



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/Jabalpur/Limestone-230 | 773-1776

रजिस्टर्ड ए०डी० कारण बताओ नोटिस
Jabalpur, dated: 31/07/2020

सेवा मे,

Dr. Subhash Kumar Agrawal
1396, Adhartal,
Post-Jabalpur (M.P.)-482002

विषय - मध्य प्रदेश राज्य के Jabalpur जिले में स्थित आपकी Sakri Iron Ore, Manganese & Limestone Mine, (क्षेत्रफल 12.71 हे०) में खनिज संरक्षण एवं विकास नियमावली, 2017 के नियमों का उल्लंघन। (Mine Code- 38MPRI18135)

महोदय,
The following provisions of the Mineral Conservation and Development Rules, 2017 were found violated in your above mentioned mine during the inspection by Shri Sanjay M. Girhe, Regional Mining Geologist on 17.03.2020 in presence of Shri. Dr. Subhash Agrawal, Lessee & Neeraj Agrawal as under. The violations were communicated to you vide this office registered AD letter of even no. dated 05/05/2020 giving you a time period of 45 (forty-five) days for rectification of the same.

नियम स.	पाए गए उल्लंघन की विस्तृत प्रकृति									
Rule 11 (1)	<p>According to this rule-No holder of a mining lease shall commence or carry out mining operation 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 Govt. pursuant to the provisions to clause (b) of Sub Section (2) of Section 5 or approved by the competent authority of the Atomic Minerals Directorate for exploration and Researching respect of minerals specified in Part B of the First Schedule of the Act where the grade of such atomic minerals is equal to or above the threshold value limit declared under schedule-A of the Atomic Mineral Concession Rules 2016</p> <p>The Modified Mining Plan of above mentioned mine was approved vide this office letter No-MP/Jabalpur/Iron Ore/MPLN/MOD-75/2017-18 dated 22/02/2018 incorporating the proposals of working from 2017-18 to 2021-22. During the inspection it was found that following provisions of rule have been violated</p> <p>i) In Part-A,Para-1(i),Under the future exploration programme, exploration was proposed in following manner</p> <table border="1"> <thead> <tr> <th>Year</th> <th>Proposed exploration</th> <th>Exploration carried out</th> </tr> </thead> <tbody> <tr> <td>2017-18</td> <td>08 Core Boreholes</td> <td>-Nil-</td> </tr> <tr> <td>2018-19</td> <td>08 Core Boreholes</td> <td>-Nil-</td> </tr> </tbody> </table> <p>From above table it is clearly indicate that lessee has not carried out the exploration as per the approved proposals of modified mining plan till the date of inspection which attracts the violation aforesaid rule.</p>	Year	Proposed exploration	Exploration carried out	2017-18	08 Core Boreholes	-Nil-	2018-19	08 Core Boreholes	-Nil-
Year	Proposed exploration	Exploration carried out								
2017-18	08 Core Boreholes	-Nil-								
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Rule 26(2)	<p>The holder of mining lease shall submit a yearly report as per the format specified before 1st July of every year setting forth the extent of protective and rehabilitative work carried out as envisaged in the approved mine closure plan, and if there is any deviation, reason thereof</p> <p>But, in your case the aforesaid Report in prescribe Form for the year 2018-19 is not submitted to the Regional Controller of Mine, Jabalpur till the date of inspection.</p>									
Rule 31(4)	<p>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</p> <p>As this is "A" category mine and required plans & sections are need to be updated on quarterly basis as required under this rule but the same were are not updated in stipulated time and not maintained at mines site office.</p>									
Rule 35(2)	<p>Every holder of a mining leas shall monitor his mining & allied activities as per the notified template of Star rating in the format prescribed in this behalf by Indian Bureau of Mines from time to time, and shall submit online its self assessment report before the first day of July every year for the previous financial year, along with the soft copy of high resolution satellite images from CARTOSAT-2 satellite LISS-IV sensor on the scale of cadastral map under provision of rule".</p> <p>But, it is found that, you have not submitted the Star Ratings Templates for the year 2018-19 in online system under the stipulated time as required under this rule.</p> <p>Hence, it is violation of aforesaid mentioned rule and further non-compliance of this rule may lead to the suspension of mining operations where at least three star rating has not been achieved within a period of four years with effect from the 27th February, 2017 or four years from the date of commencement of mining operations, as the case may be.</p>									

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Rule 45(1)	<i>The holder of the mining lease, or any person or company engaged in trading or storage or end-use or export of minerals mined in the country, shall cause himself to be registered with the Indian Bureau of Mines as per application specified in Form-K of the Schedule and the registration number so allotted by the Indian Bureau of Mines shall be used for all purpose of online reporting and correspondence connected therewith</i> But, it is observed that you have not done online MTS registration in prescribed Form so for till the date inspection & thus violating above provision of rule.
Rule 45(7)	<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> (a) <i>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> (i) <i>order suspension of all mining operations in the mine and to revoke the order of suspension only after ensuring proper compliance</i> (ii) <i>take action to initiate prosecution under these rules;</i> (iii) <i>recommend termination of the mining lease, in case such suppression or misrepresentation of information indicates abetment or connivance of illegal mining;</i> During the scrutiny of annual return submitted for the year 2018-19 to the Regional Controller of Mines have found following discrepancies - i) Part-I under item-12: Lease area utilization at the end of the year not given in correct manner as the area occupied by the mineral stacks has not been furnished. ii) Part-VI, under item-2: The ex-mine price for below 25% Mn is reported as Rs-1546/Per tonne which is on lower side compare to Avg. Sale Price published by IBM. iii) Part-VI, under item-5: Nature of dispatch of Mn ore is indicated as "Domestic Sale" but the registration numbers as allotted by the Indian Bureau of Mines to all buyers have not been mentioned in the relevant column. iv) Part-VII, under the cost of production, royalty of limestone is furnished as Rs:- 130/tonne is incorrect. Cost per tonne in respect of Taxes liability is furnished as Rs 139.73 which appears to be incorrect. DMF & NMET contribution cost is also not considered for cost per tones computation.

- It has been found that you have neither responded nor complied to the violation letter so far. Therefore, violation of Rule 11(1), 26(2), 31(4), 35(2), 45(1) and 45(7) of MCDR 17 still exist in above mention mine.
- The mining operations may be suspended under the rule 11(2) of MCDR-2017, if compliance of the pending rule 11(1) of MCDR-2017 is not found satisfactory.
- Further, for the non-compliance of Rule 45(7) of MCDR-2017, necessary action shall be initiated as deemed fit under the provision of rule 45(7) (a) (i) (ii) (iii) of MCDR, 2017.
- 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.
- You are, therefore, directed to show cause within a period of 30 (thirty) days from the date of issue of this letter, as to why you should not be prosecuted for the above offence.
- Please note that no further notice will be given to you in this regard.

भवदीय,

o/c

(संदीप सिंह)

उप.खान नियंत्रक
भारतीय खान ब्यूरो,

प्रतिलिपि सूचनार्थ हेतु प्रेषित :

- The Director of Geology & Mining, Govt. of Madhya Pradesh, Khanij Bhavan, 29-A, Arera Hills, Bhopal (M.P.).
- The District Collector, Jabalpur (M.P.).

o/c

उप.खान नियंत्रक
भारतीय खान ब्यूरो

प्रतिलिपि प्रेषित :

The Controller of Mines (CZ), IBM, Nagpur for information.

o/c

उप.खान नियंत्रक
भारतीय खान ब्यूरो,