

SHOW-CAUSE NOTICE**REGD AD**

GOVERNMENT OF INDIA
MINISTRY OF MINES
INDIAN BUREAU OF MINES
OFFICE OF THE REGIONAL CONTROLLER OF MINES.

Mahani Complex.2nd Floor
308, District Centre,
Chandrasekharpur
Bhubaneswar-751016
Date: 31.07.2013

File No. ORI/GRPH/BLG/MCDR-37/BBS.

To

Shri N L Agrawal, Mine Owner
At / P.O: Balibandha
Dist: Sambalpur, Odisha
PIN: 768 038

Sub: Violation of provisions of Mineral Conservation & Development Rules, 1988 in respect of Gaindimal Graphite Mine of Ahri N L Agrawal., over an area of 41.504 ha in Bolangir District of Odisha State.

Sir,

The following provisions of Mineral Conservation & Development Rules, 1988 (MCDR'88) were found violated during inspection of mine on 06.07.2013 by Shri N M Dey, Assistant Mining Engineer accompanied by Shri Bikash Mohanty, Surveyor.. The violation cum show cause notice was also communicated to you vide this office letter no: ORI/GRPH/BLG/MCDR-37/BBS **dated 01.11.2011 for rectification of the same..**

Rule being violated	Rule position	Status and extent of violation
12(2) & (3)	The scheme of mining shall be submitted to the Regional Controller (or the officer authorized in this behalf by the State Government, as the case may be,) at least one hundred twenty days before the expiry of the five years period, for which it was approved on the last occasion.	During inspection it was observed that Scheme of Mining in respect of your above mine was not submitted 120 days before expiry of the mining plan approved on 08.10.1996; which was valid up to 31.03.2002. At present there is no approved proposals to carry out mining operation in your mine.
24 (1)	The owner, agent, mining engineer or manager of every mine shall send to Controller General, Controller of Mines and the Regional Controller of Mines a notice in Form D-1 when the mining operation in the mine or part thereof are discontinued for a period exceeding 90 days so as to reach them within one hundred and five days from the date of such temporary discontinuance.	Notice of temporary discontinuance of work in mines in Form D-1 has not been submitted to this office.

45(5) (a) (viii) & (b) (viii):	A monthly return shall be submitted before the 10 th of every month in respect of preceding month. An annual return shall be submitted before the 1 st July each year for the preceding financial year.	During inspection it was observed that Monthly returns, since April, 2007 have not been submitted to this office. During inspection it was observed that Annual returns, since 2007-08 have not been submitted to this office.
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02. However, it has been found that even after lapse of more than one and half year from the issue of violation cum show cause notice, you have not responded.

03. In this regard, it is brought to your notice that the violation of provisions of Rule 12 results in violation of Rule 13(1) of MCDR'88 and inability to comply violation of Rule13(1) also attracts provision of Rule 13(2) of MCDR 88, further the violation constitutes an offence punishable under Rule 58 of MCDR'88.

04. You are, therefore, directed to show cause within a period of 15 (fifteen) days from the date of issue of this letter, as to why you should not be prosecuted and/or mining operations in the mine should not suspended in accordance to rule13 (2) of the MCDR, 1988.

05. Please note that no further notice will be given to you in this regard.

Yours faithfully

(L H CHHANGTE)
Deputy Controller of Mines
For Regional Controller of Mines

Copy to forwarded for kind information to:

- (i) The Director of Mines, Directorate of Mines, Govt. of Odisha, Heads of Deptt. Building, Bhubaneswar-751 001
- (ii) The Controller of Mines (CZ), Indian Bureau of Mines, Nagpur

(L H CHHANGTE)
Deputy Controller of Mines
For Regional Controller of Mines