machine	Donation of Pattal & Duna making machine in consultation with gram panchayat	1.50	
	Total		5.00	

BUDGET FOR SURVILIENCE

S. No.	Particulars	Budget proposed by Proponent (in lacs)		Remarks
		Capital	Recurring (in lacs)	
1	Transport Permit	2.00	0.00	
2	CCTV Camera	1.00	0.10	
3	Weight Bridge	10.00	1.00	
4	Personal Computer with power backup	0.50	0.05	
5	Mobile Application Barcode scanner	0.50	0.05	
6	Radio Frequency Identification Tag (RFID) and GPS	1.00	0.10	
7	Annual Audit of lease	0.00	0.70	
8	Security Guard	0.00	0.80	
	Total	15.00	2.80	

EXAMINATION OF MINING SITE ON MULTIDATE GOOGLE EARTH IMAGE PLATFORM USING KML /KMZ FILE EMAILED/UPLOADED BY THE PROJECT PROPONENT/CONSULTANT

S.no.	Features observed	Within Mining site boundary (Yes/No/Not identifiable)	Outside mining site boundary (Yes/No/Not identifiable)	Upstream from mining block (Mts.)	Downstream From mining block (Mts.)	Remarks

1	Features indicative of any Illegal mining.	Yes	Yes	-	-	Google Image of March/2022
2	Bridge with midstream piers, if any, located within mining area/ within 500 mts. from the ends of mining block.	No	No	-	-	
3	Bridge /causeway with only abutments, if any, located within mining area/ within 500 mts. from the ends of mining block.	No	No	-	-	-
4	Foot bridge with only abutments on two banks, if any located within mining area/ within 500 mts. from the ends of mining block.	No	No	-	-	
5	Green patch (Cropland / trees /orchard etc. if any located within mining block/adjacent to mining block or within 500 mts. from the mining block.	No	No	-	-	-

6	Structures of any kind (buildings /Flood control/ protection works/ electric installations, if any located within/adjacent/ in close vicinity to mining block or within 500 mts. of the mining block.	Not identifiable	Not identifiable	-	-	-
7	Irrigation canal headworks/ kuhl inlets, if any located within mining block or within 500 mts. of the mining block.	Yes	Yes	-	-	Irrigation /zamandari kuhl identifiable on Google Image of March/2022 at 175m
8	Active water channels, if any crossing the mining block.	Yes	Yes	-	-	
9	National Park/Wildlife Sanctuary/ESZ, if any located in close vicinity of the mining block and distance thereof from the mining block.	No	No	-	-	
10	Forest land, if any located in close vicinity of the mining block. If yes, the distance thereof from the ends of mining block.	No	No	-	-	

12	Any other relevant feature of interest or condition which is critical to grant of ToRs/EC to the proposed project	No	No	-	-	
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DELIBERATIONS/SPECIFIC OBSERVATION(S) OF COMMITTEE, IF ANY:

- a) The case had been discussed by the Expert Appraisal Committee earlier during the 92nd Meeting held on 31/03/2022 for grant of Environmental Clearance during which the Committee did not agree to recommend the case for grant of EC in its present form unless the following compliances were made by the PP: -
- i) *Specific and categorical clearance is obtained from the Irrigation and Flood Control Dept due to presence of Khul in the close vicinity of the mining block.*
 - ii) *Revision of Bulk density.*
- b) In the instant meeting, the consultant Shri Manas Vyas in his PowerPoint presentation, presented the replenishment report of the mining block compiled by the Department of Geology & Mining. As per the report, the average annual replenishment recorded in the mining block is of the order of 0.30m which is based on L-Section only and the same is not in conformity with the sand mining guidelines of 2020. Therefore, the Committee desired that the replenishment rate may be adopted and treated actionable for the year 2022-23 only. As deliberated in foregoing agendas, the Committee further observed that though the process of replenishment studies has been initiated but the same needs to be made fully conformant with the sand mining guidelines and needs to be based on both L-Section and Cross Section with data recorded in the appropriate months peculiar to unique climatic / weather conditions of Kashmir valley.
- c) Since, under agenda 2 and 3, JKEAC recommended the ECs for RBM cases to be considered only if the average annual replenishment is 0.30m (1 foot) and above, provided other environmental conditions are also within the acceptable norms including physical condition of the mining block as discernable from the Google Earth images.
- d) In the light of the above observation, the other norms and aspects were also examined in the instant case and it was found that the revised NOC issued by the Executive Engineer, Irrigation is not as per the standard format available on the website of the Department of Ecology, Environment & remote Sensing at URL www.jkdears.com and is ambiguous in nature.
- e) Further, the examination of the mining block on the latest available Google / Online ArcGIS image revealed that there is virtually no material available for mining due to extensive and heavy illegal mining in the area. As such, JKEAC desired that mining block be given rest for at least 3 years.

RECOMMENDATION OF THE COMMITTEE:

In view of the above deliberations/observations made by the Committee herein above, the Expert Appraisal Committee recommended the project for rejection of EC and to give the mining block rest for at least 3 years.

OBSERVATIONS ABOUT CONDUCT OF CONSULTANTS

(Excellent/Good /Average/Poor)

(SCALE: 9 to 10= Excellent / 7-8=Good /5-6=Average / 4-5= below average / less than 3= Poor)

S. No	Component	M/S P and M Solution	M/S OCEAO-ENVIRO Management Solutions Pvt. Ltd
1	Submission of the documents	6	6
2	Site Appreciation Note, kml /kmz file, site photo and site videos and PowerPoint presentation	5	5
3	Presentation of factual details of case(s)	4	4
4	Field knowledge of the case(s)	6	6
5	Formulation of PFR, EMP, EIA, CER etc.	5	5
	Overall professional conduct during proceedings	5.2	5.2

Note: The recommendations made herein above are subject to grant of extension to the Letter of Intents of the pertinent cases by the Competent Authority and in case extension to LoI to any of the above cited cases is not granted, the recommendations thereof made herein above shall automatically stand withdrawn.

The minutes were formulated online by the JK Level Expert Appraisal Committee (JKEAC) and are hereby issued with approval of the esteemed Chairman, JKEAC.



(Humayun Rashid)
S E C R E T A R Y

JKUT level Expert Appraisal Committee

NO:EAC/JK/22/14482-14495

Dated:30-12-2022

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.
2. Sh. S. C. Sharma, Chairman, J&K Expert Appraisal Committee, (JKEAC) 331 Shastri Nagar, Jammu-180004 for favour of kind information.
3. Sh. M.A Tak, Member, J&K Expert Appraisal COMMITTEE, (JKEAC) 124 Mominabad (Near Jakfed), Anantnag Kashmir,-192101 for favour of kind information.
4. Sh. Brajbhushan Sharma, Member, J&K Expert Appraisal COMMITTEE, (JKEAC) 278/2 Channi Himmat, Jammu for favour of kind information.
5. Professor Shakeel Ahmad Romshoo, Member, J&K Expert Appraisal Committee, (JKEAC) Department of Earth Sciences Kashmir University Srinagar-190006 for favour of kind information and necessary action please.
6. Sh. Abdul Rashid Makroo, Member, J&K Expert Appraisal COMMITTEE, (JKEAC) H/No. 9 Lane No 11 Sector C, Gulshan Nagar Nowgam Bypass, Srinagar-190019 for favour of kind information please.
7. Professor ArvindJasrotia Member, J&K Expert Appraisal COMMITTEE, (JKEAC) 33/D Sainik Colony Jammu-180011 for favour of kind information please.

8. Dr.Ghulam Mohammad Dar, Member, J&K Expert Appraisal COMMITTEE, (JKEAC) Main Campus IMPA&RD, M.A Road, Srinagar-190001 for favour of kind information please.
9. Sh. Irfan Yasin, Member, J&K Expert Appraisal COMMITTEE, (JKEAC) Bagh-e-Hyderpora, Bypass, Srinagar for favour of kind information please.
10. Professor Anil Kumar Raina, Member, J&K Expert Appraisal COMMITTEE, (JKEAC) Department of Environmental Science University of Jammu, Jammu-180006 for favour of kind information please.
11. Professor M. A. Khan, Member, J&K Expert Appraisal COMMITTEE, (JKEAC) Khan House, A-27 Milatabad, Peerbagh “B” Srinagar for favour of kind information please.
12. Dr.Falendra Kumar Sudan, Member, J&K Expert Appraisal COMMITTEE, (JKEAC) Professor Department of Economics University of Jammu, Jammu for favour of kind information please.
13. Shri JN Sharma, Environmental Engineer, JKPCC, Jammu for information and necessary action please.
14. Sh. Sheikh Sajid, PA for information and with direction to upload the minutes on the environmental clearance portal at parivesh.nic.in.
15. Concerned File.

ANNEXURE-B

STANDARD AND SPECIFIC CONDITIONS FOR GRANT OF ENVIRONMENTAL CLEARANCE WITH RESPECT TO RIVER BED MINING PROJECTS ON LEASE BASIS

STANDARD CONDITIONS :-

Statutory compliance

- 1) 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.
- 2) 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.
- 3) 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.
- 4) This Environmental Clearance shall become operational only after receiving formal NBWL Clearance from MoEF&CC subsequent to the recommendations of the Standing Committee of National Board for Wildlife, if applicable to the Project.

- 5) 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.
- 6) 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/COMMITTEE.
- 7) 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.
- 8) 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.
- 9) 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".
- 10) 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.
- 11) State Pollution Control Board/COMMITTEE 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.
- 12) 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.
- 13) 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/COMMITTEE 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.
- 14) 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.

Air quality monitoring and preservation

- 15) The PP shall generate data on air quality parameters PM10, PM2.5, NO2; CO and SO2 etc. as covered in the EIA Report covering the aspects of transportation, extraction, etc in the impact zone as per the site condition to ascertain the exposure characteristics at specific places and submit the same along with 6-monthly compliance report to concerned IRO. The data be also displayed prominently at the site.
- 16) Effective safeguard measures for prevention of dust generation and subsequent suppression by way of regular mechanical water sprinkling& other measures shall be carried out in areas prone to dust pollution including haulage route.

Water quality monitoring and preservation

- 17) 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.
- 18) Regular monitoring of springs in and around the mine lease shall be carried out and recorded maintained. Natural water bodies and or streams which are flowing in and around the project area should not be disturbed. The PP in consultation with concerned department shall regularly monitor the groundwater table in open dug well located in the nearby villages to ascertain the impact of mining over ground water table. PP shall submit Report on changes in Ground water level and quality shall be submitted on six-monthly basis to Regional Office of the Ministry, MoEF&CC, CGWA and State Groundwater Department / State Pollution Control Board.
- 19) 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.

Noise and vibration monitoring and prevention

- 20) The peak particle velocity at 500m distance or within the nearest habitation, whichever is closer shall be monitored periodically as per applicable DGMS guidelines.
- 21) 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.
- 22) 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.

Mining plan

- 23) 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 was mentioned for total excavation subject to changes recommended in the specific conditions herein below. 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 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 Permit (STP), Query license or any other name.
- 24) 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.
- 25) 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.

Transportation

- 26) 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.
- 27) 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.

Green Belt

- 28) The river bed mining projects involve extraction of sand, gravel and Bajri from dry river/ Nallah Bed and plantation in the 7.5 m buffer of the mine lease will mean plantation in between the river/nallah bed which will obstruct the natural flow of the river/nallah and might also lead to change in natural habitat of aquatic fauna. In lieu of the plantation on river bed the proponents will carry out plantation in the adjacent villages after due consultations with the PR/locals and the concerned DFO. Besides, the PP shall adhere to the conditions for green belt development as per ESR/CER/EMP strictly.
- 29) The Project Proponent shall carry out 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.
- 30) 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.
- 31) 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.
- 32) 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.

Public hearing and human health issues

- 33) 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.

- 34) 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.
- 35) The PP shall periodically monitor health of all the workers involved at mining site as per the regulations of Mines act.
- 36) Periodical medical examination of the workers engaged in the project shall be carried out and records maintained. For this purpose, schedule of health examination of workers should be drawn and followed accordingly as per the regulations of Mines act. A First Aid Room shall be provided in the project both during construction and operations of the project.
- 37) 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.
- 38) 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.
- 39) 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.

Corporate Environment Responsibility (CER)

- 40) 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.
- 41) 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.

Miscellaneous

- 42) 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.
- 43) 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.
- 44) 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.
- 45) 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.
- 46) 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 competent authority as per standard format available on the website of the Department of Ecology, Environment & remote Sensing at URL: www.jkdears.com from all the concerned stake holder departments /Joint Inspection Report prior to grant of formal Environmental Clearance (EC). The EC shall be subject to strict compliance of conditions of the NOCs issued by the stake holder departments.
2	The cremation ground if any in the vicinity 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 from the mining block shall be as per approved mining plan or <u>as per revised mining plan to be approved by competent authority denovo</u> within the prescribed area and depth recommended by the JK Expert Appraisal Committee, as the case may be and <u>whichever is less</u> . Mining depth mentioned above the recommended depth by JKEAC, 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 / 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 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 Committee comprising of Additional Dy. Commissioner, District Mineral Officer, representative of Pollution Control Board, Executive Engineer Irrigation & Flood Control Dept., Executive Engineer, PHE(Jalshakti) 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 3/4 th of the width of the river/riverlet or 7.5 m(inward) from river bank but upto 10% of the width of the river. While calculating targeted mineral production and while formulating the mining plan, the project proponent shall ensure that the area for removal of minerals shall not exceed 60% of the mine lease area, and any deviation or relaxation in this regard shall be adequately supported by the scientific report in accordance with Sand Mining Monitoring & Enforcement Guidelines of 2020.
21	The compliance report shall be submitted at Integrated Regional Office of MoEF&CC, Jammu 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 or Environmental clearance letter, whichever is less 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 within the mining depth as prescribed by the Expert Appraisal Committee
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. All vertices /corners of the mining block must be marked with concrete pillars of size 0.5mtx0.5mt x2.5mts (2.5 mts. is the depth below the NSL).The demarcation pillars site should mention the specific EC conditions and contact details of concerned authorities responsible for monitoring of compliance of EC conditions/district administration/Police at four corners of the mining block prominently on a large size durable display board for enabling the public to inform the authorities in case of violation of the EC conditions. The display board with details shall be maintained in perfect order throughout the period of lease/mining.
27	There should be no change in the method of excavation and quantity of minerals to be extracted.
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 damaged due to any other transportation activity. Where ever, damages to agricultural land, assets or human or bovine 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. 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. During day light. Mining operations shall not be allowed at night.
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 or any public road.
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	Mining shall be done manually minimally supported by semi-mechanized methods. Heavy machinery like JCBs, Excavators/L&T hydraulic excavators etc. should not be allowed. Emphasis should be given to employment of locally available labour force to address the socio-economic concerns of the locals.
54	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.
55	The reasonable concerns expressed by the local population during public hearing or otherwise shall be addressed by the Project Proponent. No blasting operations shall be allowed.
56	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.

57	The PP shall earmark funds strictly as per the agreed Environmental Management Plan to be spent on environmental monitoring, dust sprinkling, green belt development, rehabilitation of mined out area and landscaping/regressing and haulage route maintenance. The detailed updated plan shall be submitted to JKEIAA as per above deliberations before grant of formal EC, if desired by the JKEAC. Further, the CSR funds shall be earmarked and utilized as per CSR Rules.
58	The hydraulic structures/embankments /protection bunds shall not be disturbed /damaged during mining operations.
59	The alignment of the bank of the river and water shall not be changed in any case.
60	The water way of the Nalla shall not be restricted.
61	The applicant is bound to abide by the J&K Water Resources (Regulation and Management) Act and Rules of 2011 and J&K Fisheries Act, 2016 and all other relevant Acts and Rules thereof.
62	The EC is subject to condition that the mining block is located on state land exclusively in river bed without any encumbrances of any sort.
63	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.
64	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.
65	The EC is subject to condition that the Project proponent shall not change the water course of the river and no mining activity shall be carried out in active channel area, if any in the mining block.
66	Wherever the PP has to transport the mined out material across shallow water creeks found inside the mining block, he shall lay Hume pipes of appropriate sizes for the purpose so as not to disturb the natural flow of water.
67	On the request of project proponent, the competent authority shall issue necessary corrigendum to the approved mining plan w.r.t mining depth and area excluding the active water channel /green patch/ flood control structures/maintenance of safe distance to bridges/hydraulic structures and quantification of the targeted mineral, if and wherever, recommended by the Expert Appraisal Committee.

68	The project proponent shall undertake an environmental audit at least once a year by a reputed third-party entity and report of such audit shall be placed in public domain.
69	To ensure that irrigation inlets are not left high and dry due to mining and resultant degradation of bed, the Project Proponent also must construct well-designed cut-off walls, stretching bank to bank, having depth 1.5 times the maximum scour depth below the bed level, both upstream and downstream, maintaining prescribed distance from irrigation inlet/s as per guidelines.
70	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.
71	The PP shall not sub-let the mining block to any third party without written approval from the JKEIAA
72	After ceasing the mining operations, the project proponent shall undertake re-grassing of the mining lease area and any other area which may have been disturbed due to mining activities and restore the area to a condition fit for growth of flora, fauna and fodder as per rules in vogue.
73	The Project Proponent shall strictly adhere to the Sand Mining Guidelines of 2016 and Enforcement and Monitoring Guidelines of 2020 issued by the Ministry of Environment, Forest & Climate Change, GoI
74	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.
75	In the event any conflict in interpretation of Standard /General Conditions vis-a vis Specific Conditions, the Specific Conditions shall prevail.