

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
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Gandhinagar, Gujarat-382010

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पत्रावली संख्या: गुज/जाम/बॉक्स-136 Mine code 07GUJ07147 ID___ दिनांक : /12/2024

सेवा में :

मै. शिवहरी मिनरल्स
दुकान नंबर 1, होटल बंसी बिल्डिंग,
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Shop No. 1, Hotel Bansi Building,
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मोबाइल न. 9727633300

विषय: गुजरात राज्य के जामनगर जिले की कल्याणपुर तालुका में मेवासा ग्राम के निकट स्थित आपकी मेवासा बॉक्साईट खान, क्षेत्रफल- 4.9 हे. में खनिज संरक्षण एवं विकास नियमावली, 2017 के नियमों का उल्लंघन।

महोदय,

आपकी उपरोक्त खान का रिव्यू खनन योजना निरीक्षण अधोहस्ताक्षरी द्वारा दिनांक 16.10.2024 को श्री सी. एम. द्विवेदी (क्यू.पी.), खान के प्रतिनिधी 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										
28(1)	According to this rule, 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 or mineral processing operations in the mine or part thereof are discontinued 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, mining operations have been discontinued since long time but such notice in Form-E has not been sent till date.										
34(A)	Every lessee having- (a) an annual excavation plan of one million tonne or more in a particular year; or (b) leased area of fifty hectare or more, shall carry out a drone survey of the leased area and up to hundred meters outside the lease boundary in the month of April or May every year and submit the 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 Controller General on or before 1st day of July every year. In your case, the Digital Aerial Images submitted under Rule 34(A), it is observed that the processed Drone survey output data submitted to Indian Bureau of Mines does not meet the parameters specified in the SOP for submission of Digital Aerial Images under the said Rule. The deviations in the data submitted is as follows:-										
	<table border="1"> <thead> <tr> <th>S. No.</th> <th>Data type</th> <th>Check Point parameters as per SOP</th> <th>Submitted in proper format (Yes/No)</th> <th>Remarks</th> </tr> </thead> <tbody> <tr> <td>1.</td> <td>Excavated Area, Mineral</td> <td>.shp (UTM in</td> <td>No</td> <td>No separate .shp</td> </tr> </tbody> </table>	S. No.	Data type	Check Point parameters as per SOP	Submitted in proper format (Yes/No)	Remarks	1.	Excavated Area, Mineral	.shp (UTM in	No	No separate .shp
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1.	Excavated Area, Mineral	.shp (UTM in	No	No separate .shp							

	storage Area	WGS 84)	file was provided.
	2. No permanent GCP was found at site.		
45(5)(c) read with 45(7)	The following deficiencies have been found in the scrutiny of the annual return submitted by you for 2023-24 – (i) In point No. 3(ii) of Part-VI of Annual Return 2023-24, it was found that Ex-mine price and Despatches from mine-head is given but in point No. 5 of Part VI, details of sale/dispatch and part VII, the cost of production is not given.		
55	For the purpose of carrying out reconnaissance, prospecting or mining operations in accordance with these rules,– 3. every holder of a mining lease shall employ, in case of— (ii) category 'A' mines having lease area below twenty-five hectares and category 'B' mines, a part-time mining engineer and a part-time geologist: In your case, part-time mining engineer and a part-time geologist are not appointed.		

2. In this connection, it is brought to your kind notice that ;
 - a) the above violations constitute an offence punishable under Rule 62 of MCDR 2017 and/or;
 - b) Mining operations can be suspended as per rule 11(2) of MCDR 2017 in case of non-compliance of above rules as these violations also affects provisions of Rule11(1) of MCDR 2017 and/or;
3. In case of violation of Rule 34(A), you are advised to rectify the above violations immediately and upload the data online on DDMS portal **within 45 (Forty Five) days** from the date of issue of this letter
4. In case of violation of Rule 45, it is to inform you that;
 - a) You are also liable to pay such amount as prescribed under MCDR 2017 for delay of each day as per **Schedule-II**, read with Rule **45(7A)** in case of non-compliance of various provisions of Rule 45.
 - b) As per provision of Rule 45(7) and/or 45(7A)(ii) 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.
5. 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 for the violations of Rule 45 from the date of issue of this letter as to why the action under Rules 45(7) and/or 45(7A) shall not be taken against you. No further notice will be given to you in this regard.
6. In context to violation of other Rules, you are advised to rectify the above violation of above Rules immediately and intimate the compliance position to this office, within a period of 45 days for violated rules from date of issue of this letter.
7. This letter is being issued with the approval of Regional Controller of Mines.

भवदीय
Signed by Sunil Kumar
Sharma
Date: 06-12-2024 19:13:15
(सुनील कुमार शर्मा)

वरिष्ठ सहायक खान नियंत्रक
भारतीय खान ब्यूरो

प्रतिलिपि-

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

२. 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।
३. रक्षित पत्रावली।

वरिष्ठ सहायक खान नियंत्रक
भारतीय खान ब्यूरो