

I/7504/2023



Government of India
Ministry of Mines
Indian Bureau of Mines
Office of the Regional Controller of Mines, Jabalpur

File No.MP/Katni/LST.-/59

Date: 05/04/2023

To,

The Nominated Owner,
M/s ACC Limited, Cement House
121 MK Road
Mumbai, Pin-400020

Subject: Violation of provisions of Mineral Conservation and Development Rules, 2017, in respect to Jamwanikala Limestone Mine (31.43 Ha), M/s. ACC Limited, Mine code 38MPR18081 at Jamuwani Kalan, Taluk. - Vijayraghavgarh, District- Katni (M.P.) - 483501.

Sir,

The following provisions of the Mineral Conservation and Development Rules, 2017 were found violated in your above mine during the verification of office records:

Rule No	Nature of violation observed in detail
11(1)	<p><i>The modification in the approved Mining Plan for the above mentioned mine vide letter No. MP/Katni/Lst/RMP-39/2020-21, dated 19/02/2021 for the period 2021-22 to 2025-26. The deviation in proposal observed vis-à-vis approved document is given below:</i></p> <ul style="list-style-type: none"> ➤ In the year 2021-22 there was proposal for topsoil generation of 8928m³ but only 4400 m³ achieved. ➤ In the year 2021-22 there was proposal to drill 05 core-boreholes but none is drilled against the same. ➤ In the year 2021-22 the total Quantity of ROM mineral production proposed is 143714 MT but only 115017 MT achieved.
46	<p><i>The holder of the prospecting licence or [composite licence] or the mining lease shall,– (a) when any new appointment of an agent, mining engineer, geologist or any person is made under sub-rule (1) of rule 55; or (b) when the employment of any such person is terminated or any such person leaves the said employment; or (c) when any change occurs in the address of any such person, within fifteen days from the date of such appointment, termination, leaving or change in address, give a notice in Form H of the Schedule to the authorised officer, as the case may be.”</i></p> <p>You have submitted notice of appointment of Agent in respect of above mine in form – H under Rule 46 of MCDR 2017, wherein it is observed that the date of appointment of Agent was 03/11/2022. But, this notice of appointment is received in this office on 25/11/2022 and there is a delay of 8 days. As per MCDR (Amendment), 2021 notified on 3rd November, 2021; Rupees 2000/- per day upto maximum amount Rupees 1,00,000/- is to be paid for delayed intimation of appointment of Agent for violating the Rule 46, as specified in schedule III.</p> <p>Therefore, you are directed to deposit a fine of Rs.16,000/- in Bharat Kosh (Controller – 026, PAO Code – 037307, DDO Code – 137322, Regional Office, Indian Bureau of Mines, Jabalpur) under head ‘appointment notice’ within 45 days of issuance of this letter for rectifying the violation of delayed intimation of appointment of Agent.</p>

- In response to violation letter dated 07/02/2023, your reply vide letter no. KY/JMW-31.43/IBM/violation/2023/01 dt-20/02/2023 is received in which rectifications of violations done under rule 46 as you have deposited a fine of Rs 16,000 /- in Bharat Kosh under head “appointment notice” for delayed intimation of above appointment and considered as complied whereas compliance of rule 11(1) is still not done by you. Therefore, violation of Rule 11(1) still exists in above mentioned mine.
- 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 show cause within a period of 30 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

(Robert Simon C)
 Asst. Controller of Mines,
 Jabalpur Region, IBM

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Copy to:

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

(Robert Simon C)
Asst. Controller of Mines,
Jabalpur Region, IBM

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