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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

□□□□ □□□□□□ File No- Juna/LST-298 Mine Code: 38GUJ08341 ID- □□□□□ 26.12.2022

□□□□ □□□ **Owner/Agent/Manager/Mining Engineer**
To : □□□□□□□ : M/s Bharat Chemicals Industries, 208, Fortune
International, Vaneeta Avenue, Opp.rameshwar Petrol pump,
Bhidiya Road, GIDC, Veraval, GirSomnath, Gujarat,

□□□□ Sub: Violation of provisions of Mineral Conservation & Development Rules, 2017 in respect of your Bhetali Limestone mine, Sy No.[61/P], over an area of 51.9215ha located near Village-Bhetali, Tehsil-Sutrapada, District-Girsomnath 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 12.5.2022 AN in the presence of Sh. Sh. Junai Ismail Jada and Jigar Pandya Lessee rep. and the same was communicated on 21-6-2022.

RULE NO.	NATURE OF VIOLATION OBSERVED
11(1)	The mining operations were not being carried out as proposed in approved mining Plan vide 682(23) (528)/2007/MDRD (U)/GNR Dated 17.2.2017 as follows-Exploration- It was proposed to drill 11 No of DTH borehole, each 5m to 15m depth as earmarked in plate No.2B /Pages-11 but no such drilling work done & reported to this office till.
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
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 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.
34A(3)	Every lessee shall carry out a drone survey of his leased area and up to hundred metres outside the lease boundary within six months before submission of any mining plan document or modification thereto to the Indian Bureau of Mines for approval and shall submit processed output [digital elevation model (DEM) and Orthomosaic] images obtained from such survey or any other format as may be specified by the Indian Bureau of Mines in this regard to the concerned Regional Controller of Mines and the Controller General along with the application for approval or modification of mining plan.
45(5)(b)	Monthly return for the month(s) of Jan-22 on 06-03-22 which is a case of delayed submission as per of rules.
55(1)(3)(ii)	A Geologist has not been appointed for the purpose of carrying out mining operations in accordance with these rules.

- On examination of office record, it is found that you have not submitted reply/compliances of aforesaid violated rules dated 21.6.22 and thus the violation of rules 11(1),26(2), 27(2) read with 27(1),28(1),33,34A(3),45(5)(b),55(1)(3)(ii) of MCDR 2017 are still persists. In this case pertaining to rule 45(5) (b) violation cum SCN has already been issued on 21.6.2022.
- Further SCN regarding violation of Rule 45(5)(b) and rules 35(2)/35(4B) has also been issued on 03.10.2022 and 12.9.2022 respectively and you have not submitted compliances of above rules & therefore these rules are still persists. .
- 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.
- 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).
- You are advised to rectify the above violations immediately and intimate the compliance position to this office within 30 days from date of issue of this letter.
- You are therefore directed to show cause within a period of thirty (30) days from the date of issue of this letter, as to why you should not be prosecuted and / or why the mining operation should not be suspended under relevant statutory provisions and/or why not any other appropriate action can be initiated in accordance with rules and/or any competent orders/directives.
- Please note that no further notice will be given to you in this regard.

This letter has been issued with the approval of Regional Controller of Mines.

Yours faithfully,

(G. Ram)

/Dy. Controller of Mines

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- 1- (), , (zo.udaipur@ibm.gov.in)
- 2- , , ,
- 3- DDG, MMS Division, ,

/Dy. Controller of Mines