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Violation Letter

भारत सरकार
GOVERNMENT OF INDIA
खान मंत्रालय
MINISTRY OF MINES
भारतीय खान ब्यूरो
INDIAN BUREAU OF MINES
नागपुर क्षेत्रीय कार्यालय
NAGPUR REGIONAL OFFICE

छटवीं मंजील, बी एवं सी ब्लाक,
इंदिरा भवन, सिविल लाइन्स
नागपुर - 440 001
6TH Floor, 'B' & 'C' Block
Indira Bhavan, Civil Lines
Nagpur- 440102
दुरभाश.Telephone:2562794,
2565089 (Tel/fax)

No. MAH/YTL/LST-43/NGP Vol. II **Mine code 38MSH26013** Dated: 11/03/2019

To,

M/s ACC Ltd.,
Chanda Cement Works,
P. O. Cement Nagar,
Chandrapur-442502
Maharashtra

Sub: Violation of provisions of Mineral Conservation and Development Rules, 2017 in respect of your **Govari Limestone Mine** over an area of 558.90 ha situated in Distt. -Yavatmal of Maharashtra state.

Sir,

As per the inspection of mines carried out by the undersigned on 18/02/2019 and upon examination of this office records, the following provisions of Mineral Conservation and Development Rules, 2017 are found violated in respect of your above referred mine: -

Rule	Nature of violations observed
26(2)	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. *However, no such report has been submitted by you in this office as per the Rule.*
33	The holder of a mining lease shall, on or before the 30th day of June every year submit to the authorised officer, as the case may be, and the State Government, a digital copy along with a print copy of the surface geological plans and sections maintained under rule 32. *However, Plans and sections as required to be submitted under the rule have not been submitted by you in this office.*
37(2)	The dumps shall be properly secured to prevent escape of material therefrom in harmful

	quantities which may cause degradation of environment and to prevent causation of floods. *However, during field inspection, no retaining wall along the toe of the dumps was observed which is required to check and arrest any wash-off from the dumps.*
45(7)	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, – (a) in the case of mining of minerals by the holder of a mining lease, the Regional Controller of Mines may advise the State Government to, - (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 *However, while examining the data furnished in the Annual Return filed for 2017-18, the following discrepancies were observed: -* *(i) Depreciation on fixed assets is reported as Rs 20256000/- under Part-II A while it is reported as Rs 6225100000/- under Part-III.* *(ii) Under part VI section 3, details of pulverization and average cost of pulverization have not been furnished.* *(iii) Under Part VII, in the 'cost of production table, following observations are made: -*

Item	*Cost per T reported under Part VII (Rs)*	*Remarks*
Over-head cost	*68.66*	*Under Part III, section 5, overheads expenditure is furnished as Rs 49554338/- and ROM production is 2688727 T. Hence, overhead cost upon computation is arriving as Rs 18.43/- per T.*
Depreciation	*32.47*	*Depreciation should be reported correctly in light of observation (i) above and correct figures should be mentioned in the cost of production table.*
Royalty	*80*	*Royalty is furnished as Rs 219639068/- under Section 2 of Part III and ROM production is 2688727 T. Hence, cost per T is arriving as Rs 81.69/-.*
Taxes	*2.62*	*Taxes and Cesses as reported under section 5 of Part III are Rs 2270385229/-. ROM production is 2688727 T. Hence, Taxes cost component as per ton of production upon computation is arriving as Rs 844.41/- per T.*

These violations may lead to suspension of all mining operations in the mine as well a termination of mining lease and prosecution of the owner, agent and manager.

02. 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.

03. The mining operations can be suspended by the competent authority and suitable actions can be initiated under rule 45(7)(a), if compliance is not found satisfactory.

04. 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,

Ashish 11/03/19

(Ashish Mishra)
Sr. Assistant Controller of Mines

Copy to:

1. The Controller of Mines (CZ), Indian Bureau of Mines, Nagpur
2. The Director, Directorate of Geology and Mining, Government of Maharashtra, Khanij Bhavan, 27, Shivaji Nagar, Cement Road, Nagpur-440010 (Maharashtra)

(Ashish Mishra)
Sr. Assistant Controller of Mines