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Mailed VIOLATION LETTER  
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**Government of India**  
**Ministry of Mines**  
**Indian Bureau of Mines**  
**Office of the Regional Controller of Mines, Jabalpur**

File No. MP/Katni/Limestone-291 Vol. II 6362 Mine Code: 38MPR47134  
6366

Date: 08/12/2021

To,  
**Shree Kamal Lime Industries,**  
**Prop. Shri Kishor Kumar Bagaria,**  
**Station Road Katni - 483501**  
**Email - bagaria\_group@rediffmail.com**

**Subject :** Violation of provisions of Mineral Conservation and Development Rules, 2017, in respect to **Durghati Pipariya Limestone Mine** over an area of **41.391 hect.** in **Katni 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 04/12/2021 by Sh. R.S.Garg, Assistant Mining Engineer, accompanied by Shri Shri Nivash Mishra, Mining Geologist, Shri Mritunjay Prasad, Mining Engineer and Shri R.K.Mishra, your representative.

नियम स.	पाए गए उल्लंघन की विस्तृत प्रकृति
Rule 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 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. The Modification in the approved Mining Plan of above mentioned mine was approved vide letter No.- MP/Jabalpur/Iron Ore /MPLN/Mod-75/2017-18 dated 22/02/2018 incorporating proposal of working from 2017-18 to 2021-22. During the inspection it was found that following activities have not been carried out / carried out with violating the approved proposals :- (i) Exploration was not done against the proposal of total 16 nos. of exploratory bore holes (08-08 nos. of exploratory bore holes for each year 2017-18 and 2018-19 backlog)
Rule 26(2)	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: The yearly report of PMCP has not been submitted for the year 2020-21.
27(2)	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: 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. 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. 10,00,000/- (Rs. Ten Lakh only) is valid up to 31/03/2023. 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. 6,65,000/- ( Six Lakh Sixty Five Thousand only ) in the form of Bank Guarantee with a validity upto 31/03/2023 (atleast extra six months claim period), is to be submitted on or before 06/01/2022. After submission of financial assurance for additional amount. The next Financial Assurance shall be submitted on or before 31/03/2022.
Rule 31(4)	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 case of any other mine The plans & sections were not found updated on quarterly basis as required under this rule and not maintained at mines site office.
Rule 33	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. Copies of plans and sections under rule 32 of MCDR-2017 have not been submitted.

**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 2020-21 it is observed that data of annual return are incomplete & having following deficiencies:-

**1.Part IIA-Capital Structure**  
Although there are number of machineries deployed in the mine but depreciation during the year to wards these machineries have not been considered in the return.

**2.Part III, item No 5**  
NMET paid to central Govt. is not indicated in the return.

**3.Part IV, Consumption of Explosive**  
Only consumption of safety fuse, and detonating fuse have been indicated. Quantity of explosive consumed during the year indicated as nil which is incorrect.

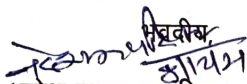
**4.Part V, item No 4.4 Overburden/Waste**  
There is a mineral dump spread over an area of about 70mX40m and av.height of 8.0m lies within lease area. Cumulative quantity of such overburden dump has not been indicated in the return. Only quantity generated during the year is mentioned as 206m<sup>3</sup>.

**5.Part VI, (PRODUCTION,DISPATCHES AND STOCK) and . Sales/Dispatches effected for Domestic Consumption and for exports( LIMESTONE )**  
Under grade wise dispatch 6550.245 tonne SMS grade limestone is indicated whereas against Sales/Dispatches effected for Domestic Consumption it is indicated as only 15.245 tonne SMS grade limestone. What is about rest quantity i.e. 6535tonne SMS grade limestone., need be clarified.

**6. Part – VII COST OF PRODUCTION**  
For the calculation of cost of production Rs.86/-per royalty has been taken in to account whereas in case of limestone royalty is fixed as 80/-per tone, needs clarifications.

**Rule 46** The holder of the prospecting licence or prospecting license cum mining lease or the mining lease shall,-  
(a) when any new appointment of an agent, mining engineer, geologist or any person is made under sub-rule (1)of rule 55; or  
(b) when the employment of any such person is terminated or any such person leaves the said employment; or  
(c) when any change occurs in the address of any such person, within fifteen days from the date of such appointment, termination, leaving or change in address, give a notice in Form H of the Schedule to the authorised officer, as the case may be.  
In the Mine -  
1. Shri Shri Nivash Mishra has been appointed in the post of Mining Geologist &  
2. Shri Mritunjay Prasad has been appointed in the post of Mining Engineer  
But notices of appointment of Shri Shri Nivash Mishra and Mritunjay Prasad have not been submitted to Regional Office , Jabalpur.

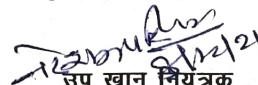
2. In this connection, it is brought to your notice that the above violations constitute an offence punishable under Rule 62 of Mineral Conservations and Development Rules, 2017.
3. The mining operations can be suspended under the rule 11(2) & 45(7) of MCDR-2017, if compliance of rule 11(1) & 45(7) of MCDR-2017 is not found satisfactory
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.

  
(नरेश कुमार कटारिया)  
उप खान नियंत्रक  
कृते क्षेत्रीय खान नियंत्रक

**NOO: 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. It is to inform with an anticipation of necessary action against illegal mining that have been observed in i.e. a part of working about 30mX20m area falls outside of the lease area which falls in Khasara No. 107
02. The District Collector, Satna (M.P.) for information.

का.प्र.

  
उप खान नियंत्रक  
कृते क्षेत्रीय खान नियंत्रक