



भारत सरकार / GOVERNMENT OF INDIA

खान मंत्रालय / MINISTRY OF MINES

भारतीय खान ब्यूरो / INDIAN BUREAU OF MINES

गुवाहाटी क्षेत्रीय कार्यालय / GUWAHATI REGIONAL OFFICE

दूरभाष सं. : / फॅक्स सं.: 0361 2656184,

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Show cause letter
By Speed Post/ E-mail

House No. 216, 3rd Floor, Above
IDBI Bank Chandmari, Post –
Bamunimaidan, Dist – Kamrup
(M), Guwahati, Assam-781021

No:- IBM/GHY/ASM/NCH/LST-2

Dated- 22.01.2018

To,
Shri. Navneet Agarwal
M/s NECEM Cements Ltd.
Housing Colony Road, Rukmaninagar
Dispur, Guwahati – 781006, Assam
e-mail: necemcements@gmail.com

Subject: Violation of provisions of Mineral Conservation and Development Rules, 2017, in respect of your Umrangshu limestone mine over an extent of 35 Ha. in Dima Hasao district of Assam.

Reference: (1) The office letter of even number dtd. 14.11.2017.
(2) Your letter No. NECEM/IBM/2017/077 dtd. 30.12.2017.

Sir,

The above mine was inspected by Shri. SK Mohapatra, SMG in presence of mine officials, S/Shri. Abdul Zubber (Asst. Director) and LC Nath (Production Manager) and violation letter of even number was issued for below mentioned rules of Mineral Conservation & Development Rules, 2017.

| Rule Number | Nature of violations observed |
|--|--|
| 11(1): No holder of a mining lease shall commence or carry out mining operations in any area except in accordance with the mining plan approved, modified or reviewed by the Indian Bureau of Mines or prepared and certified in accordance with the system established by the State Government pursuant to the proviso to clause (b) of sub-section (2) of section 5 or approved by the competent authority of the Atomic Minerals Directorate for Exploration and Research, in respect of minerals specified in Part B of the First Schedule to the Act where the grade of such atomic minerals is equal to or above the threshold value limits declared under Schedule-A of the Atomic Minerals Concession. | <p>The following deviations to the approved review of mining plan was found in your mine:-</p> <p>i) The proposed exploration program for 2017-18 included sinking of 12 Nos. of core bore holes. Not even a single borehole has been sunk till date. <i>Against the above, you have replied that the exploration program will be implemented when a need for the same arises as per your proposed mine expansion project.</i> <i>The same is not acceptable as the entire ML area needs to be explored in a time bound systematic manner as per the approved mining plan.</i></p> <p>ii) As per the approved document, the entire ML area (35 Ha.) comes under un-classified mixed forest. As the mine is under operation, you are advised to submit a copy of the forest clearance & environment clearance from the competent authority to this office. <i>Against the above, you have enclosed the certificate from competent authority that the said tract of land within the ML area is non forest land. However, the approved mining plan indicates mixed forest type of land.</i></p> |

| Rule Number | Nature of violations observed |
|---|--|
| 13(2): The benches in overburden shall be kept sufficiently in advance so that their workings do not interfere with the working of ore or minerals. | The OB benches have not been kept sufficiently advanced ahead of the ore benches and at some places there is no advancement at all. Wastes from OB benches have slid over the ore benches. <i>Against the above, you have replied that the said condition has happened due to heavy rains in the area. The same is not accepted and you are advised to rectify the violation in this regard.</i> |
| 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 1st day of July every year setting forth the extent of protective and rehabilitative works carried out as envisaged in approved mine closure plan, and if there is any deviation, reason thereof; | The same has not been submitted till date to this office. <i>Against the above, you have submitted Form-M and not the desired information. The data is still awaited to be received from your end.</i> |
| 27(2): Where financial assurance is required to be furnished by the holder of the mining lease under sub-rule (1), such amount of financial assurance shall be submitted to the authorised officer, as the case may be, in the form of a bank guarantee in the format specified by the Indian Bureau of Mines: Provided that where financial assurance has already been furnished before the commencement of these rules, an amount equal to the difference between the financial assurance due as on the date of notification of these rules and the financial assurance already furnished, shall be furnished to the authorised officer, as the case may be, within a period of ninety days from the date of notification of these rules: | The differential amount of financial assurance in the form of bank guarantee has not been submitted to this office till date. <i>You have submitted an additional BG of Rs. 5,00,000/- valid upto 31.3.2020. But as per the last approved mining plan, the total proposed broken area is 8.33 Ha. and the financial assurance to be paid at your end is Rs. 24.99 lakh. You have earlier paid a BG for an amount of Rs. 2,08,250 also. Therefore, further additional BG has to be paid from your end is for an amount of Rs. 17,90,750/-.</i> |

02. In this connection, it is brought to your notice that the above violations constitute an offence punishable under Rule 62 of Mineral Conservation and Development Rules, 2017.
03. The mining operations can be suspended under rule 11(2), if compliance of rule 11(1) is not found satisfactory.
04. You are, therefore, directed to show cause within a period of 30 days from the date of issue of this letter, as to why you should not be prosecuted for the above offences.
05. Please note that no further notice will be given to you in this regard

Yours faithfully,

GP
22/1/2018
(PK Bhattacharjee)
Regional Controller of Mines

Copy forwarded for kind information to:

- (i) **The Controller of Mines (EZ), Camp at Nagpur, IBM Nagpur**
- (ii) **The Director, Directorate of Geology & Mining, Govt. of Assam
Kahilipara, Guwahati - 19, Assam**

GP
22/1/2018
(PK Bhattacharjee)
Regional Controller of Mines

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