

BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL

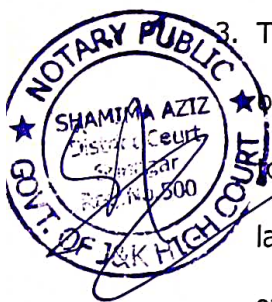
PRINCIPAL BENCH AT NEW DELHI

ORIGINAL APPLICATION NO. 241 OF 2021

IN THE MATTER OF:**RAJA MUZAFFAR BHAT****...APPLICANT****VERSUS****UNION OF INDIA AND OTHERS.****...RESPONDENTS****ADDITIONAL AFFIDAVIT ON BENHALF OF THE APPLICANT**

I, Raja Muzaffar Bhat S/o Bashir Ahmed Bhat, aged about 45 years, R/o 64, Alamdar Colony, Gopalpura, District Budgam, Jammu and Kashmir - 191193, do hereby solemnly affirm and declare on oath as under:

1. That I am the Applicant in the abovementioned Original Application and hence well conversant with the facts and circumstances of the case and competent to swear this Additional Affidavit.
2. That the deponent craves for the liberty to raise additional submissions or file Additional Affidavit in case need arises during the course of the proceedings.
3. The above-titled Application was filed under Sections 14, 15 read with Section 20 of the National Green Tribunal Act, 2010 raising the "substantial question relating to the environment" as defined under Section 2(m) of the Act, arising out of the large-scale pollution caused by discharging untreated sewage as well as dumping of municipal solid waste unscientifically in river Doodh Ganga and Mamath Kull, in Srinagar and Budgam Districts, Jammu and Kashmir.
4. That the Applicant herein lists out the following submissions with regard to the present status of the in river Doodh Ganga and Mamath Kull, in Srinagar and Budgam Districts, Jammu and Kashmir despite specific directions passed by this Hon'ble Tribunal. The Applicant hereby is filing the present Additional Affidavit for



the perusal of this Hon'ble Tribunal which are necessary for proper adjudication of the above-titled Application.

i. No action taken report has been served yet upon the Applicant:

that this Hon'ble Tribunal vide order dated 14.10.2022 stated that:

'38. An action taken report in pursuance of above order particularly with reference to setting up of decentralized and centralized STPs and stopping discharges from waste discharging points to Doodhganga and Mamath Kull. Further, 90 MTs shifted solid waste to another site be remediated including already existing legacy waste and providing status on waste processing plants may be filed by e-mail at judicialngt@gov.in preferably in the form of searchable PDF/ OCR Support PDF and not in the form of Image PDF on or before 30.04.2023. The Principal Secretary, Urban Development, J&K may remain present in person by VC on the next date'.

The Applicant submits that till date no Action Taken Report has been served upon the Applicant despite a passage of six months. Further, the action taken report is also not available in the Hon'ble Tribunal's web portal. However, the cause list of 24.03.2023 states that Report has been filed. In this regard, it is submitted that the Applicant reserves his right to comment on the action taken report as and when the report is served upon the Applicant.



No installation of STPs on River Doodh Ganga Stretch: It is to be noted that this Hon'ble Tribunal vide order dated 14.10.2022 stated that *'Timeline for the establishing requisite treatment systems in terms of judgment of Hon'ble Supreme Court in Paryavaran Suraksha vs. Union of India, supra has long expired'.* The Applicant herein submits that despite specific directions of this Hon'ble Tribunal and specific recommendations vide Joint Committee Report dated 14.01.2022 till date, not a single STP has been installed on the entire stretch of Doodh ganga stream, neither in Srinagar Municipal Corporation limits nor in the upstream Budgam District. Even, the tenders have not been floated yet. This shows the blatant and

gross violation of the local bodies despite the legal mandate placed upon them. Furthermore, it is to be noted that the Action Taken Report dated 24.06.2022 has been filed by the Chief Secretary of Jammu and Kashmir. That Para 8 (iv) of the report states that the recommendations made by the Joint Committee before this Hon'ble Tribunal with regard to the establishment of STPs, laying of sewerage network and connections and treatment of waste water. The Applicant herein submits that as per the Joint Committee Report recommendations were made with regard to the formulation of Short-Term and Long-Term Action Plan to be prepared by the respective Departments, responsible agencies for sewage management. That as a short-term action plan, the Committee recommended the installation of Modular STPs, however, till date no necessary action has been taken with regard to the compliance on the installation of Modular STPs and the discharge of sewerage into the Doodh Ganga is still persistent in complete violation of the orders of this Hon'ble Tribunal.

iii. **Continuous dumping of waste on the embankments of River**

Doodh Ganga: that this Hon'ble Tribunal *vide* order dated 14.10.2022 stated that *'adequate composting/vermicomposting/bio-methanation centres need to be set up and upgraded nearest to the source of generation of wet solid waste, listing people's involvement. This may also require decentralized waste processing facilities. Further, legacy waste sites may be fenced with row of trees or wall, as may be viable, for aesthetics, preventing foul smell and safety.'* The Applicant submit that it is significant to note that no strict vigilance is conducted and waste is being dumped unscientifically in the River Doodh Ganga embankments. Legacy wastes are still lying from Branwar to Mochwa via Chadoora town and Begh-e-Mehtab to Tengapora. Further, in villages like Borwah, Kralwari, Sogam, Hanjigund, Wathoor, Shahpora, Gopalpora, Kralpora, Mochwa, heaps of solid wastes, plastic waste and legacy wastes are dumped in the River Doodh Ganga embankments and till date no adequate restoration measures are



undertaken by the local Municipal Authorities or the Rural Development Department which is in complete violation of the law and order.

The Applicant also submits that no proper segregation of waste is done as the result, the stress on embankments of Doodh Ganga continues where huge waste is dumped there on regular basis by local population who are not provided any waste collection service especially in rural areas of Budgam located near Doodh Ganga stream. Furthermore, it is pertinent to note that copy of the Images taken at Kralpora village in Budgam near Doodh Ganga stream (Water Filtration Plant) by the Applicant makes it clear that legacy wastes are still lying and no restoration has been initiated are annexed herewith as **Annexure A/1.**

iv. Persistent illegal mining is taking place in River Doodh Ganga at Chadoora town in complete violation of the directions passed by

this Hon'ble Tribunal: that this Hon'ble Tribunal *vide* order dated 14.10.2022 stated that *'there is nothing to show that compensation recovered covers the cost of restoration with deterrent element having regard to the value of illegal mining. The State PCB in coordination with the concerned Departments may take further action in this regard failing which the State itself will be liable to pay compensation for failing to perform its*



duties'. The Applicant herein submits that till date large scale illegal mining is persistently taking place in River Doodh Ganga at Chadoora town in thereby causing massive ecological degradation. These riverbed mining are done with huge machines, JCBs and L&T Cranes which is strictly prohibited under Jammu and Kashmir Minor Mineral Concession Rules 2016 and also in complete violation of the specific conditions of Jammu and Kashmir State Environmental Impact Assessment Authority. That the constant illegal mining is causing large scale soil erosion around Chadoora town as a result of which the embankments of Doodh Ganga has weakened and is eroding gradually *near Govt Degree College Chadoora* thereby causing persistent

environmental degradation. The Applicant further submits that as per the earlier report dated 14.01.2022 submitted by J&K Housing and Urban Development Department in this matter, Para C titled 'Regulation of Mining Activities' categorically states that 'the extraction is limited upto 1 meter depth as per the approved mining plan' but presently the mining is taking place up to 10-12 meters (approx.) deep inside the river which is much beyond what has been approved thereby posing great threat ultimately leading to soil erosion.

Copy of the GPS images taken by the Applicant in River Doodh Ganga at Chadoora town on 05.03.2023 shows deep illegal riverbed mining is taking place leading to large-scale soil erosion are annexed herewith as **Annexure A/2.**

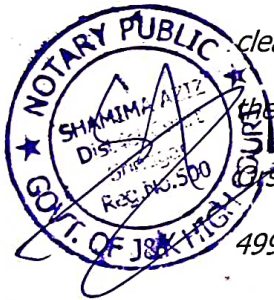
- v. **Compensation is not realised from the erring officers and no restoration has taken place till date:** that this Hon'ble Tribunal *vide* order dated 08.03.2022 stated that *'the State is accordingly held liable to pay interim compensation of Rs. One crore each under all the three heads which may be deposited in a separate account to be utilized for restoration of environment. The amount may be deposited with the District Magistrate, Budgam and spent as per plan approved by the Chief Secretary, consistent with the District Action Plan of the concerned area. It will be open to the State to recover the amount from the polluters/erring officers in accordance with law'*. It is pertinent to be noted that despite imposing an interim compensation of 1 crore each under the heads of sewage treatment, waste management and illegal mining, till date no satisfactory action has been initiated and on ground no restoration is visible. The Applicant herein further submit that the interim compensation was not realised from the salaries of Erring Officers rather it has been paid from State exchequer as a result there is no deterrence upon the Local Authorities and hence the illegality persistently continues. In this regard, an Application under the Right to



Information Act (RTI) dated 26.12.2022 was filed before the Deputy Commissioner, Budgam seeking detailed information on the utilization of the penalty money imposed by this Hon'ble Tribunal. That the response received on 18.01.2023 states that *'the amount of 3 crores has been deposited and directions were issued to the line departments to submit requisite comprehensive action plan about utilization of the penalty amount.'* That the RTI response clearly shows that there is absolutely no information pertaining to the utilization of the penalty amount for the restoration of the environmental degradation caused. The reality on ground is there is absolutely no action initiated for the restoration purpose thereby highlighting the complete lawlessness by the Government.

Copy of the RTI filed dated 26.12.2022 and the response received dated 18.01.2023 are annexed herewith as **Annexure A/3.**

- vi. **No compensation imposed upon the project proponent operating illegal mining in River Doodh Ganga at Chadoora:** that this Hon'ble Tribunal *vide* order dated 08.03.2022 stated that *'for illegal mining, the loss caused to the State in the form of value of minerals as well as the loss caused to the environment for undertaking such activity without requisite clearances needs to be recovered by the State PCB in light of judgment of the Hon'ble Supreme Court inter-alia in Goa Foundation v Union of India & Ors. (2014) 6 SCC 590 and Common Cause Vs. UOI & Ors., (2017) 9 SCC 499. It is also open to the State PCB to initiate prosecution against the violators'* and also reiterated the same *vide* order dated 14.10.2022 that *'there is nothing to show that compensation recovered covers the cost of restoration with deterrent element having regard to the value of illegal mining. The State PCB in coordination with the concerned Departments may take further action in this regard failing which the State itself will be liable to pay compensation for failing to perform its duties'*. In this regard, it is pertinent to note that it took Jammu and Kashmir Pollution Control Committee as long as more than six months to impose a mere penalty of

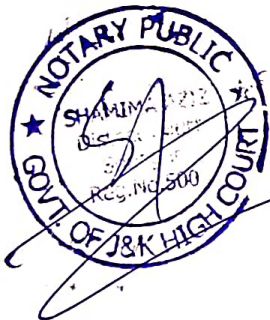


Rs.2.50 lakhs upon the contractor undertaking riverbed mining in Doodh Ganga upstream on 11.05.2023. That no penalty has been imposed upon the Geology and Mining Department due to whose lackadaisical approach, the illegal mining is still persisting. Further, it is significant to note that the environmental compensation of Rs.2.50 lakhs has been imposed upon Sh. Gh. Qadir Sheikh, who is the owner of the Excavator. That the Jammu and Kashmir Pollution Control Committee has failed to impose the environmental compensation upon the actual Project Proponent, Shri Danish Yusuf, who has obtained the Environmental Clearance.

Copy of the letter dated 11.05.2023 by the J&K Pollution Control Committee on imposing Environmental Compensation is annexed herewith as **Annexure A/4.**

Copy of the Environmental Clearance granted to Project Proponent, Shri Danish Yusuf is annexed herewith as **Annexure A/5.**

5. That the abovementioned facts and circumstances are submitted by the Applicant in the above captioned matter and hence considering the above submissions, necessary orders may be passed by this Hon'ble Tribunal in the best interest of justice.



VERIFICATION

Verified on this day 23rd day of May, 2022 that the contents of the above-mentioned Additional Affidavit are true and correct to my knowledge and no part of it is false and nothing material has been concealed therefrom.

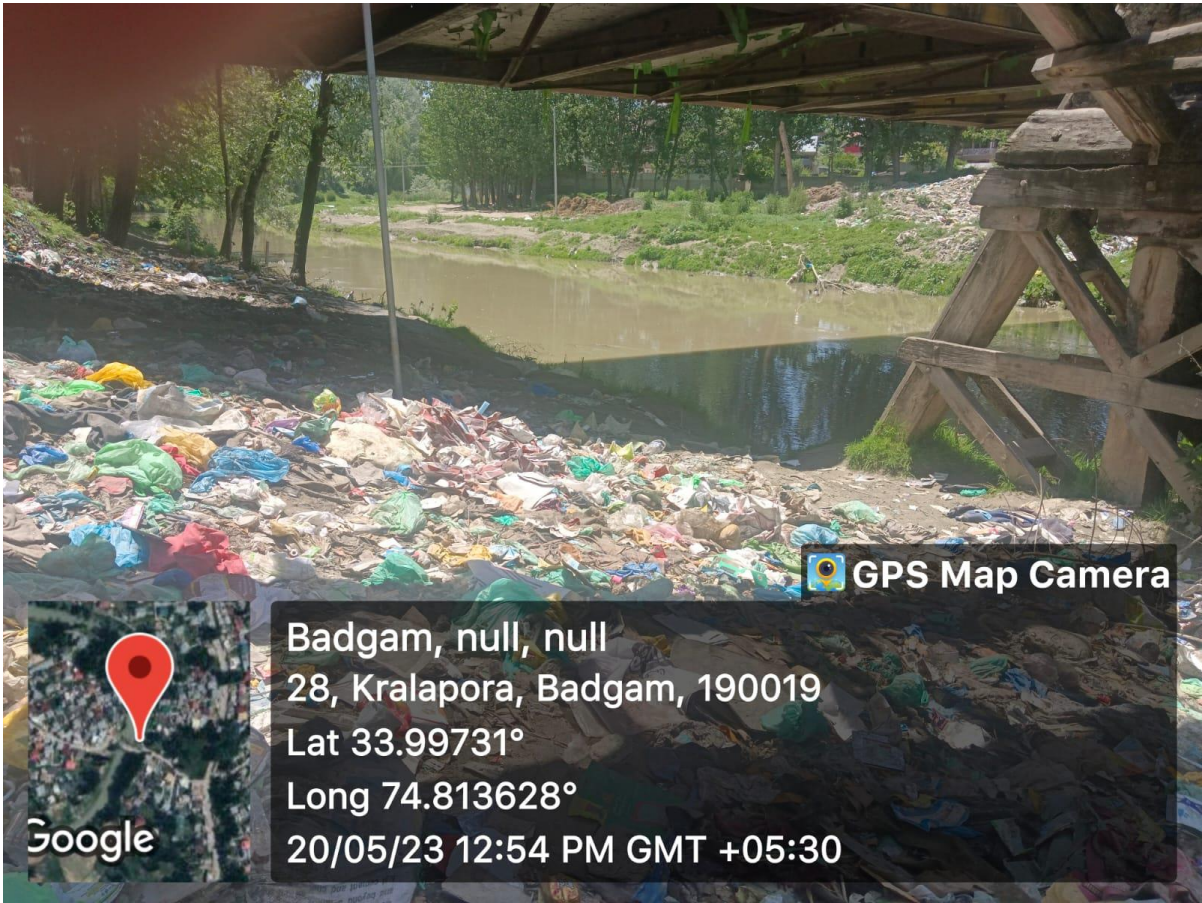
Certified that the statement made
on oath before me at Srinagar on this
day of 23/05/23
by Deja Mustafa Bhat
who is identified by Shamima Aziz
NOTARY PUBLIC

DEPONENT

DEPONENT

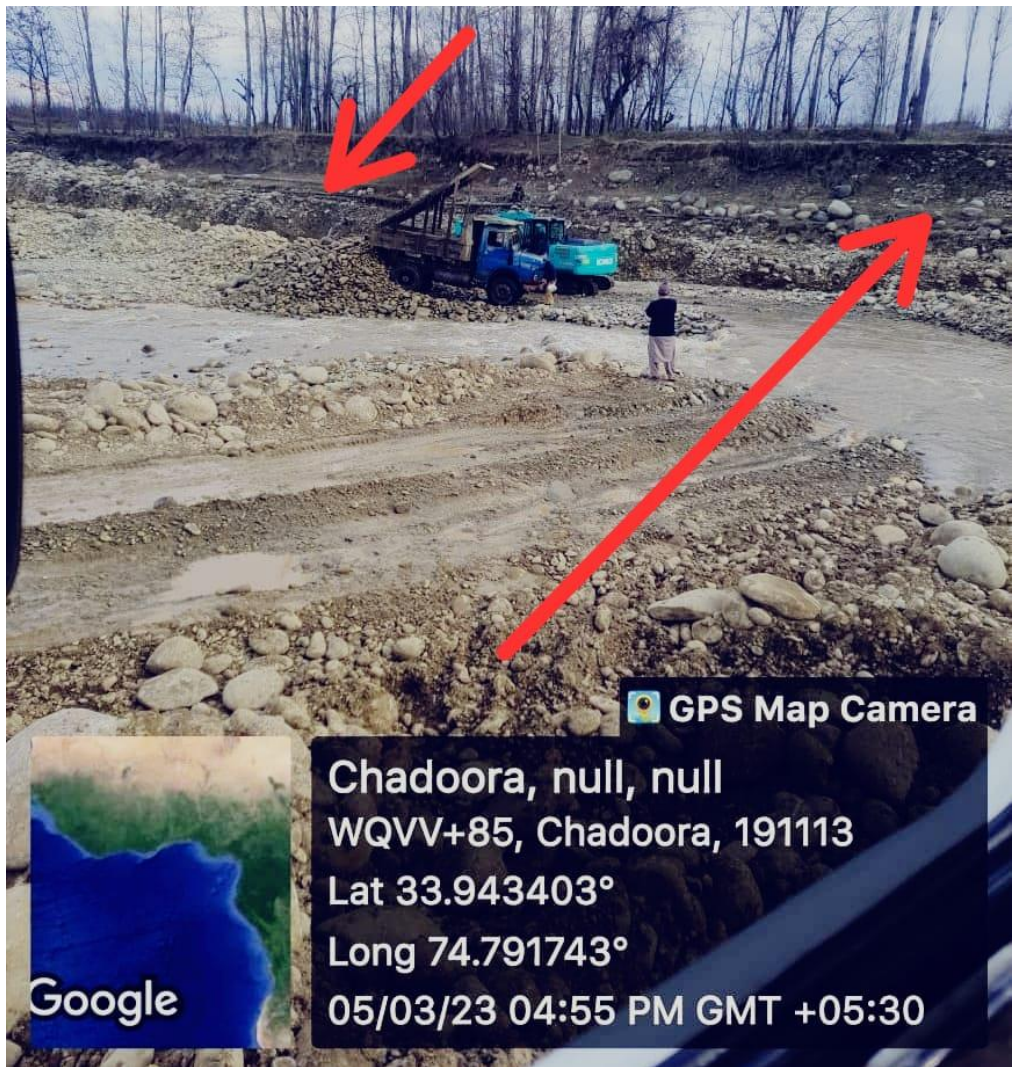
ANNEXURE A/1

COPY OF THE IMAGES TAKEN BY THE APPLICANT SHOWS LEGACY WASTES ARE STILL LYING AND NO RESTORATION HAS BEEN INITIATED BY THE CONCERNED AUTHORITIES.



ANNEXURE A/2

COPY OF THE IMAGES TAKEN BY THE APPLICANT IN RIVER DOODH GANGA AT CHADOORA TOWN ON 05.03.2023 SHOWS ILLEGAL MINING IS TAKING PLACE LEADING TO LARGE-SCALE SOIL EROSION.





Annexure A-3

Date: 26.12.2022

The Public Information Officer
Deputy Commissioner, Budgam

Subject: Information under the Right to Information Act, 2005

Dear Sir/Ma'am,

Kindly provide me with the following information:

1. On the directions of the Hon'ble National Green Tribunal (NGT), how much penalty money has been recovered from different Government Agencies/ Urban Local Bodies (ULB's) in the case of *Dr. Raja Muzaffar Bhat v J & K Government*?
2. Have all the Government Agencies/ ULB's deposited penalty money in DC Budgam's account as per the orders of Hon'ble NGT? If yes, provide details of the amount deposited by each Govt Department / ULB
3. Also provide details about utilization of this penalty money as ordered by Hon'ble NGT.

I am attaching an IPO (Indian Postal Order) of Rs. 10 numbered 59494520 under this application.

NOTE: I would appreciate if the information is dispatched to me via email, in that case no xerox charges have to be paid.

Yours Sincerely

Lavya Bhasin

Kshipra Hostels, National Law Institute University (NLIU)

Near Kerwa Dam Road

Bhopal

Madhya Pradesh

Email: lavyabhasin00@gmail.com

T/C SE

please provide the
info directly to
mya sekhar
5/1/23
3/C RTI

SO

3/1/23

1/1/23

GOVERNMENT OF JAMMU & KASHMIR

OFFICE OF THE DEPUTY COMMISSIONER BUDGAM

✓ Lavya Bhasin

R/o Kshipra Hostel, National Law Institute (NLIU)

near Kerwa Dam Road, Bhopal, Madhya Pradesh.

Email id: lavyabhasin00@gmail.com

Subject: Information under RTI ACT, 2005.

The requisite information is as under:-

1. An amount of Rs 03 Crore has been deposited In J&K Bank, Branch Budgam.
2. An amount of Rs 50 lakhs was recovered from Municipal Council Budgam, Rs 50 lakhs from Municipal Committee Chadoora, Rs 01 crore from District Mineral Officer, Budgam and Rs 01 crore from Srinagar Municipal Corporation.
3. The directions were Issued to the line departments to submit requisite comprehensive action plan about utilization of the Penalty amount.

No. DCB/50/2022-23/RTI/ 6090

Dated: 12/01/2023

Yours faithfully,


Assistant Commissioner Revenue—
Budgam



Water & Air Pollution Control
Punjab, Haryana, Himachal Pradesh
Chhattisgarh, Jharkhand, Madhya Pradesh
Odisha, Rajasthan, Uttar Pradesh
West Bengal
Toll Free: 011-26764225

Government of Jammu and Kashmir
J&K POLLUTION CONTROL COMMITTEE
Jammu



Executive Office: Max. 02000
Member: 02000
Secretariat: 02000
Public: 02000
Phone: 011-26764225

Sub: Levying of Environmental Compensation on Sh. Gh. Qadir Sheikh S/o Gh. Ahmad Sheikh R/o Dadompore-District Budgam (owner of Excavator) for Illegal Extraction of Minor Minerals from Doodh Ganga Nallah.

ORDER NO.: 04-JKPCC of 2023
Dated: 11-05-2023

Whereas, the Hon'ble National Green Tribunal Principal Bench, New Delhi in O.A. No. 241/2021 titled *Raja Muzaffar Bhat Versus Union of India and Ors.* vide its order dated 08-03-2022 has directed that "for illegal mining, the loss caused to the State in the form of value of minerals as well as the loss caused to the environment for undertaking such activity without requisite clearance needs to be recovered by the State PCB in light of judgment of the Hon'ble Supreme Court *Inter-alla In Goa Foundation Versus Union of India and Ors* (2014) 6 SCC 390 and *Common Cause Vs Union of India* (2017) 9 SCC 499. It is also open to the State PCB to initiate prosecution against the violators and reiterated the same vide order dated 14-10-2022 that "there is nothing to show that compensation recovered covers the cost of restoration with deterrent element having regard to the value of illegal mining, the State PCB in coordination with the concerned Departments may take further action in this regard failing which the State itself will be liable to pay compensation for failing to perform its duties".

Whereas, in compliance to the Hon'ble NGT orders the District Mineral Officer, Budgam vide letter No. DMO/Bud/DGM/F-05/2903-2906 dated 27-12-2022 has furnished the list of Tractor/Tipper/Machine Owners found indulged in illegal extraction/transportation of minerals from Doodh Ganga Nallah.

Whereas, the matter of illegal extraction/transportation of Minerals from Doodh Ganga Nallah has been examined by a Technical Advisory Committee (TAC) constituted by the J&K Pollution Control Board for expert assessment and evaluation of Environmental Compensation, which recommended levying of Environmental Compensation for illegal Sand Mining to the tune of Rs.2,50,000/= (Rupees Two Lacs Fifty Thousand only) to Sh. Gh. Qadir Sheikh S/o Gh. Ahmad Sheikh R/o Dadompore-District Budgam (owner of Excavator) as per the directions of Hon'ble NGT and guidelines framed in this behalf.

Now, therefore, Environmental Compensation is accordingly levied upon Sh. Gh. Qadir Sheikh S/o Gh. Ahmad Sheikh R/o Dadompore-District Budgam (owner of Excavator) and is hereby directed to deposit a sum of Rs.2,50,000/= (Rupees Two Lacs Fifty Thousand only) in the *Environmental Compensation Fund Account No. 0023040510000001* of the Board in J&K Bank Ltd. within 45 days and on lapse of above said period, an interest @ 12% on the Environmental Compensation amount shall be levied, at the risk and responsibility of the offender.

'As approved by the Competent Authority'.

(K. Ramchandra Kumar), IFS
Member Secretary
JKPCC

No. JKPCC/NGT/114/16-20

Dt. 11-05-2023

Copy to the:-

- i. Deputy Commissioner/District Magistrate, Budgam for information and necessary action.
- ii. Regional Director, Pollution Control Committee Kashmir for information and necessary action.
- iii. District Mineral Officer, Budgam for information and necessary action.
- iv. Sh. Gh. Qadir Sheikh S/o Gh. Ahmad Sheikh R/o Dadompore-District Budgam (owner of Excavator) for immediate compliance as directed.
- v. P.A. to Chairman J&K Pollution Control Committee for information of the Chairman.



Government of India

0191-2474553/0194-2490602

Ministry of Environment, Forest & Climate Change

J&K ENVIRONMENT IMPACT ASSESSMENT AUTHORITY**(at) DEPARTMENT OF ECOLOGY, ENVIRONMENT AND REMOTE SENSING**

S.D.A. Colony, Bemina, Srinagar-190018 (May-Oct) / Paryavaran Bhawan, Transport Nagar, Gladni, Jammu-180006 (Nov-Apr)

Email: jkseiaa@gmail.com, website: www.parivesh.nic.in



Shri Danish Yousuf,
S/O Shri Mohd. Yousuf Mir,
R/o Dounghama Kakapora,
District Pulwama, JK UT

Subject:- Grant of Environment Clearance for Minor Mineral Block No.11 Chadoora Old Bridge to Hanjigund Downstream Nallah Village - Hillar Tehsil & District Budgam JK UT **Area 2.74 ha.** instead of 3.75ha. under proposal No. **SIA/JK/MIN/185142/2020.**

Reference:- i) Minutes of 42nd Meeting of JKEAC held on 24th May, 2021
ii) Minutes of 41st Meeting of JKEIAA held on 10th June, 2021

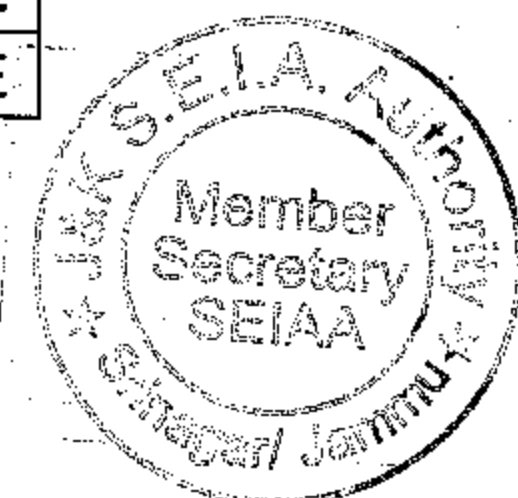
--

Kindly refer your application received in this office on 19-05-2021 for Minor Mineral Block No.11 Chadoora Old Bridge to Hanjigund Downstream Nallah Village Hillar Tehsil & District Budgam JK UT Area 2.74ha. instead of 3.75ha. under proposal No. **SIA/JK/MIN/185142/2020.**

The JK Environment Impact Assessment Authority accorded approval to grant of Environment Clearance in favour of Shri Danish Yousuf, S/O Shri Mohd. Yousuf Mir, R/o Dounghama Kakapora, District Pulwama, JK UT for Minor Mineral Block No.11 Chadoora Old Bridge to Hanjigund Downstream Nallah Village- Hillar Tehsil & District Budgam JK UT **Area 2.74 ha.** instead of 3.75ha. under proposal No. **SIA/JK/MIN/185142/2020** in pursuance to Environment Impact Assessment Notification, 2006 as amended from time to time.

The revised geo-graphical co-ordinates of the project are as under:-

Pillars	Latitude	Longitude
B'	33° 56'54.69"N	74°48'17.85"E
C	33° 56'55.05"N	74°48'22.96"E
D	33° 56'57.49"N	74°48'27.35"E
E	33° 57'03.87"N	74°48'33.46"E
F	33°57'04.40"N	74°48'35.80"E
G	33° 57'11.84"N	74°48'35.75"E
H	33° 57'14.16"N	74°48'39.55"E
I	33° 57'16.92"N	74°48'38.84"E
S	33° 57'16.62"N	74°48'38.22"E
T	33° 57'13.01"N	74°48'38.83"E
U	33° 57'10.56"N	74°48'35.94"E
V	33° 57'08.26"N	74°48'34.15"E
W	33° 57'04.33"N	74°48'32.56"E
X	33° 56'58.01"N	74°48'26.41"E
Y	33° 56'55.55"N	74°48'19.91"E



The Environment clearance is subject to Revision of mining plan restricting mining to ultimate depth of 1m in aggregate and corresponding revision of maximum targeted RBM extraction of 37320 MT [(27400-10% (buffer) – 25% (active water channel) x 2.1(Bulk density) x 1(mining depth) and its de- novo approval by the competent authority within a period of 3 – months from the date of issuance of Environment clearance.

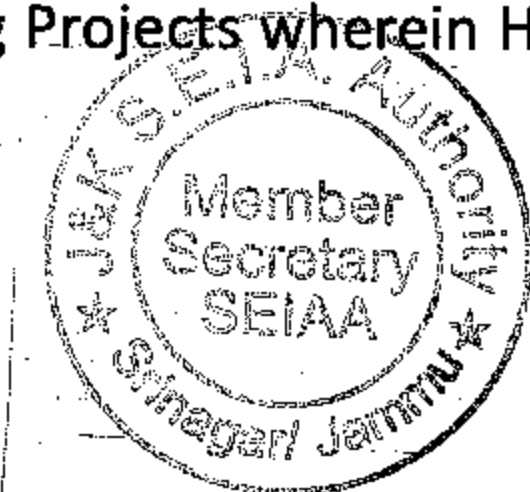
The validity of Environment Clearance is valid for a period of only three years from the date of commencement of the mining operations duly certified by the District Mineral Officer concerned with intimation to the JKEIAA and JKPCB in view of non-availability of replenishment data in the District Survey Report.

The Environment clearance is also subject to the fulfillment/compliance of following standard & specific conditions:-

STANDARD CONDITIONS:-

a) Statutory compliance

- i) 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.**
- ii) 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.
- iii) 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.
- iv) 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.**
- v) 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.**
- vi) 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.
- vii) 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.
- viii) 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.
- ix) 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".

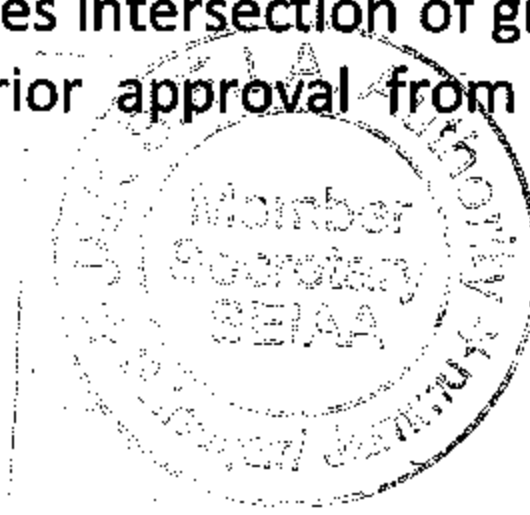
- x) The Project Proponent shall obtain necessary prior permission of the competent authorities for drawl of requisite quantity of surface water and from CGWA for withdrawal of ground water for the project.
- xi) A copy of EC letter will be marked to concerned Panchayat / local NGO etc. if any, from whom suggestion / representation has been received while processing the proposal.
- xii) 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.
- xiii) 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.
- xiv) 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.
- xv) 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.

b) Air quality monitoring and preservation

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

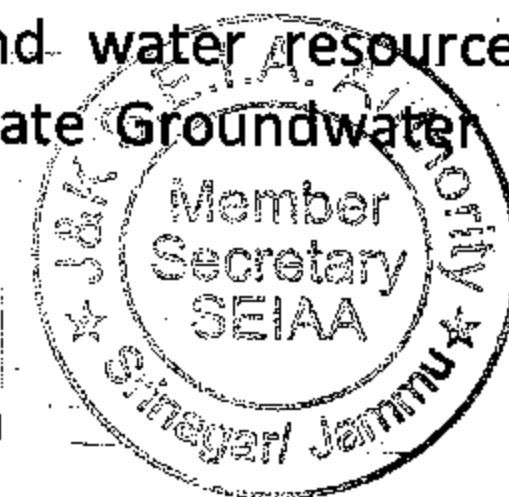
c) Water quality monitoring and preservation

- (1) 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.

- (2) Regular monitoring of the flow rate of the springs and perennial nallahs flowing in and around the mine lease shall be carried out and records maintain. The natural water bodies and or streams which are flowing in an around the village, should not be disturbed. The Water Table should be nurtured so as not to go down below the pre-mining period. In case of any water scarcity in the area, the Project Proponent has to provide water to the villagers for their use. A provision for regular monitoring of water table in open dug wall located in village should be incorporated to ascertain the impact of mining over ground water table. The Report on changes in Ground water level and quality shall be submitted on six-monthly basis to the Regional Office of the Ministry, CGWA and State Groundwater Department / State Pollution Control Board.
- (3) Project Proponent shall regularly monitor and maintain records w.r.t. ground water level and quality in and around the mine lease by establishing a network of existing wells as well as new piezo-meter installations during the mining operation in consultation with Central Ground Water Authority/ State Ground Water Department. The Report on changes in Ground water level and quality shall be submitted on six-monthly basis to the Regional Office of the Ministry, CGWA and State Groundwater Department / State Pollution Control Board.
- (4) 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.
- (5) Quality of polluted water generated from mining operations which include Chemical Oxygen Demand (COD) in mines run-off; acid mine drainage and metal contamination in runoff shall be monitored along with Total Suspended Solids (TDS), Dissolved Oxygen (DO), pH and Total Suspended Solids (TSS). The monitored data shall be uploaded on the website of the company as well as displayed at the project site in public domain, on a display board, at a suitable location near the main gate of the Company. The circular No. J- 20012/1/2006-IAJI (M) dated 27.05.2009 issued by Ministry of Environment, Forest and Climate Change may also be referred in this regard.
- (6) Project Proponent shall plan, develop and implement rainwater harvesting measures on long term basis to augment ground water resources in the area consultation with Central Ground Water Board/ State Groundwater Department. A



report on amount of water recharged needs to be submitted to Regional Office MoEFCC annually.

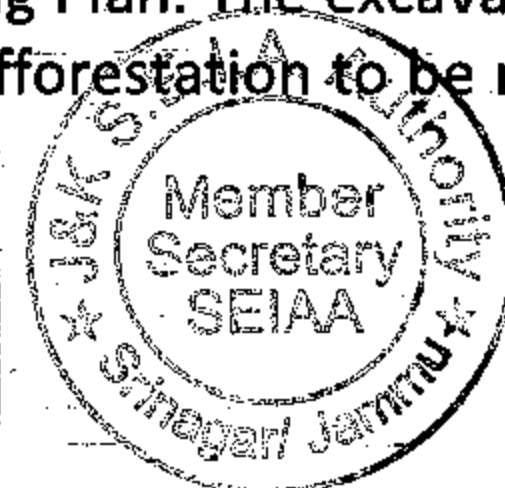
- (7) Industrial waste water (workshop and waste water from the mine) should be properly collected and treated so as to conform to the notified standards prescribed from time to time. The standards shall be prescribed through Consent to Operate (CTO) issued by concerned State Pollution Control Board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

d) Noise and vibration monitoring and prevention

- (1) The peak particle velocity at 500m distance or within the nearest habitation, whichever is closer shall be monitored periodically as per applicable DGMS guidelines.
- (2) 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.
- (3) 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.

e) Mining plan

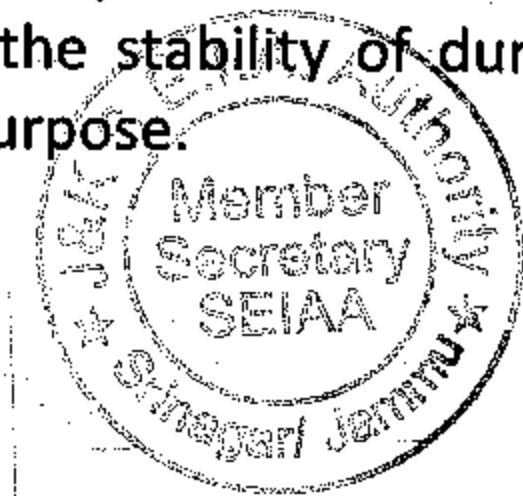
- (1) The Project Proponent shall adhere to the working parameters of mining plan which was submitted at the time of EC appraisal wherein year-wise plan was mentioned for total excavation **subject to changes recommended in the specific conditions herein below.** No change in basic mining proposal like 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.
- (2) 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.
- (3) 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.

f) Land reclamation

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

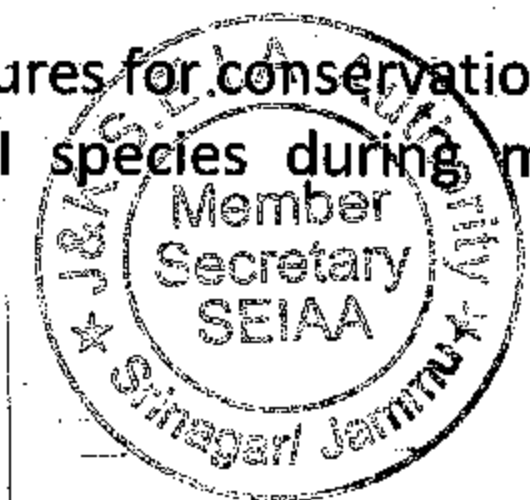


g) Transportation

- (1) 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.
- (2) 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.

h) Green Belt

- (1) The Project Proponent shall develop greenbelt in 7.5m wide safety zone all along the mine lease boundary as per the guidelines of CPCB in order to arrest pollution emanating from mining operations within the lease. The whole Green belt shall be developed within first 5 years starting from windward side of the active mining area. The development of greenbelt shall be governed as per the EC granted by the Ministry irrespective of the stipulation made in approved mine plan.
- (2) The Project Proponent shall carryout plantation/ afforestation in backfilled and reclaimed area of mining lease, around water body, along the roadsides, in community areas etc. by planting the native species in consultation with the State Forest Department/ Agriculture Department/ Rural development department/ Tribal Welfare Department/ Gram Panchayat such that only those species be selected which are of use to the local people. The CPCB guidelines in this respect shall also be adhered. The density of the trees should be around 2500 saplings per Hectare. Adequate budgetary provision shall be made for protection and care of trees.
- (3) 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.
- (4) The Project Proponent shall undertake all precautionary measures for conservation and protection of endangered flora and fauna and Schedule-I species during mining

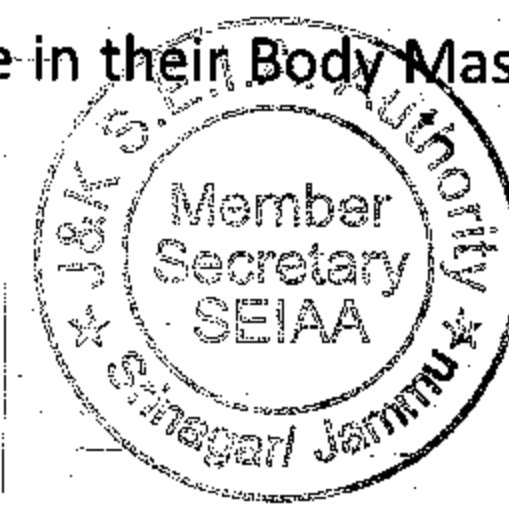


operation. A Wildlife Conservation Plan shall be prepared for the same clearly delineating action to be taken for conservation of flora and fauna. The Plan shall be approved by Chief Wild Life Warden of the State Govt.

- (5) 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.

i) Public hearing and human health issues

- (1) The Project Proponent shall appoint an Occupational Health Specialist for Regular as well as Periodical medical examination of the workers engaged in the mining activities, as per the DGMS guidelines. The records shall be maintain properly. PP shall also carryout Occupational health check-ups in respect of workers which are having ailments like BP, diabetes, habitual smoking, etc. The check-ups shall be undertaken once in six months and necessary remedial/ preventive measures be taken. A status report on the same may be sent to MoEFCC Regional Office and DGMS on half-yearly basis.
- (2) 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.
- (3) The Proponent shall carry out Occupational health surveillance which be a part of HRA and include Biological Monitoring where practical and feasible, and the tests and investigations relevant to the exposure (e.g. for Dust a X-Ray chest; For Noise Audiometric; for Lead Exposure Blood Lead, For Welders Full Ophthalmologic Assessment; for Manganese Miners a complete Neurological Assessment by a Certified Neurologist, and Manganese (Mn) Estimation in Blood; For Inorganic ChromiumFortnightly skin inspection of hands and forearms by a responsible person. Except routine tests all tests would be carried out in a Lab accredited by NABH. Records of Health Surveillance must be kept for 30 years, including the results of and the records of Physical examination and tests. The record of exposure due to materials like Asbestos, Hard Rock Mining, Silica, Gold, Kaolin, Aluminium, Iron, Manganese, Chromium, Lead, Uranium need to be handed over to the Mining Department of the State in case the life of the mine is less than 30 years. It would be obligatory for the State Mines Departments to make arrangements for the safe and secure storage of the records including X-Ray. Only conventional X-Ray will be accepted for record purposes and not the digital one). X-Ray must meet ILO criteria (17 x14 inches and of good quality).
- (4) The Proponent shall maintain a record of performance indicators for workers which includes
 - a. there should not be a significant decline in their Body Mass Index and it should stay between 18.5 -24.9,



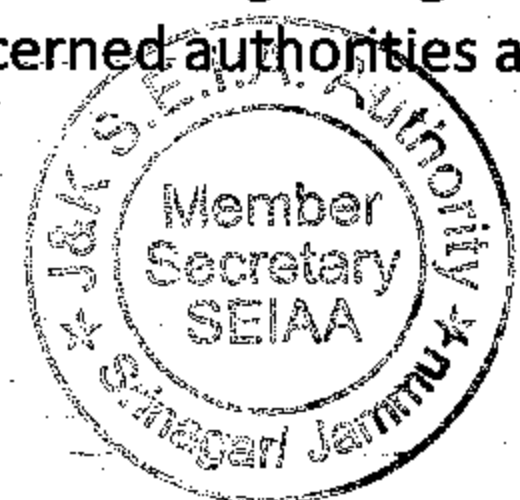
- b. the Final Chest X-Ray compared with the base line X-Ray should not show any capacities,
 - c. At the end of their leaving job there should be no Diminution in their Lung Functions Forced Expiratory Volume in one second (FEV1) Forced Vital Capacity (FVC), and the ratio) unless they are smokers which has to be adjusted, and the effect of age,
 - d. their hearing should not be affected. As a proof an Audiogram (first and last need to be presented),
 - e. they should not have developed any Persistent Back Pain, Neck Pain, and the movement of their Hip, Knee and other joints should have normal range of movement,
 - f. they should not have suffered loss of any body part. The record of the same should be submitted to the Regional Office, MoEFCC annually along with details of the relief and compensation paid to workers having above indications.
- (5) 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.
- (6) 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.
- (7) 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.

j) Corporate Environment Responsibility (CER)

- (1) 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.
- (2) 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.

k) Miscellaneous

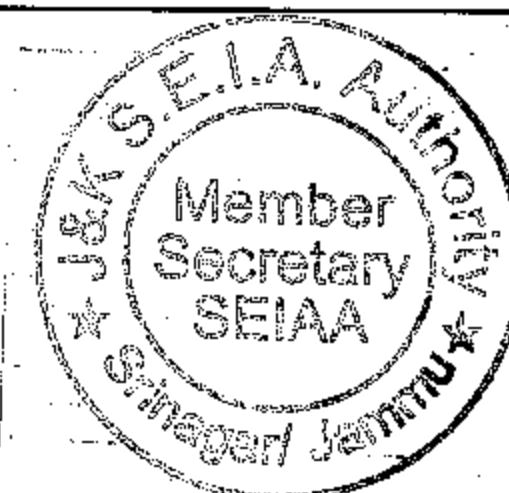
- (1) The Project Proponent shall prepare digital map (land use & land cover) of the entire lease area and KML file for recording the base line data and closure time data (after three years) and submit a report to concerned Regional Office of the MoEFCC.
- (2) The Project Authorities should inform to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



- (3) 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.
- (4) 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.
- (5) 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: -

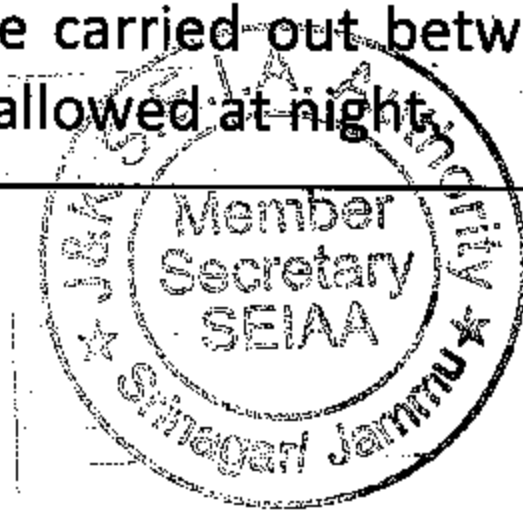
1	The Project Proponent must obtain NOCs from competent authority of all the concerned stake holder departments /Joint Inspection Report prior to grant of formal Environmental Clearance. The EC shall be subject to compliance of conditions of the NOCs issued by the stake holder departments.
2	The cremation 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.



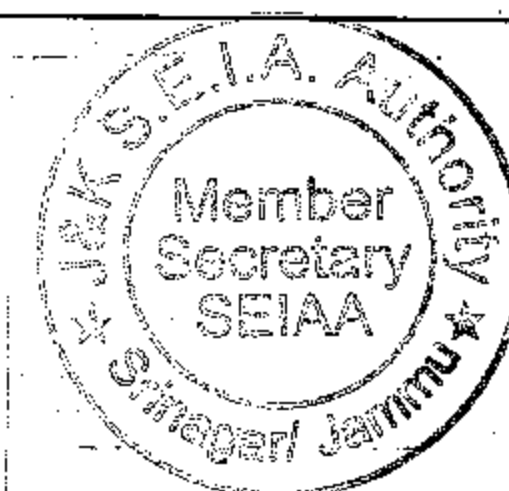
9	This Environmental Clearance is without prejudice to the standing instructions /orders from the competent authorities in the MoEF&CC, GoI and the UT of J&K w.r.t river bed mining activity.
10	An inspection Committee comprising of Additional Dy. Commissioner, District Mineral Officer, representative of Pollution Control Board, Executive Engineer Irrigation & Flood Control Dept. 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 /conservation and protection of endangered fauna and flora in the area.
12	Masks and PPE shall be provided to the workers in view of COVID-19.
13	Social distancing norms and other standard operating procedures relating to COVID-19 shall be followed during mining activity.
14	The plan worked out and expenditure made under Occupational Health should be undertaken in consultation with the Local Health Institution/PHC/Sub-Centre for utilization for the health and welfare of the local workers involved in mining activity and villagers living in the close vicinity. Regular Medical checkups and free medicines shall be provided under the fund.
15	The Project Proponent must ensure that the biological clock of the villagers in the vicinity of the project is not disturbed by any unauthorized night operations and all measures must be taken for keeping the noise levels within prescribed levels.
16	Provision shall be kept for housing of the labour force, toilets, facilities for cooking, safe water, health care, crèche etc. for the labour force.
17	A final Mine closure Plan along with details of Corpus fund shall be communicated to the MoEF&CC in advance for approval.
18	The top soil in case of surface land mining shall be temporarily stored at the designated/ appropriate site and concurrently used for land reclamation.
19	The mining operations shall be undertaken in a systematic manner so that it does not damage the aesthetic view of the area.
20	Adequate steps should be taken to check soil erosion and engineering structures shall be raised wherever required. The mining shall be restricted to 3/4th of the width of the river/riverlet or 7.5 m(inward) from river bank but upto 10% of the width of the river.
21	The compliance report shall be submitted to the Regional Office of the MoEF&CC at Chandigarh with a copy to the Regulatory Authority.
22	The mining activity should in no case go beyond the area as mentioned in the Letter of Intent and a buffer area is 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



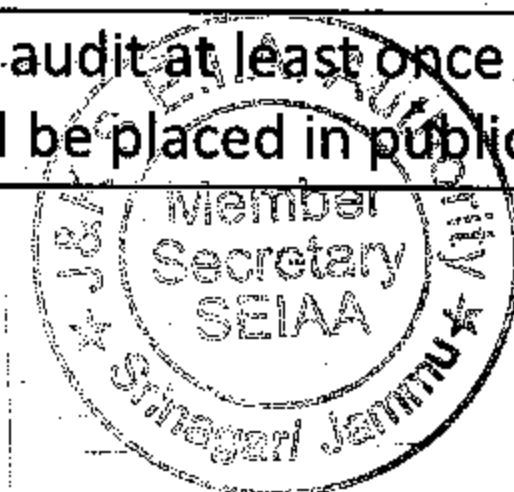
26	Mining should be initiated only after installation of signboards with demarcation pillars indicating the geo-coordinates of the plot as mentioned in the letter of intent, measurements (length /breadth) and should be laid in presence of the authorized official of the Geology & Mining Department. All 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. Axel load on the roads should not exceed the prescribed load as per IRC
38	Restricted working hours. Mining operation has to be carried out between 6 am to 7 pm. 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, 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	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 where ever, recommended by the Expert Appraisal Committee.
67	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.



68	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.
69	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.
70	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.
71	In the event any conflict in interpretation of Standard /General Conditions vis-a vis Specific Conditions, the Specific Conditions shall prevail.

Sd/-
(Lal Chand), IFS,
Chairman, JKEIAA

No.JKEIAA/2021/552/1682-94

Dated: 06 - 07- 2021

Copy to:-

1. Commissioner/ Secretary to Government Mining Department, J&K Government, Civil Secretariat, Jammu for favour of kind information.
2. Commissioner/Secretary to Government, Forest, Ecology & Environment Department, J&K Government, Civil Secretariat, Jammu for favour of kind information.
3. Chairman, J&K Pollution Control Board for favour of kind information. He is requested to properly monitor the Environment clearance conditions and monitoring report thereof may be submitted to this office quarterly failing which EC so issued will be treated as null and void.
4. Regional Officer, Integrated Regional Office, Jammu, Ministry of Environment, Forest & Climate Change, J&K and Ladakh UT for favour information. env.irojk-mefcc@gov.in
5. Director, Geology & Mining Department, J&K Government, Jammu for information and necessary action. It may be ensured that all conditions of E.C. are fulfilled.
6. Deputy Commissioner Budgam, for information.
7. Chief Engineer, Irrigation & Flood Control Department, Srinagar for information.
8. Director, Fisheries Department, J&K Government, Srinagar for information.
9. Secretary, JK Expert Appraisal Committee for information.
10. Divisional Forest Officer (T), Budgam for information.
11. Divisional Forest Officer, Social Forestry, Budgam for information.
12. Parivesh portal.



Neelu Gera
06/7/2021
(Dr. Neelu Gera)-IFS
Pr.CCF/Director,
Ecology, Env. & Remote
Sensing Department,
Member-Secretary, JKEIAA