

Government of Jammu & Kashmir
Pollution Control Committee
Jammu/Srinagar



Winter Office: November-April
Parviesh Bhawan, Gladni,
Transport Nagar, Narwal,
Jammu (J&K)- 180006.
Ph/Fax.0191-2476925

Summer Office: May-October
Sheikh-ul-Alam Campus,
Behind Govt. Silk Factory,
Rajbagh, Srinagar (J&K)-190008.
Ph/Fax.0194-2311165

[Email:membersecretaryjkspcb@gmail.com](mailto:membersecretaryjkspcb@gmail.com)

The Consultant (Judicial),
Hon'ble National Green Tribunal,
New Delhi.

No. : JKPCC/NGT/116/2021/940-41

Date : 10-01-2022

Sub. : Factual and Action Taken Report submitted by Committee constituted vide Hon'ble NGT order dated 11-11-2021 in O.A. No. 301/2021 titled as Joginder Bhandari V/s Union Territory of Jammu and Kashmir.

Ref. : Hon'ble NGT order dt. 11-11-2021 in OA 301/2021

Sir,

In compliance to Hon'ble NGT order dated 11-11-2021 in O.A. No. 301/2021 titled 'Joginder Bhandari V/s Union Territory of Jammu and Kashmir', kindly find enclosed herewith **Factual** and **Action Taken Report** submitted by the joint committee constituted by the Hon'ble Tribunal.

The compliance report may kindly be placed before the Hon'ble NGT for consideration please.

Yours faithfully,

Encls : Report (18 pages)
Along with annexure
(A-I, A-II, A-III & A-IV)

(B.M. Sharma) IFS
Member Secretary
J&K PCC, Jammu

Copy with detailed report forwarded to the Chairman, National Green Tribunal Monitoring Committee, J&K for information. This has reference to letter No. CHM/PS/NGTMC/2021/03 dated 14-12-2021 of the office of the Chairman, National Green Tribunal Monitoring Committee, J&K.

Factual and Action Taken Report in terms of order dt. 11-11-2021 of Hon'ble NGT in the matter of O.A. No. 301/2021 titled Joginder Bhandari V/s UT of J&K.

- i) The Hon'ble NGT in O.A. No. 3001/2021 directed JKPCC, SEIAA J&K and the Deputy Commissioner Kishtwar to verify the facts and take remedial action in accordance with the law and file Action Taken Report within two months.
- ii) The joint committee was accordingly constituted comprising the members from JKPCC, SEIAA and the District Magistrate Kishtwar to verify the factual position on the ground:-
 - a). J&K PCC represented by Sh. Sat Paul, IFS Regional Director, PCC, Jammu.
 - b). State Environment Impact Assessment Authority (SEIAA) represented by Prof. Anil Raina.
 - c) District Magistrate Kishtwar represented by Addl. District Magistrate Kishtwar.

The committee inspected the site on 09-12-2021 along with team of officers from Pakul Dul HEP and Chenab Power Project Ltd.

A) Back Ground of Project:-

- i) The Pakal Dul HE Project (1000 MW) is presently under construction on river Marusudar, a tributary of river Chenab in District Kishtwar of J&K by **Chenab Valley Power Projects Limited (CVPPPL)**- A joint venture of NHPC and JKSPDC. The project is planned as a storage scheme with 0.1 MAF storage capacity permissible under Indus Water Treaty.

The project envisages construction of a **167 m** high concrete face Rock fill Dam (CFRD) on river Marusudar at Drangdhuran-Biggest CFRC conceived in India so far, a **859 m** long **11 m** diameter diversion

tunnel, 2 nos. Head Race Tunnels(HRT) of **7.20 m** diameter and **9.6 Km** length each for transfer of water from River Marusudar to River Chenab to be excavated using Drill and Blast method and Tunnel Boring Machines (TBM). The main access tunnel (MAT) of the dam is **263 m** long and **8m** wide. Head race tunnels will be connected with two **423 m**-long and **6m** diameter circular, steel-lined pressure shafts, which will be further bifurcated into four **685 m**-long and **3.9 m**-diameter penstocks.

- ii) The Chenab Valley Power Project Pvt. Ltd (CVPPL), a Joint Venture between NHPC (**51%**) and J&K PDC (**49%**) has been established for development of Pakal Dul HTP (**1000 MW**), Kiru HEP (**624MW**), Kavar HEP (**540 MW**) and Kirthai-II HEP (**930 MW**) in Chenab River Basin in District Kishtwar of J&K.

Pakal Dul HEP is being implemented in following five major works packages:-

1. **Power House Works Package** – Awarded by CVPPL to M/s AFCONS- JAL JV on 21.02.2018.
2. **HRT – TBM Works Package** – Awarded by CVPPL to M/s L&T Ltd. on 03.07.2020.
3. **Dam Works Package** – The work was awarded by CVPPL to M/s JP Associate Ltd. on 02.06.2018.
4. **Electro-Mechanical Works Package** – Awarded by CVPPL to M/s Voith on 02.01.2019.
5. **Hydro-Mechanical Works Package** – Awarded by CVPPL to M/s PES on 26.08.2019.

B) Arzi Nallah:-

The Arzi Nallah (Grattlan Nallah), regarding which the complaint has been filed, is a perennial nallah located on the right bank of the River Chenab in the power house area of Pakal Dul HEP at Village Arzi (Kwartanji).

This nallah is the main source of water for the inhabitants of the Arzi Village for drinking and agricultural purposes. It is also known as Grattlan Nallah as few Gharats (water mills) were also present in the nallah which have now been abandoned by their owners since 2014-15, before the start of the project work as disclosed by the few inhabitants during the discussion at the time of visit of the Joint Committee. Arzi Nallah originates from elevation ± 3200 M and is fed by snow in addition to springs present in pockets at different levels which maintain its discharge at lower level during the dry periods.

An approach road has been constructed by the M/s Chenab Valley Power Project Pvt. Ltd. for movement of the machineries and manpower to the construction sites of Head Race Tunnel, Pressure Shaft, Surge Shaft, Approach tunnel etc. which is passing through the Arzi Nallah.

C) Observations of Committee:-

- M/s AFCONS- JAL JV has developed an area on the right bank of Arzi Nallah for setting up of batching plant, office etc, while as, M/s L&T Ltd. is also developing the area for platform on the right bank of Arzi Nallah.
- Muck dumping has been done by both the contractors on the duly acquired site along the right bank of Arzi Nallah which spilled over and caused partial blockage of the natural course of nallah.
- The clearance of Nallah and protection of the bank has been initiated by the concerned Agencies.
- Wire crates were installed on the bank of Arzi Nallah for protection of platform and residential colony.
- Both the Companies have under taken and resolved not to dump muck in Arzi Nallah in future and muck will be dumped at designated sites only. To reduce emission of dust, three water tankers are being used by each

company for sprinkling water on the work site and approach roads on regular basis.

- Dumping has been done at the point where approach road is crossing Arzi Nallah to broaden the curve for movement of machinery but culvert is yet to be constructed to ensure free flow of water.
- The flow of water in the Nallah goes to sub surface in the patch approximately 300 Mtrs. and is re-surfacing downstream.
- Most of the conditions of Environmental Clearance are being followed by the CVPPL and the compliance report is being submitted to Ministry of Environment, Forest and Climate Change (MoEF & CC) regularly.

D) Recommendations of Joint Committee for Remedial Measures:-

- The muck dumped in a patch of approx. 350 m in the Arzi Nallah needs to be immediately removed for ensuring free flow of the water during lean and rainy seasons.
- Wire crates of the suitable height should be raised and strengthened on the right bank of the Arzi Nallah in the stretch of 350 m, where muck dumping for development of the land has been done. This strengthening of protection work shall ensure stoppage of the muck spillage into Nallah for smooth flow of water.
- Use of scientific, engineering, biological and bio-engineering measures for the stabilization of the slopes of the dumping site should be taken up on priority basis, so as to avoid overflow of the material during snow/rainy periods to nallah.
- The culvert needs to be immediately constructed by the M/s Chenab Valley Power Project Pvt. Ltd. on the approach road passing through part of the Arzi Nallah in order to ensure free passage of natural water through nallah.

- The CVPPL needs to implement the conditions of Consent and Environmental Clearance.
- CVPPL should carry out muck dumping in a scientific manner using various bio-engineering methods at the designated places(s) ensuring no environmental damage to the catchment areas, flora and fauna etc.
- The remedial action to be taken by the CVPPL as per the directions of the Joint Committee should be submitted within a period of two weeks along with photographic proof. Also, the updated status of Environmental Clearance conditions should be submitted along with the report.

F). Remedial Action Report submitted by the CVPPL:-

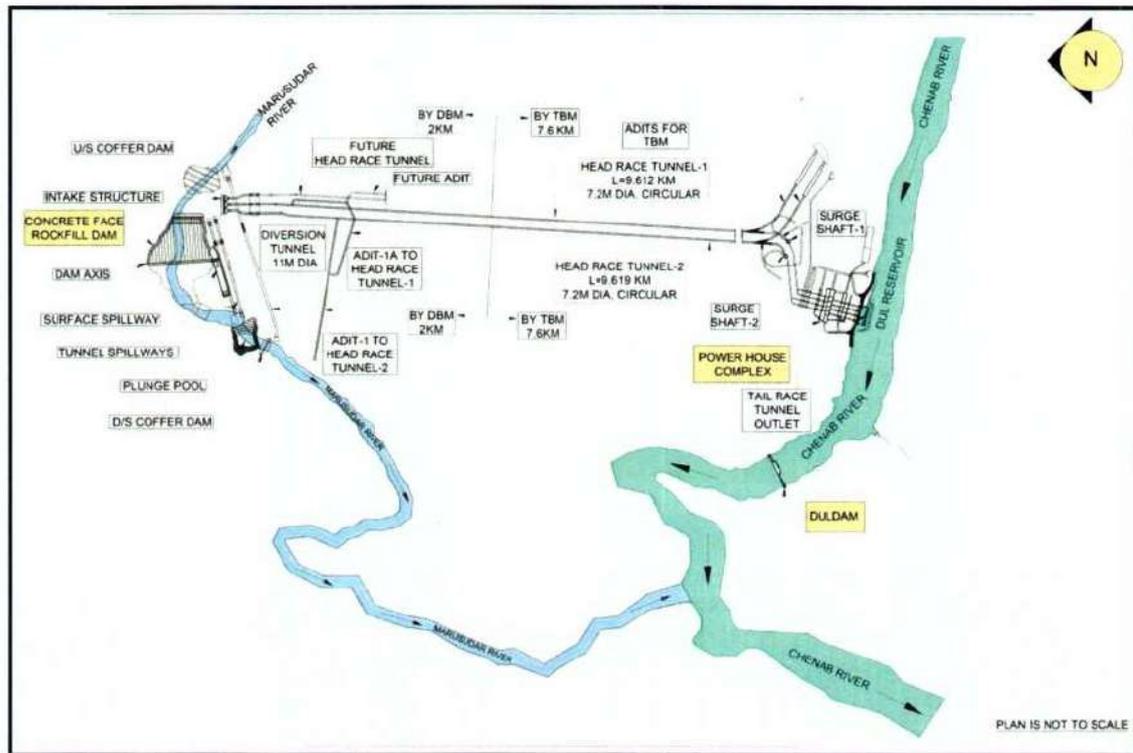
In compliance to on-spot instructions of the Joint Committee, the CVPPL has submitted the Remedial Action Taken Report for the restoration of Arzi Nallah and other issues along with the updated status of Environmental Clearance conditions.

As per the report and photographic evidence submitted by CVPPL, corrective measures for removal of muck from the Arzi Nallah and also for its protection as advised on the spot by the Joint Committee, have been taken and the same stands acknowledged by the Committee.

Detailed report of the Joint Committee along with its enclosures is annexed hereto as **Annexure RI**

VERIFICATION OF FACTS AND REMEDIAL ACTION REPORT BY THE JOINT COMMITTEE

(IN THE MATTER OF JOGINDER BHANDARI Vs UT OF J&K IN O.A. 301/2021)



On Alleged Unscientific Muck Dumping In Arzi Nallah

BY

M/s AFCONS-JAL JOINT VENTURE

(M/S AFCONS Infrastructure Ltd and M/s Jai Prakash Associates Ltd)

at

Village Arzi (Kwartanji)

PAKAL DUL HYDROELECTRIC PROJECT IN KISHTWAR, J&K

Prepared by

JK PCC, SEIAA and District Magistrate, Kishtwar

(2021)

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<i>Annexure I-IV</i>		

Joint Inspection Report for verification of facts with respect to “alleged unscientific muck dumping in Arzi Nallah” by M/s AFCONS-JAL Joint Venture (Afcons Infrastructure Ltd. and M/s Jai Prakash Associates Ltd.) at Village Arzi (Kwartanji), Pakal Dul Hydroelectric Project in district Kishtwar, J&K.

1.0 Background of Hon’ble NGT matter:

In the matter of Joginder Bhandari vs Union Territory of Jammu and Kashmir, Hon’ble National Green Tribunal in O.A 301/2021 issued directions vide dated 11-11-2021, regarding the grievances of unscientific muck dumping in Arzi Nallah by AFCONS Infrastructure Limited at Pakal Dul Hydroelectric Project in District Kishtwar, J&K, resulting in damage to the environment as under:

“In view of the above, we direct the J&K PCC, SEIAA, J&K and the District Magistrate, Kishtwar to verify the facts and take remedial action in accordance with law. An action taken report may be filed within two months by e-mail at judicial-ngt@gov.in preferably in the form of searchable PDF/OCR Support PDF and not in the form of Image PDF”

In compliance to the Hon’ble NGT direction, a joint committee was constituted comprising of following members from JKPCC, SEIAA and District Administration to verify the facts of the complaint:

1. J&K PCC represented by Sh. Sat Paul, IFS Regional Director, Jammu.
2. SEIAA represented by Prof. Anil Kumar Raina.
3. District Magistrate Kishtwar represented by Sh. K.L Sharma, KAS, Add. DM, Kishtwar.

This committee inspected site on 09-12-2021 along with team of officers from Pakal Dul HEP, Chenab Valley Power Project Pvt. Ltd.

2.0 Background of the project:

The Pakal Dul HE Project (**1000 MW**) is presently under construction on river Marusudar, a tributary of river Chenab in District Kishtwar of J&K by Chenab Valley Power Projects Limited (CVPPPL)- A joint venture of NHPC and JKSPDC. The project is planned as a storage scheme with 0.1 MAF storage capacity permissible under Indus Water Treaty.

The project envisages construction of a **167 m** high Concrete Face Rockfill Dam (CFRD) on River Marusudar at Drangdhuran- Biggest CFRD conceived in India so far, a 859m long 11m diameter diversion tunnel, 2 nos. Head Race Tunnels (HRT) of 7.20 m diameter and 9.6 Km length each for transfer of water from River Marusudar to River Chenab to be excavated using Drill and Blast method and Tunnel Boring Machines (TBM). The main access tunnel (MAT) of the dam is 263m long and 8m wide. Head race tunnels will be connected with two 423m-long and 6m-diameter circular, steel-lined pressure shafts, which will be further bifurcated into four 685m-long and 3.9m-diameter penstocks.

The project will feature an underground powerhouse, which will be comprised of four 250MW Francis turbines and generators on the right bank of River Chenab about 1.2 Km upstream of Dulhasti dam, in the village Arzi (Kwartanji). The powerhouse cavern will measure 157m-long, 20.2m-wide, and 49m-high. Four horseshoe-shaped tailrace tunnels will be constructed for the project, each measuring 125m long and having a diameter of 5.5m.

Investment Approval of Cabinet Committee on Economic Affairs (CCEA), Govt. of India was accorded on **28.10.2014** at a sanctioned cost of Rs.**8112 Cr.** Foundation stone of the project was laid by Hon'ble Prime Minister of India on **19th May, 2018**. Letter of Award for Power House Package, Dam Package, E&M Package, HM Package and HRT-TBM Package were issued between February 2018 to July 2020. The construction works at project commenced in February, 2018. The project is scheduled to be completed by July, 2025.



The Chenab Valley Power Project Pvt. Ltd. (CVPPPL), a Joint Venture among NHPC (51%) and J&KPDC (49%), has been established for development of Pakal Dul HEP (1000MW), Kiru HEP (624 MW), Kwar HEP (540 MW) and Kirthai-II HEP (930 MW) in Chenab River Basin in District Kishtwar of J&K.

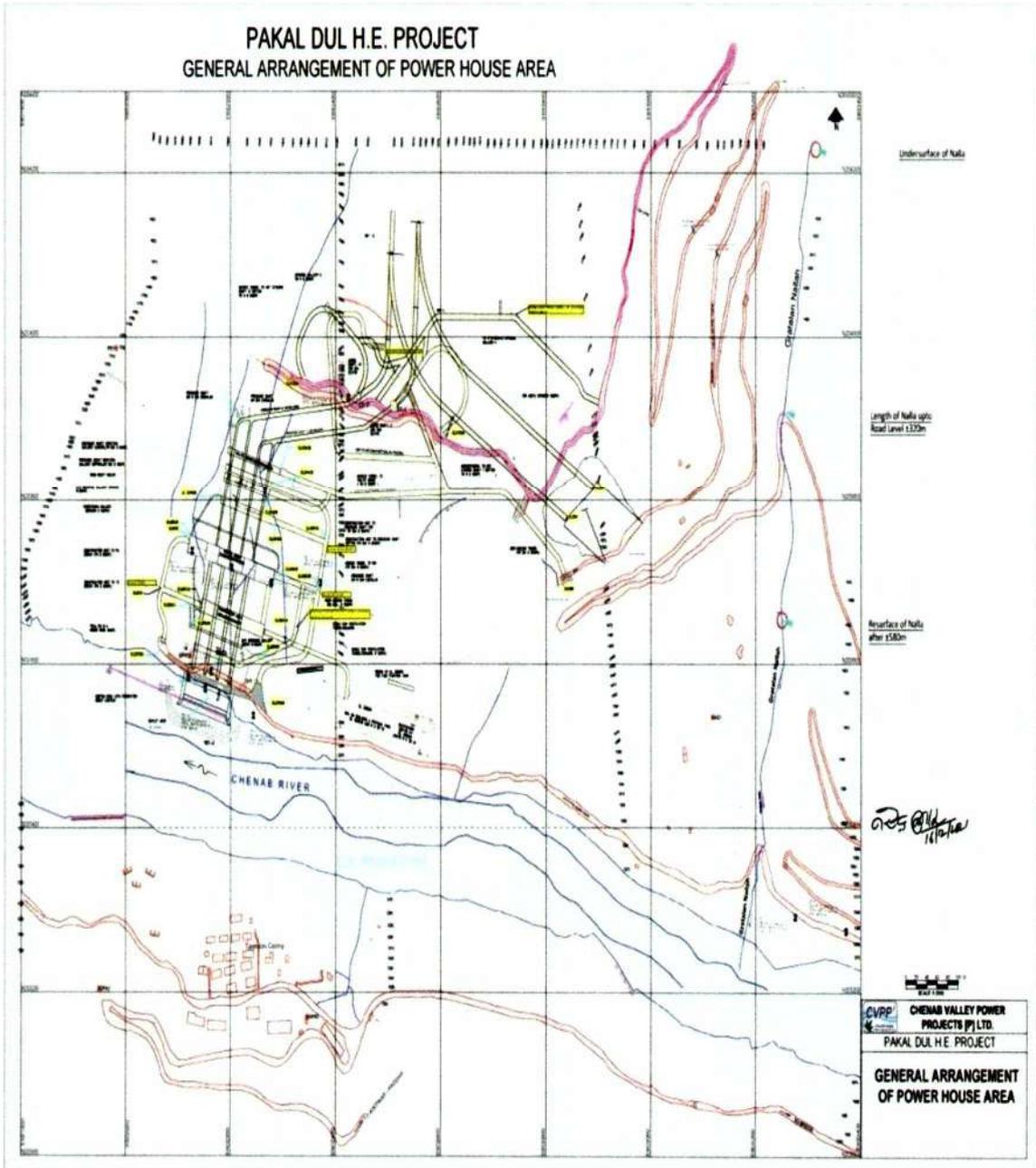
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5. **Hydro-Mechanical Works Package** – Awarded by CVPPPL to M/s PES on 26.08.2019.



3.0 Introduction of Arzi Nallah:

The **Arzi Nallah** (Gratlan Nallah), regarding which the complaint has been filed, is a perennial nallah located on the right bank of the River Chenab in the power house area of Pakal Dul HEP at village Arzi (Kwartanji).



Project Layout Plan showing Arzi (Gatlan) Nallah on Right Bank of River Chenab

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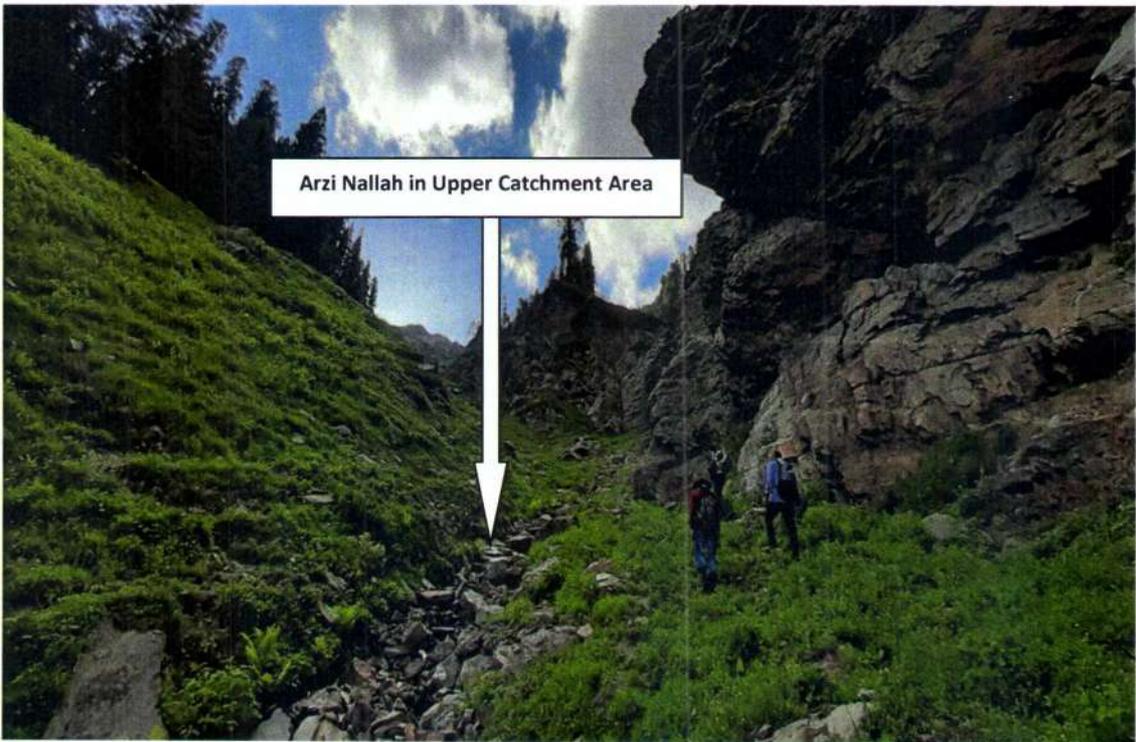
This nallah is the main source of water for the inhabitants of the Arzi village for drinking and agricultural purposes. It is also known as **Grattlan Nallah** as few Gharats (water mills) were also present in the nallah which have now been abandoned by their owners since 2014-15, before the start of the project work as disclosed by the few inhabitants during the discussion at the time of visit of the Joint Committee.



Abandoned Gharat on the bank of Arzi Nallah

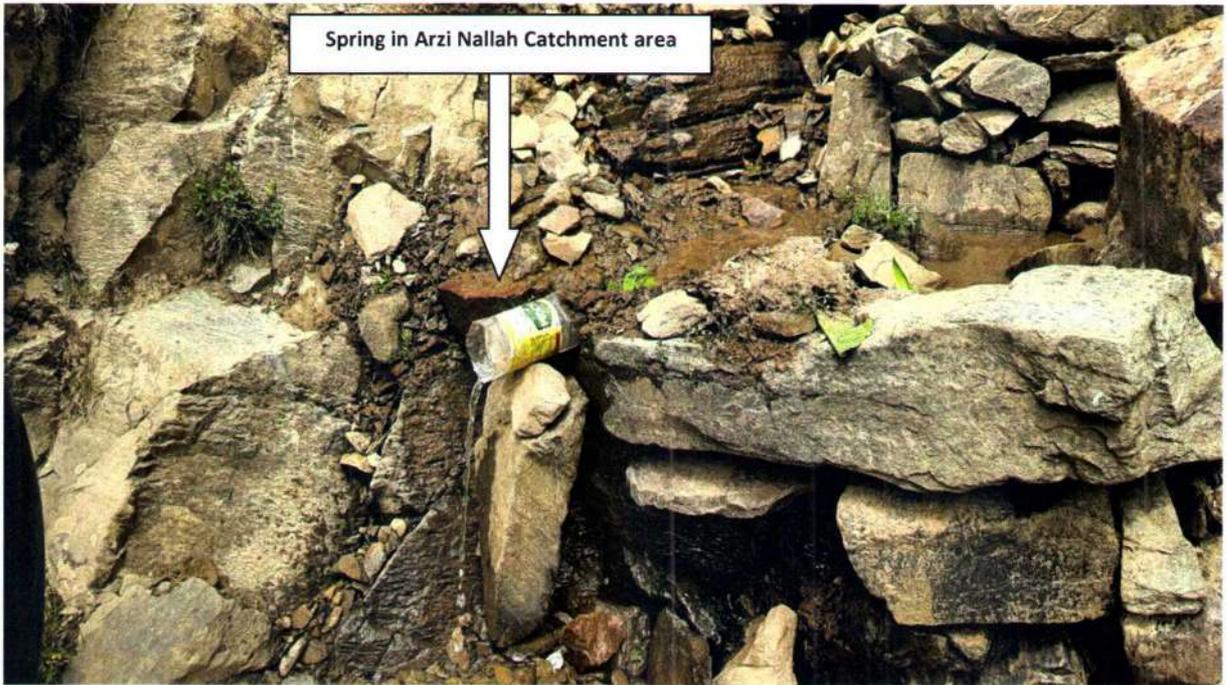
Arzi Nallah originates from elevation $\pm 3200\text{M}$ and is fed by snow in addition to springs present in pockets at different levels which maintains its discharge at lower level during the dry periods.

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Catchment area of Arzi Nallah

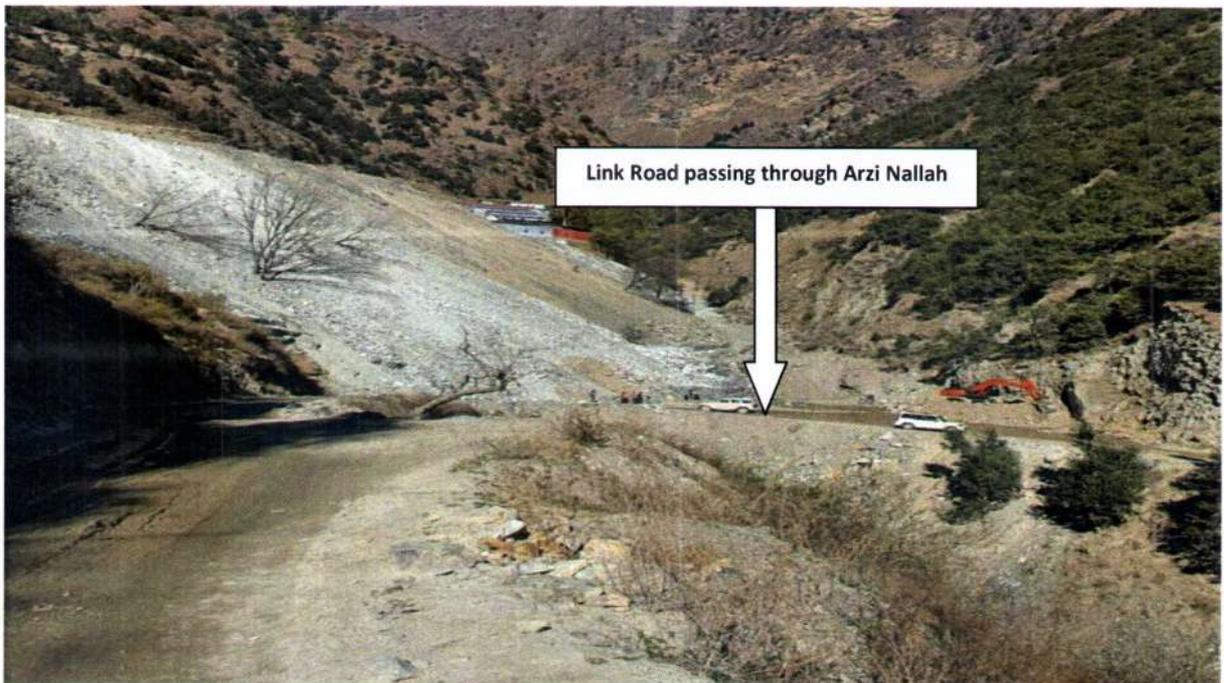
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Spring in Arzi Nallah Catchment area

Spring in Arzi Nallah

An approach road has been constructed by the M/s Chenab Valley Power Project Pvt. Ltd. for movement of the machineries and manpower to the construction sites of Head Race Tunnel, Pressure Shaft, Surge Shaft, Approach tunnel etc. which is passing through the Arzi Nallah.



Link Road passing through Arzi Nallah

Link Road to HRT Surge Shaft etc passing through Arzi Nallah

4.0 Observations of the Joint Committee:

The Joint Committee visited the Arzi Nallah site on 09-12-2021, and observations made are as under:-

- It was found that M/s AFCONS-JAL JV has developed an area located on the right bank of Arzi Nallah for installation of batching plant, office, store and other temporary infrastructure. Similarly, M/s L&T Ltd. is also developing area for platforms on the right bank of Arzi Nallah having a built area of 16092.069 m² (built area after development up to EL 1510m- stage I) and 7405 m² (built area after development up to EL 1535m- stage II) at appropriate levels required for launch, assembly, maintenance, repair and operation of the tunnel boring machines (TBMs) along with other allied infrastructure of the contractor. In this regard, CVPPL presented the land awards issued by Revenue Department (**Annexure – II**).
- Muck dumping has been done by both the contractors on duly acquired site along the right bank of Arzi Nallah (Gratlan Nallah), which spilled over and caused partial blockage of the natural course of the nallah in the stretch of approx. 350 m.

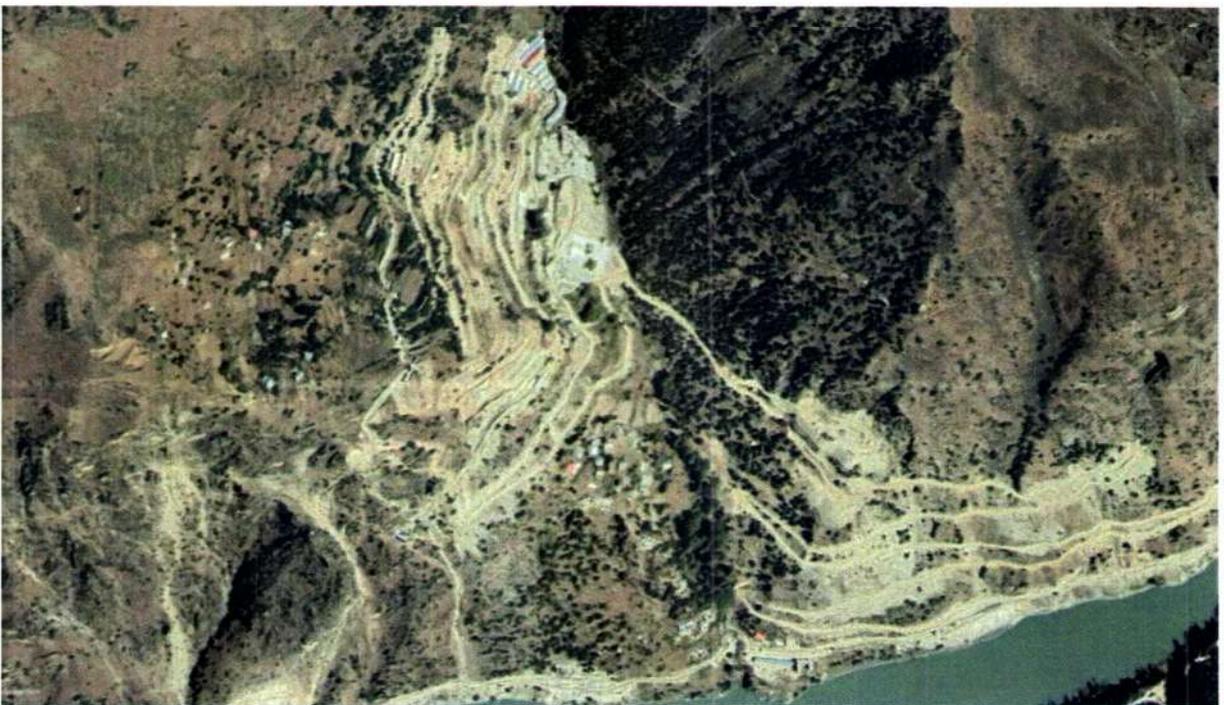


Partially blocked natural course of perennial nallah in the stretch of approx. 350 m

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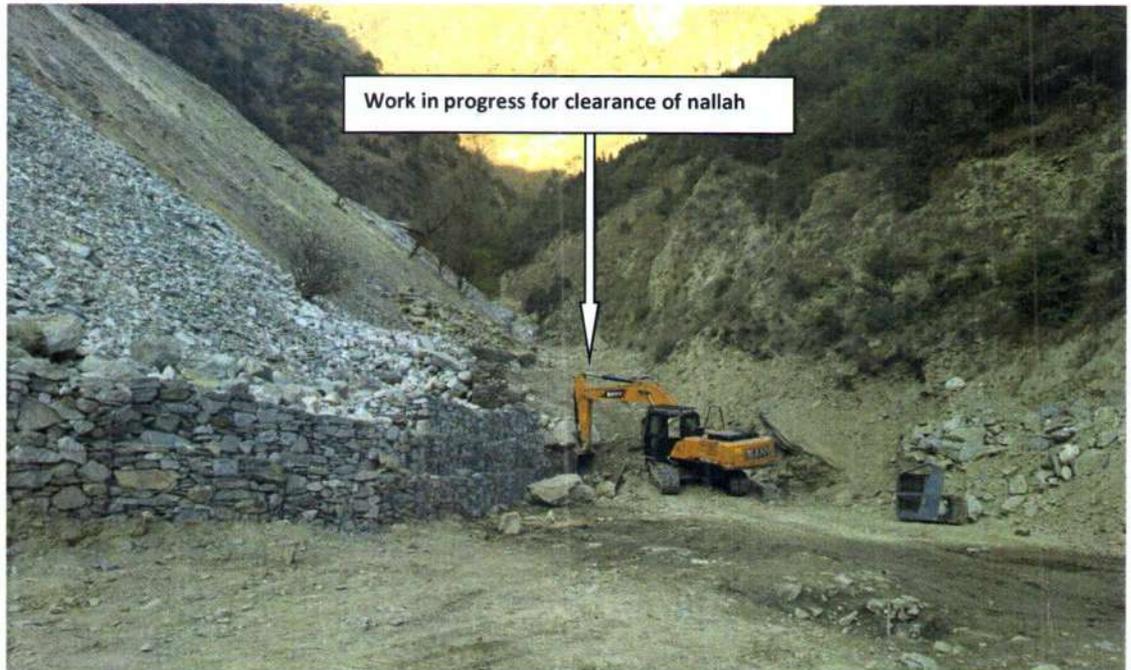
Google Image 2018



Google Image 2021

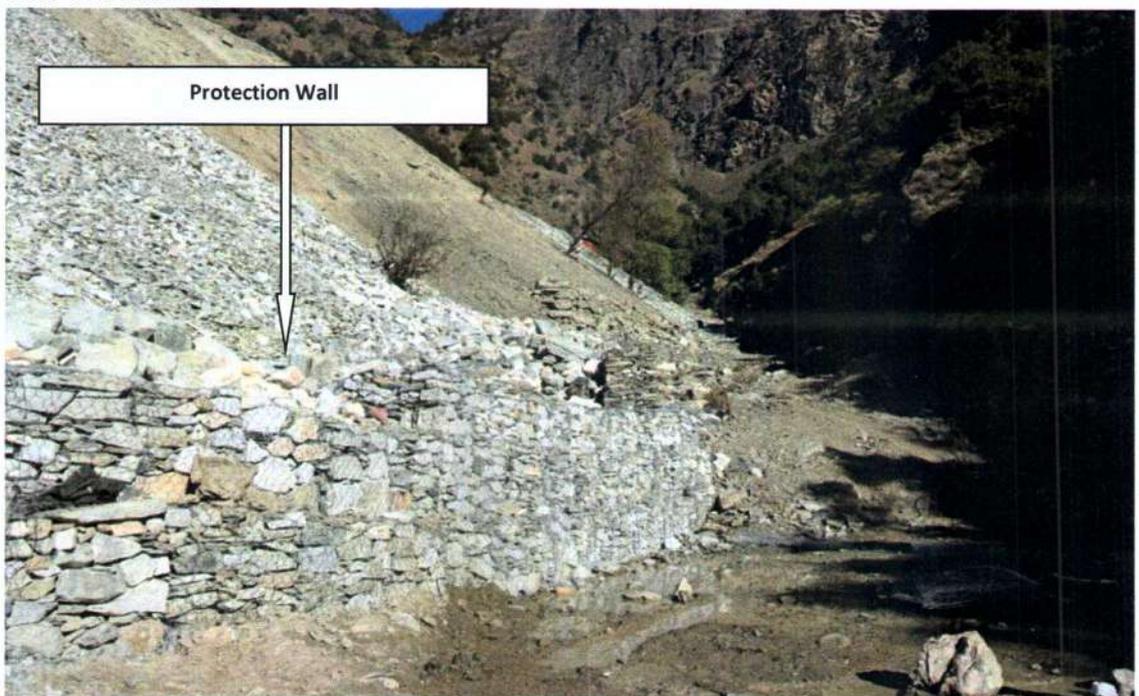
Google Image 2018 & 2021 depicting village Arzi before and after the start of work

- Though the clearance of the Nallah and protection work on its bank has been initiated by the concerned agencies, yet some muck has been observed in the nallah.



Work in progress for clearance and protection work in Arzi Nallah

- Though, the Joint Committee has observed that wire crates were installed on a part of right bank of the Arzi Nallah (**approx. 350 m**) for protection of platform and residential colony, yet the muck has been found spilled into the nallah.

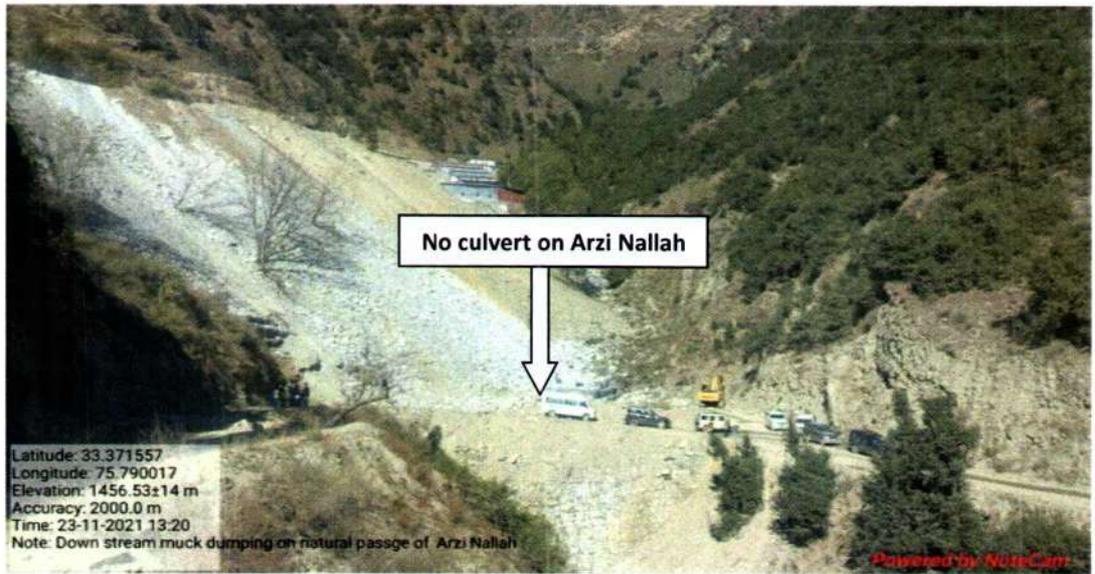


Protection work on the right bank of Arzi Nallah

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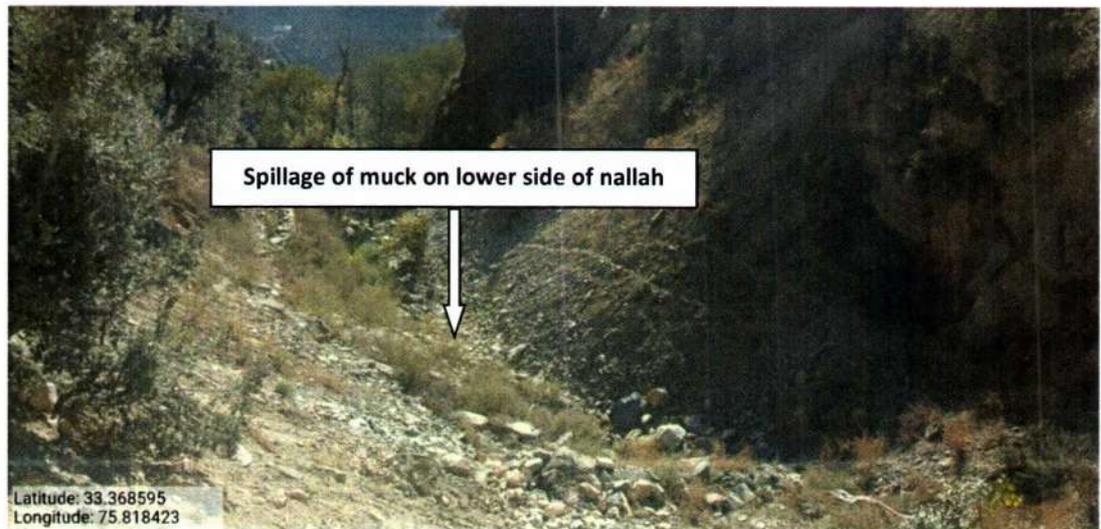
- Joint Committee also came to know that District Magistrate Kishtwar had already issued eviction order for removal of all illegally dumped material/muck near Arzi Nallah vide no. **DM/K/21/925 dt.14-09-2021** and a notice had also been issued by the district administration vide no. **ADM/K/2021-22/135-39 dt. 20-10-2021** to concerned agency for the muck, kitchen waste, rubbish disposal in Arzi Nallah and other issues raised by the locals for which the CVPPL and its contractors have filed compliance before the district administration (**Annexure-I**) under:
 - M/S CVPPL submitted that for drinking water problem, local area development plan of Rs. 26 lakh for providing drinking water to Arzi village is under implementation by the indenting Department viz. Jal Shakti.
 - M/S AFCONS Infrastructure Pvt Ltd. submitted that they will not dump rubbish in Arzi Nallah in future and muck will be dumped on the designated site. They also submitted that they have engaged three water tankers for sprinkling water on roads to prevent dust emissions.
 - M/S Larsen & Toubro Ltd. submitted that they have not dumped any material into Arzi Nallah and excavated muck is being used to develop the respective land parcel handed over by the CVPPL for project purposes. In order to reduce emission of dust they have submitted that three water tankers are being used to sprinkle water on work site and approach roads.
- Also, at the point where approach road is crossing the Arzi Nallah, dumping has been done to broaden the curve for the movement of machinery, but no culvert has been constructed to ensure free flow of water.





No culvert has been provided over the nallah to ensure natural flow of water

- Some spilling of the muck has also been observed on the lower side of the approach road. Photographs is as under :



Spillage of the muck on the lower side of the approach road

- The Joint Committee has observed that flow of water in the nallah goes to subsurface in the patch of approximately 320 m and is resurfacing downstream.

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Platform under Development for Launch of the TBM by L&T Ltd.

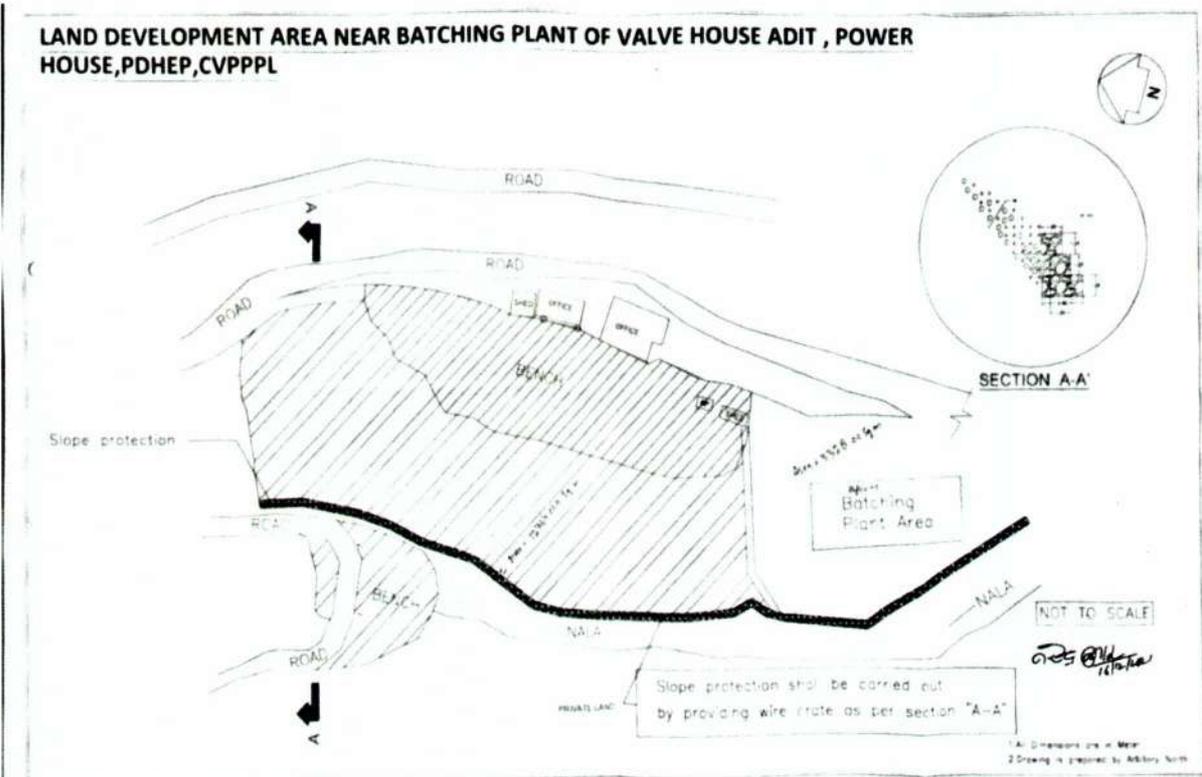
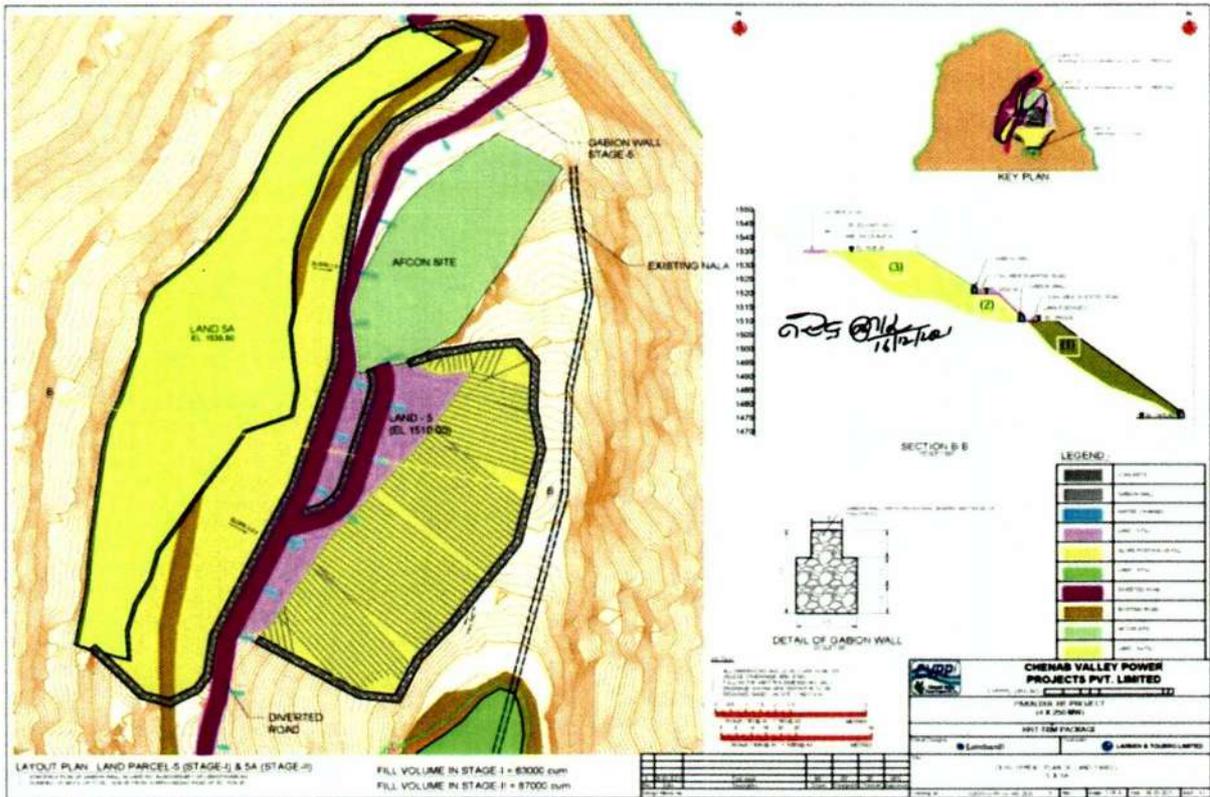
M/s Chenab Valley Power Projects Pvt. Ltd. has represented before the Joint Committee and it was submitted by General Manager, CVPPL, Pakal Dul, HEP (Annexure-III) that:-

- **M/s AFCONS-JAL JV** has developed the acquired land area of 16092.069 m² for installation of batching plant, residential colony, office, store and other temporary infrastructure by using the muck generated from pressure shaft, surge shaft, approach tunnel to Surge Shaft top as filling material for land development. Development of the required dimensions has been achieved by raising the level from EL 1470 m (along the right bank of nallah) to EL 1510 m in which 30,000 cum filling material has been used. Crate wall has also been provided along the right bank of nallah for protection.
- **M/s Larsen &Toubro Ltd** is developing the acquired land area of 7405 m² (built area after development upto EL 1535m) for developing proper road and platforms along with installation of other allied infrastructure required for excavation of twin Head Race Tunnels (HRTs) of the project through the Tunnel Boring Machines (TBMs). Filling at different levels is required for construction of the road up to HRT portal and development of platforms at appropriate levels for

assembly, maintenance, repair and operation of the TBMs along with other allied infrastructure of the contractor.

- Development of the required dimensions would be achieved by raising the elevation level from Pre-development elevation level – varying between 1470m and 1510m (refer-1 of Section B-B) to final proposed elevation level – 1535m (refer-3 of Section B-B). Presently, development has been achieved up to elevation – varying between 1510 m and 1520m (refer-2 of Section B-B as below).
- Total requirement of filling material is 1,50,000 Cum (approx.) out of which 78,000 Cum (approx.) material has been utilized and the balance requirement is 72,000 Cum(approx.)
- **Thus, M/s Larsen &Toubro Ltd** is developing the land in two stages - **Stage-I (EL upto 1510m)** has been completed in which 63,000 Cum (approx.) filling material has been used where as **Stage-II (from EL 1510m to EL 1535m)** is in progress which requires 87,000 Cum (approx.) of filling material, out of which 15,000 Cum (approx.) has been used while 72,000 Cum (approx.) is balance and still to be deposited at the required place to achieve the desired area. Crate wall has also been provided along the right bank of nallah for protection of the filling material.
- Thus, as per the document received from CVPPL, the deposition of the muck to achieve the desired area at EL 1510 m has been completed by both the firms. The muck deposited in the Arzi nallah due to so called spillage was from this portion where no more muck is to be deposited now.
- The Joint Committee has also observed that most of the Environmental Clearance Conditions are being followed by the CVPPL and the compliance report is being submitted to the MoEF&CC regularly.



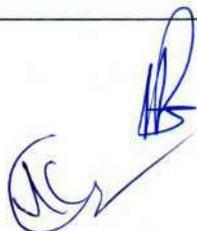


Land Development on the right bank of Arzi Nallah

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Compliance of JKPCB Consent order dated 12-04-2018 conditions:

S.No.	Specific Conditions	Compliance Status
1.	That all specific and general conditions mentioned in Environmental Clearance issued by the MoEF to be implemented by CVPPL and also through executing agencies to be involved.	Updated compliance report submitted by the CVPPL Annexure-IV.
2.	That all the relevant papers and NOCs from different departments which are necessary to be submitted by CVPPL before start of work.	Compliance Done
3.	For all other logistics like stone crushers, hot mix plants, DG Set etc. The CVPPL needs to apply separately.	Compliance done
4.	Adequate number of STP Plants to be installed at labours Campus, Colonies and Offices to treat waste water.	Septic tank and soakage pits available in labour camps but STPs not installed.
5.	Continuous Water Sprinkling to be done on all internal roads during the construction stage.	Sprinkling being done on regular basis.

5.0 Recommendations for Remedial Measures:

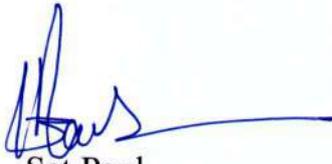
- The muck dumped in a patch of approx. 350 m in the Arzi Nallah needs to be immediately removed for ensuring free flow of the water during lean and rainy seasons.
- Wire crates of the suitable height should be raised and strengthened on the right bank of the Arzi Nallah in the stretch of 350 m, where muck dumping for development of the land has been done. This strengthening of protection work shall ensure stoppage of the muck spillage into nallah for smooth flow of water.
- Use of scientific, engineering, biological and bio-engineering measures for the stabilization of the slopes of the dumping site should be taken up on priority basis, so as to avoid overflow of the material during snow/ rainy periods to nallah.
- The culvert needs to be immediately constructed by the M/S Chenab Valley Power Project Pvt. Ltd. on the approach road passing through part of the Arzi Nallah in order to ensure free passage of natural water through nallah.
- The CVPPL needs to implement the conditions of Consent and Environment Clearance.
- CVPPL should carry out muck dumping in a scientific manner using various bio-engineering methods at the designated places(s) ensuring no environmental damage to the catchment area, flora & fauna etc.
- The remedial action to be taken by the CVPPL as per the instructions of the Joint Committee should be submitted within a period of two weeks along with photographic proof. Also, the updated status of Environmental Clearance conditions should be submitted along with the report.



6.0 Remedial Action Report Submitted by the CVPPL

Following the instructions, CVPPL has submitted the remedial action taken for the restoration of Arzi Nallah and other issues along with the updated status of Environment Clearance conditions vide their letter no. CVPP/PDHEP/GM(I/c)2021/2430 dt. 28-12-2021(**Annexure-IV**). The compliance report has also been submitted by the District Magistrate Kishtwar to Hon'ble NGT vide his no. DM/K/21/2284-86 dt. 29-12-2021, enclosed as **Annexure-I**.

As per the report and photographic evidence submitted by the CVPPL, it is apparent that the CVPPL has taken corrective measures for the removal of muck from the Arzi Nallah and also for its protection as advised on spot by the Joint Committee, which has been acknowledged.



Sat Paul
Representative
J&K Pollution Control Committee



Prof. Anil Kumar Raina
Representative
State Environment Impact Assessment
Authority (SEIAA)



Ashok Kumar Sharma
District Magistrate Kishtwar



OFFICE OF THE COLLECTOR LAND ACQUISITION KISHTWAR
(ADDITIONAL DISTRICT MAGISTRATE KISHTWAR)

Chief General Manager,
CVPP, Pakal Dul HEP.

Notice

Whereas, a representation submitted the public of village Arzi Kwar Tangi through Suresh Kumar, wherein they are alleged that the executing agency have been carrying out the project construction works, in such a large scale that they have miserably failed to maintain clear working atmosphere in which they do not sprinkle water to prevent emanating dust to voluminous level and thus causes health hazardous to the local inhabitants of village Arzi and also suffers from severe crises of drinking water and the source of water available for Arzi Nallah has got badly affected to making the Nallah site as dumping yard by the project authorities.

Whereas, the public of the village of Arzi also stated that the said Nallah has been made unhygienic due to throwing of all rubbish /discarded material of mess/kitchen of M/s AFCON company existing near the said nallah.

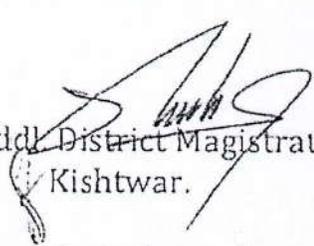
Whereas, the public of the Arzi village already requested to the project authorities to provide water out their pipelines to meet our daily requirements, but our requests are not been considered by the concerned executing authorities.

Whereas, these offences are punishable under Environment Protection Act 1986, Water (Prevention and Control of Pollution) Act 1975. Before proceeding further against you are directed to appear in person in this court on 21-10-2021 to defend the above charges against you.

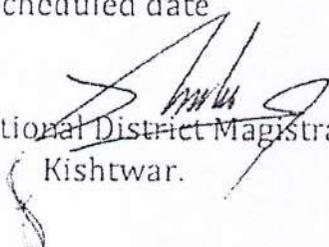
In case you fail to appear on due date it will be presumed, you have nothing to say and proceeding will be initiated in your absence as per the law.

No: ADM/K/2021-22/135-139

Date: 20-10-2021


Addl. District Magistrate,
Kishtwar.

1. Tehsildar Kishtwar/Nagseni for information.
2. Executive Engineer Jal Shakti (PHE) Division Kishtwar for information and necessary action.
3. Forwarded in original to SHO Kishtwar with the direction to get the service of summon done and return the one copy before the scheduled date


Additional District Magistrate,
Kishtwar.

I-2000A



Chenab Valley Power Projects (P) Ltd
(A Joint Venture of NHPC (A Govt of India Enterprise, JKSPDC (A Govt of J&K Undertaking))

Pakal Dul Hydro Electric Project
Chenab Nagar – II, Kishtwar, (J&K) –182206
CIN NO. U40105JK2011PTC003321

Ph No.01995-260723
Fax No. 01995-260661

Annex-I

CVPP/ PDHEP/GM (I/C)/2021/2018.

Date: 23.10.2021

Additional District Magistrate,
Kishtwar.

Sub: Reply to Notice no. ADM/K/2021-22/135-139 dated 20.10.202.

Ref: Notice no. ADM/K/2021-22/135-139 dated 20.10.202.

Sir,

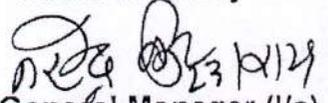
Wherein a notice referred above was received by this office on representation submitted by the public of Village Arzi, Kwartenjei through Sh. Suresh Kumar, regarding executing agencies of Pakal Dul HE Project .The Major contractors of the Project were accordingly notified and were directed to submit the point wise reply urgently.

The replies with regard to the aforesaid notice have been received from the Contractors of Power House/HRT-TBM Packages namely M/S AFCONS and M/S L&T and are hereby submitted for favour of kind information please. It is also pertinent to mention here that CVPPL always endeavors to comply with all the rules, regulations, and laws.

Moreover, in context to the aforesaid notice, Project would like to submit here that a provision of providing drinking water supply to village Arzi was also approved under local infrastructure development plan amounting to Rs. 26.00 lakh and is being implemented by Commissioner R&R (Deputy Commissioner, Kishtwar).

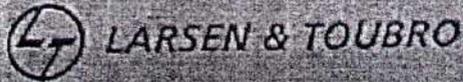
Thanking you.

Yours faithfully


General Manager (I/c)
Pakal Dul HE Project

Encls: As above (02 leaves)

Copy to: 1. GM (PH)/ GM (TBM)/DGM (Geo-Env) for information.



L&T Construction
Heavy Civil Infrastructure
Pakal Dul HE Project,
HRT-TBM Package
VPO-Dool, Post-Dool
Tehsil & Dist. - Kishtwar
J&K - 182204, INDIA

Ref: LNT/Pakal Dul/HRT-TBM/ADM/2021/10/001

Date: 22.10.2021

To,
The Additional District Magistrate
Kishtwar, J&K - 182204

Project: Engineering, Procurement and Construction of two circular shaped Head Race Tunnels of length 7.35 kms each to be excavated by two independent TBMs and associated works for Pakal Dul Hydroelectric Project, J&K

Subject: Regarding contention by Arzi Villagers

Reference: 1. LOA NO: CVPP/Pakal Dul/HRT-TBM Package/2020/2014 dated 03.07.2020
2. ADM/K/2021-22/140-144 dated 20.10.2021

Dear Sir,

This has reference to your office Notice dated 20.10.2021, conveying the contention of the Arzi Villagers. Wherein, it is alleged that the Contractor is not following the Norms and Standards under the Environmental Act. In this context, the Contractor would like to state the following:

At present, our work package is in the design phase and we have taken up the development of a small number of land parcels with fewer machinery.

1. Regarding reducing the amount of dust: we have deployed water tanker to sprinkle water at our work fronts for dust suppression. Further, we confirm that additional water tanker shall be deployed as per the requirement to mitigate emanating dust.
2. Regarding dumping of material at Arzi Nallah: To date, we have not dumped any material to Arzi Nallah, the excavated muck is being used by us to develop the respective land parcels handed over by CVPPPL for Project purposes.

Further, we would like to state that we submitted the diversion plan/proposal of Gatalan Nallah to CVPPPL, which is required for developing a land parcel essential for HRT-TBM Package works. We would like to assure you that the diversion of the said Nallah will be carried out as per guidelines of relevant Codes and with utmost care to prevent any damage to the flow of the Nallah.

This is for your information and needful.

Thanking you

Yours faithfully

For Larsen & Toubro Limited

K. Pritam
Project Director
Pakal Dul Project, HRT-TBM Package

Copy to: General Manager, HOF - Pakal Dul HE Project, Kishtwar

Tel: +91 44 2252 6000, Fax: +91 44 2252 6868 / 8811, www.Lntce.com
Registered Office: L&T House, N. M. Mary, Ballard Estate, Mumbai - 400 001, INDIA

L&T Construction - Heavy Civil Infrastructure is a brand of Larsen & Toubro Limited

PROJECT OFFICE ADDRESS :

Pakal Dul Hydro Electric Project,
Dul Dam Site Colony,
VPO & Tehsil- Dul, District Kishtwar,
J&K - 182206



JAIPRAKASH
ASSOCIATES LIMITED

AFCONS - JAL JOINT VENTURE

Ref: AJJV/DC/2633/P&A/2021/0229

Date: 21st October, 2021

To
The Addl. Deputy Magistrate,
Kishtwar, J&K - 182204

Sub: Construction of Civil works comprising of Part Head Race Tunnels, Adits, Surge Shafts, Pressure Shaft, Valve House, Underground Power house, MIV Cavern, Transformer Cavern, Adits and Access Tunnels, Tail Race Tunnels, TRT Outlet Structure and Pot Head Yard etc. of Pakal Dul Hydro Electric Project - Reg. Complaint against AFCONS Management at HEP Pakal Dul Project site

Ref: 1. LOA No.: CVPP/Pakal Dul/PH/2018/4655 Dated 21.02.2018
2. ADM Letter No. ADM/K/2021-22/145-149, Dated 20.10.2021

Dear Sir,

In receipt of notice from Addl. District Magistrate, Kishtwar office wherein with reference to the representation from local villagers it is alleged that the contractor is not alleged the norms & standards under the environmental act, In this regard the contractor here by clarify it's position and refute the allegation made by the villagers.

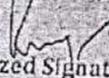
In view of the above, pointwise justification is mentioned below for your compliance:

1. To reduce the amount of dust, we are constantly sprinkling the water on site roads. We have engaged three water sprinkler tanker for this purpose in our working area and approach road.
2. We are trying our best to use the excavated material at designated dumping yard only. The utilization & disposal of muck to be followed as per guideline of water pollution (Prevention & Control of Pollution) Act 1974 and Air pollution Act, 1981, we are following the same procedure during disposal of excavated material.
3. The rubbish /discarded material of mess/kitchen by us has been removed (Photographs attached for your ready reference). We have our own solid waste management System and in future there will not be the dumping of rubbish in the Nallah.
4. To provide the water pipeline to meet the daily requirements of the Arzi village we are trying our best method for laying of the pipelines and it will be provided shortly by CVPP.

Thanking and assuring you our best services always.

Yours faithfully,

For AFCONS-JAL JOINT VENTURE,


Authorized Signatory
Pakal Dul HEP, Kishtwar

Copy to :

1. GM (IC), CVPP-Kishtwar for your kind information.
2. Tehsildar Kishtwar/Nagseni for your kind information.
3. Executive Engineer Jal Shakti (PIE) Division Kishtwar for your kind information
4. SHO, Kishtwar for your kind information.



सत्यमेव जयते

GOVT. OF JAMMU AND KASHMIR

OFFICE OF THE DISTRICT MAGISTRATE KISHTWAR

Phone/Fax: 01995-261466/259555, E-mail:dckishtwar-jk@nic.in



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1/9

The Hon'ble Chairman,
National Green Tribunal (NGT)
Monitoring Committee (J&K)

No.:-

Dated:-

Subject:- Complaint regarding dumping of muck in Arzi Nallah by AFCONS Infrastructure Ltd. -filing of compliance report thereof.

Ref.:- i) Order Passed by The Hon'ble National Green Tribunal (NGT) on 11.11.2021 in original application no.:- 301/2021.

ii) Your office letter no.:- CHM/PS/NGTMC/2021/03/106-108 Dated 14.12.2021.

Hon'ble Sir,

Kindly refer to the subject and references cited above wherein detailed information as well as remedial action commenced / taken at our end has been sought by your esteemed office.

In this connection, it is that submitted that as and when the complaint that M/S AFCONS JAL JOINT VENTURE , Pakal Dul HEP Kishtwar are dumping muck near Arzi Nallah other than the designated sites was received through different quarters by the undersigned, , accordingly vide this office notice no.:- DM/PS/2021/771-73 Dated 16.08.2021 proceedings under Section 133 Cr.P.C were initiated against the concerned agency wherein direction was passed to the Project Manager, M/S AFCONS JAL JOINT VENTURE , Pakal Dul HEP Kishtwar to appear in person in the court of undersigned on 20.08.2021 explaining his position as to why legal action as warranted under law be not initiated against him.

The Project Manager, M/S AFCONS JAL JOINT VENTURE , Pakal Dul HEP Kishtwar appeared on the fixed date and submitted that their agency is adhering to all the guidelines of dumping excavated material at designated dumping yard only.

In order to ascertain the facts and verify factual position , undersigned vide this office letter no.:- DM/K/21/899-901 Dated 04.09.2021 directed ACR, Kishtwar to visit the project sites and to verify whether the concerned project agency is dumping excavated material /muck at designated dumping sites or not.

In compliance to the same ACR Kishtwar has furnished the factual report vide no.:- ADM/K/21-22/145-A Dated 13.09.2021, the concluding part of which is reproduced as under:-

“Undersigned on 11.09.2021 at first instance paid a visit at Arzi site and found serious lacuna on behalf of M/S Afcons Jal Joint Venture Pakal Dul HEP Kishtwar as the said agency was found dumping the muck in an unscientific manner near Arzi Nallah and not on the designated dumping sites. This act on the part of the said agency has reasonable apprehension of contaminating water/river bodies which amounts to the contravention of the orders passed by Hon'ble National Green Tribunal from time to time read with your office order issued under Section 144 of CrpC. It is as such requested that legal action may be please be initiated against the concerned agency under the provisions of law please”.

Taking cognizance of the same, eviction order under Section 133 Cr.PC was passed by this office vide no.:- DM/K/21/925 Dated 14.09.2021 against the defaulting agency wherein it was ordered to the Project Manager, M/S AFCONS JAL JOINT VENTURE, Pakal Dul HEP Kishtwar to remove all the illegally dumped material near Arzi Nallah by utilizing the services of his own man and machinery with in a week's time.

2/9

Further Tehsildar, Kishtwar was designated as Duty Magistrate for the implementation of the order who reported that muck / dumped material near Arzi Nallah has been removed by the concerned agency.

It is further to mention here that this office is continuously issuing ban on muck dumping sites other than designated sites under Section 144 of CrPC. These orders have been issued vide order no.:- DM/K/21/83-107 Dated 05-04-2021 further validated from time to time.

In addition to this, warning has also been issued to the concerned agency not to repeat such action in future and strictly adhere to the guidelines of the Hon'ble National Green Tribunal (NGT) besides other provisions of the law pertaining to muck dumping.

(All relevant documents are annexed herewith the report for favour of kind perusal please).

Hence, the requisite report is submitted at your worthy end please.

Yours faithfully

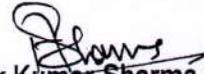
No :- DM/K/21/2284-86

dt :- 29/12/2021

Encls :- 07 leaves
Seven

Copy to the:-

1. Chairman, State Environment Impact Assessment Authority (SEIAA) Jammu for favour of kind information.
2. Chairperson, J&K Pollution Control Committee, Narwal, Jammu for favour of kind information.


Ashok Kumar Sharma (JKAS)
District Magistrate
Kishtwar



37/9



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GOVT. OF JAMMU AND KASHMIR

OFFICE OF THE DISTRICT MAGISTRATE KISHTWAR

Phone/Fax: 01995-261466/259555, E-mail: dckishtwar-jk@nic.in

Sub:- Eviction Order under Section 133 of Cr.PC.

ORDER

Whereas, complaints were pouring through different quarters, that M/S AFCONS JAL JOINT VENTURE , Pakal Dul HEP Kishtwar is dumping muck near Arzi Nallah other than the designated sites, accordingly vide this office notice no.: DM/PS/2021/771-73 Dated 16.08.2021 proceedings under Section 133 of Cr.P.C were initiated against the concerned agency ; and

Whereas, vide this office notice no.: DM/PS/2021/771-73 Dated 16.08.2021, Project Manager, M/S AFCONS JAL JOINT VENTURE , Pakal Dul HEP Kishtwar was directed to appear in person in the court of undersigned on 20.08.2021 explaining their position as to why legal action as warranted under law be not initiated against them ; and

Whereas, Project Manager, M/S AFCONS JAL JOINT VENTURE , Pakal Dul HEP Kishtwar appeared on the fixed date of hearing and submitted the reply vide office letter no.: AJJV/DC/2633/PH/2021/077 Dated 19.08.2021 wherein it has been stated that the concerned agency is adhering to all the guidelines of dumping excavated material at designated dumping yard only; and

Whereas , in order to ascertain the factual position vide this office letter no.: DM/K/21/899-901 Dated 04.09.2021 , ACR, Kishtwar was asked to visit the project sites and to verify whether the concerned project agencies are dumping excavated material /muck at designated dumping sites or not ;and

Whereas, in compliance to the same ACR Kishtwar has furnished the factual report, the concluding part of which is reproduced as under:-

“Undersigned on 11.09.2021 at first instance paid a visit at Arzi site and found serious lacuna on behalf of M/S Afcons Jal Joint Venture Pakal Dul HEP Kishtwar as the said agency was found dumping the muck in an unscientific manner near Arzi Nallah and not on the designated dumping sites. This act on the part of the said agency has reasonable apprehension of contaminating water/river bodies which amounts to the contravention of the orders passed by Hon'ble National Green Tribunal from time to time read with your office order issued under Section 144 of CrpC. It is as such requested that legal action may be please be initiated against the concerned agency under the provisions of law please”.

Whereas, the National Green Tribunal (NGT) has issued so many directions with respect to abstaining/ restraining from muck dumping directly in river Chenab & other tributaries; and

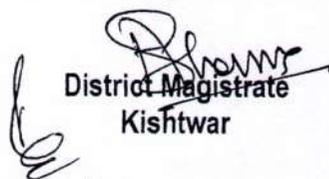
Whereas, the said act on part of M/S AFCONS JAL JOINT VENTURE , Pakal Dul HEP Kishtwar tantamount to the violation of the NGT orders as well violation of this office order no:- DM/K/21/83-107 Dated:- 05-04-2021 issued under Section 144 of Cr.PC validated from time to time

Whereas, gross violation on part of M/S AFCONS JAL JOINT VENTURE , Pakal Dul HEP Kishtwar warrants action under Section 133 of CrPC besides other relevant sections of the law;

Therefore, in view of the aforesated facts and circumstances, the Project Manager, M/S AFCONS JAL JOINT VENTURE, Pakal Dul HEP Kishtwar is hereby ordered to remove all the illegally dumped material / muck near Arzi Nallah by utilizing the services of their own man and machinery with in a week's time failing which penalty proceedings as warranted under rules shall be initiated against the defaulting agency..

No:- DM/K/21/925

Date:- 14/09/2021


District Magistrate
Kishtwar

Copy to the:-

1. Senior Superintendent of Police, Kishtwar for information and necessary action..
2. Tehsildar, Kishtwar for information and necessary action. He is further designated as Duty Magistrate for eviction / removal of dumped material near Arzi Nallah and shall ensure the implementation of this order in letter and spirit..
3. The Project Manager, M/S AFCONS JAL JOINT VENTURE , Pakal Dul HEP Kishtwar for immediate compliance with further directions to remain circumspect and careful , not to repeat such action in future . He is advised to strictly adhere to the guidelines of the Hon'ble National Green Tribunal (NGT) and other provisions of the law pertaining to muck dumping .



सत्यमेव जयते



GOVT. OF JAMMU AND KASHMIR
OFFICE OF THE ASSISTANT COMMISSIONER (REV.)
ADDL. DISTRICT MAGISTRATE / COLLECTOR LAND ACQUISITION
DISTRICT KISHTWAR



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The District Magistrate,
Kishtwar

No.:- ADM/BS/21-22/145A

Dated:- 13-09-2021.

Subject:- Verification of muck dumping project sites of M/S patel Engineering Pvt. Ltd, Keeru HEP and M/S Afcons Jal Joint Venture Pakal Dul HEP Kishtwar.

Ref.:- Your office letter no.:- DM/K/21/899-901 Dated 04.09.2021.

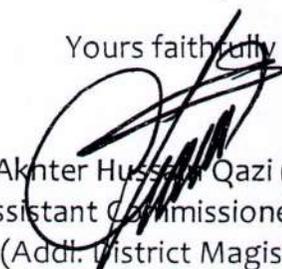
Sir,

Kindly refer to the subject and reference cited above wherein undersigned was directed to visit the project sites and furnish the factual report as to whether the project authorities (M/S Afcons Jal Joint Venture Pakal Dul HEP and M/S Patel Engineering Ltd.) are dumping the excavated material /muck at designated dumping sites or not.

In this connection, undersigned on 11.09.2021 at first instance paid a visit at Arzi site and found serious lacuna on behalf of M/S Afcons Jal Joint Venture Pakal Dul HEP Kishtwar as the said agency was found dumping the muck in an unscientific manner near Arzi Nallah and not on the designated dumping sites. This act on the part of the said agency has reasonable apprehension of contaminating water/river bodies which amounts to the contravention of the orders passed by Hon'ble National Green Tribunal from time to time read with your office order issued under Section 144 of CrpC.

It is as such requested that legal action may be please be initiated against the concerned agency under the provisions of law please.

Yours faithfully


Akhter Hussain Qazi (JKAS)
Assistant Commissioner (Rev.)/
(Addl. District Magistrate)
Kishtwar



S/a



GOVT. OF JAMMU AND KASHMIR
OFFICE OF THE DISTRICT MAGISTRATE KISHTWAR

Phone/Fax: 01995-261466/259555, E-mail: dckishtwar-jk@nic.in



The Assistant Commissioner (Rev.)
Collector Land Acquisition / Addl. District Magistrate
Kishtwar

No.: DM/K/21/899-901.

Dated:- 04-09-2021-

Subject:- Verification of muck dumping project sites of M/S Patel Engineering Pvt. Ltd., Keeru HEP
Kishtwar and M/S Afcons Jal Joint Venture Pakal Dul HEP Kishtwar.

Sir,

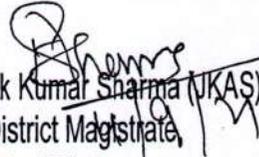
Whereas, complaints were pouring in this office with regard to the direct dumping of muck in water bodies / river by the aforementioned project agencies and taking cognizance of the same notices under Section 133 of CrPC were served to them with the directions to appear before the Court of undersigned on 20.08.2021.

Whereas, the concerned appeared in the court of undersigned on the fixed date and submitted their replies wherein they have stated that they are dumping the excavated material/muck at designated dumping sites/areas.

In this connection, you are requested to visit the project sites and verify whether the concerned project agencies are dumping the excavated material / muck at designated dumping sites or not.

The factual report should reach this office within fifteen days positively for taking further necessary action into the matter.

Yours sincerely


Ashok Kumar Sharma (JKAS)
District Magistrate,
Kishtwar.

Copy to the:-

1. Senior Superintendent of Police, District Kishtwar for information.
2. Project Manager, M/S Patel Engineering Pvt. Ltd., Keeru HEP Kishtwar and Project Manager M/S Afcons Jal Joint Venture Pakal Dul HEP Kishtwar for information and n/a.

PROJECT OFFICE ADDRESS :

Pakal Dul Hydro Electric Project,
Dul Dam Site Colony,
VPO & Tehsil- Dul, District Kishtwar,
J&K - 182206



AFCONS INFRASTRUCTURE LIMITED



Shapoorji Pallonji



JAIPRAKASH
ASSOCIATES LIMITED

AFCONS - JAL JOINT VENTURE

Ref: AJJV/DC/2633/PH/2021/077

Date: 19th August 2021

To
District Magistrate,
Kishtwar.



Sub: Construction of Civil works comprising of Part Head Race Tunnels, Adits, Surge Shafts, Pressure Shaft, Valve House, Underground Powerhouse, MIV Cavern, Transformer Cavern, Adits and Access Tunnels, Tail Race Tunnels, TRT Outlet Structure and Pot Head Yard etc. of Pakal Dul Hydro Electric Project -
Regarding Notice under section 133 of Cr. PC

Ref: 1. LOA No.: CVPP/Pakal Dul/PH/2018/4655 Dated 21.02.2018.
2. DM/PS/2021/771-73 dated 16.08.2021

Dear Sir,

This is with reference to your above referred letter #2, contractor would like to inform you that we are trying our best to use the excavated material at designated dumping yard only. The utilization & disposal of muck to be followed as per guidelines of water pollution (Prevention & Control of Pollution) Act 1974 and Air pollution (Prevention & Control of Pollution) Act, 1981, we are following the same procedure during disposal of excavated material.

We also hereby ensure that we are taking all necessary measures like providing slope protection/ stabilization work to avoid mixing of muck in nearby stream & water bodies, sprinkling of water on stone dust to fulfil the requirement under Environmental protection plan to avoid any pollution in the project area.

This is for your kind information and record please.

Thanking and assuring you our best services always

yours faithfully,

For AFCONS-JAL JOINT VENTURE,

Authorised Signatory
Pakal Dul HEP, Kishtwar

Sharma
21/8

[Handwritten initials]

Copy to the :

1. Engineer-In-Charge, CVPPL , Kishtwar for your kind information please.
2. Sr. Superintendent of Police, Kishtwar for your kind information please.



7/9

GOVT. OF JAMMU AND KASHMIR

OFFICE OF THE DISTRICT MAGISTRATE KISHTWAR

Phone/Fax: 01995-261466/259555, E-mail: dckishtwar-jk@nic.in



Project Manager,
M/S AFCONS JAL JOINT VENTURE,
Pakal Dul H.E.P Kishtwar,

No:- DM/PS/2021/771-73.

Dated:- 16-08-2021.

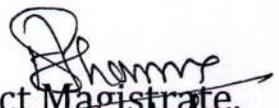
Sub: - Notice under Section 133 of Cr. PC.

Whereas, vide this office order no:- DM/K/21/ 83-107 Dated:- 05.04.2021 issued under Section 144 of Cr. PC further validated from time to time, it was ordered upon all Govt/Private executing agencies involved in the various developmental works / project works in the district to restrain from dumping muck other than the designated dumping sites , so as to ensure that the water-bodies may not get contaminated /affected;

Whereas, it has come to the notice of undersigned that you are violating the said order by way of directly dumping muck into water bodies / river which is a matter of serious concern and warrants action under Section 133 of CrPC besides other relevant sections of the law;

Whereas, the National Green Tribunal (NGT) has issued so many directions with respect to abstaining from muck dumping directly in river Chenab & other tributaries and

Therefore, you are hereby served upon notice under Section of 133 of Cr.PC with the directions to appear in person before the court of undersigned on 20.08.2021 at 11:30 am sharp. explaining your position failing which legal action as warranted under law shall be initiated against you.


District Magistrate,
KISHTWAR

Copy to the:-

1. Senior Superintendent of Police, Kishtwar for information.
2. Chief General Manager, CVPPL, Pakal Dul HEP Kishtwar for information and necessary action.



सत्यमेव जयते

GOVT. OF JAMMU AND KASHMIR

OFFICE OF THE DISTRICT MAGISTRATE KISHTWAR

Phone/Fax: 01995-261466/259555, E-mail:dckishtwar-jk@nic.in



ORDER

Whereas, it has come to the notice of the undersigned that certain violations with regards to dumping/disposal of the excavated debris/muck are being done by the executing agencies & almost all the designated sites for muck dumping are found without proper compaction and consequently there is apprehension/likelihood that loose muck may directly flow into the river and other fresh water nallahs/water bodies; and

2. Whereas, the muck generated during road widening process also has stones and boulders in it and on being dumped on the slopes, it does not allow any vegetation to survive underneath it; and

3. Whereas, during flood like situations, effusive water and muck dumping along river bank is not only posing threat to aquatic life, Flora & Fauna, but it could also cause extensive damage to biodiversity, river and population living downstream; and

4. Whereas, the debris/muck may increase the turbidity of water and thus reduces the oxygen levels in water, which may harm aquatic life of rivers/water bodies; and

5. Whereas, disposal of muck has become an integral part of Environment Impact Assessment (EIA) and Environment Management Plan (EMP), therefore, such dumping sites need to have proper breast and crate walls, which further need to be maintained regularly; and

6. Whereas, in order to check the spillage of the muck down the slope and into the rivers, it is always recommended to construct retaining wall, well before start of muck dumping at designated sites & such muck is strictly to be regulated & in no case should be deposited at unregulated/non-notified sites; and

7. Whereas, the National Green Tribunal (NGT) has issued so many directions with respect to muck dumping in river Chenab and other tributaries; and

8. Whereas, the public as well as NGO's working on Environment have raised this issue of muck dumping into river Chenab. This can also lead to law and order problem and breach of peace and tranquility.

Now, therefore as preventive measure & in continuation to this office Order no. DM/K/21/482-95 Dated:- 19-06-2021 and No:- DM/K/21/805-28 Dated:- 24.08.2021. I Ashok Kumar Sharma (KAS), District Magistrate Kishtwar, in exercise of power vested in me under Section 144 CrPC do hereby restrain all the government agencies /private executing agencies and all other such agencies employed/ assigned for the widening /construction of all types of roads/projects & the stretch of JKNH-244, in the territorial jurisdiction of District Kishtwar , for dumping of muck other than designated muck dumping sites in territorial jurisdiction of District Kishtwar with immediate effect. This order shall remain in force for a period of 2 months from the date of issue.

Issued under my hand and seal today this 29th day of October 2021.

Ashok Kumar Sharma (JKAS)

District Magistrate

KISHTWAR

No. :- DM/K/21/2099

Dated:- 29.10.2021

Copy to the:-

1. Divisional Commissioner, Jammu for favour oof kind information.
2. Senior Superintendent of Police, District Kishtwar for favour of information and n/a.
3. ADDC/ADC, Kishtwar for information and n/a.
4. Superintending Engineer, Hyd. Circle Doda for information and n/a.
5. Divisional Forest Officer, Kishtwar for information
6. Sub-Divisional Magistrate, Chatroo/Padder/Marwah for information and n/a.
7. ACR, Kishtwar for information and n/a.
8. Tehsildar (All) for information and n/a.
9. General Manager Pakal Dul/Kwar/Kiru for information and n/a.

9/9

GOVT. OF JAMMU AND KASHMIR
OFFICE OF THE DISTRICT MAGISTRATE KISHTWAR

ORDER

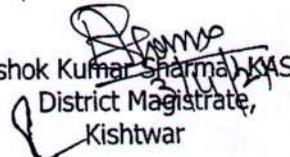
1. Whereas, it has come to the notice of undersigned that certain violations with regard to dumping/disposal of excavated debris/muck are being done by the executing agencies and almost all the designated sites for muck dumping are found without proper compaction and consequently there is apprehension/likelihood that loose muck may directly flow into the river and other fresh water nallahs/water bodies; and
2. Whereas, the muck generated during road widening process also has stones and boulders in it and on being dumped on the slopes, it does not allow any vegetation to survive underneath it; and
3. Whereas, during flood like situations, effusive water and muck dumping along river bank is not only posing threat to aquatic life, flora & fauna, but it could also cause extensive damage to biodiversity, river and population living downstream; and
4. Whereas, the debris/muck may increase the turbidity of water and thus reduces the oxygen levels in water, which may harm aquatic life of rivers/water bodies; and
5. Whereas, disposal of muck has become an integral part of Environmental Impact Assessment (EIA) and Environment Management Plan (EIP), therefore, such dumping sites need to have proper breast and crate walls, which further need to be managed regularly; and
6. Whereas, in order to check the spillage of the muck down the slope into the rivers, it is always recommended to construct retaining wall, well before start of muck dumping at designated sites and such muck is strictly to be regulated and in no case should be deposited at unregulated/non-notified sites; and
7. Whereas, the National Green Tribunal (NGT) has issued so many directions with respect to dumping in river Chenab and other tributaries; and
8. Whereas, the public as well as NGO's working on Environment have raised the issue of muck dumping into river Chenab this can also lead to law and order problem and breach of peace and tranquillity.

Now, therefore, as preventive measure and in continuation to this office Order No. 449/DCK/R/2020-21 dated 28-01-2021, I, Ashok Kumar Sharma (KAS), District Magistrate Kishtwar, in exercise of powers vested in me under section 144 CrPC do hereby restrain all the Government Agencies/Private Executing Agencies and all other such agencies employed/assigned for the widening /construction of all types of roads/Hydro electric projects and the stretch of JKNH-244, in the territorial jurisdiction of District Kishtwar, for dumping of muck other than designated muck dumping sites in territorial jurisdiction of District Kishtwar with immediate effect. This order shall remain in force for a period of 2 months from the date of issue.

Issued under my hand and seal today this 05th day of April 2021.

No: DM/K/21/83-107

Dated: 05-04-2021


(Ashok Kumar Sharma) KAS
District Magistrate,
Kishtwar

Copy to the:

1. Divisional Commissioner Jammu for favour of information.
2. Senior Superintendent of Police Kishtwar for favour of information and necessary action.
3. Addl. District Development Commissioner Kishtwar for favour of information.
4. Addl. Deputy Commissioner Kishtwar for favour of information.
5. Superintending Engineer Hyd. Circle Doda for information and n/a.
6. Assistant Commissioner (Rev.) Kishtwar for information and n/a.
7. Divisional Forest Officer Kishtwar for information.
8. Sub Divisional Magistrate Chhatroo/Padder/Marwah for information and n/a.
9. Executive Engineer Hydraulic Division Kishtwar for information and n/a.
10. Tehsildar (All) for information and n/a.
11. General Manager Pakal Dul/Kwar/Kiru for information and n/a.
12. Xen PMGSY Kishtwar/Chhatroo/Marwah for information and n/a.
13. Xen PWD (R&B) Kishtwar/Chhatroo/Marwah for information and n/a.
14. NHPC/GREF/MS- AFCON Jal Joint Venture/MS- JP Associates Ltd./L&T/Patel/BCC
Constructions for inf. and n/a.
15. Office record/file.

OFFICE OF THE COLLECTOR LAND ACQUISITION
(ASST. COMMISSIONER REVENUE) KISHTWAR**FINAL AWARD**

On the requisition of General Manager Chenab Valley Power Projects Private Limited, Chenab Nagar-II Kishtwar vide No: CVPP/PDHEPP/LAND/2012/216 dated 23-11-2012 and Chief Engineer Kirthai I & II HEP's Kishtwar vide No: CE/Kirthai/HEPs/292-95 dated 26-10-2015 for acquisition of Land for Construction of Pakal Dool Hydroelectric Power Project at Village Kwartanji Tehsildar and Distt. Kishtwar, Tehsildar Kishtwar was directed to prepare the land acquisition papers.

Tehsildar Kishtwar got prepared the requisite acquisition papers through concerned field staff and submitted to this office duly completed in all respects vide No: 3611/OQ dated 26-03-2013 for further necessary action. The particulars of land involved in this case are as under:-

S.No	Name of the District	Name of the Tehsil	Name of the village	Khasra No.	Area In	
					Kana /	Marla
1.	Kishtwar	Kishtwar	Kwartanji	618/6	01	09
2.	Kishtwar	Kishtwar	Kwartanji	619/6 min	32	19
3.	Kishtwar	Kishtwar	Kwartanji	10	00	11
4.	Kishtwar	Kishtwar	Kwartanji	11	00	07
5.	Kishtwar	Kishtwar	Kwartanji	12 min	11	00
6.	Kishtwar	Kishtwar	Kwartanji	13	01	09
7.	Kishtwar	Kishtwar	Kwartanji	14	03	12
8.	Kishtwar	Kishtwar	Kwartanji	15	05	12
9.	Kishtwar	Kishtwar	Kwartanji	16	04	08
10.	Kishtwar	Kishtwar	Kwartanji	861/510/17	02	02
11.	Kishtwar	Kishtwar	Kwartanji	17 min	02	01
12.	Kishtwar	Kishtwar	Kwartanji	18	00	07
13.	Kishtwar	Kishtwar	Kwartanji	19	01	01
14.	Kishtwar	Kishtwar	Kwartanji	20	00	07
15.	Kishtwar	Kishtwar	Kwartanji	21	00	10
16.	Kishtwar	Kishtwar	Kwartanji	22	01	15
17.	Kishtwar	Kishtwar	Kwartanji	23	03	01

II-KONTAK

18.	Kishtwar	Kishtwar	Kwartanji	24	03	11
19.	Kishtwar	Kishtwar	Kwartanji	25	02	00
20.	Kishtwar	Kishtwar	Kwartanji	26	04	15
21.	Kishtwar	Kishtwar	Kwartanji	27	00	07
22.	Kishtwar	Kishtwar	Kwartanji	28	04	02
23.	Kishtwar	Kishtwar	Kwartanji	29	00	14
24.	Kishtwar	Kishtwar	Kwartanji	30	01	10
25.	Kishtwar	Kishtwar	Kwartanji	31	00	03
26.	Kishtwar	Kishtwar	Kwartanji	32	01	04
27.	Kishtwar	Kishtwar	Kwartanji	33	00	16
28.	Kishtwar	Kishtwar	Kwartanji	34	00	11
29.	Kishtwar	Kishtwar	Kwartanji	35 min	00	08
30.	Kishtwar	Kishtwar	Kwartanji	35 min	00	08
31.	Kishtwar	Kishtwar	Kwartanji	36	03	12
32.	Kishtwar	Kishtwar	Kwartanji	37	00	01
33.	Kishtwar	Kishtwar	Kwartanji	38	00	08
34.	Kishtwar	Kishtwar	Kwartanji	39	00	15
35.	Kishtwar	Kishtwar	Kwartanji	40	00	05
36.	Kishtwar	Kishtwar	Kwartanji	41	00	07
37.	Kishtwar	Kishtwar	Kwartanji	42	00	14
38.	Kishtwar	Kishtwar	Kwartanji	43	00	12
39.	Kishtwar	Kishtwar	Kwartanji	44	00	11
40.	Kishtwar	Kishtwar	Kwartanji	45	00	11
41.	Kishtwar	Kishtwar	Kwartanji	46	01	00
42.	Kishtwar	Kishtwar	Kwartanji	47	00	10
43.	Kishtwar	Kishtwar	Kwartanji	48	00	18
44.	Kishtwar	Kishtwar	Kwartanji	49	00	14
45.	Kishtwar	Kishtwar	Kwartanji	50	00	10
46.	Kishtwar	Kishtwar	Kwartanji	51	00	04
47.	Kishtwar	Kishtwar	Kwartanji	52 min	00	15
48.	Kishtwar	Kishtwar	Kwartanji	867/510/52	00	15

49.	Kishtwar	Kishtwar	Kwartanji	53	01	08
50.	Kishtwar	Kishtwar	Kwartanji	54 min	00	05
51.	Kishtwar	Kishtwar	Kwartanji	872/54	00	05
52.	Kishtwar	Kishtwar	Kwartanji	55 min	00	03
53.	Kishtwar	Kishtwar	Kwartanji	55 min	00	03
54.	Kishtwar	Kishtwar	Kwartanji	56 min	00	15
55.	Kishtwar	Kishtwar	Kwartanji	56 min	00	02
56.	Kishtwar	Kishtwar	Kwartanji	57	01	00
57.	Kishtwar	Kishtwar	Kwartanji	58 min	01	08
58.	Kishtwar	Kishtwar	Kwartanji	875/510/58	01	08
59.	Kishtwar	Kishtwar	Kwartanji	59	02	15
60.	Kishtwar	Kishtwar	Kwartanji	60	00	11
61.	Kishtwar	Kishtwar	Kwartanji	61	00	05
62.	Kishtwar	Kishtwar	Kwartanji	62	01	04
63.	Kishtwar	Kishtwar	Kwartanji	615/63	01	00
64.	Kishtwar	Kishtwar	Kwartanji	616/63	00	14
65.	Kishtwar	Kishtwar	Kwartanji	617/63	04	10
66.	Kishtwar	Kishtwar	Kwartanji	65	00	19
67.	Kishtwar	Kishtwar	Kwartanji	65/1	00	15
68.	Kishtwar	Kishtwar	Kwartanji	66	03	19
69.	Kishtwar	Kishtwar	Kwartanji	67	03	17
70.	Kishtwar	Kishtwar	Kwartanji	68	01	16
71.	Kishtwar	Kishtwar	Kwartanji	69	00	15
72.	Kishtwar	Kishtwar	Kwartanji	70	10	03
73.	Kishtwar	Kishtwar	Kwartanji	71min	01	09
74.	Kishtwar	Kishtwar	Kwartanji	71 min	01	00
75.	Kishtwar	Kishtwar	Kwartanji	72	11	09
76.	Kishtwar	Kishtwar	Kwartanji	73 min	04	03
77.	Kishtwar	Kishtwar	Kwartanji	873/510/73	04	02
78.	Kishtwar	Kishtwar	Kwartanji	74	03	09
79.	Kishtwar	Kishtwar	Kwartanji	75	03	19

80.	Kishtwar	Kishtwar	Kwartanji	76	00	05
81.	Kishtwar	Kishtwar	Kwartanji	77	00	14
82.	Kishtwar	Kishtwar	Kwartanji	78	00	04
83.	Kishtwar	Kishtwar	Kwartanji	79 min	06	18
84.	Kishtwar	Kishtwar	Kwartanji	79 min	02	10
85.	Kishtwar	Kishtwar	Kwartanji	80	07	12
86.	Kishtwar	Kishtwar	Kwartanji	81	07	04
87.	Kishtwar	Kishtwar	Kwartanji	82	03	16
88.	Kishtwar	Kishtwar	Kwartanji	83	02	06
89.	Kishtwar	Kishtwar	Kwartanji	84	03	18
90.	Kishtwar	Kishtwar	Kwartanji	467/85	04	19
91.	Kishtwar	Kishtwar	Kwartanji	840/769/85	06	18
92.	Kishtwar	Kishtwar	Kwartanji	840/769/85 min	24	03
93.	Kishtwar	Kishtwar	Kwartanji	86 min	01	06
94.	Kishtwar	Kishtwar	Kwartanji	87	05	16
95.	Kishtwar	Kishtwar	Kwartanji	88	10	02
96.	Kishtwar	Kishtwar	Kwartanji	89	02	08
97.	Kishtwar	Kishtwar	Kwartanji	90	01	03
98.	Kishtwar	Kishtwar	Kwartanji	91 min	06	09
99.	Kishtwar	Kishtwar	Kwartanji	91 min	08	06
100.	Kishtwar	Kishtwar	Kwartanji	91 min	12	00
101.	Kishtwar	Kishtwar	Kwartanji	91 min	11	00
102.	Kishtwar	Kishtwar	Kwartanji	91 min	06	04
103.	Kishtwar	Kishtwar	Kwartanji	91 min	10	00
104.	Kishtwar	Kishtwar	Kwartanji	91 min	05	00
105.	Kishtwar	Kishtwar	Kwartanji	91 min	24	02
106.	Kishtwar	Kishtwar	Kwartanji	876/510/101	00	07
107.	Kishtwar	Kishtwar	Kwartanji	877/510/101	05	05
108.	Kishtwar	Kishtwar	Kwartanji	102	01	03
109.	Kishtwar	Kishtwar	Kwartanji	103	08	12
110.	Kishtwar	Kishtwar	Kwartanji	104	02	17

111.	Kishtwar	Kishtwar	Kwartanji	105	04	02
112.	Kishtwar	Kishtwar	Kwartanji	652/106	07	15
113.	Kishtwar	Kishtwar	Kwartanji	652/106 min	00	04
114.	Kishtwar	Kishtwar	Kwartanji	652/106 min	00	02
115.	Kishtwar	Kishtwar	Kwartanji	107	02	06
116.	Kishtwar	Kishtwar	Kwartanji	108	00	01
117.	Kishtwar	Kishtwar	Kwartanji	109 min	00	08
118.	Kishtwar	Kishtwar	Kwartanji	109 min	00	07
119.	Kishtwar	Kishtwar	Kwartanji	110	01	00
120.	Kishtwar	Kishtwar	Kwartanji	111	01	11
121.	Kishtwar	Kishtwar	Kwartanji	112	04	12
122.	Kishtwar	Kishtwar	Kwartanji	113 min	02	00
123.	Kishtwar	Kishtwar	Kwartanji	113 min	08	08
124.	Kishtwar	Kishtwar	Kwartanji	711/121 min	12	00
125.	Kishtwar	Kishtwar	Kwartanji	711/121 min	02	14
126.	Kishtwar	Kishtwar	Kwartanji	710/121	01	11
127.	Kishtwar	Kishtwar	Kwartanji	122	01	17
128.	Kishtwar	Kishtwar	Kwartanji	123	00	13
129.	Kishtwar	Kishtwar	Kwartanji	691/124	02	18
130.	Kishtwar	Kishtwar	Kwartanji	692/124	02	06
131.	Kishtwar	Kishtwar	Kwartanji	690/124	03	00
132.	Kishtwar	Kishtwar	Kwartanji	690/124 min	03	00
133.	Kishtwar	Kishtwar	Kwartanji	653/141	00	09
134.	Kishtwar	Kishtwar	Kwartanji	654/141	00	05
135.	Kishtwar	Kishtwar	Kwartanji	655/141 min	01	01
136.	Kishtwar	Kishtwar	Kwartanji	150 min	00	11
137.	Kishtwar	Kishtwar	Kwartanji	150/1 min	00	05
138.	Kishtwar	Kishtwar	Kwartanji	154	00	08
139.	Kishtwar	Kishtwar	Kwartanji	155 min	02	03
140.	Kishtwar	Kishtwar	Kwartanji	158 min	00	07
141.	Kishtwar	Kishtwar	Kwartanji	169	00	18

142.	Kishtwar	Kishtwar	Kwartanji	173	08	10
143.	Kishtwar	Kishtwar	Kwartanji	640/174	10	00
144.	Kishtwar	Kishtwar	Kwartanji	640/174 min	20	00
145.	Kishtwar	Kishtwar	Kwartanji	639/174	10	17
146.	Kishtwar	Kishtwar	Kwartanji	640/174 min	17	13
147.	Kishtwar	Kishtwar	Kwartanji	175 min	185	08
148.	Kishtwar	Kishtwar	Kwartanji	550/179	254	09
149.	Kishtwar	Kishtwar	Kwartanji	197 min	00	02
150.	Kishtwar	Kishtwar	Kwartanji	197 min	08	05
151.	Kishtwar	Kishtwar	Kwartanji	199	01	16
152.	Kishtwar	Kishtwar	Kwartanji	905/858/201	02	16
153.	Kishtwar	Kishtwar	Kwartanji	857/201	00	15
154.	Kishtwar	Kishtwar	Kwartanji	202	02	12
155.	Kishtwar	Kishtwar	Kwartanji	210	01	00
156.	Kishtwar	Kishtwar	Kwartanji	220	00	15
157.	Kishtwar	Kishtwar	Kwartanji	221	00	12
158.	Kishtwar	Kishtwar	Kwartanji	890/510/222	00	12
159.	Kishtwar	Kishtwar	Kwartanji	222 min	00	02
160.	Kishtwar	Kishtwar	Kwartanji	224	03	06
161.	Kishtwar	Kishtwar	Kwartanji	225 min	01	00
162.	Kishtwar	Kishtwar	Kwartanji	225 min	08	03
163.	Kishtwar	Kishtwar	Kwartanji	596/232	00	05
164.	Kishtwar	Kishtwar	Kwartanji	605/592/232	02	19
165.	Kishtwar	Kishtwar	Kwartanji	606/597/232	06	17
166.	Kishtwar	Kishtwar	Kwartanji	607/597/232	08	10
167.	Kishtwar	Kishtwar	Kwartanji	666/638/232	05	00
168.	Kishtwar	Kishtwar	Kwartanji	668/638/232	05	03
169.	Kishtwar	Kishtwar	Kwartanji	669/638/232	02	10
170.	Kishtwar	Kishtwar	Kwartanji	670/638/232	04	13
171.	Kishtwar	Kishtwar	Kwartanji	667/638/232	00	05
172.	Kishtwar	Kishtwar	Kwartanji	671/638/232	05	17

173.	Kishtwar	Kishtwar	Kwartanji	672/638/232	01	11
174.	Kishtwar	Kishtwar	Kwartanji	673/638/232	00	12
175.	Kishtwar	Kishtwar	Kwartanji	674/638/232	10	01
176.	Kishtwar	Kishtwar	Kwartanji	233	08	17
177.	Kishtwar	Kishtwar	Kwartanji	234	00	07
178.	Kishtwar	Kishtwar	Kwartanji	517/235	00	01
179.	Kishtwar	Kishtwar	Kwartanji	609/547/235	00	01
180.	Kishtwar	Kishtwar	Kwartanji	515/235	00	01
181.	Kishtwar	Kishtwar	Kwartanji	697/680/235	00	02
182.	Kishtwar	Kishtwar	Kwartanji	546/697/695/235	123	14
183.	Kishtwar	Kishtwar	Kwartanji	544/239	00	08
184.	Kishtwar	Kishtwar	Kwartanji	544/239 min	02	15
185.	Kishtwar	Kishtwar	Kwartanji	544/239 min	15	00
186.	Kishtwar	Kishtwar	Kwartanji	485 min	03	00
187.	Kishtwar	Kishtwar	Kwartanji	486 min	00	10
188.	Kishtwar	Kishtwar	Kwartanji	486 min	01	10
189.	Kishtwar	Kishtwar	Kwartanji	487 min	01	00
190.	Kishtwar	Kishtwar	Kwartanji	576/488 min	01	00
191.	Kishtwar	Kishtwar	Kwartanji	632/489	02	00
192.	Kishtwar	Kishtwar	Kwartanji	632/489	02	00
Grand Total					1193	04

The Shajra Khasra of the land has been authenticated/attested by **Manager Civil Pakal Dool HEPP Kishtwar** in token of its correctness and acceptance. Notification U/S 4 (i) of the land acquisition Act has been issued Vide this office No: - **ACR/LA/993-98** dated: - **17-12-2012** and a copy of the Notification was submitted to **Deputy Commissioner Kishtwar** for favour of information and copy of the notification was sent each to the Joint Director Information Jammu/Manager Govt Ranbir Press Jammu for publication in the largest circulated dailies and Govt. Gazette, Copy of the notification was sent to Secretary to Govt. Rev Deptt J&K Jammu. Whereas copy of the same was also sent to the Indenting Deptt. for information and necessary action. Two copies of the notification were sent to the **Tehsildar Kishtwar** for getting one copy affixed at some

* conspicuous in the Village and 2nd copy be returned to this office duly served upon the concerned landowners.

In response to this notification the General Manager CVPP Pvt. Ltd vide his letter No: CVPP/PDHEP/GM/Land/2013/DM-5 dated 03-04-2013 submitted that 26 Kanals of land out of Khasra No.91min measuring 109 Kanal 01 Marlas be de-notified. Accordingly De-notification was issued vide No. ACR/LA/1315-20 dated 12-04-2013 for Khasra No.91min measuring 26 Kanals. The landowners made representation in respect of surety of their Relief and Rehabilitation plan and employment plan but did not filed any objections U/S 5-A of the land acquisition Act to the notification.

The case was as such submitted to **Deputy Commissioner Kishtwar** vide No: **ACR/LA/1321** dated **12-04-2013** for issuance of declaration u/s 6&7 of the Act, the Deputy Commissioner forwarded the case to Higher authorities for declaration of 6&7 and the same was issued by Secretary to Government Revenue Department Civil Secretariat J&K vide Notification No: **25 RD of 2013** and endorsement No: **Rev/LAJ/79/2013** dated **31-07-2013** and received in this office through **Deputy Commissioner Kishtwar** vide No. **ADCK/LA/48/13** dated **23-09-2013** for further necessary action. On receipt of this the Notification u/s **9&9-A** of the Act was issued vide No: **-ACR/LA/1354-59 dt:-13-09-2013**, and a copy was served upon the interested persons through subordinate Revenue staff to appear personally or through an agent to file their objections, interests in the land, amount of compensation to be assessed as well as objections to the measurement of land if any within 15 days from the date of Issuance of said notice. Each Copy of the Notification was sent to Worthy Divisional Commissioner Jammu, Joint Director Information Jammu, Deputy Commissioner Kishtwar & General Manager CVPP Pvt Ltd. (Pakal Dool HEPP) Kishtwar.

In response to this notification the interested persons did not filed any objections .

As per stamp duty Act the rates notified for **village Kwartenji** vide No: **DCK/LA/708-720/13** dated **25-03-2013** for Irrigated land is **Rs. 1.10 lac and Rs 0.88 lac per kanal** for Un-irrigated land & from the perusal of average sale rate statement furnished by the **Tehsildar Kishtwar** appended with the file, it reveals that the average sale rate of land in **village Kwartenji** is **Rs.3.00 lac = per Kanal for all kinds of soil market rate is Rs.3.00 lac per Kanal. The different type of soil involved in this case is as under,**

S.No	Type of Soil	Area Involved in acquisition	
		Kanal	Marlas
1	Irrigated type	77	08
2	Un-irrigated Type	267	05

1971 till date, provision of Agrarian Reforms Act and latest guidelines issued by the Revenue Department is worked out is enclosed as under

Accordingly Compensation of land as per Approved rates is worked out as under:

S.No	Type of Land/Soil	Area Involved		Rates Approved per Kanal (Rs.)	Total Amount Involved (Rs.)	Jabrana @15% (Rs)	Grand Total (Rs.)
		K	M				
1	Irrigated type	77	8	1,90,000	1,47,06,000	22,05,900	1,69,11,900
2	Un-irrigated Type	267	6	1,60,000	4,27,68,000	64,15,200	4,91,83,200
3	Banjar Qadeem	755	17	1,40,000	10,58,19,000	1,58,72,850	12,16,91,850
4	Gair Mumkin	92	13	1,30,000	1,20,44,500	18,06,675	1,38,51,175
Grand Total of Land Compensation.					17,53,37,500	2,63,00,625	2,01,63,8125
Amount of Structure Compensation Involved					1,65,11,000	24,76,650	1,89,87,650
Amount of Fruit Bearing Trees Involved					20,43,175	3,06,477	23,49,651
Amount of Non Fruit Bearing Trees Involved					14,31,621	2,14,744	16,46,364
Grand Total of Land+Structure+Trees					19,53,23,296	2,92,98,496	22,46,21,792
Administrative Charge/s 48 of Land Acquisition Act @0.66%.							22,46,217
Total Awarded Amount							22,68,68,009/=

Therefore in Exercise of the Powers vested in me under Section 11 of the J&K State Land Acquisition Act, I Dr. **Khalid Hussain Malik (KAS)** Collector Land Acquisition (Assistant Commissioner Revenue Kishtwar) do hereby issue an Award of **(Rs. 22,68,68,009/=) Twenty Two Crore sixty Eight Lac Sixty Eight thousand and Nine only FOR** land measuring **One thousand one Hundred ninety three Kanal and Four Marlas (1193 Kanals & 04 Marlas)** for **Construction of Pakal Dool Hydroelectric Power Project at Kwartenji, Tehsil and District. Kishtwar.**

**Collector,
Agrarian Reforms
Kishtwar**

**Collector,
Land Acquisition,
Kishtwar**

**Necessary Certificates are also recorded as under:
Certified that: -**

- 1) Private Negotiation was not possible in this case.
- 2) The land under Acquisition in this case has neither been acquired nor paid for by any other Deptt.
- 3) Fruit bearing are involved in this case.
- 4) Non Fruit Bearing trees are involved in this case.
- 5) Structures are involved in this case. Any structure damages or found left out after issuance of this award shall be dealt with in the supplementary award.

- 6) Some of the landowners involved in this case are not going landless.
- 7) Funds amounting to **Rs.13,98,25,000/=** have been deposited by the indenting department and the requirement has already been communicated.
- 8) EP/Nazool/Auqaf/ /Saffron growing land is not involved in this case.
- 9) Irrigated land is involved in this case
- 10) The land is required for Public purpose.
- 11) The amount of compensation payable to the interested persons as shown in the apportionment statement will be paid in accordance with the provisions of Agr.Ref.Act 1976 and the guidelines given by the Revenue Deptt. Vide No: Rev (LB) 10/80 dt: - 23-02-1980.

No: ACR/K/2016/Award | 01-10
Dated:10-02-2016

Dr. Khalid Hussain Malik (KAS)
Dr. Khalid Hussain Malik (KAS)
Collector Land Acquisition
Assistant Commissioner Revenue
Kishtwar

Copy to the:

1. **Financial Commissioner Revenue, J & K Govt. Jammu for favour of information.**
2. **Commissioner Secretary Revenue, J & K Govt. Jammu for favour of information.**
3. **Managing Director, J & K State Power Development Corporation, Jammu/Srinagar for favour of information.**
4. **Divisional Commissioner Jammu for favour of information.**
5. **Deputy Commissioner Kishtwar for favour of information.**
6. **Additional Deputy Commissioner Kishtwar for favour of information.**
7. **General Manager CVPP Pvt. Limited with the request to deposit the balance compensation with this Collectorate within 15 days positively.**
8. **Tehsildar Kishtwar with the direction to attest the mutation and submit the copy to this office.**
9. **DIO Kishtwar for uploading the award on official website of Kishtwar district.**



OFFICE OF THE COLLECTOR LAND ACQUISITION
(Assistant Commissioner Revenue) Kishtwar

FINAL AWARD

On the requisition of General Manager Chenab Valley Power Projects Limited, Chenab Nagar-II Kishtwar vide No. CVPP/PDHEPP/LAND/2012/216-96 dated 23/11/2012 and No. CVPP/PDHEP/GMLand/2013/DM-5 dated 03/04/2013 and Chief Engineer Kirthai I & II HEP's Kishtwar vide No. CE/Kirthai/HEPs/292/95 dated 26-10-2015 for acquisition of Land for Construction of Pakal Dul Hydroelectric Power Project at Village Kwartanji Tehsil & Distt. Kishtwar. Phase-II. Tehsildar Kishtwar was directed to prepare the Land Acquisition papers.

Tehsildar Kishtwar got prepared the requisite Acquisition papers through concerned field staff and submitted to this office duly completed in all respects for further necessary action. The particulars of Land involved in this case are as under:

S No	Name Of District	Name Of Tehsil	Name Of Village	Khasra No.	Area	
					K	M
1	Kishtwar	Kishtwar	Kwartanji	79min	04	08
2	Kishtwar	Kishtwar	Kwartanji	97	01	08
3	Kishtwar	Kishtwar	Kwartanji	98	00	02
4	Kishtwar	Kishtwar	Kwartanji	99	05	03
5	Kishtwar	Kishtwar	Kwartanji	100	03	16
6	Kishtwar	Kishtwar	Kwartanji	841/675/232min	07	00
7	Kishtwar	Kishtwar	Kwartanji	841/675/232min	02	02
8	Kishtwar	Kishtwar	Kwartanji	841/675/232min	10	00
9	Kishtwar	Kishtwar	Kwartanji	841/675/232min	02	00
10	Kishtwar	Kishtwar	Kwartanji	841/675/232min	08	00
11	Kishtwar	Kishtwar	Kwartanji	841/675/232min	02	00
12	Kishtwar	Kishtwar	Kwartanji	841/675/232min	03	10
13	Kishtwar	Kishtwar	Kwartanji	841/675/232min	07	00
Grand Total					56	09

The Shajra Khasra of the Land has been authenticated/attested by Manager Civil, Pakal Dul HEPP Kishtwar in token of its correctness and acceptance. Notification U/S 4 (i) of the Land Acquisition Act has been issued vide this office No. ACR/LA/1323-28 dated 20/04/2013 and a copy of the Notification was submitted to Deputy Commissioner Kishtwar for favour of information and copy of the notification sent each to the Joint Director Information Jammu/Manager Govt. Ranbir Press Jammu for publication in the largest circulated dailies and Govt. Gazette. Copy of notification was sent to Secretary to Govt. Rev. Deptt. J&K, Jammu. Whereas copy of the same was also sent to the Indenting Deptt. for information and necessary action. Two copies of the notification were sent to Tehsildar Kishtwar for getting one copy affixed at some conspicuous place in the village and 2nd copy be returned to this office duly served upon the concerned Land owners.

In response to this notification the interested persons did not filed any objections U/S 5-A of the Land Acquisition Act to the notification.

The case was as such submitted to Deputy Commissioner Kishtwar vide No.ACR/LA/2014/112-113 dated 10/04/2014 for issuance of declaration U/S 6 & 7 of the Act, the

Deputy Commissioner forwarded the case to higher authorities for declaration of 6 & 7 and the same was issued by Secretary to Government Revenue Department Civil Secretariat J&K vide No. Rev./LAJ/163/2016-Kwartenji dated 07/10/2016 and received by this office through office of the Deputy Commissioner Kishtwar.

On receipt of this, the Notification U/S 9 & 9-A of the Act was issued vide No. ACR/LA/K/2016/77-84 dated 15/10/2016 and a copy was served upon the interested persons through subordinate Revenue staff to appear personally or through an agent to file their objections, interested in the land, amount of compensation to be accessed as well as objections to the measurement of land if any within 15 days from the date of issuance of said notice. Each copy of the notification was sent to worthy Divisional Commissioner Jammu, Joint Director Information Jammu, Deputy Commissioner Kishtwar & General Manager CVPP Ltd. (Pakal Dul HEPP) Kishtwar.

In response to this notification the interested persons did not file any objections.

As Stamp Duty Act the rates notified for village Kwartenji vide No. DCK/SQ/37-68/16 dated 22-04-2016 for the year 2016-17 for Irrigated land is Rs.2.20 Lac and Rs.1.65 Lac Per Kanal for Un-Irrigated land and from the perusal of average sale rate statement furnished by the Tehsildar Kishtwar, appended with the file, it reveals that the average sale rate of land in village Kwartenji is Rs.3.00Lacs Per Kanal for all kind of soil.

In the meeting of Collectors Land Acquisition held on 23/12/2016 following rates were unanimously agreed with the rates proposed by the Collector as justification accepted. The rates are Rs. 2.40 Lacs for Irrigated and Rs. 2.00 Lacs for Un-Irrigated land per Kanal. The different type of soil involved in this case is as under:

S No	Type Of Soil	Area Involved	
		Kanal	Marla
1	Irrigated Land	0	0
2	Un-Irrigated Land	56	09
3	Total	56	09

Therefore, keeping in view the rates proposed and accepted in the meeting by the committee are recommended for approval are as under:

1. Rs 2.40 Lacs per Kanal for Irrigated Land
2. Rs. 2.00 Lacs per Kanal for Un-Irrigated Land

Therefore the land owners are now entitled to receive the compensation of the land as well as compensation of structures, Fruit and Non- Fruit trees plus Jabrana@15% as admissible under rules.

Accordingly, the Apportionment statement of the compensation as per approved rates and as per entries of Khasra Girdawari w.e.f 1971 till date, provision of Agrarian Reforms Act and latest guidelines given by the Revenue Deptt. Vide No. Rev.(LB) 10/80 dated 23-02-1980.

Accordingly compensation of land as per approved rates worked out along with Assessment of Structures, Fruit & Non-Fruit Trees is as under:

1. Amount of Land compensation =	Rs. 11290000.00.
2. Assessment of Structures =	Rs. 1745000.00
3. Assessment of Fruit Trees =	Rs. 246213.00
4. Assessment of Non-Fruit Trees=	Rs. 0.00
5. Total =	Rs. 13281213.00
6. Jabrana @ 15% =	Rs. 1992182.00
7. Total =	Rs. 15273395.00
8. Administrative charges @ 1% =	Rs. 152733.00
9. G Total =	Rs. 15426128.00

Therefore, in exercise of the powers vested in me under Section-11 of J&K State Land Acquisition Act, I, Syed Mohd. Khan (KAS) Collector Land Acquisition (Assistant Commissioner

Revenue) Kishtwar do hereby issue an award of Rs. 1,54,36,128 (Rupees One Crore Fifty Four Lacs Twenty six Thousands One Hundred and Twenty Eight only) for the land measuring 56 Kanal 9 Marla for construction of Pakal Dui HEPP. at village Kwaranji, Tehsil & Distt. Kishtwar, Phase-III

Collector,
Agrarian Reforms
Kishtwar

Collector Land Acquisition,
Kishtwar

Necessary Certificates are also recorded as under:
Certified that:

- 1) Private negotiation was not possible in this case.
- 2) The land under Acquisition in this case has neither been acquired nor paid for. by any other Deptt.
- 3) Fruit bearing trees are involved in this case.
- 4) Non-Fruit bearing trees are not involved in this case.
- 5) Structures are involved in this case. Any structure damages or found out after issuance of this Award shall be dealt with in the supplementary award.
- 6) Some of the Land owners involved in this case are not going landless.
- 7) Funds have been deposited by the indenting department.
- 8) EP/Nazool/Auqaf/Saffron growing land is not involved in this case.
- 9) Irrigated land is not involved in this case.
- 10) The Land is required for public purpose.
- 11) The amount of compensation payable to the interested persons as shown in the Apportionment statement will be paid in accordance with the provisions of Agrarian Reforms Act 1976 and the guidelines given by the Revenue department Vide No. Rev(LB)10/80 dated 23-02-1980.

No.: ACR/Award/ 2017/1502

Date: 08-05-2017.

Syed Mohd Khar (KAS)
Collector Land Acquisition
Assistant Commissioner Revenue
Kishtwar

Copy to:-

1. Financial Commissioner Revenue, J&K Govt. Jammu for favour of information.
2. Commissioner Secretary Revenue, J&K Govt. Jammu for favour of information.
3. Managing Director, J&K State Power Development Corporation, Jammu/Srinagar for favour of information.
4. Divisional Commissioner Jammu for favour of information.
5. Deputy Commissioner Kishtwar for favour of information.
6. Additional Deputy Commissioner, Kishtwar for favour of information.
7. General Manager CVPP Ltd. with the request to deposit the balance amount of compensation with this Collectorate within 15 days positively.
8. Tehsildar Kishtwar with the direction to attest the pending mutation and submit the copy to this office.
9. DIO Kishtwar for uploading the award on official website of Kishtwar Distt.

Annex-III
Annex-III

Details of Arzi (Grattlan) Nallah

A brief description of the Arzi (Grattlan) Nallah is enclosed as **Annexure-A**.

RS @ 1d
16/12/2021

**General Manager Incharge
Pakal Dul HE Project**

Land Development Plan along right bank of Arzi (Grattlan) Nallah

Land development along the right bank of nallah:

Development of the land located along right bank of the nallah is required for establishment of road network to the HRT for carriage and installation of the TBMs and for installation of contractor's infrastructure for project construction works. The works of Power House Package have been awarded to M/s AFCONS-JAL JV and that of HRT- TBM Package works to M/s L&T. Both the contractors are utilizing the portion of land located along right bank of the said nallah for development of their respective infrastructures. The details of land development by both the contractors is provided as under:

A. Development of land along Arzi (Grattlan) Nallah by M/s AFCONS-JAL JV :

1. **Purpose of land development** – installation of Batching Plant, residential colony, office, store and other temporary infrastructure.
2. **Land area** – 16092.069 m² of land. The land has been acquired and final award stands issued.
3. **Development Plan**
 - a. Pre-development elevation level – EL 1470 m (along the right bank of nallah)
 - b. Development achieved upto EL 1510 m
 - c. Final proposed elevation level 1510m (no further development is proposed)
4. **Requirement of filling material for land development:**
 - a. Total requirement of filling material – 30,000 cum.
 - b. Required material used till date – 30,000 cum.
 - c. Balance requirement of filling material – Nil. The land development upto desired level for installation of contractor's infrastructure has been achieved.
 - d. Source of filling material – The muck generated from pressure shaft, surge shaft, approach tunnel to Surge Shaft top has been utilized as filling material for land development.
5. **Protection measures for land development works and Nallah Protection:**

Crate wall was provided along the right bank of nallah for protection. However, due to overflow some filling material landed into the nallah which was observed by the visiting team comprising of members from JKPCC, SEIAA and District Administration on 09.12.2021. The team instructed to remove the fallen material from the nallah so as to maintain the natural course of the nallah. The instructions have been complied with and the fallen material has been removed from the nallah. The protection walls are being further strengthened and raised.

The layout and drawings of the land development plan are enclosed as **Annexure-B**

16/12/2021

B. Development of land along Arzi (Grattlan) Nallah by M/s L&T :

1. **Purpose of land development** – The twin Head Race Tunnels (HRTs) of the project are to be excavated through the Tunnel Boring Machines (TBMs) for which proper road and platforms are to be developed along with installation of other allied infrastructure. Filling at different levels is required for construction of the road upto HRT portal and development of platforms at appropriate levels is required for assembly, maintenance, repair and operation of the TBMs alongwith other allied infrastructure of the contractor. Tunneling through TBM is the most advanced technology which minimizes the adverse impacts usually associated with the traditional Drilling and Blasting Method (DBM). However, tunneling through TBM is a costly affair but it reduces the environmental impacts and the excavation time.
6. **Land area** – 7405 m² of land (built area after development upto EL 1535m). The land has been acquired and final award stands issued.
2. **Development Plan**
 - a. Pre-development elevation level – varying between 1470m and 1510m (refer-1 of Section B-B of Annexure-C).
 - b. Development achieved upto elevation – varying between 1510 m and 1520m (refer-2 of Section B-B of Annexure-C).
 - c. Final proposed elevation level – 1535m (refer-3 of Section B-B of Annexure-C).
3. **Requirement of filling material for land development works:**

Total requirement of filling material is 1,50,000 Cum (approx.) out of which 78,000 Cum (approx.) material has been utilized and the balance requirement is 72,000 Cum(approx.) as per the stage wise development details given below:

Stage-I (EL upto 1510m): Completed:

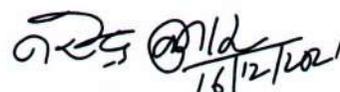
 - a. Total estimated requirement of filling material – 63,000 Cum (approx.).
 - b. Required material used till date – 63,000 Cum (approx.).
 - c. Balance requirement of filling material – 0 Cum
 - d. Source of filling material – The muck generated from TBM Portal has been utilized as filling material for land development.

Stage-II (from EL 1510m to EL 1535m): In progress:

 - a. Total estimated requirement of filling material – 87,000 Cum (approx.).
 - b. Required material used till date – 15,000 Cum (approx.).
 - c. Balance requirement of filling material – 72,000 Cum (approx.).
 - d. Source of filling material – The muck generated from TBM Portal is being utilized as filling material for land development.
4. **Protection measures for land development works and Nallah Protection:**

Crate wall was provided along the right bank of nallah for protection. However, due to overflow some filling material landed into the nallah which was observed by the visiting team comprising of members from JKPC, SEIAA and District Administration on 09.12.2021. The team instructed to remove the fallen material from the nallah so as to maintain the natural course of the nallah. The instructions have been complied with and the fallen material has been removed from the nallah. The protection walls are being further strengthened and raised.

The layout and drawings of the land development plan are enclosed as **Annexure-C**


16/12/2021

PAKAL DUL HE PROJECT, 1000MW, Kishtwar, J&K**BRIEF DESCRIPTION OF GRATALAN NALA:**

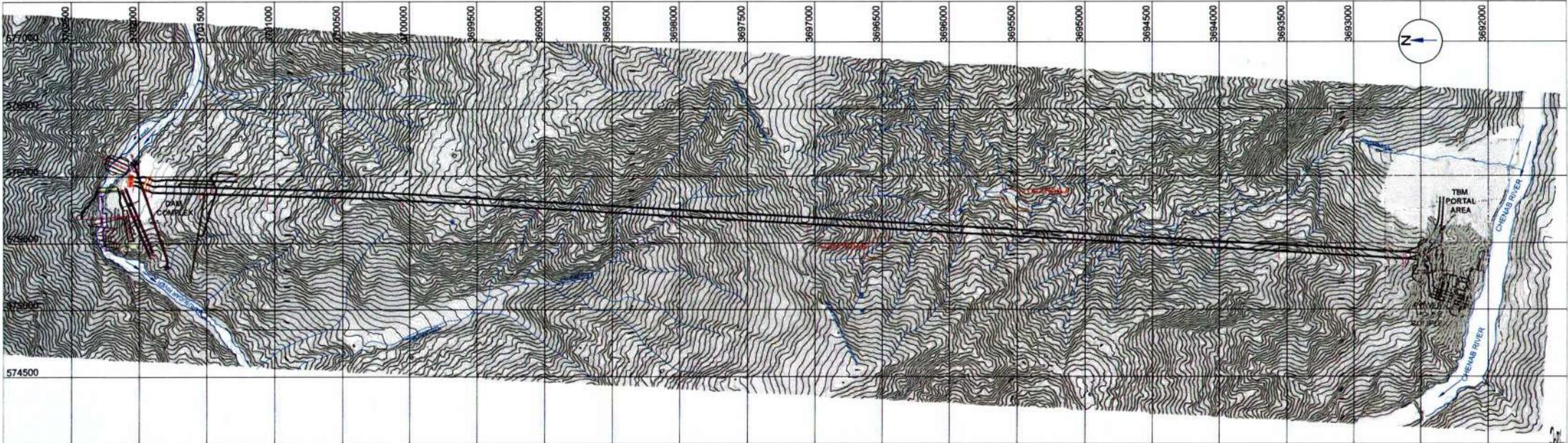
Gratalan Nala is the right bank tributary of river Chenab. It forms after integration of several small streams/ drains forming along the gullies in the mountain originating from elevation $\pm 3200\text{M}$. The nala is not glacial fed throughout the year. Due to very less discharge at few places the nala goes under surface at elevation $\pm 2800\text{M}$ as shown in the photographs below and at location-A marked on the attached drawing. Similarly at higher reaches above elevation $\pm 3200\text{M}$ the nala was almost dry in the month of June, 2021. However, the discharge at lower level can be due to contribution from the springs in pockets at different levels.



Photograph of Gratalan Nala at EL $\pm 2800\text{M}$ marked as Location A on the drawing



Photograph of Gratalan Nala at EL $\pm 3200\text{M}$ marked as Location B on the drawing



Handwritten signature or initials in Urdu script.

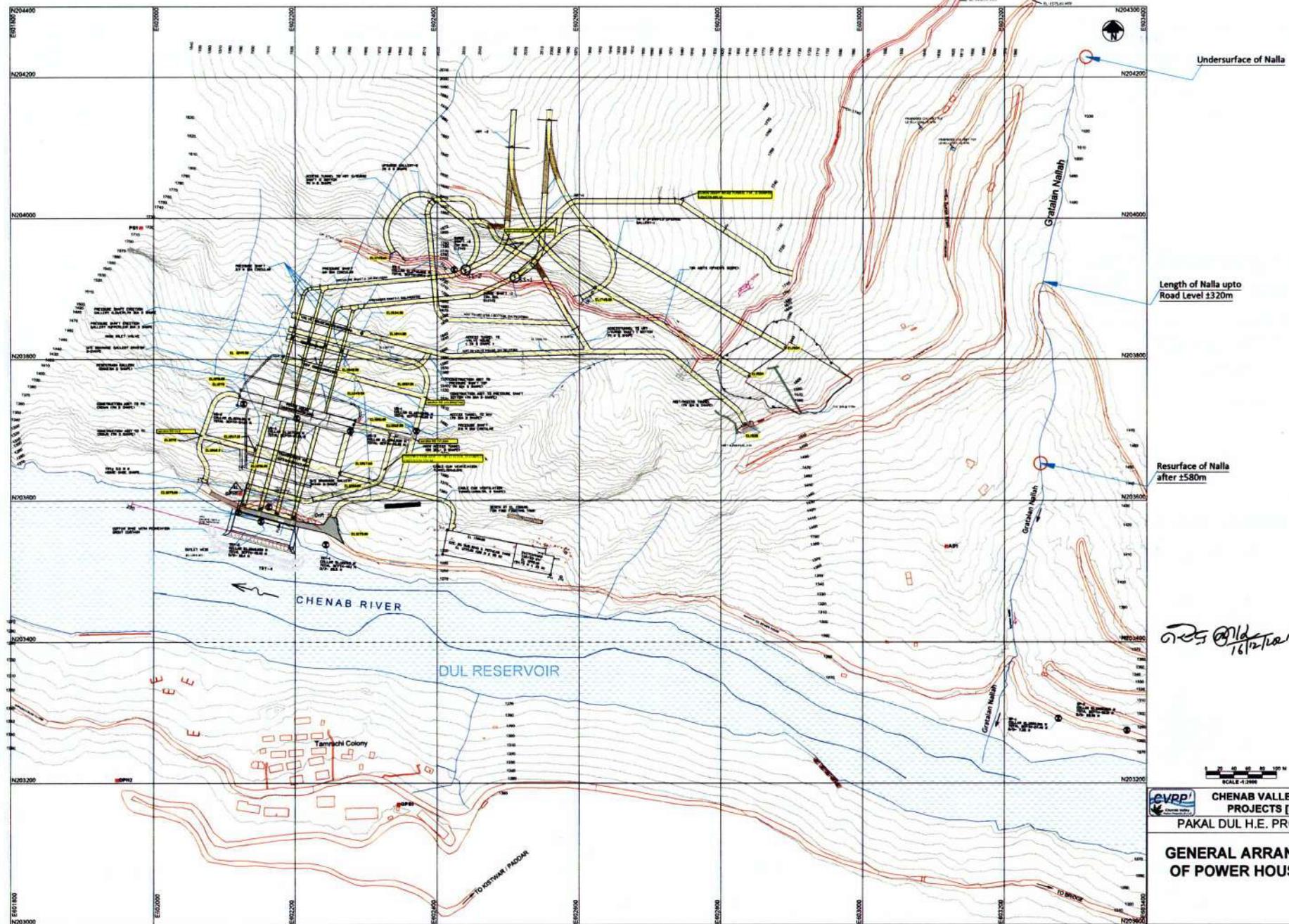
SCALE - 0 100 200 400 600 700

 **CHENAB VALLEY POWER PROJECTS (P) L. TD.**

PAKAL DUL H.E. PROJECT (1000MW)

LAYOUT OF PROJECT COMPONENTS WITH MAJOR DRAINAGE SYSTEM

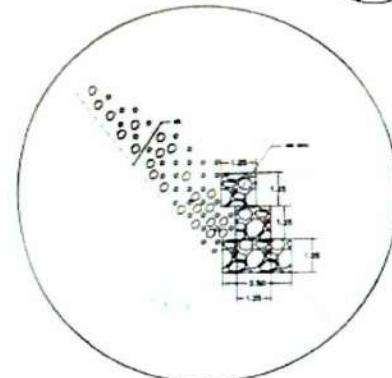
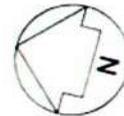
PAKAL DUL H.E. PROJECT GENERAL ARRANGEMENT OF POWER HOUSE AREA



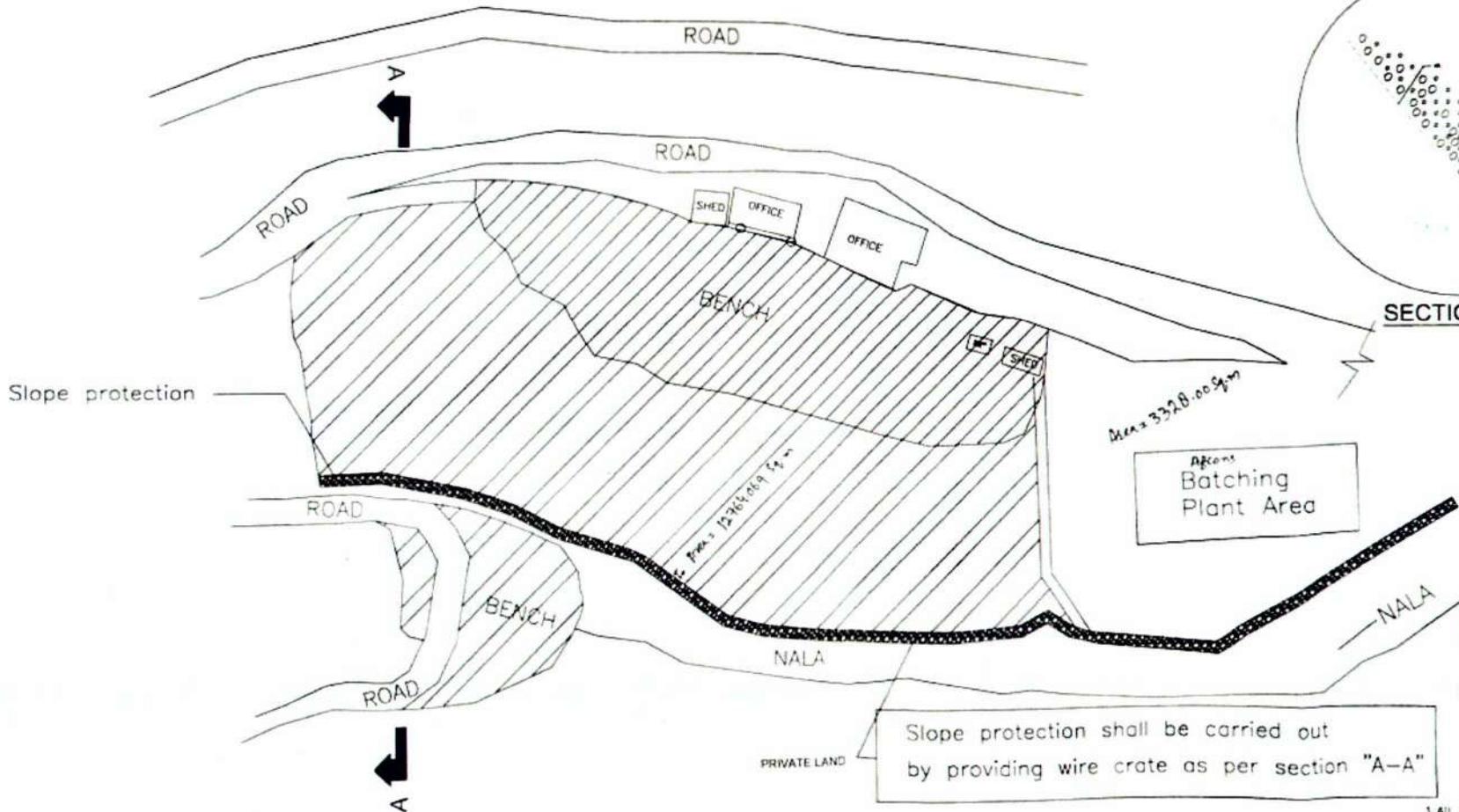
Handwritten signature and date: 02/05/2014

	CHENAB VALLEY POWER PROJECTS [P] LTD.
	PAKAL DUL H.E. PROJECT
GENERAL ARRANGEMENT OF POWER HOUSE AREA	

LAND DEVELOPMENT AREA NEAR BATCHING PLANT OF VALVE HOUSE ADIT , POWER HOUSE, PDHEP, CVPPPL



SECTION A-A'



Slope protection

Area = 3328.00 Sq.m

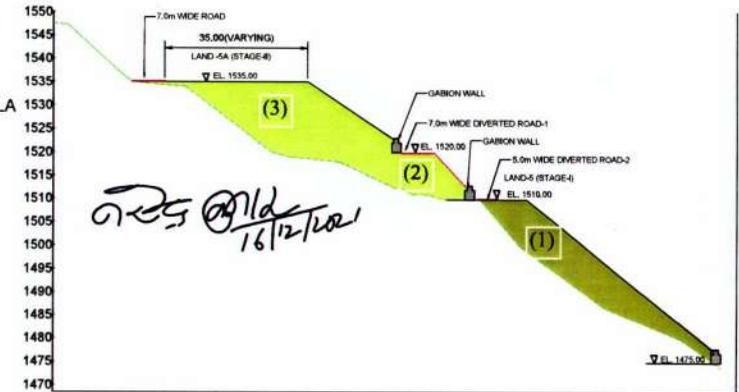
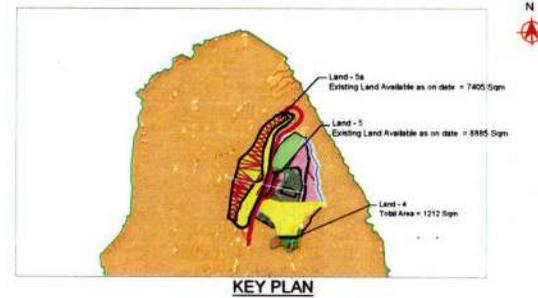
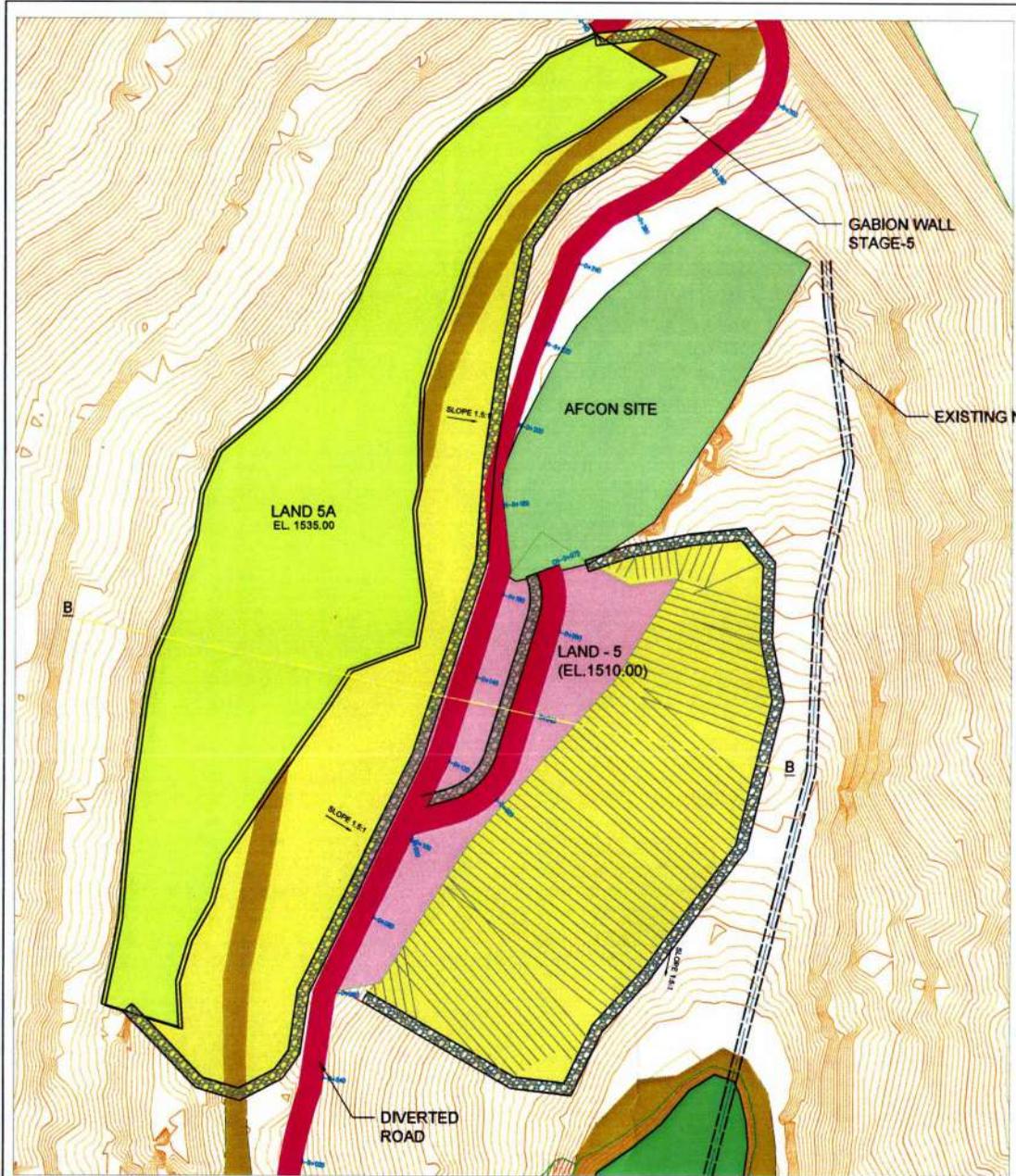
Area's Batching Plant Area

NOT TO SCALE

Slope protection shall be carried out by providing wire crate as per section "A-A"

R.S. @ 16/12/2011

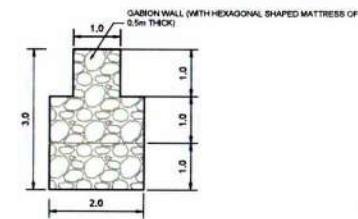
1. All Dimensions are in Meter.
 2. Drawing is prepared by Arbitrary North



SECTION B-B (SCALE 1:500)

LEGEND:-

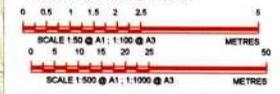
	CONCRETE
	GABION WALL
	WATER CHANNEL
	LAND-5 FILL
	SLOPE PORTION OF FILL
	LAND-4 FILL
	DIVERTED ROAD
	EXISTING ROAD
	AFCON SITE
	LAND-5a FILL



DETAIL OF GABION WALL (SCALE 1:50)

NOTES:

- ALL DIMENSIONS AND LEVELS ARE IN METER UNLESS OTHERWISE SPECIFIED.
- FOLLOW THE WRITTEN DIMENSIONS ONLY.
- DRAINAGE SHOWS ARE TENTATIVE TO BE DESIGNED BASED ON SITE CONDITION.



CHENAB VALLEY POWER PROJECTS PVT. LIMITED

CVPPPL ORG.NO. []

PAKALDUL HE PROJECT (4 X 250 MW)

HRT-TBM PACKAGE

Detail Designer: **Lambdri**

Contractor: **LARSEN & TOUBRO LIMITED**

Title:

DEVELOPMENT PLAN OF LAND PARCEL 5 & 5A

LAYOUT PLAN : LAND PARCEL-5 (STAGE-I) & 5A (STAGE-II)

- CONSTRUCTION OF GABION WALL IN LAND NO. 5a BOUNDARY OF LENGTH=405.0m.
- DUMPING OF MUCK UP TO EL. 1535.00 FROM SURROUNDING ROAD AT EL. 1535.00.

FILL VOLUME IN STAGE-I = 63000 cum

FILL VOLUME IN STAGE-II = 87000 cum

Rev.	Date	Description	Drawn	Checked	Approved
01	06.09.2021	Final Issue	MRK	BP	SPS

Clearance works in progress



ନିର୍ଦ୍ଦେଶକ
16/12/2021

Photographs of Protection Works provided along Arzi (Grattlan) Nallah:



DRS @ M/d
16/12/2021



रिपोर्ट @ मिला
16/12/2021

Land Development and Protection Works at other place in Power House Area



DRS @ 16/12/2021

Photographs of the catchment area of Arzi (Grattlan) Nallah in upper reaches



Arzi @ M/d
16/12/2021



ନିର୍ଦ୍ଦେଶ @ 16/12/2021



12/12/2021



125 @ 16/12/2021



वेड्स @मिड
16/12/2021

रेड @ 1d
16/12/2021





देव @Mila
16/12/2021



वेड्स @ गिद
16/12/2021



16/12/2021



वेड्स @ मीढ
16/12/2021

Annex-IV
Annex-IV



Chenab Valley Power Projects (P) Ltd
A Joint Venture of NHPC (A Govt of India Enterprise) and JKSPDC (A Govt of J&K Enterprise)
Pakal Dul Hydro Electric Project
Chenab Nagar - II, Kishtwar, (J&K) - 182206
CIN NO. U40105JK2011PTC003321

Ph No.01995-260723
Fax No. 01995-260661

No: CVPP/PDHEP/GM(I/c)/2021/2430

Date: 28.12.2021

Member Secretary
J&K Pollution Control Committee
Parivesh Bhawan, Jammu.

Sub: Submission of updated status of compliance regarding order of Hon'ble NGT in OA No. 301/2021.

Ref: This office letter no. CVPP/PDHEP/GM(I/c)/2021/2420 dated 26.12.2021

Sir,

In continuation to this office letter dated 26.11.2021, it is hereby submitted that compliance to the instructions of the Joint Committee comprising of members from JKPCC, JKSEIAA and District Administration during site visit on 09.12.2021 has been achieved as on 27.12.2021.

In this regard, the updated Compliance Status of remedial actions with photographs is enclosed (ANNEXURE-I) along with the updated Environment Clearance Compliance Status (ANNEXURE-II) as on 27.12.2021.

It is further assured that in future also the compliance to environmental norms shall be ensured.

Thanking You,

Yours faithfully,

Encl: As above.

General Manager (I/c)
Pakal Dul HE Project

Copy to:

1. Regional Director, J&K PCC, Jammu for kind information please.
2. District Officer, J&K PCC, Kishtwar for kind information please.

with J&K Pollution Control Board
(JAMMU)
Receipt No... 6014
Dated... 29/12/21
...fifteen pages

12-10-19

**Remedial Actions Taken in compliance to the on-spot instructions
issued by the Joint Committee during site visit on 09.12.2021**

In pursuance to the order of Hon'ble NGT dated 11.11.2021 in OA No. 301/2021 the Joint Committee comprising of members from JKPCC, JKSEIAA and District Administration visited the site on 09.12.2021 and issued on-spot instructions for taking remedial action.

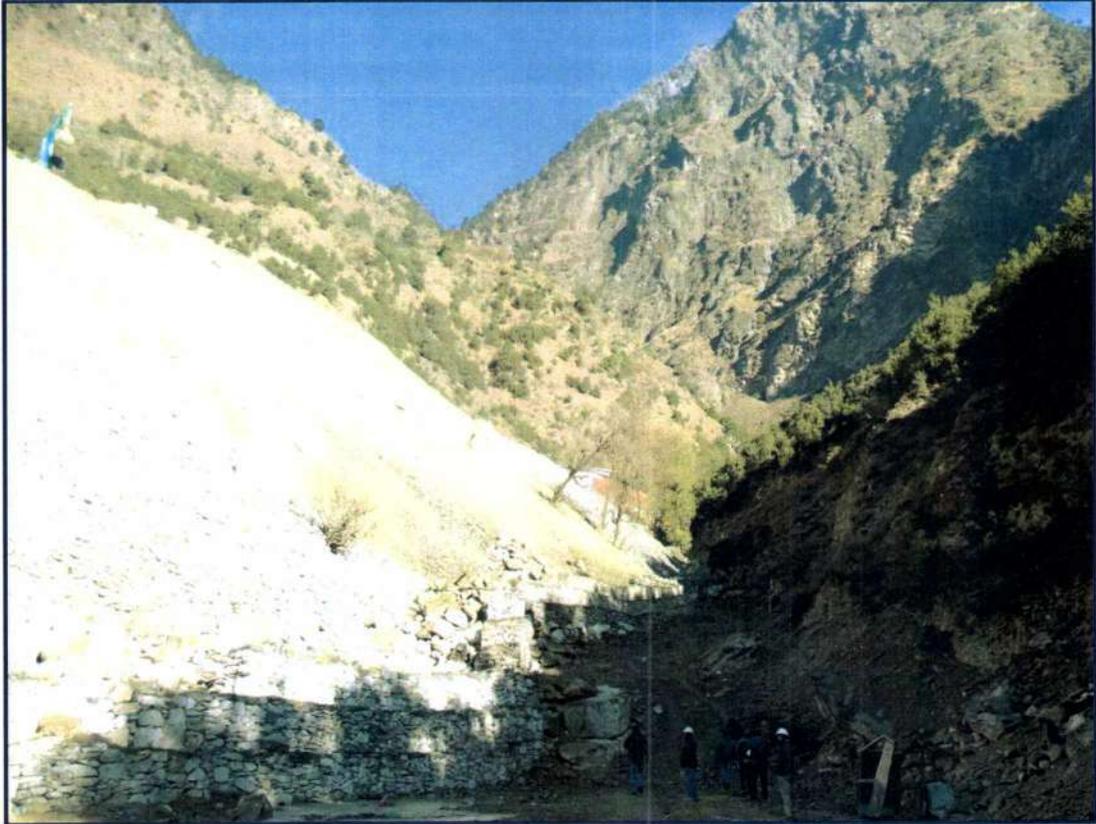
In this regard, it is hereby submitted that the remedial actions have been taken and compliance to the instructions of Joint Committee has been achieved as on 27.12.2021 as detailed below:

1. Removal of debris from Nallah:

The debris has been removed by the Contractors (viz. M/s AFCONS-JAL JV and M/s L&T) and the natural course of nallah has been restored. The photographic proof is shown below **(Photograph – 1 and 2)**:



Photograph -1: Arzi (Grattlan) Nallah after removal of debris.



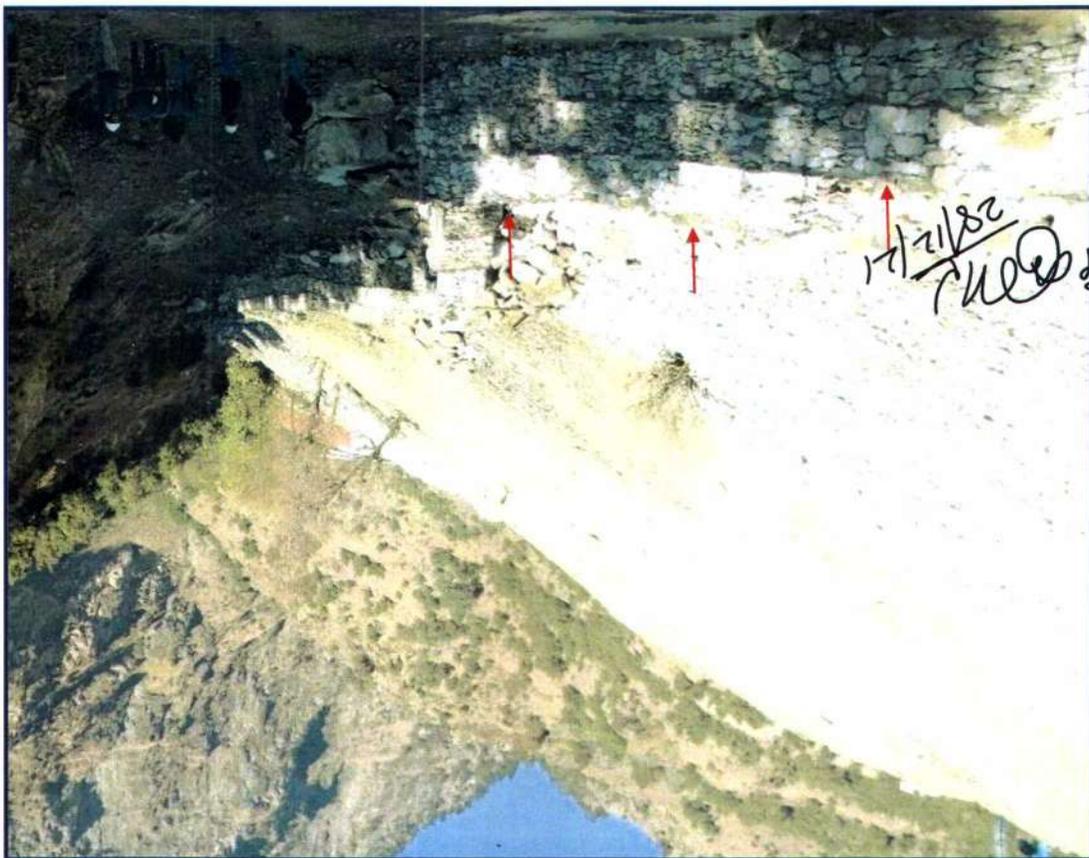
Photograph -2: Arzi (Grattlan) Nallah after removal of debris.

2. Protection Measures :

As instructed by the Joint Committee, the crate walls have been strengthened and their height has been raised all along the right bank of nallah and along the road side so as to check any future possibility of overflow of the filling material (muck) into the nallah. Further, the land development works upto the elevation 1510m (along right bank of nallah) have been completed and there is no possibility of spilling of debris in the nallah in future. The photographs are shown below (**Photograph – 3 to 6**):

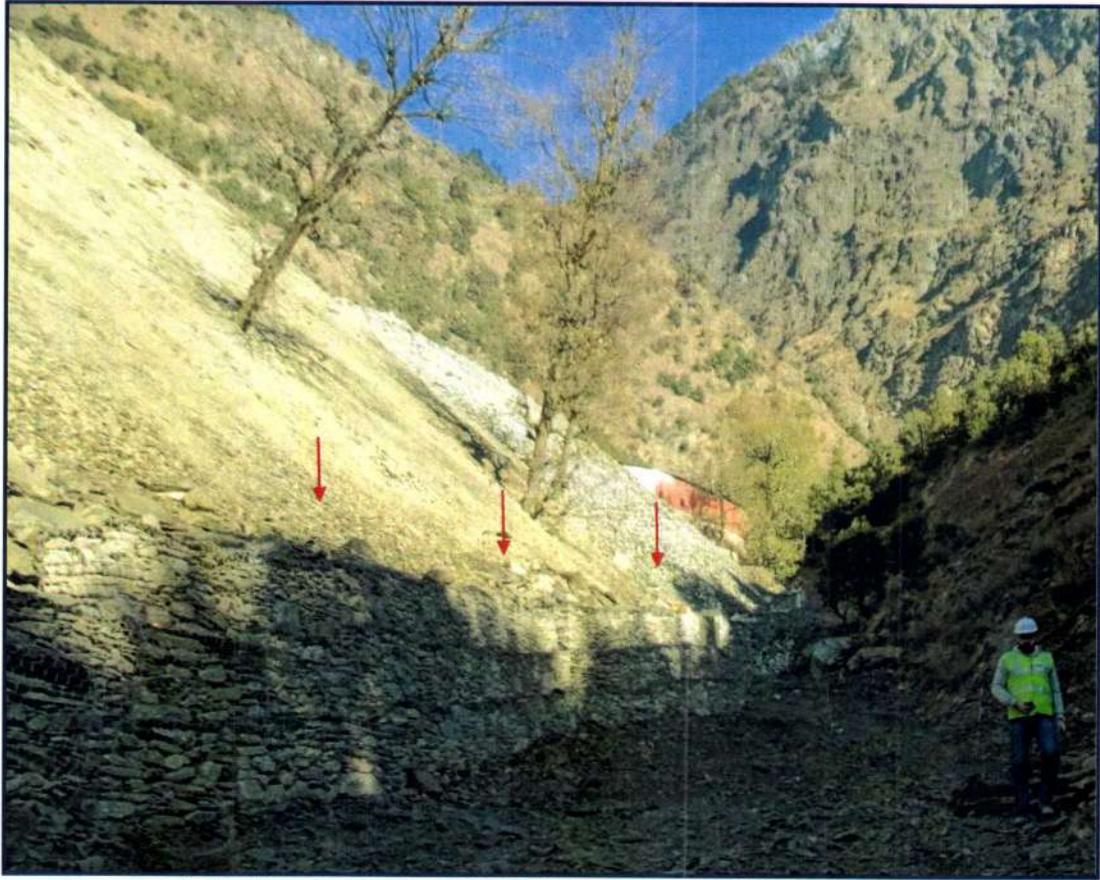
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Photograph-4: Showing crate wall along the road.



Photograph-3: Showing crate wall along the road.





Photograph-5: Showing crate wall along the right bank of nallah.

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Photograph-6: Showing crate wall along the right bank of nallah.

3. Hume Pipe Culvert across the road:

As per instructions of the Joint Committee, the hume pipes (600 mm dia) have been installed across the road, as an immediate measure, for passage of nallah water so as to avoid flow of nallah water on road surface. However, a culvert proposed at this site is under design stage. The photographs are shown below (Photograph – 7 to 8):



Photograph-7: Showing hume pipe (600 mm dia) being laid across the road.



Photograph-8: Showing hume pipe (600 mm dia) laid across the road.

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4. Use of Scientific, engineering, biological and bio-engineering measures for slope stabilization:

As per instructions of the Joint Committee, the engineering measures as required for stabilization of slopes are being implemented. Further, being a snow bound area, the biological measures (i.e. plantation on slopes) and bio-engineering measures for slope stabilization shall be implemented after the winter season.

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ANNEXURE - II

Updated Status of Compliance to conditions stipulated by MOEF&CC, Govt. of India vide Environmental Clearance letter dated 29.02.2008 as on 27.12.2021.

S.No.	Specific Conditions	Compliance Status
i	Catchment area treatment Plan as proposed should be completed in Five years	<p>The cost provision for CAT Plan as approved by MoEF was Rs. 21.33 Crs which was revised in CCEA approval (Investment Approval by GoI) to Rs. 36.38 Crs.</p> <p>Soil Conservation Department, GoJK was requested to take up the Catchment Area Treatment works. Accordingly, the CAT plan has been technically sanctioned by the GoJK for revised cost of Rs. 46.86 Cr. The Project has also conveyed confirmation to Soil and Water Conservation Department, GoJK regarding availability of Rs. 46.86 Cr for implementation of the CAT Plan.</p> <p>Administrative approval of CAT plan is yet to be accorded by GOJK to start CAT works. The Project has requested J&K Soil and Water Conservation Department to expedite accord of administrative approval for early implementation of the plan.</p>
ii	During the construction of the project, if any person/family whose acquired land is more than 70% of the total land holding is identified, such family/person shall be treated as fully affected families. R&R package proposed for the displaced families shall be extended to such families. NRRP-2007 package will be followed for R&R of PAFs.	<p>The R&R Plan of Pakal Dul HEP has been approved by GoJK vide Government Orders no. 12-DMRR&R of 2017 dated 22.02.2017 and 11-DMRR&R of 2019 dated 07.03.2019. The approved R&R Plan is under implementation.</p> <p>The formulation, approval and implementation of R&R plan comes under the purview of State/UT Government which has adopted a uniform approach in providing the R&R benefits for the PAFs of different HE projects in J&K. The recommendations of MOEFCC for considering non-displaced PAFs with more than 70% of total land holdings as displaced PAFs has not been approved by the State Government for any of the HE Project so far. Hence this provision has not been considered by Government of J&K in formulation and approval of R&R plan for Pakal Dul HE project.</p>
iii	A Monitoring Committee for R&R should be constituted which must include representatives of project affected persons from SC/ST category and a woman beneficiary.	DC Kishtwar has been appointed as Commissioner, Rehabilitation and Resettlement for Pakal Dul HE Project vide Govt. Order No. 19-DMRR&R of 2017 dated 16.03.2017. Monitoring committee is to be constituted by Government under the Chairmanship of Commissioner R&R. The matter was discussed in the meeting of Empowered Committee held on

		06.04.2018 under the Chairmanship of Chief Secretary, GoJK wherein the constitution of R&R committee was recommended. The formal Government order in this regard is awaited.																					
iv	The commitment made during the public hearing should be fulfilled.	<p>Being complied.</p> <table border="1"> <thead> <tr> <th>S.N.</th> <th>Commitment</th> <th>Status</th> </tr> </thead> <tbody> <tr> <td>1.</td> <td>The facilities proposed in resettlement and rehabilitation plan will be implemented for the Project affected people/villages.</td> <td>R&R Plan approved by GoJK. DC Kishtwar appointed as Commissioner R&R by GoJK for implementation of R&R Plan. Approved Plan is under implementation.</td> </tr> <tr> <td>2.</td> <td>It was assured to the people that the work of the bridge construction (across river Chenab in Power House area for access to right bank of river) would be taken shortly and this bridge is beneficial for all the villagers of the area.</td> <td>Complied. Bailey Suspension Bridge (320 feet length) was commissioned in 2015. Subsequently, this was replaced with 70R Steel Truss Bridge in 2021.</td> </tr> <tr> <td>3.</td> <td>The provision for electricity and water supply at resettlement colony is in the plan and the same shall be implemented.</td> <td>Being implemented by Commissioner R&R under the R&R Plan approved by GoJK.</td> </tr> <tr> <td>4.</td> <td>Proper safety and health measures would be provided to the workers during the construction of the Project and the same has been suggested in the mitigative measures proposed in the Environmental Management Plan.</td> <td>Being implemented under the approved EMP.</td> </tr> <tr> <td>5.</td> <td>There is no provision of direct employment in the corporation. However, preference would be given to PAFs in job opportunities. Contractors would be instructed to employ workers from PAFs/local in the field of unskilled and semiskilled. The provision in the contract for the same would be made.</td> <td>Being complied. Preference in jobs with contractors is being given to PAFs and locals.</td> </tr> <tr> <td></td> <td>Small contracts/work orders would be given to PAFs/local people.</td> <td>Preference in small contracts/work orders is being given to PAFs/locals.</td> </tr> </tbody> </table>	S.N.	Commitment	Status	1.	The facilities proposed in resettlement and rehabilitation plan will be implemented for the Project affected people/villages.	R&R Plan approved by GoJK. DC Kishtwar appointed as Commissioner R&R by GoJK for implementation of R&R Plan. Approved Plan is under implementation.	2.	It was assured to the people that the work of the bridge construction (across river Chenab in Power House area for access to right bank of river) would be taken shortly and this bridge is beneficial for all the villagers of the area.	Complied. Bailey Suspension Bridge (320 feet length) was commissioned in 2015. Subsequently, this was replaced with 70R Steel Truss Bridge in 2021.	3.	The provision for electricity and water supply at resettlement colony is in the plan and the same shall be implemented.	Being implemented by Commissioner R&R under the R&R Plan approved by GoJK.	4.	Proper safety and health measures would be provided to the workers during the construction of the Project and the same has been suggested in the mitigative measures proposed in the Environmental Management Plan.	Being implemented under the approved EMP.	5.	There is no provision of direct employment in the corporation. However, preference would be given to PAFs in job opportunities. Contractors would be instructed to employ workers from PAFs/local in the field of unskilled and semiskilled. The provision in the contract for the same would be made.	Being complied. Preference in jobs with contractors is being given to PAFs and locals.		Small contracts/work orders would be given to PAFs/local people.	Preference in small contracts/work orders is being given to PAFs/locals.
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			<p>Resettlement package as proposed in the R&R Plan would be provided to the affected persons. The Plan would be implemented by District Administration.</p> <p>R&R committee with representative of the PAFs would be constituted to monitor the implementation of the R&R plan.</p> <p>Compensation for the property of the land to be acquired for the project shall be given in accordance with the state rule. The committee with the representative of PAFs will also be constituted to ascertain the compensation norms.</p>	<p>R&R Plan has been approved by GoJK and is being implemented by Commissioner R&R.</p> <p>R&R Committee comprising the members from PAFs is yet to be constituted by GoJK.</p> <p>Land compensation is being provided as per government norms.</p>
		6.	<p>Medical and education facilities would be created. Regarding health and sanitation, proper arrangement has already been proposed in Environmental Management Plan.</p>	<p>Being implemented by Commissioner R&R under the Infrastructure Development component of the approved R&R Plan. Health and sanitation provisions are also being implemented under EMP.</p>
		7.	<p>Various facilities provided in the R&R plan will be implemented for the PAFs.</p>	<p>Being implemented under the R&R Plan as approved by GoJK.</p>
		8.	<p>Road from Patimahala to Dachhan.</p>	<p>The blacktopping of road from Patimahala upto Drangdhuran was financed by CVPPPL. Further road construction for Dachhan area have been taken up by the government under PMGSY.</p>
v	<p>All the equipment which are likely to generate high noise levels are to be fully equipped (noise reduction measures) to meet the ambient noise control standards</p>	<p>Being complied. All machinery and equipment being used in project consruction works are compliant to the applicable noise standards prescribed by CPCB.</p>		

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vi	Consolidation and compilation of the muck should be carried-out in the muck dumping sites and the dumping sites should be above high flood level. The proposed plan for 70.85 lakh cum of muck disposal i.e. about 34 lakh cum is proposed to be utilized during construction and the remaining 36.86 lakh cum of muck disposal at two designated areas (DS1- powerhouse site- 14.37 lakh cum; DS2- dam site-22.48 lakh cum) should be strictly implemented.	<p>Being complied.</p> <p>Status of Muck generation, utilisation and disposal upto November 2021:</p> <table border="1" data-bbox="816 344 1439 1211"> <thead> <tr> <th>S. No.</th> <th>Name of Contractor</th> <th>Generated (CUM)</th> <th>Utilized (CUM)</th> <th>Disposed / stacked for future reuse (CUM)</th> </tr> </thead> <tbody> <tr> <td>1</td> <td>M/s AFCON-JAL Joint Venture (PH Works)</td> <td>732507</td> <td>211603</td> <td>520904 (58863 Cum stacked at Muck Disposal site and 462041 Cum stacked in project area for future reuse).</td> </tr> <tr> <td>2</td> <td>M/s Jaypee Group (Dam Works)</td> <td>1518012</td> <td>246770</td> <td>1271242 (stacked in muck disposal site for future reuse)</td> </tr> <tr> <td>3.</td> <td>M/s L&T (HRT-TBM Works)</td> <td>226973</td> <td>226973</td> <td>-</td> </tr> <tr> <td colspan="2">Total</td> <td>2477492</td> <td>685346</td> <td>1792146</td> </tr> </tbody> </table>	S. No.	Name of Contractor	Generated (CUM)	Utilized (CUM)	Disposed / stacked for future reuse (CUM)	1	M/s AFCON-JAL Joint Venture (PH Works)	732507	211603	520904 (58863 Cum stacked at Muck Disposal site and 462041 Cum stacked in project area for future reuse).	2	M/s Jaypee Group (Dam Works)	1518012	246770	1271242 (stacked in muck disposal site for future reuse)	3.	M/s L&T (HRT-TBM Works)	226973	226973	-	Total		2477492	685346	1792146
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vii	The fisheries management plan as proposed in the letter dated 15.01.2008 should be implemented in totality. The total budget of Rs.339.24 lakhs for the fishery development and conservation in the Marusundar river basin should not be diverted for any other purpose.	<p>Being complied.</p> <p>DPR amounting Rs. 430.0 lakh was submitted by J&K Fisheries Department for implementation of Fisheries Development plan of Pakal Dul HEP. The revised cost was accepted by CVPPPPL and an amount of Rs. 196.0 lakhs has been deposited with J&K Fisheries Department. The Fisheries Department has utilized/released an amount of Rs. 135.06 Lakhs for the works under the plan. The work is under execution.</p>																									
viii	<p>The following conditions imposed by the Standing Committee of National Board for Wildlife (NBWL) while recommending the proposal for de-notification of KHANP area, shall be strictly complied:</p> <p>(a) Provisions proposed for the habitat improvement in the Mitigation Plan should be discussed with Wildlife Institute(WII), Dehradun and be modified accordingly.</p>	<p>Complied</p> <p>(Mitigation Plan has been prepared/ modified by J&K Wildlife Department in consultation with Wildlife Institute of India, Dehradun.)</p>																									

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	(b) State Wildlife Department may redefine the core area of the National Park considering the human population pressure etc.	The core area of the KHANP has been redefined vide SRO no. 212 dated 06.07.2015 of GoJK.
	(c) NHPC would provide a total of Rs.236 Crs including Rs.100 Crs. for the corpus fund for the protected area for the conservation of the wildlife.	Final forest clearance for 195.9619 Ha land (i.e. 188.7619 ha of KHANP land and 7.2 ha of forest land) has been obtained vide Govt. Order no. 289-FST 2016 dated 29.11.2016 of GoJK for which Project has deposited Rs 414.20 Crs to Forest Dept. which includes Rs.236 Crs which further includes Rs.100 Crs for the corpus fund for the protected area for conservation of wildlife. The Mitigation Plan in under implementation and out of the deposited amount, an expenditure of Rs. 3,82,75,884/- has been incurred by Wildlife Department till 31.03.2021.
ix	No construction work/activity should be initiated till Supreme Court grants de-reservation of National Park area.	Complied vide SRO no. 212 dated 06.07.2015 of GoJK issued after grant of approval by Honorable Supreme Court.
x	Clear felling of trees should be restricted to 4 m below the FRL and a 50 m greenbelt should be created around the reservoir periphery.	Being complied. The tree cutting along the FRL is being done only in the area required for the project construction works. The process for creation of greenbelt shall be initiated at the appropriate time.

General Conditions

i	Adequate free fuel arrangement should be made for the labour force engaged in the construction work at project cost so that indiscriminate felling of trees is prevented.	Being complied. Free fuel arrangements/energy conservation measures have been made by the respective contractors for their labour force engaged for Power House Works and Dam Works in pursuance to the contract provisions. Common mess facilities have been established by the contractors for labourers with free fuel arrangements. Details of expenditure on free fuel/energy conservation measures provided by the major works contractors upto November 2021 are as under:										
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ii	<p>Fuel depot's maybe opened at the site to provide the fuel (kerosene/wood/LPG). Medical facilities as well as drinking water & recreational facilities should also be provided to the laborers.</p>	<p>Being complied.</p> <p>Free fuel arrangements with common mess facilities for labourers have been made by the contractors (as detailed above).</p> <p>Adequate drinking water, sanitation and recreational facilities have been provided by the respective contractors for their labour force.</p> <p>Details of medical facilities established by major works contractors for their labourers, are as under:</p> <ol style="list-style-type: none"> 1. Dam Package (by M/s Jaiprakash Associates Limited): One dispensary with one bed, one Oxygen cylinder, accessories of dispensary, storage for the medicines, stretchers, wheel chairs, one light vehicle and one Ambulance at Dam site is in operation and managed by one Doctor and four Medical Assistants. The patients including workforce and locals are treated and expenditure of an amount of Rs. 25.08 lakhs has been incurred till Nov 2021. 2. Power House Package (by M/s Afcons - JAL Joint Venture): Three First Aid Centres, two fully equipped Ambulances at Power House Site of the Project are in place and managed by the 01 Doctor and 08 first aiders. The patients including workforce and locals are treated and upto Nov 2021 expenditure of an amount of Rs. 105.98 lakhs has been incurred. 3. HRT-TBM Package (by M/s L&T): one First Aid Centre with one Ambulance is operational at Site. The patients including workforce and locals are treated and upto Nov 2021 expenditure of an amount of Rs. 7.184 lakhs has been incurred.
iii	<p>All the labourers to be engaged for construction works should be thoroughly examined by health personnel and adequately treated before issuing them work permit.</p>	<p>Being complied.</p> <p>Routine health checkups of labour force are being conducted by the respective contractors from time to time.</p>
iv	<p>Restoration of construction area including dumping site of excavated materials should be ensured by leveling, filling up of borrow pits, landscaping etc. The area should be properly treated with suitable plantation.</p>	<p>Shall be complied.</p> <p>Presently, the project is in construction stage and the respective construction areas and construction sites of the project are in use. The landscaping and restoration activities shall be implemented as per approved plan after completion of construction activities at respective sites.</p>

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v	The total amount of Rs. 9979.29 lakhs kept in the budgetary provisions for implementation of environmental management plan should be strictly adhered and not to be diverted for any other purpose.	<p>Being complied.</p> <p>Status of EMP implementation with expenditure till Nov. 2021 is as under:</p> <table border="1"> <thead> <tr> <th>S.N.</th> <th>Component of EMP</th> <th>Expenditure till Nov. 2021 (Rs. Lakh)</th> <th>Remarks</th> </tr> </thead> <tbody> <tr> <td>1.</td> <td>Biodiversity Management Plan</td> <td>230.98</td> <td>Amount deposited by CVPPPL.</td> </tr> <tr> <td>2.</td> <td>Catchment Area Treatment Plan</td> <td>Nil</td> <td>Administrative approval of CAT plan is yet to be accorded by GOJK to start CAT works.</td> </tr> <tr> <td>3.</td> <td>Fisheries Development plan</td> <td>196.00</td> <td>Amount deposited by CVPPPL</td> </tr> <tr> <td>4.</td> <td>Public Health Delivery System</td> <td>138.24</td> <td></td> </tr> <tr> <td>5.</td> <td>Solid Waste management Plan</td> <td>187.59</td> <td></td> </tr> <tr> <td>6.</td> <td>Provision for fuel and Energy Conservation Measures</td> <td>85.47</td> <td></td> </tr> <tr> <td>7.</td> <td>Muck Disposal Plan</td> <td>304.45</td> <td></td> </tr> <tr> <td>8.</td> <td>Landscaping and Restoration of construction areas</td> <td>Nil</td> <td>Shall be implemented after completion of work activities at respective locations.</td> </tr> <tr> <td>9.</td> <td>Creation of Green Belt around reservoir.</td> <td>Nil</td> <td>Shall be implemented after completion of work activities at respective locations.</td> </tr> <tr> <td>10.</td> <td>Disaster Management Plan</td> <td>Nil</td> <td>The approved Plan provides for implementation of the plan to coincide with project commissioning. However, Early Warning System is being installed in advance.</td> </tr> <tr> <td>11.</td> <td>Resettlement & Rehabilitation Plan</td> <td>5409.44</td> <td>Amount Deposited with Commissioner R&R out of which an amount of Rs. 5066.26 Lacs has been disbursed.</td> </tr> <tr> <td>12.</td> <td>Environment Monitoring Plan</td> <td>79.12</td> <td></td> </tr> </tbody> </table>	S.N.	Component of EMP	Expenditure till Nov. 2021 (Rs. Lakh)	Remarks	1.	Biodiversity Management Plan	230.98	Amount deposited by CVPPPL.	2.	Catchment Area Treatment Plan	Nil	Administrative approval of CAT plan is yet to be accorded by GOJK to start CAT works.	3.	Fisheries Development plan	196.00	Amount deposited by CVPPPL	4.	Public Health Delivery System	138.24		5.	Solid Waste management Plan	187.59		6.	Provision for fuel and Energy Conservation Measures	85.47		7.	Muck Disposal Plan	304.45		8.	Landscaping and Restoration of construction areas	Nil	Shall be implemented after completion of work activities at respective locations.	9.	Creation of Green Belt around reservoir.	Nil	Shall be implemented after completion of work activities at respective locations.	10.	Disaster Management Plan	Nil	The approved Plan provides for implementation of the plan to coincide with project commissioning. However, Early Warning System is being installed in advance.	11.	Resettlement & Rehabilitation Plan	5409.44	Amount Deposited with Commissioner R&R out of which an amount of Rs. 5066.26 Lacs has been disbursed.	12.	Environment Monitoring Plan	79.12	
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12.	Environment Monitoring Plan	79.12																																																				

vi	A Multidisciplinary committee in consultation with the Ministry should be constituted with Ecologists, Environmental Scientists, Conservationists and experienced administrators etc. to oversee the effective implementation of the suggested safeguard measures.	Complied. Approval for Constitution of Multidisciplinary committee (MDC) for Pakal Dul HEP was accorded by MoEFCC vide no: J-12011/51/2007-IA-I(Part) dated 10.07.2018 with amendments issued vide No. J-12011/51/2007-IA-I(R) dated 02.05.2019. & F. No.J-12011/51/2007-IA (R) Dated 11.03.2020.
vii	Six monthly monitoring reports should be submitted to the Ministry and its Regional Office, Chandigarh for review.	Being complied. Six monthly Environment Clearance Compliance Reports are being timely submitted to the Ministry and its Regional Office, Chandigarh.
Other Conditions mentioned in the EC Letter:		
4.	Officials from Regional Office MoEF, Chandigarh who would be monitoring the implementation of environmental safeguards should be given full cooperation, facilities and documents/data by the project proponents during their inspection.	Shall be complied
5.	The responsibility of implementation of environmental safeguards rests fully with the NHPC Ltd. and Government of J&K. (The EC originally granted in 2008 in favour of NHPC was later transferred to CVPP in 2012)	Noted
6.	In case of change in the scope of the project, project would require a fresh appraisal.	There is no change in the scope of the project. Shall be complied if required.
7.	The project involves 386.186 ha of forest land falling under KHANP. This clearance is subject to Hon'ble Supreme Court's permission with respect to de-reservation of part of KHANP.	Complied. The core area of KHANP has been redefined vide SRO no. 212 dated 06.07.2015 of GoJ&K in pursuance to the approval granted by Hon'ble Supreme Court.
8.	The 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 safeguard measures in a time-bound and satisfactory Manner.	Noted.
9.	This clearance letter is valid for a period of 10 years from the date of issue of this letter for commencement of construction work.	Complied.
10.	A copy of clearance letter will be marked to concerned Panchayat / local NGO, if any, from whom any suggestion / representation has been	Complied.

[Handwritten Signature]
28/12/21

	received while processing the proposal.	
12.	The project proponent should advertise within 7 days at least in two local newspapers widely circulated in the region around the project, one of which shall be in the vernacular language of the locality concerned informing that the project has been accorded environmental clearance and copies of clearance letters are available with the State Pollution Control Board / Committee and may also be seen at website of the Ministry of Environment and Forests at http://www.envfor.nic.in .	Complied. The requisite advertisement was published in Dainik Jagran (Hindi) and Daily Uzma (Urdu) newspapers dated 07.03.2008.

Handwritten signature and date: 28/12/11