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Violation Letter

GOVERNMENT OF INDIA
MINISTRY OF MINES
INDIAN BUREAU OF MINES
Office of the Regional Controller of Mines, Hyderabad

No. AP/VZNR/Mn-14/HYD

CGO Towers, 6th Floor,
Kavadiguda,
Secunderabad-500080.
Date: 12/12/2017

To
Sri.P.B.Kacholia, Lessee,
Venkata Sai Apartment,
Flat No:305, Vuda Colony,
Near Sai Baba Temple,
Vizianagaram.

Subject: Violation of provisions of Mineral Conservation and Development Rules,2017 (MCDR, 2017) in respect of your Pedanadipalli Manganese Mine over an extent of 7.58 ha in S.Nos. 78/2 & 105(P) of Pedanadipally Village, Chipurupally Mandal, Vizianagaram Dist, Andhra Pradesh.

Sir,

The following provisions of Mineral Conservation and Development Rules 2017, were found violated in your above mine during inspection on 23.11.2017 by Smt. Ch.Suseela, Assistant Mining Geologist of this office accompanied by Dr. B.S.Ganga Rao, Geologist and Lessee's Representative.

Rule no.	Rule position	Nature of violation
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 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	The mining operations were not being carried out in accordance with the approved document vide this office Lr.No. AP/VZNR/MP/Mn-42/Hyd dated 5.2.2015 and thereby violating the provisions of MCDR 2017: "Against the proposal of exploration by drilling 6 core bore holes and 4 DTH for first year i.e., 2015-16 and 6 DTH for second year i.e., 2016-17, no such exploration has been carried out so far.
27(1)	Financial assurance shall be furnished by the holder of the mining lease, for due and proper implementation of the progressive mine closure plan contained in the mining plan or the final mine closure plan, as the case may be, which shall be an amount of three lakh rupees for Category 'A' mines and two lakh rupees for Category 'B' mines, per hectare of the mining lease area put to use for mining and allied activities: Provided that the minimum amount of financial assurance to be furnished under sub-rule (1), shall be ten lakh rupees for Category 'A' mines and five lakh rupees for Category 'B' mines."	You have already submitted Financial Assurance @ Rs.25,000/- per ha for the area put to use, but as per the notification of MCDR, 2017, the same has to be submitted @ Rs. 3 lakh per ha. The balance amount of Financial Assurance in the form of Bank Guarantee has not been submitted to this office so far.

45(5)(a)(ii)	The owner, agent, mining engineer or manager of every mine, shall submit online to the Regional Controller of Mines in the Indian Bureau of Mines or any other authorised official of the Indian Bureau of Mines , returns in respect of each mine, in the following manner, namely:- (i) A monthly return which shall be submitted before the 10th day of every month in respect of the preceding month in electronic form, along with a print copy of the same	Monthly returns since the year 2015-16 have not been submitted to the Regional Controller of Mines, Indian Bureau of Mines, Hyderabad so far, as required under this rule.
45(5)(b)(ii)	The owner, agent, mining engineer or manager of every mine, shall submit online to the Regional Controller of Mines in the Indian Bureau of Mines or any other authorised official of the Indian Bureau of Mines , returns in respect of each mine, in the following manner, namely:- (i) An annual return which shall be submitted before the 1st day of July each year for the preceding financial year in electronic form, along with a print copy of the same.	Annual Returns since the year 2015-16 have not been submitted to the Regional Controller of Mines, Indian Bureau of Mines, Hyderabad, so far, as required under this rule.

02. In this connection, it is brought to your notice that the above said violations constitute an offence punishable under Rule-62 of MCDR, 2017. Besides, inability to comply the provision of Rule 11(1) and Rule 45(5) is liable for suspension of mining operations under Rule 11(2) and Rule 45(7) (i)(a) of MCDR,2017 respectively .

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 Sharif)
Sr. Assistant Controller of Mines

मूल प्रति पर नहीं/Not on the Original:

- 1 खान नियंत्रक(द), भारतीय खान ब्यूरो, बंगलूर को प्रतिलिपि सूचनार्थ अग्रेषित ।
2. Copy for information & further necessary action to the Director of Mines and Geology, Government of Andhra Pradesh, Vijayawada, Andhra Pradesh.
3. The Assistant Director, Dept. of Mines and Geology, Govt. of Andhra Pradesh, Vizianagaram Andhra Pradesh.
4. The Deputy Director General (Stat), MMS Division, IBM, Nagpur for kind information.

(Ibrahim Sharif)
Sr. Assistant Controller of Mines