



# Azad Jammu & Kashmir Environmental Protection Agency

## DIRECTOR GENERAL

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Protection of Environment is our  
Moral and Legal Obligation

Ref #: EPA/29-38/2018

Date: 05-01-2018

1. Name & Address of Proponent: **Muhammad Abdul Vakil,  
Chief Operating Officer, SJS Private  
Limited (A subsidiary of Siddiqsons Ltd).**
2. Description of Project: **Construction of 35 MW Jagran-III  
Hydropower Project (J-III HPP), District  
Neelum**
3. Location of Project: **Weir at Kutton Sherian and Surface Power  
House at Peer-Panjal**
4. Date of Filing of Application: **15-06-2017**

## CONDITIONAL ENVIRONMENTAL APPROVAL

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

1. 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) by EPA-AJK as well as Committee of Experts, constituted vide order No. EPA/2843-52/2017 dated 27-10-17; the undersigned hereby accord Environmental Approval in favor of **Muhammad Abdul Vakil, CEO, SJS Private Limited (A subsidiary of Siddiqsons Ltd)** (the Proponent) for the **Construction Phase of 35MW Jagran-III Hydropower Project (J-III HPP)** (the Project); subject to the fulfillment of conditions by the proponent as enumerated hereunder.-

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

- (i) The Proponent shall implement 35 MW J-III HPP with a provision of Environmental Flow downstream not less than 0.5 m<sup>3</sup>/s, during lean period;
- (ii) To ensure & verify that 0.5 m<sup>3</sup>/s E-Flow will remain available uninterrupted downstream during lean period, the Proponent shall install a Water Gauging/Metering Station at Weir Site. The flow be monitored on regular basis and data in this respect shall be shared with EPA, accordingly;
- (iii) In case the reduced flow during operational phase affects the functioning of Watermills and Mini Hydel Station situated downstream; the Proponent shall be liable to rehabilitate these or compensate owners to the level of their satisfaction.

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

- (i) As the 35 MW J-III HPP envisages relocation of 18 Households, 02 Shops and 2 water mills, besides acquisition of precious Agriculture land for the construction of Diversion Weir, Powerhouse, construction of PMU and Residential Colony, therefore; the Proponent shall pay compensations to the owners in such rates and with such terms & conditions, as agreed upon under prevalent laws & practices, but to the best 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 & Settlement Committee (PGRSC);
- (iii) The Grievance Redressal Committee, headed by respective Deputy Commissioner, should have the representation of Affectees, EPA, C&W, Forest & Wildlife and Agriculture Departments;
- (iv) In case the construction of said Project cause damage to any road, communication or building infrastructure, the Proponent shall be liable to rehabilitate that in a form improved or better than original;
- (v) The status of grievances redressal and actions taken in connection thereto, shall be reported to EPA as a part of Quarterly Monitoring Report.

**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 environmental parameters; the findings of quality analysis and status 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 & EIA Addendum 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.
- (iii) The Proponent shall submit the Monitoring Report to the EPA on Quarterly basis reflecting the latest status of implementation of approved EMP and Conditions of Environmental Approval, granted by the EPA.

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

- (i) With respect to Jobs & Employment, the Proponent shall take such policy measure so that the Contractor feel obligation in providing employment/jobs to local people for all semi-skilled and unskilled jobs. Preference should also be given to local people for skilled jobs as well and in this respect, the 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 and terrain 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. 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-placed 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 construction material/ coarse aggregate particularly from sites not approved by EPA.



**G. Installation of Batching Plant and Stone Crusher Plant.**

The project during construction will obviously require installation of Batching Plant or Stone Crushing Plant. For all such installations, which are associated with multifarious environmental hazards, requisites preventive or mitigation measures must be in-placed well before the time. The sites for installation of such plants shall be selected at least 200 meters away from any settlement or community infrastructure like school, hospital, community hall or masjids etc. with prior consultation of EPA.

**H. Vibration Impact on Property:**

- (i) All public and private building infrastructure within a corridor of 200 M, on the right & left side of headrace tunnel axis, should be surveyed prior to commencement of construction work on Headrace tunnel in order to assess the impacts of blasting on nearby houses or other infrastructure during construction work. The said survey preferably be undertaken through an independent 3<sup>rd</sup> party firm, as the survey results will be used to settle any damage claims arising out of the blasting activities.



**I. Springs Vanishing:**

- (i) The phenomenon of spring vanishing under gravity affect has been noticed/reported under similar nature tunneling projects. Therefore, under J-III-HPP, the location and present condition of all springs within 200 meters of the tunnel alignment shall be recorded and submitted to the EPA AJK. The flow rate of such springs shall 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.

**J. 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.

**K. 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) The Proponent shall relocate the Labor colony site from proposed site "Pattian" to the other suitable place at a reasonable distance from the population;
- (iii) For construction camps, rather putting the local resources under stress, independent arrangements should be made/laid for commodity services;
- (iv) 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.

**L. 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) 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.

**• M. Community Investment Plan (CIP) and Corporate Social Responsibility Plan (CSR):**

- (i) For the socio-economic uplift of Project Area Community, the Proponent shall consider and undertake some development interventions, particularly, for the up-gradation or improvement of existing health & education facilities, animal dispensary, development of





recreational sites, provision of safe drinking facilities etc. In this respect, a need based CIP shall be worked out and shared with EPA for endorsement within six months from the date of issuance of this Approval;

- (ii) For the purpose of enhancement of local enterprises and economic wellbeing, the Proponent shall promote the local/indigenous fruit plants, particularly, the Walnut. In this regard, a Fruit Trees Plantation Plan be worked out and implemented in consultation with the Agriculture Department and local community;
- (iii) The Proponent shall prepare a comprehensive Corporate Social Responsibility (CSR) Program within six months from the date of issuance of this Approval clearly mentioning the activities with budget allocation that the proponent shall implement during the operational phase of the project.

**N. Biodiversity Management Plan (BMP)/Improvement of Fish Fauna:**

- (i) For the protection and enhancement of biodiversity of project area, the Proponent shall prepare a BMP and submit to EPA accordingly;
- (ii) For the implementation and monitoring of BMP, preferably, independent firms should be hired in consultation with EPA and reports in this regard be shared with EPA on regular basis;
- (iii) For the purpose of improvement of fish fauna in Jagran Nullah, the proponent as goodwill gesture, shall also support the Trout Fish Hatchery already working in the project area.

**O. Reforestation Plan:**

- (i) The Proponent, in consultation with Forest Department, shall prepare and execute comprehensive Reforestation Plan under intimation to EPA.

**P. 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.

**Q. 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.

**R. 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.

**S. General Conditions:**

- (i) The Proponent shall bound the Contractor to ensure efficient Occupational Health & Safety (OHS) measures in-placed for workers and labor throughout the construction period;
- (ii) In 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;
- (iii) The Proponent shall ensure all public utilities, such as water supply pipes, power/telephone 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;
- (iv) 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;
- (v) The proponent shall rehabilitate all sites to their natural conditions affected by temporary use during the construction phase.
2. The proponent shall be liable for the correctness and validity of the information furnished by the environmental consultant;
3. 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;
4. The Proponent shall facilitate EPA team during inspections and monitoring of the Project etc;
5. Any change hereinafter in the approved project, shall be communicated to AJK-EPA and shall commence after obtaining the approval in respect thereof;
6. 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.;
7. This Approval shall be valid for a period of three years from the date of issuance under Regulation 16 of IEE/EIA Regulation, 2009;
8. The EPA AJK, in continuation or supersession of any of the Conditions mentioned hereinbefore for the construction of J-III HPP, may impose additional conditions as and when the situation may warrant necessary;



9. 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 accepts conditions contained in the approval accorded by the AJK-EPA and undertakes to design, construct and operate the project strictly in accordance with the said conditions and the EIA;
10. This approval shall stand null and void in case any of the conditions, mentioned hereinbefore, are not fully complied with;
11. 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. 129

Dated: 05-01-2018

**Muhammad Abdul Wakil**  
Chief Operating Officer,  
SJS Private Limited,  
27<sup>th</sup> Floor, Ocean Tower,  
Clifton, Karachi.



*Signature*  
05/1/18  
(Raja Muhammad Razzaque)  
Director General EPA

**CC.-**

1. PSO to 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, Neelum.
- ✓ 9. Master File.

Azad Govt. of the State of  
Jammu & Kashmir.

*O/c.*