

VIOLATION CUM SHOW CAUSE NOTICE
REGISTERED A/D

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

No.: JHK/PAL/GRP/568/RRO

318/B, Road No.3
Ashok Nagar, Ranchi-834002
TEL:0651-2242903/2242889
FAX: 0651 2242903
Date: 28/11/2016

To,

Sri Shishir Kumar Poddar,
4L, Shree Gopal Complex,
Court Road, Ranchi- 834001 (Jharkhand)

Sub. : Violation of provisions of Mineral Conservation & Development Rules, 1988 in respect of Gaura Graphite Mine (4.664 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 S/Sri Mangal Hasda, Mine Manager cum Mining Engineer and Rahul Kumar Jha, Geologist of the mine :

Rule No.	Nature of violations observed in details.
	<p>Rule-13(1): 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:-</p> <p>(i) The parapet wall all along the dump has not been constructed properly as per proposal.</p> <p>(ii) The total production of Graphite during the year 2014-15 and 2015-16, as shown in the Annual Return, was to the tune of 12178.637 MT and 38437 MT (OC working-11305 MT + Dump working- 27132 MT) against targeted production of 10003 MT and 10534 MT respectively as per approved Scheme of Mining dated 12.07.2013.</p> <p>(iii) During the year 2015-16, production through dump working to the tune of 27132.00 MT was shown in Part-VI of the Annual Return of respective year. The proposal for the same was not incorporated in the approved Scheme of Mining Plan, dated 12.07.2013, valid for the plan period 2012-13 to 2016-17.</p> <p>Non-compliance of Rule 13(1) may attract Provisions of Rule 13(2) of MCDR, 1988.</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 has not been submitted for the year 2012-13 onwards.</p>

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”.

Contd...2/.

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03. In this context the reply received from your end vide letter no. Nil dated 10.02.2016 in context to Show Cause Notice issued vide this office letter of even no. dated 12.01.2016 was not found satisfactory. Further, there was again excess production for the period 2015-16 reported from the mine during the period under review.

04. You are, therefore, directed to show-cause within a period of 30 days from the date of issue of this letter, as to why mining operations in your above mine should not be suspended in accordance to rule 13(2) of MCDR, 1988.

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

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.
The lessee has 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:

The Controller of Mines (CZ), Indian Bureau of Mines, Civil Lines, Nagpur- 440001.

Sd/-
(ANUPAM NANDI)
REGIONAL CONTROLLER OF MINES