

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

File No.: MP/Dhar/Lst- 60

Jabalpur, Dated: 07.03.2023

To,

Shri Nilesh Upadhayay
S/o Rameshchandra Upadhayay
201 Suryadarshan ,7 White church Colony
P.O & DIST -Indore
Madhya Pradesh-452001
Email: nileshupadhayay29@gmail.com

Sub.: Violation of provisions of Mineral Conservation and Development Rules, 2017, in respect to Kosdana limestone mine (7.50 hectare) Mine Code 38MPR12068 in District Dhar of Madhya Pradesh State.

Sir/Madam,

Undersigned has inspected your mine in the presence of you and your re-presentative, Shri Aditya Kumar Jain on 16/02/2023. Following provisions of MCDR 2017 were found violated in your mines at the time of inspection.

Rule No	Nature of violation observed in detail
Rule 11(1)	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 During inspection it has been observed that the following provisions of the rule have been violated: - (a) Only 5215 T of lime stone was produced against the proposed 81,225 T.
Rule 11(3)	Every approved mining plan shall be subjected to review and updation in every five years as per provision of sub-rule (1) of rule 17 of the Minerals (Other than Atomic and Hydro Carbon Energy Minerals) Concession Rules, 2016. It is found that your last approved document for the aforesaid mine is valid till 31/03/2023 and the Review of Mining Plan has not submitted as required thus your mining operations will be suspended from 01/04/2023 onwards.
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,- (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. The following details are found incorrect or not submitted by you in annual returns as required

Refre part -I

	<p>Mining engineer details were not furnished.</p> <p>Refer Part VI</p> <p>ROM production was submitted as 0.00 T and grade wise production of cement grade limestone was reported as 5215.00 T whereas during inspection it is found that no grade wise sorting was done at your mines.</p>
<p>Rule 55(3)</p>	<p>every holder of a mining lease shall employ, in case of-</p> <p>(iii) category 'A' mines, a whole-time mining engineer and a geologist;</p> <p>(iv) category 'B' mines, a part-time mining engineer and a part-time geologist;</p> <p>Provided that in the case of fully mechanised category 'A' mines, the mining engineers and geologists shall have minimum five years of professional experience of working in a supervisory capacity in the field of mining.</p> <p>Mining Engineer is not found appointed at the aforesaid mine .</p>

1. In this connection, it is brought to your notice that the above violations constitute an offence punishable under Rule 62 of Mineral Conservation and Development Rules, 2017.
2. The mining operations can be suspended under the rule 11(2) of MCDR-2017, if compliance of rule 11(1) of MCDR-2017 is not found satisfactory.
3. You are, therefore, directed to explain 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
4. Please note that no further notice will be given to you in this regard.

Yours faithfully

K. N. Naveen
07/13/23
(Kathroju Naveen)
Asst. Controller of Mines,
Jabalpur Region, IBM

Copy to:

- 1) The Controller of Mines (CZ), Nagpur, IBM
- 2) The Director, Directorate of Geology & Mining, Khanij Bhavan, Arera Hills, Bhopal (MP).
- 3) Mining and Mineral Statistics Division, Nagpur for kind information and necessary Action.

K. N. Naveen
07/13/23
(Kathroju Naveen)
Asst. Controller of Mines,
Jabalpur Region, IBM