

Violation Cum Showcause notice

REGISTERED A/D

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

No.: BIH/GLA/BX/238/RRO

318/B, Road No.3
Ashok Nagar, Ranchi-834002
TEL:0651-2242903/2242889
Date: 19.08.2016

To,

Sri G C P Agarwal
East Goal Road
Lohardaga
Jharkhand-835302

Sub. : Violation of provisions of Mineral Conservation & Development Rules, 1988 in respect of your KUJAM Bauxite Mine (76.40 hect.) in Gumla district, Jharkhand State.

Sir

The following provisions of Mineral Conservation and Development Rules, 1988 were found violated in your above mine during the inspection on 25.07.2016 by Sri B K Singh, Asstt. Mining Geologist, of Indian Bureau of Mines, Ranchi accompanied by Sri Raja Singh Geologist, representative of the lessee.

Rule No.	Nature of violations observed in details.
Rule-12(3):	The Scheme of Mining of Kujam Bauxite Mine over an area of (129.44 Ha) was approved on 21.06.2012 and lapsed on 31.03.2015. The modification in the approved Mining Plan submitted to the Regional Controller of Mines, Indian Bureau of Mines, Ranchi was withdrawn on 04.11.2015. Therby Rule 12(3) stands violated.
Rule-13(1):	The Mining Operations in the mine are being done without having any valid approved Mining Plan/Mining Scheme. These deviation may attract provision of Rule- 13(2) of MCDR, 1988.
Rule-23 B (2):	As per Mineral Conservation and Development Rules as amended up to 24/12/2003 and Chief Controller of Mines, Indian Bureau of Mines letter no.-K-11014/1/2002-CCOM, Nagpur, dated 10/01/2005, the Progressive Mine Closure Plan for this mine has not been submitted to the Regional Controller of Mines for approval along with Financial Assurance under Rule 23F (3) as a component of the Scheme of Mining.
Rule-45(5)(b):	The Annual Return for 2014-15,2015-16 in Form H-3 has not been submitted to the Regional Controller of Mines as required under the rule .

02. In this connection it is brought to your notice that the above violations constitute an offence punishable under Rule-58 of MCDR-1988. The relevant extract of the rule 58 is given below:

“58 Penalty: - Whoever contravenes any of the provisions of these rule shall be punishable with imprisonment for a term which may extend up to **two years**, or with fine extending to **fifty thousand rupees** or with both, and in the case of continuing contravention with an additional fine which may extend up to **five thousand rupees** for every day during which such contravention continues, after conviction for the first such contravention. Provided that for repeated contravention the punishment should be in the form of imprisonment only”.

03. You are therefore, directed to Show cause within a period of 30(thirty) days from date of issue of this letter as to why you should not be prosecuted for above offence.

Yours faithfully

Sd/-
(G C Sethi)
Dy. Controller of Mines&OIC

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 the boundary pillars of the lease boundary /area have not been seen at the time of inspection as per rule 12(v) of MCR-2016.

(b). The lessee shall comply with the Mineral Conservation and Development rules 1988 framed under section18 of the Mines and Minerals (Regulation & Development)Act, 1957 as required under rule 27(1)(u) of MCR1960.

Sd/-
(G C Sethi)
Dy. Controller of Mines&OIC

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.

Sd/-
(G C Sethi)
Dy. Controller of Mines&OIC