



File No.: -

To,

**Shri Anand Goenka, Proprietor**

M/s Sukhdev Prasad Goenka

Goenka Bhawan, Station Road Katni,

(M.P.)-483501

Email [ashokchunawala5555@yahoo.com](mailto:ashokchunawala5555@yahoo.com)

Mine Code: - - 40MPR01082 Jabalpur, Dated:

Sub. : Violation of provisions of Mineral Conservation and Development Rules, 2017, in respect to Pauniya Manganese ore **Mine** over an extent of **8.10 hect.** in **Balaghat** 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 16/09/2023 by the undersigned, accompanied by Smt. Gunjan Goenka, Agent of the Mine, & Nagendra Pathak, Mining Engineer of the Mine.

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 Review of Mining Plan of above mentioned mine was approved vide letter No.-MP/Balaghat/Manganes/RMP-09/2022-23 dated 02/06/2022 incorporating proposal of working from 2022-23 to 2025-26 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"> <li>As per condition No. 8 of approval letter No. MP/Balaghat/Manganes/RMP-09/2022-23 dated 02/06/2022 lease sketch map of entire mining lease area (8.1hect) based on DGPS survey carried out duly authenticated by DGM, Bhopal was supposed to submitted within a period of three months from the date of approval whereas such authenticated map has not been submitted by the lessee so far.</li> <li>Similarly, as per condition No. 9 of approval letter No. stated above based on a drone survey of the lease area and upto 100m outside of the lease boundary processed output DEM and Ortho mosaic image obtained from such survey was supposed to be submitted before 30/06/2023 which is not submitted so far.</li> <li>Exploration was not done as per the proposals given in the approved Review of Mining Plan. Eighteen no. of core boreholes ranging from 14m to 29m deep were proposed against year 2022-23 but boreholes have not drilled so far. This amounts to the violation of the rule.</li> <li>In the year 2022-23 it was proposed to produce 14940 metric tons Manganese ore all of from pit working with removal of 123830tonne (61915cum) Over Burden/Sub burden /inter Burden/ Burden/ my waste. But it was observed that with 4184.39tone production of Manganese ore achieved with removal of only 9850cum Over Burden. Thus, there is almost 72% deviation in case of production of Manganese ore and 85/% deviation in case over burden/Sub burden /inter Burden/ mine waste generation during the year.</li> </ol>
12(4)	<p>In the case of existing mining leases, detailed exploration (G1 level) over the entire potentially mineralised area under the mining lease shall be carried out in the manner specified in the Minerals (Evidence of Mineral Contents) Rules, 2015 or the Atomic Minerals Concession Rules, 2016, as the case may be, within a period of five years from the date of commencement of these rules.</p> <p>Mining Lease was executed on 22/11/2016 and so far, entire potential area has not been explored under G1 level, thus violation of rule exist in the mining lease. It is stated that contravention of the rule liable to punishment of Rs. 5,00,000/-as per the provision notified in</p>

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	<p>schedule III through Gazette notification dated 03/11/2021(MCDR Amendment) The holder of a mining lease shall carry out detailed exploration (G1 level) over the entire potentially mineralized area under the mining lease with in a period of five year from the date of execution of lease or after enforcement of MCDR,2017. So far entire lease area of 8.1hect have explored under G2 level. Thus, entire mineralized area are yet to be converted into G1 level. Thus, there is violation of rule 12(3) of MCDR,2017</p>
33	<p>Copies of plans and sections to be submitted – The holder of mining lease shall on or before the 30th day of the June every year submit to the authorized officer, as the case may be, and the State Govt., a digital copy along with a print copy of the surface geological plans and sections maintained under rule 32.</p> <p>Copies of plans and sections under rule 32 of MCDR-2017 have 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: A soft copy of high resolution Geo referenced Ortho-rectified Multispectral satellite images of the leased area and up to hundred meters 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 Ortho mosaic 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"> <li>order suspension of all mining operations in the mine and to revoke the order of suspension only after ensuring proper compliance;</li> <li>take action to initiate prosecution under these rules;</li> <li>recommend termination of the mining lease, in case such suppression or misrepresentation of information indicates abetment or connivance of illegal mining;</li> </ol> <p>On examination of Annual Return for the year 2022-23 it is observed that data of annual return are incomplete &amp; having following deficiencies: -</p> <ol style="list-style-type: none"> <li>Part III, item No 2-Royalty and Rents Payment against royalty and dead rent have been shown on the return. Royalty and Dead Rent both cannot be charged at a time. So, information furnished in this regard needs correction.</li> <li>Part – VII Cost of production: -       <ol style="list-style-type: none"> <li>Beneficiation cost has been considered as Nil whereas by sorting and sizing of 4184.39tonne ROM ore, grade wise generated total quantity of mineral was only 1623.27tonneore less than 25% Mn, 1771.23tonne ore in 25 to 35% Mn,504.75 tone ore in 35 to 46%Mn and 285.14tonne or in + 46% Mn.</li> <li>In calculation of cost of production indicated DMF value is Rs 32.28 per tone which is only 1051% of royalty whereas as per rule it is 30% of royalty.</li> </ol> </li> </ol>

- 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 are not found satisfactory. In case Non-compliance of Rule 45(7) of MCDR-2017, Necessary action shall be initiated as deemed fit.
- 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

MCDR-MiFLOMn/28/2023-JBP-IBM\_RO\_JBP

Copy to:

- 1/17437/2023
- 1- The Director of Geology & Mining, Govt. of Madhya Pradesh, Khanij Bhavan, 29-A, Arera Hills, Bhopal (M.P.)
  - 2- The District Collector, Balaghat (M.P.) for information & appropriate action.

Assistant Controller of Mines  
For Regional Controller of Mines

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- 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