



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

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फाईल संख्या File No: UP/PGR/MAG-06-DDN

Mine Code: 39UPR45003

दिनांक, 20-02-2021

सेवा में To : मेसर्स एनाबी। मिनेरल्स कार्पोरेशन,

Email: nbmineralscorporation@rediffmail.com

सीजीवली कॉम्प्लेक्स, नवाबी रोड

हल्द्वानी, जिला-नैनीताल,

उत्तराखंड-263139

विषय Sub: Show Cause Notice in respect of violation of provisions of Mineral Conservation & Development Rules, 2017 in respect of your Dundu Magnesite Mine, Mining Lease over an area of 4.242 ha located near Village-Dundu, District- Pithoragarh of Uttarakhand State.

महोदय Sir,

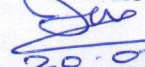
The following provisions of the Mineral Conservation & Development Rules, 2017 were found violated in your above mine during the inspection made by the undersigned on 01-12-2020 in the presence of representative of mining lease holder which was communicated on 28-01-2021.

<u>RULE NO.</u>	<u>NATURE OF VIOLATION OBSERVED</u>
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 May 2019 to December 2019 in the year 2019-20 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 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 2019-20.
45(7)	The holder of a mining lease has submitted incomplete or wrong information in Annual Return 1. Reported Ex-mine Price is not correct in annual return of year 2019-20. As per calculation Ex-mine price is 2084.11 Rs/Tonnes but reported Ex-mine price is given 2100 Rs/Tonnes. 2. Part-VII Cost of Production- Reported Cost of production for Magnesite is 1833 Rs/Tonnes, which is very high.

2. On examination of office records, it is found that Star Rating template has been submitted through online under 35(2) of MCDR, 2017. On perusal of your reply of letter No.NBMC/2020-21/831 dated 15.02.2021 received by this office dated 19-02-2021, it is found that compliance of rules 26(2), 28 & 33 has been made whereas compliance for violation of Rule 45(7) is not found complied. Thus violation of rule 45(7) of MCDR, 2017 still persists.

3. In this connection, it is brought to your kind notice that the above violations constitute an offence punishable under Rule 62 of MCDR 2017.
4. Advise the State Government to order suspension of all mining operations in the mines as per provision of Rule 45(7), in case if it is found that the holder of a mining lease, has submitted incomplete or wrong or false information in statutory returns or fails to submit such return within the date specified under Rule 45.
5. You are advised to rectify the above violations immediately and intimate the compliance position to this office within 30 days from date of issue of this letter.
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 the mining operation should not be suspended under relevant statutory provisions and/or why not any other appropriate action can be initiated in accordance with rules and/or any competent orders/directives.
7. Please note that no further notice will be given to you in this regard.

भवदीय Yours faithfully,


20-03-2021

(दामोदर प्रसाद शर्मा / D P Sharma)

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

प्रतिलिपि सूचनार्थ प्रेषित :-

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- 3- गार्ड फाइल
- 4- Mine file

सहायक खान नियंत्रक / Assistant Controller of Mines