

भारत सरकार
खान मंत्रालय
भारतीय खान ब्यूरो
क्षेत्रीय खान नियंत्रक का कार्यालय
कर्मयोगी भवन, चतुर्थ माला, ब्लॉक-2, सी विंग,
सेक्टर-10A गांधीनगर, गुजरात, 382010



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; ई-मेल/ E-mail: ro.gandhinagar@ibm.gov.in

फाईल संख्या File No- JUNA/LST-059 Mine Code: 38GUJ07085 ID- दिनांक 06.5.2022

सेवा में To : Owner/Agent/Manager/Mining Engineer
प्रेषित : Sh. Rajendra P Trivedi, Near S.N.K.School,
University Road, District-Rajkot,Gujarat-360001,
Phone-8200691370

विषय Sub: Violation of provisions of Mineral Conservation & Development Rules, 2017 in respect of your Rakka Limestone Mine over an area of 4.0 ha located near Village-Rakka, Tehsil-Lalpur, District-Jamnagar in Gujarat.

महोदय 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 30.3.2022 FN in the presence of Sh. Manojbhai Tivari, 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-147/ (27)/2018-खानिखस)उ/(GNR Dated 19.11.2018, as follows. Exploitation-proposed for excavation of ROM was 58652T for the year 2020-21 and 58652T for the year 2021-22 respectively whereas actual excavation of ROM was carried out 98369.5T and 144601T which is 39717.5T (67.7%) and 85949T (146.5%) excess against proposed quantity for the year 2020-21 and 2021-22 respectively. Location of excavation proposed in mining plan as earmarked in plate No 3A to 3D are also found deviated substantially. Exploration -It was proposed to drill 06No of core boreholes, (total 100m) as given at page No 14 & earmarked in plate No.2A for the year 2018-19 but till date, no such exploration work done and reported to this office.
26(2)	A yearly report before 1 st 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.
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.
35(4B)	In case of non-filing of templates as stated in sub-rule (2), the holder of mining lease shall be liable to pay an amount of ten thousand rupees per day for such delay to the authorized officer of the Indian Bureau of Mines, as you have submitted star rating templates on 25.1.22, i.e. 83 days delayed with respect to Gazette Notification dated 03.11.2021.
45(5)©	The holder of a mining lease shall submit online returns in respect of each mine to the Regional Controller or any other authorized official of the Indian Bureau of Mines in the following manner. © an annual return which shall be submitted before the 1st day of July each year for the preceding financial year in electronic form along with a signed print copy of the same if it is not digitally signed, in the prescribed form. In your case, you have not submitted the online Annual return of 2020-21 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.

- In addition to above, it is to inform you that SCN issued by this office dated 17/5/2021 but you have not submitted compliance of violation of rule 11(1), 26(2),35(2),45(5)(b) &45(5)(c),55(1)©(i) till date, hence the violation is still persist.
- In this connection, it is brought to your kind notice that the above violations constitute an offence punishable under Rule 62 of MCDR 2017.
- 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.
- As per provision of Rule 45(7), the Regional Controller of Mines may take appropriate action including order of suspension of **all mining operations and dispatches** on non-compliance of various provisions of Rule 45.
- You are also liable to pay an amount of Rs.10000/-per day for such days as per **Schedule-II**, read with Rule 45(7A) in case of non-compliance of various provisions of Rule 45.

7. In context to the violations of Rule 45, you are advised to rectify above violation immediately. You are therefore directed to show cause within a period of 30 days from the date of issue of this letter as to why the action under Rule 45(7) and/or 45(7A) shall not be taken against you. No further notice will be given to you in this regard.
8. 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).
9. 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.
10. This letter has been issued with the approval of Regional Controller of Mines.

भवदीय Yours faithfully,

(जी०राम/G. Ram)

उप खान नियंत्रक /Dy. Controller of Mines

NOO-प्रतिलिपि सूचनार्थ एवं आवश्यक कार्यवाई हेतु प्रेषित :-

- 1- खान नियंत्रक (उत्तर), भारतीय खान ब्यूरो, उदयपुर। (zo.udaipur@ibm.gov.in)
- 2- आयुक्त, भूविज्ञान एवं खनन, निदेशालय, गुजरात को सूचनार्थ एवं आवश्यक कार्यवाही हेतु प्रेषित। *It was observed that excavated area & production reported appears to mismatch.*
- 3- DDG, MMS Division, भारतीय खान ब्यूरो, नागपुर
- 4- MCDR File

उप खान नियंत्रक /Dy. Controller of Mines