

Violation cum Show cause Notice

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

Dated: 09/07/2024

To,

Shri Anirban Dasgupta Nominated Owner Nominated Owner,
M/s. BHILAI JAYPEE CEMENT LIMITED
Raw Material Division, Bhilai Township,
Bhili Jaypee Grinding Plant, Bhili Steel Plant Premises, Slag Road, Bhilai
Dist- Durg, Chatisgarh- 490006
Email – anirbandasgupta@sail.in, rmdsail@gmail.com

Sub: Violation of provisions of Mineral Conservation and Development Rules, 2017, (MCDR, 2017) in respect to Ispat-II Limestone Mine (1033.94 hectare) Mine Code 38MPR35288 in District Satna of Madhya Pradesh State regarding.

Sir,

Following provision of Mineral conservation and Development Rules 2017 were found violated in respect of your subject mine during the inspection of the said mine by the undersigned along with Shri Akhilesh Agarwal, Junior Mining Geologist of this office on 06.07.2024 in the presence of Shri Sanjay Singh Bagel, Mines manager, and Shri K K Singh, Mine Surveyor.

Rule No	Nature of violation observed in detail
Rule 11(1)	<p><i>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.</i></p> <p><i>Mining operations are not found carried out in accordance with approved modification of Mining plan vide letter no. MP/Satna/limestone/RMP-38/2021-22 dated 22.09.2021 as below:</i></p> <ol style="list-style-type: none"> 1. It was approved to carry out production of salable ore of 15,00,000 Tonnes for the years 2022-23 & 2023-24; against which saleable ore of 100535.620Tonnes and 260 Tonnes only produced during the years 2022-23 and 2023-24 respectively. 2. Further the above said mining plan is approved without prejudice to any law applicable to the mine area from time to time. The provision of rule 27 of MCDR, 2017 was amended on 03/11/2021 and notified

	<p>in gazette of India vide dated 03/11/2021 which is as below: Where financial assurance is required to be furnished by the holder of the mining lease under sub-rule (1) of rule 27 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: 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 within a period of ninety days from the date of notification of these rules. The Financial Assurance furnished by you @ Rs. 3 lakhs per hect of the mining lease area put to use for mining and allied activities i.e., BG for Rs. 2,43,09,600/- (Rs. Two Crore Forty Three Lakh Nine Thousand six Hundred only) valid up to 31/03/2026. As per amendment in MCDR,2017 notified on 03/11/2021, financial assurance is enhanced from existing rate of Rs. 3 lakh per hect to Rs. 5 lakhs per hect. of the mining lease area put to use for mining and allied activities. Thus, additional financial assurance of Rs. 1,57,30,400/- (One crore, Fifty seven Lakh Thirty Thousand Four Hundred only) in the form of Bank Guarantee with a validity up to 31/03/2026 (at least extra six months claim period), supposed to be submitted on or before 02/02/2022 which has not been submitted so far.</p>
<p>12(4)</p>	<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 within a period of five years from the date of commencement of these rules. 126.49 Ha area is explored in G3 is not yet explored in G1 scale so for.</p>
<p>35(2)</p>	<p>Every holder of a mining lease shall monitor his mining and allied activities as per the notified template of star rating in the format prescribed in this behalf by the Indian Bureau of Mines from time to time, and shall submit online its self-assessment report before the 1st day of July every year for the previous financial year, Star Rating template for the reporting year 2023-24 has not been submitted so for.</p>

I/35338/2024

02. You are, therefore, directed to show cause within a period of 45 days from the date of issue of this letter, as to why you should not be prosecuted for the above offences. Non-compliance of the rule 11(1) & 35(2) of MCDR, 2017 may lead to suspension of Mining operations under the provisions of rule 11(2) & 35(4) of MCDR,2017.
- 03 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.
04. Please note that no further notice will be given to you in this regard

Yours faithfully

(Ibrahim Sharif)
Dy. Controller of Mines,
For Regional Controller of mines

Copy for kind information:

- 1) The Director, Directorate of Geology & Mining, Khanij bhavan, 27/8, Raja Ram Mohan Rai Marg, Lucknow-226001 (U.P.); Mining Lease boundary pillars are not found erected as per MCR,2016
- 2) खान नियंत्रक (मध्य), भारतीय खान ब्यूरो, नागपुर

(इब्राहिम शरीफ)
उप खान नियंत्रक,
क्रुते क्षेत्रीय खन नियंत्रक