

GOVERNMENT OF INDIA
MINISTRY OF MINES
INDIAN BUREAU OF MINES
OFFICE OF THE REGIONAL CONTROLLER OF MINES

No.: KOL/JHK/SB (W)/Fe (K-1) VOL-II

318/B, Road No.-3,
Ashok Nagar, Ranchi- 834 002
TEL: 0651-2242889/2242903
Fax: 0651- 2242903
Date: 05/12/2018

To:

1. Shri Shiv Kumar Jain , Partner M/s Misrilal Jain & Sons C/o Mineral House 27A. Camac Street Kolkata-700016	2. Shri Devan Chand Jain , Partner M/s Mishrilal Jain & Sons C/o M D House At & P.O. Chaibasa 833201 District –West Singhbhum Jharkhand	3. Shri Akshay Jain , S/o Late Ashok Jain M/s Mishrilal Jain & Sons C/o M D House At & P.O. Chaibasa 833201 District –West Singhbhum Jharkhand
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Sub.: Violation of provisions of the Mineral Conservation and Development Rules, 2017 in respect of your “KARAMPADA” Iron Ore mine (area 202.30 Hects.) in Singhbhum West district of Jharkhand State.

Sir,

On verification of the office record, the following provisions of Mineral Conservation and Development Rules, 2017 were found violated in your above mine and communicated to you vide this office Regd. A/D letter of even no. dated 10/10/2018 giving you a period of 45 (forty five) days for rectification of the same.

Rule No.	Nature of violation observed in detail
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Rule – 11 (4) The holder of a mining lease shall submit the mining plan to the competent authority for review at least one hundred and eighty days before the expiry of five years period for which it was approved on the last occasion, for mining operations for a period of five subsequent years.

In your case, it has been observed the mining plan to the competent authority for review has not been submitted.

Rule-12 (4A) In case of mining leases covered under sub-section (6) of section 8A of the Act where the date of expiry of the period of such lease is on 31st March, 2020, the holders of such mining lease shall carry out General Exploration (G2) over the entire mineralized area under the mining lease before the 1st day of April, 2019 and for this purpose,–

(a) submit to State Government and the Indian Bureau of Mines, within forty five days of issue of this notification, a modified mining plan in accordance with the provisions of the Minerals (Other than Atomic and Hydro Carbons Energy Minerals) Concession Rules, 2016 for completion of General Exploration (G2) over the entire mineralised area under the mining lease as required under clause (a) of rule 5 of the Minerals (Evidence of Mineral Contents) Rules, 2015, in such manner that the plan for exploration is completed before 1st April, 2019, and such plan shall be approved by the Indian Bureau of Mines within thirty days of its submission, with or without any modification;

(b) prepare and submit to the State Government and the Indian Bureau of Mines, a Geological Study Report as required under clause (b) of rule 5 of the Minerals (Evidence of Mineral Contents) Rules, 2015, within one month after completion of exploration work:

In your case, it has been observed that no modified mining plan has been submitted to this office as per statute.

Rule-24(1) The holder of a mining lease shall submit a final mine closure plan to the competent authority for approval two years prior to the proposed closure of the mine.

In your case, it has been observed that the final mine closure plan of the mine has not been submitted to this office.

Rule-26. Responsibility of holder of a mining lease.- (1) The holder of a mining lease shall have the responsibility to ensure that the protective measures including reclamation and rehabilitation works have been carried out in accordance with the approved mine closure plan or with such modifications as approved by the competent authority.

(2) The holder of mining lease shall submit to the competent authority a yearly report as per the format specified by the Indian Bureau of Mines, before 1st day of July every year setting forth the extent of protective and rehabilitative works carried out as envisaged in the approved mine closure plan, and if there is any deviation, reasons thereof:

In your case, it has been observed that a yearly report as per the format specified by the Indian Bureau of Mines has not been submitted to this office.

Rule – 27(1): A financial assurance shall be furnished by the holder of the mining lease, for due and proper implementation of the progressive mine closure plan contained in the mining plan or the final mine closure plan, as the case may be, which shall be an amount of three lakh rupees for Category ‘A’ mines and two lakh rupees for Category ‘B’ mines, per hectare of the mining lease area put to use for mining and allied activities:

Provided that the minimum amount of financial assurance to be furnished under sub-rule (1), shall be ten lakh rupees for Category ‘A’ mines and five lakh rupees for Category ‘B’ mines:

In your case, it has been observed that the financial assurance in respect of your mine has not been submitted to this office.

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02. It has been found that you have responded to the violation letter vide your correspondence no. NIL dated 29/10/2018. The reply submitted by you was duly examined and it was found to be unsatisfactory. Therefore, the above provisions of Mineral Conservation and Development Rules, 2017 still stand violated.
 03. In this connection it is again brought to your notice that the above violations constitute an offence punishable under Rule-62 of MCDR-2017. The relevant extract of the rule 62 is given below:
“**62 Penalty:** - Whoever contravenes any of the provisions of these rules shall be punishable with imprisonment for a term which may extend to two years or with fine which may extend to five lakh rupees, or with both, and in the case of a continuing contravention, with additional fine which may extend to fifty thousand rupees for every day during which such contravention continues after conviction for the first such contravention.”
 04. You are, therefore, directed to show-cause within a period of 30 (Thirty) days from the date of issue of this letter, as to why you should not be prosecuted and /or mining operations should not be suspended for the above offence.
 05. Please note that no further notice will be given to you in this regard.

Yours faithfully

Sd/-
(Anupam Nandi)
Regional Controller of Mines

Copy forwarded for kind information to:

1. **The Director (Mines)**, Govt. of Jharkhand, 3rd Floor, Yojna Bhawan, Jharkhand Mantralaya, Nepal House Area, Doranda, Ranchi – 834002.
2. **The Controller of Mines (EZ)**, Indian Bureau of Mines, Block-CP, Plot no.-13, Salt Lake, Sector-V, Kolkata- 700091.

Sd/-
(Anupam Nandi)
Regional Controller of Mines