

VIOLATION LETTER
REGISTERED A/D

GOVERNMENT OF INDIA
MINISTRY OF MINES
INDIAN BUREAU OF MINES
OFFICE OF THE REGIONAL CONTROLLER OF MINES

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Ashok Nagar, Ranchi – 834 002
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Date: 06.12.2017

No.KOL/JHK/SB(W)/Fe(V-I) Vol II

MineCode30JHK18015

To,

Shri. P.K. Jain
Joint Managing Director & Nominated owner,
M/s Usha Martin Ltd.
Post Box – 147, Jamshedpur
Jharkhand- 831001

Sub: Violation of provisions of MCDR, 1988 in respect of your “Vijay II Iron Ore Mine over an area of 155.078 Hectare in West Singhbhum District of Jharkhand State.

Sir,

The following provisions of Mineral Conservation and Development Rules, 2017 were found violated in your above mine during joint inspection carried out by Shri. Naman Ekka, JMG and the undersigned on 31/10/2017 in presence of Sri M.B.Singh, Agent of mines.

Rule No.	Nature of violations observed in details.
	<p>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.</p> <p>In your case the following have been noticed, which were not pursuant to the approved Mining Plan dated 06/02/2017 valid for the plan period 2015-16 to 2019-20:-</p> <p>I. The Approval of Scheme of Mining was subjected to compliance of CCOM's Circular No. 2/2010 within three (03) months vide condition no. (vi) of letter no. KOL/JHK/SB(W)/Fe/MP-629. Vol. III dated 06/02/2017, which has not been complied yet.</p> <p>II. The proposed plantation of 2000 saplings on Dump was not carried out during 2016-17.</p> <p>III. The proposed backfilling of 1.53 Ha. in quarry no. 1 has not been carried out as per proposal during 2016-17.</p> <p>These deviation may attract provision of Rule- 11(2) of MCDR, 2017.</p>
	<p>Rule- 48(1): The holder of a mining lease or the holder of a prospecting licence or prospecting license-cum-mining lease shall keep a record in Form-J of all shafts or boreholes and shall retain such records and preserve the samples of the strata passed through for a period of not less than twelve months after the completion of the work or abandonment thereof:</p> <p>Provided that the records of boreholes and shafts exceeding one hundred metres length shall not be destroyed except with the prior approval of the authorised officer, as the case may be.</p> <p>In your case while inspection records in Form J of Boreholes was not shown.</p>
	<p>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.</p> <p>In your case the same has not been submitted for the year 2016-17, before 1st July 2017.</p>

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Rule - 19. Machinery and plant.-(1) Where heavy earth moving machinery is used in mines, the holder of a mining lease shall maintain log books duly authenticated by the manager or mining engineer of such mines in respect of each machine showing date-wise account of hours worked, hours not worked, reasons for non-working, consumption of fuel or energy and lubricants and output of the machine during the corresponding working hours.

(2) The summary of operation of each machine shall be recorded in the log book at the end of each month bringing out the percentage availability and percentage utilisation of the machine, average hourly performance and average fuel or energy consumption per hour.

(3) The log books may be maintained in electronic form or in hard copy and shall be made available to the authorized officer on demand.

The Same was not produced for verification on demand.

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 the case of any other mine as mentioned in clause (b) of sub-rule (2) of rule 55.

In your case it was observed that the same have not been maintained up to date.

Rule-33: 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 plan and sections maintained under rule 32 of MCDR, 2017.

It was observed that no such digital along with a print copy of plan and sections as required under the Rule have been submitted to this office, on or before 30th June 2017.

Rule-35(2): Every holder of a mining lease shall monitor his mining and allied activities as per the notified template of star rating in the format prescribed in this behalf by the Indian Bureau of Mines from time to time, and shall submit online its self assessment report before the 1st day of July every year for the previous financial year, along with the soft copy (in the standard format), of high resolution satellite images obtained from CARTOSAT-2 satellite LISS-IV sensor on the scale of cadastral map, as on the 31st day of March for that financial year, covering the mining lease and an area of two kilometers from the lease boundary, to the Regional Controller or the authorized officer of the Indian Bureau of Mines.

The required satellite image has not been received from your end.

Rule-45(7): The Annual Return for the year 2016-17 has been submitted, the following discrepancies have been observed.

- I. Part I, Point 12 – Total Lease area utilization at the end of the year is 22.97 Ha. Which is less as total broken up area at the time of approval of Scheme of Mining was 29.4648 Ha.
- II. Part IV Consumption of Explosives, Point 1- capacity of Explosives, Detonators & fuses are not mentioned.

Incomplete or wrong or false information in Monthly or Annual returns may attract Provision of Rule-45(7)(a) of MCDR, 2017.

02. In this connection it is brought to your notice that the above violations constitute an offence punishable under Rule-62 of MCDR-2017. The relevant extract of the rule 62 is given below:

“62 Penalty: - Whoever contravenes any of the provisions of these rules shall be punishable with imprisonment for a term which may extend to two years or with fine which may extend to five lakh rupees, or with both, and in the case of a continuing contravention, with additional fine which may extend to fifty thousand rupees for every day during which such contravention continues after conviction for the first such contravention.

03. You are, therefore, 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,

Sd/-

(B.P.Kerketta)

Sr. Assistant Controller of Mines

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Copy forwarded for kind information to:

The Director of Mines, Govt. of Jharkhand, Nepal House Area, Doranda, Ranchi – 834 002.

(a) For examination & extent of the pit / quarries and its development /proposals etc. there is requirement of the boundary pillars. But physical presence of all the boundary pillars of the lease boundary /area have not been seen at the time of inspection as per rule 12(1)(v) of Minerals (Other than Atomic and Hydrocarbons Energy Minerals) Concession Rule, 2016.

(b) The lessee shall have to comply with the aforementioned Mineral Conservation and Development rule 2017 framed under Section 18 of the Mines and Minerals (Regulation & Development) Act, 1957 (amended upto 27th March 2015) as required under Rule 29(a) of Minerals (Other than Atomic and Hydrocarbons Energy Minerals) Concession Rule, 2016.

Sd/-

(B.P.Kerketta)

Sr. Assistant Controller of Mines

N.O.O.:

Copy forwarded for kind information to:

1. The Controller of Mines (CZ), Indian Bureau of Mines, Civil Lines, Nagpur- 440001.

2. The Director General (MMS Division), Indian Bureau of Mines, Civil Lines, Nagpur- 440001.

Sd/-

(B.P.Kerketta)

Sr. Assistant Controller of Mines