

**4523**

**BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL  
WESTERN ZONE BENCH AT PUNE**

**IN**

**I.A. NO. 137 OF 2026**

**WITH**

**I.A. NO. 140 OF 2026**

**WITH**

**I.A. NO. 141 OF 2026**

**IN**

**ORIGINAL APPLICATION NO.101 OF 2019 (WZ)**

IN THE MATER OF

MR. SAYYED MOHAMMED SABIR USMAN&ANR ...APPLICANTS

VERSUS

UNION OF INDIA THROUGH SECRETARY,

MoEFCC & ORS.

... RESPONDENTS

**REPLY ON BEHALF PF ORIGINAL APPLICANT**

**TO I.A. NO. 137 /2026, I.A. NO. 140 / 2026 & I.A. NO. 141 / 2026;**

**AN APPLICATION FOR MODIFICATION OF ORDER DATED 06.02.2026**

**PASSED BY THIS HON'BLE TRIBUNAL FILED BY**

**RESPONDENT NO.17, 18 & 20**

**NITIN LONKAR**

**ADVOCATE FOR APPLICANT**

**CELL NO.9560466009**

**EMAIL: [nitinlonkar@gmail.com](mailto:nitinlonkar@gmail.com)**

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Field On: 23.03.2026

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AN APPLICATION FOR MODIFICATION OF ORDER DATED 06.02.2026

PASSED BY THIS HON'BLE TRIBUNAL FILED BY

RESPONDENT NO.17, 18 & 20

**MOST RESPECTFULLY SHOWETH:**

The applicant above named most respectfully sheath as under:-

1. That the applicant has filed the instant Original Application on 27.11.2019, challenging the illegal mining of limestone being carried out by Respondent Nos.25 to 64 in the State of Gujarat without obtaining the Environment Clearance, Further the Original applicant clearly stated that the Respondent Nos. 14 to 24 including the Respondent No.17, 18 & 20 are being a end users hence the are ultimate beneficiary of illegally mined mineral and manufacturer of cement, as their activity is directly causing damages to the environment.
2. That this Hon'ble Tribunal considering the grounds raised in the Original Application, Orders passed by the Hon'ble Principal Bench of this Hon'ble Tribunal in OA No. 110 (THC) of 2012 and in adherence to principle of natural justice after duly providing the opportunity to the all parties passed

Order dated 06.02.2026 and directed the Respondent No. 14 to 24 to disclose the source of their purchase of limestone which is being used by them in manufacturing of cement by filing their affidavits, before the next date i.e. 13.03.2026. However, the Respondent no. 17, 18 and 20 instead of filing Statutory Appeal u/s. 22 or Review u/s. 19(4)(f) of the National Green Tribunal Act, 2010 (hereinafter referred to as "Act") filed Interlocutory Application no. 137/2026, 140/2026 and 141/2026 (hereinafter referred to as "Said I.A.s") for modification of the Order dated 06.02.2026, a day prior i.e. on 12.03.2026.

3. At the very outset, Original Applicant states that the present Interlocutory Application filed by the Respondent no. 17, 18 & 20 are not maintainable as this Hon'ble Tribunal does not have jurisdiction to entertain such Application for modification of its own order. The Respondent no.17, 18 & 20 instead of filing Statutory Appeal u/s. 22 or Review u/s. 19(4)(f) of the Act approached this Hon'ble Court for Modification of the Order dated 06.02.2026 which is not maintainable as this Hon'ble Tribunal inherently lacks authority to adjudicate such application for modification of Orders. The Grounds and questions raised by the Respondent no.17, 18 & 20 in the said I.A.s be treated as denied in to except to what has been specifically admitted in the present Reply. Nothing stated in the said I.A.s shall be deemed to have been admitted by reason of any omission or lack of specific traverse in this Reply. The Original Applicant further submits that the onus of establishing all facts and grounds raised in the said I.A.s lies strictly upon the Respondent no.17, 18 & 20.

**PARAWISE REPLY:**

4. That the contents of paragraph 1 of the all said I.A.s are true and correct and the Respondent no. 17,18 and 20 are accepting that allegation are made in the OA which states that the Respondent Nos. 14 to 24 including the Respondent No.17, 18 & 20 are promoting the illegal mining activity by consumption of such alleged illegally mined limestone in their industry.
5. That the contents of paragraph 2 of the all said I.A.s need no comments being matter of record.
6. That the contents of paragraph 3 (i), (ii) and (iii) of the all said I.A.s are true and correct, However the contents of the Para (iv) are misleading, therefore

the same are denied. The Hon'ble Tribunal has rightly directed the Respondent no. 14 to 24 to disclose the source of their purchase of limestone which is being used to manufacture cement as being end user they are required to conduct due diligence, as it obligated at the time of registration, certify and declare the source, quantity and quality of minerals stored under Rule 10 (6) of Gujarat Mineral (Prevention of Illegal Mining, Transportation and Storage) Rules, 2017 (hereinafter referred to as "**Gujrat Minerals Rules, 2017**") that maintain the register of stored minerals.

7. That the Contents of the paragraph 4 are not true and correct as the Respondent no. 17, 18 and 20 are not Bonafide purchasers as stated in the Application for deletion i.e. I.A. No. 14/2023 I.A. No.13/2023 and I.A. No. 20/2023, as they used to purchase limestone from the Respondents falling in the list of Respondent Nos. 25 to 64 as they were having knowledge of the illegal mining carried out without environmental clearance and also failed to conduct due diligence before purchasing the same. Further, the Respondent no.14 to 24 even after filing of the present Original Application are still purchasing limestone the Respondent Nos. 25 to 64, therefore they are not willing to produce the records need to be maintained under the provision of the Gujrat Minerals Rules, 2017.
8. That the Contents of the paragraph 5 are not true and correct. The Respondent No.17, 18 & 20 are the ultimate beneficiary of illegally mined limestone and manufacturer of cement, as their activity is directly causing damages to the environment, therefore the issue arising from such practices is an environment issue and in the environmental issue the "onus of proof" is on the industries to show that his action is environmentally benign. Further the onus of proof is also shifted on the Respondent no. 17,18 & 20 the moment they state that they are Bonafide purchasers as well as per the Section 19 (3) of the Act, the Hon'ble Tribunal is not bound by the rules of evidence contained in the Indian Evidence Act, 1872.. The Hon'ble Supreme Court in the case of Vellore Citizens Welfare Forum Vs. Union of India & Ors. (1996) 5 SCC 647 has held as follow

*" 11. Some of the salient principles of "Sustainable Development", as culled out from Brundtland Report and other international documents, are Inter-Generational Equity, Use and Conservation of Natural Resources, Environmental Protection, the Precautionary Principle, Polluter Pays Principle, Obligation to Assist and Cooperate, Eradication of Poverty and Financial Assistance to the developing countries. We are, however, of the view that "The Precautionary Principle" and "The Polluter Pays Principle" are*

essential features of "Sustainable Development". The "Precautionary Principle" - in the context of the municipal law - means:

(i) Environmental measures - by the State Government and the statutory authorities - must anticipate, prevent and attack the causes of environmental degradation.

(ii) Where there are threats of serious and irreversible damage, lack of scientific certainty should not be used as a reason for postponing measures to prevent environmental degradation.

(iii) **The "onus of proof" is on the actor or the developer/industrialist to show that his action is environmentally benign."**

The Hon'ble Supreme Court further reiterated the same in the case of A.P. Pollution control Board Vs. Prof. M.V. Nayudu (Retd) & Ors. (1999) 2 SCC 718 held as follow-

*"36. We shall next elaborate the new concept of burden of proof referred to in the Vellore case<sup>2</sup> at p. 658. In that case, Kuldip Singh, J. stated as follows: (SCC p. 658, para 11)*

*"(iii) The 'onus of proof' is on the actor or the developer/industrialist to show that his action is environmentally benign."*

*37. It is to be noticed that while the inadequacies of science have led to the "precautionary principle", the said "precautionary principle" in its turn, has led to the special principle of burden of proof in environmental cases where burden as to the absence of injurious effect of the actions proposed, - is placed on those who want to change the status quo [Wynne, Uncertainty and Environmental Learning, 2 Global Env'tl. Change 111 (1992) at p. 123]. This is often termed as a reversal of the burden of proof, because otherwise in environmental cases, those opposing the change would be compelled to shoulder the evidentiary burden, a procedure which is not fair. Therefore, it is necessary that the party attempting to preserve the status quo by maintaining a less polluted state should not carry the burden of proof and the party who wants to alter it, must bear this burden. [See James M. Olson: "Shifting the Burden of Proof", 20 Env'tl. Law, p. 891 at p. 898 (1990).] [Quoted in Vol. 22 (1998), Harv. Env. Law Review, p. 509 at pp. 519, 550.]*

*38. The precautionary principle suggests that where there is an identifiable risk of serious or irreversible harm, including, for example, extinction of species, widespread toxic pollution in major threats to essential ecological processes, it may be appropriate to place the burden of proof on the person or entity proposing the activity that is potentially harmful to the environment. (See Report of Dr Sreenivasa Rao Pemmaraju, Special Rapporteur, International Law Commission, dated 3-4-1998, para 61.)*

*39. It is also explained that if the environmental risks being run by regulatory inaction are in some way "uncertain but non-negligible", then regulatory action is justified. This will lead to the question as to what is the "non-negligible risk". In such a situation, the burden of proof is to be placed on those attempting to alter the status quo. They are to discharge this burden by showing the absence of a "reasonable ecological or medical concern". That is the required standard of proof. The result would be that if insufficient evidence is presented by them to alleviate concern about the level of uncertainty, then the presumption should operate in favour of environmental protection. Such a presumption has been applied in *Ashburton Acclimatisation Society v. Federated Farmers of New Zealand*. The required standard now is that the risk of harm to the environment or to human health is to be decided in public interest, according to a "reasonable persons" test. [See *Charmian Barton: Precautionary Principle in Australia (Vol. 22) (1998) Harv. Env. L. Rev.*, p. 509 at p. 549.]*

9. That the Contents of the paragraph 6 are not true and correct. As stated above the present issue is environmental issue and therefore this Hon'ble Tribunal has jurisdiction to direct the enquiry to ascertain whether the activities of the Respondent no.14 to 24 are promoting illegal mining done without requisite environmental clearance by the Respondent no. 25 to 64 and eventually causing the environmental degradation in the State of Gujrat. The Section 19 (4) (b) & (c) of the Act, confers power to the Hon'ble Tribunal which is vested in a civil court under the Code of Civil Procedure, 1908, while trying a suit of requiring the discovery and production of documents and receiving evidence on affidavit.
10. That the Contents of the paragraph 7 are not true and correct and therefore strongly denied. The activities, operation, process conducted by the Respondent no.14 to 24 are directly making impact on mining of limestone and the negligence of the said Respondents towards the protection of environment is visible through the non-diligence of said Respondents in purchase of limestone. The Respondent no.14 to 24 being the end user are required to conduct due diligence under rule 10 (6) of the Gujrat Minerals Rules, 2017 that at the time off registration, certify and declare the source, quantity and quality of minerals stored. The said Respondents are required to maintain the register of stored minerals and the due diligence also required to verify whether the minerals that are being purchased have been mined with valid EC or approvals. It is important to note here that the Respondent no.17, 18 and 20 are mining from their own limestone mines to

cater the need of limestone for operation of their cement plants and well aware of the compliance under environmental laws, enactments and notifications. The Details of the mines owned by the Respondent no. 17, 18 and 20 is annexed as **Annexure R-1**

Therefore, this Hon'ble Tribunal considering the present environmental issue in totality, rightly directed Respondent no.14 to 24 to disclose the source of their purchase of limestone which is being used to manufacture cement record which will to ascertain the role of said Respondents in promotion of illegal mining in ecologically sensitive area.

11. That the Contents of the paragraph 8 are not true and correct and therefore strongly denied unless otherwise accepted. This Hon'ble Tribunal vide order dated 22.08.2023 recorded the submissions of the Original applicant wherein the Original applicant sought time to convince the Hon'ble Tribunal with regard to the position of law that even beneficiaries can be held accountable under law for damage to environment and accordingly environmental damage compensation to be levied from them. Accordingly, the Original applicant relied on the law settled in the case in Threat to life arising out of coal mining in south Garo hills district vs State of Meghalaya and others; OA No. 110 (THC) of 2012. However, in the OA No. 110 (THC) of 2012, the cement plants and thermal power plants were not impleaded as parties to the proceeding nor was any notice was issued to them to submit objections to the interim reports which were filed before the Hon'ble Tribunal. The Hon'ble Supreme Court while disposing of the Civil Appeal filed by the appellants therein directed the Hon'ble NGT to furnish the opportunity to them of being heard etc.
12. That the Contents of the paragraph 9 are not true and correct and therefore strongly denied. The Original applicant rightly placed reliance on the aforesaid case of illegal coal mining in State of Meghalaya to contend that scope of enquiry of this Hon'ble Tribunal can be extended to cement companies and audit of the Respondent no.14 to 24 shall be done as did in the aforesaid case. The Respondent No.17, 18 and 19 did not taken on record any pleadings to ascertain that the issue whether compensation can be levied on Bonafide end users is also pending consideration before the Kolkata bench of this Hon'ble Tribunal in the aforesaid case.
13. That the Contents of the paragraph 10 are not true and correct and therefore strongly denied. It is true that there is no provision to Mines and Minerals development and Regulation Act, 1957 or the Gujrat Minerals Rules, 2017

which requires end user to compensate for purchase of illegally mined mineral, however the provisions of the Act shall have effect notwithstanding anything inconsistent contained in any other law for the time being in force or in any instrument having effect by virtue of law other than this act. Also, this Tribunal is empowered under Rule 24 of the National Green Tribunal (Practises and Procedure) Rules, 2011 to make such orders or give such directions as may be necessary or expedient to give effect to its order or to prevent abuse of its process or to ensure the ends of justice. Therefore, the direction for disclosure of suppliers will not be an exercise in futility rather it will ensure the role of the Respondent no.14 to 24 in promoting illegal mining and their failure to conduct a due diligence or maintain the record under the under the Gujrat Minerals Rules, 2017.

The Hon'ble Bombay High court while discussing the jurisdiction of the Hon'ble NGT in environmental issues in the case of *Vanshakti & Anr. Vs. Union of India & Ors.* (2022 SCC Online Bom 3360 held that an interpretation that is in favour of conferring jurisdiction should be preferred rather than one taking away jurisdiction as follow

*27. We would preface our discussion while dealing with this contention by referring to the decision of the Supreme Court in Mantri Techzone (PJ Ltd. v. Forward Foundation . This decision is not only relevant for the contention under consideration but also as regards interpretation of the several provisions of the NGT Act resulting in conferment of wide and extensive powers on the Tribunal in relation to environmental issues (paras 40 to 46). The Court, upon recording that the NGT Act is a beneficial legislation held that: (SCC p. 518, para 46)*

*"46. ... An interpretation that is in favour of conferring jurisdiction should be preferred rather than one taking away jurisdiction."*

.....

*"31. The Tribunal's jurisdiction to deal with environmental issues is so wide and expansive that literally speaking, "everything under the sun" raising substantial question relating to environment can be dealt with by it. It would matter little that in its pursuit to further the objects for which the Tribunal has been brought into existence as well as to ensure protection of environment and conservation of forests and other natural resources including enforcement of any legal right relating to environment, any other enactment is required to be considered. So long as the basic question remains the same i.e. the Tribunal is either approached or is duty bound to secure proper implementation of the enactments specified in Schedule I of the NGT Act and a substantial question in relation thereto arises, and the decision of the Tribunal on such question*

*would beneficially impact the environment, merely because in the process of decision-making the Tribunal may be required to consider provisions of any other enactment would not denude it of its fundamental and predominant task of taking decisions that would advance the object of the Schedule I enactments as also to secure the ends of justice in any particular case. We may refer in this connection to Rule 24 of the National Green Tribunal (Practice and procedure) Rules, 2011 framed by the Central Government."*

14. That the Contents of the paragraph 11.I are not true and correct and therefore strongly denied. The Respondent no. 17,18 and 20 are owning carrying out mining of limestone in their own captive mines, therefore they are well aware of the fact that the limestone mined without the valid environmental is illegally mined limestone and the same need to be enquire while complying with the due diligence required under Gujrat Minerals Rules, 2017. Further the record required to be maintained under Rule 9 and Rule 10 need to be submitted as directed by the Hon'ble Tribunal vide Order dated 06.02.2026 to verify the statement made in the Paragraph 11 of the said I.A.s the Respondent no.17, 18 and 20 shall be directed to produce the Record since its 31.03.2016. As this Hon'ble Tribunal while dealing with same issue in the OA No. 58 of 2018 (WZ) vide Order dated 14.11.2022 held as follow

*" 45. We find that the Joint Committee has calculated the compensation from the period much prior to March, 2016 till the period the respondents have executed the mining but we deem it necessary to clarify that the environmental compensation should be calculated and levied from 31.03.2016 onwards till the execution of mining activities are conducted by the respondents, in view of the position of law cited above in para 14...."*

15. That the Contents of the paragraph 11.II are not true and correct and therefore strongly denied. The Respondent no.17, 18 and 20 are not Bonafide purchasers as the illegally mined limestone has been purchased without due diligence. Further as stated above in the environmental issue the "onus of proof" is on the industries to show that his/their actions are environmentally benign as held by the Hon'ble Supreme Court in the case of Vellore Citizens Welfare Forum Vs. Union of India & Ors. (1996) 5 SCC 647. Further the onus of proof is also shifted on the Respondent no. 17,18 & 20 the moment they state that they are Bonafide purchasers as well as per the Section 19 (3) of the Act, the Hon'ble Tribunal is not bound by the rules of evidence contained in the Indian Evidence Act, 1872.

16. That the Contents of the paragraph 11.II are not true and correct and therefore strongly denied. The Hon'ble Supreme court in the case of Common Cause eVs. Union of India & Ors. (2017) 9 SCC 499 has held as follow

*“ 128. According to the lessees a mining operation only outside the mining lease area would constitute "illegal mining" making illegal mining lease centric. We are unable to accept this narrow interpretation given by CEC and relied upon by the learned counsel for the mining leaseholders.*

*129. The simple reason for not accepting this interpretation is that Rule 2(ii-a) of the MCR was inserted by a Notification dated 26-7-2012 while we are concerned with an earlier period. That apart, as mentioned above, the holder of a mining lease is required to adhere to the terms of the mining scheme, the mining plan and the mining lease as well as the statutes such as the EPA, the FCA, the Water (Prevention and Control of Pollution) Act, 1974 and the Air (Prevention and Control of Pollution) Act, 1981. If any mining operation is conducted in violation of any of these requirements, then that mining operation is illegal or unlawful. Any extraction of a mineral through an illegal or unlawful Mining.”*

17. That the Contents of the paragraph 11.IV are not true and correct and therefore strongly denied. As stated above the Respondent no.17, 18 and 20 are not Bonafide purchasers and despite knowledge of violation of environmental norms the said respondent purchased the same in huge quantity even after the filing of the Original Application.

18. That the Contents of the paragraph 11.V are not true and correct and therefore strongly denied. The Original Applicant is only praying for the furnishing of the records which are required to be maintained by the purchasers/end users of the mineral under the provisions of the Gujrat Minerals Rules, 2017 and this Hon'ble Tribunal is empowered to direct the same.

19. That the Contents of the paragraph 11.VI are not true and correct and therefore strongly denied. The determination of compensation requires the scientific analysis by the Hon'ble Tribunal. The same shall be done only after analysing the records produced by the Respondent no.14 to 24 and only thereafter the proportionate compensation which bears a reasonable nexus with the environmental damage can be imposed.

20. That the Contents of the paragraph 11.VII are not true and correct and therefore strongly denied. As states above the Respondent no,14 to 24 had knowledge of the illegally mined material and the present issue is having great implications on the Environment the same cannot be only treated as receiving stolen property under Section 411 of IPC nor the protection under Article 20 of the constitution.
21. That the Contents of the paragraph 11.VIII are not true and correct and therefore strongly denied. The Original Applicant is rightly relying on Section 17(2) of NGT Act which empowers the Tribunal to apportion the liability for relief or compensation amongst those who are responsible, on equitable basis and these powers can be invoked only if death, inquiry or damage caused by an adverse impact of an activity or operation or process under any enactment specified in Schedule I cannot be attributed to a single activity but is a resultant effect of several activities. In the present case the damage is not only caused due to act of mining allegedly without valid EC but also mass consumption by the Respondent no.14 to 24 which have caused environmental degradation a which is attributable to not only single activity of mine owner but also the operation of the Respondent no. 14 to 24.
22. That the Contents of the paragraph 12 to 14 are not true and correct and therefore strongly denied. In view of the above submissions the said I.A.s shall be rejected and Respondent No.17, 18 and 20 shall be directed to the comply with the Order dated 06.02.2026 by submitting the sources of purchase of limestone 31.03.2016 in the interest of justice.

In view of above submissions, the Hon'ble Tribunal may pleased to reject the Interlocutory Application no. 137/2026, 140/2026 and 141/2026 filed by Respondent No.17, 18 and 20 for modification of the Order dated 06.02.2026, in the interest of justice.

Date :23.03.2026



Applicant No. 1



Advocate for Applicant

BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL  
WESTERN ZONE BENCH AT PUNE

IN

I.A. NO. 137 OF 2026 & I.A. NO. 140 OF 2026  
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MR. SAYYED MOHAMMED SABIR USMAN & ANR ... APPLICANTS

VERSUS

UNION OF INDIA THROUGH SECRETARY,  
MoEFCC & ORS.

... RESPONDENTS

**AFFIDAVIT**

I, Mr. Sayyed Sabir Mohammed Usman, Aged Adult, Occupation Business, residing at Building "Bage Shamim" , CTS 212, Jin plot, kodinar, Taluka Kodinar, District Gir Somnath, Gujrat -360720 presently at Mumbai do hereby solemn affirmation as under that:-

1. I state that I am Applicant No. 1 in the above-mentioned Original Application well conversant with the facts of the case and hence competent to swear this affidavit myself.
2. I have read and understood the contents of the Reply in para Nos. 1 to 22 now shown to me and I say that the contents thereof true and correct to my knowledge and belief.
3. I say that the annexures filed along with the reply are true copies of their respective originals.

*(Signature)*

DEPONENT



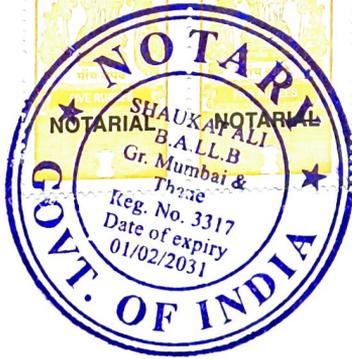
VERIFICATION

I, the abovenamed deponent, do hereby state on solemn affirmation that the contents of the above affidavit in paragraph Nos.1 to 3 are true and correct to the best of my knowledge and belief.

Hence, verified at \_\_\_\_\_ on this on this \_\_\_ day of March, 2026.

*[Handwritten signature]*

DEPONENT



BEFORE ME

*[Handwritten signature]*

SHAUKAT ALI  
NOTARY GOVT. OF INDIA  
B/208, Bhakti Kunj,  
Gabor Cross Road, Bhayander (E)  
Dist Thane Maharashtra India



NOTED & REGISTERED

Sr. No. 1036 Date 23 MAR 2026

**UltraTech Lease Details**

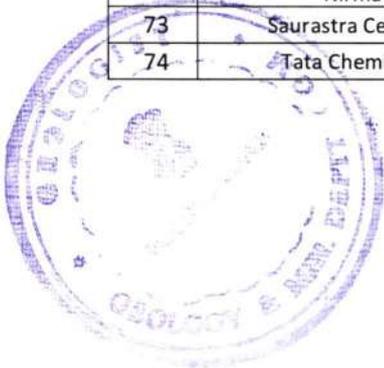
<b>1</b>	Lease Name	<b>M/s. Kovaya, Babarkot, Bhakodar, Varaswarup &amp; Vand Lime Stone Mine,</b>  <b>Postal Address:-</b> <b>M/s Gujarat Cement Works</b> <b>(A Unit of Ultra Tech Cement Limited)</b> 504, Pragtideep Building, Laxmi nagar, District Centre, Laxmi Nagar, Delhi- 110092 Ph: 011- 22469576 Fax: 011-22469432 E-mail: <a href="mailto:kvijender.reddy@adityabirla.com">kvijender.reddy@adityabirla.com</a>
	Sr.No	
	Area	<b>953-32-53 Hectors</b>
	Lease Grant Date	<b>07-06-1995 New 07-06-1995</b> <b>Lease Period Order : 12-04-2016</b>
	Execution Date	<b>01-03-1996 New 01-03-1996</b>
	Period	<b>20 Year</b>
	Date Of Expiry	<b>28-02-2046</b>
	Renewal Application Date	<b>25-02-2015</b>
	Date of Grant Of EC	<b>26-07-2012</b>
	Total Production Figer Year 2017-18	
<b>2</b>	Lease Name	<b>M/s. Babarkot LimeStone Mine,</b>  <b>Postal Address:-</b> <b>M/s Narmada Cement co.ltd</b> <b>(A Unit of Ultra Tech Cement Limited)</b> 504, Pragtideep Building, Laxmi nagar, District Centre, Laxmi Nagar, Delhi- 110092 Ph: 011- 22469576 Fax: 011-22469432 E-mail: <a href="mailto:kvijender.reddy@adityabirla.com">kvijender.reddy@adityabirla.com</a>
	Sr.No	-
	Area	<b>565-93-98 Hectors</b>
	Lease Grant Date	<b>07-06-1988 New 05-06-2018</b>
	Execution Date	-
	Period	-
	Date Of Expiry	<b>31-03-2030</b>
	Renewal Application Date	-
	Date of Grant Of EC	<b>21-06-2005</b>
	Total Production Figer Year 2017-18	
<b>3</b>	Lease Name	<b>M/s. Vadhera, Rohisa LimeStone Mine,</b>

		<b>Postal Address:-</b> <b>M/s Gujarat Cement Works</b> <b>(A Unit of Ultra Tech Cement Limited)</b> 504, Pragtideep Building, Laxmi nagar, District Centre, Laxmi Nagar, Delhi- 110092 Ph: 011- 22469576 Fax: 011-22469432 E-mail: <a href="mailto:kvijender.reddy@adityabirla.com">kvijender.reddy@adityabirla.com</a>
	Sr.No	
	Area	<b>160-24-00 Hectors</b>
	Lease Grant Date	<b>20-02-1980 &amp; 23-07-1980</b>
	Execution Date	
	Period	
	Date Of Expiry	
	Renewal Application Date	
	Date of Grant Of EC	<b>14-09-2007</b>
	Total Production Figer Year 2017-18	
<b>4</b>	Lease Name	<b>M/s. Jafrabad LimeStone Mine,</b> <b>Postal Address:-</b> <b>M/s Gujarat Cement Works</b> <b>(A Unit of Ultra Tech Cement Limited)</b> 504, Pragtideep Building, Laxmi nagar, District Centre, Laxmi Nagar, Delhi- 110092 Ph: 011- 22469576 Fax: 011-22469432 E-mail: <a href="mailto:kvijender.reddy@adityabirla.com">kvijender.reddy@adityabirla.com</a>
	Sr.No	
	Area	<b>100-81-00 Hectors</b>
	Lease Grant Date	<b>09-07-1979, 13-12-1978 &amp; 14-12-1978</b>
	Execution Date	
	Period	
	Date Of Expiry	
	Renewal Application Date	
	Date of Grant Of EC	<b>15-10-2007</b>
	Total Production Figer Year	
<b>5</b>	Lease Name	<b>M/s. BABARKOT LimeStone Mine,</b> <b>Postal Address:-</b> <b>M/s Narmada Cement co.ltd</b> <b>(A Unit of Ultra Tech Cement Limited)</b> 504, Pragtideep Building, Laxmi nagar, District Centre, Laxmi Nagar, Delhi- 110092 Ph: 011- 22469576 Fax: 011-22469432 E-mail: <a href="mailto:kvijender.reddy@adityabirla.com">kvijender.reddy@adityabirla.com</a>
	Sr.No	

	Area	<b>49-84-54 Ha</b>
	Lease Grant Date	<b>08-01-2017</b>
	Execution Date	
	Period	<b>50 Year</b>
	Date Of Expiry	
	Renewal Application Date	
	Date of Grant Of EC	<b>12-11-2020</b>
	Total Production Figer Year	
<b>6</b>	Lease Name	<b>M/s. BABARKOT LimeStone Mine, Postal Address:- M/s Narmada Cement co.ltd (A Unit of Ultra Tech Cement Limited) 504, Pragtideep Building, Laxmi nagar, District Centre, Laxmi Nagar, Delhi- 110092 Ph: 011- 22469576 Fax: 011-22469432 E-mail: <a href="mailto:kvijender.reddy@adityabirla.com">kvijender.reddy@adityabirla.com</a></b>
	Sr.No	
	Area	<b>14-20-45 Ha</b>
	Lease Grant Date	<b>08-01-2017</b>
	Execution Date	
	Period	<b>50 Year</b>
	Date Of Expiry	
	Renewal Application Date	
	Date of Grant Of EC	<b>12-11-2020</b>
	Total Production Figer Year	

**DISTRICT SURVEY REPORT  
PORBANDAR DISTRICT, GUJARAT STATE**

39	Merubhai Rajbhai Chauhan	Khunpur	Kutiyana	86	02.00.00
40	Goganbhai Jivabhai Bhutia	Ranavav	Ranavav	78/5/1	02.00.00
41	Laxmanbhai Vejabhai Keshawala	Keshav	Porbandar	490/p	02.00.00
42	Arasibhai Vajsibhai Odedara	Dolatgadhd	Ranavav	265/P	02.00.00
43	Vinjabhai Arajanbhai Odedara	Dolatgadhd	Ranavav	265/P	02.00.00
44	Karshanbhai Dulabhai Odedara	Adityana	Ranavav	9(P)	00.76.39
45	M/s. Rangwala Minerals	Adityana	Ranavav	343,344/1,346,347(P)	02.00.00
46	Gatral I. Minerals	Vadawala	Ranavav	613(P)	02.00.00
47	Dolarrai Mulji Thanki	Adityana	Ranavav	5/6	05.90.00
48	Vasant Lalji Thakrar	Ranavav	Ranavav	372/3/2/2/4	06.07.00
49	Vasant Lalji Thakrar	Adityana	Ranavav	5/6/46,10/2,24/1	05.00.00
50	Ashapura Minerals	Ranavav	Ranavav	60	01.00.00
51	Parbatji Ramaji Odedara	Dolatgadhd	Ranavav	265(P)	02.00.00
52	Gopalbhai Meghajibhai Patel	Biladi	Kutiyana	91	04.00.00
53	M/s P. Datani & Co.	Adityana	Ranavav	190/42	17.80.63
54	Shamjibhai Bhagvanjibhai Rabadiya	Druwada	Kutiyana	119P	04.00.00
55	Masribhai Rajsibhai Karavdara	Ishwariya	Kutiyana	429	04.00.00
56	Haja Khima Maru	Adityana	Ranavav	5/6	06.47.00
57	Vajshibhai Laxmanbhai Odedara	Druwada	Kutiyana	119/P	02.00.00
58	Vanda Merkhibhai Jetabhai	Roghada	Kutiyana	46/2,46/4	04.00.00
59	Nathabhai savdasbhai Aagath	Dolatgadhd	Ranavav	265(P)	02.00.00
60	Saurashtra Cement Ltd.	Adityana	Ranavav	18/1	01.20.39
61	Saurashtra Cement Ltd.	Adityana	Ranavav	22/2	01.22.42
62	Saurashtra Chemicals Division of Nirma Ltd.	Boricha jhijhrka	Porbandar	22/2	101.17.00
63	Saurashtra Chemicals Division of Nirma Ltd.	Bharvada	Porbandar	146,501	20.94.00
64	Saurashtra Chemicals Division of Nirma Ltd.	Adityana	Ranavav	5/6	97.61.44
65	Saurashtra Chemicals Division of Nirma Ltd.	Dharampur Kajhavadri	Ranavav	2/5	87.33.00
66	Saurashtra Chemicals Division of Nirma Ltd.	Dharampur	Ranavav	2/9	40.46.00
67	Saurashtra Chemicals Division of Nirma Ltd.	Dharampur	Ranavav	2/9	14.61.00
68	Saurashtra Chemicals Division of Nirma Ltd.	Dharampur	Ranavav	2/9	09.30.77
69	Saurashtra Chemicals Division of Nirma Ltd.	Bhod	Ranavav	358/3	71.52.06
70	Saurashtra Chemicals Division of Nirma Ltd.	Ranavav	Ranavav	55/1,37/2	31.28.00
71	Saurashtra Chemicals Division of Nirma Ltd.	Dharampur	Ranavav	2/9	18.21.09
72	Saurashtra Chemicals Division of Nirma Ltd.	Boricha jhijhrka	Porbandar	22/2	24.28.13
73	Saurashtra Cement Ltd.	Adityana	Ranavav	602,5/6	643.02.00
74	Tata Chemicals Ltd.	Adityana	Ranavav	5/6,602,603	42.90.00



**1.0 GENERAL**

S. N.	Particulars	Details
1(a)	Name of the Mine	<b>Adityana Limestone and Marl Mines</b>
1(b)	Name of Inspecting Officer & Designation	<b>Shri Darshan Deep Bhardwaj, Senior Asst. Controller of Mines</b>
1(c)	Accompanying Mines Representatives	<b>Shri P.K Deshpande</b>
1(d)	Type of Inspection	Star Rating
1(e)	Date of Inspection	08.09.2021
2	Total Lease Area (Ha) with breakup of Non-forest and forest land	643.02 Ha. (Govt. Waste Land)
3	Mine code	38GUJ08254
4	IBM Registration Number under rule 45 of MCDR, 1988	IBM/280/2011
5	Name of the lessee, Address, phone, email and fax number	<b>M/s. SAURASHTRA CEMENT LIMITED</b> Address :-Near Railway Station Ranavav 360550,Dist.- Porbandar, Gujarat (India),Phone-02801-234200, Email:- scl-rnv@mehtagroup.com, Fax:-02801-234376/234384
6	Village	Adityana,& Ranavav
7	Taluka/Mandal	Ranavav
8	District	Porbandar
9	Pin code	360550
10	State	Gujarat
11	Post office	Ranavav
12	Nearest police station	Ranavav
13	Nearest Railway station	Ranavav
14	Date of Grant of Mining Lease	20-10-1956
15	Date of Execution	20-10-1956
16	Date of opening of Mine	27-10-1960
17	Date of first Renewal, if applicable and its period & expiry	First renewal on 22.11.1976 as per order no. MCR-1576(S-102)/8192/CHH. For the period of 20 Years i. e. 20-10-1976 to 19-10-1996.
18	Date of second Renewal, if applicable and its period & expiry	Under deemed renewal thereafter, Lease expiry on 31-03-2030 (As per Letter No. MCR-1576-(S-102)-8192-Chh.1, Dated. 24-10-2017, Lease extension order).
19	Date of submission of renewal application if Mining Operations are continuing under deemed extension	Second Renewal:18-09-1995( Under Deemed renewal), Third Renewal: 02-03-2015.( Extended till 2030 as per Letter No. MCR-1576-(S-102)-8192-Chh.1, Dated. 24-10-2017 ,Lease extension order)
20	Name of the Nominated Owner with Address, phone, email, fax number and date of appointment	<b>Shri M.S Gilotra</b> Address:-2 <sup>nd</sup> floor ,N.K Mehta International House 178,Back bay Reclamation, Babubhai Chinai Road, Mumbai-4000020, Phone No: - Office No:022 – 66365310, Fax: - 022-66365445/22048122. Email:- msgilotra@mehtagroup.com Date of Appointment: – 15.10.2004.
21	Name of the Mine Agent with Address, phone, email, fax number and date of appointment	<b>Shri Narendra Singh</b> Saurashtra Cement Limited, Near Railway Station, Ranavav-360550. Phone-02801-234257, Fax:-02801-234376-234384. Email:- narendrasingh@mehtagroup.com Date of Appointment – 21.06.2016.
22	Name of the Mines Manager with Address, phone, email, fax number and date of appointment in mines	<b>Shri P.K Deshpande</b> Saurashtra Cement Limited Near Railway Station Ranavav-360550,Phone-02801-234232, Fax:-02801-234376-234384 Email – pkdeshpande@mehtagroup.com Date of Appointment – 31.10.2008.
23	Name of the Mining Engineer, Qualification and total experience with Address, phone, email, fax number and date of appointment in mine	<b>Shri A. R. Panda</b> Saurashtra Cement Limited Near Railway Station Ranavav-360550 Phone:-02801-234352, Fax:-02801-234376-234384. Email:- arpanda@mehtagroup.com Date of Appointment – 01-10-2013.
24	Whether Geologist and Mining Engineer appointed in mines satisfy the rule 55 & carrying out their duties as per rule 56 & 57.	Yes

25	Date of Approval of Mining Plan/ <b>Modified Mining Plan</b> / Review of Mine Plan with five-year period and specific condition in approval letter, if any.	4542 Date of Approval of Modified Mining Plan :- 01.11.2019 18 Vide letter No. 684(3) (1)/MP-249 (158)/2019-20-GNR/ 2053, Period: - 2019-20 to 2020-21 (W.E.F. 01-11-2019).
26	Date of Approval of Scheme of Mining/Modified Scheme of Mining with five-year period and specific condition in approval letter, if any.	NA
27	Mineral(s) granted in lease and proved for mining	Limestone & Marl
28	Method of Mining(Open cast, Underground)	Open cast
29	Category (Fully Mechanised, Others or Manual)	Fully Mechanised
30	Captive/Non Captive	Captive

Scientific Mining: Compliance of proposals of approved mining plan/scheme of mining. –

### Exploration

SN	Item	Proposals (2020-21)	Actual work (2020-21)	Remarks
1a	Backlog of previous year	39 bore holes(975 M - 1170 M) at average depth of 25-30 M	41 bore holes(1007 M)	Exploration work completed in Feb.2021.
1b	Exploration over lease area for Geological axis 1 or 2.	N.A	After completion of last phase of core drilling, the whole lease area is explored in specified (200 X 200)M grid interval	
1c	Exploration Agency & Expenditure in lakh Rupees during the year	-	B. K. Diamond Core drilling Syndicate Co. & others up to date expenditure is Rs. 16, 08,690/-.	
1d	Balance area to be explored to bring Geological axis in 1 or 2	G2-90.6 ha, G3-102ha	G2-90.6 ha, G3-102ha	
1e	Balance reserves as on 01.04.2021	<b>In Million tones</b> <b><u>Limestone</u></b> Proved 85.11 Probable 79.86  <b><u>Marl</u></b> Proved 17.39 Probable 17.21		
1f	General remarks of inspecting officer on geology, exploration etc.	Exploration of area done with 41 borehole in Feb 2021		

### 2.0 Development-

SN	Item	Proposals (2020-21)	Actual work (2020-21)	Remarks
2a (i)	Location of development w.r.t. lease area	<b>For Limestone-</b> I) N1.26 -4.12 TO W1.06 -W3.15 II)S1.96- N4.40 TO E1.39 - E2.05 III)N4.12 - N5.87 TO W1.90 – W 4.96 IV) S4.25 -N3.51 TO W5.51 - E1.14  <b>For Marl-</b> S1.8-S5.9 TO E4.6 - E6.4	<b>For Limestone-</b> I) N1.26 -4.12 TO W1.06 -W3.15 II)S1.96- N4.40 TO E1.39 - E2.00 III)N4.00 - N5.80 TO W1.90 – W 5.0 IV) S4.25 -N3.50 TO W5.50 - E1.20  <b>For Marl-</b> S1.67-S4.11 TO E4.86-E5.75	As per proposal

2b	Separate benches in topsoil, over-burden and mineral (Rule 15)	NA	<b>4543</b>	NA	No proposal for top soil & overburden
2c	Stripping ratio or ore to OB ratio	1:0.0		1:0.0	No OB generation
2d	Quantity of topsoil generation in m3	NA		NA	No top soil generation
2e	Quantity of overburden generation in m3	NA		NA	No overburden generation
2f	General remarks of inspecting officer on development of pit w.r.t. type of deposit etc.	Development of pit is done as per the proposals.			

### 3.0 Exploitation

SN	Item	Proposals (2020-21)	Actual work (2020-21)	Remarks
3a	Number of pits proposed for production	03	03	Pit-1,2 for limestone, Pit - 3 for marl.
3b	Quantity of ROM mineral production proposed	Limestone- 1682450	Limestone- 1432407	Less marl production due to excessive rain caused water logging, limestone production as per captive plant requirement.
		Marl- 372000	Marl- 49900	
3c	Recovery of saleable/usable mineral from ROM production	NA	NA	
3d	Quantity of mineral reject generation	NA	NA	No mineral reject generated
3e	Grade of mineral reject generation and threshold value declared	NA	NA	
3f	Quantity of sub-grade mineral generation	NA	NA	Marl can be considered as subgrade mineral as it has no other use without blending with limestone for cement manufacturing
3g	Grade of sub-grade mineral generation	NA	NA	
3h	Manual / Mechanised method adopted for segregating from ROM	NA	NA	
3i	Any analysis or beneficiation study proposed & carried out for sub-grade mineral and reject	NA	NA	
3j	Provision of drilling & blasting in mineral benches	Hole Dia-150mm,spacing -5m,burden-4m,use of slurry(both column and base charge)	NA	No blasting since February -2017.
3k	Provision of mining machineries in mineral benches	1. BACK HOE-0.9 CUM-1 2. SHOVEL (HYDRAULIC) 3.90CUM-2. 3. DUMPER 35Tonne-5. 4. DOZER (320 HP)-1. 5. SURFACE MINER (900 HP)-01. 6. DUMPER 25 Tonne-12. 7. Wheel Loader (1.7 CUM)-3. 8. DRILL (152 MM) - 1.	1. BACK HOE-0.9 CUM-(1) 2. SHOVEL (HYDRAULIC) 3.90CUM-(1),4.0CUM(1) 3. DUMPER 35Tonne-5. 4. DOZER (320 HP)-1. 5. SURFACE MINER (900 HP)-01. 6. DUMPER 25 Tonne-12. 7. Wheel Loader (1.7 CUM)-3. 8. DRILL (152 MM) - 1.	
3l	Whether height of benches in overburden and mineral suitable for method of mining proposed in MP/SOM	Yes	Yes	6m-bench height is maintained
3m	Total area covered	166.36 Ha.	166.36 Ha.	

	under excavation/pits	<b>4544</b>				20
3n	Ore to OB ratio for the pit/mine during the year	1:0.0		1:0.0		No OB
3o	Total area put in use under different heads at the end of year	Pit- 166.36 ha.(including-3.5ha rehabilitated water reservoir) Infrastructure-18.7ha, road-1.49 ha. Others -Mineral Stack-3.1ha & Plantation-62.43 ha (reclaimed-5.94ha, non-minable area & green belt on virgin land-56.49ha.)		Pit- 166.36 ha.(including-3.5ha rehabilitated water reservoir) Infrastructure-18.7ha, road-1.49 ha. Others -Mineral Stack-3.1ha & Plantation-62.43 ha (reclaimed-5.94ha, non-minable area & green belt on virgin land-56.49ha.)		
3p	Production of ROM mineral during last five-year period, as applicable	2016-17	2259040	2016-17	2056906	
		2017-18	2201920	2017-18	1746383	
		2018-19	2302384	2018-19	1816013	
		2019-20	2227513	2019-20	1464241	
		2020-21	2054450	2020-21	1482307	
3q	General remarks of inspecting officer on method of mining etc.	Production is less than the proposal due to captive requirements.				

#### **4.0 Solid Waste Management-Dumping**

SN	Item	Proposals (2020-21)	Actual work (2020-21)	Remarks
4a	Separate dumping of topsoil, OB & mineral reject (Rule 32, 33)	NA	NA	No top soil & OB
4b	Location of topsoil, OB & mineral reject dumps	NA	NA	No top soil & OB
4c	Number of dumps within lease area and outside lease area	NA	NA	No top soil & OB
4d	Location of dumps w.r.t. ultimate pit limit (Rule 16)	NA	NA	No top soil & OB
4e	Number of active & alive dumps	NA	NA	No top soil & OB
4f	Number of dead dumps	NA	NA	No top soil & OB
4g	Number of dumps stabilised	NA	NA	No top soil & OB
4h	Whether Retaining wall or garland drain all along dumps are there	NA	NA	
4i	Length of Retaining wall or garland drain all along dump	NA	NA	
4j	Number of settling ponds	NA	NA	
4k	Specific comments of inspecting officer	No solid waste is generated as entire ROM is used for cement manufacturing.		

#### **5.0 Solid Waste Management-Backfilling**

SN	Item	Proposals (2020-21)	Actual work (2020-21)	Remarks
5a	Status on part or full extraction of mineral from mined out area before starting backfilling	Partial	Partial	
5b	Area under backfilling of mined out area	NA	NA	
5c	Concurrent use of topsoil for restoration or rehabilitation of mined out area (Rule 32)	NA	NA	No top soil, mineral is out cropped except incidental soil in variable patches used in plantation
5d	Total area fully reclaimed & rehabilitated	6.0 Ha	5.94 Ha	As on 01/04/2020.

5e	General remarks of inspecting officer on backfilling, reclamation etc	<b>4545</b>	21
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### **6.0 Progressive Mine Closure Plan**

SN	Item	Proposals (2020-21)	Actual work (2020-21)	Remarks
6a	Whether Annual report on PMCP submitted on time and correctly - Rule 26(2). Details should be given in the format as given in Annexure-20.	Yes	Yes	Attached in annexure-I
6b	Management of worked/mined out benches i) Area available for rehabilitation (ha)	2.32	2.32	Plantation on worked out benches during the year
	ii) Afforestation done (ha)	2.32	2.32	
	iii) No. of saplings planted during the year	3200	3570	
	iv) Cumulative no. of plants	6400	6660	
	v) Any other specific method of rehabilitation	NA	NA	
	vi) Cost incurred on watch & care during the year	Rs. 1000000	Rs. 1197547	
6c	Compliance on reclamation and rehabilitation by backfilling i) Voids available for backfilling (L X B X D) ii) Void filled by waste/tailings iii) Afforestation on the backfilled area iv) Rehabilitation by making water reservoir v) Any other specific means	NA	NA	
6d	Compliance of Rehabilitation of waste land within lease i) Afforestation ii) Area rehabilitated (ha) iii) Method of rehabilitation	NA	NA	
6e	Compliance of Environmental monitoring (core zone & buffer zone)	Yes	Yes	
6f	General remarks of inspecting officer on PMCP compliance & progressive	PMCP report is submitted .		

### **7.0 Mineral Conservation**

SN	Item	Proposals (2020-21)	Actual work (2020-21)	Remarks
7a	ROM Mineral dispatch or grade-wise sorting within lease area	ROM mineral despatch to captive plant after crushing	Limestone-1506509 Tonnes, Marl-300116 Tonnes despatched to plant after crushing.	Marl is used in blending with Limestone in cement manufacturing; otherwise, it has no individual usage, thus that much mineral (Limestone is conserved).
7b	Method of grade-wise mineral sorting i.e. manual or mechanical	NA	NA	
7c	Different grade of mineral sorted out at mines	NA	NA	
7d	Any beneficiation process at mines	NA	NA	
7e	General remarks of inspecting officer on Mineral conservation & beneficiation issues			

SN	Item	Proposals (2020-21)	Actual work (2020-21)	Remarks
8a	Separate removal and utilization of topsoil (Rule 32)	NA	NA	No top soil
8b	Concurrent use or storage of topsoil	NA	NA	Whatever incidental soil got during mining is used in plantation
8c	Separate dumps for overburden, waste rock, rejects and fines (Rule 33)	NA	NA	No, OB, Mineral reject
8d	Use of overburden, waste rock, rejects and fines dumps for restoring the land to its original use	NA	NA	
8e	Phased restoration, reclamation and rehabilitation of lands affected by mining operations (Pits, dumps etc)	Pit will be partly reclaimed by plant generated waste and / or water reservoir	Progressive restoration as per PMCP	
8f	Baseline information on existence of plantation & additional plantation done (Rule 41)	Total numbers of tree to be planted-6400 (including already planted nos-104275).	Total Plantation done - 110935 ( including 6660 in plan period)	During mod. plan period
8g	Survival rate	85 %	91.90 %	
8h	Water sprinkling on roads to control airborne dust	Yes	Yes	Mechanically propelled water tanker
8i	General remarks of inspecting officer on aesthetic beauty in and around mines area	. Beauty around lease area is good.		

**9.0 Compliance of Rule 45**

S.N	Item	COMMENTS	Remarks
9.1	Status of submission of Monthly and Annual returns	M.R. Submitted up to ---- Aug-2021 A.R. submitted up to---- 2020-21	

S.N	Item	Details GIVEN in A.R.	Observation of I/Officer	Remarks
9b	Scrutiny of Annual return for information on Mining Engineer, Geologist and Manager	yes	Found in order	
9c	Scrutiny of Annual return on land use pattern for area under pits, reclaimed area, dumps etc.	yes	Found in order	
9d	Scrutiny of Annual return on afforestation	yes	Found in order	
9e	Scrutiny of Annual return on mineral reject generation (Grade & quantity)	yes	Found in order	
9f	Scrutiny of Annual return on ROM stock and/or graded ore	yes	Found in order	
9g	Scrutiny of Annual return on sale value, Ex. Mine price & production cost	yes	Not found in order and violation issued for ex mine price.	
9i	Scrutiny of Annual return on fixed assets	yes	Found in order	
9k	Scrutiny of Annual return on mining machineries	yes	Found in order	

10- Details of violations observed during current inspection and compliance position of earlier violation pointed out: -

During inspection violation of Rule 31(4) & 45(7) found and violation letter is issued for rectification of the same.

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