



Government of India
Ministry of Mines
Indian Bureau of Mines
Office of the Regional Controller of Mines, Jabalpur

VIOLATION LETTER
Registered AD/Speed post

File No.: -M.P./Satna /Bauxite -45 Mine Code: - 07MPR35114

Scheme No.-11, Kamla Nehru Nagar
Jabalpur, Dated: 27/10/2022

To,

Shri Mayank Gualia, Director
M/s Jiwan Lime Chemicals Pvt. Ltd.
C/o Mahakaushal Refracties Pvt. Ltd
Industrial Area, Katay Ghat Road Katni-483501 (MP)
Email -info@jiwanlime.com

Sub. : Violation of provisions of Mineral Conservation and Development Rules, 2017, in respect to
Jariyari Bauxite Mine over an extent of **4.0 hect.** in **Satna district** of M.P.

Sir,

The following provisions of the Mineral Conservation and Development Rules 2017 were found violated in your above mine during the inspection on 17/10/2022 by the undersigned, accompanied by Shri Shyam Gopal Saxen, Mining Engineer .

नियम	पाए गए उल्लंघन की विस्तृत प्रकृति
Rule 11(1)	<p>No holder of a mining lease shall commence or carry out mining operations in any area except in accordance with the mining plan approved, modified or reviewed by the Indian Bureau of Mines or prepared and certified in accordance with the system established by the State Government pursuant to the proviso to clause (b) of sub-section (2) of section 5 or approved by the competent authority of the Atomic Minerals Directorate for Exploration and Research, in respect of minerals specified in Part B of the First Schedule to the Act where the grade of such atomic minerals is equal to or above the threshold value limits declared under Schedule-A of the Atomic Minerals Concession Rules, 2016. Read with MCR (Amendment),2021 notified in Gazette of India vide dated 02/11/2021</p> <p>The Review of Mining Plan of above mentioned mine was approved vide letter No.-MP/Satna/Bauxite/ RMP-30/202021-22 dated 20/07/2021 incorporating proposal of working from 2021-22 to 2025-26. During the inspection it was found that following activities have been carried out with violating the approved proposals :-</p> <ol style="list-style-type: none">Exploration was not done as per the proposal. 23 no. of boreholes of average depth of 25m were proposed against year 2021-22. Only evidence of 12 no. of boreholes were found during inspection of mines. 11 number of more boreholes were supposed to be done in the light of approved proposals.Physical appearance of boundary pillar were observed but coordinates of location of the pillars were not found marked on them.As per approved mining plan mining operation were restricted upto N2677442 grid line from the southern statutory barrier zone against year 2021-22. But practically mining operations had also been noticed between grid line N2677442 & N2677530 and E495265 & E495305 by following the bottom contour of about 605mRL
27(2)	<p>Where financial assurance is required to be furnished by the holder of the mining lease under sub-rule (1) read with MCDR (Amendment) ,2021 notified in gazette of India vide dated 03/11/2021, such amount of financial assurance shall be submitted to the authorised officer, as the case may be, in the form of a bank guarantee in the format specified by the Indian Bureau of Mines:</p> <p>Provided that where financial assurance has already been furnished before the commencement of these rules, an amount equal to the difference between the financial assurance due as on the date of notification of these rules and the financial assurance already furnished, shall be furnished to the authorised officer.</p> <p>The Financial Assurance furnished by you @ Rs. 3 lakh per hect of the mining lease area put to use for mining and allied activities i.e. BG for Rs. 12,00,000/- (Rs Twelve Lakh only) is valid up to 31/03/2026. As per amendment in MCDR,2017 notified on 03/11/2021, financial assurance is enhanced from existing rate of Rs. 3 lakh per hect to Rs. 5 lakh per hect. of the mining lease area put to use for mining and allied activities. Thus additional financial assurance of Rs. 7,61,450/- (Seven Lakh Sixty One Thousand Four Hundred and Fifty only) in the form of Bank Guarantee with a validity upto 31/09/2026(at least extra six months claim period), supposed to be submitted on or before 01/02/2022, which has not been submitted so far.</p>
33	<p>Copies of plans and sections to be submitted – The holder of mining lease shall on or before the 30th day of the June every year submit to the authorized officer, as the case may be, and the State Govt., a digital copy along with a print copy of the surface geological plans and sections maintained under rule 32.</p> <p>Copies of plans and sections under rule 32' of MCDR-2017 have not been submitted.</p>
34A	<p>Every lessee, other than those covered under sub-rule (1), shall submit soft copy of high resolution Geo referenced Ortho-rectified Multispectral satellite images of the leased area and up to hundred metres outside the lease boundary taken in the month of April to June of every year, to the Controller General on or before 1st day of July of the that year in the standards formats such as GeoTIFF along with metadata or any other format as may be specified by the Indian Bureau of Mines in this regard:</p>

A soft copy of high resolution Geo referenced Ortho-rectified Multispectral satellite images of the leased area and up to hundred meters outside the lease boundary taken in the month of April to June has not been submitted and the processed output [digital elevation model (DEM) and Orthomosaic] images have not been submitted as specified in the rule.

- 45(7) If it is found that the holder of a mining lease or the person or company engaged in trading or storage or end-use or export of minerals, as the case may be, has submitted incomplete or wrong or false information in daily or monthly or annual returns or fails to submit a return within the date specified; then,-
- in the case of mining of minerals by the holder of a mining lease, the Regional Controller of Mines may advise the State Government to,-
- order suspension of all mining operations in the mine and to revoke the order of suspension only after ensuring proper compliance;
- take action to initiate prosecution under these rules;
- recommend termination of the mining lease, in case such suppression or misrepresentation of information indicates abetment or connivance of illegal mining;
- On examination of Annual Return for the year 2021-22 it is observed that data of annual return are incomplete & having following deficiencies:-
1. Part III, item No 2-Royalty and Rents
Payment against royalty and dead rent have been shown on the return. Royalty and Dead Rent both cannot be charged at a time. So information furnished in this regard needs correction.
 2. Part III, item No 5
 - i. Details of DMF paid to State Govt. indicated as nil, appears incorrect. Actual amount paid towards DMF need be mentioned.
 3. Part VII Cost of Production
 - i. Total taxes including GST, NMET, DMF etc paid per tonne comes about s. 563/47 per tonne (Rs 314.6257 per tonne Sales tax and rest Rs.248.8535 per tonne Others (please specify): DMF+NMET+FOREST TP+GRAMIN AVSANRACHNA) where as as per Part VII- Cost of production it is indicated as Rs. 58/54 per tonne. Such anomaly needs to be rectified.
 - ii. It is learned from the return that 12 no. of boreholes have been done during the year but expenses incurred on matter concerned has not been taken in to consideration for calculation of mining cost.

2. In this connection, it is brought to your notice that the above violations constitute an offence punishable under Rule 62 of Mineral Conservations and Development Rules, 2017.
3. The mining operations can be suspended under the rule 11(2) of MCDR-2017, if compliance of rule 11(1) of MCDR-2017 are not found satisfactory. In case Non-compliance of Rule 45(7) of MCDR-2017, Necessary action shall be initiated as deemed fit.
4. You are advised to rectify the above violations immediately and intimate the position to this office within 45 (Forty-Five) days from the date of issue of this letter.

भषदीय
27/10/2022
(रघुबीर शरण गर्ग)
सहायक खान नियंत्रक
कृते क्षेत्रीय खान नियंत्रक

प्रतिलिपि प्रेषित :

01. The Director of Geology & Mining, Govt .of Madhya Pradesh, Khanij Bhavan, 29-A, Arera Hills, Bhopal (M.P.) for information and further necessary action please.
02. The District Collector, Satna (M.P.) for information.

27/10/2022
सहायक खान नियंत्रक
कृते क्षेत्रीय खान नियंत्रक

प्रतिलिपि प्रेषित मूल पर नहीं:

- 01 खान नियंत्रक (मध्य), भारतीय खान ब्यूरो, नागपुर को सूचनार्थ प्रेषित।
02. DDG, Mining & Mineral Statistics Division, Indian Bureau of Mines, Nagpur for referback of Annual Return for the year 2021-22 for rectification of deficiencies as pointed out above under rule 45(7).

अभिमत
28-10-22

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27/10/2022
सहायक खान नियंत्रक
कृते क्षेत्रीय खान नियंत्रक