Violation /VL cum Show-Cause Notice
E-MAIL / REGD A.D

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Government of India
Ministry of Mines
Indian Bureau of Mines
Office of Regional Controller of Mines
Karmayogi Bhavan, 4th Floor, Block-2, Sector 10A,
Gandhinagar, Gujarat-382010

Tel- 079 29750358 /29750359; □ –□□□/ E-mail: ro.gandhinagar@ibm.gov.in

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09.5.2022

□□□□ □□□ **Owner/Agent/Manager/Mining Engineer**

To : □□□□□□□ **:** Sh. Indulal C Vora C/o Sh Bipin G Malkan,
Rukhamani Nivas, Wagheshwari Plot, Near Old Fuwara,
Porbandar-360577

□□□□ Sub: Violation of provisions of Mineral Conservation & Development Rules, 2017 in respect of your Palakheda Bauxite Mine over an area of 4.89 ha located near Village- Palakheda, Tehsil-Porbandar, District-Porbandar in Gujarat.

□□□□□ Sir,

The following provisions of the Mineral Conservation & Development Rules, 2017 (MCDR, 2017) were found violated in your above mine during the MCDR inspection made by the undersigned on 09.4.2022 FN in the presence of Sh Bipin Bhai Malkan, Lessee rep.

RULE NO.	NATURE OF VIOLATION OBSERVED
11(1)	**The mining operations were not carried out as proposed in approved mining Plan vide 684(4) (1) MP-148(28)/2018-□□□□□□)□/(GNR Dated 29.6.2018.** **Exploitation**- Proposal for excavation of ROM was 53072T for the year 2018-19 and 50880T for the year 2019-20 respectively whereas actual ROM was carried out of 81500T for the year 2018-19 and 61692T for the year 2019-20 respectively which is 28428T (53.6%) and 128373T (21.2%) excess against proposed quantity. Excavation of proposal as earmarked in plate for the year deviated substainlly.
26(2)	A yearly report before 1st July of every year setting forth the extent of protective and rehabilitation work carried out as envisaged in the approved progressive mine closure plan for 2020-21 has not been submitted to this office.
27(2) read with 27(1)	Where financial assurance is required to be furnished by the holder of the mining lease under sub rule (1),such amount of financial assurance shall be submitted to the authorized officer, as the case may be, in form of bank guarantee in the format specified by IBM; Provided that where financial assurance has already been furnished before the commencement of the amendment, an amount equal to the difference between the financial assurance due as on the date of notification of the rules and the financial assurance already furnished, shall be furnished to the authorised officer within a period of ninety days from the date of notification; Provided further that the holder of a mining lease shall be required to enhance the amount of financial assurance with the increase in the area of mining and allied activities, as you have excess the proposed quantity substantially.
28(1)	The holder of a mining lease shall send to the authorized officer, as the case may be, and the State Government a notice in Form-E, when the mining & mineral processing operation in the mine or part thereof are dis-continued for a period exceeding ninety days so as to reach them within one hundred and twenty days from the date of such temporary discontinuance. In your case, you have not submitted discontinuance notice to IBM Gandhinagar office so far.
33	The owner, agent, mining engineer or manager of mine shall submit the digital copy along with a print copy of the Surface Geological plan & section on or before the 30th June of every year. In your case, you have not submitted the aforesaid updated plan & section maintained under rule 32 of MCDR, 2017 to this office till date.
55(1)(3)(i)	A Mining Engineer & Geologist have not been appointed for the purpose of carrying out mining operations in accordance with these rules.

2. In addition to above, it is to inform you that violation cum show-cause was issued by this office dated 27/4/2022 and but you have not submitted compliance of violation of rules 35(4B) till date, hence the violation is still persist.
3. In this connection, it is brought to your kind notice that the above violations constitute an offence punishable under Rule 62 of MCDR 2017.
4. Mining operations can be suspended as per rule 11(2) in case of non-compliance of rule 11(1), and any other relevant rules of MCDR 2017 as these rules ensures systematic scientific and responsible mining and/or state Government may be informed to take actions as per competent directives.
5. You are also liable to pay an amount of Rs.10000/-per day for such delay as per Rule **35(4B)**, of non-filing of template as stated in Rule 35(2)
6. You are advised to rectify the above violation immediately and intimate the compliance position to this office, within 45 days from date of issue of this letter.
7. This letter has been issued with the approval of Regional Controller of Mines.

□□□□□ Yours faithfully,

(□□□□□□/G.Ram)
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3- MCDR File

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