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भारत सरकार/GOVERNMENT OF INDIA

कोयला मंत्रालय/MINISTRY OF COAL

सीबीए-1 अनुभाग/CBA-I Section

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दिनांक 01 मार्च, 2021

शास्त्री भवन, नई दिल्ली-110001

OFFICE MEMORANDUM

Subject: Minutes of 43rd Meeting of the Inter-Ministerial Group (IMG) held on 01.02.2021 under the Chairmanship of Additional Secretary (Coal) to undertake review of Bank Guarantee of 06 prior allottees having coal blocks in the state of Odisha - reg.

The undersigned is directed to refer to the subject mentioned above and to forward herewith Minutes of 43rd Meeting of the Inter-Ministerial Group (IMG) under the chairmanship of Additional Secretary (Coal) held on 01.02.2021 virtually to undertake review of Bank Guarantee of 06 prior allottees having coal blocks in the state of Odisha, for information and necessary action.

✓ Encl.: As stated above.


(Mukesh)

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To

1. Joint Secretary (IE), Deptt. of Economic Affairs, Room No .67B, North Block, New Delhi.
2. Joint Secretary (Thermal), Ministry of Power, Shram Shakti Bhawan, New Delhi.
3. Joint Secretary, Deptt. of Industrial Policy & Promotion, Udyog Bhawan, New Delhi.
4. Joint Secretary, Ministry of Steel, Udyog Bhawan, New Delhi.
5. Joint Secretary, Deptt. of Legal Affairs , Shastri Bhawan, New Delhi.
6. Shri B.P. Pati, Joint Secretary, Ministry of Coal
7. JS&FA, Ministry of Coal
8. Advisor (Projects), Ministry of Coal
9. Shri Shekar Saran, CMD, CMPDIL, Gondwana Place, Kanke Road, Ranchi.
10. Coal Controller, Coal Controller Organization, 1, Council House Street, Kolkata-700001
11. Shri Darshan Kumar Solanki, Deputy Secretary(P&S-I), Ministry of Coal
12. DM (Legal), Legal Cell, Ministry of Coal

Copy to:

1. PS to Hon'ble Minister of Coal
2. PSO to Secretary (Coal)
3. Sr.PPS to Additional Secretary (Coal) & Chairman, IMG.
4. NIC Cell, Ministry of Coal with the request to upload on the website of MoC.

**Minutes of 43rd meeting of the Inter-Ministerial Group (IMG) on
Bank Guarantees under the chairmanship of Additional Secretary
(Coal) held on 01.02.2021**

43rd meeting of the Inter-Ministerial Group (IMG) was held under the chairmanship of Additional Secretary (Coal) on 01.02.2021 (Monday) at 11:00 AM through Video Conferencing to undertake review of Bank Guarantee of 6 prior allottees having coal blocks in the state of Odisha.

2. List of participants is placed at **Annexure-A**. List of Representatives from Coal Block allottees is at Annexure-B.

3. With the permission of the Chair, DS (P&S) gave a brief presentation to the IMG about the details of the 6 Coal Blocks. IMG was informed that the meeting had been convened to examine the forfeiture of bank guarantee (BG) of various prior allottees of the following 6 coal blocks in the State of Odisha:

- vi) Radhikapur (East)
- (ii) Bijahan
- (iii) Baitarni West
- (iv) Utkal A and Gopalprasad
- (v) Ramchandi Promotional Coal Block
- (vi) Chhendipada and Chhendipada – II

4. It was informed that the meeting had been convened in pursuance of decisions taken in the 41st and 42nd meetings of the Group, which in brief are as under:

- a. Fresh show cause notices (SCN) may be issued to the allottees of the 31 coal blocks whose show cause notices were withdrawn pursuant to recommendations made in 31st meeting of the IMG.
- b. Comments may be sought from respective State Governments on various applications made by the allottees and their disposal. CMPDIL may also be asked to offer their comments, if any.
- c. Opportunity to make presentation may be allowed to the prior allottees after submission of their comments before final consideration.
- d. Twenty one (21) days' time will be given to the allottees for reply of the Show cause notice.

5. It was added that in pursuance of the above decisions, SCNs had been issued to all the allottee companies of 34 Coal Blocks on 28th July, 2020 by MoC. It was decided to hear all stakeholders and accordingly, 6 prior allottees having coal blocks in the state of Odisha were called for personal

hearing in 43rd IMG.

6. After the presentation, representative of blocks blocks were called out for hearing by the IMG. Of the 6 Coal Blocks, some allottees of 4 blocks participated in the hearing. A list is placed at **Annexure-B**.

7. The following issues/items were discussed during the personal hearing in the meeting:

- a) replies of prior allottees in respect of BG.
- b) comments of concerned State Government on the replies given by prior allottees.

8. In this context, views of CMPDI and CCO were also heard, where necessary.

9. During deliberations, Tata Sponge Iron Ltd. (TSIL) submitted before the members of IMG that the delay in achieving of milestones was attributable to Central Government, State Government and their agencies. The same has been contended by the allottee in WPC no. 261 of 2016 titled as Tata Sponge Iron Ltd. V. Union of India which is now disposed off by Hon'ble Delhi High Court and was briefed to the members of IMG in its 42nd Meeting dated 28.05.2020. Another contention raised by TSIL was regarding the submissions made by them to the State Government were not refuted by the State Government, hence their contention regarding the delay attributable to the State Government agencies may be considered and accepted. TSIL further submitted that the issue of transfer of land was attributable to IDCO and State Government agencies. They also emphasized and submitted that as per their Allocation letter the Bank Guarantees were to be invoked if there was deficiency in production.

10. It was found that there were certain gaps in the information that was presented to the IMG. It was noticed that it was difficult to regulate the joining and exiting of prior allottees in the video conference and give secure personal hearing to each allottee while keeping the other allottees off-line. Therefore, it was decided to give personal hearing to all allottees of all the 6 Coal Blocks in a physical meeting.

11. The meeting ended with a vote of thanks to the chair.

Annexure-A**List of Participants**

Sl No.	Name (Shri/Smt/Ms.)	Designation	Ministry/Department/ Organization
1	Vinod Kumar Tiwari	Additional Secretary (Coal) (Chairman of IMG)	Ministry of Coal
2	B P Pati	Joint Secretary	Ministry of Coal
3	Pawan Kumar	Director	Ministry of Power
4	Gopalakrishnan	DS	Ministry of Steel
5	Bhupesh Verma	Additional Legal Advisor	Department of Legal Affairs
6	MP Singh	Chief Engineer	Central Electricity Authority
7	K. Mukhopadhyay	OSD	Coal Controller's Organization, Kolkata
8	Darshan Kumar Solanki	Deputy Secretary	Ministry of Coal
9	Peeyush Kumar	Chief Manager	Ministry of Coal
10	Anand Kumar Pal	Adviser (IPFD)	Department of Economic Affairs
11	V.P. Singh	Director	CCO
12	Shekhar Sharan	CMD	CMPDIL
13	Ankita Mathur	Legal Executive	Ministry of Coal

Annexure-B**List of Representatives from Coal Block allottees.**

Sl No.	Name of Coal Block	Representative	Organization
1	Radhikapur (East)	Pankaj Kr. Sateja	Tata Sponge Iron Ltd
		Kuriakose Varghese	Tata Sponge Iron Ltd
		Velayudhan Shyamohan	Tata Sponge Iron Ltd
2	Ramchandi Promotional Coal Block	Shruti Chowdhery	JSPL
		Kapil Dhagat	JSPL
		Kapil Mantri	JSPL
3	Baitarni West	VP Naik NS Pillai	KSEB
4	Utkal A and Gopalprasad	Director, Finance and Team	MCL