

1/20045/2023



File No.: -

To,

Shri Karan Singh Chauhan

Karan Marble Indust.

Station Road Katni (M.P.)-483501

Email -congress.karan@yahoo.com**Office of the Regional Controller of Mines, Jabalpur**

Mine Code: - - 38MPR47127 Jabalpur, Dated:

Sub. : Violation of provisions of Mineral Conservation and Development Rules, 2017, in respect to nanhawara Limestone & Dolomite **Mine** over an extent of **2.19 hect.** in **Katni District (M.P.)**

Sir,

The following provisions of the Mineral Conservation and Development Rules 2017 were found violated in your above mine during the inspection on 31/10/2023 by the undersigned, accompanied by Shri Digvijay Singh Bisen, Qualified Person.

नियम	पाए गए उल्लंघन की विस्तृत प्रकृति
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 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. Read with MCR (Amendment),2021 notified in Gazette of India vide dated 02/11/2021</p> <p>The Modification of Mining Plan of above mentioned mine was approved vide letter No.-MP/Katni/Limestone/RMP-02/2019-20 dated 23/07/2019 incorporating proposal of working from 2019-20 to 2023-24 During the inspection it was found that following activities have been carried out with violating the approved proposals :-</p> <ol style="list-style-type: none"> In the year 2022-23 it was proposed to produce 21485metric tons Limestone with removal of 540cum Over Burden/Sub burden /inter Burden/ mine waste. But, it was observed that with 268 tone production of Limestone only 5.36cum Over Burden/Sub burden /inter Burden/ mine waste reportedly generated during mine development. Thus, there is almost 98% deviation in case of production of Limestone and 99/% deviation in case over burden/Sub burden /inter Burden/ mine waste generation during the year. Almost all the Boundary Pillars were found on their place as per coordinates except BP No. 17 but coordinates were not found marked on any of the Boundary Pillars. Even Boundary Pillar No. were also not marked on some of the BPs. This amounts to the violation of rule. Existing Pit has been found extended from northern lease boundary line to about 30m in length and almost same in width beyond southern boundary line. Thus, along with mineral extraction from Northern & southern statutory barrier zone mineral is also extracted from about 30mX30m area (part of the pit) falls outside of the lease area. which is contravention of approved proposal. Backfilling of excavated portion of Norther statutory barrier zone has not been carried out.
27(2)	<p>Where financial assurance is required to be furnished by the holder of the mining lease under sub-rule (1) read with MCDR (Amendment) ,2021 notified in gazette of India vide dated 03/11/2021, such amount of financial assurance shall be submitted to the authorised officer, as the case may be, in the form of a bank guarantee in the format specified by the Indian Bureau of Mines:</p> <p>Provided that where financial assurance has already been furnished before the commencement of these rules, an amount equal to the difference between the financial assurance due as on the date of notification of these rules and the financial assurance already</p>

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	<p>furnished, shall be furnished to the authorised officer.</p> <p>The Financial Assurance furnished by you @ Rs. 2 lakh per hect of the mining lease area put to use for mining and allied activities or Rs. 5,00,000/-(Minimum amount) i.e. BG for Rs. 5,00,000/- (Rs Five Lakhs only) is valid up to 31/03/2024. As per amendment in MCDR,2017 notified on 03/11/2021, financial assurance is enhanced from existing rate of Rs. 2 lakh per hect to Rs. 3 lakh per hect. of the mining lease area put to use for mining and allied activities. Thus additional financial assurance of Rs. 76,900/- (Seventy Six Thousand and nine Hundred only) in the form of Bank Guarantee with a validity upto 31/09/2024(at least extra six months claim period), supposed to be submitted on or before 01/02/2022, which has not been submitted so far.</p>
34A	<p>Every lessee, other than those covered under sub-rule (1), shall submit soft copy of high resolution Geo referenced Ortho-rectified Multispectral satellite images of the leased area and up to hundred metres outside the lease boundary taken in the month of April to June of every year, to the Controller General on or before 1st day of July of the that year in the standards formats such as GeoTIFF along with metadata or any other format as may be specified by the Indian Bureau of Mines in this regard:</p> <p>A soft copy of high resolution Geo referenced Ortho-rectified Multispectral satellite images of the leased area and up to hundred metres outside the lease boundary taken in the month of April to June has not been submitted and the processed output [digital elevation model (DEM) and Orthomosaic] images have not been submitted as specified in the rule.</p>
45(7)	<p>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,—</p> <p>in the case of mining of minerals by the holder of a mining lease, the Regional Controller of Mines,</p> <ol style="list-style-type: none"> i. order suspension of all mining operations in the mine and to revoke the order of suspension only after ensuring proper compliance; ii. take action to initiate prosecution under these rules; iii. recommend termination of the mining lease, in case such suppression or misrepresentation of information indicates abetment or connivance of illegal mining; <p>On examination of Annual Return for the year 2022-23 it is observed that data of annual return are incomplete & having following deficiencies: -</p> <ol style="list-style-type: none"> 1. Part III, Consumption of material: <p>Cost of explosive consumed during the year indicated as Nil is not acceptable as nature of deposit is not suitable for extraction of mineral without drilling and blasting. Further, extraction of mineral from the mine is also proposed with drilling and blasting in valid approved mining plan.</p> 2. Part – VI Production and dispatch of Mineral <p>Ex mine price as well as cost of production are indicated as Rs. 1033.00 whereas sale price of mineral is indicated as 470.53 which is not appears correct.</p> 2. Part – VII Cost of production: - <ol style="list-style-type: none"> i. Direct cost is indicated as Rs.1033.0per tonne appears on higher side, data need be reviewed. ii. Amount of royalty had taken into account in calculation of cost of production is not correct. In any case it will not be less than Rs. 80/- per tonne, necessary changes need be incorporated. Similarly amount of DMF and NMET had taken into consideration in this regard are also not correct.

2. 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.
3. The mining operations can be suspended under the rule 11(2) of MCDR-2017, if compliance of rule 11(1) of MCDR-2017 are not found satisfactory. In case Non-compliance of Rule 45(7) of MCDR-2017, Necessary action shall be initiated as deemed fit.

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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,

(Raghubir Sharan Garg)
Assistant Controller of Mines
For Regional Controller of Mines

Copy to:

- 1- The Director of Geology & Mining, Govt. of Madhya Pradesh, Khanij Bhavan, 29-A, Arera Hills, Bhopal (M.P.)
- 2- The District Collector, Katni (M.P.) for information & appropriate action.

Assistant Controller of Mines
For Regional Controller of Mines

NOO Copy to: _

- 1- Controller of Mines(CZ) for kind information.
- 2- DDG, Mining & Mineral Statistics Division, Indian Bureau of Mines, Nagpur for refer back of Annual Return for the year 2022-23 to rectification as pointed out above under rule 45(7).

Assistant Controller of Mines
For Regional Controller of Mines