

In the Court of Mines Commissioner, Bihar, Patna

Dated 16.10.2017

Miscellaneous Case No – 10/2017

District – Motihari

**PRESENT :- K.K. Pathak, I.A.S.,
Mines Commissioner**

=====

Sunny Kumar

Vs.

Mining Officer, Motihari

=====

16.10.2017

Whereas, it has come to the notice of this Court that you, as the Settlee for the *sand ghats* of the concerned district, were given a lease for certain hectares of land for the excavation of the said minor mineral. The said settlement was made to you under the *Sand Policy, 2013* and as per the relevant provisions of the Bihar Minor Mineral Concession Rules, 1972 which was then prevailing. The said settlement was made to you in the Financial Year 2014-15. The said settlement was made to you for a period of five years.

Whereas, it has also come to the notice of the undersigned that you have not been able to obtain the Environmental Clearance for the entire area of the lease deed

so far. A significant portion of the area still remains, for which Environmental Clearance is yet to be obtained by you.

Whereas, under the then prevailing Bihar Minor Mineral Concession Rules, 1972, you were bound to begin the mining operations within a period of three months.

Whereas, the said Rules also stipulate that the Collector may re-enter the lease if the mining operation was not commenced within six months.

Whereas, as per the Tender Condition 19 (vii), it has been also clearly mentioned that you shall comply with all the conditions mentioned in the then prevailing Bihar Minor Mineral Concession Rules, 1972.

Whereas, approximately three years are about to the over (out of five years) and you have not yet begun the mining operations in the said portion of your lease as you have been unable to obtain the Environmental Clearance for the said portion of the lease.

Now, therefore, in the terms of the powers vested in this Court under Rule 64 of the Bihar Minor Mineral Rules, 2017, I call upon you to Show Cause as to why your lease for the said area, for which you have not been able to obtain the Environmental Clearance, be cancelled.

You also called upon to submit the following details along with your show cause: -

- (a) The number of sand ghats and their total area for which you had signed the Lease Deed.
- (b) The number of sand ghats and their total area for which you have obtained the Environmental Clearance.
- (c) The number of sand ghats and their total area for which you have *not* obtained the Environmental Clearance so far.

You, therefore, directed to submit your reply on or before 09.11.17

Dictated & Corrected

**Sd/-
(K.K. Pathak)
Mines Commissioner
Mines and Geology Department,
Bihar**

**Sd/-
(K.K. Pathak)
Mines Commissioner
Mines and Geology Department,
Bihar**

Memo No.-.....4021...../M, Patna, Dated-.....16.10.17...
Copy to :- Sunny Kumar, Vill-Mananpur, P.O.+P.S.-
Govindganj, Dist.-East Champaran (Motihari), (Bihar)/
Mining Officer, Motihari/I.T. Manager, Mines & Geology
Dept. Patna for information and necessary action.

Under Secretary to Govt.