

**VIOLATION LETTER**  
**REGISTERED A/D**

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

No. BIH/GLA/BX/231/RRO

318/B, Road No.3  
Ashok Nagar, Ranchi – 834 002  
TEL:0651-2242903/2242889  
FAX: 0651-2242903  
Date: 06.08.2015

To,

Shri Awadhesh Mittal,  
(Legal Representative)  
(Late) M.P.Mittal  
At/P.O/Distt.- Lohardaga,  
PIN- 835302 (Jharkhand).

**Sub. : Violation of provisions of Mineral Conservation & Development Rules, 1988 in respect of Lupungpat Bauxite Mine (62.159 hect) in Gumla district, Jharkhand State.**

Sir,

The following provisions of Mineral Conservation and Development Rules, 1988 were found violated in your above mine during inspection on 09.06.2015 by Sri N.K.Chaterji, Asstt. Mining Geologist, of Indian Bureau of Mines, Ranchi accompanied by Sri Mithilesh Kumar representative of the lessee:

Rule No.	Nature of violations observed in details.
<b>Rule-12(3):</b>	The Mining Plan of Lupungpat Bauxite mine(62.159 hc) was approved for a period of five years valid for the plan period 2010-11 to 2014 -15 completed on 31.03.2015. The subsequent Scheme of Mining for the period 2015-16 to 2019-20 was to be submitted at least 120 days before the expiry of five(05) years plan period i.e on or before 02.12.2014 for which it was approved on the last occasion vide letter no. 314(3)/2011-MCCM(C)/MP-19/132, dated 07.08.2012. It has been observed that no Scheme of Mining has been submitted so far to the Regional Controller of Mines, Ranchi for approval.
<b>Rule-23 B (2):</b>	As per Mineral Conservation and Development Rules as amended up to 24/12/2003 and Chief Controller of Mines, Indian Bureau of Mines letter no.-K-11014/1/2002-CCOM, Nagpur, dated 10/01/2005, the Progressive Mine Closure Plan for this mine has not been submitted to the Regional Controller of Mines for approval along with Financial Assurance under Rule 23F (3) as a component of the Scheme of Mining.
<b>Rule- 23E(2):</b>	The yearly report of every year setting forth the extent of protective and Rehabilitative work carried out as envisaged in the approved Progressive Mine Closure Plan has not been submitted.
<b>Rule-27(4):</b>	The plans and sections required under the Rule shall be maintained up to date within three (03) months in case of category 'A' mine. In your case it has been observed that the same have not been maintained up to date.
<b>Rule-29:</b>	The owner, agent, mining engineer or manager of every mine shall(on or before the 30 th day of June) every year submit to the Controller General, Controller of Mines and the Regional Controller of Mines, a copy of the plans and sections maintained under Rule- 28 of MCDR, 1988. In your case it has been observed that no such Plan/Section have been submitted to this office.
<b>Rule-42(1)(c)(i):</b>	As per Mineral Conservation and Development Rules as amended vide notification no.- G.S.R:216(E) New Delhi, 29 <sup>th</sup> March 2010. Every holder of a mining lease shall employ in case of category 'A' mine, a whole time Mining Engineer and Geologist. In your case it has been observed that no such Mining Engineer and Geologist have been appointed as required under the rule with intimation of the same under Rule-46 of MCDR, 1988 to the Indian Bureau of Mines, Ranchi.
<b>Rule-45(7):</b>	The Annual Return for the year 2014-15 has been submitted, the following discrepancies have been observed i. Part- I, item no. 8, information furnished has not been supported with submission of Form-I in respect of appointment of Mining Engineer. ii. Part-II, item no. 1.(i), does not match with item no. 8 of Part-I. Item no. 3(i), no information has been furnished. Item no. 3.C, information furnished does not match with item no. 1 and item no. 2(i) of Part-II. iii. Part-IIA, item no. 1(i), no information has been furnished. iv. Part-III, item no. 5(b), no information has been furnished. After submission of online Annual Return the same has not been submitted in hard copy bearing signature of appropriate authority. This amounts to furnishing of incomplete/wrong information in Annual return which may attract provision of Rule- 45(7)(i) of MCDR, 1988.

Contd...2/.

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**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:

**“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?

Provided that for repeated contravention the punishment should be in the form of imprisonment only”.

**03.** You are, therefore, advised to rectify the above violations immediately and intimate the position to this office within 45 (forty five) days from the date of issue of this letter.

Yours faithfully,

-sd-

(R.Purohit)

Regional Controller of Mines

**Copy forwarded for kind information to:**

**The Director of Mines**, Govt. of Jharkhand, Nepal House Area, Doranda, Ranchi – 834 002.

- (a) For examination & extent of the pit / quarries and its development /proposals etc. there is requirement of the boundary pillars. But physical presence of all the boundary pillars of the lease boundary /area except lease boundary pillar no. 1, 2, 5, 9, 10, 11, 12 & 19, have not been seen at the time of inspection as per rule 31 of MCR -1960 and item 2, part VII of Form ‘K’.
- (b) The lessee shall have to comply with the Mineral Conservation and Development rules 1988 framed under Section18 of the Mines and Minerals (Regulation & Development)Act, 1957 as required under Rule 27(1)(u) of MCR1960.

-sd-

(R.PUROHIT)

REGIONAL CONTROLLER OF MINES

**N.O.O.:**

Copy forwarded for kind information to:

**1. The Controller of Mines (CZ)**, Indian Bureau of Mines, Civil Lines, Nagpur- 440001.

**2. The Director General (MMS Division)**, Indian Bureau of Mines, Civil Lines, Nagpur- 440001.

-sd-

(R.PUROHIT)

REGIONAL CONTROLLER OF MINES