

25(I) 6870

Violation letter

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

No. MP/Jbp/Manganese-16 / 5489 to 5493 .

Date: 03.11.2015

To

17.

Shri Nitin Sharma (Nominated Owner)
M/s Shobha Minerals,
765, Napier Town
Jabalpur (M.P)

Sub: Violations of provision of MCDR 1988 in respect of your Keolari Laterite, Manganese Iron ore & yellow Ochre mine over an extent of 4.03 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 10/09/2015 in the presence of **Shri Dhanraj patel, mines manager** .

Rule No.	Nature of Violation observed
13(1)	<p>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 Scheme of mining for this mine was approved vide letter no MP/Jabalpur/Manganese/M.Sch-81/12-13, dated 28.05.2013. for a proposal period of 5 years form 2013-14 to2017-18.The Mining Operations in the mine are not being carried out in accordance with the proposal given in the Scheme of mining approved vide aforesaid letter. The extent of deviation is as follows:</p> <p>i) It was proposed to drill Three Boreholes during ther year 2013-14but no exploration was carried out .</p> <p>ii) The boundary pillars were not made as per CCOM circular No 2/2010 or as mentioned in Form 'K' of MCR,1960.</p> <p>iii) It was proposed to make the systematic benches of six meter hight , during inspection it was observed that bench hight in Pit No. 1 was more than 10meter.</p>
23E(2)	<p>The owner, agent,manager or mining engineer shall submit to the Regional Controller of mines a yearly report before 1st july of every year setting forth the extent of protective and rehabilitation works carried out as envisaged in the approved mine closure plan ,and if there is any deviation , reasons thereof. No Annual Statement for the year 2013-14 and 2014-15 for the work mentioned in PMCP and carried out has been submitted.</p>
38	<p>Every holder of mining lease shall take all possible precautions to prevent or reduce the discharge of toxic and objectionable liquid effluents from mine , workshop, beneficiation or metallurgical plants , tailing ponds into surface water bodies , ground water aquiferand usable lands , to a minimum.</p> <p>The mine water is discharged outside the lease area without making the settling pond.</p>
45(7)	<p>If it is found that the owner, agent , mining engineer or manager of a mine or the person or company engaged in trading or storageor 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 ,-</p> <p>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 ,-</p> <p>a) Order suspension of mining poperations in the mine and may revoke the order of suspension only after ensuring proper compliance .</p> <p>b) Take action to initiate prosecution under these rules.</p> <p>The Annual Return submitted by M/s Shobha Minerals , the lessee for the year 2013-14 was examined and on examination following dicrepacies have been observed in the Annal Return of 2013-14:-</p>

Dhanraj
17/11/15

	i) Land use pattern is not as per approved mining plan in the PMCP , Page No. 81.
	ii) The capital structure amount Rs. 12376736/-but details of the same are not discussed.
	iii) It is stated that Plant and Machineries cost Rs. 1.15crore but list of machineries mentioned in the Annual Return , the cost of machineries were much less.
	iv) The details of finance is stated as own capital whereas the status of company is mentioned as Partnership Deed.
	v) In the part III, the cost of petrol is stated as Rs. 3585790/-It may be clarified how and where the petrol was used in the mine.
	vi) The details of overhead expenditure are not given but in the cost of mining overhead cost is stated , which is not possible.
	vii) Machineries are deployed in the mine , their depreciation have not been calculated, but in the cost per tonnes details , the depreciation cost is stated.
	viii) The details of exploration carried out has not been stated.
	ix) In the cost of expenses Rs. 56000/-stated as bank expenses , which should be explained.
	x) The registration no. of Geomine Industries has not been given.
Rule 45(5)	<p>The owner, agent, mining engineer or manager of every mine, shall submit to the Regional Controller of Mines in the Indian Bureau of Mines or any other authorised official of the Indian Bureau of Mines , returns in respect of each mine, in the following manner, namely:-</p> <p>(a) A monthly return which shall be submitted before the 10th of every month in respect of preceding month in the prescribed Form .</p> <p>(b) An annual return which shall be submitted before the 1st July of each year for the preceding financial year in the prescribed Form H1 and H2.</p> <p>It was observed from office records that the Annual returns for the year 2014-15 in Form H1 for Iron and Form H2 for Manganese ore have not been submitted to this office.</p> <p>Thus, it attracts the violation of rule 45(5)(b) which may lead to action under rule 45(7(i))(a), 45(7(i))(b) and 45(7(i))(c) of MCDR1988(amendment 2011).</p>

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,-

- Order suspension of all mining operations.
- Initiate prosecution under these rules;
- 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.

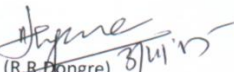
Yours faithfully,


(R.R. Dongre) 31/11/15

Deputy Controller of Mines
Indian Bureau of Mines

Copy for kind information and necessary action to :

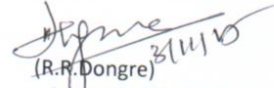
- Director of geology and Mining , Khniz bhawan, Arera hills Bhopal(MP)
- District Collectore,Jabalpur


(R.R. Dongre) 31/11/15
Deputy Controller of Mines
Indian Bureau of Mines

N.O.O.:

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

