

Proceedings of the Public Hearing conducted on 26.03.2012 at 11:30 a.m.in connection with application filed by Department of Industries & Commerce, Govt. of Punjab, for obtaining environmental clearance under EIA Notification dated 14/9/2006 for the mining site at 76.80 Hectare Village Kathlour, Tehsil & District Pathankot.

The following were present to supervise the proceedings:-

1. Smt. Sarojini Gautam Sharda, (PCS)
Additional Deputy Commissioner,
Pathankot.
2. Er. Sandeep Bahl,
Environmental Engineer,
Punjab Pollution Control Board,
Regional Office, Hoshiarpur.
3. Er. Ashok Kumar Chalotra,
Asstt. Environmental Engineer,
Punjab Pollution Control Board,
Regional Office, Hoshiarpur.
4. Er. Prem Kamal,
Asstt. Environmental Engineer,
Punjab Pollution Control Board,
Regional Office, Hoshiarpur.
5. Sh. Balwinder Pal Singh
General Manager,
District Industries Centre-cum-Mining Officer,
Pathankot.
6. Sh. Sukhvir Singh
Range Officer,
Wild Life Sanctuary,
Pathankot.

Environmental Engineer, Punjab Pollution Control Board, Regional Office, Hoshiarpur welcomed the Supervising-cum-Presiding Officer and people from the Kathlour Village who came to attend the public hearing for mining sites in the revenue estate of **Village Kathlour, Tehsil & Distt. Pathankot**. He apprised the public about the requirement of conducting the public hearing before grant of environmental clearance under EIA Notification no.1533 (E) dtd.14.9.2006 of the Ministry of Environment and Forests, Govt. of India, New Delhi. He also brought into the notice of public that the Department of Industries & Commerce, Govt. of Punjab has submitted copies of draft rapid EIA report alongwith the Executive Summary of the same and a copy of each such document was placed in the office of Deputy Commissioner, Pathankot; ZilaParishad, Gurdaspur; General Manager District Industries Centre, Pathankot; Executive Officer, Municipal Council, Pathankot, Regional Office of MoEF at Chandigarh and Regional Office, Punjab Pollution Control Board, Hoshiarpur for access to the public and other stakeholders. He further brought out that a notice of public hearing was published in three prominent newspapers 'Hindustan Times'

& 'The Tribune' & 'Daily Ajit' on 9.2.2012 (**Annexure –A**) to make the public aware of the date, time & venue of the public hearing and about the places/offices where the public could access the draft EIA report and its Executive Summary report before the said hearing. He informed that today's Public hearing is being conducted for the mining area of **76.80 Hectares** located in Village: **Kathlour, District: Pathankot** as per application submitted by the Project Proponent i.e. Department of Industries and Commerce, Government of Punjab, Chandigarh through Mining Officer, Pathankot. District Pathankot.

He further intimated that pursuant to the publication of Public Notice regarding conduct of Public Hearings; an office order was issued by Deputy Commissioner, Pathankot Vide No. 926-27 dated 16.02.2012 (copy enclosed **Annexure-B**) regarding Supervision of Public hearing and direction to concerned area Sub-Divisional Magistrate for conducting MustriMunadi through HalquaPatwari on a day prior to Public hearing to ensure maximum participation of public for decision making. Further District Public Relation Officer was also requested to give wide publicity in the print & electronic media to ensure maximum participation of the public vide Punjab Pollution Control Board vide letter No. 1278 dated 13.02.2012. Sarpanch&Chowkidar of the Village **Kathlour, Tehsil & Distt. Pathankot** has also submitted Certificate regarding conducting of Munadi through Village Chowkidar& Local Gurudwaras/ Mandir as well as through distribution of Pamphlets (**Annexure C**). He also informed that details of khasra Nos. duly signed by Mining Officer alongwith Coloured copies of proposed mining area has been displayed on the Notice Board at the venue of Public hearing for convenience of the public which are placed as per **Annexure – D&E**. Proposed Mining site was properly explained by the Halqua Patwari, which has also been video recorded, photographed and forms a part of the proceedings of Public hearing.

He also informed that Divisional Forest Officer, Pathankot was requested vide Punjab Pollution Control Board, Regional Office, Hoshiarpur Letter No. 1406 dated 17.02.2012 to be present during the Public Hearings for their comments, views, suggestions & objections regarding proposed mining projects on behalf of his department, considering the fact that near most of the proposed river bed mining sites, there is possibility of forest land / wild life sanctuary/ protected forest area.

He further informed the audience that being a Category 'A' project the EAC / SEAC has determined detailed and comprehensive TOR (Terms of Reference) addressing all relevant environmental concerns for the preparation by an EIA report in respect of mining project for which prior environmental clearance is sought of Department of Industries & Commerce through Mining Officer, Pathankot. Copy of the TOR (Terms by Reference) enclosed as per **Annexure-F**. He apprised the audience of some of the following important points of Terms of the Reference (TOR), which are part of Draft EIA report submitted by the Project Proponent.

- The terms and conditions imposed, if any, by the Competent Authority in the State Government while granting mining lease/ permit/ contract should be built into the mine plan (Eco friendly Mine Plan) as well as the EIA report. It may inter-alia include; area of working

(length and breadth of the river stretch), mode of working, working shift, transportation of mineral, restriction, if any imposed for working etc.

- Involvement of the forest land, if any, in the project and status of forestry clearance should be given.
- The study area will comprise of 10 km zone around the mine lease from lease periphery and the data contained in the EIA such as waste generation etc should be for the life of the mine/ lease period.
- Land use of the study area delineating forest area, agricultural land, grazing land, wildlife sanctuary and national park, migratory routes of fauna, water bodies, human settlements and other ecological features.
- Land use plan of the mine lease area should be prepared to encompass pre-operational, operational and post operational phases.
- Impact of the project on the wildlife in the surrounding and any other protected area and accordingly detailed mitigate measures required should be worked out with cost implications.
- The vegetation in the RF/PF in the study area, if any.
- A study shall be got done to ascertain the impact of the mining project on wildlife of the area including on the elephant population.
- Location of National Parks, Sanctuaries, Biosphere Reserves, Wildlife Corridors, Tiger/Elephant Reserves (existing as well as proposed) within 10 KM of the mine lease should be clearly indicated.
- A detailed biological study for the study area [core zone and buffer zone (10 KM radius of the periphery of the mine lease)] including the aquatic fauna in the riverine system shall be carried out.
- Impact on topography, drainage, agricultural fields, wildlife, water logging leading to water borne diseases, if any. It may also be shown whether it will lead to change of water course of the river. Modeling exercise should also be carried out through an expert agency to show the change in river flow dynamics, if any.
- Collection of one season (non-monsoon) primary baseline data on ambient air quality (PM10, SO₂, and NO_x), water quality, noise level, soil and flora and fauna.
- Air quality modeling should be carried out for prediction of impact of the project on the air quality of the area.
- Impact of the project on the water quality should be assessed and necessary safeguard measures, if any required should be provided.
- Information on site elevation, working depth, groundwater table should be provided both in AMSL and bgl. A schematic diagram may also be provided for the same.
- Quantity of solid waste generation, if any, to be estimated and details for its disposal and management be provided.
- Impact on local transport infrastructure due to the project, Projected increase in truck traffic as a result of the project in the present road network (including those outside the project area) and whether it is capable of handling the increased load. Arrangement for improving the infrastructure, if contemplated including action to be taken by other agencies such as State Government, if any, should be covered.
- Details of the infrastructure facilities to be provided for the mine workers.
- Phase-wise plan of greenbelt development, plantation and compensatory afforestation clearly indicating the area to be covered under plantation and the species to be planted.
- Occupational health impact of project should be anticipated and prevention measures initiated. Details in this regard should be provided.
- Details of pre-placement medical examination and periodical medical examination schedules and medical facilities proposed to be provided should be incorporated in the EMP.
- Measures of socio economic influence to the local community proposed to be provided by project proponent. As far as possible, quantitative dimension to be given.
- Detailed environmental management plan to mitigate the environmental impacts. Specific safeguard measures to control PM10 as well as pollution due to transportation should be given.
- Public hearing points raised and commitment of the project proponent on the same along with time bound action plan to implement the same should be provided.

- Details of litigation pending against the project, if any, with direction/ order passed by any Court of Law against the project should be given.
- The cost of the project (capital cost and recurring cost) as well as the cost towards implementation of EMP should clearly be spelt out.
- All documents to be properly referenced with index, page numbers and continuous page numbering.
- Where data are presented in the report especially in tables, the period in which the data were collected and the sources should be indicated.
- Where the documents provided in a language other than English, an English translation should be provided.
- The questionnaire for environmental appraisal of mining projects as devised earlier by the ministry shall also be filled and submitted.
- Approved mine plan along with copy of the approval letter for the proposed capacity should also be submitted.
- While preparing the EIA report, the instructions for the proponents and instructions for the consultants issued by MoEF vide O.M. No. J-11013/41/2006-IA.II(I) dated 4th August, 2009, which are available on the website of this ministry should also be followed.

Environmental Engineer further apprised the audience of the fact that mining has to be carried out as per Environmental Impact Assessment Guidance Manual for Mining of Minerals as published by Ministry of Environment Forests, New Delhi through Administrative Staff College of India, Hyderabad which includes some of the additional points to be taken into consideration for Environment friendly mining. In addition to some of the points already raised in Term of Reference; following issues will also be monitored:

- The mining has to be carried out only upto 3 mtrs. (BGL) Below Ground Level and Mining has to start after date of opening of Mining Activities i.e. after grant of Environmental Clearance.
- Whether there is involvement of any Forests land in proposed area of Mining.
- Whether there is any Wild Life Sanctuary within 10 Kms. from the area of proposed mining project.
- There will not be any quarry operation within the distance of 75 m from railway line / 50 m from reservoir tank, canal, public road, building and in-habitat sites etc.
- Whether there is any Defence establishment near by the area of proposed mining project.
- Mining will not be allowed below water the table.
- The mining should be prohibited to distance of 500 m on upstream and downstream from the high level bridge and 250 m from the other bridges on upstream and down stream

He also pointed out that project proponent is legally bound to get necessary approvals 'if applicable' from other departments like Forest Department & Ground Water Board under relevant Acts & Rules for the Proposed Mining Projects. He further informed that around 30 persons are present in the Public hearing out of which 27 have signed the attendance register.

Thereafter, he requested the Project Proponent i.e. Mining Officer, Pathankot to elaborate the main features about the project and the draft EIA study report. Mining officer, Pathankot Sh. Balwinder Pal Singh gave the description of the site for which Environmental clearance is sought. He intimated to the public that total proposed mining land as indicated in Draft EIA Report has been shown as Govt. waste land and he also submitted copy of signed list of khasra Nos. of proposed mine lease which has not been demarcated as of now.

However these Khasra Nos. of proposed mining site includes Private Land. In majority of the proposed mining area, deep mining has been carried out in patches at some places,

even beyond 3 Mtrs. BGL thereby surpassing restrictions to be imposed in proposed Environmental Clearance which was videographed and photographed depicting damage already done to the Environment.

Then he introduced and invited Sh. N.K. Sharma Representative of M/s Grass Roots Research & Creation India (P) Ltd, Noida, Consultant of Department of Industries & Commerce to elaborate about the main features of the project and the draft EIA study report.

Sh. N.K. Sharma of M/s Grass Roots Research & Creation India (P) Ltd, Noida engaged by Department of Industries & Commerce, for conducting the EIA study for this project brought out the details of the project before the public as under:-

- 1) The development of the infrastructure is based upon the building materials such as sand and gravel for which controlled mining at the source is required. Govt. of Punjab has to allot / earmark the various sites from which the mining of minerals has to be undertaken. Accordingly, this site is also one of such site from where mining is to be carried out, hence the environmental clearance is required.
- 2) PROJECT DESCRIPTION
As per the Eco-friendly Mining Plan, it is a proposed project to mine Sand/Gravel and the estimated project cost is 4.27 Crore. Department of Industries and Commerce, Chandigarh (Punjab), though has not yet notified the mining lease of Sand/Gravel in the name of Kathlour, Taluka: Pathankot, Punjab. The mining lease / proposed project area falls in Survey of India Toposheet No. 43P/8. The mine lease area is located between 32° 13' 54.22" to 32° 14' 39.81" N Latitude and 75° 25' 31.38" to 75° 26' 1.18" E Longitude. The River bed is having 76.80 Hectare area which with approx. 5,94,000 tonne per year of Sand/Gravel deposit in it, which is replenishable due to sediment Inflow.
- 3) The mining will be carried out by excavator of 1.1 cubic meter capacity. No drilling or blasting will be carried out at the site and the mining will be with simplest procedure of lifting the material and loading to the vehicles mechanically. The mining will be done upto working depth of 3 m BGL only.
- 4) Baseline data has been collected with respect to land, water, air, ecological and noise in the area of 10 km radius surrounding the site.

He further informed that as mentioned in Draft EIA item No. 1.2 as well as in TOR (Terms of Reference), the mining area has not been notified by Department of Industries Govt. of Punjab.

- 5) Mitigation measures for different Environment parameters:

A) **Air Environment:** The dust emitting will only be possible from the movement of the vehicles for which water spraying will be carried out on the road. Overloading of vehicles will not be allowed.

B) **Water Environment:**

- There will be no degradation of water quality, only natural flow of the river will be maintained.

C) **Soil Environment:**

- The mining will not effect in any way the quality of the soil as the level of the area lowered by the mining will be compensated by the flowing river, during rainy season.

D)Noise Environment:

- There will be no heavy machinery to be used in the mining, the possible noise will be from movement of vehicles only.
- The movement of vehicles will be restricted to the day time only with minimum use of horns.

E)Social Aspects

- River channel will be controlled and protection of banks will lead to safety of adjoining agricultural land.
- Employment will be generated hence improvement of socio-economic aspects of the area.

6) Budget for Implementation of Environmental Management Plan

Cost of EMP

S. No	Description	Cost to be incurred (in lakhs/annum)
1	Air Quality a) Monitoring in the vicinity of the mine b) Monitoring in the vicinity of the transportation network c) Cost of dust suppression	7.06
2	Water Quality a) Water quality of surface and groundwater around the site b) Drinking water must conform to drinking water standards	5.13
3	Ambient Noise Level	1.49
4	Soil Quality	2.35
5	Socio-economic condition of local, population, physical survey	1.06
6	Man power cost for environmental cell	4.26
	TOTAL	21.35

Thereafter, Additional Deputy Commissioner, Pathankot informed the public present that as per the provision of EIA notification dated 14.9.2006 as amended from time to time, the persons present at the venue may seek information or clarifications on various issues related to proposed mining project from the project proponent/consultant. He also informed the public that the information or clarifications sought by them and reply given by the project proponent / consultant will be videographed and will also be incorporated in the proceedings of the hearing, which will be sent to the Ministry of Environment & Forests, for further consideration. Accordingly, she requested the persons present in the hearing to seek information or clarifications on the project one by one without any fear, pressure or favour.

Thereupon, the detail of the information/ clarifications raised by the persons present at the venue of hearing and the reply given by the consultant of the industry / project proponent is as under:

S. No	Name of the person	Questions/ query / statements of the person	Reply / clarification given by the company/ panel member
1.	Sh. Thakur Balvir Singh, Village Kathlor, Teh. & Distt. Pathankot	<ul style="list-style-type: none"> ● At one side mining has been stopped but on the other end Whole River got excavated due to mining which has resulted in stagnation of water. ● No compensation has been given to land owners for the last year and current year. Mining is still undergoing on our land which should be kept in mind. ● Our roads are being destroyed by the movement of overloaded trucks. Due to which the condition of our village is very bad. It must be clarified that how the mining is to be carried out. It is all right to dig the land up to 2-5 ft but actually it is being excavated up to 10-20 ft . If there are floods then our village will be eroded. 	<ul style="list-style-type: none"> ● Comments/Suggestions/ Views /objections, were well recorded.
2.	Sh. Rajiv Sangh, Village Kathlor, Teh. & Distt. Pathankot	<ul style="list-style-type: none"> ● The compensation of Village Meera should be distributed among the whole villagers instead of 02-04 persons. ● The barrier for vehicles engaged with mining should be at the outskirts of the village, as it is resulting in accidents and all the Zamindars must be compensated. 	<ul style="list-style-type: none"> ● Comments/Suggestions/ Views /objections, were well recorded.
3.	Sh. Parsa, Sarpanch Chandigarh Aabadi Raipur, Teh. & Distt. Pathankot	<ul style="list-style-type: none"> ● It must be clarified that whether mining was carried out in Village Jaswan & Kathlour last year. If mining was carried out then we royalty should be paid to us. And if mining was not carried out then why this barrier was established here. If we are in need of sand for the construction of our own houses then we are supposed to pay 4000-5000 Rs. for it. ● We have seen the situation of floods in the year 1988 & 1995, we spent sleepless nights. Royalty is being paid @ 10 Rs for sand & 10 Rs. for bajri. Village Bechirag was eroded by floods and it's 	<ul style="list-style-type: none"> ● GM, DIC cum Mining Officer, Pathankot said that no auction has been done for these village. If any royalty is taken then its wrong as there is no contractor. If any one has complaint, give it in writing, we will do further action. ● When this proposed project will get approval then auction will be carried out. After auction, panchyat will be compensation with royalty through cheque

		<p>population got shifted to Village Raipur. We are now living in Village Raipur. Whenever any benefit is given that is paid to Village Kathlour, whereas the residents of Kathlour are actually the residents of village Raipur. The public hearing is in Village Raipur and Village Kathlour is at the other end.</p> <ul style="list-style-type: none"> • Barricades has been established at the outskirts of Village Kathlour in order to collect royalty. A temple is situated near it. Old people go to temple, Children go to school but due to barrier chances of accidents has increased. Set up of the barrier should be at the place where mining is done or near the Raavi river. • Land owners are not being compensated for mining. Labourers must not be charged royalty if they are in need of sand/gravel for the construction of their houses. 	<p>by Mining Officer in the presence of BDPO, Sarpanch & Hon'ble Deputy Commissioner.</p>
4.	Sh. Shashi Pal Singh, Village Kathlor, Teh. & Distt. Pathankot	<ul style="list-style-type: none"> • The khasra nos. proposed for mining are with the approval of private owner or not. • If farmers are not interested to carry out mining on agricultural land, then whether you can carry out mining over there? • What if land owners don't want to give his land for mining? 	<ul style="list-style-type: none"> • GM, DIC cum Mining Officer, Pathankot said that if the land is agricultural then we can't carry out mining. But if any unauthorized mining is carried out there then he will be personally responsible for it. • If your land is agricultural land no mining will carry out. • If your land have minerals then these are of Govt. • We haven't received any complaint from Village Kathlour. If we received any complaints then we take further action.
5.	Sh. Harjinder Singh, Village	<ul style="list-style-type: none"> • Up to where mining area exists? 	<ul style="list-style-type: none"> • As per Patwari the

	Siora, Teh. & Distt. Pathankot	Because if we level our land we are harassed by mining department.	<p>mining area starts from forest.</p> <ul style="list-style-type: none"> • GM, DIC cum Mining Officer, Pathankot said that private owner may level the land but can't sell its minerals.
6.	Sh. Joginder Singh, Village Raipur, Teh. & Distt. Pathankot	<ul style="list-style-type: none"> • Heavy vehicles pass through our village and risk of accidents is always there. Crusher owners have put bajri on the phirni but haven't compensated us. No road has been constructed in the village. The vehicles carrying Crusher's material must pass through the outskirts of the village. No royalty should be imposed on Villages Raipur, Kathlour & Siauthria. We are not happy by paying royalty. 	<ul style="list-style-type: none"> • Comments/Suggestions/Views /objections, were well recorded.

Environmental Engineer requested the public if anyone else want to ask any question about the proposed project, but no one came forward. He further informed that no written objections/ suggestions have been received regarding the proposed mining site.

As EIA study has been carried out by the Project Proponent through its consultant without demarcation of proposed mining site and without taking into consideration site specific ground realities. The Project Proponent was asked to officially own data used/ generated during EIA study which has been incorporated in Draft EIA Report. General Manager, DIC-Cum-Mining Officer, Pathankot has submitted a letter issued by Director of Industries & Commerce, Punjab, Chandigarh in this regard stating that *"it is not feasible to certify the data and other information included in the EIA / EMP reports prepared by the Consultant Firm at this juncture as the reports are yet to take final shape"* has been annexed alongwith this report as **Annexure –H**.

Due to ambiguity regarding proposed area of mining arising out of different mining areas mentioned in TOR, Draft EIA Report & actual available at ground, the representative of the Project Proponent i.e. Mining Officer, Pathankot asked to clarify and furnish details of Khasra Nos. of Village Kathlour for which Environmental Clearance is sought so as to put to rest the ambiguity regarding the actual mining area. Consequently, **Sh. Balwinder Pal Singh, Mining Officer, Pathankot clarified that the proposed mining area as recorded in TOR issued to them is 66.00 Hectares. But erroneously, Draft EIA report has prepared for 76.80 Hectares. He further clarified that out of these only 55.6 acres (around 22.00 hectares) falls out side the Forest Land for which he submitted revised certificate duly signed by him.**

As the mining activity is restricted upto 500 Mtrs. around the boundary of Wild Life Sanctuary; Additional Deputy Commissioner directed Halqua Patwari to verify area available for mining with Khasra Nos. leaving 500 mtrs. around the periphery of the Kathlaur Wild Life Sanctuary which is restricted zone. She directed that a fresh certificate jointly signed and revenue authority and forest department be submitted immediately so as to assess the resultant area for mining leaving 500mtrs. around the sanctuary. Halqua Patwari and Range Officer, Wild Life Sanctuary, Pathankot later on submitted certificate that the Khasra Numbers 114R/2-3-4-5-6-7-8-9-10-11-12-13-14-15-16-17-18-19-20-21-22-23-24-25, 115R/4-5-6-7-15-16-25/2,122R/1-2-3-4-5-6-7-8-9-10/1-12-13-14-15-16-17, 122R/18-19/1-21-22-23/1-24-25, 134R/1-2-3/1-3/2-4/1-4/2-5-6 (measuring 22 Hectares falls within 500 mtrs. of the periphery of Wild Life Sanctuary. A Certificate was also submitted duly signed by Range Officer, Wild Life , Pathankot and Revenue Authority. Which is enclosed as **Annexure-G**.

In view of the clarification given by the Mining Officer, Pathankot that only 55.6 Acres (around 22.00 hecatres) falls out side forest land and subsequent certificate of the Halqua Patwari & Range Officer, Wild Life, Pathankot clarifying that all these Khasra Nos. fall with in 500 mtrs. periphery of the Wild Life Sanctuary. It is concluded that there is no land available for mining in Village Kathlaur

The public hearing ended with vote of thanks to Presiding Officer-cum-Supervisor and the public present in the hearing.

Copies of DVD's of video recording and still photography of the Public Hearing are enclosed which may please be considered as a part of the proceedings.

(Smt. Sarojini Gautam Sharda)
(PCS)
Additional Deputy Commissioner,
Pathankot.

(Er. Sandeep Bahl)
Environmental Engineer,
Pb. Pollution Control Board,
Regional Office, Hoshiarpur.

(Er. Ashok Kumar Chalotra)
AEE
Punjab Pollution Control Board,
Regional Office, Hoshiarpur

(Er. Prem Kamal)
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