

भारत सरकार
खान मंत्रालय
भारतीय खान ब्यूरो
क्षेत्रीय खान नियंत्रक का कार्यालय
कर्मयोगी भवन, चतुर्थ माला, ब्लॉक-2, सी विंग, सेक्टर-10A
गांधीनगर, गुजरात, 382010



Show-cause Notice
E-MAIL/REGD A.D
Government of India
Ministry of Mines
Indian Bureau of Mines
Office of Regional Controller of Mines
Karmayogi Bhavan, 4th Floor, Block-2, Sector 10A,
Gandhinagar, Gujarat-382010

Tel- 079 29750358 /29750359; ई-मेल/ E-mail: ro.gandhinagar@ibm.gov.in

फाईल संख्या File No: GUJ/Porb/Lst-295 / 2480 Mine Code: 38GUJ21082 ID-107/22 दिनांक 15 Feb 2022

सेवा में To: Shri Vajshibhai Lakhmanbhai Oderada,
At Post – Maruti Park, Mal,
Taluka – Kutiyana, District – Porbandar, Gujarat - 362650
Phone No. 9909217537, Email id: aloesciencebiotech@gmail.com

विषय Sub: Violation of provisions of Mineral Conservation & Development Rules, 2017 in respect of your Dhruvala Limestone Mine over an area of 2 ha located near Village- Dhruvala, Tehsil- Kutiyana, District- Porbandar in Gujarat.

महोदय Sir,

The following provisions of the Mineral Conservation & Development Rules, 2017 (MCDR, 2017) were found violated in your above mine during the MCDR inspection made by Shri R.Majumder, RMG on 8.7.2021 in the presence of Shri Maulik /technical person rep. and the same was communicated on 29-7-2021.

RULE NO.	NATURE OF VIOLATION OBSERVED
11(1)	The mining operation are being carried out in violation of the following provision of the approved Review of Mining Plan, which was approved vide letter no. 684(4)(1)/MP-184/2018-MDRD(N)/GNR, Dated 12.12.2018 for the period 2018-19 to 2022-23. In Para 2.0(b), it was proposed that in year 2019-20 Limestone Production of 20,000 tonnes however it is observed from the Annual Return of 2019-20 submitted to this office that you have done production of 35292.79 tonnes in the year 2019-20, which is more than the approved the quantity of production. Apart from this no plantation has been carried out in the year 2020-21 against the proposal of 150 saplings as per proposal given in the approved Review of Mining Plan in the page no 60.
26(2)	The holder of mining lease shall submit to the Regional Controller of Mines, Gandhinagar a yearly report as per the format specified by the Indian Bureau of Mines, before 1 st July every year setting forth the extent of protective and rehabilitative works as envisaged in the approved mine closer plan. It is found that no such yearly report has been submitted for the year 2019-20 and 2020-21.
33	The owner, agent, mining engineer or manager of mine shall submit the digital copy along with a print copy of the Surface Geological plan & section on or before the 30th June of every year. In your case, no aforesaid updated plan & section maintained under rule 32 of MCDR, 2017 and same has not been send to this office till date.
45(7)	In your case, while scrutiny of annual return for the financial year 2020-21 following discrepancies are observed. (1) Part-I, Sr.No.3 Address of the lessee is not matching with the last approved review mining plan. Needs correction. (2) Part-I, Sr.No.6, 7 & 8 Name of Agent, Geologist and Mining Engineer has not given. (3) Part-II, Graduate Mining Engineer and Geologist (whole time) have not been mentioned in this section. (4) Part-IIA, Value of fixed assets, rents, capital expenditures has not mentioned. Needs to mentioned & justified. (5) Part-III, Quantity & Cost of Diesel oil, Electricity consumed, Tyres etc. needs to be mentioned. & overheads costs, maintenance costs are shown zero which is incorrect. This needs to be corrected /justified.
55(1)(3)(i)	A whole time Mining Engineer & Geologist has not been appointed to carry out the duties as required under these rules.

2. On examination of office record, it is found that you have not submitted any reply of violation to this office till date and it is found that violation of provision of rules 11(1),26(2),33,45(7) & 55(1)© is still persists

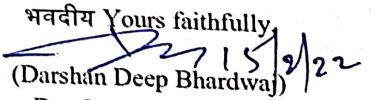
3. In this connection, it is brought to your kind notice that the above violations constitute an offence punishable under Rule 62(1) & 62(2) of MCDR 2017 (as amended up to date) and respective schedule to these rules / including violated rules.

4. Mining operations can be suspended as per rule 11(2) in case of non-compliance of rule 11(1), further mining operations can be suspended as per provision of Rule 45(7), the Regional Controller of Mines may take appropriate action including order of suspension of all mining operations and dispatches on non-compliance of various provisions of Rules.

5. You are also liable to pay an amount of Rs.10000/-per day for such days as per Schedule-II, read with Rule 45(7A) in case of non-compliance of various provisions of Rules.

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 penalty/fine etc. to be imposed and /or why the mining operation should not be suspended under relevant statutory provisions and/or why not any other appropriate action can be initiated in accordance with rules and/or any competent orders/directives. Please note that no further notice will be given to you in this regard.

7. This is issued with approval of Regional Controller of Mines.

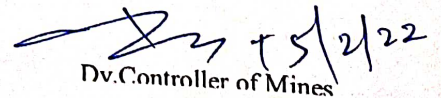
भवदीय Yours faithfully,

(Darshan Deep Bhardwaj)
Dy. Controller of Mines

तिलिपि सूचनार्थ एवं आवश्यक कार्यवाई हेतु प्रेषित :-

- 1- खान नियंत्रक (उत्तर), भारतीय खान ब्यूरो, उदयपुर। (zo.udaipur@ibm.gov.in)
- 2- आयुक्त, भूविज्ञान एवं खनन, निदेशालय, गुजरात को सूचनार्थ एवं आवश्यक कार्यवाही हेतु प्रेषित। (cgm@gujarat.gov.in).
- 3- MMS Division, IBM Nagpur
- 4- MCDR/गार्ड फाइल

जारी किया/Issued

16 FEB 2022


Dy. Controller of Mines