



Government of Jammu & Kashmir
DIRECTORATE OF GEOLOGY & MINING, J&K
(FORM QL2)

[See Rule 48(ii)]



Sub: Quarry License of 3.00 Hectares Clay Quarry (Impervious material) (DDC-03), Kishtwar in f/o M/S Chenab Valley Power Projects (P) Ltd (JV).

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|-------------------------|---|--|
| 1. Quarry License No. | : | 06/Kish/2024 |
| 2. Valid Upto | : | 21.04.2027 |
| 3. Name of Licensee | : | M/S Chenab Valley Power Projects (P) Ltd (JV) |
| 4. Address | : | Chenab Nagar-II, Kishtwar |
| 5. Name of Quarry Block | : | Village-Sewarbatti, Tehsil-Dachan, District-Kishtwar |
| 6. Compartment No. | : | 34/D, Marwah Forest Division |

Whereas, M/S Chenab Valley Power Projects(P) Ltd.(JV), hereafter called CVPPPL, applied for grant of Quarry License of **Clay Quarry (Impervious material) (DDC-03)** over an area of **3.00 hectares** at Left Bank of Marusudar River in Kishtwar District falling under the acquired land area of the 1000 Mega Watt Pakkal Dul H.E. Power Project;

And Whereas, the second proviso to Rule 48 (2) of SRO-105 of 2016, The Jammu & Kashmir, Minor Mineral Concession, Storage, Transportation of Minerals and Prevention of Illegal Mining Rules 2016 states as under:

"...that no license shall be issued in respect of Forest/Protected area and Eco-sensitive Zones, whether partially or wholly, unless prior sanction is obtained from competent authority as per Jammu and Kashmir Forest Conservation Act, 1997 and the Jammu and Kashmir Wildlife Protection Act, 1978 containing details of volume of minerals i.e. quantity to be extracted or removed and validity of time period."

And Whereas, in terms of letter No. 3205/MFD, dated 15.03.2017 of the Divisional Forest Officer, Marwah Forest Division, Kishtwar conveyed Forest Clearance accorded by the Competent Authority vide Govt. Order No. 334-FST of 2015, dated 15.12.2015 and Govt. Order No. 289-FST of 2016, dated 29.11.2016 for use of respectively 146.6613 hectares and 188.7619 hectares of Forest Land of Marwah Forest Division for Pakal Dul H.E. Project activities subject to removal of marked trees by the J&K SFC from the area to which sanction has been accorded vide said Govt. Orders;

And Whereas, on the basis of No Objection Certificate issued by the Deputy Commissioner, Kishtwar vide his No. DCK/LA/49/16, dated 25.02.2016; by the J&K State Forest Corporation vide No. 186566/DM/SFC/KW, dated 30.03.2017; by the Executive Engineer Hydraulic Division, Kishtwar vide No. HDK/7360-62, dated 24.02.2016; and the Fisheries Department vide No. DF/CJ/Plan-392/2016/5567-69, dated 11.02.2016, Letter of Intent (LoI) was issued by this Directorate in favour of the CVPPPL vide No.1131/MCC/DGM/QL/Kishtwar/22/2285-95, dated 19-02-2021 with the advice to obtain and submit all requisite formalities including approved Mining Plan/Mine Closure Plan, Consent to Operate (CTO) and Environment Clearance to enable further grant of the instant Quarry License for the **Clay Quarry (Impervious material)(DDC-03), Kishtwar** which includes the Eleven (11) Quarry Licenses applied for by the CVPPPL in the acquired land area of the 1000 MW Pakkal Dul H.E. Power Project;

And Whereas, the Approved Mining Plan of the said **Clay Quarry (Impervious material) DDC-03**, covering an area of 3.00 hectares, bounded with below mentioned corner points (A,B,C,D,E,F,G, H,I,J,K,L,M,N,O,P,Q,R,A) was subsequently submitted by the applicant, CVPPPL:-

A33° 27' 3.584279" N 75° 49' 21.621035" E, B33° 27' 1.874929" N 75° 49' 20.796248" E, C33° 27' 0.563755" N 75° 49' 20.514750" E,
D33° 26' 59.112710" N 75° 49' 21.225603" E, E33° 26' 58.119260" N 75° 49' 21.931475" E, F33° 26' 57.836783" N 75° 49' 23.793780" E,
G33° 26' 57.044782" N 75° 49' 24.732627" E, H33° 26' 56.496221" N 75° 49' 25.796013" E, I33° 26' 57.386428" N 75° 49' 26.638551" E,
J33° 26' 58.778944" N 75° 49' 27.065201" E, K33° 27' 0.077961" N 75° 49' 27.011138" E, L33° 27' 0.827609" N 75° 49' 27.662526" E,

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M33° 27' 1.599426" N 75° 49' 27.914510" E, N33° 27' 1.976986" N 75° 49' 28.089906" E, O33° 27' 3.584279" N 75° 49' 21.621035" E,
P33° 27' 2.940476" N 75° 49' 26.050538" E, Q33° 27' 3.694592" N 75° 49' 25.081648" E, R33° 27' 4.408488" N 75° 49' 23.514473" E

And Whereas, the said Mining Plan along with Progressive Mine Closure Plan of Minor Mineral Block Clay Quarry (Impervious material) No. DDC-03, located at Village Sewarbatti, Tehsil Dachan, District Kishtwar over an area of 3.00 hectares stands approved for a period of three (03) years (extendable upto five years) by the District Mine Plan Approval Committee headed by Deputy Commissioner, Kishtwar vide No. DCK/LA/22/F.No.259/317, dated 13.10.2022;

And Whereas, with regard to the CTO and Environment Clearance in respect of the proposed Quarry License (which is one among the 11 Quarry Licenses applied for by CVPPPL) within the acquired land falling under project area of the 1000 MW Pakkal Dul H.E. Power Project, Kishtwar, following details of references from different quarters are on record:-

- i) In terms of letter No.J-12011/51/2007-IA, dated 29 February, 2008 of the MoEF, Govt. of India Environment Clearance was accorded to the Pakkal Dul 1000 Mega Watt H.E. Power Project in favour of the NHPC Ltd.
- ii) In terms of the communication, F.No.J-1201/51/2007-IA-I, dated 12th of July, 2012 of the MoEF, Govt. of India addressed to the Managing Director, CVPPPL, conveying its 'No Objection' for transfer of the Environment Clearance of the Pakkal Dul 1000 Mega Watt H.E. Power Project from NHPC Ltd. to CVPPPL, also conveyed that all other conditions of environmental clearance dated 29th February, 2008 for the project shall remain unaltered.
- iii) The JKEIAA vide its letter No. JKEIAA/2022/628/7812, dated 04-11-2022 clarified that as per Notification No.1886(E), dated 20-04-2022, Pakkal Dul H.E. project with the capacity of 1000MW falls under Category "A" and as such is out of the purview of consideration of JKEIAA as Category "A" projects are appraised by MoEF&CC.
- iv) The J&K Pollution Control Committee vide its letter No. JKPCC/T/C/23/54-58, dated 13-02-2023 clarified that Consent to Establish for construction of Pakkal Dul H.E. Project has already been accorded by the JKPCC vide No.1610 of 2016, dated 03-03-2016 for the whole project based on the Environment Clearance accorded by the MoEF&CC, Govt. of India vide No. J-12011/51/2007-IA, dated 29-02-2008. Hence, further processing for accord of Consent to Operate (CTO) separately for 11 Quarries (including the instant one) does not arise.
- v) The CVPPPL vide its No.CVPP/ PDHEP/ GGM(I/C)2023/149, dated 25.1.2023 also clarified that all the 11 No. of Quarry sites (including the instant one) being integral part of the project for which EC has been granted by MoEF&CC and CTE and other Environmental Compliances are also in place, do not require separate CTOs for taking up quarry operations.
- vi) This Directorate vide its letter No.1238/MCC/DGM/QL/Kisht/22/913, dated 12-02-2024 sought relaxation of Rule-13 of SRO-105 of 2016 from the Competent Authority under the J&KUT's Business Rules for grant of 11 No. Quarry Licenses including the instant one.
- vii) The Managing Director, CVPPPL vide his letter No.CVPPPL/Plg/2024/261, dated 19-03-2024, among other aspects clarified as under:-
 1. That the EC to Pakkal Dul HEP was accorded vide MOEF's letter No.J-12011/51/2007-IA, dated 29-02-2008. The condition no. 9 of the said letter states that, 'This clearance letter is valid for a period of 10 years from the date of issue of this letter for commencement of construction work.'
 2. That the construction work in the Project was commenced on 11th of March 2016 and the major package work was awarded on 21st February 2018. As construction work of the project commenced within a period of 10 years, EC's condition stands complied with and the EC remains valid.
- viii) Further, this Directorate, in reference to the clarification given by CVPPPL vide its aforesaid letter dated 19-03-2024, again sought Govt. approval vide another letter No.1238/MCC/ DGM/QL/Kisht/22/1794, dated 27-03-2024 to grant Quarry License for 11 Quarry Sites (including the instant Quarry Block) in favour of CVPPPL.

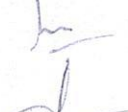

And Whereas, the Mining Department, in reference to the above mentioned letter dated 19-03-2024 of the CVPPPL and the letters dated 12-02-2024 followed by another dated 27-03-2024 of this Directorate, have conveyed approval vide their letter **No. GM-MNG/167/2023-04, Dated 08.04.2024** to the grant of 11 No. of Quarry Licenses, including the instant one, in terms of Rule-48(2) of SRO-105 of 31-03-2016 in favour of the CVPPPL for the use of the extracted minor mineral in the development of Pakal Dul HE Project located at District Kishtwar;

And Whereas, the CVPPPL have requested to extend the validity period of the Lol issued in respect of the 11 Quarry Blocks including the instant Quarry Block and have also given an undertaking to the effect that they shall be personally responsible for any third party dispute raised by any stakeholder/department/agency/authority in case of any violation of legal/environmental norm(s) in vogue by the CVPPPL and that the Directorate of Geology & Mining, J&K is indemnified from any such third party dispute that may arise;

Now Therefore, keeping in view the above stated facts the validity period of the Lol issued for the instant **Clay Quarry (Impervious material) Block (DDC-03)** is hereby extended and further, in exercise of powers vested in the undersigned under Rule-48 and Chapter-V of the **J&K Minor Mineral Concession, Storage, Transportation of Minerals and Prevention of Illegal Mining Rules, 2016**, sanction is hereby accorded to the Grant of Quarry License in favour of CVPPPL for captive use in the development of Pakkal Dul H.E. Power Project, Kishtwar of the Minor Mineral Block **Clay Quarry (Impervious material)No. DDC-03**, located at Village Sewarbatti, Tehsil Dachan, District Kishtwar over an area of **3.00 hectares**, bounded with the Geo-coordinates of the corner points of the Quarry Block as follows: (A 33° 26' 59.112710" N 75° 49' 21.225603" E, B 33° 26' 58.119260" N 75° 49' 21.931475" E, C 33° 26' 57.836783" N 75° 49' 23.793780" E, D 33° 26' 59.112710" N 75° 49' 21.225603" E, E 33° 26' 58.119260" N 75° 49' 21.931475" E, F 33° 26' 57.836783" N 75° 49' 23.793780" E, G 33° 26' 57.044782" N 75° 49' 24.732627" E, H 33° 26' 56.496221" N 75° 49' 25.796013" E, I 33° 26' 57.386428" N 75° 49' 26.638551" E, J 33° 26' 58.778944" N 75° 49' 27.065201" E, K 33° 27' 0.077961" N 75° 49' 27.011138" E, L 33° 27' 0.827609" N 75° 49' 27.662526" E, M 33° 27' 1.599426" N 75° 49' 27.914510" E, N 33° 27' 1.976986" N 75° 49' 28.089906" E, O 33° 27' 3.584279" N 75° 49' 21.621035" E, P 33° 27' 2.940476" N 75° 49' 26.050538" E, Q 33° 27' 3.694592" N 75° 49' 25.081648" E, R 33° 27' 4.408488" N 75° 49' 23.514473" E).

This License shall be valid initially for a period of three (03) years and shall be subject to the following terms and conditions: -

- 1) The Licensee shall abide by all the terms and conditions mentioned in the approved Mining Plan and shall take all precautions for the protection of environment and control of pollution while conducting Mining operation in the mineral concession area.
- 2) The licensee shall adhere to the provisions of the Mines and Minerals (Development and Regulation) Act 1957, the Forest (Conservation) Act 1980/1997, the J&K Wildlife Protection Act 1978, the Environment Protection Act 1986, the Jammu and Kashmir Water Resources (Regulation and Management) Act 2010, the J&K State Fisheries Act, 1960 and the rules made under these laws including the Rules/Restrictions/General conditions laid down in SRO-105 of 31-03-2016.
- 3) The Licensee shall adhere to all the instructions/orders of MoEF&CC, the Hon'ble NGT, the Stakeholder Departments and the District Administration concerned, issued from time to time in this regard.
- 4) The Licensee shall pay advance royalty to the Department on monthly basis on the quantity of the minor mineral intended to be dispatched from the quarry at the rates specified in the Schedule-I to SRO-105 of 2016 (as amended from time to time). After making such payment of advance royalty, proportionate contribution towards the District Mineral Foundation Trust and the applicable Tax Collected at Source (TCS) by the licensee, the concerned District Mineral Officer shall issue the authorization for lifting/removal of such quantity of minerals in Form QL3.
- 5) The licensee shall remove the quarry waste dumped during excavation or pay such amount per year or part thereof to the Department for removal of quarry waste dumped during the

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- extraction at such rate and at such time as may be fixed by this Department/Directorate from time to time.
- 6) The licensee shall start work in the quarry within ten days from the grant of this license and shall thereafter continue to work effectively in a proper skillful and workman like manner with regard to conservation of mineral and safety of labourers and surroundings.
 - 7) The licensee shall maintain and at all times keep intact boundary pillars at the corners of the plot/area according to the approved site plan.
 - 8) The licensee shall abide by the instructions of the Department regarding working of the quarry, removal of waste, drainage and other matters concerned with the systematic development and working of the area.
 - 9) The licensee shall make to the reasonable satisfaction and pay such compensation as may be determined by lawful authority in accordance with the law or rules or order in force on the subject for damages, injuries or disturbances which may be caused by the licensee and shall indemnify and keep indemnified the Geology & Mining Department against all such damages, injuries or disturbances and all costs and expenses incurred thereon or therewith.
 - 10) The licensee shall without any delay report to the Department about any accident which may occur in the said premises and also about the discovery in or around the license area of any mineral which is not specified in this license.
 - 11) The instant license may be cancelled by the Director, Geology & Mining, J&K without giving any notice if the licensee fails to start work at the said quarry or does not work it for a continuous period of four months.
 - 12) The minor mineral left on the expiry of license period or cancellation of license shall be removed by licensee within 45 days of the expiry of license or receipt of the order of cancellation of license.
 - 13) The licensee shall confine his working within the limits of the minor mineral plot allotted to him and shall not undertake mining outside his plot. In case the licensee is found working outside the boundary of his allotted plot/area, the license may be cancelled.
 - 14) The licensee shall not obstruct approach to the adjoining licensees. In case of any dispute about the approach road, directions of Director or officer Incharge shall be final and binding upon all including the licensee.
 - 15) The licensee shall have to make the transportation of mineral removed from the plot/area under a duly authenticated e-challan in prescribed Form-A, generated from the Department's E-Challan Portal (<http://geologymining.jk.gov.in>).
 - 16) This License shall be further subject to outcome of any Writ Petition(s) pending if any before any Court of Law as may be applicable to this Mineral Concession so granted.
 - 17) The Licensee shall be personally responsible for any adverse decision by any Court of Competent Jurisdiction/Tribunal in this regard and/or with regard to any third party dispute in the matter.
 - 18) The commencement of Mining on the basis of this License is subject to demarcation of the applied/verified area by the District Mineral Officer concerned in consultation with the Revenue department in presence of any authorized representative of the CVPPPL at site. Besides, the DMO concerned shall ensure recovery of all pending dues under rules before the commencement of Mining by the licensee.

No.1131/MCC/DGM/QL/Kisht/21/2210-22

Dated:-22.04.2024

Copy to the:-

1. Financial Commissioner (Addl. Chief Secretary), Forests, Environment & Ecology Department, J&K Civil Secretariat, Jammu for kind information.
2. PCCF/ Chief Wildlife Warden, J&K for information.
3. Chairman, J&K State Pollution Control Committee, Jammu for information.

(P. S. Rathore) JKAS,
Director, Geology and Mining, J&K

22/04/2024

22.04.2024

4. Director, Department of Ecology, Environment & Remote Sensing, J&K (Member Secretary, JKEIAA) for information.
5. Commissioner/Secretary to Government, Mining Department, J&K Civil Secretariat, Jammu for kind information.
6. Deputy Commissioner, Kishtwar for information.
7. Joint Director, Geology and Mining, Jammu for information and n/a.
8. Divisional Forest Officer, Marwah, Forest Division Kishtwar for information.
9. The Officer I/C Website, Directorate of Geology and Mining, J&K, Jammu for n/a.
10. Accounts Officer, Directorate of Geology and Mining, J&K for necessary action with respect to the **DD No.425335, dated 04.07.2023 amounting Rs.5000/- as Quarry License Fee**, TDA A/C No.42050344949, dated 03.07.2023 amounting **Rs.3600/-as Dead Rent**, TDA A/C No.42050321998, dated 03.07.2023 amounting **Rs.1.50 lakh as Security Deposit and Bank Guarantee No. 0031IPBG2308006, dated 17.08.2023 amounting Rs.1.00 lakh** forwarded herewith to him.
11. District Mineral Officer, Kishtwar for information and necessary action.
12. M/S Chenab Valley Power Projects (P) Ltd. with the advice to submit aforementioned advance payment of all applicable dues under rules before commencement of Mining operation in the instant Quarry Block. They may coordinate with Dr. R. S. Rana (Mob. No.9419240225), Officer Incharge, Mineral Concession Cell (Central) in the Directorate of Geology & Mining, J&K at Jammu for any further clarification in the matter.

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3.00 Ha QL (DDC-03) Kishtwar