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Ministry of Environment, Forest & Climate Change, Govt. of India.
J&K EXPERT APPRAISAL COMMITTEE



Department of Ecology, Environment & Remote Sensing
Paryavaran Bhavan, Gladeni, Transport Nagar, Narwal, Jammu Tawi (November-April)
SDA Housing Colony, Bemina, Srinagar, Kashmir (May-October)
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MINUTES OF MEETING

**MINUTES OF 12th MEETING OF THE JK EXPERT APPRAISAL COMMITTEE
HELD ON 26/08/2020 VIA VIDEO CONFERENCING OWING TO COVID-19
OUTBREAK AND SUBSEQUENT LOCKDOWN**

The following attended the sessions via video conferencing:

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

In pursuance to letter No: JKEIAA/2018/III/106/634 dated: 11/08/2020 from the office of JKEIAA and meeting notice issued vide No: EAC/JK/20/1619-39 dated 12/08/2020, the 12th meeting of JKEAC was held on 26/08/2020 via video Conferencing. At the very outset, the Secretary, JKEAC welcomed the Chairman and members of the JKEAC to the virtual meeting which proceeded in the following sequence: -

Agenda Item No: 01 & 2

Proposal No: SIA/JK/MIN/55198/2020 **and**
SIA/JK/MIN/55134/2020.

Title of the Case: Grant of Terms of Reference for River Bed Mining, Minor Mineral Block No.26, Area 9.99 Ha, N-Kakapora Bridge Downstream Jhelum River Samboora Kakapora favouring M/S GHULAM MOHI UD DINDAR, R/o Samboora, Pulwama, J&K U.T.

And
Grant of Terms of Reference (ToR) for Minor Mineral Block No. 28, Area 9.51 Ha, Galander Bypass NH-1A Bridge U/Stream River Jhelum, Galander, Pampore, Pulwama favouring M/S NAZIR AHMAD LONE S/o Sh. Ab Rahim Lone R/o Lelhara Kakapora, District Pulwama, J&K UT.

Deliberations:

The cases were represented by project proponent, and Shri Varun Bhardwaj on behalf of the Consultant M/s OCEAO-ENVIRO Management Solutions (India) Private Limited 217, 1st Floor, Sector 12, Judge Colony, Vasundhara, Ghaziabad, U.P – 201012 in presence of Ghulam Mohi ud Din Dar and Shri Nazir Ahmad Lone, project proponents. The consultant gave detailed presentations on the projects. He informed the JKEAC that the proposed River Bed Mining blocks are located at Minor Mineral Block No. 26, Kakapora Bridge downstream, Jhelum River, Tehsil- Kakapora, District- Pulwama, J & K over an area of 9.99 ha. and Block No. 28, Area 9.51 Ha, Galander Bypass NH-1A Bridge U/Stream River Jhelum, Galander, Pampore. The Mining Plans have been approved by Department of Geology & Mining Govt. of J & K vide letter nos.. 121-125 dated 08.06.2020 and no. 03/MCC/DGM/PUL/101-105 dated 08.06.2020 respectively. Further, the Letter of Intent (LOIs) have been approved by Department of Geology and Mining vide No. 530/MCC/DGM/EAP/20/B-26/2928-34 dated 27.03.2020 and No. 531/MCC/DGM/EAP/20/B-28/2140-48 dated 02.03.2020 respectively. He further informed that the mining projects fall under Category “B1” Project or activity 1(a) as per EIA Notifications of 14th September, 2006 and its subsequent amendment thereof and the order of Hon’ble NGT(PB) dated 27.12.2018. The river bed mining constitutes mining of sand. He further informed that the total mineable reserves from the block are 6,50,000 M. Tones and 6,67,000 MT respectively. The life of mines is proposed for 5 years with average production at 1,30,000 TPA and 1,33,400 MT respectively. The project cost is 3.50 Crores and 3.2 crores respectively. He further informed that the method of mining would be open cast semi mechanized using light weight excavators for extraction and loading of mineral in tractors/tippers. The Committee was further informed that the project would generate an employment of around 90 persons and 37 persons respectively, directly and indirectly.

The Committee asked the project consultant to demonstrate the mining blocks on live Google Earth using KML file of the area and this lead to the following observations :-

1. As known and confirmed by the time series Google Images of different years, the river is mostly at a substantial water level in the working season, where semi-mechanized methods of mining using excavators is hardly feasible and any mechanized mining activity would most likely, not only affect the river channeling but also destabilize the fragile river bunds, disturb its aquatic ecology and increase the threat of floods.
2. The time series Google Images of different years and seasons also show large number of boats operating in the area giving a clue of manual sand mining in an unorganized manner. The Committee noticed that any type of mechanized mining could invite serious socio-environmental implications, as it would have possible livelihood impacts on a large population involved in manual methods of mining in the area.

Recapitulating the fact that a similar case had recently been listed on the 11th JKEAC held on 13th of August, 2020 wherein clarifications like; *Whether, the mining activity carried out manually using boats as indicated on the satellite images is done by the local villagers or contractors legally or illegally? If done by local villagers, does the activity fall under the customary rights of the villagers as detailed in the sand mining guidelines of 2016, the*

pre-feasibility report under heading, 'Land Environment' says that the mining activity shall be restricted to surface contours and above the water levels but on the other hand the mining block has been identified in the center of the river, what kind of semi-mechanised tools shall be used in the instant cases especially keeping the envisaged mid line river mining in view and details thereof etc The Jhelum river is flowing not so wide a channel especially in Kakapora to Shadipora stretch, so any increase or decrease in depth / river bed level has huge bearing on the flooding of Srinagar City so it is utmost important that sand mining is to be worked out keeping the entire .river length, slope and its levels in view. The diversion flood channel of Srinagar city realms does also has an important significance to the river flow mechanism. Therefore, the Committee desired that Geology and mining Department should look into the holistic impact of mining, identification of all mine blocks and extraction of mining thereof. Also, the matter needs to be thoroughly discussed with experienced local hydrologists and ichthyologists before grant of Terms of Reference for all such mining projects.

Recommendations:

In view of the above deliberations, the committee recommended that the cases be resubmitted to JKEIAA for deferring it till clarification is received on the above queries w.r.t similar cases under agenda item No. 1 of the 11th JKEAC held on 13/08/2020 from the Geology & Mining Department. The Committee desired that the Geology & Mining Department may be asked to expedite clarification on the issues raised on the similar case as referred herein above. Further, the Geology & Mining Department may be asked to formulate a comprehensive mining plan for entire Jehlum river in close collaboration with Flood Control Department and the Department of Fisheries and submit same to the JKEIAA/JKEAC for helping in appraisal process of the applications filed by the project proponents for grant of Environmental Clearance. Furthermore, when these cases are listed again before JKEAC, the Geology & Mining Department be asked to nominate its representative well versed in the subject to participate in the deliberations. The Committee also desired that expert hydrologists viz; Engineer Ajaz Rasool and Engineer Hakim Showkat having good knowledge of Srinagar floods and representative of Fisheries Dept. be also co-opted in the proceedings.

Agenda Item No: 03 Grant of Environment Clearance in favour of M/S SANDEEP SINGH, S/o Sukhvinder Singh R/O Khandwal, Jammu.
Proposal No: SIA/JK/MIN/165406/2020.
File No: SEAC/JK/20/211.
Title of the Case: Grant of Environment Clearance for River Bed Mining Minor Mineral Block no 49 Area 1.36 Ha, AKI Nallah downstream Arnea Bridge, Tehsil Arnea Distt. Jammu.

Deliberations: - The case was represented by the project proponent and his consultant and RQP Shri Abdul Majid Mir and Dr. Joginder Singh Jamwal who gave a detailed power point presentation on the project. The Committee was informed that the project pertains to minor

mineral block No. 49 that had been e-auctioned by the Geology & Mining Department. The mining lease area is 1.36 ha falling under B2 category. The total project cost is 20.0 lacs. The Letter of intent has been issued by the Geology & Mining Department vide No. 494/MCC/DGM/LOI/J/20/476-82 dated 25/05/2020. Further, the mining plan has been approved vide letter No. DGM/DDS(MS)/MPJAMMU/222-23 dated 23/06/2020 with a targeted production of 59478.15 MT PA. The consultant was asked to demonstrate the project on the live Google Earth using KML file of the area. The total cost of the Environmental Management Plan proposed by the consultant is Rs 20,000/= and that for CER INR 20,000/-. This looks very meagre in view of the highest e-bid of Rs 175.70 lacs realized by the Geology & Mining Department from the said mining block and therefore, the Committee unanimously desired that the Project proponent should earmark an amount of Rs 5.00 lac under EMP and another Rs 3.50 lacs under CER. Under occupational Health an amount of Rs 2.40 lacs per year has been earmarked by the project proponent as CSR initiative. He further informed the forum that the geographical coordinates of the project site are as under:

Pillar	Northing	Easting
A	32° 31' 50.23''	74 ° 47' 28.56''
B	32° 31' 46.91''	74 ° 47' 31.31''
C	32° 31' 45.06''	74 ° 47' 30.58''
D	32° 31' 40.43''	74 ° 47' 34.88''
E	32° 31' 38.95''	74 ° 47' 34.22''
F	32° 31' 47.11''	74 ° 47' 27.99''
G	32° 31' 49.48''	74 ° 47' 27.44''

The members observed the local environmental settings of the project site and unanimously recommended the case for grant of environmental clearance subject to following standard and specific conditions:-

SPECIFIC CONDITIONS:

1. *This Environmental Clearance is granted subject to final outcome of any litigation pending before Hon'ble Supreme Court of India, Hon'ble High Court of Jammu & Kashmir, Hon'ble NGT, or any other Court of Law, if any, as may be applicable to this project.*
2. *This Environmental Clearance is without prejudice to the standing instructions /orders from the competent authorities in the MoEF&CC, GoI and the UT of J&K w.r.t river bed mining activity.*
3. *The Project proponent shall obtain Consent to Operate from the J&K Pollution Control Board/Committee and effectively implement all the conditions stipulated therein.*
4. *The EC is subject to the condition that no other mining block stands allotted within 500 mts of the project site and that it does not form a cluster with any other mining block forming total size above 5ha.*
5. *The EC is subject to condition that all the pages of the approved Mining Plan shall be got duly authenticated by the Geology & Mining Department and copy in original deposited each in the office of JKEIAA and JKEAC for record and reference.*
6. *The project proponent should submit a revised Environmental Management Plan and revised CER Plan for an amount of Rs 5.00 lacs and 3.50 lacs respectively against each*

project before grant of formal EC and utilize same in consultation with local panchayat and through field officers of stake holder departments.

7. In the first year, excavation shall not be carried out beyond a maximum depth of 1.00 meter from the surface of the river bed or upto 1 meter above the ground water level whichever is less. However, after the period of expiry of one complete year from the date of mining activity is executed on ground, an inspection committee of the Geology & Mining Department shall certify that the mined out mineral has been replenished and mining has not caused or will not cause any damage to the local ecology if the mining depth is increased to 1.5 mts against 2.5 metres recommended in the approved mining plan, thereafter, the project proponent can be allowed to go upto a depth of 1.5 mts or upto 1 meter above the ground water level whichever is less subject to the condition that annual inspection and subsequent certifications shall be undertaken by the Geology & Mining Department under intimation to regulatory authorities including JKEIAA. Accordingly, the production shall not exceed $(13600 \times 1 \times 1.86) = 25,296$ MT for the first year. This can be revised as the replenishment studies data of the area is made known and submitted to JKEIA.
8. ***The project proponent shall submit a surface plan of the mining block area with measurements to the JKEAC for record and reference before grant of EC.*** Its specifications /measurements be made public by a display board at the mining site.
9. 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.
10. The Project proponent shall ensure that the roads leading to the site and the river banks do not get damaged due to transportation of the mined out mineral and transportation of minerals will be as per IRC guidelines w.r.t axle load specified for the road.
11. The mineral transportation shall be only through covered trucks and vehicles carrying the minerals will not be overloaded.
12. Water sprinkling of the roads leading to the mining site should be done adequately.
13. The project proponent shall take all precautionary measures during mining operations for conservation and protection of endangered fauna and flora in the area.
14. The project proponent must ensure that the biological clock of the villagers in the vicinity of the project is not disturbed by night operations and all measures must be taken for keeping the noise levels within prescribed levels.
15. Transportation of minerals passing through villages shall not be allowed. A bypass road/s leaving a gap of 200 m shall be constructed if link road passes through villages.
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 PP shall submit annual replenishment report certified by Geology & Mining Department. In case the replenishment is lower than the projected rate of production, then the mining activity/ production levels shall be decreased / stopped forthwith.
19. No blasting operations shall be allowed.
20. Mining shall be done manually minimally supported by semi-mechanized methods.
21. The top soil in case of surface land mining shall be temporarily stored at an appropriate site and concurrently used for land reclamation.

22. The EC holder shall keep proper account of the quantity of mineral mined out, despatched from the mine, mode of transport, registration No. of the vehicle.
23. Permanent pillars with depth of 1.5 m below ground and 1.2 m above ground should be installed at all vertices of the mineral Block marking its limits exhibiting geocoordinates, Mineral Block No., Village Name, Lease Area and other details leaving 15% of river width from bank untouched. A prominent sign board shall also be installed indicating the details of Mineral block like Area, length, breadth, coordinates, depth etc.
24. Spring sources if any should not be disturbed during the mining operations.
25. The Project proponent shall appoint an occupational health specialist for the treatment of mine workers and their regular health check-up.
26. CSR activities as applicable to the project shall be undertaken by the Project Proponent in a systematic manner after conducting door to door survey to ascertain the needs of neighbourhood, in consultation with the local panchayat and the report shall be submitted to the MoEF&CC and its Regional Office at Chandigarh on six monthly basis.
27. The mining operations shall be undertaken in a systematic manner so that it does not damage the aesthetic view of the area.
28. Restoration of the flora effected by mining operations should be done immediately and at least 50 trees of indigenous species per hectare should be planted and maintained by the EC holder along the banks of the river adjacent to the Mining area.
29. Protection of turtle, bird habitat, fish habitat and other aquatic life shall be maintained by providing requisite corridors across the Mining area along the gradient.
30. Adequate steps should be taken to check soil erosion and engineering structures shall be raised near the bank wherever required.
31. No overhangs shall be allowed to be formed due to mining operations and mining shall not be allowed where subsidence of rocks is likely to occur due to steep slope.
32. Site clearance and tidiness shall be maintained to have minimum visual impact due to mining. Dumping of waste shall be as per prescriptions in the approved mining plan.
33. Mining shall not be allowed where there is danger to flood protection works and places of cultural, religious and historical significance.
34. No stacking of material shall be allowed along the banks and roadside.
35. An amount of Rs 3.50 lacs per annum shall be spent by the project proponent under Corporate Environment Responsibility (CER).
36. An amount of Rs 5.0 lacs shall be spent by the PP under Environment Management Plan. The funds earmarked for EMP/CER/CSR shall be kept in a separate account and utilized in consultation with the local panchayat through the local filed functionaries of the concerned govt. departments.
37. An amount of Rs 2.40 lacs per annum shall be earmarked by the project proponent under CSR to be spent on Occupational health and COVID-19 response system in the nearby villages in consultation with local panchayat. The workers should be provided with PPEs. 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. The funds earmarked under Occupational Health care

- shall be transferred to the CMO concerned **in advance** before grant of lease in favour of the project proponent.
38. 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.
 39. The genuine concerns of the local people translated through local Panchayat shall be addressed during the mining operations.
 40. The labourers should be engaged from nearby villages.
 41. All the orders from Hon'ble Courts of competent jurisdiction and authorities representing various government departments having stakes shall be complied with during the mining operations.
 42. The recommendations made in the District Survey Report on sustainable mining practices if any shall be complied.
 43. Mining activity shall not be allowed in rainy season.
 44. The Geology & Mining Dept. shall study the replenishment of the dugout pits and document it for updating the District survey report.
 45. No stream should be diverted for the purpose of sand mining. No natural water course and/ or water resources are obstructed due to mining operations.
 46. 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.
 47. 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.
 48. 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.
 49. Noise arising out of mining and processing shall be abated and controlled at source to keep within permissible limit. Measures should be taken to control noise levels below 85 dBA in the work environment. Workers should be provided with ear plugs.
 50. Restricted working hours. Sand mining operation has to be carried out between 6 am to 7 pm.
 51. CMO, exhaust emission or fumes during mining and processing phase should be controlled and kept in permissible limits specified under environmental laws.
 52. Overloading of trucks and trolleys will be avoided.
 53. Haul road will be kept wide, compact and water spraying will be done.
 54. 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.
 55. Bins shall have to be provided at site for collection of solid waste.
 56. No felling of tree near quarry is allowed.
 57. There should be controlled clearance of riparian vegetation to be undertaken
 58. Rubbish burial shall not be done in the Rivers.

59. Vehicles used for transportation of sand are to be permitted only with fitness and PUC Certificates.
60. 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.
61. 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.
62. Health and safety of workers should be taken care of. They should also be provided training in safety and health care aspects.
63. Adequate facility for drinking water and toilets should be provided for the workers.
64. Transport of mineral will not be done through villages / habitations.
65. Deep drilled handpump with sufficient funding provision should be earmarked for providing drinking facility to the labour force and accordingly it should be reflected in the revised EMP.
66. Recommendations of National Institute for Labour for ensuring good occupational environment for mine workers would also be adopted.
67. 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.
68. The EC holder shall obtain an estimate from the concerned DFO, Social Forestry Division for planting 1000 saplings of indigenous species in the nearby wastelands for which the funds required for planting and its maintenance for 2 years shall be transferred to the DFO, Social Forestry concerned **in advance** prior to grant of formal lease, for utilization to protect local biodiversity in the area. Accordingly, the PP shall revise the Environment Management Plan in consultation with concerned DFO Social Forestry Dept.

General Conditions:

1. The mere grant of EC shall not confer any right upon the project proponent to grant of lease unless all other statutory clearances are obtained prior to grant of lease in accordance with Acts and Rules in vogue.
2. The EC holder shall take all measures for protection of Environment and control of Pollution.
3. Any change in mining methodology shall be allowed only with prior approval of the MoEF&CC.
4. Before granting the lease, the Geology & Mining Department shall certify that no mining lease is in operation within 500 mts upstream and downstream from the mining block.
5. The grant of EC does not imply approval of the Govt. required under any other provision of law applicable in the UT of J&K
6. There should be no change in the calendar plan and excavation and quantity of minerals.
7. Regular monitoring of the ground water to be carried out at upstream and depth of water in the dug up areas to be measured and recorded twice a year.

8. Monitoring of the ambient Air quality be carried out as per Notification of 2009 as amended from time to time by the CPCB. Water sprinkling to be undertaken at the loading, unloading and transfer points.
9. Regular monitoring of the ground water and its quality shall be carried out in four seasons of the year viz. pre-Monsoon, Monsoon, Post monsoon and winter and the data so collected be sent to the MoEF&CC and the Central Ground water Board.
10. The critical parameters of the Air and water shall be monitored within the impact zone of the Mine area particularly in the nearby habitations. The standing instructions issued from time to time by the MoEF&CC and available on its website at www.moef.nic.in shall be referred in this regard for compliance.
11. Personnel working in dusty areas should wear protective respiratory devices and they should also be provided training in safety and health care aspects.
12. Funds earmarked for environmental protection should be kept in separate account and should not be diverted for other purposes. Year-wise expenditure statement should be submitted to the MoEF&CC and its Regional Office at Chandigarh.
13. The Regional Office of the MoEF&CC shall monitor compliance of the conditions of this EC.
14. The EC holder shall submit half yearly compliance reports w.r.t compliance of EC conditions to the MoEF&CC at its office Chandigarh, Central Ground Water Board and the JK Pollution Control Board/Committee.
15. The copy of the EC shall be endorsed to the local Panchayat and all stake holder departments.
16. The JK Pollution Control Board/ Committee shall display the EC at its Regional office, District Industries Centre, Collectors office/ Tehsildar Office for 30 days.
17. The Project Proponent shall advertise, within 7 days of the date of issue of the EC, in two local dailies that the project has been granted EC and the copy of EC is uploaded on the MoEF&CC website at parivesh.nic.in. and copy of same should be endorsed to the Regional Office of the MoEF&CC at Chandigarh for information and necessary action.
18. The MoEF&CC may alter/ modify or stipulate any other condition before, during the operations of the mine if it is found to be in the interest of environmental protection.
19. 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 with drawl of the EC and attract action under the provisions of EP Act, 1986.
20. This environmental Clearance shall be valid for a period of **three years** only and the validity shall be reviewed in the light of updated District Survey Report, based on replenishment surveys, provided an application for such extension is filed by the EC holder at least one month before such expiry, as per the procedure.
21. An appeal against the EC shall lie with the Hon'ble NGT, if preferred within 30 days as prescribed under Section 16 of the NGT Act, 2010.

Agenda Item No: 04 & 05

Proposal No: SIA/JK/MIN/166974/2020 **and**
SIA/JK/MIN/163010/2020.

Title of the Case: Grant of Environment Clearance STP Part-III for Mining of River Bed Material (RBM) Area 0.96 Ha, Survey No.43P/11, Khasra No: 5468/4611/3019, Village Fournalane, Tehsil & Distt Kathua.

and

Grant of Environment Clearance STP Part-I for Mining of River Bed Material (RBM) Area 0.896 Ha, Survey No.43P/11, Khasra No: 5468/4611/3019, Village Fournalane, Tehsil & Distt Kathua.
favouring Mr Jagdish Nain, (M/S KCCCON PVT. LTD) R/o BU-5 Flats, Near Income Tax Colony Outer Ring Road, Pritampura Delhi-110034.

Deliberations:

The case was represented by the project proponent, -his consultant, - RQP Shri Abdul Majid Mir and Dr. Joginder Singh Jamwal who gave a detailed power point presentation on the projects. Worthwhile to mention, the two projects pertain to grant of short term permits (STP) by the Geology & Mining Department under provisions of Minor Mineral Concession Rules of 2016 read with amendments for extraction of 48,000 MT of Minor Mineral (River bed material) from River Ujh near Kathua over an area of 0.896 hectares required for resurfacing of the runway and aircraft operating surfaces at Air Force Station, Jammu. The consultants produced a letter from the Garrison Engineer, Air Force Station, Jammu addressed to the Chairman, JKEIAA stating therein that the material is for Govt. purpose and that the extraction at sites does not violate any provision of law. The consultant gave a detailed power point presentations and informed the forum that no mining activity has been started at site and there is no mining lease within 500 mts on either side of the designated STP sites. The consultant also produced a cluster certificate from Geology & Mining Dept. in this regard. Further, he informed the forum that there is no case pending against the project in any court of competent jurisdiction and no standing orders from any Hon'ble Court against the said STP. The consultant was asked to email the correct KML files of the two sites as the ones uploaded and emailed by him were found erroneous. Latter he emailed the correct version of the KML files and the distance to Jasrota wildlife sanctuary as mentioned by the consultant in the powerpoint presentations was verified on Google image and boundary of Jasrota sanctuary. As per the approved mining plans the geographical coordinates of the two proposed STP sites are as under:-

STP Part-I:

Pillar	Northing	Easting
A	32 ° 27' 3.91''	75 ° 25' 4.95''
B	32 ° 27' 08.06''	75 ° 25' 4.82''

C	32 ° 27' 7.87''	75 ° 25' 1.86''
D	32 ° 27' 4.24''	75 ° 25' 2.33''

STP Part-III:

Pillar	Northing	Easting
A	32 ° 27' 12.84''	75 ° 25' 1.33''
B	32 ° 27' 12.79''	75 ° 25' 4.70''
C	32 ° 27' 16.27''	75 ° 25' 4.63''
D	32 ° 27' 16.23''	75 ° 25' 0.94''

However, it was desired that for ascertaining the status of STPs vis a vis Jasrota wildlife sanctuary, the Wildlife Protection Department needs to clarify the applicability of ESZ notification of Jasrota Wildlife sanctuary. The impact of the project on the environmental setting was discussed threadbare in the light of standing notifications and sand mining guidelines of 2016 and 2020 issued by Ministry of Environment, Forest and Climate Change(MoEF&CC). During discussion, the Project proponent was asked to revise the Environment Management Plan(EMP) in consultation with local stake holder departments and to earmark adequate funds under planting of saplings, Occupational Health Care and works under Corporate Environment Responsibility(CER) and to transfer the earmarked funds to the concerned stake holder departments for utilization in consultation with the local Panchayat representatives. The copy of revised EMP/CER plans shall immediately be submitted by the PP to the JKEIAA and JKEAC for record and reference and **formal grant of EC**. The Committee unanimously recommended the two STP cases for grant of environmental clearance subject to following standard and specific conditions:-

GENERAL CONDITIONS:-

Category	S. No.	Environmental Conditions
Stake holder engagement	1	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.
	2	The genuine concerns of the local people translated through local Panchayat shall be addressed during the mining operations
	3	The labourers should preferably be from nearby villages
	4	All the orders from Hon'ble Courts of competent jurisdiction and authorities representing various government departments having stakes shall be complied with during the mining operations.

Sustainable Mining Practices	5	The recommendations made in the District Survey Report on sustainable mining practices if any shall be complied
	6	The depth of mining in Riverbed shall not exceed 1 metre or water level whichever is less.
	7	Mining activity shall not be allowed in rainy season
	8	The Geology & Mining Dept. shall study the replenishment of the dugout pits and document it for updating the District survey report
	9	To maintain safety and stability of Riverbanks i.e. 3 meter or 10% of the width of the River whichever is more will be left intact as no mining zone
	10	No stream should be diverted for the purpose of sand mining. No natural water course and/ or water resources are obstructed due to mining operations.
	11	Mining shall be carried by low profile machinery out without adoption of drilling & blasting. The RBM shall be exploited manually with spade, chisel, etc.
Identification and Preparation of Mining Site	12	Mining should be initiated only after installation of signboards with demarcation pillars indicating the geo-coordinates of the plot at each corner to be laid in presence of the authorized official of the Geology & Mining Department
	13	There should be no change in the method of excavation and quantity of minerals to be extracted.
Monitoring the Mining of Mineral and its Transportation	14	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
	15	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.
	16	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.
Noise Management	17	Noise arising out of mining and processing shall be abated and controlled at source to keep within permissible limit. Measures should be taken to control noise levels below 85 dBA in the work environment. Workers should be provided with ear plugs.
	18	Restricted working hours. Mining operation has to be carried out between 6 am to 7 pm.
Air Pollution and Dust Management	19	The EC holder shall take all measures for protection of Environment and control of Pollution.
	20	The pollution due to transportation load on the environment will be effectively controlled and water sprinkling will also be done regularly at loading, unloading and transfer points.
	21	The critical parameters of the Air and water shall be monitored within the impact zone of the Mine area particularly in the nearby habitations. The standing instructions issued from time to time by the Ministry of Environment, Forest & Climate Change (MoEF&CC) and Central Pollution Control Board (CPCB) shall be referred in this regard for compliance.
	22	Air due to dust, exhaust emission or fumes during mining and processing phase should be controlled and kept in permissible limits specified under environmental laws.
	23	The mineral transportation shall be carried out through covered trucks only and the vehicles carrying the mineral shall not be overloaded.
	24	Overloading of trucks and trolleys will be avoided.
	25	Personal protective equipment's will be provided to the workers.
	26	Haul road will be kept wide, compact and water spraying will be done.
Solid waste management	27	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.

	28	Bins shall have to be provided at site for collection of solid waste.
Bio-Diversity Protection	29	Adequate measures must be taken for the protection of local fauna and flora
	30	Protection of turtle and bird habitats shall be ensured.
	31	No felling of tree near quarry is allowed.
	32	Spring sources should not be affected due to mining activities. Necessary Protection measures are to be incorporated.
Management of Instability and Erosion	33	The PP shall use of oversize material to control erosion and movement of sediments
	34	There shall be no extraction of stone / boulder / sand in landslide prone areas.
	35	There should be controlled clearance of riparian vegetation to be undertaken
	36	The PP should take adequate steps to check soil erosion and control debris flow etc. by constructing engineering structures
	37	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.
Waste Management	38	Site clearance and tidiness is very much needed to have less visual impact of mining.
	39	Dumping of waste shall be done in earmarked places as approved in Mining Plan
	40	Rubbish burial shall not be done in the Rivers.
Enhancement of Road Safety	41	Vehicles used for transportation of sand are to be permitted only with fitness and PUC Certificates
	42	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.

	43	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.
	44	No stacking shall be allowed on road side along National Highways.
Health and Safety	45	Health and safety of workers should be taken care of. They should also be provided training in safety and health care aspects.
	46	Adequate facility for drinking water and toilets should be provided for the workers
	47	Transport of mineral will not be done through villages / habitations.
	48	Deep drilled handpump with sufficient funding provision should be earmarked for providing drinking facility to the labour force and accordingly it should be reflected in the revised EMP
	49	Recommendations of National Institute for Labour for ensuring good occupational environment for mine workers would also be adopted.
COVID-19 SOPs	50	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.
Other mandatory requirements	51	The copy of the EC shall be endorsed to the local Panchayat and all stake holder departments.
	52	The JK Pollution Control Board/ Committee shall display the EC at its Regional office, District Industries Centre, Collectors office/ Tehsildar Office for 30 days.
	53	The Project Proponent shall advertise, within 7 days of the date of issue of the EC, in two local dailies that the project has been granted EC and the copy of EC is uploaded on the MoEF&CC website at parivesh.nic.in. and copy of same should be endorsed to the Regional Office of the MoEF&CC at Chandigarh for information and necessary action.
	54	The MoEF&CC may alter/ modify or stipulate any other condition before, during the operations of the mine if it is found to be in the interest of environmental protection.

	55	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.
	56	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.

Specific Conditions:-

1	The EC shall be subject to other statutory clearances including clearance from Wildlife Protection Department and Standing Committee of the National Board of Wildlife, if applicable under rules, to be certified by the Wildlife Protection Department.
2	The project proponent shall extract whatever river bed material becomes available within the prescribed mining depth of 1 metre or water level whichever is less, strictly within the size of the plot areas as approved in the LoI/Mining Plan. Thus the total permissible quantity allowed to be extracted from the two STPs shall be ($8960 \times 1 \times 2.25 = 20160$ MT in case of STP-Part-I and $9315 \times 1 \times 2.25 = 20959$ MT in case of STP-Part-III.
2	The EC shall be subject to the condition that the material extracted is utilized only for resurfacing of runway and aircraft operating surfaces at Jammu Air Force Station.
3	The formal STP shall be granted only after the Project proponent submits a revised Environment Management Plan(EMP) and revised CER Plan to the JKEIAA, JKEAC and Geology & Mining Dept. duly authenticated by the concerned DFO, Social Forestry Dept., concerned Chief Medical Officer(CMO) and local Panchayat Head and the earmarked funds must be transferred to the concerned stake holder departments in advance before grant of STPs for utilization under close supervision of the Local Panchayat Head.
4	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.
5	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.

6	The grant of EC does not imply approval of the Govt. required under any other provision of law applicable in the UT of J&K
7	Before granting the STP, the Geology & Mining Department shall certify that no mining lease is in operation within 500 mts upstream and downstream from the plot identified for STP.
8	The EC holder shall obtain an estimate from the concerned DFO, Social Forestry Division for planting 1000 saplings of indigenous species in the nearby wastelands for which the funds required for planting and its maintenance for 2 years shall be transferred to the DFO, Social Forestry concerned in advance prior to grant of formal short Term Permit, for utilization to protect local biodiversity in the area. Accordingly, the PP shall revise the Environment Management Plan in consultation with concerned DFO Social Forestry Dept.
9	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.
10	The project proponent shall take all precautionary measures during mining operations for conservation and protection of endangered fauna and flora in the area.
11	The workers should be provided with PPEs. 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. The funds earmarked under Occupational Health care shall be transferred to the CMO concerned in advance before grant of STP in favour of the project proponent.
12	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.
13	Provision shall be kept for housing of the labour force, toilets, facilities for cooking, safe water, health care, crèche etc. for the labour force.
14	A final Mine closure Plan along with details of Corpus fund shall be communicated to the MoEF&CC in advance for approval.
15	The top soil in case of surface land mining shall be temporarily stored at an appropriate site and concurrently used for land reclamation.

16	The mining operations shall be undertaken in a systematic manner so that it does not damage the aesthetic view of the area.
17	Adequate steps should be taken to check soil erosion and engineering structures shall be raised near the bank wherever required.
18	Before granting the STP, the District Mineral Officer concerned shall certify that no mining lease is in operation within 500 mts upstream and downstream from the plot identified for STP.
19	Mining shall not be allowed where there is danger to flood protection works and places of cultural, religious and historical significance.
20	The compliance report shall be submitted to the Regional Office of the MoEF&CC at Chandigarh with a copy to the Regulatory Authority.
21	The EC shall be valid for a period of three months from the date of commencement of the mining operations duly certified by the District Mineral Officer concerned with intimation to the JKEIAA, JKPCB and the concerned District Administration.
22	An amount of Rs 5.0 lacs per project shall be earmarked by the Project proponent under Environmental Management Plan and Rs 1.50 lacs per project under CER. The detailed plans shall be prepared and submitted prior to formal grant of EC and funds transferred to concerned govt. departments in advance for utilization as per aspirations of the local panchayat before grant of formal STP by the Geology & Mining Department.

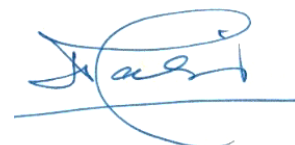
Agenda Item No. 06 To discuss formulation of standard Terms of Reference specific to UT of Jammu & Kashmir in accordance with minutes of meeting of JKEIAA held on 06/08/2020 and vide endorsement No. JKEIAA/2016/02/II/631-633 dated 08/08/2020 from the office of JKEIAA and to reconfirm the minutes of meeting of the 11th JKEAC held on 13/08/2020.

Deliberations: The matter relating to the formulation of standard Terms of Reference specific to UT of Jammu & Kashmir in accordance with minutes of meeting of JKEIAA held on 06/08/2020 and vide endorsement No. JKEIAA/2016/02/II/631-633 dated 08/08/2020 from the office of JKEIAA came under discussion. The JKEAC deliberated on all the aspects of such proposal but found it not feasible to formulate such TORs. Further, it was pointed out that almost all cases have specific environmental implications due to uniqueness of their location. The members said that for the sake of generalization, the Ministry has already issued Standard ToRs with procedure to apply these for expediting the grant of ECs in different sectors.

Recommendations:

JKEAC, having deliberated on the suggestion from JKEIAA to adopt/ formulate Standard Terms of Reference (ToRs) to save on processing time, is of unanimous opinion that it would not be possible to conform to the suggestion as JKEAC can in no way visualize in advance or preconceive the specific conditions that may visit/ characterize a particular project. Jammu & Kashmir after every 10 kms is visited by entirely different geological and environmental conditions and no particular set of ToRs can be all comprehensive. In actuality, the process may become more complicated and consume more time, if a shortcoming comes to the notice of JKEAC post submission of application. This is also in tune with the existing regime of law and guidelines issued by the Ministry of Environment, Forest & Climate Change, GoI.

The minutes of the 11th JKEAC were also confirmed and the meeting ended with vote of thanks to the chair.



SECRETARY
JK-Expert Appraisal Committee

No: JKEAC/JK/2020/1714-21

Dated:30/08/2020

Copy by email to:

1. The Member Secretary, J&K Environment Impact Assessment Authority (JKEIAA), /PCCF/Director, Ecology, Environment and Remote Sensing, J&K Govt., Jammu for favour kind information.
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 ChanniHimmat, 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. Sh. Sheikh Sajid, PA for information and with direction to upload the minutes on the environmental clearance portal at parivesh.nic.in.
14. Concerned File.