



Government of India
Ministry of Mines
Indian Bureau of Mines
Office of the Regional Controller of Mines, Jabalpur

File No. 94-98

Date: 09/01/2020

To,

Sh. Venkatesan Thyagarjan,
Director & Nominated Owner
M/s Dalmia Cement (Bharat) Limited
11th and 12th floors, Hansalaya Building, 15, Barakhamba Road,
New Delhi - 110001

To,

Pagara Jhiriya Limestone Mine
M/s Dalmia Cement (Bharat) Limited
11th and 12th floors, Hansalaya Building, 15, Barakhamba Road,
New Delhi - 110001

Subject: Violation of provisions of Mineral Conservation and Development Rules, 2017, in respect to **Inspection of Pagara Jhiriya Limestone Mine (395.965 Ha), M/s Dalmia Cement (Bharat) Limited.**

Sir,

Undersigned has inspected your mine in the presence of Sh Vikrant Saraf (QP), Sh Sandeep (Mine Geologist) on 19/12/2019. Following provisions of MCDR 2017 were found violated in your mines during inspection.

Rule No	Nature of violation observed in detail
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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.

The document of above mentioned mine was approved vide letter No.-MP/Satna/Limestone/Mod-28 /18-19 dated 30/11/2018 incorporating proposal of working from 2018-19 to 2019-20.

During inspection it has been observed that the following provisions of the rule have been violated:-

- It was proposed to drill 15 nos. of exploratory bore holes in the grid interval of 200 m x200 m in the year 2018-19. It was observed during inspection that no exploratory drilling has been done in the year 2018-19 as per approved proposals.
- It was proposed to remove 150929 m³ top soil and 172409 m³ quantity of overburden for development of mine in the year 2018-19. But, it was observed during inspection that no top soil and overburden was removed for development of mine in the year 2018-19. The mine-development was lagging from the proposal and not as per the approved proposals of approved document.

Rule 20(1) The holder of a mining lease shall send to the authorised officer, as the case may be, an intimation in Form C of the Schedule of the opening of a mine so as to reach them within fifteen days of such opening, which shall be accompanied with a copy of the approved mining plan, in case the mine is being opened after a lapse of five years period from the date of approval of the mining plan.

During scrutiny of the office records, it has been observed that the intimation in Form C of the Schedule of the opening of a mine under rule 20 of MCDR 2017 has not been submitted till date. 28.

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.

During scrutiny of the office records, it has been observed that the yearly report in respect of rule 26(2) of MCDR 2017 has not been submitted for the year 2018-19.

Rule 28 (1) Subject to the provisions of section 4A, the holder of a mining lease shall send to the authorised officer, as the case may be, and the State Government a notice in Form E when the mining or mineral processing operations in the mine or part thereof are discontinued for a period exceeding ninety days so as to reach them within one hundred and twenty days from the date of such temporary discontinuance.
During scrutiny of office records, it has been observed that no such intimation in Form-E has been submitted by lessee at this 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.
During scrutiny of office records, it has been observed that no such copies plans and sections have been submitted by lessee at this office.

45(5)(b) The holder of a mining lease shall submit online returns in respect of each mine to the Regional Controller or any other authorized official of the Indian Bureau of Mines in the following manner namely:-

(b) A monthly return which shall be submitted before the tenth of the day of every month in respect of the preceding month in electronic form along with the signed print copy of the same if it is not digitally signed, in the prescribed form.

During the scrutiny of office records, it has been observed that the monthly returns and annual returns have not been filed in the electronic form by lessee in the last approved period.

Rule 55 (1) For the purpose of carrying out reconnaissance, prospecting or mining operations in accordance with these rules, –

a. every holder of reconnaissance permit shall employ a whole-time geologist;

b. every holder of prospecting licence or a prospecting license-cum-mining lease shall employ a whole-time geologist and a part-time mining engineer;

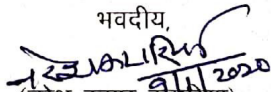
c. every holder of a mining lease shall employ, in case of –
category 'A' mines, a whole-time mining engineer and a geologist;

category 'B' mines, a part-time mining engineer and a part-time geologist;

Provided that in the case of fully mechanised category 'A' mines, the mining engineers and geologists shall have minimum five years of professional experience of working in a supervisory capacity in the field of mining.

It has been observed that whole time Mining Engineer and Geologist have not been appointed for this lease area as per provisions of rule.


1. In this connection, it is brought to your notice that the above violations constitute an offence punishable under Rule 62 of Mineral Conservation and Development Rules, 2017.
2. The mining operations can be suspended under the rule 11(2) of MCDR-2017, if compliance of rule 11(1) of MCDR-2017 is not found satisfactory.
3. You are advised to rectify the violations of abovementioned rules immediately and intimate the position to this office within 45 (Forty Five) days from the date of issue of this letter.

भवदीय,

(नरेश कुमार कटारिया)
उप खान नियंत्रक
भारतीय खान ब्यूरो

NOO:

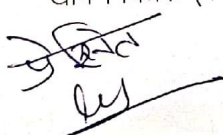
प्रतिलिपि प्रेषित :

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.
02. The District Collector, Satna (M.P.) for information.

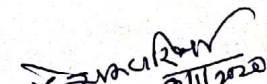

उप खान नियंत्रक
भारतीय खान ब्यूरो

प्रतिलिपि प्रेषित :

खान नियंत्रक (मध्य), भारतीय खान ब्यूरो, नागपुर को सूचनाार्थ प्रेषित।



etc


उप खान नियंत्रक
भारतीय खान ब्यूरो