

VIOLATION CUM SHOW CAUSE NOTICE

REGISTERED A/D

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

No: BIH/ROH/LST/346/RRO

318/B, Road No.- 3,
Ashok Nagar, Ranchi- 834 002
TEL: 0651-2242903/2242889
FAX: 0651-2242903
Date: 01/03/2016

To,

1. Shri B. C. Srivastava
Director cum Nominated Owner
M/s Kalyanpur Cements Ltd.
At & PO- Banjari-821 303
Dist. Rohtas (Bihar)

2. Shri Sanjay Kumar Singh
G M & Agent of Mines
M/s Kalyanpur Cements Ltd.
At & PO- Banjari-821 303
Dist. Rohtas (Bihar)

Sub: -Violation of provisions of Mineral Conservation and Development Rules, 1988 in respect of your Murlipahari Limestone Mine (53.378 Hects) in Rohtas district, Bihar State.

Sir,

The following provisions of Mineral Conservation and Development Rules-1988 were found violated in your above mine during the inspection on 17/12/2015 by Shri S. Bodra, Asstt. Mining Geologist of Indian Bureau of Mines, Ranchi.

Rule No.	Nature of violations observed in details
Rule-27(4):	States that the plans and sections required under these rules shall be maintained up to date within three months in case of category 'A' mines as referred to in clause (b) of sub -rule 42, and within twelve months in the case of any other mine. In your case, your mine being a category 'A' mine is required to have up dated plans and sections within three months, the same is not found and shown during the inspection and hence not updated.
Rule-29:	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, 88. In your case, it was found that the updated plans and sections have not been submitted as required under statute.
Rule-42(1) (c) (ii):	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 category 'B' mine, a part time Mining Engineer and a part time Geologist. In your case it has been observed that no such Geologist have been appointed as required under the rule with intimation of the same under rule 46 of MCDR, 1988.

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”.

Contd---2/-

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

04. 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 – 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 the boundary pillars of the lease boundary /area have not been seen at the time of inspection as per rule 33 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 MCDR, 1988.

-sd-

(R. Purohit)

Regional Controller of Mines

N.O.O.:

Copy forwarded for kind information to: -

The Controller of Mines (CZ), Indian Bureau of Mines, Indira Bhawan, Civil Lines, Nagpur- 440 001.

-sd-

(R. Purohit)

Regional Controller of Mines