

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

No.: JHK/PAL/GRP/568/RRO

Mine code -28JHK14001

318/B, Road No.3
Ashok Nagar, Ranchi-834002
TEL:0651-2242903/2242889
FAX: 0651 2242903
Date: 12.01.2016

To,

Sri S. K. Poddar
4L,Shree Gopal Complex,
Court Road
Ranchi-834001

Sub. : Violation of provisions of Mineral Conservation & Development Rules, 1988 in respect of your Gaura Graphite Mine (4.66 hect.) in Palmau district, Jharkhand State.

Sir

The following provisions of Mineral Conservation and Development Rules, 1988 were found violated in your above mine during the inspection on 19.08.2015 by Sri B K Singh, Asstt. Mining Geologist, of Indian Bureau of Mines, Ranchi accompanied by Sri Rahul Jha, & Sri Rahul Sinha representing you and communicated to you vide this office letter of even no dated 15.10.2015, giving you 45(forty five) days for rectification of the same.

Rule No.	Nature of violations observed in details.
Rule-13(1):	The mining activity in the mine has not been carried out in accordance with the proposals given in the approved Scheme of Mining. The extent of deviation is as given below. During 2014-15 total production of Graphite ore was 12178 MT against the proposed production of 10003 MT. <i>The inability to comply the provisions of rule 13(1) of MCDR, 1988 may attract the provision of rule 13(2) of MCDR, 1988.</i>
Rule-23E(2):	The yearly report of extent of protective and rehabilitative works carried out as envisaged in approved mine closure plan has not been submitted to the Regional controller of mines before 1 st July , every Year.
Rule-27(4)-:	The plan and section required under the rule shall be maintained up to date within three months in case of category 'A' mine. In your case it has been observed that same have not been maintained up to date.
Rule-29:	The Owner, agent mining engineer or manager of every mine shall(on or before 30 th day of june)every year shall submit to the Controller General, Controller of Mines and the Regional Controller of Mines a copy of Plans and sections maintained under Rule -28 of MCDR,1988.It is observed that the updated plans and sections as required under the rule have not been submitted to this office.
Rule-42(1)(c)(i)-:	A Whole time Mining engineer and Geologist have not been employed in your "A" category mines to carry out mining operations as required under the rule.

Your reply received vide letter no nil dated 30.11.2015 has been duly considered and the rules 13(1),23E(2),27(4),29 & 42(1)©(i) have been considered as complied but reply received in support of Rule 13(1) found not satisfactory. Therefore ,the violation of rule 13(1) still stands violated in your above mine.

2. 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 operation can be suspended under rule 13(2) of MCDR, 1988 if compliance of rule-13(1) is not found satisfactory.

04. You are, therefore directed to Show cause within a period of 30(thirty) days from date of issue of this letter as to why you should not be prosecuted for the above offence for the aforesaid violation.

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

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 the boundary pillars of the lease boundary /area 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 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. But above said violations have not been complied by the lessee under MCDR1988.

-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, Indira Bhawan, Civil Lines, Nagpur- 440001.

-sd-

(R Purohit)

Regional Controller of Mines