

I/23191/2024



File No.: -

To,

Shri Ankit Bhasin, lessee
S/o Late Mohanlal Bhasin,
Nut Bolt House, bus Stand Katni,
District Katni(MP)483501
Email- saurabhgoyal@dhritimines.com

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

Mine Code: - - 38MPR47070 Jabalpur, Dated:

Sub. : Violation of provisions of Mineral Conservation and Development Rules, 2017, in respect to Padrehi Limestone & Dolomite Mine over an extent of 2.5 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 27/12/2023 by the undersigned, accompanied by Shri Uday Pandey, 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/Katni/Limestone /RMP—09/2020-21 dated 15/10/2020 incorporating proposal of working from 2020-21 to 2024-25 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"> Exploration was not done as per the proposals given in the approved Review of Mining Plan. Two no. of vertical core boreholes of 30m deep each were proposed against year 2021-22 but boreholes have not been drilled so far. Review of Mining Plan was approved with manual mining proposals. Mining operations are being carried out by mechanized means with Bench height in a single lift of about 5.0m, deep hole drilling and blasting. Thus, mining operations had not carried out in the line of approved proposals. Existing pit had already extended beyond Eastern Lease boundary line marked on approved Review of Mining Plan in an area of about 60mX80m. This is an against of approved proposal.
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>The yearly report in respect of rule 26(2) of MCDR 2017 has not been submitted for the previous approved plan period.</p>
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 furnished, shall be furnished to the authorised officer.</p>

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	<p>The Financial Assurance furnished by you @ Rs. 2 lakhs per hect of the mining lease area put to use for mining and allied activities (considering manual mining operation as proposed in Review of mining Plan)i.e., BG for Rs. 5,00,000/- (Rs. Five Lakh only) valid up to 15/06/2025. As per amendment in MCDR,2017 notified on 03/11/2021, financial assurance is enhanced from existing rate of Rs. 2lakh per hect to Rs3 lakhs per hect. in case of manual mining and Rs 3Lakh per hect to Rs. 5 Lakh per hect in case of mechanized mining operation of the mining lease area put to use for mining and allied activities. Thus, additional financial assurance of Rs. 7,38,250/- (Seven Lakhs Thirty-Eight Thousand Two Hundred and Fifty only) in the form of Bank Guarantee with a validity upto 30/09/2025(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>
<p>Rule 31(4)</p>	<p>The plans and sections required under these rules shall be maintained up to date within three months in case of category ‘A’ mines as referred to in clause (a) of sub-rule (2) of rule 55, and within twelve months in case of any other mine The plans & sections were not found updated on quarterly basis as required under this rule and not maintained at mines site office.</p>
<p>Rule 33</p>	<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. Copies of plans and sections under rule 32 of MCDR-2017 have not been submitted.</p>
<p>34A</p>	<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 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>
<p>45(7)</p>	<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,— in the case of mining of minerals by the holder of a mining lease, the Regional Controller of Mines, 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; On examination of Annual Return for the year 2022-23 it is observed that data of annual return are incomplete & having following deficiencies: - 1. 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. 2. Part - VI (Production, dispatch and stock) and Sales/Dispatches effected for Domestic Consumption and for exports: - Ex Mine price is indicated as Rs.322/- per ton. From the calculation it is reached Rs. 230/- per tone. It is revealed from the record that cost of production of mineral was Rs. 321/90 . Thus, indicated Ex Mine Price appears incorrect. 3. Part-VI – Item No. 5 Sales- Despatches effected for Domestic Purposes and for Exports: It is indicated that 19206.54tone limestone sold to Dhriti Mines and Minerals Pvt. Ltd at the cost of Rs. 4417504/- i.e @Rs.230/- per tonne. Reported cost of production is Rs. 321/90. Thus, sale value is less than the cost of production. Please submit copy of sale vouchers against entire sale of mineral during 2022-23. 5. Part – VII Cost of production: -</p>

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	<p>i. In calculation of cost of production along with royalty dead rent also has taken into account which is not correct. Necessary changes need be incorporated.</p> <p>ii. In calculation of cost of production as a taxes Rs. 1/90 had taken into account whereas as per (part III, item No. 5 it is indicated as Rs. 23/69 including other than sale tax. Necessary changes need be incorporated.</p>
Rule 46	<p>The holder of the prospecting license or prospecting license cum mining lease or the mining lease shall,–</p> <p>(a) when any new appointment of an agent, mining engineer, geologist or any person is made under sub-rule (1)of rule 55; or</p> <p>(b) when the employment of any such person is terminated or any such person leaves the said employment; or</p> <p>(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.</p> <p>In the Mine - Shri Uday Pandey has been appointed in the post of Mining Engineer But notice of appointment has not been submitted to Regional Office , Jabalpur.</p>

- 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

Copy to:

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

Assistant Controller of Mines
For Regional Controller of Mines

NOO Copy to: _

- Controller of Mines(CZ) for kind information.
- Director, 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