

## **Government of Jammu & Kashmir(UT) DIRECTORATE OF GEOLOGY & MINING**

Subject:- Grant of Disposal Permit to M/S Vishwa Samudra Engineering Pvt. Ltd. for removal of Shoals/construction of diversion Channel in Basantar River near Kamore/Ballargate under CSR-Reg & Desilting & construction of diversion channel to protect NH-44 near Chichi Mata Temple- Reg.

### **ORDER**

**Whereas**, Executive Engineer, Flood Control Division, Samba vide letter No. FCDS/2021-22/S-35/4394 dated 11.03.2022, requested District Development Commissioner, Samba that channelization is required for diversion of water channel in River Basantar near Border area of District Samba to avert the Flood risk. As NHAI is constructing expressway they can be roped in for the removal of Shoals and the work can be carried out by NHAI authorities; and

**Whereas**, M/S Vishwa Samudra Engineering Pvt. Ltd vide letter No. VSEPL/Subcon/2022/4 dated 20.04.2022, inter-alia, issued Letter of Intent in favour of Grander Suppliers Private Limited C/o Amarjeet Singh S/o Mohinder Singh Village Boot, Cheema Nagar, Jalandhar for removal of Shoal/construction of diversion channel in Basantar River and for applying of Disposal Permit on their behalf; and

**Whereas**, Competent Authority, Land Acquisition, District Collector Samba, vide letter No. DCS/SM/DKE/22-23/46-50 dated 27.04.2022 enclosed communication No. PD/JMU/DKE/2021-22/791 dated 11.04.2022 to District Mineral Officer, Samba whereunder, Project Director, NHAI informed that the executive agency of nearby packages of DKE have come forward for desilting work and requested to intimate DMO Samba to allow the execution/desilting for flood control and deposition/storage of evacuated material to nearby private lands and also issue disposal permit for storage site at the project site and requested DMO for taking appropriate action under rules; and

**Whereas**, National Highways Authority of India vide letter No. 11022/1/O&M&BS/Addl-Consly/2021-22/930 dated 28.04.2022, requested Deputy Commissioner, Samba for issuance of Disposal Permit to transport the excavated deposited Shoals/desilted material to nearby Project sites.

**Whereas**, in reference to Executive Engineer (I&FC) letter dated 11.03.2022, the Deputy Commissioner Samba, vide letter No. DCS/SM/DKE/22-23/74-78 dated 02.05.2022, requested Inspector General, Border Security Force, Paloura Jammu for issuance of necessary directions to the concerned BSF Units to allow the Executing Agency of NHAI for deployment/movement of men and machinery to the site so that the concerned agencies are able to start the work before the onset of the rainy season; and

**Whereas,** the Deputy Inspector General, Regional Head Quarter BSF, Inderveshwar Nagar, Jammu vide letter No. 125/Boarder Works/BSF Nagar/ 22/ 4322-24 dated 13.08.2022, informed Deputy Commissioner, Samba, inter-alia, that due to ongoing Monsoon Season and heavy rain, the damage of Border Security Fence was not as large as occurred earlier and it happened only due to channelization of River Basantar, an initiative taken by District Administration and requested for start of work in River Basantar taking all precautions regarding mining after the Monsoon Season is over; and

**Whereas,** the Lease Agreement enclosed with the case with Regd. No. 56 dated 18.07.2022 for an area of 70 Kanals 09 Marlas and 15 Kanals 15 Marlas is between Sh. Prem Pal , Sh. Varinder Singh, Smt. Sudesh Kumari, Smt. Santosh Kumari, Smt. Darshana Devi , Smt. Pinki Devi and Grand Suppliers Private Limited C/o Amarjeet Singh S/o Mohinder Singh Village Boot, Cheema Nagar, Jalandhar, Punjab through its Director Paraminderjit Singh S/o Jagjit Singh, Bohara, Shaheed Bhagat Singh, Punjab with Seal of Vishwa Samudra Engineering Pvt. Ltd. duly attested before Sh. Omkar Saini, Advocate Notary, Public H.Q, Vijaypur; and

**Whereas,** M/S Vishwa Samudra Engineering Pvt. Ltd applied online for grant of Disposal Permit under Tracking ID No. 1360604348 at Village Barota Camp Tehsil Ramnagar, District Samba for a quantity of 90,000 MTs of minor mineral under Khasra Nos. 425/346/236, 426/346/236, 427/346/236, 428/346/236, 429/346/236, 218 min, 219, 220, 221,22 min, 231.200,201, 202,203, 203 min, 204, 216 min, 219,220; and

**Whereas,** the said application along with Site Plan of the applied area of 3.50 hectares with Geo-Coordinates ("A=32°29' 11.03"N75° 0' 21.28" E, B=32°29' 18.01"N75° 0' 12.34" E, C=32°29' 20.10"N75° 0' 14.63" E, D=32°29' 20.94"N75° 0' 16.70" E, E=32°29' 16.01"N75° 0' 21.70" E, F=32°29' 13.58"N75° 0' 21.51" E, G=32°29' 11.56"N 75° 0' 21.68" E" ) authenticated by Tehsildar, Ramgarh and its enclosures of M/S Vishwa Samudra Engineering Pvt. Ltd. for grant of Disposal Permit was recommended by Joint Director, Geology and Mining Department, Jammu on-line on 22.08.2022 and District Mineral Officer, Samba subject to condition that the applicant shall install weighing machine and get the rent deed registered before Sub -Registrar concerned; and

**Whereas,** on the recommendation of Joint Director, Jammu the case of M/S Vishwa Samudra Engineering Pvt. Ltd. was submitted to Adm. Department (Mining) vide this office letter No. DGM-MCC0STP(SMBA)/2/2022-04 dated 19.09.2022 for accord of approval for issuance of Disposal Permit ; and

**Whereas,** the Adm. Department (Mining) vide letter No. GM-MNG/378/2022-02 dated 20.09.2022 directed this office to proceed in the matter at your own level as per Rule 56 (2) (iii) of SRO-105 dated 31.03.2016.

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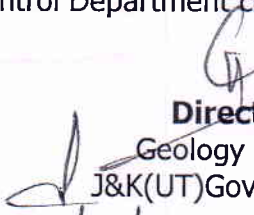
Now, therefore, in view of the above and as per Rule 56(2)(iii) & 58 of the J&K Minor Mineral Concession, Storage, Transportation of Minerals and Prevention of Illegal Mining Rules, 2016 read with S.O 391 Dt.22.12.2020,S.O 29 Dated 24.01.2022, S.O 149 dated 01.04.2022 and S.O 439,dated 12.09.2022, sanction is hereby accorded for Grant of Disposal Permit in favour of M/S Vishwa Samudra Engineering Pvt; Ltd for lifting of 90,000 MTs of minor mineral (Shoal) at Village Barota Camp Tehsil Ramnagar, District Samba under Khasra Nos. 425/346/236, 426/346/236, 427/346/236, 428/346/236, 429/346/236, 218 min, 219, 220, 221,22 min, 231,200,201, 202,203, 203 min, 204, 216 min, 219,220 over an area of 3.50 hectares with Geo-Coordinates ("A=32°29' 11.03"N75° 0' 21.28" E, B=32°29' 18.01"N75° 0' 12.34" E, C=32°29' 20.10"N75° 0' 14.63" E, D=32°29' 20.94"N75° 0' 16.70" E, E=32°29' 16.01"N75° 0' 21.70" E, F=32°29' 13.58"N75° 0' 21.51" E, G=32°29' 11.56"N 75° 0' 21.68" E" ) for a period of three months from the date of issuance of the Disposal Permit subject to the following terms and conditions that; the applicant (Permit Holder) :-

- (i) shall take all precautions for the protection of environment and control of pollution;
- (ii) shall not transfer such permit;
- (iii) shall be bound to record the extracted material at the nearest Mineral Check Post;
- (iv) shall 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;
- (v) shall have to make the transportation of mineral removed from the area under a duly authenticated challan in **Form A**;
- (vi) shall 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;
- (vii) shall be responsible for any third party claim/interference and department shall not be responsible for such claims/interference within mineral concession area; and
- (viii) in case of failure to comply with any of the above conditions shall be a ground for withdrawal of the permit or cancellation of the same.
- (ix) shall pay the additional royalty dues on the scrutiny of the sale documents and the test checks, provided the excess quantity is not beyond 10% of the quantity mentioned in the permit. In case the excess quantity is beyond 10% permit holder shall be liable to pay back to the department the excess quantity excavated/ used as assessed by the Officer Incharge of the District concerned.
- (x) shall confine his 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 his allotted area, the Permit may be cancelled.
- (xi) shall adhere the provisions of Mines and Minerals(Development and Regulation) Act 1957, Forest (Conservation) Act 1980, Environment Protection Act 1986, Jammu and Kashmir Water Resources (Regulation and Management) Act 2010, J&K State Fisheries Act, 1960 and the rules

made thereunder including the Rules/ restrictions/general conditions laid down in SRO-105 dated 31.03.2016.

- (xii) shall adhere the instructions/orders of MoEF&CC, NGT, Stake Holder Departments & District Administration etc. issued from time to time.
- (xiii) shall commence the mining operation only after demarcation of the area by the District Mineral Office in consultation with Revenue Department.
- (xiv) shall use the Permit (allotted quantity of material) exclusively for Project works only.
- (xv) The District Mineral Officer shall ensure than no transportation of Minerals is allowed without proper authenticated Form-A.
- (xvi) The District Mineral Officer shall arrange the proper monitoring system by deploying supervisor staff.
- (xvii) The District Mineral Officer shall report immediately after the quantity of Minor Mineral consumed by the applicant/Firm and ensure that no further transportation is allowed.
- (xviii) The DMO shall ensure that before issuance/execution of this disposal permit, advance royalty, Income Tax, other due charges etc; are paid by the applicant towards the Department of Geology and Mining.
- (xix) The applicant shall install weighing Machine at the Dump site and provide rent deed duly registered before Sub- Registrar concerned.
- (xx) The Disposal Permit is further subject to NOC from Deputy Commissioner, Samba and NOC of Irrigation and Flood Control Department concerned.

No.1303/MCC/DGM/Disposal/2022 /4969  
Dated: - 24.09.2022  
Copy to :-

  
**Director** 24.09.2022  
Geology & Mining  
J&K(UT)Govt; Jammu  
24/09/2022

1. Secretary to the Govt. Mining Department, Civil Secretariat, Srinagar/Jammu for kind information.
2. The Deputy Commissioner, Samba for information.
3. The Project Director, National Highways Authority of India for information
4. The Joint Director (J), Geology & Mining Deptt; Jammu for inf. & n/a.
5. The Officer I/C Website, Geology & Mining Deptt; Jammu for inf. & n/a.
6. The District Mineral Officer, Geology & Mining Deptt. Samba for inf. & n/a.
7. M/S Vishwa Samudra Engineering Pvt; Ltd for information and n/a.

**Government of Jammu and Kashmir(UT)**  
**Directorate of Geology and Mining, Jammu.**

Subject:- Application for grant of Disposal permit in favour of M/s Jaiprakash Associates Limited.

**Order**

**Whereas,** M/S Jaiprakash Associates Ltd Pakal Dul HE Projects(p) Ltd. applied online for grant of Disposal Permit under Tracking ID No. 1015900010 at Village Dangduru Tehsil Dachhan, District Kishtwar for a quantity of 1,00,000 MTs of minor mineral under Survey No. 1254; and

**Whereas,** the said application along with Site Plan of the applied area for Pakaldul Hydro Electric Project Drangduru (Dam Package) Location of Dumping Yard D/S of Dam with Geo-Coordinates ( $33^{\circ}27'10''N$ ,  $75^{\circ}48'32''E$ ,  $33^{\circ}26'48''N$ ,  $75^{\circ}48'05''E$ ,  $33^{\circ}26'49.66''N$ ,  $75^{\circ}48'04.51''E$ ,  $33^{\circ}27'10.51''N$ ,  $75^{\circ}48'31.67''E$ ) authenticated and certified by Tehsildar Dachhan that dumping yard falls within the Project area and said land has been transferred to CVPP by Forest Department and its enclosures for grant of Disposal Permit, was recommended by Joint Director, Geology and Mining Department, Jammu via on-line on 01.09.2022; and

**Whereas,** the Engineer-In-Charge, Group General Manager, PDHEP, Kishtwar, vide letter No. CVPPPL/PDHEP/GGM(I/C)/2022-402 dated 02.03.2022, issued "No Objection Certificate" for use of usable muck extracted from underground work/surface work of Dam; and

**Whereas,** the Deputy Commissioner, Kishtwar, vide letter No. DCK/LA/22/F.No.259/84 dated 23.05.2022 issued No Objection Certificate for dumping and excavation of Tunnel Muck for Disposal Permit on the said land/site; and

**Whereas,** the District Mineral Officer, Geology and Mining Department, Kishtwar in his report stated that the Stock Yard Site located between Pinjrari and Swarbati in Dachhan area of the Kishtwar District has been visited to physically verify the quantities of tunnel muck stored in the stock yard for which the authorities of GM CVPPPL of the PakalDul Hydroelectric Project has provided the stock position of the tunnel muck excavated from the tunnels and other surface excavation in the construction of the dam package of the Pakaldul Hydro Project as stored in the stock yard, the report of the same had already been submitted along with photograph vide this office letter No. DMO/K Disposal Permit/2022-23/62 dated 20.05.2022. Out of the total five lakh Metric Tonnes of the stocked tunnel muck, two Disposal Permits of 1.00 lacs MTs has already been

issued. It is, therefore, recommended that the Disposal Permit may be granted to the applicant as the material is available in the stockyard ; and

**Whereas**, this office vide letter No. 1230/MCC/DGM/CVPPL/Kisht/20/4638 dated 9.9.2022 conveyed approval for grant of Disposal Permit in favour of said applicant/Firm to Joint Director, Geology and Mining Department, Jammu; and

**Whereas**, the Joint Director, Jammu vide letter No. JDJ/STP/Kishtwar/2020-21/1633 dated 19.09.2022 requested this office for providing of reference/Tracking ID with applied Geo-Coordinates and in reply this office vide letter No. 1230/MCC/ DGM/ CVPPL/Kishtw/20/4884 dated 20.09.2022 provided the requisite details to Joint Director, Jammu for issuance of Disposal Permit ; and

**Whereas**, the Joint Director, Jammu vide letter No. JDJ/STP/Kishtwar/2020-21/1673 dated 21.09.2022, returned the case regarding approval conveyed by Director, Geology and Mining, J&K (UT) vide letter No. 1230/MCC/DGM/CVPPL/Kisht/20/4638 dated 9.9.2022 for issuance of Disposal Permit with the remarks " that the said permit may be issued from Directorate office".

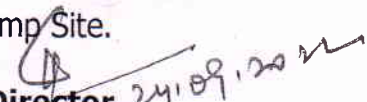
Now, therefore, in view of the above and as per Rule 56(2)(iii) & 58 of the J&K Minor Mineral Concession, Storage, Transportation of Minerals and Prevention of Illegal Mining Rules, 2016 read with S.O 391 Dt.22.12.2020,S.O 29 Dated 24.01.2022, S.O 149 dated 01.04.2022 and S.O 439,dated 12.09.2022 sanction is hereby accorded for Grant of Disposal Permit in favour of **M/S Jaiprakash Associates Ltd Pakal Dul HE Projects(p) Ltd** for lifting of 1,00,000 MTs of minor mineral (Tunnel Muck) (Tracking ID No.1015900010) excavated and stocked during construction of the Project from Dandgduru stock yard with Geo Coordinates corner points of the site as: ("33°27'10"N, 75°48'32"E, 33°26'48"N, 75°48'05"E, 33°26'49.66"N, 75°48'04.51"E, 33°27'10.51"N, 75°48'31.67"E") attested/ countersigned by Tehsildar Dachhan, Kishtwar with a validity period of 3 months from the date of issuance of the Disposal Permit. However, the permission so granted shall be subject to the following conditions that the Applicant (Permit Holder) :

1. Shall restrict the extraction from the area as attested by the Revenue Authorities on the site plan
2. Shall take all precautions for the protection of environment and control of pollution;
3. Shall not transfer of such permit;
4. Shall be bound to record the extracted material at the nearest Mineral Check Post;
5. Shall 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;
6. Shall have to make the transportation of mineral removed from the area under a duly authenticated challan in **Form A**;

7. Shall 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;
8. shall 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.
9. Shall have to pay additional royalty dues on the scrutiny of the sale documents and the test checks, provided the excess quantity is not beyond 10% of the quantity mentioned in the permit. In case the excess quantity is beyond 10% permit holder shall be liable to pay back to the department the excess quantity excavated/ used as assessed by the Officer Incharge of the District concerned.
10. Shall confine his workings within the limits of the allotted area and shall restrict the Bonafede disposal activities within the said area. In case the Permit Holder is found working outside the boundary of his allotted area, the Permit may be cancelled.
11. Shall adhere the provisions of Mines and Minerals(Development and Regulation) Act 1957, Forest (Conservation) Act 1980, Environment Protection Act 1986, Jammu and Kashmir Water Resources (Regulation and Management) Act 2010, J&K State Fisheries Act, 1960 and the rules made thereunder including the Rules/restrictions/general conditions laid down in SRO-105 dated 31.03.2016.
12. The Permit Holder shall adhere the instructions/orders of MoEF&CC, NGT, Stake Holder Departments & District Administration etc. issued from time to time.
13. District Mineral Officer (DMO) shall ensure that Disposal Permit of the material/ quantity which has already been excavated during construction of PakalDul HR Project Dangduru, Kishwar and stocked in stockyard as per site plan shall be allowed from applied area subject to feasibility and availability of material in applied area as per site plan , and fulfil the rule 56(1), (i to iii) and used for government work of emergent nature of public interest only and also arrange the proper monitoring system by deploying Supervisory staff.
14. The DMO shall ensure the quantification is allowable as per existing Mining norms and shall review from time to time after making field visit so that no damage is made to the general environment.
15. The DMO shall ensure that before issuance/execution of this disposal permit, advance royalty, Income Tax, other due charges etc; shall be paid by the applicant towards the Department of Geology and Mining.
16. The DMO shall also ensure that there is no dispute regarding payment of royalty, taxes and other dues etc.
17. The Disposal Permit (Tunnel Muck) shall exclusively be used for project works only.
18. District Mineral Officer shall ensure that no transportation of Mineral is allowed without proper authenticated FORM-A.

19. The District Mineral Officer shall ensure that the issuance of Disposal Permit in favour of the firm is for Tunnel Muck only under Rule -56 of SRO-105, Dated 31.03.2016 after completing all the requisite formalities under the provisions of said SRO.
20. The commencement of said permit shall take place only after demarcation of the applied area by the District Mineral Officer in consultation with Revenue Department (Competent Authority), Group General Manager(I/C) PakalDul HE Project Chenab Valley Power Projects(P) Ltd&Deputy General Manager,Jaiprakash Associates Ltd PakalDul HE Projects(p) Ltd.
21. District Mineral Officer shall report immediately after the quantity of Minor Mineral consumed by the Group General Manager(I/C) Pakal Dul HE Project Chenab Valley Power Projects(P) Ltd and ensure no further transportation is allowed.
22. The applicant shall install weighing Machine at the dump Site.

No.1230/MCC/DGM/CVPPL/Kisht/20/4988  
Dated: - 24.09.2022

  
**Director** 24/09/2022  
Geology & Mining  
J&K(UT)Govt; Jammu  
24/09/2022

Copy to :-

- 1 Secretary to the Govt. Mining Department, Civil Secretariat, Srinagar/Jammu for kind information.
- 2 The Deputy Commissioner, Kishtwar for information.
- 3 The Project Director, National Highways Authority of India for information & n/a.
- 4 The Joint Director (J), Geology & Mining Deptt; Jammu for inf. & n/a.
- 5 The Officer I/C Website, Geology & Mining Deptt; Jammu for inf. & n/a.
7. The District Mineral Officer, Geology & Mining Deptt. Kishtwar for inf. & n/a.
8. The General Manager (I/C) Pakal Dul HE Project Chenab Valley Power Projects(P) Ltd for information and n/a.
9. M/S Jaiprakash Associates Ltd Pakal Dul HE Projects(p) Ltd. for information and n/a.