



Government of Jammu and Kashmir  
Directorate of Geology and Mining, J&K  
4<sup>th</sup> Floor, Udyog Bhawan, Jammu



## ORDER

**Subject: Issuance of Disposal Permit in f/o M/s Shivalaya Construction Co. Pvt. Ltd.**

**Whereas**, in a meeting held on 22.12.2023, under the chairmanship of Principal Secretary, PW(R&B) Department, in Civil Secretariat, Jammu to review the issues related to the availability of aggregate and Ordinary Earth for Delhi-Amritsar-Katra (DAK) Expressway, the Chief Engineer, Irrigation & Flood Control, Jammu revealed that the I & FC Department has mapped availability of 12.63 lakh cum of Minor Mineral/RBM accumulated in various river streams in Jammu, Samba and Kathua which is required to be removed by dredging for channelization of these river streams to avoid floods during rainy season, and the said dredged out material can be used by the National Highway Authority of India (NHAI) to meet its requirement of RBM in the Delhi-Amritsar-Katra (DAK) Expressway;

**Whereas**, in aforementioned meeting, the Deputy Commissioners were advised to hold District Level Committee meetings for accord of dredging permissions indicating monthly targets in a way that the material could be dredged out before rains and staged 100 Mtrs. away from river bank. The Geology and Mining Department was also asked to dispose of the Disposal Permit applications received from NHAI;

**Whereas**, the Deputy Commissioner, Jammu vide its office No. DCJ/LA/DAK /Committee/2023-24/849-55, dated 03.01.2024 conveyed permission in favour of the Project Director, NHAI, PIU Jammu/Udhampur for dredging of material from the identified spots of River Tawi as granted by the Jal Shakti, I&FC Department;

**Whereas**, M/S Shivalaya Construction Pvt. Ltd., the contractor firm of the Principle Executing Agency viz. NHAI engaged in the execution of DAK (PKG-XVI), applied through online mode under tracking Id No.1285001018 for the issuance of Disposal Permit in respect of 90,744 MT of Dredged out material from Nikki Tawi on the basis of permission granted by Jal Shakti (I&FC) Department.

**Whereas**, the District Mineral Officer, Jammu constituted a Technical Team to inspect the site of dredged out material. The said Technical Team visited the site on 26.01.2024 and reported as under:

- i. That the Geo-Coordinates (1. N 32.690544 E 74.807500 2. N 32.689988 E 74.807619 3. 32.686538 E 74.802840 4. 32.687228 E 74.802200)

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- provided as per the site plan by the applicant firm were located on ground and found correct.
- ii. That the excavated/dredged material available on site is sufficient for grant of disposal permit for the quantity applied for i.e. 90744 MTs of Nallah Muck.
  - iii. That the extraction is carried out in the Tawi River (Nikki Tawi downstream area, Village-Daulat Chak, Tehsil-Mandal, District-Jammu) from the area demarcated by the Flood Control Department, vide Superintending Engineer, I&FC, Jammu's letter No.SE/Hyd/7842-44, dated 01.01.2024 and the Dy. Commissioner, Jammu's office No. DCJ/LA/DAK/Committee/2023-24/849-55, dated 03.01.2024, addressed to the Project Director NHAI, PIU-Jmu/Udh.
  - iv. That the issuance of Disposal Permit for 90744 MTs of Nallah Muck (excavated dredged material) is recommended.

**Whereas,** on the basis of above said report/recommendation of the Technical Committee constituted by the District Mineral Officer, Jammu, the latter recommended the case in online portal to the Joint Director, Geology & Mining Department, Jammu on 29.01.2024;

**Whereas,** the Joint Director, Geology & Mining Department, Jammu, further recommended the case for issuance of the Disposal Permit in favour the above said contractor firm of NHAI through online portal on 10.02.2024;

**Now therefore,** in view of above said recommendations of the District Mineral Officer, Jammu and the Joint Director, Geology & Mining Department, Jammu, the Disposal Permit in terms of *Rule 56(2)(iii) of the Jammu & Kashmir Minor Mineral Concession Storage, Transportation of Minerals and Prevention of Illegal Mining Rules, 2016* read with the Government notifications issued from time to time by the Jammu and Kashmir, Mining Department vide S.O. 391 of 22.12.2020, S.O.29 of 24.01.2022, S.O.149 of 01.04.2022, S.O.439 of 12.09.2022 and the latest S.O.369 of 17.07.2023, Disposal Permit is hereby issued in favour M/s Shivalaya Construction Co. Pvt. Ltd., the contractor firm of National Highway Authority of India (NHAI), engaged in execution of DAK Expressway (PKG-XVI) for lifting of 90,744 MTs (**Ninety Thousand, Seven Hundred and Forty Four Metric Tons**) of dredged out Nallah Muck from Nikki Tawi downstream, dumped at the site as per the Site Plan verified by the Departmental Committee, to be utilized for the construction of the Delhi-Amritsar-Katra Expressway (PKG-XVI) with validity period of Three (03) months for Captive Use only.

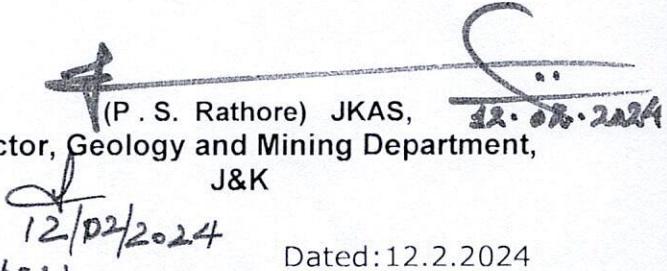
However, the above permission so granted shall be non-transferrable and subject to the following conditions:

1. To restrict the lifting and disposal of the dumped material from the area as per the site plan attested by the Revenue Authorities.

2. To take all precautions for the protection of environment and control of Pollution.
3. To be bound to record the dumped/dispatched material at the nearest Mineral Check Post.
4. To surrender such permit after the quantity specified therein is dispatched, to the Department within a week after the last consignment of dispatch along with the particulars by giving the details of the name of the consignee, the date and dispatch etc.
5. To transport the material lifted from the area under a duly authenticated e-challan in prescribed **Form A**.
6. To allow the executive staff and the officers of the Department of Geology & Mining to inspect, check and measure the minor minerals at all stages including its transportation.
7. To be responsible for any third party claim/interference and department shall not be responsible for such claims/interference within mineral concession area; and failure to comply with any of the above conditions shall be a ground for withdrawal of the permit or cancellation of the same.
8. The department shall have the right to claim additional royalty dues on the scrutiny of the lifted/transported material, provided the excess quantity is not beyond 10% of the quantity mentioned in the permit. In case the excess quantity is beyond 10%, the permit holder shall be liable to pay back to the department the excess quantity dumped/dispatched used as assessed by the Officer Incharge of the District concerned.
9. The Permit Holder shall confine its workings within the limits of the allotted area and shall restrict the bonafide disposal activities within the said area. In case, the Permit Holder is found working outside the boundary of the allotted area, the Permit may be cancelled.
10. The Permit Holder shall adhere to the provisions of Mines and Minerals (Development and Regulation) Act 1957, the Forest (Conservation) Act 1980, 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 there under including the Rules/restrictions/general conditions laid down in SRO-105 of 2016, dated 31.03.2016.
11. The Permit Holder shall adhere the instructions/orders of MoEF&CC, NGT, Stake Holder Departments & District Administration issued from time to time.
12. The District Mineral Officer concerned shall ensure that Disposal Permit of the material/ quantity which has already been excavated and verified by the Committee for construction of the said Project and stocked as per site plan shall only be allowed to be lifted /transported for the project work which shall be ensured by proper monitoring system and deploying supervisory staff.
13. The DMO review the usage of Disposal Permit from time to time by making field visit so that no damage is made to the general environment.
14. The dredged out material/Nallah Muck shall exclusively be used for the specified DAK Expressway project (PKG-XVI).
15. The commencement of this Disposal Permit is subject to the deposition of advance payment of royalty, contribution towards DMFT under rules, the applicable Tax Collected at Source (TCS) and pending dues if any.
16. The commencement of this Disposal Permit shall also be subject to demarcation of the applied/verified area by the District Mineral Officer, Jammu in consultation with Revenue Department, Irrigation and Flood Control Department, the representative of

National Highway Authority of India and the representative of M/s Shivalaya Construction Co. Pvt. Ltd.

17. The District Mineral Officer concerned shall report immediately after the quantity of dredged out material is dispatched and consumed by M/s Shivalaya Construction Co. Pvt. Ltd. engaged in the construction of DAK (PKG-XVI). No further lifting/transportation of material shall be allowed beyond the permissible quantity.

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

No. 1261/MCC/DGM/Shivalaya/STP/KTH/2022/916-21

Dated: 12.2.2024

Copy to: -

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1. The Deputy Commissioner, Jammu for information. This is in reference to his office letter No. DCJ/LA/DAK/Committee/2023-24/830-32, dated 28.12.2023 read with No.849-55 dated 03.01.2024.
  2. The Project Director, National Highway Authority of India, 315/1, Channi Himmat, Jammu-180015 for information and n/a. This is in reference to his office letter No. PD/JM/ DKE/ Pkg-16/2023-24/2657, dated 27.12.2023.
  3. The Joint Director, Geology & Mining Department, Jammu for information & n/a. This is in reference to his office recommendation received in the instant case through online mode.
  4. The Officer I/C Web Site, Geology & Mining Department, Jammu for information & n/a.
  5. The District Mineral Officer, Geology & Mining Dept. Jammu for information and with the direction to implement all mentioned conditions in letter and spirit and to ensure that the royalty amount along with DMFT contribution and TCS etc. is collected in advance as per quantity granted in this permit before execution.
  6. M/s Shivalaya Construction Co. Pvt. Ltd. for information & n/a.