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

VIOLATION LETTER  
Registered AD/Speed post

File No. MP/Jabalpur/Limestone-230 <sup>6352</sup> Mine Code: 38MPR18135

Date: 07/12/2021

To,

<sup>6356</sup>  
**Dr. Subhash Kumar Agrawal,**  
**1396, Adhartal,**  
**Post Jabalpur 482002**  
**Madhya Pradesh**  
**Email - neerajagrawal84@rediffmail.com**

**Subject :** Violation of provisions of Mineral Conservation and Development Rules, 2017, in respect to **Sakari Limestone, Iron Ore and Manganese Ore** Mine over an area of **12.71 hect.** in **Jabalpur District of 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 02/12/2021 by Sh. R.S.Garg, Assistant Mining Engineer, accompanied by yourself and your son Shri Neeraj Agrawal.

नियम स.	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 Modification in the approved Mining Plan of above mentioned mine was approved vide letter No.- MP/Jabalpur/Iron Ore /MPLN/Mod-75/2017-18 dated 22/02/2018 incorporating proposal of working from 2017-18 to 2021-22. During the inspection it was found that following activities have not been carried out / carried out with violating the approved proposals :-</p> <p>(i) Exploration was not done against the proposal of total 16 nos. of exploratory bore holes (08-08 nos. of exploratory bore holes for each year 2017-18 and 2018-19 backlog)</p> <p>(ii) Overburden waste rock were found also dumped rather than the proposed site in an area of about 350m<sup>2</sup> (70m length along Boundary Pillar No. 8 and 9 with covering 50m width) with 10-12m height.</p> <p>(iii) A new pit along boundary Pillar no 10 and 11 and in south east of existing pit no. 2, admeasuring about 70m X60m X3-5m were found developed other than the proposed site of working.</p> <p>(iv) Extraction of mineral from Northern, Southern and Western statutory barrier zones between Khasara no 106 -out side lease area and 107part lease area have been carried out although there is no proposal . About 30mX20m area of Khasara No. 106-out side of the lease area have also found broken out.</p> <p>(v) Physical appearance of any boundary pillar were not observed except Boundary Pillar No. 6, 7 &amp; 8 in the lease area. Coordinates were not found marked on any Boundary Pillar. Further, coordinates of existing Boundary Pillar No. 8 were not found correct w.r.t. approved document.</p> <p>(vi) As per approved mining plan extraction of mineral is to be carried out by drilling and blasting and with other appliances and machineries. It is reported that drilling and blasting practice are not in used looking into nearby defense area. Thus, there is a need of modification in the approved mining plan.</p>
11(4)	<p>The holder of a mining lease shall submit the mining plan to the competent authority for review at least one hundred and eighty days before the expiry of five years period for which it was approved on the last occasion, for mining operations for a period of five subsequent years</p> <p>The Modification in the approved Mining Plan of above mentioned mine was approved vide letter No.- MP/Jabalpur/Iron Ore /MPLN/Mod-75/2017-18 dated 22/02/2018 incorporating proposal of working from 2017-18 to 2021-22.</p> <p>It is observed that Mining Plan for review for next five years period has not been submitted so far. The fine for the late submission shall be levied @Rs.2000/-per day since 02/11/2021</p>
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 of PMCP has not been submitted for the year 2020-21.</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>

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.

The Financial Assurance furnished by you @ Rs. 3 lakh per hect of the mining lease area put to use for mining and allied activities i.e. BG for Rs. 21,40,000/- (Rs. Twenty One Lakh Forty Thousand only) is valid up to 31/03/2022. 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 lakh per hect. of the mining lease area put to use for mining and allied activities. Thus additional financial assurance of Rs. 14,08,900/- ( Fourteen Lakh Eighty Thousand and Nine Hundred) and also for an additional area put on use particularly in account of mineral storage as observed during the inspection in the form of Bank Guarantee with a validity upto 31/03/2022 (at least extra six months claim period), is to be submitted on or before 07/01/2022.

Rule 31(4) 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.

Rule 33 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.

Rule 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,-

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,-  
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;

On examination of Annual Return for the year 2018-19 it is observed that data of annual return are incomplete & having following deficiencies:-

**1. Part item No. 12. Lease area (surface area) utilisation as at the end of year (hectares)**

Although a large area of mine covers mineral stacks of limestone, manganese ore and iron ore which is about 3,90,000tonne but such huge area has not been taken into account in land use pattern.

**2. Part III, item No 5**

NMET paid to central Govt. is not indicated in the return.

**3. Part V, item No 4.1 Overburden/Waste**

9058m<sup>3</sup> quantity of mine waste is indicated as backfilled but there is no backfilling in the lease area as pit has not reached upto Ultimate Pit Limit.

2. 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.
3. The mining operations can be suspended under the rule 11(2) & 47(7) of MCDR-2017, if compliance of rule 11(1) & 45(7) of MCDR-2017 is not found satisfactory.
4. 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.

भुवदीय  
नरेश कुमार कटारिया  
(नरेश कुमार कटारिया)  
उप खान नियंत्रक  
कृते क्षेत्रीय खान नियंत्रक

**NOO: प्रतिलिपि प्रेषित : :**

01. The Director of Geology & Mining, Govt. of Madhya Pradesh, Khanij Bhavan, 29-A, Arera Hills, Bhopal (M.P.) for information and further necessary action please. It is to inform with an anticipation of necessary action against illegal mining that have been observed in i.e. a part of working about 30mX20m area falls outside of the lease area which falls in Khasara No. 106.

02. The District Collector, Jabalpur (M.P.) for information.

उप खान नियंत्रक  
कृते क्षेत्रीय खान नियंत्रक