



भारत सरकार Government of India
खान मंत्रालय Ministry of Mines
भारतीय खान ब्यूरो Indian Bureau of Mines



क्षेत्रीय खान नियंत्रक का कार्यालय Office of the Regional Controller of Mines

100, ओल्डनेहरू कालोनी, देहरादून (उत्तराखंड) 248001 /100 Old Nehru Colony, Dehradun (U.K.)248001

TEL- 0135-2676350 / 2671896, E-mail – ro.dehradun@ibm.gov.in

फाईल संख्या File No: UP/PGR/MAG-12-DDN

Mine Code: 39UTL09001

दिनांक, 16 Nov 2020

सेवा में To : श्री जीवन सिंह मलल

Email: jeevamagnesite@gmail.com

गाँव-जखानी,
तहसील एवं जिला- पिथौरागढ़,
उत्तराखंड-262501

विषय Sub: Violation of provisions of Mineral Conservation & Development Rules, 2017 in respect of your Dungra Magnesite Mine, Mining Lease over an area of 4.184 ha located near Village-Dungra, Tehsil & District-Pithoragarh of Uttarakhand State.

महोदय Sir,

On examination of Office records, following provisions of the Mineral Conservation & Development Rules, 2017 (herein after MCDR, 2017) were found violated in your above mine and the same was communicated to you vide our letter of even number dated 24-08-2020.

<u>RULE NO.</u>	<u>NATURE OF VIOLATION OBSERVED</u>
11(4)	The holder of a mining lease shall submit the mining plan to the competent authority for review at lease on 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. Mining plan with PMCP was approved vide letter no. 614(2)/MP-B-228/13-DDN dated 31-07-2013 but lessee has not submitted the Review & Updation of Mining Plan with PMCP till date.
26(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 1 st day of July every year setting forth the extent of protective and rehabilitative works carried out as envisaged in the approved mine closure, and if there is any deviation, reasons thereof: On perusal of office records it is observed that yearly report for the years 2018-19 & 19-20 has not been submitted to the competent authority by the holder of the lease in the prescribed till date.
28(1)	The Mining operations had been temporary discontinued as evidenced by monthly returns from July 2020 i.e. more than 90 days but a notice in Form-E has not been submitted till date to this Regional Controller of Mines office.
33	The holder of a mining lease shall, on or before the 30 th day of June every year submit to the authorized officer a digital copy along with a print copy of the surface geological plans and sections maintained under Rule 32. However, the lessee has not submitted the copies of the plans and sections as per Rule 32 for the years 2018-19 & 2019-20
35(2)	Every holder of a mining lease shall monitor his mining and allied activities as per the notified template of star rating in the format prescribed in this behalf by the Indian Bureau of Mines from time to time, and shall submit online its self assessment report before the 1 st day of July every year for the previous financial year, along with the soft copy (in standard format), of high resolution satellite images obtained from CARTOSAT-2 satellite LISS-IV sensor on the scale of cadastral map, as on the 31 st day of march for that financial year, covering the mining lease and an area of two kilometers from the lease boundary, to the Regional Controller or the authorized of the Indian Bureau of Mines. Whereas holder of the mining lease has not submitted by the online self assessment report and the satellite images as per rules for 2018-19 & 2019-20.
45(5)(b)	Monthly returns have not been submitted by the lessee to the Regional Controller/Authorized Officer of Indian Bureau of Mines for the month Feb 2020 onwards.
45(5)(c)	Annual returns for the years ending 31 st March of 2019 (2018-19) & 31 st March of 2019 (2019-20) have not been submitted by the lessee to the Regional Controller/ Authorized Officer of Indian Bureau of Mines.

- On examination of office records, it is evidenced that monthly returns has been submitted thus compliance of rule 45(5)(b) is observed and for remaining rules you have not submitted any reply, thus it has been considered that you do not intend to comply the remaining violated rules and the violation of such Rules 11(4), 26(2), 28(1), 33, 35(2) & 45(5)(c) of MCDR, 2017 still persists.
- In this connection, it is brought to your notice that the above violations constitute an offence punishable under Rule 62 of MCDR 2017.

4. Mining operation can be suspended as per rule 11(2) in case of non-compliance of any Rule/sub-rule of 11 of MCDR 2017 found non-complied.
5. Advise the State Government to order suspension of all mining operations in the mine as per provision of Rule 45(7), in case in complete or wrong or false information has been furnished in statutory or fails to submit statutory returns under Rule 45.
6. You are therefore directed to show cause within a period of thirty (30) days from the date of issue of this letter, as to why you should not be prosecuted and / or why mining operation can be suspended under statutory provisions and/or why not any other action can be initiated in accordance with any competent orders/directives.

Please note that no further notice will be given to you in this regard.

भवदीय Yours faithfully,
16.11.2020

(दामोदर प्रसाद शर्मा / D P Sharma)

सहायक खान नियंत्रक / Assistant Controller of Mines
भारतीय खान ब्यूरो / Indian Bureau of Mines

प्रतिलिपि सूचनार्थ प्रेषित :-

- 1- खान नियंत्रक (उत्तर), भारतीय खान ब्यूरो, उदयपुर। (zo.udaipur@ibm.gov.in)
- 2- निदेशक, भूतत्व एवं खनिकर्म इकाई, उद्योग निदेशालय, देहरादून (सम्बन्धित) (adir-dgm-uk@nic.in)
उत्तराखण्ड
- 3- गार्ड फाइल
- 4- Mine file

सहायक खान नियंत्रक / Assistant Controller of Mines