

VIOLATION CUM SHOWCAUSE NOTICE
REGISTERED A/D

GOVERNMENT OF INDIA
MINISTRY OF MINES
INDIAN BUREAU OF MINES
OFFICE OF THE REGIONAL CONTROLLER OF MINES
318-B, Road no. 3, Ashok Nagar, Ranchi-834002
Phone-0651-2242903/2242889, Fax: 0651-2242903
E-mail :ro.ranchi@ibm.gov.in

No. BIH/GLA/BX/227/RRO

Date: 06.09.2016

To,

Shri V.H Pathak, Mine Owner
C/o-Shri Rajesh Kumar Mahato
At- Palmerganj, P.O/Dist.- Lohardaga,
Jharkhand- 835302

Sub: Violation of provisions of MCDR, 1988 in respect of your Bahagara Bauxite Mine over an area of 6.0293ha 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 08.06.2016 by Shri J. Mohanta, Asstt. Mining Engineer of Indian Bureau of Mines, Ranchi accompanied by Shri Hanif Haque, Supervisor.

Rule No.	Nature of violations observed in details.
Rule-12(3):	The Mining Plan of Bahagara Bauxite mine over an area of 6.0293 ha was approved for the plan period 2011-12 to 2012-13 and completed on 31.03.2013. The subsequent Scheme of Mining for the next five years has not been submitted to the Regional Controller of Mines, Indian Bureau of Mines, Ranchi so far for approval. Violation of Rule 12(3) of MCDR, 1988 will also attract the violation of Rule 13(1) of MCDR, 1988 as per the provision of Rule 12(6) of MCDR, 1988.
Rule- 45(5)(a)(iii):	The Monthly return in form F-3 has not been submitted since April, 2016 to the Regional Controller of Mines as required under the rule.
Rule- 45(5)(b)(iii):	The Annual return in form H-3 has not been submitted for the period 2014-15 to 2015-16 to the Regional Controller of Mines as required under the rule. Non submission of annual return will attract the violation of provision of Rule 45(7)(i) of MCDR, 1988.

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 rules 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 advised to show cause within a period of 30 (thirty) days from the date of issue of this letter, as to why you should not be prosecuted for the above offence and/or why the mining operation in the above mine shall not be suspended under the provisions of:

A- Rule 13(2) of Mineral Conservation and Development Rules, 1988 for noncompliance of rule 12(3) of MCDR, 1988.

B- Rule 45(7) (i) (a) of Mineral Conservation and Development Rules, 1988 for noncompliance of rule 45(5)(a)(iii) and 45(5)(b)(iii) of MCDR, 1988.

04. Please note that no further notice shall be given to you in this regard.

Yours faithfully,

Sd/-

(G.C Sethi)

Deputy Controller of Mines & OIC

No. BIH/GLA/BX/227/RRO

Copy forwarded for kind information to The Director of Mines, Govt. of Jharkhand, Nepal House Area, Doranda, Ranchi – 834002.

(a) For examination & extent of the pit / quarries and its development /proposals etc. there is requirement of the boundary pillars as per rule 12(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 1988 framed under Section 18 of the Mines and Minerals (Regulation & Development) Act, 1957 as required under Rule 29(a) of Minerals (Other than Atomic and Hydrocarbons Energy Minerals) Concession Rule, 2016.

Sd/-

(G.C Sethi)

Deputy Controller of Mines & OIC

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/-

(G.C Sethi)

Deputy Controller of Mines & OIC