

VIOLATION LETTER 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



फाईल संख्या File No: J&K/ANT/LST-27 CV-WFH Mine Code: 38J&K01019

दिनांक: 13 April, 2020

सेवा में To : M/s Shalimar Stones
Mr. Mohd. Shafi Wani
S/o Habib Ullah Wani
R/o Sadiwara, Tehsil -Doru
District- Anantnag (U.T of J&K)

E-mail: shalimarstones@gmail.com

विषय Sub: Violation of provisions of Mineral Conservation & Development Rules, 2017 in respect of your Sadiwara Limestone Mine over an area of 4.519 ha located near Village- Sadiwara,, Tehsil-Doru in Anantnag district of J&K-U.T

महोदय Sir,

On examination of the office records following provisions of the Minerals Conservation and Development Rules, 2017 were found violated in your above mine:

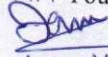
RULE NO.	<u>NATURE OF VIOLATION OBSERVED</u>									
11(1)	<p>No holder of a mining lease shall commence or carry out mining operations in any area except in accordance with the mining plan approved, modified or reviewed by the Indian Bureau of Mines. On examination of office records proposed production(2015-16) in approved Scheme of Mining vide this office letter no 614(2)/MS-B-237/13-DDN dated 19.02.2014 vis-à-vis actual production as per statutory Returns and similarly actual production during 2018-19 as per statutory Returns which was carried out without approved mining plan, is as follows:</p> <table><thead><tr><th>Year</th><th>Proposed production (in tonnes)</th><th>Actual production (in tonnes)</th></tr></thead><tbody><tr><td>2015-16</td><td>38689</td><td>66305.6</td></tr><tr><td>2018-19</td><td>No approved mining plan</td><td>16930</td></tr></tbody></table> <p>Whereas the actual quantity is in excess of proposed quantity in approved Scheme of Mining as above and the mining operations were carried out without any approved proposals/ without approved mining plan for the year 2018-19.</p> <p>Thus the mining operations were carried out in contraventions to the proposals in above referred scheme of mining as mining plan for 2015-16. And also the mining operations were carried out in contraventions to the provision of rule for the year 2018-19 as the mining operations carried out without any approved proposals/ without approved mining plan</p>	Year	Proposed production (in tonnes)	Actual production (in tonnes)	2015-16	38689	66305.6	2018-19	No approved mining plan	16930
Year	Proposed production (in tonnes)	Actual production (in tonnes)								
2015-16	38689	66305.6								
2018-19	No approved mining plan	16930								
33	<p>The holder of a mining lease shall, on or before the 30th 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 under rule 32. However, the lessee has not submitted the copies of the plans and sections as per rules for the year 2017-18 & 2018-19</p>									
45(5)(b)	<p>Monthly returns have not been submitted by the lessee to the Regional Controller/authorized officer of Indian Bureau of Mines for months from January 2019 onwards.</p>									

13.04.2020

45(5)(c) Annual returns for the year ending 31st March 2019 has not been submitted by the lessee to the Regional Controller/authorized officer of Indian Bureau of Mines.

2. In this connection, it is brought to your notice that the above violations constitute an offence punishable under Rule 62 of MCDR 2017.
3. Mining operations can be suspended as per rule 11(2) in case of non compliance of rule 11(1).
4. May advise the State Government to order suspension of all mining operation in the mine as per provision of Rule 45(7), in case incomplete or wrong or false information has been furnished in statutory returns or fails to submit statutory returns under rule 45.
5. May initiate appropriate action in accordance with any competent orders/directives etc.
6. You are therefore directed to show cause within a period of thirty (30) days from the date of issue of this letter, as to why you should not be prosecuted and / or why mining operation can be suspended under statutory provisions and/or why not any other action can be initiated in accordance with any competent orders/directives.
7. Please note that no further notice will be given to you in this regard.

भवदीय Yours faithfully,



13.04.2020

(दामोदर प्रसाद शर्मा / D P Sharma)

सहायक खान नियंत्रक / Assistant Controller of Mines

प्रतिलिपि सूचनार्थ :-

1. खान नियंत्रक (उत्तर), भारतीय खान ब्यूरो, उदयपुर। (zo.udaipur@ibm.gov.in)
2. The Director, Directorate of Geology & Mining, Govt. of J&K-U.T, Srinagar, J&K-U.T (dgmjak@gmail.com)
3. गार्ड फाइल

(दामोदर प्रसाद शर्मा / D P Sharma)

सहायक खान नियंत्रक / Assistant Controller of Mines