

बिहार सरकार
खान एवं भूतत्व विभाग

संचिका सं०-01/अवैध खनन-06/17-438/एम० पटना, दिनांक 20.1.18
प्रेषक,

E-mail/Fax/
Whats-app

सुशील कुमार,
सरकार के अवर सचिव।

सेवा में,

सभी उप निदेशक
सभी सहायक निदेशक
सभी खनिज विकास पदाधिकारी
सभी खान निरीक्षक

विषय:- अवैध खनन तथा परिवहन में संलिप्त व्यक्तियों/समूहों के विरुद्ध Environment (Protection) Act, 1986 की धारा-15 के तहत कार्रवाई करने के संबंध में।

महाशय,

उपर्युक्त विषयक संबंध में निदेशानुसार कहना है कि राज्यान्तर्गत अवैध उत्खनन, प्रेषण, भण्डारण तथा परिवहन में शामिल व्यक्तियों/समूहों के विरुद्ध व्यापक कार्रवाई की जा रही है एवं सुसंगत धाराओं के तहत प्राथमिकी भी दर्ज की जा रही है। यहाँ उल्लेखनीय है कि अवैध खनन एवं परिवहन के कारण पर्यावरण को भी व्यापक नुकसान होता है, अतः निदेशित किया जाता है कि अवैध उत्खनन एवं परिवहन में शामिल व्यक्तियों/समूहों के विरुद्ध प्राथमिकी दर्ज करते समय Environment (Protection) Act, 1986 की धारा-15 को भी लगाना सुनिश्चित किया जाय।

अनुलग्नक:-यथोक्त।

विश्वासभाजन
20.1.18
सरकार के अवर सचिव

E-mail/Fax

- (b) the procedure for the submission to the said laboratory of samples of air, water, soil or other substance for analysis or tests, the form of the laboratory report thereon and the fees payable for such report;¹⁸
- (c) such other matters as may be necessary or expedient to enable that laboratory to carry out its functions.

13. GOVERNMENT ANALYSTS

The Central Government may by notification in the Official Gazette, appoint or recognise such persons as it thinks fit and having the prescribed qualifications¹⁹ to be Government Analysts for the purpose of analysis of samples of air, water, soil or other substance sent for analysis to any environmental laboratory established or recognised under sub-section (1) of section 12.

14. REPORTS OF GOVERNMENT ANALYSTS

Any document purporting to be a report signed by a Government analyst may be used as evidence of the facts stated therein in any proceeding under this Act.

15. PENALTY FOR CONTRAVENTION OF THE PROVISIONS OF THE ACT AND THE RULES, ORDERS AND DIRECTIONS

- (1) Whoever fails to comply with or contravenes any of the provisions of this Act, or the rules made or orders or directions issued thereunder, shall, in respect of each such failure or contravention, be punishable with imprisonment for a term which may extend to five years with fine which may extend to one lakh rupees, or with both, and in case the failure or contravention continues, with additional fine which may extend to five thousand rupees for every day during which such failure or contravention continues after the conviction for the first such failure or contravention.
- (2) If the failure or contravention referred to in sub-section (1) continues beyond a period of one year after the date of conviction, the offender shall be punishable with imprisonment for a term which may extend to seven years.

16. OFFENCES BY COMPANIES

- (1) Where any offence under this Act has been committed by a company, every person who, at the time the offence was committed, was directly in charge of, and was responsible to, the company for the conduct of the business of the