

ofc

**Violation Letter**  
रजिस्टर्ड पोस्ट/ फेक्स/ई-मेल द्वारा  
By Regd. Post/ Fax/ E-mail



भारत सरकार/ Government of India  
खान मंत्रालय / Ministry of Mines  
भारतीय खान ब्यूरो / Indian Bureau of Mines  
क्षेत्रीय खान नियंत्रक का कार्यालय / Office of the Regional Controller of Mines  
\*\*\*\*\*



File No.:MP/BGT/MN- 47/NGP/JBP/ **6793-6797**  
Mine code: **40 MPR 01044**

जबलपुर, दिनांक 01/11/2018

To

Director (Production & Planning) & Nominated Owner,  
MOIL Ltd. (A Govt. of India Enterprise), MOIL BHAWAN',  
1A, Katol Road, Nagpur – 440 013 (Maharashtra)

**Sub:** Violation of provisions of Mineral Conservation and Development Rules, 2017, in respect of your **Lugma-Ukwa Manganese Mine** over an extent of **Area: 69.581 Ha.** in Balaghat district of Madhya Pradesh.

Sir,

The following provisions of the MCDR-2017 were found violated in your above mine during the inspection on 16.08.2018 by Shri O P Gopal, SMG and undersigned in presence of the mine officials Shri V R Parida, Agent & Sr. Dy.GM (Mines), Shri Sudhir D Pathak, Mine Manager, Shri Vinay Rahandale, Geologist (Part-time) and Shri Ramratan Ukey, Mining Engineer.

Rule No.	Nature of violations observed
11	<p>(1) <u>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.</u></p> <p>(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 <u>incorrect, misleading or non-compliant with applicable laws</u> 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> <p>(i) <u>Mine workings have not been carried out in accordance to approved doc at Ch. 6100- Ch. 6000, and Ch.6100 to Ch.6400 (2 nos. stopes) and Ch.6000 to Ch. 5800 (1 no. stope) between 1850'L and 1750'L</u></p> <p>(ii) <u>The underground mining workings with common lease boundary of another mining leases of Ukwa Mn. Mines (Area: 199.0673ha.) have been going on without due permission from competent authority under Rule-111(3) of MMR-1961 read with Rule-69 of Mineral Concession Rules-2016.</u></p>

gk  
ok

Rule No.	Nature of violations observed
...contd 11	<p>(iii) The waste-rocks dumpings from the mine have been dumped at another adjacent lease i.e. Ukwa Mine (199.067 ha.) site, rather than within the ultimate pit limit of the mine as envisaged 2.0 Ha. area envisaged in the proposal of area put to use in approved doc.</p> <p>Thus, the aforesaid attract violations of provisions of Rule-11(1) which may lead to suspension of mining operation under Rule-11(2), MCDR-2017.</p>
12	<p>(6) Mineral resources shall be estimated periodically based on exploration carried out and the resources shall be estimated up to the threshold value of the mineral, as may be notified by Indian Bureau of Mines, from time to time and the updated resources shall be furnished in the Review of the Mining Plan at the interval of five years.</p> <p><i>In your case, the mineral reserves/resources have been estimated for manganese ore of grade up to Mn.:20% , which is <u>not in accordance to the threshold value for manganese ore i.e. up to Mn.: 10% (Min.) as notified by Indian Bureau of Mines and thus, attracts violation under the provision of this Rule.</u></i></p>
14	<p>(1) All the non-saleable or un-usable minerals or ores <u>above the threshold value of the mineral</u>, as may be notified by Indian Bureau of Mines from time to time, or otherwise <u>shall be stacked separately</u> on the ground earmarked for the purpose:</p> <p><i>In your case, <u>manganese ore of grade of Mn: 15% have been reported (Annual Report 2017-18) as mineral rejects, which is not in accordance to the threshold value of Manganese Ore is Mn.: 10% (Min.) as notified by Indian Bureau of Mines have not been adhered to by Lessee.</u></i></p>
37	<p>(2) The <u>dumps</u> shall be <u>properly secured to prevent</u> escape of material there from in harmful quantities which may cause <u>degradation of environment</u> and to prevent causation of floods.</p> <p>(6) The <u>finer, rejects or tailings from mine</u>, beneficiation or metallurgical plants shall be deposited and disposed in a specially prepared tailings disposal area such that they <u>are not allowed to flow away and cause</u> land degradation or damage to agricultural field, pollution of surface water bodies and ground water or cause floods.</p> <p><i>In your case,, <u>retaining walls and/or garland drains have not been maintained around such overburden/ waste-rock dumps to prevent land degradation or damage to agricultural field in the context of close vicinity, pollution of surface water bodies i vis-à-vis Environment Clearance, vides N.J-11015/437/2006-IA.II(M), dated 22-12-2008 of MoEF and the approved MMP &amp; PMCP. Hence, these attract the violations under the provisions of these Rules.</u></i></p>
39	<p>Stopping in underground mines shall be so carried out as to keep surface subsidence under control read with Rule-15 (2), (3) &amp; (4) of MCDR-2017.</p> <p><i>In your case, <u>monitoring for control of surface subsidence had not been undertaken for under-ground workings of mine for Lugma-Ukwa Mine (69.581 ha.) and hence attract the violation under the provision of this Rule..</u></i>  <i>[The control of surface subsistence monitoring report furnished w.r.t. Ukwa Mine (199.067 ha.) won't hold good]</i></p>
45	<p>(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 <u>submitted incomplete or wrong or false information</u> in daily or monthly or annual returns or fails to submit a return within the date specified; then,-</p> <p>(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,-</p>

Rule No.	Nature of violations observed
----------	-------------------------------

- ...contd 45 (7)
- 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;

*In your case, it was observed as under that;*

- Geological Resources/Reserves figures as reported in Annual Return (2016-17) are mis-matching than that of approved doc.
- Details w.r.t. area put to use (land use pattern) under different heads/items reported in Annual Return 2017-18 vis-a-vis approved MMP & PMCP and that of approved Environmental Clearance vides No.J-11015/437/2008-IA-II(M), dated 22.12.2008 of MoEF are mis-matching.

*Hence, these contraventions attract violations under the provisions of these Rules.*

- 55 (1) For the purpose of carrying out reconnaissance, prospecting or mining operations in accordance with these rules,-
- every holder of reconnaissance permit shall employ a whole-time geologist;
  - every holder of prospecting licence or a prospecting license cum mining lease shall employ a whole-time geologist and a part-time mining engineer;
  - every holder of a mining lease shall employ, in case of-
    - category 'A' mines, a whole-time mining engineer and a geologist;
    - category 'B' mines, a part-time mining engineer and a part-time geologist;


*In your case, for Category 'A' under-ground mine, no 'Whole-time' Geologist has been appointed. Shri V Rahandale, Geologist-in-charge has been appointed for more than one mine of the group i.e. Ukwa Mn. Mines (199.0673Ha.), Balaghat Mn. Mine (182.3 Ha.), Bharweli. 76.409 Ha.) etc. Hence, this attracts the violation under the provision of this Rule read with Rule-56.*

- It is brought to your notice that the above-said violations constitute an offence punishable under Rule-62 of MCDR, 2017.
- 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.
- Please note that no further notice shall be given to you in this regard.


**Copy for favour of kind information to:**

- The Controller of Mines (CZ), Indian Bureau of Mines  
Indira Bhawan, Civil Lines, Nagpur- 440 001 (Maharashtra)
- The Director, Directorate of Geology & Mining, '29-A',  
Khanij Bhawan, Arera Hills, Bhopal - 462 002 (M.P.)
- CMD, MOIL Ltd. (A Govt. of India Enterprise), MOIL BHAWAN', 1A, Katol Road,  
Nagpur - 440 013 (Maharashtra)
- Agent & Sr. Dy.GM (Mines), At/P.O.- Bharweli, Dist. Balaghat, M.P. - 481 102

भ व दी य

  
01.11.2018  
(बिजय बसन्त कुमार साहु)

उप खान नियंत्रक  
भारतीय खान बुरो

  
01.11.2018  
बिजय बसन्त कुमार साहु

उप खान नियंत्रक