



HIMACHAL PRADESH
PUBLIC WORKS DEPARTMENT

0177-2621401

e-mail :-pwd-hp-@ nic.in

No PW /CTR//32-20/Genl Inst.CPWD/2021-20165-2165 Dated:- 22-11-2021

From

Engineer-in-Chief,

To

All the Chief Engineers,
In HPPWD.
(Including PMGSY, HPRIDC & NH)

All the Superintending Engineers,
In HPPWD.

Subject:- Proceeding of the meeting held on 1-11-2021 at 11:00 AM under the Chairmanship of the Principal Secretary (PW) to the Govt., of H.P. to discuss the issue relating to W and X forms/ Transit passes, imposition of royalty on process product /GST paid bills etc on Finished products of Minor Minerals.

I am directed to sent here with a copy of letter No. No. PBW (B) F (7) 3/2021 dated 12-11-2021 received from the Principal Secretary (PW) to the Govt., of H.P, for information. It was intimated that the issue relating to W and X forms/ Transit passes, imposition of royalty on process product /GST paid bills etc on Finished products of Minor Minerals was under consideration at the Govt., level and the proceeding of the meeting held with the Principal Secretary (PW) to the Govt., of H.P. on dated 1/11/2021 is received vide Govt., letter No. PBW (B) F (7) 3/2021 dated 12-11-2021.(copy enclosed)

The matter has been examined and point wise direction is issued as under:

Point No.-1. In this regard, it has been directed that the Zonal Chief Engineer will consolidate the annual requirement of mining material of each Division such as aggregate, sand and stone etc for various works, may be procured Division wise and consolidated requirement should be sent to the industry Department under intimation to this office.

Point No. -4. The bills which are submitted by the contractors without W or X forms, the concerned Executive Engineer will send the copy of the bills of mining material to District Mining officer of Industry Department for verification of source.

Point No. - 5. The Deputy Distt., Attorney will file the reply of the patition of Sh Bhupernder Pal Mahajan within 7 days positively.

Point No.-6. All the Executive Engineer are directed that where excavation/ cutting is component in the work, the quantity of stone/ aggregates

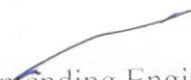
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generated during cutting be certified and copy may be sent to Distt. Mining Officer for issuing of permits for using the material.


You are, therefore, requested to look in to the matter personally and take necessary action in the matter as per direction issued by the Govt., in letter & spirit and compliance be reported to this office for taking further necessary action please.

Encl. As above


Superintending Engineer D-III,
HPPWD Shimla-2

Copy of above is forwarded to :-

1. The Principal Secretary (PW) to the Govt., of H.P. w.r.t his office letter under reference for information please.
2. The State Geologist, Department of Industries, Udyog Bhawan Bemloe Shimla-1 for information and taking further necessary action please.
3. All the Executive Engineers in HPPWD for information and taking further necessary action.
4. The Deputy Distt., Attorney (internal) for information. He is requested to file the reply of petition in the Hon'ble High Court of H.P. w.r.t writ petition of Sh Bhupender Pal Mahajan V/S state of H.P. as per decision.
5. All the Branch Officer (internal) for information.
- ✓ 6. The Executive Engineer (IT) for information. He is requested to upload the above instructions on the departmental website.


Superintending Engineer D-III,
HPPWD Shimla-2

Proceedings of meetings held on 01.11.2021 at 11:00 AM under the Chairmanship of Principal Secretary (PW) to discuss the issues related to W and X Forms/Transit passes, imposition of royalty on process product/GST paid bills etc. on finished products of Minor Minerals.

The meeting was attended by followings:-

1. The Principal Secretary (PW) to the Govt. of HP
2. The Spl. Secretary(PW) to the Govt. of HP
3. Mrs. Archana Thakur, Engineer-in-Chief, HPPWD
4. Sh. Puneet Guleria, State Geologist.
5. Dr. Rajeev Dogra, Addl. Commissioner(State Tax & Excise).
6. Sh. Ajay Kumar Soni, Superintending Engineer, D-III, HPPWD.
7. Sh. Ajay Kapoor, Superintending Engineer(Works), HPPWD.
8. Anil Mehta, Superintending Engineer(JSV).
9. Sh. Pradeep Thakur, Executive Engineer, HPPWD, Division Nerchowk, Mandi.
10. Sh. Sudheer Gupta, Executive Engineer, HPPWD, Div.-I, Shimla.
11. Sh. Arvind Kumar, Executive Engineer, HPPWD, Division Solan.
12. Sh. S.K. Vij, President Contractor Welfare Association, HP
13. Sh. Atul Kuthiala, General Secretary, Contractor Welfare Association, HP
14. Sh. Bhupinder Paul Mahajan, Contractor.

At the outset, the Pr. Secretary(PW) welcomed all the participants and it was briefed that the Department is not clearing the bills of contractors who have not submitted X or W-Forms as per court direction issued in judgment dated 16.07.2020 in CWP 2395/2020-titled as Daljit Singh Pathania Vs. State of HP & ors. Contractors on the other hand have submitted that X or W-Forms are not being provided by crusher owners. The matter was discussed with all the participants, the Principal Secretary(PW) stressed that Public Works Department will not tolerate/support illegal mining but at the same time, it is the responsibility of Mining Department to proactively check illegal mining. It was brought out by the participants that there is demand-supply gap which is causing shortage of X or W-Forms and also hampering execution of works of PWD.

During the meeting, after detailed deliberations in the matter, the Principal Secretary(PW) imparted following directions:

1. Annual requirement of mining material by HPPWD such as aggregates, sand and stone etc. for various works may be procured Division wise from all Zones and consolidated requirement reflected to the Industries Department.
2. Industries Department may explore the possibility for mining and setting up of crushers through GIC/HPIDC etc. to cater to the needs of mining material required for construction of roads, bridges and buildings in the State.
3. Industries Department is requested to consider and direct crusher owners to make entry of W or X-Forms numbers in GST bills.
4. The bills which are submitted by the contractors without W or X-Forms, the concerned Executive Engineer will send copy of the bills of mining material to District Mining Officer of Industry Department for verification of source.
5. The E-in-C, HP PWD to respond by submitting the reply of petition in the Hon'ble High Court w.r.t. petition of Sh. Bhupinder Paul Mahajan Vs. State of HP within 7 days.
6. The Directions be issued to all Executive Engineers where excavation/cutting is component in the work, the quantity of stone/aggregates generated during cutting be certified and may be sent to Distt. Mining Officer for issuing of permits for using the material.
7. The Industries Department may amend its guidelines and delink developmental Departments from regulatory work in this regard.

The meeting ended with vote of thanks to the chair and vice-versa.

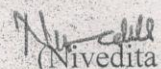
Subhasish Panda
Principal Secretary (PW) to the
Government of Himachal Pradesh

Endst No. PBW(B)F(7)3/2021. Dated: the Shimla-2

12.11.2021

Copy to the followings for information and further n/action:

1. The Secretary(JSV) to the Govt. of Himachal Pradesh.
2. The Commissioner(Excise & Tasation), Block No. 30, SDA Complex Kasumpti, Shimla-9
3. The Engineer-in-Chief, HPPWD Nigam Vihar, Shimla-2.
4. The Director Industries, Udyog Bhawan, Bemloe, Shimla-1


(Nivedita Negi)
Special Secretary(PW) to the
Govt. of Himachal Pradesh