

VIOLATION LETTER
REGISTERED A/D

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

No. BIH/LOH/BX/209/RRO

318/B, Road No.3
Ashok Nagar, Ranchi – 834 002
TEL:0651-2242903/2242889
FAX: 0651-2242903
Date: 28.09.2015

To,

Sri I. J. Joshi
(Nominated Owner)
M/s Minerals and Minerals Ltd.
At/P.O- Renukut,
Distt.-Sonebhadra,
Uttar Pradesh- 231217

Sri B.K.Jha,
(Vice President & Agent of Mines)
M/s Hindalco Industries Ltd,
Court Road, At/P.O- Lohardaga
Distt.- Lohardaga,
Jharkhand- 835302

Sub: Violation of provisions of MCDR, 1988 in respect of your “Pakhar” Bauxite Mine over an area of 15.577 Hectare in Lohardaga district, Jharkhand State.

Sir,

The following provisions of Mineral Conservation and Development Rules, 1988 were found violated in your above mine during inspection on 09.09.2015 by Sri N.K.Chaterji, Asstt. Mining Geologist, of Indian Bureau of Mines, Ranchi accompanied by S/Shri S.P.Jha, Mine Manager and Arun Behra, Geologist:

Rule No.	Nature of violations observed in details.
Rule-23E(2):	The yearly report for the period 2014-15, setting forth the extent of protective and rehabilitative work carried out as envisaged in the Progressive Mine Closure Plan incorporated in the approved Scheme of Mining, before 1 st July of 2015 has not been submitted.
Rule-24:	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 operations in the mine or part thereof are discontinued for a period exceeding ninety days so as to reach them within one hundred and five days from the date of such temporary discontinuance. It has been observed that no such notice has been received by this office.
Rule-32(3):	Whenever the top soil generated during mining operation and cannot be utilized concurrently, it shall be stored separately for future use. In your case it has been observed that the top soil dump has not been maintained/stabilized for its future use.
Rule-42(1)(c)(i):	As per Mineral Conservation and Development Rules as amended vide notification no.- G.S.R:216(E) New Delhi, 29 th 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 a whole time Geologist has not 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.
Rule- 45(5)(b)(iii):	The hard copy of Annual return in form H-3 has not been submitted for the year 2014-15 to the Regional Controller of Mines as required under the rule.
Rule-48:	The owner, agent, mining engineer, geologist or manager of every mine shall keep a record in Form-K of all shafts or boreholes exceeding ten(10) metres in depth and shall retain all records and sample of the strata passed through for a period of not less than twelve(12) months after the completion of the work or abandonment thereof. In your case it has been observed that Form-K has not been maintained for three recently given boreholes.

Contd...2/.

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. The mining operations can be suspended under Rule-13(2) of MCDR, 1988, if compliance of Rule-13(1) is not found satisfactory.

04. 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 – 834002.

(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 along with its correct number as shown in approved document 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 aforementioned 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