



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

**Violation letter
By Email/Post**



File No.: MP/Satna/Lst-346

Jabalpur, Dated: 14/12/2022

To,

Shri Sanktha Prasad Dwivedi
P.O –Goraiya,
District- Satna(M.P.) 485112
Email- sankthadwivedi@gmail.com

Sub.: Violation of provisions of Mineral Conservation and Development Rules, 2017, in respect to Joora limestone mine (29.163 hectare) Mine Code 38MPR35319 in District Satna of Madhya Pradesh State.

Sir/Madam,

Undersigned has inspected your subject mine in your presence along with Shri. Nithin Nath Pandey (Mining Engineer) on 02/12/2022. Following provisions of MCDR 2017 were found violated in your mines at the time of inspection.

Rule No	Nature of violation observed in detail
Rule 11(1)	<p>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.</p> <p>During inspection it was observed that</p> <ol style="list-style-type: none">For the year 2021-22, only 12560.0 Tonnes of Limestone was produced against the proposed production of 49,590 Tonnes.Boundary pillar No 55/1, 66/2, 67 and 69 not erected at the exact places.
Rule 26(2)	<p>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:</p> <p>During inspection & scrutiny of the office records, it was observed that the required report under aforesaid rule is not submitted.</p>
Rule 29	<p>The holder of a mining lease shall send to the authorised officer, as the case may be, and the State Government an intimation in Form C of the Schedule of reopening of a mine after temporary discontinuance, so as to reach them within fifteen days from the date of such reopening.</p> <p>During inspection & scrutiny of the records, it is observed that the mine was temporarily discontinued from 31/12/2020 to December 2021 and notice of intimation of Reopening as required under statute has not sent to this office though the production has resumed since January 2022.</p>
Rule 45(5)(b)	<p>(5) The holder of a mining lease shall submit online returns in respect of each mine to the Regional Controller and the authorized officer of the Indian Bureau of Mines in the following manner namely: -</p> <p>(b): A monthly return which shall be submitted before the tenth 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.</p>

(7): 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 monthly or annual returns or **fails to submit a return within the date specified**; then, –

- (a) in the case of mining of minerals by the holder of a mining lease, the Regional Controller of Mines or the authorized officer of the State Government may -
- Order suspension of all mining operations and dispatches in the mine and to revoke the order of suspension only after ensuring proper compliance;
 - take action to initiate prosecution under these rules;

Schedule-II of the Mineral Conservation and Development (Amendment) Rules, 2021 notified on 03/11/2021, prescribes that in case of non-submission or incomplete/wrong/false information in monthly returns in prescribed Form by the due date is observed, an Amount of Rs. 10,000/- per day after due date of submission of return as specified in the Rule till rectification of violation is to be paid.

During the scrutiny of office records, it has been observed that the following monthly / annual returns are filed after the stipulated date, detailed as below:

S/No.	Return Particulars	Date of filing	No of days lately submitted	Amount to be paid @ Rs. 10,000/- per Day; subject to max. Rs. 05 lakh in each case
01	Dec-2021	10/12/2022	01	10,000/-
02	Jan-2022	23/02/2022	14	1,40,000/-
03	Feb-2022	10/03/2022	01	10,000/-
Total				1,60,000/-

Thus, total amount of **Rs 1, 60,000/-** is to be paid in Bharat Kosh separately under heads 'non-submission of monthly return' for each month as above.

- 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.
- 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.
- You are, therefore, directed to explain within a period of 45 days from the date of issue of this letter, as to why you should not be prosecuted for the above offences.
- Please note that no further notice will be given to you in this regard.

Yours faithfully

K. Naveen
10/12/2022
(Kathroju Naveen)

Sr.Asst. Controller of Mines,
Jabalpur Region, IBM

Copy to:

- The Controller of Mines (CZ), Nagpur, IBM
- The Director, Directorate of Geology & Mining, Khanij Bhavan, Arera Hills, Bhopal (MP).

K. Naveen
10/12/2022
(Kathroju Naveen)

Sr.Asst. Controller of Mines,
Jabalpur Region, IBM