

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/217/RRO

318/B, Road No.3
Ashok Nagar, Ranchi – 834 002
TEL:0651-2242903/2242889
FAX: 0651-2242903
Date: 05.10.2017

To,

Sri Vivek Garg,
Legal Representative of (late) P.S.Garg (Lessee),
Lake Avenue, Kanke Road,
Ranchi- 834008,
Jharkhand

Sub: Violation of provisions of MCDR, 1988 in respect of your “Chirodih” Bauxite Mine over an area of 16.59 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 05.09.2017 by Sri N.K.Chaterji, Asstt. Mining Geologist, of Indian Bureau of Mines, Ranchi accompanied by Sri R.Singh, representative of the lessee.

Rule No.	Nature of violations observed in details.
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. The Mining Plan of Chirodih Bauxite Mine over an area of 16.59 hect. was approved for a period of 5 (five) years valid for the plan period 2008-09 to 2012-13, completed on 31.03.2013. The subsequent document for this mine for the next 5 (five) years plan period from 2013-14 to 2017-18 was to be submitted at least 180 days before the expiry of 5 (five) years plan period i.e, on or before 02.10.2012 for which it was approved on the last occasion vide letter No. RAN/GML/BX/MP-08/2011-12, dated 04.04.2012. The aforesaid Mining Plan for review, incorporating proposal for further period w.e.f 2013-14 onwards, has not been submitted to this office.
Rule-23:	The holder of a mining lease shall submit to the competent authority a progressive mine closure plan as a component of the mining plan, at the time of submission, modification and review of the mining plan. It was observed that no such review has been submitted as required under the Rule to this office along with Financial Assurance under Rule 27 of MCDR, 2017.
Rule-(28)(1):	Subject to the provisions of section 4A, the holder of a mining lease shall send to the authorised officer, as the case may be, and the State Government a notice in Form E when the mining or mineral processing operations in the mine or part thereof are discontinued for a period exceeding ninety days so as to reach them within one hundred and twenty days from the date of such temporary discontinuance. In your case it was observed that mine has not reported production since September, 2014 and no mining activity was reported since then but no such temporary discontinuance notice has been received from your end to this office.
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.

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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 27th 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

N.O.O.:

Copy forwarded for kind information to:

1. The Controller of Mines (CZ), Indian Bureau of Mines, Indira Bhawan, Civil Lines, Nagpur- 440001.

2. The Controller of Mines (EZ), Indian Bureau of Mines, CP-13, Sector- V, Salt Lake, Kolkata- 700 091

Sd/-
(Anupam Nandi)
Regional Controller Of Mines