

**Government of Jammu and Kashmir
Department of Geology & Mining, Jammu**

The Joint Director (K/J)

Geology & Mining Deptt.

Srinagar/Jammu.

No.836/MCC/DGM/SLEIAA/18/ 7310

Dated:- 18.01.2019

Subject:- Environmental Clearance in respect of the Minor Mineral Blocks of less than 05 hectares.

Reference:-Ministry of Environment, Forest & Climate Change, GoI Office Memorandum dated 12th December, 2018

Sir,

Kindly refer to the above noted subject and reference wherein, it has been directed that Form-IM be made more comprehensive for areas of 0 to 5 hectares by dispensing with the requirement for Public Consultation to be evaluated by SEAC for recommendation of grant Environmental Clearance by SEIAA instead of DEAC/DEIAA(copy enclosed).

As there are 16 cases of auctioned minor mineral blocks in J&K having an areas less than 05 hectares (District wise list enclosed) pending for want of Environmental Clearance therefore, the concerned District Mineral Officers be directed to submit all such cases to State Level Environment Impact Assessment Authority (SLEIAA) who has been authorised to apprise and grant Environmental Clearances for cases having areas 0 to 5 hectares as well.

The concerned District Mineral Officers shall also pursue with the Authority for early action in this regard.

Encl:- 02 Lvs.

Yours faithfully

DY. Director(MCC)
Geology & Mining
Jammu.

P. No. L-11011/175/2018-IA-II (M)
Government of India
Ministry of Environment, Forest & Climate Change
Impact Assessment Division



3rd Floor, Vayu Wing,
Indira Paryavaran Bhawan,
Jorbagh Road, Aliganj,
New Delhi-110 003
Email: ia.ii@moef.gov.in
Phone/Fax: 011-24695362

Date: 12th December 2018

Office Memorandum

Order dated 04th September, 2018 & 13th September, 2018 passed by the Hon'ble National Green Tribunal, New Delhi in O.A. No. 173 of 2018 & O.A. No. 186 of 2018 in the matters titled "Sudarsan Das Vs State of West Bengal & Ors" & "Satendra Pandey Vs Ministry of Environment Forest & Climate Change & Arr." respectively- regarding.

This is with reference to the recent orders of the Hon'ble NGT dated 04th September, 2018 in the matter titled *Sudarsan Das Vs State of West Bengal & Ors* & order dated 13th September, 2018 in the matter *Satendra Pandey Vs Ministry of Environment Forest & Climate Change & Arr.* Copies of the orders are enclosed herewith for ready reference.


The Hon'ble NGT vide order dated 13th September, 2018 in O.A. No. 186 of 2018 (*Satendra Pandey Vs Ministry of Environment Forest & Climate Change & Arr.*) has inter-alia directed as follows:-

- (i) Providing for EIA, EMP and therefore, Public Consultation for all areas deemed to be falling under Category B-2 at par with Category B-1 by SEAC/SEAD as well as for cluster situation wherever it is not provided;
- (ii) Form-1M be made more comprehensive for areas of 0 to 5 ha by dispensing with the requirement for Public Consultation to be evaluated by SEAC for recommendation of grant EC by SEIAA instead of DEAC/DEIAA;
- (iii) If a cluster or an individual lease site exceeds 5 ha, the EIA/EMP be made applicable to the process of grant of prior environmental clearance;
- (iv) EIA and/or EMP be prepared for the entire cluster in terms of recommendation 5 (supra) of the Guidelines for the purpose of recommendations 6, 7 and 8 thereof;

- (v) revise the procedure to also incorporate procedure with respect to annual rate of replenishment and timeframe for replenishment after mining closure in an area;
- (vi) the MoEFACC to prepare guidelines for calculation of the cost of restitution of damage caused to mined-out areas along with the Net Present Value of Ecological Services forgone because of illegal or unscientific mining.

3. In view of the above, the undersigned is directed to forward the copy of the aforementioned order for necessary compliance and inform the Ministry about the action taken.

4. This issues with the approval of the Competent Authority.

Yours faithfully,

(Dr. Ach. Lal)
Scientist 'E'

End: As above

- To,
1. The Chief Secretary, 1st Block, 1st Floor A.P Secretariat Office, Andhra Pradesh, Visakhapatnam - 522503
 2. The Chief Secretary, Government of Arunachal Pradesh, Civil Secretariat, Dispur - 791111
 3. The Chief Secretary, Government of Assam, Block-C, 3rd Floor, Assam

List of below 0-5 hectares auctioned blocks and pending of ECs in DEIAA

District	Block No	Name of the successful bidder	Submission of application for Environmental Clearance to DEIAA (Month)	EC pending with DEIAA
Jammu	22(2/14)	Nagar Singh Choudhary S/o Sh. Koula Ram R/o 33 A/D Gandhi Nagar, Jammu	February, 2018	06
	23(2/15)			
	52(5/27)			
	53(5/28)			
Udhampur	59(5/34)	Nagar Singh Choudhary S/o Sh. Koula Ram R/o 33 A/D Gandhi Nagar, Jammu	March, 2018	01
	60(5/35)			
Poonch	10(III/II)	Sh. Balbir Singh S/o Sh. Jagar Singh R/o H. No.25- C/C Gandhi Nagar, Jammu	April, 2018	01
Kishwar	1(1/1)	Sh. Rakesh Kumar Choudhary S/o Sh. Koula Ram R/o Gandhi Nagar, Jammu		02
	2(1/2)			
Budgam	11	M/S Classic Construction Compay Prop. Sh. Shabir Mustafa Rafiqi R/o Harwan, Srinagar	March, 2018	02
	12			
Pulwama	1	Sh. Manzoor Ahmad Mir S/o Sh. Ab. Gani Mir R/o Litter, Pulwama	March, 2018	04
	2	Sh. Mohd. Ashore Mir R/o Patipora, Pulwama		
	4	Sh. Mohd. Shaban Bhat S/o Gh. Mohammad Bhat R/o Patipora, Pulwama		
	7	Sh. Shabir Ahmad Mir S/o Sh. Ghulam Nabi Mir R/o Achan, Pulwama		
Total				16