

**VIOLATION LETTER**  
**REGISTERED A/D**

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

**No. BIH/GLA/BX/215/RRO**

318/B, Road No.3  
Ashok Nagar, Ranchi – 834 002  
TEL:0651-2242903/2242889  
FAX: 0651-2242903  
Date: 16.11.2017

To,

Sri Vishal Mahendru,  
Legal Heir of (late) B.N.Mahendru (Lessee),  
At- Palmerganj, P.O/Dist.- Lohardaga,  
Jharkhand- 835302

**Sub: Violation of provisions of MCDR, 1988 in respect of your “Amtipani” Bauxite Mine over an area of 26.30 Hectare in Gumla district, Jharkhand State.**

Sir,

The following provisions of Mineral Conservation and Development Rules, 2017 were found violated in your above mine during inspection on 06.09.2017 by Sri N.K.Chaterji, Asstt. Mining Geologist, of Indian Bureau of Mines, Ranchi accompanied by S/Sri Manoj Singh, Mine Manager, O.N.Tiwary, Geologist and Representatives of lessee.

Rule No.	Nature of violations observed in details.
	<p><b>Rule- 11(1):</b> 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.</p> <p>In your case the following have been noticed, which were not pursuant to the approved Mining Plan dated 29.09.2016 valid for the plan period 2016-17 to 2019-20:-</p> <p>(i) The proposed plantation on 7.5m Safety barrier and Backfilled area was not carried out during 2016-17.</p> <p>(ii) The proposed backfilling in quarry no. 3 and 5 have not been carried out as per proposal during 2016-17.</p> <p>(iii) The dump no. 3, between boundary pillar no. 19 and 20, at the central part of the lease was not re-handled during 2016-17, as per proposal.</p> <p>(iv) Excavation has crossed more than the proposed limit on the Northern part of quarry no. 5 during 2016-17 and 2017-18.</p> <p>(v) A dump has been created South of quarry no. 3 and on the West of Dump no. 2, in between boundary pillar no. 8 and 32 without any prior proposal.</p> <p>(vi) Between boundary pillar no. 9 and 10, a trench like excavation has been made, which was not as per proposal made in the approved Mining Plan.</p> <p>These deviation may attract provision of Rule- 11(2) of MCDR, 2017.</p>
	<p><b>Rule- 26(2):</b> 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.</p> <p>In your case the same has not been submitted for the year 2016-17.</p>
	<p><b>Rule-27(2):</b> 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 authorized officer, as the case may be, within a period of ninety days from the date of notification of these rules.</p> <p>In your case it has been observed that no such difference amount of Financial Assurance has been submitted to this office as per statute.</p>

**Contd...2/.**

**No. BIH/GLA/BX/215/RRO**

**Rule-31(4):** The plans and sections required under these rules shall be maintained up to date within three months in case of category 'A' mines as referred to in clause (a) of sub-rule (2) of rule 55, and within twelve months in the case of any other mine as mentioned in clause (b) of sub-rule (2) of rule 55.

In your case it was observed that the same have not been maintained up to date.

**Rule-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 1st day of July every year for the previous financial year, along with the soft copy (in the standard format), of high resolution satellite images obtained from CARTOSAT-2 satellite LISS-IV sensor on the scale of cadastral map, as on the 31st day of March for that financial year, covering the mining lease and an area of two kilometres. from the lease boundary, to the Regional Controller or the authorized officer of the Indian Bureau of Mines.

The required satellite image has not been received from your end.

**Rule-45(7):** The Annual Return for the year 2016-17 has been submitted, the following discrepancies have been observed. (I) In Part- I, item no. 11(iv & v), the information furnished is not correct, item no. 12(i & ii), the information should be reconciled properly, item no. 12(iv & vii), no information have been furnished. (II) In Part-IIA, no information has been furnished. (III) In Part-IV, item no. 5(i), (ii) & (iii) under Taxes and Cess, no information have been furnished. (IV) In Part- V, the information furnished at item no. 1.(c)(iii), needs to be corrected, item no. 3.A(1), information furnished needs to be reconciled, item no. 4.2(A)(i) to (iii), information not furnished properly, item no. 4.2(C), no information has been furnished, Sec 5/6/8/9(Mining machinery), complete information has not been furnished. (V) In Part-VI, item no. 3, no information has been furnished.

Incomplete or wrong or false information in Monthly or Annual returns may attract Provision of Rule-45(7)(a) of MCDR, 2017.

**02.** In this connection it is 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.

**03.** You are, therefore, 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,

Sd/-

(Anupam Nandi)

Regional Controller of Mines

**Copy forwarded for kind information to:**

**The Director of Mines,** Govt. of Jharkhand, Nepal House Area, Doranda, Ranchi – 834 002.

(a) For examination & extent of the pit / quarries and its development /proposals etc. there is requirement of the boundary pillars. But physical presence of all the boundary pillars of the lease boundary /area have not been seen at the time of inspection as per rule 12(1)(v) of Minerals (Other than Atomic and Hydrocarbons Energy Minerals) Concession Rule, 2016.

(b) The lessee shall have to comply with the aforementioned Mineral Conservation and Development rule 2017 framed under Section 18 of the Mines and Minerals (Regulation & Development) Act, 1957 (amended upto 27<sup>th</sup> March 2015) as required under Rule 29(a) of Minerals (Other than Atomic and Hydrocarbons Energy Minerals) Concession Rule, 2016.

Sd/-

(Anupam Nandi)

Regional Controller Of Mines

**No. BIH/GLA/BX/215/RRO**

**N.O.O.:**

Copy forwarded for kind information to:

- 1. The Controller of Mines (CZ),** Indian Bureau of Mines, Civil Lines, Nagpur- 440001.
- 2. The Director General (MMS Division),** Indian Bureau of Mines, Civil Lines, Nagpur- 440001.

Sd/-  
(Anupam Nandi)  
Regional Controller Of Mines