

Violation cum show-cause Notice



**GOVERNMENT OF INDIA
MINISTRY OF MINES
INDIAN BUREAU OF MINES
OFFICE OF REGIONAL CONTROLLER OF MINES**



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**29, Industrial Suburb, II Stage,
Tumkur Road, Gorguntapalya,
Yeshwantpur,
Bangalore- 560 022.**

No: KNT/UDP/SS-12/BNG

Dated: 9/12/2013

M/s R.D.MENDON & SONS
S.N.RAM COMPLEX
PB NO 2, KAUP,
UDUPI-574 106
Karnataka

Sub : Violation of provisions of Mineral Conservation & Development Rules, 1988 in respect of your Thenka Silica sand mine (ML. No 2597) in Udupi Dist of Karnataka State.

Sirs,

The following provisions of Mineral Conservation & Development Rules, 1988 were found violated during inspection your above mine on 9/12/2013 by **special Task Force – III(Phase-II)Year-2013-14** consisting of S/Shri A.Nandi, DCOM & Team Leader, Prashant S. Hegde, SMG & member alongwith Shri Niranjana A.M., Sr. Geologist, State DMG, in presence of Smt. Sucharita B. Mendon, Partner.

Rule No.	Nature of violation observed
13(1)	The mining operations are not being carried out as per the approved Scheme of Mining, No- 279/993/2007/BNG dated 07/01/2013 to the extent as mentioned below. (i) Exploration:--Twenty numbers of auger boreholes with 200 meterage were proposed in the approved scheme of mining during 2012-13 to 2013-14. However, no exploration was carried out as on date of inspection.
45(5)(a)(viii)	The Monthly Returns in form-F-8 have not been submitted from Sept-13 onwards.
45(5)(b)(viii)	The Annual Return for year 2012-13 has not been submitted in form-H-8 on or before 1 st July of 2013.

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

Cond---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.”

03. You are therefore, directed to show cause within a period of thirty (30) days from the date of issue of this notice, as to why you should not be prosecuted for the above said offence and / or why the mining operation in the mine should not be suspended under rule 45(7)(i)(a) of MCDR 1988 for non-compliance of rules 45(5)(a)(viii) and 45(5)(b)(viii) of MCDR 1988. Inability to comply above rule 13(1) may attract the provision of 13(2) also.

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

Yours faithfully,

O/c *B. Hegde 9/12/13*
(Prashant S. Hegde)
Senior Mining Geologist

Copy forwarded for kind information:--

- 1) The Chief Controller of Mines, Indian Bureau of Mines, Nagpur
- 2) The Director, Dept. of Mines & Geology, 49, Khanij Bhavan, Race Course Road, Bangalore-560 001
- 3) The COM(SZ), IBM, Bangalore.

B. Hegde 9/12/13
(Prashant S. Hegde)
Senior Mining Geologist