

BY E-mail/FAX/SPEED POST

**F.No. 110/9/2015/NA (Part II)
Government of India
Ministry of Coal
Office of Nominated Authority**

Shastri Bhawan, New Delhi
Dated: the 19th December' 2017

To,

✓ The Pay & Accounts Officer,
PAO, Ministry of Coal,
Trikoort II, Bhikaji Camma Place,
R.K.Puram, New Delhi-110066.

Subject: Transfer of compensation towards cost for Land in respect of **Nerad Malegaon** coal mine to the Commissioner of Payments for further disbursal to the prior allottees i.e. **M/s. Wani Coalfields Private Limited.**

Sir/Madam,

I am to convey the sanction of the President to the transfer of a sum of **Rs. 52,72,311/-** (Rupees Fifty Two Lakh Seventy Two Thousand Three Hundred and Eleven only) to the Coal Controller's Organisation for disbursement to **M/s. Wani Coalfields Private Limited**, the prior allottee of **Nerad Malegaon coal mine** (in terms of clarification issued vide letter no. 110/9/2015/NA (Part) dated 28.04.2017, (copy enclosed herewith) under the provisions of the Coal Mines (Special Provisions) Act, 2015 by the Coal Controller in his capacity as 'Commissioner of Payments' towards compensation for land.

2. It is to mention that the compensation for land and mine infrastructure for Nerad Malegaon coal mine was initially calculated as Rs. 11,15,78,278/- and 'NIL' respectively at the time of auction of the coal mine calculating the interest component for land upto 24.09.2014. Accordingly, M/s. Indrajeet Power Pvt. Ltd. (IPPL), the Successful Bidder of the Nerad Malegaon coal mine had deposited the amount of Rs. 11,15,78,278/- as compensation for land. However, as per Section 16 (1) of the Coal Mines (Special Provisions) Act' 2015, the compensation for land is to be calculated with interest as on the date of vesting of coal mine. As such, the compensation for land was subsequently revised to Rs. 11,68,50,588/- taking the interest component upto 22.04.2015, i.e. the date of Vesting Order and Successful Bidder was further asked to deposit an amount of Rs. 52,72,310.86/- under Clause 3.1 (d) of the Coal Mine Development and Production Agreement (CMDPA) which stipulates that "It is clarified that any upward revision in the Fixed Amount on a subsequent date by the Government or the Nominated Authority consequent to any process or on the orders of any competent court of law, shall also be payable by the Successful Bidder". As such, the amount of Rs. 52,72,310.86/- was due to be received from the Successful Bidder.

3. Here, it is pertinent to mention that so far an amount of Rs. 11,15,78,278/-, initially calculated and deposited by the Successful Bidder towards compensation for land, has already been disbursed to prior allottee through Commissioner of Payments vide sanction orders dated 28.03.2017 and 01.08.2017. Out of Rs. 11,15,78,278/-, firstly an amount of Rs. 8,80,16,079/- was released to the Prior Allottee vide sanction order dated 28.03.2017 withholding an amount of Rs. 2,35,62,199/- considering the claim of DGM, Maharashtra towards cost of Geological Report. Subsequently, the amount

of Rs. 2,35,62,199/- was released to the Prior Allottee vide sanction order dated 01.08.2017 in compliance to Order dated 19.07.2017 passed by the Nominated Authority.

4. In the meanwhile, the Successful Bidder was repeatedly asked to submit the amount of Rs. 52,72,310.86/- towards cost of incremental compensation for land. The last letter was issued on 04.10.2017 with direction to deposit the said amount immediately, failing which action as deemed suitable under the CMDPA may be initiated against M/s. IPPL. In pursuance, M/s. IPPL has deposited the amount of Rs. 52,72,311/- on 07.11.2017.

5. In view of the above, amount of **Rs. 52,72,311/-** (Rupees Fifty Two Lakhs Seventy Two Thousand Three Hundred and Eleven only) may be transferred through RTGS to the account of Coal Controller, Coal Controller's Organisation who has been appointed as 'Commissioner of Payments' under the provisions of Section 15 (1) of the Coal Mines (Special Provisions) Act, 2015 for the purpose of the said Act vide Ministry of Coal's Order No. 22/2/2014-ASO dated 15th July, 2015.

6. The expenditure on this account is debitable to the Head **8443.00.117.03.04.00**.

7. This issues with the approval of Integrated Finance Division, Ministry of Coal vide Note dated 14.12.2017.

Encl: as above.

Yours faithfully,

(N.K. Singh)
(N.K. Singh)

Deputy Secretary to the Government of India

6 letters issued
2/12/17
Copy to:

1. **The Coal Controller in the capacity as Commissioner of Payments**, Coal Controller Organisation, No. 1 Council House Street, Kolkata-700001 - for further disbursement to the prior allocattees under the provisions of the Coal Mines (Special Provisions) Act, 2015 within **ten days** of the transfer of above amount from PAO. It may be ensured that payment is made to the prior allottee as per the said Act. The prior allottees may be intimated of the sanction & requested to submit the required document(s) for receiving the amount. The claimant shall need to submit an NOC (**Annexure-I**) from the other allottees/partners. Further, an affidavit in the prescribed format (**Annexure-II**) may also be obtained from the claimant prior to disbursal.
2. DGM, State Government of Maharashtra
3. US (IFD), Ministry of Coal.
4. US (CBA-II), Ministry of Coal.
5. DDO, Nominated Authority.
6. M/s. Wani Coalfields Private Limited
7. M/s. Gupta Metallics & Power Ltd.
8. M/s. Gupta Coalfields & Washeries Ltd.
9. M/s. Indrajit Power Pvt. Ltd.
10. TD, NIC: for uploading on the Website of Ministry of Coal.

(To be stamped in accordance with the relevant Stamp Act and duly sworn before Notary Public)

NO OBJECTION CERTIFICATE BY THE ASSOCIATE PRIOR ALLOTTEE FOR DISBURSAL OF THE AMOUNT TOWARDS COMPENSATION FOR LAND AND MINE INFRASTRUCTURE FOR THE COAL MINE UNDER THE PROVISIONS OF THE COAL MINES (SPECIAL PROVISIONS) ACT, 2015 TO LEADER PRIOR ALLOTTEE/JOINT VENTURE COMPANY

I, _____ aged _____ years, resident of _____ working as _____ an authorized signatory on behalf of _____ (name of the 'Associate Prior Allottee') hereby states as under:

1. That I am the Authorised Signatory of the Associate Prior Allottee. I am conversant with facts and circumstances surrounding the subject of this No Objection Certificate and have been authorized to confirm the same.
2. That M/s. _____ (name of the 'Leader Prior Allottee') and M/s. _____ (name of the 'Associate Prior Allottee (s)') are the joint Prior Allottees of the _____ (the "Coal Mine") in terms of the Coal Mines (Special Provisions) Act, 2015 (the "Act")/successor-in-interest of the Prior Allottees of the Coal Mine.
3. That M/s. _____ (name of the 'Joint Venture Partners') are joint venture partners of M/s. _____ (name of the 'Joint Venture Company') in favour of which Mining Lease had been executed for the _____ (the "Coal Mine"). As such M/s. _____ (name of the 'Joint Venture Company') is the Prior Allottee in terms of the Coal Mines (Special Provisions) Act, 2015 (the "Act")/successor-in-interest of the Prior Allottees of the said Coal Mine. [Applicable in cases where Mining Lease had been executed in favour of third party. Delete the clause whichever is not applicable].
4. As per the terms and condition of letter of allocation dated _____ the Leader Prior Allottee/Joint Venture Company was mandated to make all the investment and undertake all mining operations to develop and extract coal from the Coal Mine. As such the Leader Prior Allottee/Joint Venture Company is entitled to receive compensation for Land and Mine Infrastructure in relation to the Coal Mine.
5. That M/s. _____ (name of the 'Associate Prior Allottee'/Joint Venture Partners) has no objection in disbursement of the amount towards compensation for Land and Mine Infrastructure in relation to the Coal Mine to Leader Prior Allottee/Joint Venture Company.

6. That nothing has been concealed in the information submitted as mentioned above.

Solemnly affirmed and verified on this _____ day of (month) 2017 at (place).

(Signature)
Deponent-Authorised Signatory
(Name, Designation & Seal)

VERIFICATION

I, _____ aged _____ years, resident of _____ working as _____ an authorized signatory on behalf of _____ (name of Associate Prior Allottee) do hereby solemnly declare that what is stated in paragraphs 1 to 5 above is on the basis of the books and records of the Prior Allottee, and verify that the contents of the above affidavit are true and correct, no part of it is false and nothing material has been concealed therefrom.

Verified at _____ day of (month) 2017 at (place).

(Signature)
Deponent-Authorised Signatory
(Name, Designation & Seal)

ANNEXURE-II

(To be stamped in accordance with the relevant Stamp Act and duly sworn before Notary Public)

**UNDERTAKING FOR RECEIVING THE AMOUNT
TOWARDS COMPENSATION FOR LAND AND MINE INFRASTRUCTURE
FOR THE COAL MINE UNDER THE PROVISIONS OF THE COAL MINES
(SPECIAL PROVISIONS) ACT, 2015 TO LEADER PRIOR
ALLOTTEE/JOINT VENTURE COMPANY**

I.....aged..... years, resident of..... working as an authorized signatory on behalf of(name of Prior Allottee) hereby states as under:

1. That I am the Authorised Signatory of the Prior Allottee. I am conversant with facts and circumstances surrounding the subject of this Undertaking and have been authorized to undertake the same.
2. That M/s. is/are the Prior Allottee (s) of the.....(the "Coal Mine") in terms of the Coal Mines (Special Provisions) Act, 2015 (the "Act")/successor-in-interest of the Prior Allottee of the Coal Mine. The Mining Lease has been executed in favour of M/ s. As such the Prior Allottee is entitled to receive compensation for Land and Mine Infrastructure under the provisions the said Act.
3. That the Mining Lease for the Coal Mine has been executed in favour of M/ s.and therefore by virtue of the provisions of the Coal Mines (Special Provisions) Act, 2015 (the "Act"), M/s.is/are deemed to be the Prior Allottee (s) of the (the "Coal Mine")/successor-in-interest of the Prior Allottee of the Coal Mine. As such the Prior Allottee is entitled to receive compensation on account of for Land and Mine Infrastructure under the provisions the said Act[Applicable where Mining Lease has been executed in favour of third party. Delete the clause whichever is not applicable
4. That M/s.has been authorised by the other Joint Prior Allottee (s)/Joint Venture Partners to receive the claim on its/their behalf. A "No Objection Certificate" in the prescribed format from the Joint Prior Allottee (s)/Joint Venture Partners in this regard is enclosed herewith for record.
5. That the Prior Allottee (s) has incurred the cost on Land and Mine Infrastructure for Coal Mine and is entitled to get compensation of the same. The details of account for this purpose is as under:

Name of the Account holder company (must be in the name of prior allottee)
Name of the Bank/Branch
Account No.
MICR
IFSC

6. That the Prior Allottee (s) indemnifies the Nominated Authority /or the Central Government against any liability, cost, damages or losses in relation to this disbursement.

7. That the Prior Allottee (s) also undertakes that it is liable to return the amount disbursed to it, in case the above cost (part or in full) is claimed and established by any other party.

8. That nothing has been concealed in the information submitted asmentioned above.

Solemnly affirmed and verified on this day of (month) 2017 at (place).

(Signature)

Deponent-Authorised Signatory
(Name, Designation & Seal)

VERIFICATION

I.....aged.....years,
resident of.....working as an authorized signatory on behalf of
..... (name of Prior Allottee) do hereby solemnly declare that what is
stated in paragraphs 1 to 8 above is on the basis of the books and records of
the Prior Allottee, and verify that the contents of the above affidavit are true
and correct, no part of it is false and nothing material has been concealed
therefrom.

Verified at day of (month) 2017 at (place).

(Signature)

Deponent-Authorised Signatory
(Name, Designation & Seal)

File No.F.No.110/9/2015-NA(Part)

Through Email/Speed Post

F.No. 110/9/2015/NA (Part)

Government of India

Ministry of Coal

O/o Nominated Authority

131, Ground Floor, World Trade Centre, Babar Road
New Delhi, dated the 27th April' 2017

To,
The Coal Controller & Commissioner of Payments,
O/o The Coal Controller,
1, Council House Street,
Kolkata.

Subject: Disbursal of compensation for land and mine infrastructure
to the Prior Allottee in respect of **Nerad Malegaon
coal mine.**

Sir,

I am directed to refer to this office's letter no. 110/9/2015/NA (Part-III) dated 28.03.2017 conveying sanction of **Rs. 8,80,16,079/-** (Rupees Eight Crore Eighty Lakh Sixteen Thousand & Seventy Nine only) for disbursement to the prior allottees of Nerad Malegaon coal mine, i.e. M/s. Gupta Metallics & Power Ltd. and M/s. Gupta Coalfields & Washeries Ltd. towards compensation for Land and Mine Infrastructure.

2. In pursuance, M/s. Wani Coalfields Private Limited vide letter dated 10.04.2017 (copy enclosed) has requested for disbursement of aforesaid compensation in its favour being the Joint Venture Company of the Joint Allottees i.e. M/s. Gupta Metallics & Power Ltd. and M/s. Gupta Coalfields & Washeries Ltd. It has been submitted by M/s. Wani Coalfields Private Limited that it is the Joint Venture Company formed by the Joint Allottees of the Nerad Malegaon coal mine in accordance with the previous letter of allocation dated 13.01.2006. The administrative approval for grant of Mining Lease had been issued by Ministry of Coal in favour of it vide letter No. 13016/32/2005-CA-I dated 13.03.2012, although the Mining Lease could not be granted in favour of it. It has also been submitted that M/s. Wani Coalfields Private Limited had submitted the requisite Bank Guarantee in respect of the said coal mine and has incurred all the expenses towards Land & Mine Infrastructure w.r.t. the mine as evident from the fact that all the sale deed pertaining to the Land are registered in the name of M/s. Wani Coalfields Private Limited.


3. It may be observed from the previous allocation letter dated 13.01.2006 that Nerad Malegaon coal mine was allocated jointly to M/s. Gupta Metallics & Power Ltd. and M/s. Gupta Coalfields & Washeries Ltd. for working through a joint venture company to meet the coal requirement of their plants. One of the conditions of the allocation was that the mining lease

shall be obtained in the name of the Joint Venture Company and coal extracted from the mine shall be distributed among the allocatee companies in the proportion of their assessed requirements. The JV company was to approach CMPDIL for GR and State Government authorities concerned for the necessary permission/clearances etc. for attaining mining rights and related matters. Also, the recommendation for Prior Approval for grant of Mining Lease from State Government was in favour of M/s. Wani Coalfields Limited pursuant to which Prior Approval was issued by Ministry of Coal in its favour vide letter no. 13016/32/2005-CA-I dated 13.04.2012.

4. Considering the above, it is requested that in supersession of the sanction letter referred to in para 1 above, the compensation for land and mine infrastructure in respect of Nerad Malegaon coal mine may be disbursed in favour of the JV company i.e. M/s. Wani Coalfields Private Limited after obtaining necessary affidavit/undertaking.

Encl: As above.

Yours faithfully,



(N.K.Singh)

Deputy Secretary to the Government of India

Copy to:-

1. US (IFD), Ministry of Coal
2. PAO, Ministry of Coal, Trikoot II, Bhikaji Cama Place, New Delhi.
3. DDO, Cash, Ministry of Coal.
4. M/s. Wani Coalfields Private Limited.
5. M/s. Gupta Metallics & Power Ltd.
6. M/s. Gupta Coalfields & Washeries Ltd.
7. M/s. Indrajit Power Pvt. Limited.



Public Financial Management System-PFMS
 (formerly CPSMS)
 O/o Controller General of Accounts, Ministry of Finance

Welcome: **Shuvro Dasgupta**
 User Type: **PD**
 Financial Year: **2017-2018**



[soca3] Logout
 Change Password

Help

- AdhocReports
- SchemeWiseContactDetails
- Home
- CAM Reports
- Masters
- Users
- Agency
- Sanctions
- PreSanction
- Sanction Custom Fields
- Printing Templates
- Sanction Templates
- Employee Info. System
- Reports
- Masters
- My Schemes
- Agencies
- Scheme Allocation
- Register/ Track Issue
- Utilisation Certificate
- OLD UC

Sanction Details

Controller: 011-COAL

Sanction Number: 110/9/2015/NA(Part II)

Sanction Type: Expenditure (DDO Bill)

IFD Number: 110/9/2015/NA(Part II)

Plan Scheme: -

DDO: 206163-The Nominated Authority Under Section 6 of the Coal Mines(Special Provisions) Ordinance, 2014, Ministry of Coal, New Delhi

Created By: soca3

Modified By: soca3

File Uploaded: nerad malegaon.pdf

Sanction Status: **Approved**

Sanction Date: 21/12/2017

Sanction Amount: 5272311

IFD Date: 14/12/2017

PAO: 014775-PAO(Coal), New Delhi

Remarks: approved

Created On: 21/12/2017 12:35:59 PM

Modified On: 21/12/2017 12:39:04 PM

Account Details:

Grant	Department (For UT Grants Only)	Function Head	Object Head	Category	Amount	External PAO	Available Budget
800 - Public		8443001170304 - FIXED AMOUNT- DEPOSITED BY THE SUCCESSFUL BIDDERS/ALLOTTEE TOWARDS COMPENSATION TO THE PRIOR ALLOCATT	00 - DEFAULT	7 - PUBLIC ACCOUNT (EXPENDITURE)	5272311		-1

Vendor Details

Sanction Approved Successfully But SMS has not been sent due to network issue.