

VIOLATION LETTER
By Regd. Post with Ack. Due



भारत सरकार / Government of India
खान मंत्रालय / Ministry of Mines
भारतीय खान ब्यूरो / Indian Bureau of Mines
हैदराबाद क्षेत्रीय कार्यालय / Hyderabad Regional Office



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ईमेल/E-Mail : ro.hyderabad@ibm.gov.in

603, छठा तल /603, 6th Floor,
सी.जी.ओ.टॉवर्स/CGO Towers,
कवाडीगुड़ा /Kavadiguda,
सिकन्दराबाद/secunderabad- 500 080.
Date: 03/02/2021

File No. AP/ADB/Mn-30/HYD

To

Shri Anup Kaparathi, Nominated owner,
M/s Balaji Electro Smelters Ltd.,
Post Box No. 26, plot no.B-18,
MIDC, Lohara,
Yavatmal-445 001,
Maharastra- State

Sub: Violation of provisions of Mineral Conservation and Development Rules- 2017 (MCDR-2017) in respect of your Boraj Manganese Ore Mine over an extent of 122.57 Ha in Boraj Village, Jainath Mandal, Adilabad Dist, Telangana state.

Sir,

The following provisions of Mineral Conservation and Development Rules 2017 (MCDR, 2017), were found violated in your above mine during inspection on 31/12/2020 by the undersigned accompanied by Sri K U Jenekar, Q.P.& of your Mines, Sri C.H Ramesh, Lessee's representative.

Rule no.	Nature of violation
11(1)	<p><i>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</i></p> <p>Mining operations are not being carried out in accordance with the proposals given in approved Modified Mining Plan vide letter no. AP/ADB/MP/Mn-30/Hyd dated 03.05.2019 to the extent indicated below:</p> <ol style="list-style-type: none">It was approved to drill 4 no. of bore holes for the year 2019-20, against which no exploration is done. Further against 4 no. of bore holes to be drilled for the year 2020-21, exploration is not yet started.Mining operations are being carried out within safety zone of 7.5 meters of lease boundary at BP-C18 in between grid N2183686- 2183704 & E241797-241828 beyond the approved proposals against to carry out in between grid N2183714- 2183787 & E241653-241747 during the year 2020-21.Mining activity is being carried out by mechanized method using backhoe loader for excavation of top soil, waste material and for reclamation by backfilling and leveling against the manual method of mining.Only 60 saplings were planted against 117 for the year 2019-20 and no plantation is done up to the date of inspection for the year 2020-21 against plantation of 117 saplings.
26(2)	<p><i>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</i></p>


	<p><i>deviation, reasons thereof:</i></p> <p>Yearly report setting forth the extent of protective and rehabilitative works carried out as envisaged in the approved mine closure plan is not submitted to RCOM, IBM Hyderabad for the years 2018-19 & 2019-20</p>
31(4)	<p><i>The plans and sections required under these rules shall be maintained up to date within three months in case of category 'A' mines as referred to in clause (a) of sub-rule (2) of rule 55, and within twelve months in the case of manual mine.</i></p> <p>Plans and sections have not been updated as required under the provision of this rule.</p>
43	<p><i>Permissible limits and standards.—The standards and permissible limits of all pollutants, toxins and noise referred to in rules 40, 41 and 42 shall be such as may be notified by the concerned authorities under the provisions of the relevant laws for the time being in force.</i></p> <p>To ensure the pollution due to Air, water, Noise etc. under standard permissible limits quarterly monitoring of air, water noise is to be carried out. Whereas it was observed that monitoring of the same is not being carried out</p>
45(7)	<p>On scrutiny of annual return for the year 2019-20 the following discrepancies are observed.</p> <ol style="list-style-type: none"> Refer Part-I, item no.10(ii), Date of Transfer is furnished as 01.01.1970, whereas lease was originally executed on 14.07.2009. Refer Part-I, item no.12(vii), Substantial area is found reclaimed during the year 2019-20 in addition to earlier area of 0.17 Ha and is being used for agricultural purpose, whereas the same is not incorporated under roe work done under progressive closure plan during the year. Refer Part-VI, para 2, 4, and Part-VII: The mineral is being used for captive use and Cost of Production is reported as Rs. 2847 and Ex-Mine price and Sale Price is furnished as Rs. 6478. <p>Which is incorrect as Ex-mine price should be same as Cost of Production in case of Captive consumption as there is no sale occurred.</p>
55(1) (c)(i)	<p><i>Employment of geologists and mining engineers.—(1) For the purpose of carrying out reconnaissance, prospecting or mining operations in accordance with these rules,—</i></p> <p><i>(c) every holder of a mining lease shall employ, in case of—</i></p> <p><i>(ii) category 'B' mines, a part-time mining engineer and a part-time geologist;</i></p> <p>The mine being Category:-B mine, whereas a part time Mining Engineer & Geologist has not been employed as required under the provisions.</p>
67	<p>The following Registers are supposed to be kept in the mine for verification during inspection but were not shown to the undersigned.</p> <ol style="list-style-type: none"> ROM & Grade wise Manganese ore production from pit. Top soil generation and its utilisation Waste quantity generated and backfilled, Employment, Payment Register, <p>In this regard you are advised to furnish the above for verification.</p>

02. In this connection, it is brought to your notice that the above violation constitutes an offence punishable under rule 62 of MCDR, 2017. Besides inability to comply the provision of rule 11(1) is also liable for suspension of mining operations under the provision of rule 11(2), 45(7) (a) (i) or other action under rule 45 (7)(a) MCDR, 2017.

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03. 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,

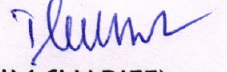


(IBRAHIM SHARIEF/ इब्राहिम शरीफ)

Sr. Assistant Controller of Mines/ वरिष्ठ सहायक खान नियंत्रक

Copy for information & further necessary action to:

- (1) The Director of Mines and Geology, Government of Telangana, Hyderabad.
- (2) The Assistant Director of Mines and Geology, Government of Telangana. Adilabad

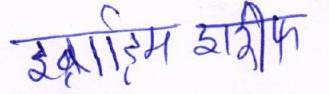


(IBRAHIM SHARIEF)

Sr. Assistant Controller of Mines
for Regional Controller of Mines

मूल प्रति पर नही

- (1) खान नियंत्रक(द), भारतीय खान ब्यूरो, बंगलूर को प्रतिलिपि सूचनार्थ अग्रेषित।



इब्राहिम शरीफ
वरिष्ठ सहायक खान नियंत्रक
कृते क्षेत्रीय खान नियंत्रक

You are advised to reply to this letter immediately and return the original to this office within 45 working days from the date of this letter.

Yours faithfully,

[Handwritten Signature]

ST. ASSISTANT COMMISSIONER OF MINES AND GEOLOGY
GOVERNMENT OF TAMIL NADU

Copy of information as furnished to you is being furnished to the Director of Mines and Geology, Government of Tamil Nadu, Chennai for their consideration and necessary action.

[Handwritten Signature]

ST. ASSISTANT COMMISSIONER OF MINES
GOVERNMENT OF TAMIL NADU

For the Director of Mines and Geology, Government of Tamil Nadu, Chennai

[Handwritten Signature]

ST. ASSISTANT COMMISSIONER OF MINES
GOVERNMENT OF TAMIL NADU