

VIOLATION CUM SHOW CAUSE NOTICE

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Government of India
Ministry of Mines
Indian Bureau of Mines
Office of the Regional Controller of Mines.
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ibmbsr@dataone.in

File No. ORI/GEM/KHD/MCDR-4/BBS

Mahani Complex, 2nd Floor
308, District Centre, Chandrasekharpur
Bhubaneswar-751 016

To

Date : 07.06.2013

**Sri Naresh Kr. Agrawal, Nominated Owner
Bandoguda Iolite Mine,
M/s Manikeswari Gems (P) Ltd.
Plot No.- N3/444, IRC Village, Nayapalli,
Bhubaneswar- 751 015**

Sub: Violation of provisions of MCDR ,1988 in respect of Bandoguda Iolite Mine,, over an area of 2.023 ha in Kalahandi district of Odisha State.

Sir,

The following provisions of Mineral Conservation and Development Rules, 1988 were found violated in your above said mine during inspection on 12.05.2013 by the undersigned.

Rule No.	Nature of Violation
45(5)(b)	Annual Returns for the year 2011-12 onwards have not been submitted so far to the Regional Controller of Mines, IBM, Bhubaneswar.

02. It is brought to your notice that these 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 rules 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 contraventions with an additional fine which may extend up to five thousand rupees for every day during which such contraventions continues, after conviction for the first such contravention. Provided that for repeated contravention the punishment should be in the form of imprisonment only”.

Further, failing to submit, the annual returns under Rule 45 (5) (b) of the Mineral Conservation and Development (Amendment) Rules'1988, resulting in violation of Rule 45(7) of the Mineral Conservation and Development (Amendment) Rules'1988 (MCDR'88), amended vide notification of GSR 75(E) dated 09.02.2011, which leads to suspension of all mining operations in the mine as well as prosecution of the owner, agent and manager.

03. You are advised to rectify the above violations immediately and intimate the position to this office **within 30 (thirty) days** from the date of issue of this letter.

Yours faithfully,

(PREM PRAKASH)
Sr. Assistant Controller of Mines

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- (1) [kku fu;a=d(e;/kazpy)/The Controller of Mines (CZ),Hkkjrh; [kku C;wjks@ Indian Bureau of Mines, ukxiqj /Nagpur-440 001.
- (2) Superintending Mineral Economist (Stat.), MMS Division, Indian Bureau of Mines, ukxiqj /Nagpur-440 001.
- (3) Mk;jsDVj vkWQ ekbUI /The Director of Mines,Mk;jsDVksjsV vkWQ ekbUI@Directorate of Mines,mM+hlk ljdkj /Government of Orissa, gsMI vkWQ fMikVZesaV fcfYMax /Heads of Department Building, U;w dSfiVy /New Capital, Hkqous'oj /Bhubaneswar-751 001.

(PREM PRAKASH)
Sr. Assistant Controller of Mines
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