

भारत सरकार  
खान मंत्रालय  
भारतीय खान ब्यूरो  
क्षेत्रीय खान नियंत्रक का कार्यालय  
कर्मयोगी भवन, सेक्टर-10A, चतुर्थ माला, ब्लॉक-2 ,  
सी विंग, गांधीनगर  
ई-मेल: gandhinagar.ibm@gmail.com



GOVERNMENT OF INDIA  
MINISTRY OF MINES  
INDIAN BUREAU OF MINES  
Office of Regional Controller of Mines  
Karmayogi Bhavan, 4<sup>th</sup> Floor, Block-2, Sector-10A,  
Gandhinagar-382010, Gujarat

मिसिल सं.- GUJ/KHERA/BXT-025

दिनांक: 24.01.19

प्रेषित : **Shri Sanjay Kumar Trikamlal Shah**  
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**Bhuj, Dist.-Kutch, Gujarat- 370001**  
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विषय : गुजरात राज्य के **Kheda** जिले के **Kapadwanj** तालुका में स्थित आपकी **Sorna Bauxite Mine**, सर्वे नं-[551/P] क्षेत्रफल-  
26.2196 में खनिज संरक्षण व विकास नियमावली 2017 के प्रावधानों का उल्लंघन.(**Mine Code-07GUJ09027**)

महोदय ,

अधोहस्ताक्षरी द्वारा दिनांक 08/01/2019 को आपकी उपरोक्त खान के निरीक्षण के दौरान खनिज संरक्षण एवं विकास नियमवाली 2017 के प्रावधानों का उल्लंघन पाया गया |

नियम सं.	पाए गए उल्लंघन की विस्तृत प्रकृति												
Rule 11(1)	<p>Mining operations were being carried out in violation of following provisions of modified mining plan approved vide letter 684(4) (1)/MP-49MDRD(U)/GNR dated 14.08.2017</p> <p>i) Production of Bauxite achieved during the year 2017-18 &amp; 2018-19 (Till October-2018) were on higher side as given in table.</p> <table border="1"> <thead> <tr> <th>Year</th> <th>Proposed Production of Bauxite as per approved plan</th> <th>Actual Production of Bauxite</th> <th>Increase in production (in %)</th> </tr> </thead> <tbody> <tr> <td>2017-18</td> <td>148621</td> <td>323450</td> <td>117.63</td> </tr> <tr> <td>2018-19(Till Oct-18)</td> <td>118951</td> <td>178200</td> <td>49.80</td> </tr> </tbody> </table> <p>It construes that the production achieved are higher against the proposed production and clearly indicating deviation thereof.</p> <p>ii) As per the Para 8.6, Financial assurance was submitted for the total 6.9687 hectares area during the plan period 2017-18 to 2019-20 whereas total area put to use as per online filed annual return for the year 2017-18 is furnished as 11.96 hectares which is clearly indicates the deviation against the given proposals.</p>	Year	Proposed Production of Bauxite as per approved plan	Actual Production of Bauxite	Increase in production (in %)	2017-18	148621	323450	117.63	2018-19(Till Oct-18)	118951	178200	49.80
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2017-18	148621	323450	117.63										
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Rule 26(2)	<p><i>The holder of mining lease shall submit a yearly report as per the format specified before 1<sup>st</sup> July of every year setting forth the extent of protective and rehabilitative work carried out as envisaged in the approved mine closure plan, and if there is any deviation, reason thereof</i></p> <p>But, in your case the aforesaid Report in prescribe Form for the year 2017-18 not submitted to the Regional Controller of Mine, Gandhinagar.</p>												
Rule 35(2)	<p><i>Every holder of a mining lease shall monitor his mining &amp; allied activities as per the notified template of star ratings in the format prescribed in this behalf by Indian Bureau of Mines from time to time, and shall submit online its self-assessment report before the first day of July every year for the previous financial year, along with the soft copy of high resolution satellite images from CARTOSAT-2 satellite LISS-IV sensor on the scale of cadastral map, as on the 31<sup>st</sup> day of March for that financial year, covering the mining lease and an area of two kilometers from the lease boundary, to the Regional Controller of Mines.</i></p> <p>But, in your case, you have not submitted the online Star Rating Templates for the year 2017-18 along with the soft copy of high resolution satellite images from CARTOSAT-2 satellite LISS-IV sensor to the Regional Controller of Mines, Gandhinagar.</p>												

Rule 45(5)(b)(c)	<p><b><i>The holder of a mining lease shall submit online returns in respect of each mine to the Regional Controller of Mine or any other authorized officer of the Indian Bureau of Mines in the following manner-</i></b></p> <p>A monthly Return which shall be submitted before the 10<sup>th</sup> of every month in respect of the preceding month in electronic form along with a signed print copy of the same if it is not digitally signed, in the prescribed form</p> <p>But, it is observed that, you have not submitted online Monthly Return for the month of December-2018 this Regional office. It is also directed to submit aforesaid returns in online system immediately through <a href="http://www.ibm.gov.in/index.php/auth/login">www.ibm.gov.in/index.php/auth/login</a></p> <p><b><i>In annual Return submitted for the year 2017-18 in form H-3 to the Regional Controller of Mines found following discrepancies –</i></b></p> <p>i) Part-I under item-12, Lease area utilization is not given correctly and not matching the same figures furnished in current approved modified mining plan.</p> <p>ii) Part-III, under item-1, Quantity and cost of material consumed during the year 2017-18 are furnished as “Nil” which is incorrect.</p> <p>iii) Part-III, under item-5, Details of taxes paid to Central and State Govt. like Cess, dead rent, GST, etc. are not furnished.</p> <p>iv) Part-V, under item-3, Reserves and Resources positions are not given correctly and mismatching the approved modified mining plan figures for the year.</p> <p>v) Part-VII, Cost of Bauxite production for the year 2017-18 not given and furnished as “Zero” which is incorrect.</p>
Rule 46	<p><b><i>When any new appointment of an agent, mining engineer, geologist or any person is made under sub-rule (1) of rule 55, within fifteen days from the date of such appointment, termination, leaving or change in address, give a notice in Form-H</i></b></p> <p>In your case Shri. Ravi Patel, Mining Engineer appointed under the rule 55(C)(i) of MCDR,2017 but intimation of his appointment in prescribed Form not send to the Regional Controller of Mine, Gandhinagar.</p>

02. इस संदर्भ में आपका ध्यान आकर्षित किया जाता है की उपरोक्त नियमों का उल्लंघन खनिज संरक्षण व विकास नियमावली, 2017 के नियम 62 के अंतर्गत दंडनीय अपराध है तथा इन नियमों के उल्लंघन की अनुपलना नहीं होने पर खनिज संरक्षण व विकास नियमावली, 2017 के नियम 11(2) एवं 45(7)(a)(i) के अंतर्गत खदान की सारी संक्रियाएं बंद की जा सकती है / आपके विरुद्ध अभियोग दायर किया जा सकता है और/या राज्य सरकार से खदान की सारी संक्रियाएं बंद करने और/या आपके विरुद्ध अभियोग दायर करने की सिफारिश की जा सकती है |

03. अतः आपको सलाह दी जाती है कि आप उपरोक्त उल्लंघनों का तत्काल सुधार कर इसकी सूचना इस पत्र के जारी होने की तिथि से 45 (पैंतालीस) दिनों के अंदर इस कार्यालय को भेजे

भवदीय,

(संजय गिरहे)

वरिष्ठ खनन भूविज्ञानी  
भारतीय खान ब्यूरो, गांधीनगर

**सूचनार्थ व आवश्यक कार्यवाही हेतु प्रेषित:-**

1. खान नियंत्रक (उ.) भारतीय खान ब्यूरो, उदयपुर |
2. आयुक्त, भूविज्ञान व खनन विभाग, ब्लॉक-1, 7वा माला, उद्योग भवन, गांधीनगर (गुज.), को सूचनार्थ एवं उपरोक्त **नियम 11(1) के उल्लंघन के संदर्भ लीजी द्वारा बाक्साइड पत्थरका अनुमोदित खनन योजना में निर्धारित वर्ष के लिए प्रस्तावित उत्पादन से जादा उत्पादन किया गया है** / इस संबंध में अग्रिम कार्यवाही करने का श्रम करे |
3. सहायक भूविज्ञानी, भू-विज्ञान एवं खान विभाग, C-309, सरदार पटेल भवन, नडियाड, गुजरात -387001 को सूचनार्थ एवं उपरोक्त **नियम 11(1) के उल्लंघन के संदर्भ लीजी द्वारा बाक्साइड पत्थरका अनुमोदित खनन योजना में निर्धारित वर्ष के लिए प्रस्तावित उत्पादन से जादा उत्पादन किया गया है** / इस संबंध में अग्रिम कार्यवाही करने का श्रम करे |

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