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Violation letter

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

No. MP/Jbp/Laterite -5/Vol.2 /292 to 290.
To

Date: 14.01.2016

20.

**Shri Rajiv Chaddha ,
Opposite G.S.College,
Civil Lines Jabalpur**

Sub: Violations of provision of MCDR 1988 in respect of your Gandhigram Laterite, Iron ore & Ochre mine over an extent of 7.310 hect. in Jabalpur district, Madhya Pradesh.

Sir,

The following provisions of Mineral Conservation and Development Rules, 1988 were found violated in your above mine during the inspection by undersigned on 15/12/2015 in the presence of **Shri S.R.Garg, mines manager and M.M.Gosavi, consultant.**


Rule No.	Nature of Violation observed																																										
12(3)	In accordance with the rule, scheme of mining shall be submitted for the next five years to the Regional Controller of Mines at least Hundred and Twenty days (120 days) before the expiry of five years period. The mining plan for the mine was approved by vide letter no.314(3)/2012-MCCM(CZ)/MP-8/214-Nagpur dated 14/11/2012, having valid proposal period from 2012-13 to 2015-16 (upto 31/03/2016). Thus, the scheme of mining for the next five year period should have been submitted to the Regional Controller of Mines on or before 01/12/2015, which has not been submitted so far. This amounts to the violation of the rule.																																										
13(1)	According to this rule every holder of a mining lease shall carry out mining operations in the mine in accordance with the approved mining plan / scheme of mining. The mining plan for this mine was approved vide letter no 314(3)/2012-MCCM(CZ)/MP-8/214-Nagpur dated 14/11/2012 for a proposal period from 2012-13 to 2015-16. The Mining Operations in the mine are not being carried out in accordance with the proposal given in the mining plan approved vide aforesaid letter. The extent of deviation is as follows: <ol style="list-style-type: none"> It was proposed to drill two Boreholes during the year 2011-12 but no boreholes were drilled You have produced 128600 tonne iron ore during 2014-15 and 46000 tonne iron ore during 2015-16 (upto Nov,2015) but no where place of excavation was seen. Thus, you may explained from which place with location, RL you have excavated the ore and OB. During inspection it was noticed that the Boundary Pillar No.2 was shifted as per the GPS reading taken in presence of your officials and area was backfilled. The plant tailing was thrown in the pit which was water logged. This was not proposed in the proposals. 																																										
42(1) (c) (i)	Whole time mining engineer has not been appointed.																																										
45(7)	If it is found that the owner, agent, mining engineer or manager of a mine 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 monthly or special or annual returns or fails to submit a return within a date specified, - In the case of mining of minerals by the owner, agent, mining engineer or manager of a mine then the Regional Controller of Mines may, - <ol style="list-style-type: none"> Order suspension of mining operations in the mine and may revoke the order of suspension only after ensuring proper compliance. Take action to initiate prosecution under these rules. <ol style="list-style-type: none"> The Annual Return submitted by Shri Rajiv Chaddha, the lessee for the year 2014-15 was examined and on examination following discrepancies have been observed in the Annual Return of 2014-15:- The cost of mining is shown as Rs. 1700/- per tonne whereas you have sold the ore at average price of Rs. 1751/- per tonne which is not possible. The most of items of the Annual Return were left blank. All financial payment / capital structure were not given. The monthly returns submitted by you to this office has been examined and following discrepancies observed:- <table border="1"> <thead> <tr> <th>Sl.No.</th> <th>Month</th> <th>Opening stock in tonnes</th> <th>Production in tonnes</th> <th>Despatch in tonnes</th> <th>Closing stock in tonnes</th> </tr> </thead> <tbody> <tr> <td>1</td> <td>April,15</td> <td>321312.720</td> <td>15000</td> <td>3667.915</td> <td>332644.805</td> </tr> <tr> <td>2</td> <td>May,15</td> <td>332644.805</td> <td>5000</td> <td>2410.705</td> <td>335234.10</td> </tr> <tr> <td>3</td> <td>Jun,15</td> <td>335234.1</td> <td>6000</td> <td>0</td> <td>341234.1</td> </tr> <tr> <td>4</td> <td>July,15</td> <td>341234.1</td> <td>2000</td> <td>3862.275</td> <td>339371.825</td> </tr> <tr> <td>5</td> <td>Aug,15</td> <td>294371.825</td> <td>1000</td> <td>959.975</td> <td>294411.85</td> </tr> <tr> <td>6</td> <td>Sep,15</td> <td>294411.850</td> <td>2000</td> <td>7309.810</td> <td>289102.04</td> </tr> </tbody> </table> 	Sl.No.	Month	Opening stock in tonnes	Production in tonnes	Despatch in tonnes	Closing stock in tonnes	1	April,15	321312.720	15000	3667.915	332644.805	2	May,15	332644.805	5000	2410.705	335234.10	3	Jun,15	335234.1	6000	0	341234.1	4	July,15	341234.1	2000	3862.275	339371.825	5	Aug,15	294371.825	1000	959.975	294411.85	6	Sep,15	294411.850	2000	7309.810	289102.04
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The above figures quoted by you in monthly returns. The opening stock of the August, 15 is not matching with the closing stock of July, 2015. This shows that you have intentionally submitted the incorrect / wrong monthly return. Therefore why mining operation of the mine should not be suspended?

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20/01/16


2. In this connection it is brought to your notice that the above violations constitute an offence punishable under rule 58 of MCDR, 1988.
3. It may be noted that wrong/false or non-submission of returns within the date specified, attracts provisions of Rule 45(7) according to which the Regional Controller of Mines may,-
- (a) Order suspension of all mining operations.
- (b) Initiate prosecution under these rules;
- (c) Recommend termination of the mining lease.
4. 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,


(R.R.Dongre)
Deputy Controller of Mines
Indian Bureau of Mines

Copy for kind information and necessary action to :


1. Director of geology and Mining , Khniz bhawan, Arera hills Bhopal(MP)
2. District Collectore, Jabalpur


(R.R.Dongre)
Deputy Controller of Mines
Indian Bureau of Mines

NOD

Copy for kind information to: -

1. The Controller of Mines (CZ), IBM, Indira Bhawan, Civil Lines Nagpur for kind information.
- 2 Director, MMS Division , IBM, Nagpur


(R.R.Dongre)
Deputy Controller of Mines
Indian Bureau of Mines

