

VIOLATION LETTER**Regd**

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GOVERNMENT OF INDIA
MINISTRY OF MINES
INDIAN BUREAU OF MINES
NAGPUR REGIONAL OFFICE

Block 'B' & 'C', 6th Floor
Indira Bhavan, IBM HQ,
Civil Lines, Nagpur -440 001

No. MAH/RGH /BX-12/ NGP **Mine Code 07MSH12003**

Dated- 13 / 11 / 2015

To : M/s Bhartesh Construction Co.,
Pro. Shri S. T. Kodauchwad,
Shop No. 34/35, Corporation Complex,
Goaves, Hindwadi,
Distt.- Belgaum (Karnataka)-590011

Subject : Violation of provisions of Mineral Conservation and Development (Amendment) Rules, 1988 in respect of your **Dandguri-Khujare Bauxite Mine** over an area of 71.42 Hect. in Raigad district of Maharashtra State.

Sir,

On examination of this office records, it is observed that the following provisions of Mineral Conservation and Development (Amendment) Rules, 1988 amended vide notification of GSR 75(E) dated 09.02.2011 are violated in respect of your above referred mine:

Rule	Nature of violations observed
12(3)	<p>The scheme of mining shall be submitted to the Regional Controller 1[or the officer authorised 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.</p> <p><i>However, last approved document was in form of Scheme of Mining approved vide letter No. RGH/BX/MPLN-744/NGP dated 07.05.2009 which was valid upto 2011-12 and afterwards no document has been submitted to this office.</i></p>
13(1)	<p>Every holder of a mining lease shall carry out mining operations in accordance with the approved Mining Plan / Scheme of Mining with such conditions as may have been prescribed under sub-rule (2) of rule 9 or such modifications, if any, as permitted under rule 10 or the Mining Plan or Scheme of Mining approved under rule 11 or 12 as the case may be.</p> <p><i>However, last approved document was valid upto 2011-12 and on examination of this office records, mining operations have been continued in the mine without having any valid or approved document. Production reported as per the returns submitted for 2012-13 & 2013-14 are 85000 and 5500 T respectively.</i></p>
23F3	<p>The lessee shall submit the financial assurance to the Regional Controller of Mines or the officer authorised by the State Government in this behalf, as the case may be, before executing the mining lease deeds. In case of an existing mining lease, the lessee shall submit the financial assurance along with the progressive mine closure plan.</p> <p><i>However, Financial Assurance submitted to this office vide BG No. 0150IPEBG090006 has already been expired on 02/02/2012 and afterwards no Financial Assurance has</i></p>

	<i>been submitted to this office.</i>
42	As per Rule 42, employment of Mining Engineer and Geologist has not been done.
45(7)	<p>If it is found that the owner, agent, mining engineer or manager of mine or the person or company engaged in trading or storage or end-use or export of minerals, as the case may be, has submitted incomplete or wrong or false information in monthly or special or annual returns or fails to submit a return within the date specified, -</p> <p>(i) in the case of mining of minerals by the owner, agent, mining engineer or manager of mine, then the Regional Controller of Mines may,-</p> <p>(a) order suspension of all mining operations in the mine and may revoke the order of suspension only after ensuring proper compliance;</p> <p>(b) take action to initiate prosecution under these rules;</p> <p>(c) recommend termination of the mining lease, in case such suppression or misrepresentation of information indicates abetment or connivance of illegal mining;</p> <p><i>However, the following shortcomings were observed in the Annual Returns submitted for the year 2014-15:-</i></p> <p><i>(i) As per item no. 2(i) of Part-II, mine has worked for 300 days while production reported is NIL.</i></p> <p><i>(ii) Reserves mentioned under part-V at the end of year are incorrect.</i></p> <p><i>Thus violation of Rule 12(3), 13(1), 23F3, 42 and 45(7) has been observed. These violations may lead to suspension of all mining operations in the mine as well as termination of mining lease and prosecution of the owner, agent and manager.</i></p>

01. In this connection, it is brought to your notice that, the above violation of said rule constitutes an offence punishable under Rule 58 of MCDR, 1988.
02. You are, therefore, **advised to rectify the above violation immediately and intimate the position to this office within 45 days** from the receipt of this letter.

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

Yours faithfully,

(Ashish Mishra)
Assistant Controller of Mines

Copy for information and necessary action to:

01. The Director, Directorate of Geology and Mining, Government of Maharashtra, Old Secretariate Building, Civil Lines, Nagpur – 440 001
02. The Controller of Mines (CZ), Indian Bureau of Mines, Nagpur.

(Ashish Mishra)
Assistant Controller of Mines