

VIOLATION LETTER
BY REGISTERED A/D

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

No. AP/VZNR/Mn-42

6th Floor, CGO Complex,
Kavadiguda
Secunderabad - 500 080.
Date: 19/3/2019

To,

Sri Vishnu Mor, Managing Partner
M/s R.B.S.S.D & F.N. Das,
P.O. Shreeramnagar – 535 101,
Dist. Vizianagaram, A.P.

Sub: Violation of Provisions of MCDR, 2017 in respect of your Avagudem manganese mine over an extent of 13.868 Ha situated in Avagudem Village, Garividi Mandal, Vizianagaram district, Andhra Pradesh state.

Sir,

The following provisions of Mineral Conservation and Development Rules 2017, were found violated in your above mine during the inspection of the mine on 07.03.2019 by the undersigned and accompanied by Shri Diwakar, Mines Manager and Dr. Ganga Rao.B.S, Qualified person.

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 carried out in accordance with the proposals given in approved Scheme of Mining vide letter no. AP/VZNR/MS/Mn-16/Hyd dated 16.09.2016 to the extent indicated below:</p> <ol style="list-style-type: none">1. It was approved to carry out mining operations by maintaining bench height of 3.0 meters and width more than the 3.0 meters in overburden benches and 1.5 meters height and 2.0 meters width in ore benches; against which it was observed that mining operations are being carried out with bench height of more than 9 meters and width of about 1.5 meters in overburden and 3.0 meters height and 1.5 meters width in ore.2. It was approved to carry out mining of ore benches by manual means but it was observed during inspection that machine is being deployed which resulted dilution of ore and ore mixed with waste found dumped in waste dump yard.3. Substantial quantity of mineral reject is produced and stocked near BP no.3, 4, near mine office in the lease area against no such approved proposals.4. It was approved to dump waste material within lease area against which waste material

	<p>generated 43,680 cum and 15,260 cum during the years 2017-18 & 2018-19 respectively but no waste dump is observed in the lease area but found dumped outside lease area.</p>
12(5)	<p><i>The sampling of drill cores or chips, pit samples and trench samples shall be done for the entire mineralised portion at regular intervals, preferably meter wise or less, and chemical analysis for the major radical shall be done for all the samples.</i></p> <p>Meter wise analysis of bore holes drilled during the year 2018-19, as required under the statute, has not be carried out.</p>
23 E(2)	<p><i>The owner, agent, manager or mining engineer shall submit to the Regional Controller of Mines or the officer authorised by the State Government in this behalf, as the case may be, a yearly report before 1st July of 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.</i></p> <p>The yearly report for the year 2017-18 setting forth the extent of protective and rehabilitation work carried out as envisaged in the approved scheme of Mining has not been submitted to the Regional Controller of Mines, Indian Bureau of Mines, Hyderabad.</p>
27(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 (b) of sub-rule (1) of rule 42, and within twelve months in the case of any other mine.</i></p> <p>During inspection it was observed that plans and sections were not maintained updated as per the actual field condition. Bench position with RL, Ore body, low grade ore stock, waste dump has not been demarcated as per field condition.</p>
55 (1) (iii)	<p><i>For the purpose of carrying out reconnaissance, prospecting or mining operations in accordance with these rules,–</i></p> <p><i>Every holder of a mining lease shall employ, in case of category 'A' mines, a whole-time mining engineer and a geologist have minimum five years of professional experience of working in a supervisory capacity in the field of mining;</i></p> <p>The subject mine being Category-A fully mechanised mine, a whole time Mining Engineer and Geologist has not been employed in the lease area as required under this rule.</p>
45(7) (a)	<p><i>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,–</i></p> <p><i>(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,–</i></p> <p><i>(i) order suspension of all mining operations in the mine and to revoke the order of suspension only after ensuring proper compliance;</i></p> <p><i>(ii) take action to initiate prosecution under these rules;</i></p> <p><i>(iii) recommend termination of the mining lease, in case such suppression or misrepresentation of information indicates abetment or connivance of illegal mining;</i></p> <p>On scrutiny of annual return submitted for the year 2017-18, following discrepancies are observed</p> <ol style="list-style-type: none"> 1. Refer Part-VI, item no.4, Manganese ore of 3579 MT having grade 'below 25% Mn' is dispatched to M/s RADHIKA METALS & MINERALS as '<u>domestic transfer</u>' at the rate of Rs.1230.91 per tonne , where as average sale price for the year 2017-18 for the same grade is not below Rs. 3195.00 per tonne.

	<p>2. Refer Part-VI, item no.4, Manganese ore of 3375 MT having grade '25% to 35% Mn' is dispatched to M/s RADHIKA METALS & MINERALS as '<u>domestic transfer</u>' at the rate of Rs.2537.85 per tonne, where as average sale price for the year 2017-18 for the same grade is not below Rs. 3872.00 per tone.</p> <p>The ore is being dispatched as 'Domestic transfer' to M/s RADHIKA METALS & MINERALS basis of the same with supporting document should be submitted. Further, detail backup calculation for arriving the price should be submitted with supporting document</p>
67	<p>ROM register, Sub grade register, Mineral process register, waste generation register which are supposed to be kept in the mine for verification during inspection but were not shown to the undersigned. 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.
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)
Sr. Assistant Controller of Mines

Copy forwarded for kind information and necessary action:

1. Director of Mines & Geology ,Govt. of Andhra Pradesh, Sri Anjaneya Towers, D.No.7-104, Block B,5 & 6th Floors, Ibrahimpatnam. 521456.Vijayawada, (Krishna District). He is requested to intimate the concerned ADMG for not to issue Transit Permits till the revocation of suspension order.
2. The Assistant Director of Mines and Geology, Dept. of Mines and Geology, Govt. of Andhra Pradesh, Vizianagaram district, A.P. State.

(IBRAHIM SHARIEF)
Sr Assistant Controller of Mines

Not on original:

1. The Controller of Mines (SZ), Indian Bureau of Mines, Bangaluru, for kind information.

(IBRAHIM SHARIEF)
Sr Assistant Controller of Mines