

**SHOW CAUSE NOTICE**  
**REGISTERED A/D**

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

**No. BIH/GUM/BX/216/RRO**

318/B, Road No.3  
Ashok Nagar, Ranchi – 834 002  
TEL:0651-2242903/2242889  
FAX: 0651-2242903  
Date: 13.07.2016

To,

Sri Awadesh Kumar Singh,  
At/P.O.- Chandwa,  
Dist.- Latehar,  
Jharkhand- 829203

**Sub: Violation of provisions of MCDR, 1988 in respect of your “New Amtipani” Bauxite Mine over an area of 49.069 Hectare in Gumla district, Jharkhand State.**

Sir,

The following provisions of Mineral Conservation and Development Rules, 1988 were found violated in your above mine during inspection on 01.12.2015 by Sri N.K.Chaterji, Asstt. Mining Geologist, of Indian Bureau of Mines, Ranchi accompanied by S/Sri Dubey, Mine Manager, Vishal Mahendru and others and communicated to you vide this office Regd. A/D letter of even no. dated 11.12.2015 giving you a period of 45 (forty five) days for rectification of the same.

<b>Rule No.</b>	<b>Nature of violations observed in details.</b>
<b>Rule-13(1):</b>	States that, every holder of a mining lease shall carry out mining operations in accordance with the approved mining plan with such conditions as may have been prescribed under sub-rule (2) of rule 9 or with such modifications, if any, as permitted under rule 10 or scheme approved under rule 12 as the case may be. In your case the observations are as given below:- (i) The mining operations in the above referred mine is being continued without any valid approved document. (ii) A huge top soil dump has been created on the West of Quarry no.3 (Presently nomenclated as quarry no. 4) which was not proposed in the approved Scheme of Mining valid for the plan period 2011-12 to 2014-15(Development Plan and Section for the year 2014-15, Plate no. 9). (iii) A trench like quarry has been developed within the jungle-jhari area on the East of quarry no.3 (Presently quarry no. 4) at 2500N and 1000E (as shown in Development Plan and Section for the year 2014-15, Plate no. 9) (iv) Exploration in the form of 07 Boreholes were proposed to be carried out on the Southern part of the lease during the plan period 2013-14 (Shown in the Geological Plan of the approved Scheme of Mining). The same has not been carried out. <b>These deviation may attract provision of Rule- 13(2) of MCDR, 1988.</b>
<b>Rule-23 B (2):</b>	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 along with Scheme of Mining, for approval, along with Financial Assurance under Rule 23F (3) as a component of the Scheme of Mining.
<b>Rule-23E(2):</b>	The yearly report for the period 2010-11 to 2014-15, setting forth the extent of protective and rehabilitative work carried out as envisaged in the Progressive Mine Closure Plan incorporated in the approved Mining Plan, before 1 <sup>st</sup> July of every succeeding year has not been submitted.
<b>Rule-27(4):</b>	The plans and sections required under the Rule shall be maintained up to date within three (03) months in case of category ‘A’ mine. In your case it has been observed that the same have not been maintained up to date.
<b>Rule-28(1) (a), (b), (c) &amp; (d):</b>	The owner, agent, mining engineer or manager of every mine shall keep the Surface Plan, Surface Geological Plan, transverse sections and longitudinal sections of the mine. In your case it has been observed that the above Plans/Sections were not kept with the mining engineer and manager of the mine present during the inspection.

**Contd...2/.**

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**Rule-29:** The owner, agent, mining engineer or manager of every mine shall (on or before the 30 th day of June) every year submit to the Controller General, Controller of Mines and the Regional Controller of Mines, a copy of the plans and sections maintained under Rule- 28 of MCDR, 1988. In your case it has been observed that no such Plan/Section have been submitted to this office.

**Rule-32(3):** Whenever the top soil generated during mining operation and cannot be utilized concurrently, it shall be stored separately for future use. In your case it has been observed that the top soil dump has not been maintained/stabilized for its future use.

**Rule-44(2):** The Mining Engineer of the mine shall be responsible for the preparation and maintenance of plans, sections, reports and schemes in accordance with the Rules. In your case it has been observed that the mining engineer of the mine has failed to perform his duty towards preparation and maintenance of plans and sections of the mine.

**Rule- 45(5)(a)(iii):** The Monthly return in form F-3 has not been submitted for the month of November, 2015 to the Regional Controller of Mines as required under the rule.

**02.** It has been found that you have responded to the violation letter vide your correspondence no. Nil, Dated 25.01.2016. The reply submitted by you in your letter was duly examined and it is found that justification/document submitted for Rule-13(1) item no. (iv), 28(1)(a), 28(1)(b), 28(1)(c), 28(1)(d) & 45(5)(a)(iii) are found to be satisfactory and considered to be complied whereas the reply submitted for rest MCD Rules viz. 13(1) item no. (i), (ii) (iii), 23B(2), 23E(2), 27(4), 29, 32(3) & 44(2) are found to be unsatisfactory. Therefore, the above MCD Rules- 13(1) item no. (i), (ii) (iii), 23B(2), 23E(2), 27(4), 29, 32(3) & 44(2) still stand violated.

**03.** It is again brought to your notice that these violations constitute an offence punishable under Rule-58 of MCDR, 1988. **The relevant extracts of the Rule is as follows:- Rule-58:** “whoever contravenes any of the provision of aforesaid 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 upto five thousand rupees for every day during which such contravention continues, after conviction for the first such contravention.”

**04.** You are, therefore, directed 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.

**05.** Please note that no further notice will be given to you in this regard.

Yours faithfully,

Sd/-

(G.C.SETHI)

DY. CONTROLLER OF MINES

**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. But physical presence of all the boundary pillars of the lease boundary/area along with its correct number as shown in the approved document have not been seen at the time of inspection as per rule 12(V) of Minerals (Other than Atomic and Hydrocarbons Energy Minerals) Concession Rule, 2016, and item 2, part VII of Form ‘K’.

(b) The lessee shall have to comply with the aforementioned Mineral Conservation and Development rule 1988 framed under Section18 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)

DY. CONTROLLER OF MINES

**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)

DY. CONTROLLER OF MINES