

I/33660/2024



भारत सरकार / GOVERNMENT OF INDIA
खान मंत्रालय / MINISTRY OF MINES
भारतीय खान ब्यूरो / INDIAN BUREAU OF MINES
क्षेत्रीय खान नियंत्रक कार्यालय
OFFICE OF REGIONAL CONTROLLER OF MINES



फैक्स: (080) 23371027 / 23373287

29, इंडस्ट्रियल सबर्ब, II स्टेज, तुमकुर रोड,

दूरभाष: 080-23371027 / 23375366/67

गोरगुंटापाल्या, येशवंतपुर,

Email ID: ro. bangalore@ibm.gov.in

Bengaluru/ बेंगलुरु -560022

सं/No: KNT/CTD/MN-142/BNG

Mine code: 40KAR07065

Date :12.06.2024

सेवामें/ To,

Smt M. Yashoda,No.125, 3rd Main, 3rd Block,3rd Stage, Basaveswarnagar,

BENGALURU – 560 079

E-mail: mreddymc@gmail.com

विषय/Subject: Violation of provisions of MCDR 2017 in respect of your Mahadevapura Manganese ore Mine, ML No. 2634 over an extent of 2.83ha. having mine code 40KAR07065 in Mahadevapura Village, Holalkere Taluk, Chitradurga District of Karnataka State.

Sir,

The following provisions of the Mineral Conservation and Development Rules, 2017 were found violated in your above mine during inspection on 12.04.2024 by the undersigned in the presence of Sri Ravi Prakash, a representative of the lessee, Shri Achar & Shri Pujar, Qualified Persons and others.

Rules	Nature of Violations observed
45(7)	<p>On examination of the Monthly and Annual Returns of the said mine, the following observations are made:</p> <p>(i) The Monthly Returns have been submitted upto June, 2019 and Monthly Returns for the month of July, 2019 to December, 2022 have not been submitted by the lessee to this office. Meantime, Rule 45 has been amended with penalty clause for non-submission of Returns on 03.11.2021. As per provision of Rule 45(5)(b) of MCDR, 2017 (amended on 03/11/2021), Monthly return shall be submitted before the tenth day of every month in respect of the preceding month in electronic form'' non-submission of Monthly Returns in the stipulated time-line will attract penalty @₹10,000/- per day. Further, as per Rule 45 of MCDR, 2017 (amended on 21/01/2024), non-submission of Monthly Returns in the stipulated time-line will attract penalty @₹5000/- per day. In the instant case, Monthly Returns for the Month of November, 2021 to December, 2022 have not been submitted in stipulated time. Penalty for 944 days @₹5000/- per day works out ₹47,20,000/- (Rupees Forty-Seven lakhs and twenty thousand only).</p> <p>(ii) Further, Monthly Return for the Month of January, 2023 and March, 2023 have been submitted on 11.2.2023 and 14th April, 2023</p>

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respectively, which are after the due date. Penalty for 5 days @₹5000/- per day works out ₹25,000/- (Rupees Twenty five thousand only).

(iii) The Annual Returns have been submitted up to 2017-18 and Annual Returns for the year 2018-19 to 2020-21 (three years) have not been submitted by the lessee to this office. As per provision of Rule 45(5)(c) of MCDR, 2017 (amended on 03/11/2021), Annual return shall be submitted before 30th June of every year in respect of the preceding year in electronic form”, non-submission of Annual Returns in the stipulated time-line will attract penalty @₹10,000/- per day. As per Rule 45 of MCDR, 2017 (amended on 21/01/2024), non-submission of Annual Returns in the stipulated time-line will attract penalty @₹5000/- per day. In the instant case, the Annual Return for the year 2021-22 has not been submitted till date. Fine for 1077 days @₹5000/- per day works out ₹53,85,000/- (Rupees Fifty three lakhs and Eighty five thousand only)

The total penalty under Rule 45(7) of MCDR, 2017 works out to be Rs. 1,01,30,000/- (Rupees one crore one lakh thirty thousand only).

However, by considering the provision of sub-section (2) of Section 21 of MM(DR) Act, 1957, you are hereby advised to pay the penalty of **Rs. 5,00,000/- (Rupees five lakh only)**.

02. The Mining operations and dispatches may be suspended and any action under subrule (7) of Rule 45 of MCDR ,2017 may be initiated.
03. In this connection, it is again brought to your notice that this violation also constitutes an offence punishable under Rule 62 of MCDR (Amendment), 2021.
04. The said penalty may be paid through <https://bharatkosh.gov.in> web portal under the purpose head “Non submission/faulty Monthly Returns, & Annual Returns in favour of **“137321-Regional Controller of Mines, IBM, Bangalore”** and the status of compliance to be communicated to this office immediately.
05. You are therefore, directed to show cause within a period of thirty (30) days from the date of issue of this notice, as to why action under subrule (7) of Rule 45 and Rule 62 of MCDR, 2017 shall not be taken against you.
06. You are herewith given 30 days time for reply and rectification of the violation from the date of issue of this notice. The fine for the late submission of Returns is to be made immediately as per Schedule-II of MCDR (Amendment) Rules, 2024 dated 21.01.2024. Please note that no further notice will be given to you in this regard.

भवदीय/Yours faithfully,

डॉ. सुधाकर टी.एल. / Dr. Sudhakara T.L.)
वरिष्ठ खनन भूविज्ञानी / Senior Mining Geologist

Copy for kind information to:

1. The Controller of Mines (SZ), Indian Bureau of Mines, Bangalore.

1/33660/2024 2. The Director, Dept. of Mines & Geology, 49, Khanij Bhavan, Race Course Road, Bangalore-560001.

डॉ. सुधाकर टी.एल. / Dr. Sudhakara T.L.)
वरिष्ठ खनन भूविज्ञानी / Senior Mining Geologist