

Violation cum show-cause Notice

By 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

Phone No.: (0832)- 2741757

Fax No. : (0832) –2741758
403602,

E-Mail : ro.goa@ibm.gov.in

No.KNT/BGM /BX- 2 /Goa

To,

M/s DALCHAND BAHADUR SINGH
92, SHIV PARVATI
VINAYAK NAGAR
BELGAUM
591108

Opp. R.T.O.'s Office,
P.O. FATORDA -

Margao-GOA

Date- 03/10/ 2013

Sub:-Violation of provisions of Mineral Conservation & Development Rules, 1988 in respect of DBS Bauxite Miner (ML.No.1166), Area-130.85Ha. situated in Bijgarani & Bokanur-village, Tq-Belgaum, District-Belgaum of Karnataka State.

Dear Sir,

The following provision of Mineral Conservation & Development Rules, 1988 was found violated during the inspection of your above mine on 27/8/2013 by the undersigned.

12(3)	The scheme of mining has not been submitted for approval at least one hundred and twenty days before the expiry of five years period for which it was approved on for the last occasion. In your case submission of scheme of mining document was due w.e.f.-1.12.2007 onwards.
45(5)(b)	The owner, agent, mining engineer or manager of every mine, shall submit to the Regional Controller of Mines in the Indian Bureau of Mines or any other authorized official of the Indian Bureau of Mines, returns in respect of each mine, in the following manner:- <i>An annual return for the year 2011-12 & 2012-13 which shall be submitted before the 1st July of the preceding financial year in the prescribed form-H-8 but it has not been submitted to the Regional Controller of Mines in the Indian Bureau of Mines Goa office till date.</i>
24(1)	Mining operations in the lease area were temporarily closed but the notice in form D-1 has not been submitted even after more than 90 days from temporary discontinuance to IBM Goa office.

02. In this connection, it is brought to your notice that the above violation constitutes an offence, punishable under Rule 58 of MCDR, 1988. The relevant extract of the rule 58 is given below:

Contd.-2

::2::

“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”.

In this connection it is once again brought to your notice that the non-compliance of rule 45 (5)(b) of MCDR,88 then under rule 45(7) (1) MCDR,88 the following action may be initiated:

1. All mining operation may be suspended.
2. Take action to initiate prosecution under these rules.
3. It may be recommended for termination of mining lease to the State Government.

Further the violation of Rule 12(3) of MCDR may also attract provisions of Rule 13(i)& subsequent of rule 13(2) of MCDR 1988 regarding suspension of mining operations.

03. You are therefore, directed to show cause within a period of thirty (30) days as to why you should not be prosecuted for the above offence and/or why mining operations shall not be suspended as per provision of Rule 13(2)/45(7)(1) of MCDR, 1988.
04. Please note that no further notice will be given to you in this regard.

Yours

faithfully,

(G.Ram)
Assistant Controller of
Mines

Copy forwarded for information to: -

The Director, Deptt. of Mines & Geology, Government of Karnataka, Khanij Bhavan, 49, Race Course Road, Bangalore.

The Deputy Director, Directorate of Mines & Geology, Belgaum, Karnataka.

(G.Ram)
Assistant Controller of

Mines

पहले 3 प्रतियों पर नहीं है।

(1) खान नियंत्रक (द.आ.), भारतीय खान ब्यूरो, बैंगलोर को सूचनार्थ प्रेषित । यह पत्र क्षेत्रीय खान नियंत्रक, भारतीय खान ब्यूरो गोवा के अनुमोदन के बाद ही जारी किया जा रहा है।

(2) मुख्य खनिज अर्थशास्त्री, भारतीय खान ब्यूरो, नागपुर

(जी. राम)
सहायक खान नियंत्रक
कृते क्षेत्रीय खान नियंत्रक

