

VIOLATION CUM SHOW CAUSE NOTICE

E-MAIL / REGD A.D.



भारत सरकार Government of India

खान मंत्रालय Ministry of Mines

भारतीय खान ब्यूरो Indian Bureau of Mines

क्षेत्रीय खान नियंत्रक का कार्यालय Office of the Regional Controller of Mines

100, ओल्ड नेहरू कालोनी, देहरादून (उत्तराखण्ड) 248001 /100 Old Nehru Colony, Dehradun (U.K.)248001

TEL- 0135-2676350 / 2671896, E-mail – [ro.dehradun@ibm.gov.in](mailto:ro.dehradun@ibm.gov.in)



फाईल संख्या File No: HP/SRM/LST-6 Mine Code: 38HPR10002 दिनांक, ०९ January 2020  
सेवा में मै0 आर. पी. आनंद एण्ड संस E-mail: [jagdishanand2@gmail.com](mailto:jagdishanand2@gmail.com)  
To : ग्राम व पो- 0 सतौन,  
तह - 0 पावंटा साहिब, कमरऊ,  
जिला - सिरमौर (हि0 प्र0) - 173029

**विषय** Violation of provisions of Mineral Conservation & Development Rules, 2017 in  
**Sub:** respect of your Barwas Limestone Mine over an area of 4.91 ha located near Village-  
Barwas, Tehsil-Paonta Sahib in Sirmour district of HP State.

**महोदय**  
**Sir,**

The following provisions of the Mineral Conservation & Development Rules, 2017 were found violated in your above mine during the inspection made by the undersigned on 24.12.2019 in the presence of Shri Jagdish Anand Owner & mining lease holder.

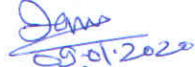
**RULE NO.**

**NATURE OF VIOLATION OBSERVED**

- 11(1) Mining operation were not carried out in accordance with the approved modified mining plan vide letter no 614(2)/MP-B-200/12- DDN dated 07.09.2018 to the following extent:
- As per proposal during the year 2018-19, it was proposed to carry out mining operation by formation of 9 benches of 5 meter each in height from 1430 MRL to 1385 MRL. During the inspection it was observed that benches have not been developed from 1430 mRL downward so far. The height of benches has also been observed up to around 20 mtrs whereas as per approved modified mining plan it should be five meter.
  - As per proposal during the year 2018-19, it was proposed to carry out 06 bore holes, but during the inspection it was observed that two bore hole has been carried out so far.
- 12(4A) According to this rule, in case of mining lease covered under sub-section (6) of section 8A of the MMDR Act, 1957 where the date of expiry of the period of such lease is on 31<sup>st</sup> March, 2020, the holder of such mining lease shall carry out General Exploration (G2) over the entire mineralized area under the mining lease before the 1<sup>st</sup> day of April 2019. During the inspection it was observed that no such exploration has been carried out.
- 26(1) The holder of a mining lease shall have the responsibility to ensure that the protective measures including reclamation and rehabilitation works have been carried out in accordance with the approved mine closure plan or with such modifications as approved by the competent authority. Whereas during inspection of the mine mentioned herein above and also on examination of the office records, plans and sections etc, it has been found that the protective, reclamation and rehabilitation measures as envisaged in the progressive mine closure plan contained in the approved mining plan and the final mine closure plan, have not been carried out by the mining lease holder in accordance to the proposal given in progressive mine closure plan and final mine closure plan.
- 26(2) The holder of mining lease shall submit to the competent authority a yearly report as per the format specified by the Indian Bureau of Mines, before 1<sup>st</sup> day of July every year setting forth the extent of protective and rehabilitative works carried out as envisaged in the approved mine closure plan, and if there is any deviation, reasons thereof :  
On perusal of office records it is observed that yearly report for the year 2018-19 has not been submitted to the competent authority by the holder of the lease in the prescribed in this office till date.
- 33 The holder of a mining lease shall, on or before the 30<sup>th</sup> day of June every year submit to the authorized officer a digital copy along with a print copy of the surface geological plans and sections maintained

- 35(2) Every holder of a mining lease shall monitor his mining and allied activities as per the notified template of star rating in the format prescribed in this behalf by the Indian Bureau of Mines from time to time, and shall submit online its self assessment report before the 1<sup>st</sup> day of July every year for the previous financial year, along with the soft copy (in standard format), of high resolution satellite images obtained 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 or the authorized of the Indian Bureau of Mines. Whereas holder of the mining lease has not submitted by the online self assessment report and the satellite images as per rules.
- 54 The holder of a mining lease shall maintain the royalty assessment register, whereas the same was not found maintained.
- 54(a) The holder of a mining lease shall maintain Details of contribution made to District Mineral Foundation and National Mineral Exploration Trust, whereas the details was not found maintained
2. As you are aware that aforesaid mining lease is expiring on 31.03.2020 and statutory compliances and the compliance of all proposals in Mining Plan, PMCP & FMCP shall be made prior to 31.03.2020. During the inspection satisfactory compliance of provision of MCDR-2017 has not been found in the aforesaid mine, and adherence to the proposal of mining plan and progressive mine closure plan, was also not observed. Further the proposal given in FMCP which was approved vide letter no 614(2)/MP-B-200/12-DDN dated 06.12.2019 are also not found observed till the date of inspection, which attracts statutory actions as per provisions of MCDR 2017. It is reiterated that the mining lease is going to expire on 31.03.2020 and lot of compliances are yet to be made whereas the time left for such compliances is very short.
3. In this connection, it is brought to your kind notice that the above violations constitute an offence punishable under Rule 62 of MCDR 2017.
4. Mining operations can be suspended as per rule 11(2) in case of non compliance of Rule 11(1) of MCDR, 2017.
5. You are therefore directed to show cause notice within 30 days from the date of issue this letter as to why you should not prosecuted for the above offence and/or mining operations can be suspended under statutory provisions.
6. Please note that no further notice will be given to you in this regard.

भवदीय Yours faithfully,

  
(दामोदर प्रसाद शर्मा / D P Sharma)

सहायक खान नियंत्रक / Assistant Controller of Mines

प्रतिलिपि सूचनार्थ प्रेषित :-

- 1- खान नियंत्रक (उत्तर), भारतीय खान ब्यूरो, उदयपुर। (zo.udaipur@ibm.gov.in)
- 2- निदेशक उद्योग निदेशालय, हि0 प्र0 सरकार, उद्योग भवन, शिमला (हि0 प्र0). (geologicalwing@gmail.com)- with a request to kindly direct the lessee for immediate compliance of the said rules. May kindly intimate the action by the State Government as per provision of Rule 12(4 A) (b) of MCDR, 2017.
- 3- गार्ड फाइल

सहायक खान नियंत्रक / Assistant Controller of Mines  
भारतीय खान ब्यूरो / Indian Bureau of Mines