

I/39975/2024



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

File No Mine Code: - 75MPR18019

To,

Shri Nitin Sharma, Partner
M/s Sharma Mines & Minerals
Email sharmamines2022@gmail.com

Sub. : Violation of provisions of Mineral Conservation and Development Rules, 2017, in respect to Devnagar Iron Ore, Manganese ore, Bauxite, laterite and clay **Mine** over an extent of **6.44hect.in Jabalpur** 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 13/09/2024 by the undersigned, accompanied by Shri Punit Kumar Dhruve, Mining Engineer of the mine and Shri Kushal Patle, Geologist of the company.

नियम म	पाए गए उल्लंघन की विस्तृत प्रकृति
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),2021notified 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/JBP/Irone/RMP-34/2022-23 dated 17/08/2022 incorporating proposal of working from 2022-23 to 2025-26.</p> <p>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"> i. Exploration was not completed upto March,2024 against the proposal of 8 exploratory bore holes each of 50m for 2022-23 ii. In the year 2023-24 it was proposed to produce 74440 Salable ore (15170 metric tons Iron ore,59270tone Laterite) with removal of 21388 cum Over Burden/Sub burden /inter Burden/ Burden/ Burden/ Burden/ mine waste. It was observed from AR,2023-24 that neither production of minerals reportedly achieved nor Over Burden/Sub burden /inter Burden/ Burden/ Burden/ Burden/ mine waste iii. Proposed backfilling of Pit 2 & 4 over an area of 595sqm not found commenced so far. iv. BP No.1, 1A, 2 and 2A were not found on place. v. Statutory barrier zone of 7.5m between BP No. 1A and 2 and between 2 & 2A were found degraded.
12(3)	<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 20/03/1996 and so far entire potential area has not been explored under G1 level, thus violation of rule exist in the mining lease.</p>
28	<p>Subject to the provisions of Section 4A, the holder of a mining lease shall send to the authorized officer, as the case may be, and the State Government a notice in form E when the mining or mineral processing operations in the mine or part thereof are discontinued for a period exceeding ninety days so as to reach them within one hundred and twenty days from the date of such discontinuance.</p> <p>As per statutory Monthly Returns submitted by the lessee there is no mining operation or mineral processing activities in the mine between May,2023 to July,2024. This amounts to violation of the provision.</p>
29	<p>The holder of a mining lease shall send to the authorized officer, as the case may be, and the State</p>

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	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. As per statutory Monthly Returns submitted by the lessee for the month of August,2024, mine was under working for 6 no. of days after a period of about 16 months i.e from May,2023 to July,2024. This amounts to violation of the provision.
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"> order suspension of all mining operations in the mine and to revoke the order of suspension only after ensuring proper compliance; take action to initiate prosecution under these rules; 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 2023-24 it is observed that data of annual return are incomplete & having following deficiencies: -</p> <ol style="list-style-type: none"> Part 1 General Uploaded documents- Uploaded KML file found not complete. Only ML boundary line and Boundary Pillar points are shown on the attached KML file. Updated mine working, dumps, mineral stacks, plantation area etc should have been shown on the KML file. Part II (Employment and Weges) No. of working days indicated in the AR mismatch with the cumulative no. of working days of same time period (April,23 to March,24) arrived from monthly returns. Further, dispatch of mineral as indicated in the AR shows there were some working days during the year. Necessary changes need be incorporated. Part III, item No 2-Royalty and Rents Payment against both, royalty and dead rent have been shown nil appears incorrect. Necessary changes need be incorporated. Part – VII Cost of production: - i. Information furnished under the Cost of production is very causal. It is indicated as Rs. 130/- is incorrect. Information in this regard on different fields need to be filled properly.

- 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.
- 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, Jabalpur (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 2023-24 to rectification as pointed out above under rule 45(7).

Assistant Controller of Mines
For Regional Controller of Mines

