

No. J-12011/4/2010-IA.I
Government of India
Ministry of Environment, Forest & Climate Change
[IA.I - Division]

Indira Paryavaran Bhavan
3rd Floor, Vayu Wing
Jor Bagh, Aliganj
New Delhi - 110 003

Dated: 10th April, 2017

To

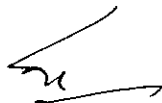
The General Manager (Planning)
M/s Chenab Valley Power Projects Pvt. Ltd.
2nd Floor, JKPCC Building,
Rail Head Complex, Panama Chowk,
Jammu - 180 006, J&K.

Sub: Kwar HEP (540 MW) in the State of Jammu and Kashmir by M/s Chenab Valley Power Project Private Ltd. - Environment Clearance regarding.

Sir,

This has reference to your letter no. CVPP/GM/P&I/2016/877 dated 08.12.2016 on the above mentioned subject.

2. The above referred proposal was appraised by the Expert Appraisal Committee (EAC) for River Valley and Hydroelectric Power Projects (RV&HEP) in its meeting held on 5-6th May 2014, 20-21st July 2015 and 30th December 2016. The comments and observations of EAC may be seen in the Minutes of the meeting, which are available on the web-site of this Ministry. The Public Hearing was conducted on 28.10.2013 at village Padyarna in the District Kishtwar of Jammu & Kashmir.
3. It was noted that Kwar H.E. Project envisages construction of a concrete gravity dam near Padyarna village, an underground power station of 540 MW (4 units of 135 MW each) on the right abutment of the dam adjacent to dam axis and 2 nos. tail race tunnels of lengths 2,786 m and 2,963 m, respectively.
4. The proposed project requires 136.35 ha land out of this, 29.75 ha falls under the category of forest land. Of the rest 89.57 ha is state land and 17.03 ha is private land. The project activities shall affect 5 villages i.e Bhagna, Semna Bhata, Ajna, Dichla and Galhar Bhata. However, families are being affected from four villages only. The fifth village i.e. Galhar Bhata is losing only Govt. land (river bed land) and no families are being affected from this village.
5. The total estimated cost of the project is Rs. 4,949.24 crores at April, 2016 Base Price level. The project is to be completed in a period of 54 months after accordance of all the Government sanctions.



6. The Expert Appraisal Committee (EAC), after due consideration of the relevant documents submitted by the project proponent and clarifications furnished in response to its observations, has recommended for grant of Environmental Clearance for the project mentioned above. Accordingly, the Ministry of Environment, Forest and Climate Change hereby accords necessary Environmental Clearance for the above project as per the provisions of Environmental Impact Assessment Notification, 2006 and its amendment in 2009, subject to compliance of the following conditions:

Part A: Specific Conditions

- i. **As and when the Cumulative Impact Assessment & Carrying Capacity Studies (CIA & CCS) of the Chenab River Basin of J&K is carried out, the recommendation therein for Kwar HEP shall be followed by the PP.**
- ii. The Catchment Area Treatment (CAT) Plan as has been proposed in the EMP shall be strictly implemented in consultation with the J&K State Forest Department. Major works of CAT shall be completed before impounding of reservoir. The CAT plan will be implemented in 5 years time and the maintenance work shall be undertaken for next 5 years. Financial allocation of Rs. 2,930.56 lakhs for CAT Plan implementation shall be fully utilized and not to be diverted for any other purpose. As per CAT plan, the area to be treated is 2,211 ha.
- iii. Land acquired for the project shall be suitably compensated with the prevailing guidelines and all commitments made during the public hearing shall be fulfilled. The R&R benefits for the Project Affected Persons (PAPs) should be adequately compensated for loss of assets and assisted to re-establish their livelihoods. The assessment has been made as per the norms of the National Rehabilitation & Resettlement Policy (NRRP), 2007 and guidelines of J&K State Government. The project affected population should be resettled and rehabilitated as per the Jammu & Kashmir state R&R policy. All R&R issues shall be completed before commissioning of the project.
- iv. Implementation of R&R Plan is to be monitored closely by the State Authority and is to be ensured that all project affected families (PAFs) get adequate & timely compensation.
- v. A Monitoring Committee for R&R shall be constituted which shall include representatives of project affected persons including representative from SC/ST category and a woman beneficiary.
- vi. All commitments made during the public hearing should be fulfilled completely by the project proponent and record maintained.
- vii. A minimum environmental flow of 16.49 cumec during lean season (December to March), 74.09 cumec during monsoon season (June to September) and 16.79 cumec during remaining four months (October-November & April-May) shall have to be maintained. **On line monitoring system for the e-flow releases measurement shall be installed** and data be displayed at appropriate site for civil society and stake holders. Six monthly results shall be submitted to the Regional office of the Ministry.

- viii. Dumping and consolidation/compaction of the muck shall be carried out only in the designated muck dumping sites as submitted in the EIA/EMP report. As per the proposed muck disposal plan given in EMP, out of the 38.73 lakh m³ of muck to be generated, 8.13 lakh m³ will be reused in various project components and remaining 30.60 lakh m³ will be dumped at 3 designated disposal sites in an allocated area of 34.35 ha. The dumping sites shall be more than 30 m away from the HFL of the river and the toe walls for muck disposal sites shall be constructed at least 30 m away from HFL of River. Allocated grant of Rs. 3,419.30 lakhs shall be fully utilized and not to be diverted for any other purpose.
- ix. Proposed compensatory afforestation programme in 59.50 ha of degraded forest areas shall be undertaken in consultation with State Forest Department. Allocated grant of Rs. 385.03 lakh shall be fully utilized and not be diverted for any other purpose.
- x. Landscaping & Restoration Plan as proposed in EMP Report, shall be developed. The proposed plan includes Treatment of Borrow Pits and Quarry Sites, Landscaping & Restoration and Greenbelt development. **Local indigenous varieties of plants to be planted and maintained till their full growth including gap filling.** The implementation shall be undertaken in consultation with State Forest Department. The allocated budget of Rs. 224.04 lakhs shall be fully utilized for this purpose and not to be diverted to any other purpose.
- xi. Solid Waste Management Plan as proposed in the EMP Report shall be implemented, **the plastic waste generated should be disposed of by recycling and not by land fillings.** Allocated grant of Rs. 221.60 lakh shall be fully utilized and not to be diverted for any other purpose.
- xii. Proposed Biodiversity Conservation & Management Plan as outlined in the EMP shall be implemented with State Forest Department. The allocated budget of Rs. 140.48 lakhs for this purpose shall be fully utilized and not to be diverted for any other purpose. Proposed Reservoir Rim Treatment Plan with both biological and engineering measures shall be implemented strictly, allocated amount of Rs.1043.69 lakhs should be fully utilized and not to be diverted for any other purpose.
- xiii. The Fisheries Development Plan as proposed in the EMP shall be implemented completely with the State Fisheries Department. As proposed, a fish hatchery shall be developed in 2 ha of area for development of fingerlings for stocking of reservoir and river. A budget of Rs. 798.59 lakhs provided for fisheries development plan should be fully utilized for this purpose and not be diverted for any other purpose.
- xiv. **Skill Mapping of the area be got conducted, mentioning the skills inherent of the local people and based on the skill mapping, the trainings to the youths be incorporated for their appropriate engagements in the Project.**
- xv. Equipments likely to generate high noise levels during construction period or otherwise shall have to meet the ambient noise standards as notified under the Noise Pollution (Regulation and Control) Rules, 2000, as amended in 2010 under the Environment Protection Act (EPA), 1986. This shall be strictly complied.

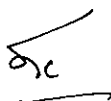


- xvi. The case for diversion of 29.75 ha of forest land for the project has been approved by J&K State Forest Advisory Committee in its 81st meeting held on 9th December 2013 and the requisite payment in this regard has also been deposited with the Forest Department. Necessary forest clearance required for the project shall be obtained and informed this Ministry, accordingly.
- xvii. Any other clearance required from any other organization/department should be obtained before commencement of works and commissioning of the project, as applicable.

Part B: General Conditions

- i. Adequate arrangements for ensuring availability of fuel like kerosene/LPG shall be made at the project cost for the labourers to be engaged in the construction work so that indiscriminate felling of trees is prevented. The energy conservation measures as provided in EMP shall be fully implemented.
 - ii. The labourers to be engaged for construction works shall be thoroughly examined by health personnel and adequately treated before issuing them work permit. Periodic health check-up and medical facilities shall also be provided to the labourers during construction period.
 - iii. Recreational facilities shall be provided to the labourers.
 - iv. Water sprinkling arrangements shall be made to suppress the fugitive emissions/ dust.
 - v. Potable drinking water and proper sanitary facilities shall be provided for the labour force. Proper disposal facilities for solid waste are to be ensured.
 - vi. Restoration of construction area including muck dumping sites shall be ensured by levelling, filling up of borrow pits, landscaping, etc. The area should be properly treated with plantation.
 - vii. Environmental parameters shall be monitored and "six monthly monitoring reports" shall be submitted to the Ministry of Environment, Forest & Climate Change, New Delhi including its Regional office for their review.
 - viii. Disaster management plan as provided in EMP shall be implemented in consultation with the District Authorities and early warning system shall be installed.
 - ix. An Environmental Management Cell (EMC) shall be established at the project level with sufficient manpower. The head of the EMC shall report directly to the head of the project for speedy implementation of EMP & related issues.
7. The Project Proponent shall provide full cooperation and provide all required documents/data to the Officials from concerned Regional Office of the Ministry who would be monitoring the implementation of environmental safeguards and undertake inspection.

8. The responsibility of implementation of environmental safeguards rests fully with the M/s. Chenab Valley Power Projects Pvt. Ltd. and Government of Jammu & Kashmir. Therefore, these may be critically reviewed jointly & periodically.
9. Besides the above stated conditions, the Project Proponent shall also implement all other environmental safeguards, as proposed in the EIA/EMP report and other reports from time to time. The Government of Jammu & Kashmir may also like to monitor implementation of EMP at regular intervals.
10. The Environmental Management Plan (EMP) shall be strictly adhered to and a sum of Rs. 137.35 crores, the budgetary provisions for the implementation of EMP, shall be fully utilized and not to be diverted to any other purpose.
11. In case of change in the scope of the project, the same be intimated to the Ministry and fresh approval, if required shall be taken from the Ministry.
12. Ministry reserves the right to add additional safeguard measures subsequently, if found necessary and to take action including revoking of the clearance under the provisions of the Environment (Protection) Act, 1986 to ensure effective implementation of the suggested measures in a time bound and satisfactory manner.
13. This clearance letter is valid for a period of 10 years from the date of issue of this letter for completion of the project.
14. A copy of the clearance letter shall be marked to concerned Panchayat / Zilla Parishad / Municipal Corporation, Urban local body and local NGO, if any, from whom any suggestion/representations were received while processing the proposal. The clearance letter shall also be put on website by the project proponent.
15. State Pollution Control Board shall display a copy of clearance letter at the Regional Office, District industries centre and Collector's/ Tehsildar's Office for 30 days.
16. The project proponent should advertise at least in two local newspapers widely circulated in the region around the project, one of which shall be in vernacular language of the locality concerned informing that the project has been accorded environmental clearance and copies of the clearance letters are available with the State Pollution Control Board / Committee and may also be seen at website of Ministry of Environment, Forest & Climate change at <http://www.moef.nic.in>.
17. The project proponent shall also submit six monthly reports on the status of compliance of stipulated EC conditions including the results of monitored data (both in hard copies as well as by email) to the respective Regional Office of MOEF & CC.
18. After 5 years of the commissioning of the project, a study shall be undertaken regarding impact of the project on the environment and downstream ecology. The study shall be undertaken by an independent agency to be decided in consultation with the ministry.



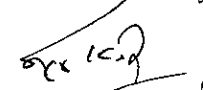
19. A multi-disciplinary Committee (MDC) for monitoring the implementation of environmental safeguards during construction shall be constituted by the project proponent (PP) in consultation with the Ministry as early as possible. A panel may be proposed by the PP and submitted to Ministry and the Government of Jammu & Kashmir. The project proponent shall organize six monthly meetings of the Committee and submit the monitoring report to the ministry. The MDC will monitor specifically the stability and effectiveness of muck dumping sites during all visits and monitor it & suggest remedial measures, if so required.

20. Any appeal against this environmental clearance shall lie with the National Green Tribunal, if preferred, within a period of 30 days from the date of issue, as prescribed under Section-10 of the National Green Tribunal act, 2010.

21. The Regional Office will monitor all environmental parameters encompassed in the EMP, especially effectiveness and stability of muck disposal sites and ensure release of environmental flow etc. These will be separately reported by Regional Office in their six monthly reports to be submitted to MoEF & CC, New Delhi.


22. Government of Jammu & Kashmir shall also ensure compliance and any violation of EC conditions during construction & commissioning shall be brought to the notice of MoEF & CC by Government of Jammu & Kashmir immediately for necessary action.

Yours faithfully,


(Dr. S. Kerketta)
Director, IA-I

Copy to:

1. The Secretary, Ministry of Power, Shram Shakti Bhawan, Rafi Marg, New Delhi -1.
2. The Secretary, Ministry of Water Resources, RD&GR, Shram Shakti Bhawan, Rafi Marg, New Delhi - 110001.
3. The Secretary, Department of Power, Government of Jammu and Kashmir, Civil Secretariat, Jammu, Jammu & Kashmir.
4. The Secretary, Department of Forest, Environment & Wildlife Management, Government of Jammu and Kashmir, Civil Secretariat, Jammu, Jammu & Kashmir.
5. The Chief Engineer, Project Appraisal Directorate, Central Electricity Authority, Sewa Bhawan, R. K. Puram, New Delhi - 110 066.
6. The Addl. Principal Chief Conservator of Forests (Central), Ministry of Environment, Forest & Climate Change, Regional Office (NZ), Bays No. 24-25, Sector 31 A, Dakshin Marg, Chandigarh - 30
7. The Member Secretary, Jammu and Kashmir State Pollution Control Board, Gladini, Narwal, Jammu, Jammu & Kashmir.
8. NIC Cell - uploading on MOEF&CC website.
9. PPS ot JS(GB)/PS to Director(SKK)/Scientist-C (SP)
10. Guard File.


(Dr. S. Kerketta)
Director, IA-I