

I/2173/2022

भारत सरकार

खान मंत्रालय

भारतीय खान व्यूरो

क्षेत्रीय खान नियंत्रक का कार्यालय

कर्मयोगी भवन, चतुर्थ माला, ब्लॉक-2, सी विंग, सेक्टर-10A

गंधीनगर, 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- POR/LST-92/Part-I

Mine Code: 38GUJ21010

ID- दिनांक 23.12.2022

सेवा में To: Owner/Agent/Manager/Mining Engineer

प्रेषित: Sh.Ashok Babulal Sindhav, Office-

Hari Bhavan, S.T. Road, Porbandar-362255,

विषय 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.

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 15.5.2022 FN in the presence of Sh. Bharat bhai, Lessee rep. and the same was communicated on 19-7-2022.

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.

- 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.
- On examination of office record, it is found that you have not submitted reply of aforesaid violation dated 19.7.22 and thus the violation of rules 26(2), 27(2) read with 27(1), 28(1), 45(7) of MCDR 2017 are still persists.
- In this connection, it is brought to your kind notice that the above violations constitute an offence punishable In this case pertaining to rule 45(7) violation cum SCN has already been issued on 19.7.2022 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 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.

भवदीय Yours faithfully,

(जी०राम/G.Ram)

उप खान नियंत्रक /Dy.Controller of Mines

प्रतिलिपि सूचनार्थ एवं आवश्यक कार्यवाई हेतु प्रेषित :-

1- खान नियंत्रक (उत्तर), भारतीय खान व्यूरो, उदयपुर। (zo.udajipur@ibm.gov.in)

2- आयुक्त, भूविज्ञान एवं खनन, निदेशालय, गुजरात को सूचनार्थ एवं आवश्यक कार्यवाही हेतु प्रेषित।

3- DDG, MMS Division, भारतीय खान व्यूरो, नागपुर -requested for Refer back for above scrutiny & update, if not.

उप खान नियंत्रक /Dy.Controller of Mines