



भारत सरकार
GOVERNMENT OF INDIA
खान मंत्रालय
MINISTRY OF MINES
भारतीय खान ब्यूरो
INDIAN BUREAU OF MINES
नागपुर क्षेत्रीय कार्यालय
NAGPUR REGIONAL OFFICE

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Violation Letter

छटवीं मंजील, बी एवं सी ब्लाक,
इंदिरा भवन, सिविल लाइन्स
नागपुर - 440 001
6TH Floor, 'B' & 'C' Block
Indira Bhavan, Civil Lines
Nagpur- 440102
दुरभाष. Telephone: 2562794,
2565089 (Tel/fax)

No. MAH/CND/FL-1/NGP Vol. II

Mine code 24MSH08001

Dated: 24/04/2019

To,

✓ Shri S. Ramamoorthy, I. A. S.,
M/s MSMC Ltd.,
Khanikarm Bhawan,
Plot No. 7, Ajni Square,
Wardha Road,
Nagpur-440015
Maharashtra

Sub: Violation of provisions of Mineral Conservation and Development Rules, 2017 in respect of your **Dongargaon Fluorite Mine** over an area of 31.22 ha situated in Distt. -Chandrapur of Maharashtra state.

Sir,

As per the inspection of mines carried out by the undersigned on 16/03/2019 and upon examination of this office records, the following provisions of Mineral Conservation and Development Rules, 2017 are found violated in respect of your above referred mine: -

| Rule | Nature of violations observed |
|------|--|
| 11 | (1) 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. (2) If the mining operations are not carried out in accordance with the approved or certified mining plan or any information contained in the mining plan is found to be incorrect, misleading or non-compliant with applicable laws including these rules, the competent authority may by order, suspend all or any of the mining operations and permit continuance of only such operations as are required to restore the conditions in the mine as envisaged under the approved or certified mining plan or modified mining plan, for the purpose of restoration to the extent possible. |

| | |
|-------|--|
| | <p><i>However, as per the Modification in the Approved Mining Plan for the area, approved vide letter Number CND/FLU/MPLN-20/NGP-2015-II dated 19.07.2016 for the period 2014-15 to 2018-19, following observations are made: -</i></p> <p>(i) <i>As per the said document, it was proposed to explore the area through 9 boreholes (5 boreholes in 2016-17 and 4 in 2017-18), but no exploration has been carried out in the area as per the proposals.</i></p> <p>(ii) <i>As per the schedule of monitoring for various Environmental Parameters, 8 samples for ambient air, 8 samples for water quality and ground vibration study for once in a year was proposed. However, it was found that no such environment monitoring activities have been carried out.</i></p> <p>(iii) <i>Plantation has not been carried out within lease area as per the proposals.</i></p> |
| 26(2) | <p>The holder of mining lease shall submit to the competent authority a yearly report as per the format specified by the Indian Bureau of Mines, before 1st day of July every year setting forth the extent of protective and rehabilitative works carried out as envisaged in the approved mine closure plan, and if there is any deviation, reasons thereof.</p> <p><i>However, no such report has been submitted by you in this office as per the Rule for the year 2017-18.</i></p> |
| 33 | <p>The holder of a mining lease shall, on or before the 30th day of June every year submit to the authorised officer, as the case may be, and the State Government, a digital copy along with a print copy of the surface geological plans and sections maintained under rule 32.</p> <p><i>However, Plans and sections as required to be submitted under the rule have not been submitted by you in this office for the year 2017-18.</i></p> |
| 37(2) | <p>The dumps shall be properly secured to prevent escape of material therefrom in harmful quantities which may cause degradation of environment and to prevent causation of floods.</p> <p><i>However, during field inspection, no retaining wall along the toe of the dumps was observed which is required to check and arrest any wash-off from the dumps.</i></p> |
| 41 | <p>(1) Every holder of prospecting licence, prospecting licence cum mining lease or a mining lease shall take all possible precautions to prevent or reduce the discharge of toxic and objectionable liquid effluents from mine, workshop, beneficiation or metallurgical plants, tailing ponds, into surface water bodies, ground water aquifer and useable lands, to a minimum.</p> <p>(2) The effluents referred to in sub-rule (1) shall be suitably treated, if required, to conform to the standards laid down in this regard.</p> <p><i>The mine is a Fluorite mine which contains harmful substance that causes skeletal fluorosis—a painful disease that weakens bones and damages joints. Fluorite contains fluorine, a soluble mineral that readily leaches into groundwater supplies and can be absorbed by the lungs. It is also mentioned in the approved document as referred above that the water in and around the lease area is not fit for drinking. However, mine water accumulated into the pit is discharged without any analysis or treatment. Garland drains along the dumps are made without retaining wall that may cause wash-off from the dumps. Also, lessee has surface rights over 5.55 ha of land out of total 31.22 ha lease area and surrounding area is agricultural land alongwith one water tank in the South-western part of the lease area near BP-21. It was observed that numerous mineral/sub-grade stacks are scattered all along the area held under the surface rights which may cause contamination of water due to wash-off from these mineral/ sub-grade stacks.</i></p> |

However, no suitable mechanism was found in place for analysis of water in and around the lease area, treatment of water prior to any discharge from the lease area, protective measures in form of check dams/retaining walls and/or any other arrangements to avoid any possible contamination of surface or ground water.

- 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, –
- (a) 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, -
 - (i) order suspension of all mining operations in the mine and to revoke the order of suspension only after ensuring proper compliance
 - (ii) take action to initiate prosecution under these rules;
 - (iii) recommend termination of the mining lease, in case such suppression or misrepresentation of information indicates abetment or connivance of illegal mining

However, while examining the data furnished in the Annual Return filed for 2017-18, the following discrepancies were observed: -

- (i) Under Part-I, no Geologist is mentioned as appointed for the mine in 2017-18.
- (ii) As per the Approved mining plan document as mentioned above, the mineral rejects are estimated as 5% of the ROM and proposed to be stacked separately, but the same is not reflected in the Part V of the annual returns. Also, it was found during site inspection that below 30% CaF₂ was stacked separately at the mine site but the same was found not reported in the Annual Returns in Part V or Part VI (under grade-wise production details for below 30% CaF₂).

Further, while examining the data furnished in the Monthly Return filed for February'2019, the following discrepancies were observed: -

- (i) ROM production under Part-II is given as: -

| Category | Opening stock | Production | Closing stock |
|-------------------------------|---------------|------------|---------------|
| | (in tonne) | (in tonne) | (in tonne) |
| (a) Open Cast Workings | 313.4 | 118.22 | 410.95 |

And grade-wise production reported in Part-II is: -

| Grades | Opening stock at mine head (in tonne) | Production (in tonne) | Despatches from mine head (in tonne) | Closing stock at Mine head (in tonne) | Ex-mine Price (Per Tonne) |
|--|---------------------------------------|-----------------------|--------------------------------------|---------------------------------------|---------------------------|
| (a) 85% CaF₂ and Above | 0 | 0 | 0 | 0 | 0 |
| (b) 70% to below 85% CaF₂ | 50.14 | 20.67 | 40 | 30.81 | 12625 |
| (c) Above 30% and below 70% CaF₂ | 13948.74 | 0 | 25 | 13923.74 | 3250 |
| (d) Below 30% CaF₂ | 0 | 0 | 0 | 0 | 0 |

(ii) In the Section 5 of Part-II i.e., 'Sales/Dispatches effected for Domestic Consumption and for exports', for grade above 30% and below 70% CaF₂, reported dispatched quantity is 15 T which is not matching with the detail given in the grade-wise production and despatch details where it is reported as 25 T.

(iii) For the grade above 30% and below 70% CaF₂, reported Ex-mine price reported in the Section 2 of Part-II is Rs 3250/- per T whereas, the same upon computation from the details of despatch furnished under Section 5 of Part-II is arriving as Rs 5416.67/- per T. Accordingly, justifications furnished for increase/decrease in the Ex-mine price need to be reviewed.

These violations may lead to suspension of all mining operations in the mine as well as termination of mining lease and prosecution of the owner, agent and manager.

02. 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.
03. The mining operations can be suspended by the competent authority and suitable actions can be initiated under Rule 11(2) and 45(7)(a), if compliance is not found satisfactory.
04. 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.

Yours faithfully,

Ashish
24/04/19

(Ashish Mishra)

Sr. Assistant Controller of Mines

Copy to:

1. The Controller of Mines (CZ), Indian Bureau of Mines, Nagpur
2. The Director, Directorate of Geology and Mining, Government of Maharashtra, Khanij Bhavan, 27, Shivaji Nagar, Cement Road, Nagpur-440010 (Maharashtra)

(Ashish Mishra)

Sr. Assistant Controller of Mines