

पंजीकृत पावती उल्लंघन सह कारण बताओ नोटिस

भारत सरकार  
खान मंत्रालय  
भारतीय खान ब्यूरो  
क्षेत्रीय खान नियंत्रक 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, 4<sup>th</sup> Floor, Block-2, C Wing, Sec  
10A  
Gandhinagar, Gujarat-382010

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पत्रावली संख्या: गुज/जाम/बाक्सा- 5 Mine code 07GUJ07050 ID दिनांक:

सेवा में: मै. इंपीरियल माइनिंग सिंडीकेट  
विरम आशा हाउस, पंचवटी मेन रोड, जामनगर- 361 100 (गुज.)  
ई मेल: imperialminsyd123@gmail.com

विषय: गुजरात राज्य के देवभूमि द्वारका जिले की कल्याणपुर तालुका में स्थित आपकी नवादरा बॉक्साइट खान, क्षेत्रफल- 13.57 हे. में खनिज संरक्षण एवं विकास नियमावली, 2017 के नियमों का उल्लंघन।  
महोदय,

आपकी उपरोक्त खान का रिट्यू खनन योजना निरीक्षण अधोहस्ताक्षरी द्वारा दिनांक 16.02.2024 को श्री एम.श्रीरामालु, खनन अभियंता की उपस्थिति में किया गया तथा उक्त निरीक्षण के समय खनिज संरक्षण एवं विकास नियमावली, 2017 के निम्नलिखित नियमों का उल्लंघन पाया गया-

नियम सं.	उल्लंघन के प्रकार का विस्तृत ब्यौरा
27(1)	A financial assurance shall be furnished by the holder of the mining lease, for due and proper implementation of the progressive mine closure plan contained in the mining plan or the final mine closure plan, as the case may be, which shall be an amount of five lakh rupees for Category 'A' mines and three lakh rupees for Category 'B' mines, per hectare of the mining lease area put to use for mining and allied activities. In your case it has been observed that Financial Assurance as per statue has not been submitted till date.
34(A) (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. In your case it has been observed that you have not submitted output/details of the drone survey till date, thus it is inferred that you have not carried out the drone survey as per rule.
35(2) Read with 35(4B)	Every holder of a mining lease shall monitor his mining and allied activities as per the template of star rating in the format specified in this behalf by the Indian Bureau of Mines from time to time, and shall submit online its self-assessment report before the 1st day of July every year for the previous financial year, In your case it has been observed that star rating for the year 2022-23 has not been submitted.
45(5)(सी)	The holder of a mining lease shall submit online annual return in respect of each

read with 45(7)	<p>mine to the Regional Controller and the authorized officer of the Indian Bureau of Mines, which shall be submitted before the 1<sup>st</sup> day July each year for the preceding financial year, which shall be complete, correct and true in all aspects. However, in your case, it is found that;</p> <p>a. You have failed to submit the annual return for the financial year 2022-23 within the scheduled date, as <b>you have submitted the Annual Return for the financial year 2022-23 on 01.12.2023, Which is delayed submission.</b></p> <p>b. You have submitted following incomplete/ wrong/ false information in the annual return 2022-23-</p> <p>i) PMCP table in excel and UAV survey kml file have not been uploaded at point 3 of Part-I (General).</p> <p>ii) No details about covered under current workings, roads etc have not been given at point 12 of Part-I (General).</p>
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02. In this connection, it is brought to your kind notice that the above violations constitute an offence punishable under Rule 62 of MCDR 2017.

03. Mining operations can be suspended as per rule 11(2) in case of non-compliance of above relevant rules of MCDR 2017 as these above rules also affect the rule 11(1) i.e. Systematic scientific and responsible mining and/or state Government may be informed to take actions as per competent directives.

04. As per provision of Rule 45(7), on non-compliance of various provisions of Rule 45(5) of MCDR, 2017, The Regional Controller of Mines may take following actions;

- a) Order suspension of all mining operations and dispatches in the mine;
- b) Take action to initiate prosecution under these rules;
- c) Recommend termination of the mining lease in case such suppression or misrepresentation of information indicates abetment or connivance of illegal mining.

05. As per provisions of Rule 45(7A)(ii)(a) of MCDR 2017, which stipulates that the mining lease holder shall rectify the violation stated in the show cause notice and deposit within the period of thirty days, such amount as specified in Schedule II for the period from due date of submission of return till the date of rectification of violation. In this instant case you are also liable to pay an amount, as specified in Schedule II of MCDR 2017, for such delay in submission of the return as mentioned herein above.

- (1) As per provisions of Rule 45(7A)(ii)(b) of MCDR 2017, if the mining lease holder does not provide satisfactory reply or rectify the violation within the said period of thirty days, the mining operations and dispatches may be suspended and any action under sub-rule (7) of Rule 45 may be initiated.

06. in context to the violations of Rule 45, this letter has been considered as show cause notice where 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.

07. You are advised to rectify the aforesaid violations pointed out immediately and intimate the compliance position to this office within the period of 30 days in case of comply of rule 45 and within 45 days for other violates rule from the date of issue of this Notice.

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

भवदीय

( मनीष गुप्ता )

सहायक खान नियंत्रक

भारतीय खान ब्यूरो

प्रतिलिपि -

१. खान नियंत्रक (उत्तर), भारतीय खान ब्यूरो, उदयपुर को सूचनार्थ प्रेषित।

I/32386/2024

2. खनिज सांख्यिकी प्रभाग, भारतीय खान ब्यूरो, नागपुर [mms@ibm.gov.in](mailto:mms@ibm.gov.in) को सूचनार्थ तथा वर्ष 2022-23 की वार्षिक विवरणी Refer back करने हेतु प्रेषित।
3. आयुक्त, भू विज्ञान एवं खनन, गुजरात सरकार, पुराना सचिवालय, ब्लॉक न.- 15, डा जीवराज मेहता भवन, सैक्टर- 10, गांधीनगर को सूचनार्थ प्रेषित करते हुए लेख है कि कि निरीक्षण के समय आंशिक सीमा स्तंभ ही पाये गए।
4. रक्षित पत्रावली।

सहायक खान नियंत्रक  
भारतीय खान ब्यूरो