Violation cum Showcause Notice
E-MAIL / REGD A.D

□□□□ □□□□□
□□□ □□□□□□□□□
□□□□□□ □□□ □□□□□□
□□□□□□□□□ □□□ □□□□□□□□ □□ □□□□□□□
□□□□□□□□ □□□, □□□□□□ □□□□, □□□□□-2 , □□
□□□□, □□□□□□-10A □□□□□□□□□, □□□□□□,
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; □ –□□□/ E-mail: ro.gandhinagar@ibm.gov.in

□□□□ □□□□□□ File No- POR/LST-92/Part-I Mine Code: **ID-** □□□□□
38GUJ21010 19.07.2022

□□□□ □□□ **Owner/Agent/Manager/Mining Engineer**
To : □□□□□□□ : Sh.Ashok Babulal Sindhav, Office- sham_bapodra@yahoo.co.in,
Hari Bhavan, S.T. Road, Porbandar-362255,

□□□□ Sub: Violation of provisions of Mineral Conservation & Development Rules, 2017 in respect of your Aniyari Limestone, Sy No.[207P] Mine over an area of 23.88 ha located near Village-Aniyari, Tehsil-Ranavav, 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 on 15.5.2022 FN in the presence of Sh. Bharat bhai, Lessee rep.

RULE NO.	NATURE OF VIOLATION OBSERVED
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 wef 01.4.2021 to IBM Gandhinagar office so far.
45(7)	***While scrutiny of annual return 2020-21, following discrepancies observed, which are furnished as below.*** Part-I, Sr No.12 -Land used details are not correct, same needs to be corrected as per approved RMP dated 27.1.21. Part-III-Consumption of material like fuel & lubricants, Tyres are shown zero. Part-IV-Total production during the year & grade wise stocks are not correct. Part-V-Sr.No-4.2-opencast benches/HEMM are shown zero.

2. In addition to above, it is to inform you that SCN was issued by this office dated 15/2/2022 for non-compliance of rules 11(1),26(2),33,45(7),55(1)© but you have not complied these rules, hence violation of aforesaid rules are still persists. Further office record, SCN was issued on 02/5/2021 for non-compliance of violation of rule 27(1)&27(2), but you have not complied the aforesaid rule till date, hence the violation of said rule 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 also affect/ ensures systematic scientific and responsible mining and/or state Government may be informed to take actions as per competent directives.
5. In context to the violations of Rule **45,** it is to inform that, you have also violated the provisions of Rule 45(7) 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.
6. 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.
7. 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.
8. 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. This letter has been issued with the approval of Regional Controller of Mines.

□□□□□ Yours faithfully,

(□□□□□□/G.Ram)
□□ □□□ □□□□□□□□ /Dy.Controller of Mines

NOO-□□□□□□□□□ □□□□□□□□ □□□ □□□□□□ □□□□□□□□ □□□□ □□□□□□□ :-

1- □□□ □□□□□□□□ (□□□□□), □□□□□□ □□□ □□□□□□, □□□□□□□ (zo.udaipur@ibm.gov.in)

2- □□□□□□, □□□□□□□□□ □□□ □□□ ,□□□□□□□□ ,□□□□□□ □□ □□□□□□□□ □□□ □□□□□□ □□□□□□□□□ □□□□ □□□□□□□ □ During inspection, lease boundary pillars were not available/erected & maintained as per statute.

3- MCDR File

□□ □□□ □□□□□□□□ /Dy.Controller of Mines