

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

No.: JHK/PAL/GRP/569/RRO

318/B, Road No.3
Ashok Nagar, Ranchi-834002
TEL:0651-2242903/2242889
FAX: 0651 2242903
Date: 16/12/2016

To,

Sri Hemant Kumar Poddar,
4L, Shree Gopal Complex, Court Road,
Ranchi- 834001

Sub. : Violation of provisions of Mineral Conservation & Development Rules, 1988 in respect of Rabda Graphite Mine (31.76 hect) in Palamau 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 04.10.2016 by Sri N.K Chaterji, Asstt. Mining Geologist, of Indian Bureau of Mines, Ranchi accompanied by Sri Prem Ranjan Srivastava, representative of lessee:

Rule No.	Nature of violations observed in details.
	<p>Rule-12(3): The Scheme of Mining of Rabda Graphite Mine over an area of 31.76 hect. was approved for a period of 5 (five) years valid for the plan period 2010-11 to 2014-15, has been completed on 31.03.2015. The subsequent Scheme of Mining for this mine for the next 5 (five) years plan period from 2015-16 to 2019-20 was to be submitted at least 120 days before the expiry of 5 (five) years plan period i.e, on or before 02.12.2014 for which it was approved on the last occasion vide letter No. RAN/PLM/GRP/MS-06/2012-13, dated 03/01/2013. No further document has been submitted for approval. As per Section 8A of the Mines and Minerals (Development and Regulation) Amendment Act 2015 (implemented w.e.f. 12.01.2015), the lease has been dispensed for further period, subject to the condition that all the terms and conditions of the lease have been complied with. Consequent to amendment in MM(D &R) Act, a Mining Plan under Rule- 17(2) of Minerals(Other than Atomic and Hydrocarbon Energy Minerals) Concession Rules, 2016 has to be submitted. The aforesaid Mining Plan incorporating proposal for further period w.e.f 2015-16 onwards, has not been submitted to this office.</p>
	<p>Rule-23 B (3): The owner, agent, manager or mining engineer shall review the Progressive Mine Closure Plan every five years from the date of its approval in case of existing mine or from the date of opening of the mine in case of fresh grant or from the date of renewal of mining lease, as the case may be and shall submit to the Regional Controller of Mines or officer authorized by the State Government in this behalf, as the case may be, for its approval. It is observed that no such review has been submitted as required under the Rule to this office along with Financial Assurance under Rule 23F (3).</p>
	<p>Rule- 23E(2): The yearly report of every year setting forth the extent of protective and Rehabilitative work carried out as envisaged in the approved Progressive Mine Closure Plan for the period 2015-16 has not been submitted.</p>
	<p>Rule-27(4): 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.</p>
	<p>Rule-29: The owner, agent, mining engineer or manager of every mine shall(on or before the 30th day of June) every year shall submit to the Controller General, Controller of Mines and the Regional Controller of Mines a copy of Plans and Sections maintained under Rule-28 of MCDR, 1988. It is observed that the updated plans and sections as required under the Rule have not been submitted to this office.</p>

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Rule-45(5)(a)(viii): The monthly return in form F-8 has not been submitted from the month of September, 2016 to the Regional Controller of Mines, as required under the rule.

Rule-45(7): The Annual Return for the year 2015-16 has been submitted, the following discrepancies have been observed i. Part- I, item no. 1(d), name of the mine is missing, item no. 2, name of village & Post Office, PIN code etc., have not been furnished, item no. 3, name of P.O has not been furnished, ii.Part- V, item no. 3.(A).1, needs to be corrected.

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, 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 – 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 the boundary pillars of the lease boundary/area 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 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/-
(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, Civil Lines, Nagpur- 440001.

2. The Director General (MMS Division), Indian Bureau of Mines, Civil Lines, Nagpur- 440001.

Sd/-
(ANUPAM NANDI)
REGIONAL CONTROLLER OF MINES