



**DIRECTOR GENERAL**

Phone: 05822-921082

Fax: 05822-921686

Email: dgepa.ajk@gmail.com



Protection of Environment is our  
Moral and Legal Obligation

**Azad Jammu & Kashmir**  
**Environmental Protection Agency**

Ref #: EPA/2888-97/2017

Date: 31-08-2017

1. Name & Address of Proponent: **Power Development Organization (PDO), AJ&K**
2. Description of Project: **Construction of 35 MW Nagdar Hydropower Project (NHPP), District Neelum.**
3. Location of Project: **Weir on Nagdar Nullah, Village Kalo Wala Dera, and Powerhouse at Village Danjar.**
4. Date of Filing of Application: **05-10-2016**

### **CONDITIONAL ENVIRONMENTAL APPROVAL**

(Under Section 11 of AJK-Environmental Protection Act, 2000 read-with AJK EPA Review of IEE/EIA Regulations, 2009)

5. In exercise of powers conferred under Section 11 of the Azad Jammu & Kashmir Environmental Protection Act 2000, after the review of Environmental Impact Assessment (EIA), the undersigned hereby accord Environmental Approval in favor of *Power Development Organization (PDO) AJ&K* (the proponent) for the **Construction Phase of 35MW Nagdar Hydropower Project (NHPP) (the Project)**; subject to the fulfillment of conditions by the proponent as enumerated hereunder:-

#### **A. Environmental Flow (e-flow):**

- (i). As the Project is designed with 0.3 m<sup>3</sup>/s Environmental (Ecological) Flow (E-Flow) downstream but, due to environmental sensitivities of project area, the Proponent shall implement NHPP with E-Flow during Operational Phase not less than 0.5 m<sup>3</sup>/s, in lean period;
- (ii). To ensure that 0.5 m<sup>3</sup>/s E-Flow will remain available downstream during lean period, the Proponent shall install a Gauging/Metering Station or Facility at any suitable location to verify and record the flow data for sharing with EPA, accordingly.
- (iii). In case, during operational phase, the reduced flow affects the functioning of Watermills and Mini Hydropower Plants situated downstream; the Proponent shall be liable to rehabilitate these or compensate to the satisfaction of owners.

#### **B. Compensations, Resettlement Action Plan (RAP) and Grievance Redressal System:**

- (i). The Proponent shall pay compensation to the owners for land, loss of crops, business, livelihood, property, usage rights etc. with rates as agreed upon under prevalent laws & practices to the satisfaction of affectees;
- (ii). The Resettlement Action Plan (RAP), once finalized, shall be submitted to EPA for endorsement. The Resettlement Action Plan (RAP) should preferably be implemented through Public Grievances Redress and Settlement Committee (PGRSC) having eminent representation of community Notables and Administration Department;



- (iii). The Proponent shall establish and maintain a 'Grievance Redressal System' (CGRS). The Grievance Redressal Committee formulated under CGRS, headed by respective Deputy Commissioner, should have the representation, other than of PDO, of Affectees, EPA, C&W, Forest & Wildlife and Agriculture Departments;
- (iv). To show the status of grievances and actions taken to redress them, the Proponent shall submit quarterly report to the EPA.

**C. National Environmental Quality Standards (NEQSs):**

- (i). The Proponent shall ensure compliance to National Environmental Quality Standards (NEQSs);
- (ii). The mechanized plants, machinery and other equipment must be fitted with noise abatement devices and should have the conformity to NEQSs;
- (iii). The Proponent/Contractor shall ensure water sprinkling to suppress dust at all construction sites;
- (iv). In case independent **Environment Specialist Companies (ISO-certified)** are to be hired as a compulsory arrangement to undertake measurements of different parameters. In order to ensure effective compliances of NEQSs; the findings of quality analysis and report of compliance to NEQSs should be shared with EPA AJK on regular basis during the construction phase of the project.

**D. Environmental Management Plan (EMP):**

- (i). All mitigation measures, as suggested in the EIA Report and Environmental Management Plan (EMP), shall be strictly adhered to. This should be indicated or reported as a "**Commitment**";
- (ii). Institutional arrangements for implementation of **Environmental Management Plan (EMP)** may be finalized well before the commencement of construction of project, so that an efficient & effective mechanism for environmental protection & management should be operative well on time.

**E. Jobs/Employment for Local People:**

- (i). The Proponent will take a policy measure, and, thereunder, it shall be obligatory on Contractor to provide employment preferably to local people for all semi-skilled and unskilled jobs. Preference should also be given to local people for skilled jobs as well. Employment record for all positions shall be provided to EPA AJK on quarterly basis;
- (ii). For labor and all other types of workforce, the Contractor shall ensure strict compliance to Labor Laws.

**F. Quarrying Sites & Spoil Dumps:**

- (i). Given to the geology, topography, terrain and demography of project areas; pre-identified and EPA approved sites shall be used/utilized for quarrying purpose so that the issues like land degradation, soil erosion, sedimentation of water bodies and potential threats to human life & properties and public infrastructure could be avoided;
- (ii). The Proponent shall bound the Contractor to strictly ensure dumping of spoil or excavated material on pre-identified and designated sites/places both at Weir as well as Power House sites; duly approved by EPA. In order to avert damage to vegetative cover, perennial & non-perennial drains, irrigation channels,



communication routes and productive lands; the free roll-down of spoil on hill slopes shall be strictly prohibited. The dumping of spoil into water bodies like rivers or streams shall be considered a sheer violation of this Approval. During transportation of spoil, adequate measures must be in-place to avoid littering of roads or dust emission, etc.;

- (iii). The Proponent shall bound Contractor to take effective measures (installation of protection walls, Gabion walls, etc.) for land stabilization and prepared a comprehensive plantation plan at pre-identified dumping sites after land leveling with the consultation of Forest Department.
- (iv). The Proponent shall bound the Contractor to prepare Site-Specific Environmental Management Plan (SSEMP). In order to ensure best environmental management during construction phase, besides quarrying sites and spoils dumps, the SSEMP preferably be developed for all construction related activities as well and be submitted to AJK-EPA well before undertaking these activities;
- (v). The Proponent/Contractor shall strictly avoid OPEN SOURCE acquisition of aggregate or construction material from sites other than identified and approved by EPA.

#### **G. Vibration Impact on Property:**

- (i). All public or private buildings within 200 M of the blasting site will be surveyed prior to start of blasting. The survey will be undertaken independently by the Owner's Engineer, the Proponent, or a Third Party and will be undertaken to determine the pre-Project conditions of the buildings structure including any pre-existing damages. The survey results will be used to settle any damage claims arising out of the blasting activities.

#### **H. Springs Vanishing:**

- (i). The phenomenon of spring vanishing under gravity affect has been noticed/reported under similar nature tunneling projects. Therefore, under NHPP, the location and present condition of all springs within 500 meters of the tunnel alignment shall be recorded and submitted to the EPA AJK. The flow rate of the springs within 100 M of the blasting or excavation zone will be regularly monitored to ascertain any change in the flow due to blasting. In case of any change in the flow, which can be directly attributed to the tunnel construction, the Proponent shall support the community in development of alternate water supply schemes.

#### **I. Project Sites Demarcation Plan.**

- (i). The Proponent should bound the Contractor to mark the project sites (Weir, Powerhouse, Labor Camp, PMU Staff Colony sites etc) with the consultation of Revenue Department before the commencement of construction work and install a fence wall around aforementioned sites to ensure the public privacy.
- (ii). The proponent should complete the forest land acquisition process for the construction of road to weir site before the commencement of work.

#### **J. Construction Camps, Sewage & Waste Management:**

- (i). The Construction Camps shall be located/constructed at suitable distance from any settlement to avoid disturbance or intrusion into the privacy of local communities. Independent arrangements shall be made for sewage



disposal/treatment and solid waste. The sewage treatment facilities/septic tanks, shall be constructed at a suitable place from any permanent or seasonal water source and should not be located/constructed in the areas where high ground water table exists;

- (ii). For construction camps, instead putting the local resources under stress, independent arrangements should be made/laid for commodity services;
- (iii). The waste, chemical and oil spill generated during construction activities should be managed scientifically to avert any damage to flora & fauna and overall ecology of the area, etc.

**K. Traffic Management:**

- (i). The Proponent shall bound the Contractor to work out a proper Traffic Management Plan, during construction phase, while working near settlements, towns, schools and hospitals. An early warning or announcement system shall be in-placed well before the time to avoid traffic jams and inconvenience for commuters and residents nearby;
- (ii). As the Powerhouse of the project is located in the Right of Way at left side of the Main Neelum Valley Road in Danjar, so special Traffic Management Measures should be taken in order to ensure not to cause an obstruction/blockage that will ultimately cause inconvenience for tourists and commuters. Adequate traffic signs, barriers, reflecting tapes should be in-placed particularly during peak working hours;
- (iii). The timings for transportation of construction material, aggregate & spoil, movement of heavy machinery and equipment should be fixed and predetermined to avoid traffic jams, inconvenience for commuters and local community.

**L. Corporate Social Responsibility (CSR)/Community Investment Plan (CIP):**

- (i). For the socio-economic uplift of Project Area Community, the Proponent should consider and undertake some development interventions particularly for the up-gradation or improvement of existing health & education facilities, development of recreational sites, provision of safe drinking facilities and etc. In this respect, a CIP/CSR Plan shall be worked out and shared with EPA.

**M. General Conditions:**

- (i). The Proponent shall bound Contractor to select sites for installation of the asphalt/concrete mixing plant in consultation with EPA AJK. In this respect, special consideration shall be given to critical installations like school, hospitals, mosques, community hall, etc.;
- (ii). The Proponent shall bound the Contractor to ensure efficient Occupational Health & Safety (OHS) measures in-placed for workers and labor throughout the construction period;
- (iii). In the case, the articles of Archeological importance like artifacts, coins rock-arts and other archeological relics are discovered, the work at the site should immediately be stopped and the concerned department or agency should be consulted for the appropriate action;
- (iv). The Proponent shall ensure all public utilities, such as water supply pipes, power/phone lines be not disturbed during any construction activity of the project. If removal of such installations is inevitable then alternative may be



provided to the people of the area beforehand, in consultation with respective agencies under intimation to AJK EPA;

- (v). The Proponent/contractor shall make sure the safety & security of wild animals and their habitats at the project site and in its environs with the prior consultation and strictly adhering to the guidelines of Wildlife Departments;
- (vi). The proponent shall rehabilitate all sites to their natural conditions affected by temporary use during the construction phase.

**N. Provision of Conditional Environmental Approval to Contractor:**

- (i). The Proponent shall provide a copy of this Conditional Environmental Approval and EIA Report to the contractor for efficient & effective implementation of obligatory mitigation measures. A regular Training Program preferably be devised for workers, labor, and implementing & management staff of the Contractor to ensure effective compliance from them during construction activities.

**O. Independent Environmental Monitoring Consultant (IEMC):**


- (i). Reporting implementation progress of EMP and Environmental Approval is considered as a crucial aspect of the project implementation. In order to ensure transparency and accuracy in reported data or facts, this is strongly advised that the Proponent should appoint an independent Environmental Monitoring Consultant or Firm (IEMC), in consultation with EPA AJK. The role of IEMC shall be to monitor and report the impact of the project during construction on the socio-economic, ecological and physical environment.
- (ii). The scope of the IEMC will include monitoring of the impact on quality and quantity of water resources (in particularly springs), impact of ground vibration, ambient air quality, ambient noise levels, road and traffic conditions and community safety, and socio-economic conditions including local employment. The IEMC shall prepare quarterly monitoring reports based on regular visits to the site and submit to EPA AJK on regular basis.

**P. Environmental Audit.**

- (i). The Proponent shall be responsible to conduct the Environmental audit through 3<sup>rd</sup> party (certified Environmental experts company) at the end of construction phase.
- 6. The proponent shall be liable for the correctness and validity of the information furnished by the environmental consultant;
- 7. The Proponent shall be liable for compliance of regulations 13, 14, 17 & 18 of IEE/EIA Regulations 2009, which enunciate the conditions for approval, confirmation of compliance, entry, inspection and monitoring of the proposed project;
- 8. The Proponent shall facilitate EPA team during inspections and monitoring of the Project etc;
- 9. Any change hereinafter in the approved project, shall be communicated to AJK-EPA and shall commence after obtaining the approval in respect thereof;
- 10. This approval does not absolve the proponent of the duty to obtain any other approval or clearance that may be required under any law in force or by any competent forum/court of law, etc.

11. This Approval shall be valid for a period of three years from the date of issuance under Regulation 16 of IEE/EIA Regulation, 2009;
12. The EPA AJK, in continuation or supersession of any of the Conditions mentioned herein before for the construction of NHPP, may impose additional conditions as and when the situation may warrant so;
13. The proponent shall be bound by Regulation 13 (2) read-with Schedule VII of the Regulations to furnish an UNDERTAKING to the Agency in terms that the proponent solemnly affirms and declare that the proponent fully understands and accept conditions contained in the approval accorded by the AJK-EPA and undertake to design, construct and operate the project strictly in accordance with the said conditions and the EIA;
14. This approval shall stand null and void in case any of the conditions, mentioned hereinbefore, are not fully complied with;
15. This Approval may be considered for review or withdrawal at any stage, as per stipulated procedure, if deemed appropriate in the larger public interest.

EIA Tracking No. 125

  
31.8.17  
(Raja Muhammad Razzaque)  
Director General

**Managing Director,**  
Power Development Organization,  
Azad Govt. of the State of Jammu & Kashmir,  
**Muzaffarabad.**

CC.-

1. PSO to the Chief Secretary,
2. ACS (Dev)/Secretary Environment,
3. Senior Member Board of Revenue,
4. Secretary PDO,
5. Secretary Forest, Wildlife & Fisheries,
6. Commissioner, Muzaffarabad Division, Muzaffarabad.
7. Director General, Private Power Cell/PDO, Muzaffarabad.
8. Deputy Commissioners, Muzaffarabad/Neelum.
9. Master File.

Azad Govt. of the State  
of Jammu & Kashmir.