



VIOLATION LETTER

भारत सरकार GOVERNMENT OF INDIA
खान मंत्रालय MINISTRY OF MINES
भारतीय खान ब्यूरो INDIAN BUREAU OF MINES
क्षेत्रीय खान नियंत्रक के कार्यालय
OFFICE OF THE REGIONAL CONTROLLER OF MINES



Phone: 0674-2352463;
TeleFax: 0674-2352490;
eMail:
ro.bhubaneswar@ibm.gov.in
Plot No.149, Pokhariput
BHUBANESWAR-751020

No.: ORI/GRPH/NUP/MCDR-1/BBS/

Date: 28/02/2019

सेवा में,

✓ Shri Pramod Kumar Agrawal
Agarwal Graphite Industries "Shanti Kunj"
Farm Road, Dist : Sambalpur-768 002, Odisha

Sub: Violation of provisions of MCDR, 2017 in respect of your Gandabahali Graphite Mines, over an area of 20.234 hectare in Nuapada district of Odisha

Sir,

The following provisions of Mineral Conservation and Development Rules, 2017 were found violated in your above said mine during inspection on 22.02.2019 by the undersigned accompanied by S/Shri Harihar Das, Senior Inspector of Mines, Mining Office, Bawanipatna, State Govt., Of Odisha, Jagadish Dash, Senior Surveyor of your mine.

Rule No.	Proposed in the approved mining plan / Rule	Violation
11 (1)	As per the approved mining scheme dated 06.07.2015 i) It is proposed to do exploration by drilling 8 nos of boreholes during the year 2017-18. ii) It is proposed to dispose tailings at the western boulder pitching part of the area, so that tailings will retain in the boulders.	i) During inspection it is observed that only 3 nos of boreholes were drilled as a part of exploration. ii) During inspection it is observed that tailings are spilled over in to the quarry beyond stone boulder pitching area.
28 (1) & (2)	The holder of a mining lease shall sent a notice of temporary discontinuance in Form-E within a period of fifteen days of such discountenance to the authorized officer , as the case may be and the State Government.	During inspection it is observed that mining operations were held up w.e.f. 01.10.2017 by the order of Mining Officer, Bhawanipatna, but no notice in Form-E has been sent to Office of Regional Controller of Mines, IBM, Bhubaneswar.
45 (7)	Holder of mining lease shall not submit incomplete or wrong or false information in daily or monthly or annual returns.	i) During scrutiny of annual return it is observed that details furnished under Part-II A capital structure as Nil, whereas machinery/plant, land are observed. ii) Depreciation on fixed assets in part-III, item no.4 and 5 information not furnished. iii) Information furnished under part-V item no.7 and part-VI item no. 2(b) are contradicting each other. iv) Information not furnished under part-III, item no.5 (c) regradin the payment made to DMF, NMET etc.,

02. It is brought to your notice that these violations constitute an offence punishable under Rule 62 of MCDR, 2017.

Besides, inability to comply with the provision of Rule 11 (1) is liable for suspension of mining operations according to the provisions of Rule 11 (2) of MCDR, 2017.

Further, in view of the above position, the information furnished under Rule 45(5) in the Annual return is construed as furnishing wrong or false information, which leads this office to advise the state government under rule 45 (7) to,-

- (i) Order suspension of all mining operations in the mine and to revoke the order of suspension only after ensuring proper compliance;*
- ii) Take action to initiate prosecution under these rules;*
- (iii) Recommend termination of the mining lease, in case such suppression or misrepresentation of information indicates abetment or connivance of illegal mining;*

03. You are advised to rectify the above violations immediately and intimate the position to this office within **45 (forty-five) days** from the date of issue of this letter.

Yours faithfully,

R. D. D. D.
(Ramkishan R) 28/02/19

Senior Assistant Controller of Mines
Indian Bureau of Mines

मूल प्रति पर नहीं / Not on Original प्रतिलिपि निम्न को सादर सूचनार्थ अग्रेषित

- (1) **The Controller of Mines (EZ), भारतीय खान ब्यूरो / Indian Bureau of Mines, Kolkata-700091.**
- (2) **डायरेक्टर ऑफ माइन्स / The Director of Mines, डायरेक्टोरेट ऑफ माइन्स / Directorate of Mines, उड़ीसा सरकार / Government of Orissa, हेडस ऑफ डिपार्टमेंट बिल्डिंग / Heads of Department Building, न्यू कैपिटल / New Capital, भुवनेश्वर / Bhubaneswar-751 001 : For information & further necessary action on following :**

-sd-
(Ramkishan R)

Senior Assistant Controller of Mines
कृते क्षेत्रीय खान नियंत्रक / For Regional Controller of Mines