

Through Email/SPEED POST/Website of Ministry of Coal

File No NA-104/8/2020-NA
Government of India
Ministry of Coal
O/o Nominated Authority

Room No. 120, "F" Wing,
Shastri Bhawan, New Delhi – 110001
Dated: December 27, 2021

ORDER

Subject: Determination of compensation towards Land & Mine Infrastructure payable to M/s Rungta Mines Limited, M/s OCL India Limited and M/s Ocean Ispat Limited as Prior Allotees of Radhikapur West Coal Mine in terms of Coal Mines (Special Provision) Act, 2015 and in accordance with the judgment dated March 09, 2017 passed by Hon'ble High Court of Delhi – Reg.

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Radhikapur (West) Coal Mine was previously allotted to M/s Rungta Mines Limited, M/s OCL India Limited and M/s Ocean Ispat Limited. After cancellation, the said block/mine was vested to M/s Vedanta limited on March 03, 2021. In terms of provisions of the Coal Mines (Special Provisions) Act, 2015 [CMSP Act] and Rules framed thereunder an amount of **INR 7,66,15,940.00/-** (Rupees Seven Crore Sixty Six Lakhs Fifteen Thousand Nine Hundred and Forty Only) and NIL was released to the prior allottee vide sanction letter dated 21.12.2021 for the expenses related to Cost of Geological Report 'GR' and Cost of Consent 'CC' respectively. GR and CC is in addition to and is separate from compensation of land and mine infrastructure as provided under section 16 of the Act.

2. Earlier, certain Prior Allottee had filed writ petitions before Hon'ble High Court of Delhi challenging the constitutional validity of section 16 of the CMSP Act and Rule 14 on the grounds that the Act/ Ordinance does not provide for a fair and responsible compensation. The said writ petition were disposed by Hon'ble High Court Vide judgment dated March 09, 2017 wherein Hon'ble Court held as under:-

"35. Section 16 of the said ordinance and Rule 14 of the said Rules are to be interpreted and worked in the manner indicated above. As such, they cannot be held to be violate of Articles 14, 19(1) (g) or 300-A of the Constitution. It is open to the individual petitioners to raise disputes with regard to the quantum compensation, if the same has not been done in the manner indicated above, before the tribunal which has been specifically indicated for this purpose under Section 27"

3. In view of the above mentioned judgment dated March 09,2017, the Central Government referred the matter of determination of compensation of land and mine Infrastructure to the inter ministerial valuation committee constituted under chairmanship of Mr. Pratyush Sinha, former

Chief Vigilance Commissioner, for determination of methodology in accordance with judgment dated March 09,2017.

4 As recommended by Inter Ministerial Valuation Committee vide letter No 203/16/2021 NA dated May 03,2021, the office of Nominated Authority requested Prior Allottee viz M/s Rungta Mines Limited, M/s OCL India Limited and M/s Ocean Ispat Limited to submit information regarding land and mine infrastructure according to the revised format. Prior Allottee has submitted its claim of compensation for Land and Mine Infrastructure compensation vide letter dated September 1, 2021 (copy enclosed)

5. So far as claim of Prior Allottee is concerned, it is entitled to get compensation for Land & Mine Infrastructure depending upon the documents provided until March 03, 2021. The **claim of Compensation for Land and Mine Infrastructure by the prior Allottee** is mentioned below in tabular form marked as 'A'

Table 'A' Fig in 'INR'		
Land Value Claimed (A)	Mine Infrastructure Claimed (B)	Total Claimed {C=A+B}
'NIL'	INR 7,66,30,293.00/-	INR 7,66,30,293.00/-

Land

6. In terms of Section 16(1) of the CMSP Act, 2015 the quantum compensation in relation to the coal mine, is to be "as per" the registered sale deed Lodged with the Nominated Authority in accordance with such rules as may be prescribed together with 12% simple interest from the date of purchase or acquisition till date of the execution of Vesting Order or Allotment Order as the case may be.

7. As per Judgment dated March 09, 2017 of the Hon'ble Delhi High Court, If the Prior Allottee is able to produce tangible evidence before the Nominated Authority that the fair market value of land on the date of execution of vesting order was more than the said bench mark figure then the Prior Allottee ought to be entitled to the same.

8. After passing of the Judgement dated March 09, 2017 by Hon'ble Delhi High Court, it has been decided that the higher determination of the value of land either as per Section 16 (1) of the CMSP Act or per the prevailing circle rates of the such land on the vesting will be compensated to the Prior Allottee.

9. Vide letter dated May 03, 2021 Nominated Authority requested Prior Allottee to submit documents related to Land & Mine Infrastructure. Accordingly annexure II submitted by the Prior Allottee for claim for compensation of Land is NIL and in vesting order Part B, description of land in relation to the mine is also mentioned as NIL. So the valuation of compensation for '**Land**' in respect of Radhikapur West coal mine stands **NIL**.

Mine Infrastructure

10. Vide letter dated May 03 2021 & letter from Rungata Mines Limited (Prior Allotee) dated September 1, 2021 has been examined. Accordingly, the claim of the Prior Allotee has been forwarded to Central Mine Planing and design Institute Ltd (CMPDIL) for classification. The annexures submitted by Prior Allotee consisted of movable assets, cost for statutory clearances, Survey work for block boundary for forest clearance and GR Cost to CMPDIL (which itself is clearly not a part of Mine Infrastructure). Accordingly CMPDIL has not classified any of the above item mentioned by the Prior Allotee as Mine Infrastructure and thereafter O/o Chief Advisor (Cost) revalued compensation for the Quarter ended 31st Dec 2020, the amount claimed by the Prior Allotee under the Mine Infrastructure as on 31.03.2014 is NIL. Further under schedule II addition of assets was admissible up to 25.08.2014 and no additions have been claimed by the prior allottee. In the view of above the valuation as on 31.03.2020 the value of '**Mine Infrastructure Other than Land**' claimed by the Prior Allotee in respect of Radhikapur West Coal Mine stands **NIL**, CAC Report No 8827.

ii) As per para 13 of the Inter-Ministerial Valuation Committee report that:-

"The committee also observed that in case of schedule II mines the prior allottees were allowed to operate the mines till 31.03.2015 and, thereafter, the coal mines were either vested in the successful bidder/allottee or in the Central Government under section 17 of the Act. Thus, the prior allottee cannot create any physical infrastructure in these mines after 31.03.2015. Similarly, the coal mines other than schedule II were declared illegal by Supreme Court judgement dated 25.08.2014 and were cancelled by Supreme Court order dated 24.09.2014. Thus, the prior allottee cannot create any physical infrastructure in such coal mines after 25.08.2014."

(iii) **Movable items:** - O/o CAC has determined the value of mine infrastructure on classification done by CMPDIL. The list of assets provided by M/s Rungta Mines Limited, M/s OCL India Limited and M/s Ocean Ispat Limited have been classified into movable. As per the provisions of the Act and recommendation of the Valuation Committee, only the assets classified as 'immovable assets' by CMPDIL are considered admissible as 'mine infrastructure' and assets in other categories are not considered mine infrastructure.

It is also highlighted that Section 10, sub-sections (1), (2) and (3) of the CMSP Act 2015 reproduced below:-

"10. (1) A successful bidder or allottee in respect of Schedule I coal mines, may negotiate with prior allottee to own or utilise such movable property used in coal mining operations on such terms and conditions as may be mutually agreed to by them.

(2) Where a successful bidder or allottee is not vested with any movable property of a Schedule I coal mine, then, he is not bound by any liabilities or obligations arising out of such ownership or contractual rights, obligations or liabilities which shall continue to remain with the prior allottee.

(3) In the event that the successful bidder or allottee is unable to satisfactorily negotiate with the prior allottee or any third party who has a contract with the prior allottee for the movable property, it shall be the obligation of the prior allottee or the third party to remove such movable property within a period not exceeding thirty days from the date of the vesting order, or the allotment order, as the case may be, and the successful bidder or allottee shall not be liable for any damage to such property."

11. In the view of the above, amount of compensation for Land & Mine infrastructure is determined as

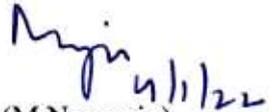
Table 'B' Fig in 'INR'		
Land Value (A)	Mine Infrastructure (B) (CAC Report No 8827)	Total Amount {C=A+B}
'NIL'	'NIL'	'NIL'

12. The above final determination of compensation for Land & Mine Infrastructure is being made. However in case of any objections are raised by Prior Allottee, viz M/s Rungta Mines Limited, M/s OCL India Limited and M/s Ocean Ispat Limited or by present allottee M/s Vedanta limited; an opportunity of hearing is given as per OM dated November 16, 2018. The same would be examined and further determination would be made. If required M/s Rungta Mines Limited, M/s OCL India Limited, M/s Ocean Ispat Limited and M/s Vedanta are hereby called upon to present their comments/objections if any on the above determination on **January 11, 2022 at 11.30 A.M**

13. In accordance with Section 27 of the Act and the judgment dated March 9, 2017, it is open to M/s Rungta Mines Limited, M/s OCL India Limited, M/s Ocean Ispat Limited and M/s Vedanta to raise disputes with regards to the quantum of compensation before the Tribunal constituted under the Coal Bearing Areas (Acquisition and Development) Act 1957.

Enclosure as above

1. Annexure II (Claim submitted by Prior allottee).
2. Annexure I (Mine Infrastructure classification by CMPDIL).
3. Vesting order.
4. CAC valuation report.
5. Valuation of compensation - Sanction Order GR & CC dated **21.12.2021**.


(M.Nagaraju)

Additional Secretary & Nominated Authority

To,

- i. **The Managing Director** , M/s Rungta Mines Limited, 8 A Express Tower, 42 A Shakespeare Sarani, Kolkatta, West Bengal, 700017 Email:coal@rungtamines.com
- ii. **The Managing Director**, M/s OCL India Limited, Dalmiapuram District, Tiruchirapalli, Tamil Nadu 321651. Email:ocl_rajangpur@ocl.in
- iii. **The Managing Director** ,M/s Ocean Ispat Limited, 3rd Old Delhi Road, Golden Jubilee Plaza, Gurugram, Haryana 122001 , India . Email:nkchaturvedi1930@gmail.com

Copy to:

1. **(Successful Allottee) Shri Himanshu Signh**, Director Strategy, M/s Vedanta limited, Core 63rd Floor Scope Complex 7, Lodhi Road , New Delhi 110003 Email:himanshu.singh2@vedanta.co.in
2. Under Secretary (CBA-II Section), Ministry Of Coal.
3. **Sr. TD, NIC**: for uploading on the Website of Ministry of Coal.



Rungta Mines Limited

RUNGTA HOUSE, CHAIBASA - 833 201, JHARKHAND

Phone : (06582) 256761, E-mail : rungtas@rungtamines.com

Ref: RML/RW/3Z/21-22/097

September 1, 2021

To

Nominated Authority

120, F-Wing, Shastri Bhawan
Ministry of Coal
New Delhi 110001

Sub: The Coal Mines (Special Provisions) Act, 2015 – Valuation of Compensation of Land and Mine Infrastructure for payment to prior Allottee of coal mines – Radhikapur (West) Coal Block

Ref: 1. Your email dt. 27.08.2021
2. Our letter no. RML/RW/3Z/21-22/013 dt. 06.05.2021
3. Your letter no. F.No. 203/16/2021-NA dt. 03.05.2021

Respected Sir,

This has reference to your email dated 27.08.2021 through which we have been directed to furnish the item wise list of assets and also furnish the net present value of each assets duly certified by the Statutory Auditor of the Company along with Annexure I and Annexure II in Excel sheet.

Accordingly, please find attached herewith item wise list of assets along with the net present value of each assets duly certified by the Statutory Auditor of the Company. The Excel Sheets of Annexure I and Annexure II are also attached herewith.

Here, in the context, we would like to submit that in response to letter no. NA-104/8/2020-NA dated 17.03.2021 received from your office, we have handed over all the statutory documents to M/s Vedanta Limited on 29.07.2021 and obtained an acknowledgement of the same, a copy of which is attached herewith. Further, we understand that M/s Vedanta Ltd. has already deposited the fixed amount of INR 7.69 Cr. to your kind office



Rungta Mines Limited

RUNGTA HOUSE, CHAIBASA - 833 201, JHARKHAND

Phone : (06582) 256761, E-mail : rungtas@rungtamines.com

on 18.02.2021; copy of receipt gathered from M/s Vedanta Ltd. is attached for ready reference.

Therefore, it is humbly requested to kindly refund us (i.e. Radhikapur (West) Coal Mining Private Limited) the Fixed Amount (which is mainly the value of GR) already realized from M/s Vedanta Ltd. by your kind office.

Thanking You,

Yours faithfully
For Rungta Mines Ltd.

(B. K. Jha)
Vice President (BD)

Encl: As above.

TO WHOM IT MAY CONCERN

This is to certify that the value of movable assets and Mine Infrastructure (excluding Land and Leasehold Rights) of RADHIKAPUR (WEST) COAL MINING PRIVATE LIMITED having its registered office at Plot No. 52, Saheed Nagar, Bhubaneswar, Odisha, India, were as mentioned hereunder.

Movable Assets	Gross Block	Net Block	Net Block	Net Block	Net Block	Net Block
Particulars	As on 31-03-2014	As on 31-03-2014	As on 31-03-2015	As on 31-03-2016	As on 31-03-2017	As on 31-03-2021
Plant and Equipment	39900	29529	24001	19508	15856	6920
Furniture and Fixtures	230099	109438	60123	17226	11064	2593
Office equipment	184360	107486	29652	2939	1688	1085
Computers	148300	48944	10661	6995	3755	3755
Vehicle	48896	18801	14048	-	-	-
Cycle	3120	-	-	-	-	-
Total (A) ₹.	654675	314198	138485	46668	32363	14353
Mine Infrastructure (excluding Land and Leasehold Rights)	Gross Block	Net Block	Net Block	Net Block	Net Block	Net Block
	As on 31-03-2014	As on 31-03-2014	As on 31-03-2015	As on 31-03-2016	As on 31-03-2017	As on 31-03-2021
GR Cost to CMPDI	76615940	76615940	76615940	76615940	76615940	76615940
Various report for statutory clearances	4976860	4976860	4976860	-	-	-
Survey work for Block boundary for forest clearance	2335393	2335393	2335393	-	-	-
Total (B) ₹.	83928193	83928193	83928193	76615940	76615940	76615940
Grand Total (A+B) ₹.	84582868	84242391	84066678	76662608	76648303	76630293

Place : Kolkata
Dated : 31st August, 2021



For R.S. Choumal & Co.
Chartered Accountants
Firm Registration No: 304059E

Anjana Sharma
(Anjana Sharma)
Partner

Membership No. 059774
UDIN : 21059774AAAAJK5456

Email

302235/2021/Nominated Authority**Compensation of Land and Mine Infrastructure pertaining to Radhikapur West coal mine**

From : MANISH UNIYAL <manish.uniyal38@nic.in>

Wed, Sep 01, 2021 05:41 PM

Subject : Compensation of Land and Mine Infrastructure pertaining to Radhikapur West coal mine 3 attachments**To :** Binay Dayal <cmd.cmpdi@coalindia.in>, CHIRANJIB PATRA <gmumd.cmpdi.cil@coalindia.in>**Cc :** Ajitesh Kumar <ajiteshkumar@nic.in>, Nominated Authority <nomauthority.moc@nic.in>, SWATI <swati.81@nic.in>

Sir,

I am directed to convey that requisite information has been provided by prior allottee of Radhikapur West coal mine which is attached herewith. CMPDIL is kindly requested to carry out the exercise of classification of Mine Infrastructure expeditiously so that the compensation could be released to prior allottee.

Regards,
Manish Uniyal, US, O/o.NA, MoC

[This communication contains information which is confidential and may also be legally privileged. It is for the exclusive use of the intended recipient/s. If you have received this communication in error, please delete the email and destroy any copies of it.]

कृपया इस ई-मेल के प्रिंटिंग से पहले पर्यावरण पर विचार करें, जब तक अति आवश्यक ना हो इस ई-मेल का प्रिंट ना ले, पेपर बचाए, वृक्ष बचाए।

From: coal@rungtamines.com**To:** "Nominated Authority" <nomauthority.moc@nic.in>**Cc:** "Binay Dayal" <cmd.cmpdi.cil@coalindia.in>, "MANISH UNIYAL" <manish.uniyal38@nic.in>, "SWATI" <swati.81@nic.in>**Sent:** Wednesday, September 1, 2021 5:02:09 PM**Subject:** Re: compensation of Land and Mine Infrastructure pertaining to Radhikapur West coal mine

Respected Sir,

In reference to your trailing e-mail dated 27.08.2021 on the subject matter, please find attached herewith the following:

1. Auditor's Certificate certifying item wise list of assets with its NPV along with covering letter no. RML/RW/3Z/21-22/097 dated 01.09.2021.
2. Annexure I & Annexure II in Excel sheet.

Hope you will find the above in order.

Thanks & Regards

B. K. Jha
Vice President (BD)
Rungta Mines Limited

From: Nominated Authority <nomauthority.moc@nic.in>
302235/2021/Nominated Authority

To: coal

Cc: Binay Dayal; MANISH UNIYAL; SWATI

Subject: compensation of Land and Mine Infrastructure pertaining to Radhikapur West coal mine

Sir,

Please find attached this office letter dated 03rd May 2021 and your letter w.r.t compensation of Land and Mine Infrastructure pertaining to Radhikapur West coal mine. You are accordingly requested to furnish the item wise list of assets and also furnish the net present value of each assets which is duly certified by Statutory Auditor as requested in our letter dated 03rd May 2021. Further you are also requested to furnish Annexure I & Annexure II in Excel sheet within a week.

Best Regards
O/o Nominated Authority
Ministry of Coal
Shastri Bhawan



 **Nominated Authority 01.09.2021.pdf**
1 MB

 **Annexure -I.xlsx**
20 KB

 **Annexure-II-RW.xlsx**

Information exclusively related to the coal mining operations in respect of "Mine Infrastructure excluding land and leasehold rights (except movable assets)" as defined under section 3 (1)(j) for the purpose of determination of valuation of compensation under Section 16(2) of the Coal Mines (Special Provisions) Act, 2015 and finalized by CMPDIL / Ministry of Coal in terms of Delhi High Court in W.P. (C) no. 973/2015.

1 BASIC INFORMATION IN RESPECT OF COAL BLOCK :-

- | | |
|---|--|
| (i) Name of the Coal Block | RADHIKAPUR (WEST) |
| (ii) Name of Company to whom Coal Block was originally allotted | (i) RUNGTA MINES LIMITED
(ii) OCL INDIA LTD &
(iii) OCEAN ISPAT PVT LTD |

Who in turn formed a Jt. Venture Company i.e.
Radhikapur (West) Coal Mining Pvt. Ltd.

- | | |
|--|-------------------|
| (iii) Name of Company to whom the Coal Block now | NA |
| (iv) Type of Mine (Open-cast / Underground) | Open-Cast |
| (v) Mine Area | 1048.00 Ha |
| (vi) Mineable Reserves | 166.73 MT |
| (vii) Date of Mining lease obtained | NA |
| (viii) Date on which production started | NA |
| (ix) Date of execution of the vesting order or the | NA |
| (x) Production during the financial years from 2013-14 | NA |

302235/2021/Nominated Authority

2 ASSETS:- RADHIKAPUR WEST BLOCK

(i) Item-wise details of Assets (separately for each asset) included under the "Mine Infrastructure excluding land and leasehold rights" In terms of decision of Delhi High Court in W.P. (C) no 973/2015 as finalized by CMPDIL / Ministry of Coal:-

The formats to be filled by the prior allottees

Sl. No.	Head of the asset	Name of the item	Gross Block	Depreciation charged (Yes or No)	Earlier classification (immovable (I) / Movable(M)/ Unclassified (U) / Land (L))	Suggested change in classification, if any	Reasons for suggested change (Only if the asset is part of Mine Infrastructure, tangible and immovable item)	Classification (Sept 2021) by CMPDI based on original guidelines (dtd 14.01.15) and revised guidelines (dtd 16.11.18) of the Expert Committee	Remarks	Net Block as on 31.3.14	Net Block as on 31.3.15	Net Block as on 31.3.16	Net Block as on 31.3.17	Net Block of the quarter immediately preceding the execution of Vesting order	Remarks
1	Report	GR Cost to CMPDI	76615940.00	No	U	None	NA	Not a mine infrastructure	To be dealt separately in the bid document	76615940.00	76615940.00	76615940.00	76615940.00	NA	Annex-P
2	Report	Various report for statutory clearances	4976860.00	No	U	None	NA	Not a mine infrastructure	To be dealt separately in the bid document	4976860.00	—	—	—	NA	Annex-R
3	Report	Survey work for Block boundary for forest clearance	2335393.00	No	U	None	NA	Not a mine infrastructure	To be dealt separately in the bid document	2335393.00	—	—	—	NA	Annex-S
TOTAL			83928193.00							83928193.00	76615940.00	76615940.00	76615940.00		
A. As per the list provided earlier (For Net Bblock items given as on 31.3.2014)															
Same as above															
B. New item Additions in 2014-15															
None															

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2 ASSETS:-

(ii) Assets of the Coal Block:

Head of the Asset	Net Block as 31.03.2014	Net Block as 31.03.2015	Net Block as 31.03.2016	Net Block as 31.03.2017	Net Block of the quarter immediately preceding of Vesting / Allotment Order duly certified by the Statutory Auditor of the company
1	2	3	4	5	6
Assets mentioned under Mine Infrastructure	-	-	-	-	N.A
Movable	314198.00	138485.00	46668.00	32363.00	N.A
Land including leasehold land	-	-	-	-	N.A
Unclassified/ other items	89654083.39	76964913.89	76615940.00	76615940.00	N.A
Total Assets of coal block	89968281.39	77103398.89	76662608.00	76648303.00	N.A

Assets of the Coal Block should reconcile with the Balance Sheet of the respective F.Y.

302235/2021/Nominated Authority

2 ASSETS:-

(iii)	Broad technical specification (e.g. in case of civil structures – type of structure, area covered, etc.; or in case of Plant & Machinery – type of machine, capacity of the machine, etc.; Make/ brand of the asset, Railway Sidings – No. of Kilometers, Approach Roads – Concrete / Tarcoal / Kuchcha, Length & Width).	–	NA
(iv)	Apart from coal block, if company has other business, then Assets included in mine infrastructure may be got certified from statutory auditor to the effect that these are related to coal mine operation and cannot be used for any other business/ operation of company.	–	NA
(v)	In case of any common use assets included in mine infrastructure, the justification for their inclusion may be provided (Common use assets means assets which are being used for coal block as well as other business activities of the company), alongwith basis of allocation/ apportionment of cost of assets.	–	NA
(vi)	Details of any Impairment (including obsolescence) of asset concerned.	–	NA
(vii)	Details of any Revaluation of the asset, if any and the treatment thereof in the financial statements.	–	None
(viii)	Details of Infrastructure stores & spare parts related to immovable infrastructure, if any.	–	None

3 LIABILITIES :

(i)	Complete details of liabilities, if any, attached with Mine Infrastructure assets to be transferred to new allottee (item wise of all such liabilities as prevailing on the quarter immediately preceding the date of execution of Vesting / Allotment Order).	–	None
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4 LIST OF DOCUMENTS REQUIRED :

(i)	Copy of Statutory Audited Report from the financial year 2013-14 onwards till the quarter immediately preceding of execution of Vesting / Allotment Order.	–	Annexure 'L', 'M', 'N' & 'O'
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302235/2021/Nominated Authority

(ii)	Copy of detailed Schedules of the Fixed Assets and Depreciation for the financial year 2013-14 onwards till the quarter immediately preceding of execution of Vesting / Allotment Order showing clearly and unambiguously the value of the each individual asset pertaining to the mine infrastructure as defined under Section 3(1)(j) of the Coal Mines (Special Provisions) Act, 2015.	-	<p>The following items as given in Table 2(i) (Annexure P, R & S) forming part of Assets of Coal Block:</p> <p>(i) Cost of GR paid to CMPDI (ii) Cost of preparation of various report for approval of MP, MCP, EIA/EMP, Forest Clearance, etc. (iii) Cost of DGPS Survey stipulated by Forest Dept.</p>
(iii)	If details of assets pertaining to mine infrastructure are not identifiable separately from the schedule of assets/depreciation, then give separate details (item-wise) thereof alongwith copies of supporting documents.	-	NA
(iv)	An Affidavit of Non Judicial stamp paper of Rs 10/- from the senior functionary of the company not below the rank of CEO/ CFO of the company certifying that information provided to the Ministry of Coal in respect of assets of Mine Infrastructure in claim is true and correct.	-	Already submitted to Principal Advisor (Cost) / CMD, CMPDIL and Nominated Authority

ANNEXURE-II

Proforma referred to in MOC's letter no. 110/01/2014-NA regarding details of land for coal mining operation									
NAME OF COAL BLOCK					RADHIKAPUR (WEST) COAL BLOCK				
Type of Land (details of only leasehold land must be provided)	Sl. No.	Location of lease land	Area (Hectares)	Lease Deed No.	Date of Registration of Lease Deed	Cost of Lease Land (including Registration/ Stamp duty charges) as mentioned in the Registered lease deed	Name of lessor	Name of Lease	Total Period of lease
Lease Hold Land for Mining (As per Mining Lease)	1	NOT APPLICABLE			DD/MM/YYYY	NOT APPLICABLE			
	2				DD/MM/YYYY				
	3				DD/MM/YYYY				
	4				DD/MM/YYYY				
	5				DD/MM/YYYY				
Compensatory Afforestation Land (lease Hold)	1				DD/MM/YYYY				
	2				DD/MM/YYYY				
	3				DD/MM/YYYY				
	4				DD/MM/YYYY				
	5				DD/MM/YYYY				
Rehabilitation & Resettlement Land (lease hold)	1				DD/MM/YYYY				
	2				DD/MM/YYYY				
	3				DD/MM/YYYY				
	4				DD/MM/YYYY				
	5				DD/MM/YYYY				
Any other land for Mining Infrastructure as defined in Section 3(1)(j) of the ordinance (Indicating the Purpose) (lease Hold)	1				DD/MM/YYYY				
	2				DD/MM/YYYY				
	3				DD/MM/YYYY				
	4				DD/MM/YYYY				
	5				DD/MM/YYYY				

NB: Details of each parcel of lease hold land for which the deed has been executed should be mentioned under separate SI No.



Authorization Letter

To
The **Nominated Authority**
Ministry of Coal,
Room No. 120, F-Wing,
1st Floor, Shastri Bhawan,
New Delhi - 110001

Sir,

Sub: *Authorization for receiving Vesting Order of Radhikapur West Coal Mine.*

I, **Himanshu Singh** in the capacity of Authorized signatory for Vedanta Limited authorizes Mr. Pushkar Singh Negi Deputy Manager Balco Vedanta Group (Emp ID 20309) Vedanta Limited to receive the vesting order for Vedanta Limited.

Thanking you.

Yours sincerely,

Himanshu Singh
Director Coal
& Authorized Signatory
Vedanta Limited

VEDANTA LIMITED

REGISTERED OFFICE: Vedanta Limited, 1st Floor, 'C' wing, Unit 103, Corporate Avenue, Atul Projects, Chakala, Andheri (East), Mumbai - 400093, Maharashtra, India | T +91 22 6643 4500 | F +91 22 6643 4530

CIN: L13209MH1965PLC291394

GOVERNMENT OF INDIA
MINISTRY OF COAL
OFFICE OF THE NOMINATED AUTHORITY
 (Constituted under Section 6 of The Coal Mines (Special Provisions) Act, 2015)
 Shastri Bhawan, New Delhi

VESTING ORDER

(under clause (b) of sub-rule (2) of rule 7 and sub-rule (1) of rule 13 of the Coal Mines (Special Provisions) Rules 2014 read with clause (b) of sub-section (3) of Section 6 and sub-section (3) of Section 8 of the Coal Mines (Special Provisions) Act, 2015)

In re: **Radhikapur (West) Coal Mine** (the "mine") particulars of which is specified in **Annexure 1**

Order no.: NA-104/8/2020-NA

Date: March 03, 2021

In favour of: **Vedanta Limited**, incorporated in India under the Companies Act, 1956 with corporate identity number L13209MH1965PLC291394, whose registered office is at 1st Floor, C Wing, Unit 103, Corporate Avenue Atul Projects, Chakala, Andheri (East) Mumbai, Mumbai City, Maharashtra 400093, India and principal place of business is at Core-6, 3rd Floor, SCOPE Complex, 7 Lodhi Road, New Delhi, Delhi 110003 (the "successful bidder")

For the purpose of: Sale of coal, including sale to Affiliates and related parties, utilisation of coal for any purpose including but not limited to captive consumption, Coal Gasification, Coal Liquefaction and export of coal.

WHEREAS, the nominated authority has, in accordance with provisions of the Coal Mines (Special Provisions) Act, 2015 (the "Act") and the Coal Mines (Special Provisions) Rules 2014 (the "Rules") conducted the auction of the mine;

AND WHEREAS the successful bidder is eligible to receive this vesting order with respect to the mine including, inter-alia, -

(a) the coal bearing land acquired by the prior allottee and the lands, in or adjacent to the coal mines used for coal mining operations acquired by the prior allottee; and



Handwritten signature and date:
 3/3/21
 P.S. NIES

(b) any existing mine infrastructure as defined in clause (j) of sub-section (1) of section 3 of the Act;

AND WHEREAS the successful bidder has furnished a performance bank guarantee dated February 18, 2021 for an amount equal to INR 1,61,25,05,810.53 (Indian Rupees One Hundred Sixty One Crore Twenty Five Lakh Five Thousand Eight Hundred Ten and Fifty Three Paise) issued by Bank of Baroda in accordance with the tender document and in accordance with the provisions of sub-section (6) of section 8 of the Act and sub-rule (4) of rule 13 of the rules.

AND WHEREAS the successful bidder has entered into a Coal Mine Development and Production Agreement dated January 11, 2021 ("CMDPA") (as amended) with the nominated authority in accordance with the provisions of sub-rule (5) of rule 13.

NOW, THE NOMINATED AUTHORITY DOES ORDER:

1. On and from March 03, 2021 ("vesting date") and in accordance with the provisions of sub-section (4) of section 8 of the Act, with respect to the mine, the following shall stand fully and absolutely transferred and vested in the successful bidder, namely: -

(a) all the rights, title and interest of the prior allottee in and over the land and mine infrastructure free from all encumbrances;

(b) entitlement to a prospecting license, mining lease or prospecting license-cum-mining lease to be granted by the State Government with the terms and conditions of CMDPA forming a part of it on making an application;

(c) all statutory licences, permits, permissions, approvals or consents as per rules, required to undertake coal mining operations in the mine, if already issued by the Central Government, to the prior allottee on the same terms and conditions as were applicable to the prior allottee, as listed in the **Annexure 2**;

(d) entitlement to any statutory licence, permit, permission, approval or consent required to undertake coal mining operations in the mine, if already issued by the Central Government, to the prior allottee on making an application on the same terms and conditions as were applicable to the prior allottee, as listed in the **Annexure 3**;

(e) entitlement to any statutory licence, permit, permission, approval or consent required to undertake coal mining operations in the mine, if already issued by the State Government, to



265828/2021/Nominated Authority

the prior allottee on making an application on the same terms and conditions as were applicable to the prior allottee, as listed in the **Annexure 4**;

(f) rights appurtenant to the approved mining plan of the prior allottee;

(g) any subsisting contract in relation to coal mining operations, to which the prior allottee was a party and which is assumed, adopted and continued by the successful bidder and listed in the **Annexure 5** shall stand novated (by virtue of a deemed consent from the relevant party(ies)), in accordance with the provisions of sub-section (1) of section 11 of the Act in favour of the successful bidder for the residual term or residual performance of such contract;

2. The successful bidder may seek any change in the terms and conditions attached to such licence, permit, permission, approval or consent by making an application in accordance with applicable laws;

3. Hereinafter, the successful bidder shall be entitled to take possession of the mine as specified in **Annexure 1** without let or hindrance;

4. This vesting order is liable to be cancelled in accordance with the provisions of sub-rule (6) of rule 13.



(By the nominated authority)

Annexures:**Annexure 1: Particulars of the mine**

Part A – Description of the mine

Name of Coal Mine	Radhikapur (West)
Coal Field	Talcher Coalfield
Latitude	20° 57' 51" N to 20° 59' 47" N (Provisional)
Longitude	84° 51' 13" E to 84° 54' 37" E (Provisional)
Villages	Nuapada, Kuskila and Barpada
Tehsil/ Taluka	Chhendipada
District	Angul
State	Odisha

Part B – Description of Land in relation to the mine

Nil

Part C – Description of Mine Infrastructure in relation to the mine

Nil



Annexure 2: Particulars of statutory licences, permits, permissions, approvals or consents issued by the Central Government which are being transferred along with this vesting order.

S. No	Statutory Clearance	Ministry/ Agency	Letter No.	Date
1.	Approval of Mining Plan and Mine Closure Plan	Ministry of Coal	13016/77/2006-CA-I (Part)	23.06.2011



Annexure 3: Particulars of statutory licences, permits, permissions, approvals or consents issued by the Central Government to be obtained on application by the successful bidder.

S. No	Statutory Clearance	Ministry/ Agency	Letter No.	Date
1.	Environment Clearance	Ministry of Environment and Forests	No-J-11015/30/2011-IA-II(M)	10.01.2014



Annexure 4: Particulars of statutory licences, permits, permissions, approvals or consents issued by the State Government to be obtained on application by the successful bidder.

Nil



Annexure 5: Particulars of the contracts adopted by the successful bidder

The Successful Bidder does not intend to adopt and continue with any of the contracts of the Prior Allottee



Recd original

Issn
 3-2-2021
 PUSHKAR SINGH NERI
 Dy. Mgr - Corporate Affairs -
 BALCO
 Vedanta

302227/2021/Nominated Authority

Fwd: Mine Infrastructure Classification of Radhikapur West Block

From : Nominated Authority <nomauthority.moc@nic.in>
Subject : Fwd: Mine Infrastructure Classification of Radhikapur West Block
To : SWATI <swati.81@nic.in>
Cc : RESHMA MOHAN <reshma.mohan@govcontractor.in>

Fri, Nov 12, 2021 10:08 AM

 1 attachment

From: "Pankaj Pahadia" <pankaj.pahadia@gov.in>
To: "Nominated Authority" <nomauthority.moc@nic.in>
Sent: Thursday, November 11, 2021 9:17:36 PM
Subject: Re: Mine Infrastructure Classification of Radhikapur West Block

In reference to trailing mail, please find attached soft copy of report no. 8827 dated 11.11.2021. Also, hard copy of the same has been dispatched to your Office.

Regards,

Pankaj Pahadia
Assistant Director,
Office of CAC,
Ministry of Finance

From: "Manoj Kumar" <ca.manoj@gov.in>
To: "Pankaj Pahadia" <pankaj.pahadia@gov.in>
Sent: Monday, September 27, 2021 11:32:01 AM
Subject: Fwd: Mine Infrastructure Classification of Radhikapur West Block

From: "Nominated Authority" <nomauthority.moc@nic.in>
To: "Manoj Kumar" <ca.manoj@gov.in>
Cc: "MANISH UNİYAL" <manish.uniyal38@nic.in>, "SWATI" <swati.81@nic.in>
Sent: Monday, September 27, 2021 11:08:29 AM
Subject: Mine Infrastructure Classification of Radhikapur West Block

Sir,
302227/2021/Nominated Authority

Please find attached the asset classification of Radhikapur (West) coal mine done by CMPDI. You are requested to kindly furnish the report in this regard. The coal mine has been allocated for the first time after cancellation of coal mine.

Best Regards,

O/o Nominated Authority
Ministry of Coal
Shastri Bhawan

From: "Manwendra Kumar" <gmpad.cmpdi@coalindia.in>
To: "Nominated Authority" <nomauthority.moc@nic.in>, "surendra kumar" <surendra.sunda@nic.in>, "surendra kumar" <surendra.sunda@gov.in>
Cc: "Binay Dayal" <cmd.cmpdi.cil@coalindia.in>, "Anil Kumar Rana" <dtpond.cmpdi@coalindia.in>
Sent: Sunday, September 5, 2021 10:51:12 PM
Subject: Mine Infrastructure Classification of Radhikapur West Block

Dear Sir,
I am directed to send the following regarding the mine infrastructure classification of Radhikapur West Block:

1. Mine infrastructure classification of the asset items of this block has been done in the Excel file received vide email dated 01.09.21, and the same is enclosed.
2. With reference to item-2 of the guidelines for valuation of re-cancelled blocks circulated by O/o NA, MoC vide no. 110/9/2015/NA dated 09.03.2021 it may be noted that the prior allottee of re-cancelled blocks has submitted details of the available assets under affidavit. The existence of assets is thus already recognized. The list of mine infrastructure present in the mine at the time of bidding was available to the new allottee and they have shown interest in the mine by bidding for the mine. So, from the point of view of the new allottee it can be presumed that the mine infrastructure present in the block is usable infrastructure. Similarly, the details of the additional infrastructure created by the new allottee are available to the prospective bidders before bidding, and they have the opportunity to verify the existence and usability of infrastructure on site before bidding. Also, usability is a subjective matter depending upon the choice of mining technology/method, etc. Accordingly, CMPDI has classified the infrastructure items based on the inputs provided by the allottees.



--
30227/2021/Nominated Authority

Regards,
(Manoj Kumar)
Assistant Director
O/o Chief Adviser Cost
Department of Expenditure
Ministry of Finance

011-24692541



Wed, Oct 20, 2021 12:30 PM

 2 attachments

From : SWATI <swati.81@coalindia.in>
302227/2021/Nominated Authority

Subject : Fwd: Mine Infrastructure Classification of Radhikapur West Block

To : RESHMA MOHAN <reshma.mohan@govcontractor.in>

From: "Nominated Authority" <nomauthority.moc@nic.in>

To: "Manoj Kumar" <ca.manoj@gov.in>

Cc: "MANISH UNİYAL" <manish.uniyal38@nic.in>, "SWATI" <swati.81@nic.in>

Sent: Monday, September 27, 2021 11:08:29 AM

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Best Regards,

O/o Nominated Authority
Ministry of Coal
Shastri Bhawan

From: "Manwendra Kumar" <gmpad.cmpdi@coalindia.in>

To: "Nominated Authority" <nomauthority.moc@nic.in>, "surendra kumar" <surendra.sunda@nic.in>, "surendra kumar" <surendra.sunda@gov.in>

Cc: "Binay Dayal" <cmd.cmpdi.cil@coalindia.in>, "Anil Kumar Rana" <dtpond.cmpdi@coalindia.in>

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 **Vesting Order of Radhikapur West Coal Mine.pdf**
1 MB

 **Annexure -I Radhikapur West.xlsx**
21 KB

From : Nominated Authority <nomauthority.moc@nic.in>

Mon, Sep 27, 2021 11:08 AM

Subject : Mine Infrastructure Classification of Radhikapur West Block

 2 attachments

To : Manoj Kumar <ca.manoj@gov.in>

Cc : MANISH UNİYAL <manish.uniyal38@nic.in>, SWATI <swati.81@nic.in>

Sir,

Please find attached the asset classification of Radhikapur (West) coal mine done by CMPDI. You are requested to kindly furnish the report in this regard. The coal mine has been allocated for the first time after cancellation of coal mine.

Best Regards,

O/o Nominated Authority
Ministry of Coal
Shastri Bhawan

From: "Manwendra Kumar" <gmpad.cmpdi@coalindia.in>
To: "Nominated Authority" <nomauthority.moc@nic.in>, "surendra kumar" <surendra.sunda@nic.in>, "surendra kumar" <surendra.sunda@gov.in>
CC: "Binay Dayal" <cmd.cmpdi.cil@coalindia.in>, "Anil Kumar Rana" <atpnd.cmpdi@coalindia.in>
Sent: Sunday, September 5, 2021 10:51:12 PM
Subject: Mine Infrastructure Classification of Radhikapur West Block

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 **Vesting Order of Radhikapur West Coal Mine.pdf**
1 MB

 **Annexure -I Radhikapur West.xlsx**
21 KB

From : SWATI <swati.81@coalindia.in>
Subject : Fwd: Mine Infrastructure Classification of Radhikapur West Block

Wed, Sep 08, 2021 10:32 AM

 1 attachment

302227/2021/Nominated Authority
From: "Nominated Authority" <nomauthority.moc@nic.in>

To: "SWATI" <swati.81@nic.in>

Sent: Monday, September 6, 2021 11:07:24 AM

Subject: Fwd: Mine Infrastructure Classification of Radhikapur West Block

From: "Manwendra Kumar" <gmpad.cmpdi@coalindia.in>

To: "Nominated Authority" <nomauthority.moc@nic.in>, "surendra kumar" <surendra.sunda@nic.in>, "surendra kumar" <surendra.sunda@gov.in>

Cc: "Binay Dayal" <cmd.cmpdi.cil@coalindia.in>, "Anil Kumar Rana" <dtpond.cmpdi@coalindia.in>

Sent: Sunday, September 5, 2021 10:51:12 PM

Subject: Mine Infrastructure Classification of Radhikapur West Block

Dear Sir,

I am directed to send the following regarding the mine infrastructure classification of Radhikapur West Block:

1. Mine infrastructure classification of the asset items of this block has been done in the Excel file received vide email dated 01.09.21, and the same is enclosed.
2. With reference to item-2 of the guidelines for valuation of re-cancelled blocks circulated by O/o NA, MoC vide no. 110/9/2015/NA dated 09.03.2021 it may be noted that the prior allottee of re-cancelled blocks has submitted details of the available assets under affidavit. The existence of assets is thus already recognized. The list of mine infrastructure present in the mine at the time of bidding was available to the new allottee and they have shown interest in the mine by bidding for the mine. So, from the point of view of the new allottee it can be presumed that the mine infrastructure present in the block is usable infrastructure. Similarly, the details of the additional infrastructure created by the new allottee are available to the prospective bidders before bidding, and they have the opportunity to verify the existence and usability of infrastructure on site before bidding. Also, usability is a subjective matter depending upon the choice of mining technology/method, etc. Accordingly, CMPDI has classified the infrastructure items based on the inputs provided by the allottees.



302227/2021/Nominated Authority

From : Nominated Authority <nomauthority.moc@nic.in>
Subject : Fwd: Mine Infrastructure Classification of Radhikapur West Block
To : SWATI <swati.81@nic.in>

Mon, Sep 06, 2021 11:07 AM

1 attachment

From: "Manwendra Kumar" <gmpad.cmpdi@coalindia.in>
To: "Nominated Authority" <nomauthority.moc@nic.in>, "surendra kumar" <surendra.sunda@nic.in>, "surendra kumar" <surendra.sunda@gov.in>
Cc: "Binay Dayal" <cmd.cmpdi.cil@coalindia.in>, "Anil Kumar Rana" <dtpond.cmpdi@coalindia.in>
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F.No. 8(6)/CAC/2014/Part-VI
Ministry of Finance
Department of Expenditure
Office of Chief Adviser Cost

2nd Floor, C-Wing, Lok Nayak Bhawan,
Khan Market, New Delhi-110003.

Dated: 11th Nov, 2021

OFFICE MEMORANDUM

Sub.: Report on Valuation of Compensation in Respect of Radhikapur (West) Coal Mine-reg.

This has reference to Nominated Authority's (NA) email dated 27th September, 2021 requesting this Office to undertake the valuation of compensation under the head 'Mine Infrastructure Other than Land' in respect of 'Radhikapur (West) Coal Mine'.

2. In this regard, Report No.8827 dated 11th November, 2021 duly approved by the competent authority is enclosed for necessary action at your end.
3. This issues with the approval of competent authority.


(Rajesh Yadav)
Director (Cost)
Tel.: 011-24694021

To,

**Additional Secretary,
Nominated Authority, Ministry of Coal,
Room No. 311, A-wing,
Shastri Bhawan,
New Delhi – 110001.**

Encl: As above.



Confidential

Report No. 8827

**Report on Valuation of Compensation in respect of Radhikapur (West) Coal
Mine**



**Ministry of finance
Department of expenditure
Office of Chief Adviser Cost**

November, 2021

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2	Observations and Recommendations	5

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II	Classification of assets under the head 'Mine Infrastructure' done by CMPDIL	8-9
III	Vesting Order of Radhikapur (West) Coal Mine	10-12

CHAPTER-1
BACKGROUND AND TERMS OF REFERENCE

- 1.1 Hon'ble Supreme Court vide its judgment dated 25th August, 2014 read with its Order dated 24th September, 2014 in WP (CRL) No. 120 of 2012 cancelled the allocation of 204 coal blocks, which had been allocated since 1993. These coal blocks were decided to be re-allotted/ auctioned to the Government/ private companies under the Coal Mines (Special Provisions) Act, 2015 hereinafter referred as "Act". This Act also provides for compensation to be paid to the prior allottee in the manner as laid down in the Act.
- 1.2 Ministry of Coal (MoC), Govt. of India, vide its Order No. 13018/04/2014-CA-III dated 24th October, 2014 constituted an Asset Valuation Committee (AVC). The AVC after detailed deliberations finalized the 'principles/ norms' vide its report dated 13th January, 2015.
- 1.3 Some of the prior allottees challenged the amount of compensation for their respective coal blocks in the Hon'ble Delhi High Court. In the light of judgment of the Hon'ble High Court of Delhi, the AVC revisited its earlier guidelines dated 13th January, 2015 and submitted its Report dated 14th August, 2018 to the Ministry which was circulated by Ministry of Coal vide Office Memorandum F.No.13018/4/2014-CA-III/CBA-II dated 16.11.2018.
- 1.4 This Office carried out the valuation of the Coal Blocks on the basis of the principles/ guidelines finalized by the AVC and taking into consideration information provided by Prior Allottees, mine-wise classification of assets provided by CMPDIL and directions issued by the Nominated Authority (NA) from time to time.
- 1.5 Some of the relevant definitions as given in section 3(1) of the Act are as below:
- (c) "appointed date" in relation to
- (i) Schedule I coal mines excluding Schedule II coal mines, shall be the 24th day of September, 2014 being the date on which the allocation of coal blocks to prior allottees stood cancelled; and
- (ii) Schedule II coal mines shall be the 1st day of April, 2015 being the date on which the allocation of coal blocks to prior allottees shall stand cancelled,
- in pursuance of the order of the Supreme Court dated the 24th September, 2014 passed in Writ Petition (Criminal) No. 120 of 2012;
- (j) "mine infrastructure" includes mining infrastructure such as tangible assets used for coal mining operations, being civil works, workshops, immovable coal winning

equipment, foundations, embankments, pavements, electrical systems, communication systems, relief centres, site administrative offices, fixed installations, coal handling arrangements, crushing and conveying systems, railway sidings, pits, shafts, inclines, underground transport systems, hauling systems (except movable equipment unless the same is embedded in land for permanent beneficial enjoyment thereof), land demarcated for afforestation and land for rehabilitation and resettlement of persons affected by coal mining operations under the relevant law;

(p) "Schedule I coal mines" means,

(i) all the coal mines and coal blocks the allocation of which was cancelled by the judgment dated 25th August, 2014 and its order dated 24th September, 2014 passed in Writ Petition (Criminal) No.120 of 2012, including those allotments, which may have been de-allocated prior to and during the pendency of the said Writ Petition;

(ii) all the coal bearing land acquired by the prior allottee and lands, in or adjacent to the coal mines used for coal mining operations acquired by the prior allottee;

(iii) any existing mine infrastructure as defined in clause (j);

(q) "Schedule II coal mines" means the forty-two Schedule I coal mines listed in Schedule II which are the coal mines in relation to which the order of the Supreme Court dated 24th day of September, 2014 was made;

(r) "Schedule III coal mines" means the thirty-two Schedule I coal mines listed in Schedule III or any other Schedule I coal mine as may be notified under sub-section (2) of section 7;

- 1.6 It may be seen from the above definitions that Schedule I is the comprehensive list of cancelled coal mines and includes coal mines shown in Schedule II and Schedule III. The difference between Schedule I and Schedule II coal mines is the appointed date, which is 1st April, 2015 for Schedule II and 24th September, 2014 for Schedule I excluding Schedule II.
- 1.7 The AVC in para 13 of its report had also observed that the coal mines other than Schedule II were declared illegal by supreme court judgement dated 25th Aug, 2014. Thus, the prior allottee cannot create any physical infrastructure in these mines after 25th Aug, 2014.
- 1.8 Section 16(2) of the Act provides that "The quantum of compensation for the mine infrastructure in relation to Schedule I coal blocks shall be determined as per the written down value reflected in the statutorily audited balance sheet of the previous financial year in accordance with such rules and in such manner as may be prescribed." It is noted that Para 14 of AVC report circulated vide Office

Memorandum F.No.13018/4/2014-CA-III/CBA-II dated 16.11.2018 provides as follows:

“In order to determine the value of mine infrastructure till the date of vesting, the prior allottees shall be required to provide the value of mine infrastructure as on the date of vesting as mentioned in the statutorily audited balance sheet of the nearest previous quarter, duly certified by the Statutory Auditor of the prior allottee appointed for the said year (in which vesting/allotment order is issued). In case of the mines which are yet to be allocated, valuation of mine infrastructure would be required to be done twice. First, before the auction/allotment – an indicative valuation would be done based on statutorily audited balance sheet of the previous financial year for the information of the intending bidders. Secondly, after the vesting/allotment order is issued – the final valuation would be done taking into account the change in value of mine infrastructure till the date of vesting/allotment, as given in the statutorily audited balance sheet of the nearest previous quarter, duly certified by the Statutory Auditor of the prior allottee appointed for the said year (in which vesting/allotment order is issued).”

2. The valuation has been carried out by this Office subject to limitations (refer Para 2.5 of Report No. 8703 of May, 2019), some of the important limitations have been reproduced below:

- a. Guidelines and principles finalized by the AVC have been followed by CMPDIL;
- b. This Office does not verify the existence of the claimed assets as no physical verification of Assets is undertaken by officials of this office.
- c. This Office does not have the technical competence to analyze the standard expenses to be incurred for a particular item/asset due to complexity of nature of mines and their geographical terrain, such as site and mine development expenses, pits, shafts and inclines, etc., which may vary from mine to mine and accordingly the expenditure may also vary. Considering the nature and expenses on the assets involved, it may not be feasible to comment upon any kind of deviation.
- d. This Office does not verify the ownership of the claimed assets.

3. The Nominated Authority (NA) vide email dated 27th Sep, 2021 (**Annexure-I**) has requested that the ‘**Radhikapur (West) Coal Mine**’ has been allocated for the first time and requested this Office to undertake the valuation of the same under the head ‘**Mine Infrastructure Other than Land**’ in respect of ‘**Radhikapur (West) Coal Mine**’. Also, NA has forwarded the classification done in respect of items of assets grouped under the head ‘**Mine**

Infrastructure Other than Land” (Annexure-II). The details of the Coal Mine under consideration in this report are as follows:-

Table 1.1: Details of the Coal Block

Sl. No.	Particulars	Details of Coal Block
1.	Name of Coal Mine/Block.	Radhikapur (West) Coal Mine
2.	Covered Under Schedule of the CM (SP) Act, 2015.	Schedule I
3.	Name of Prior Allottee.	M/s Rungta Mines Limited, M/s OCL India Ltd. and M/s Ocean Ispat Ltd
4.	Date of Vesting Order (Annexure-III).	3 rd March, 2021
5.	Cut-off date for valuation of Mine Infrastructure.	31.12.2020

- 1.11 The value of **‘Mine Infrastructure Other than Land’** claimed by prior allottee in respect of Radhikapur (West) Coal Mine is **Rs. ‘Nil’**.

CHAPTER-2

OBSERVATIONS AND RECOMMENDATIONS

- 2.1 The values of '**Mine Infrastructure Other than Land**' in respect of **Radhikapur (West) Coal Mine** as claimed by prior allottee and worked out by O/o CAC on the basis of classification of assets done by M/s CMPDIL are given in the table below:

(Amount in Rs.)

Value of 'Mine Infrastructure Other than Land' Claimed by prior allottee	Value of 'Mine Infrastructure Other than Land' as per classification by CMPDIL	Value of 'Mine Infrastructure Other than Land' worked out by O/o CAC
Nil	Nil	Nil

- 2.2 The valuation is to be carried out for the quarter ended 31st Dec, 2020. The amount as claimed by prior allottee under Mine Infrastructure as on 31.03.2014 is Nil. Further, under Schedule I addition of assets are admissible upto 25.08.2014 and no additions has been claimed by the prior allottee as evident from figures as on 31.03.2015. Also, amount as claimed by prior allottee on 31.03.2015, 31.03.2016 & 31.03.2017 stands Nil and accordingly valuation as on 31.03.2020 stands Nil.
- 2.3 Based in its technical analysis CMPDIL has not qualified any assets under the head "**Mine Infrastructure Other than Land**" in respect of above Coal Block. Therefore, the value of compensation payable to the prior allottees under the head "Mine Infrastructure Other than Land" may be considered as "Nil".
- 2.4 This Office carries out the valuation exercise based on certification by the statutory auditor and the classification of assets made by CMPDIL. Since, none of the assets has been classified as 'Immovable' and value of 'Mine Infrastructure Other than Land' worked out as Rs.Nil, therefore this Office has not asked for the statutory auditor certificate which has not been provided by the NA.
- 2.5 **The valuation exercise undertaken for the Coal Blocks allocated/vested is meant only for the purpose of providing valuation in terms of the revised guidelines issued by Asset valuation Committee for final settlement of the claims of prior allottees. The same is not meant for re-auction of the Coal Blocks earlier vested but subsequently cancelled/revoked/surrendered.**



(Pankaj Pahadia)
Assistant Director

Date...11/11/2021...

Email

Pankaj Pahadia

Fwd: Mine Infrastructure Classification of Radhikapur West Block

From : Manoj Kumar <ca.manoj@gov.in> Mon, Sep 27, 2021 11:32 AM
Subject : Fwd: Mine Infrastructure Classification of Radhikapur West Block 📎 2 attachments
To : Pankaj Pahadia <pankaj.pahadia@gov.in>

From: "Nominated Authority" <nomauthority.moc@nic.in>
To: "Manoj Kumar" <ca.manoj@gov.in>
Cc: "MANISH UNIYAL" <manish.uniya138@nic.in>, "SWATI" <swati.81@nic.in>
Sent: Monday, September 27, 2021 11:08:29 AM
Subject: Mine Infrastructure Classification of Radhikapur West Block

Sir,

Please find attached the asset classification of Radhikapur (West) coal mine done by CMPDI. You are requested to kindly furnish the report in this regard. The coal mine has been allocated for the first time after cancellation of coal mine.

Best Regards,

Dir, Nominated Authority
 Ministry of Coal
 Bhadrachalam

From: "Surenendra Kumar" <gmpad.cmpdi@coalindia.in>
To: "Nominated Authority" <nomauthority.moc@nic.in>, "surendra kumar" <surendra.sunda@gov.in>, "surendra kumar" <surendra.sunda@gov.in>
Cc: "Bhaskar Datta" <gmp.cmpdi.cil@coalindia.in>, "Anil Kumar Rana" <anil.kumar@coalindia.in>
Sent: Sunday, September 5, 2021 10:51:12 PM
Subject: Mine Infrastructure Classification of Radhikapur West Block

Dear Sir,

As directed in the following regarding the mine infrastructure classification of Radhikapur West Block

the infrastructure classification of the asset items of this block has been done in the Excel file received by email dated 01.09.21, and the same is enclosed.

In reference to item-2 of the guidelines for valuation of re-cancelled blocks circulated by the Ministry of Coal vide letter No. B-2015-NA dated 09.03.2021 it may be noted that the prior allottee

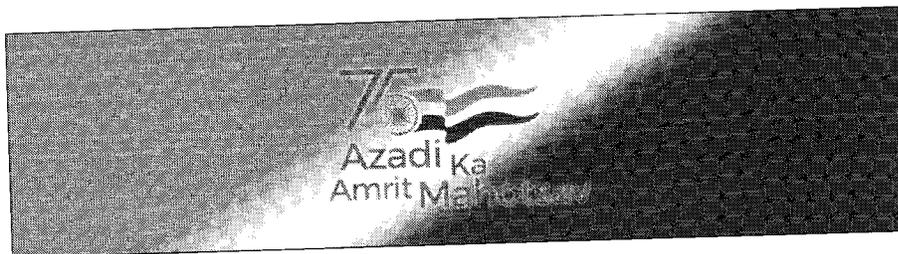
existence of assets is thus already recognized. The list of mine infrastructure items at the mine at the time of bidding was available to the new allottee and they have shown their interest in the mine by bidding for the mine. So, from the point of view of the new allottee, it can be presumed that the mine infrastructure present in the block is usable infrastructure. Since the details of the additional infrastructure created by the new allottee are available to the prospective bidders before bidding, and they have the opportunity to verify the existence and usability of infrastructure on site before bidding. Also, usability is a subjective matter depending upon the choice of mining technology/method, etc. Accordingly, CMPDI has classified the infrastructure items based on the inputs provided by the allottees.



--
Thank You

Regards,
(Manoj Kumar)
Assistant Director
O/o Chief Adviser Cost
Department of Expenditure
Ministry of Finance

011-24692541



 **Vesting Order of Radhikapur West Coal Mine.pdf**
1 MB

 **Annexure -I Radhikapur West.xlsx**
21 KB

20227/2021/Nominated Authority

in favour of the return of the High Court in W.P. (C) no 9/3/2015 as finalized by CMPDII / Ministry of Coal

Report	Net Block as on 31.3.14	Net Block as on 31.3.15	Net Block as on 31.3.16	Net Block as on 31.3.17	Net Block as on the quarter immediately preceding the execution of Vesting order	Form
Report on the status of the land parcels for which the land has been reserved (dtd. 1.11.13)	76615940.00	76615940.00	76615940.00	76615940.00	76615940.00	Annex-P
Various report for statutory clearances	4976860.00	4976860.00	4976860.00	4976860.00	4976860.00	Annex-R
Report for survey work for boundary for forest clearance	2335393.00	2335393.00	2335393.00	2335393.00	2335393.00	Annex-S
TOTAL	83928193.00	83928193.00	83928193.00	83928193.00	83928193.00	

Remarks

To be dealt separately in the bid document

To be dealt separately in the bid document

To be dealt separately in the bid document

Classification (Sept 2021) by CMPDI based on original guidelines (dtd 14.01.15) and revised guidelines (dtd 16.11.18) of the Expert Committee

Not a mine infrastructure

Not a mine infrastructure

Not a mine infrastructure

Same as above

the list provided earlier (For Net Block items given as on 31.3.2014)

Ann Additions in 2014-15

None

02227/2021/Nominated Authority

ASSETS

Assets of the Coal Block:

Head of the Asset	Net Block as 31.03.2014	Net Block as 31.03.2015	Net Block as 31.03.2016	Net Block as 31.03.2017	Net Block of the quarter immediately preceding of Vesting / Allotment Order duly certified by the Statutory Auditor of the company
1	2	3	4	5	6
Assets mentioned under Mine Infrastructure	-	-	-	-	N.A
Movable	314198.00	138485.00	46668.00	32363.00	N.A
Land including leasehold land	-	-	-	-	N.A
Unclassified/ other items	89654083.39	76964913.89	76615940.00	76615940.00	N.A
Total Assets of coal block	89968281.39	77103398.89	76662608.00	76648303.00	N.A

Assets of the Coal Block should reconcile with the Balance Sheet of the respective F.Y.

02227/2021/Nominated Authority

~~02227/2021~~ Nominated Authority

GOVERNMENT OF INDIA
MINISTRY OF COAL
OFFICE OF THE NOMINATED AUTHORITY
 (Constituted under Section 6 of The Coal Mines (Special Provisions) Act, 2015)
 Shastri Bhawan, New Delhi

VESTING ORDER

(under clause (b) of sub-rule (2) of rule 7 and sub-rule (1) of rule 13 of the Coal Mines (Special Provisions) Rules 2014 read with clause (b) of sub-section (3) of Section 6 and sub-section (3) of Section 8 of the Coal Mines (Special Provisions) Act, 2015)

In re: **Radhikapur (West) Coal Mine** (the "mine") particulars of which is specified in **Annexure I**

Order no.: NA-104/8/2020-NA

Date: March 03, 2021

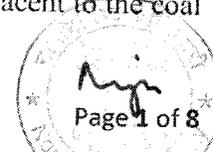
In favour of: **Vedanta Limited**, incorporated in India under the Companies Act, 1956 with corporate identity number L13209MH1965PLC291394, whose registered office is at 1st Floor, C Wing, Unit 103, Corporate Avenue Atul Projects, Chakala, Andheri (East) Mumbai, Mumbai City, Maharashtra 400093, India and principal place of business is at Core-6, 3rd Floor, SCOPE Complex, 7 Lodhi Road, New Delhi, Delhi 110003 (the "successful bidder")

For the purpose of: Sale of coal, including sale to Affiliates and related parties, utilisation of coal for any purpose including but not limited to captive consumption, Coal Gasification, Coal Liquefaction and export of coal.

WHEREAS, the nominated authority has, in accordance with provisions of the Coal Mines (Special Provisions) Act, 2015 (the "Act") and the Coal Mines (Special Provisions) Rules 2014 (the "Rules") conducted the auction of the mine;

AND WHEREAS the successful bidder is eligible to receive this vesting order with respect to the mine including, inter-alia, -

(a) the coal bearing land acquired by the prior allottee and the lands, in or adjacent to the coal mines used for coal mining operations acquired by the prior allottee; and



8. 3/3/21 E.G. 1

(b) any existing mine infrastructure as defined in clause (j) of sub-section (1) of section 8 of the Act;

AND WHEREAS the successful bidder has furnished a performance bank guarantee dated February 18, 2021 for an amount equal to INR 1,61,25,05,810.53 (Indian Rupees One Hundred Sixty One Crore Twenty Five Lakh Five Thousand Eight Hundred Ten and Fifty Three Paise) issued by Bank of Baroda in accordance with the tender document and in accordance with the provisions of sub-section (6) of section 8 of the Act and sub-rule (4) of rule 13 of the rules.

AND WHEREAS the successful bidder has entered into a Coal Mine Development and Production Agreement dated January 11, 2021 ("CMDPA") (as amended) with the nominated authority in accordance with the provisions of sub-rule (5) of rule 13.

NOW, THE NOMINATED AUTHORITY DOES ORDER:

1. On and from March 03, 2021 ("vesting date") and in accordance with the provisions of sub-section (4) of section 8 of the Act, with respect to the mine, the following shall stand fully and absolutely transferred and vested in the successful bidder, namely: -

(a) all the rights, title and interest of the prior allottee in and over the land and mine infrastructure free from all encumbrances;

(b) entitlement to a prospecting license, mining lease or prospecting license-cum-mining lease to be granted by the State Government with the terms and conditions of CMDPA forming a part of it on making an application;

(c) all statutory licences, permits, permissions, approvals or consents as per rules, required to undertake coal mining operations in the mine, if already issued by the Central Government, to the prior allottee on the same terms and conditions as were applicable to the prior allottee, as listed in the **Annexure 2**;

(d) entitlement to any statutory licence, permit, permission, approval or consent required to undertake coal mining operations in the mine, if already issued by the Central Government, to the prior allottee on making an application on the same terms and conditions as were applicable to the prior allottee, as listed in the **Annexure 3**;

(e) entitlement to any statutory licence, permit, permission, approval or consent required to undertake coal mining operations in the mine, if already issued by the State Government, to

the prior allottee on making an application on the same terms and conditions as were applicable to the prior allottee, as listed in the **Annexure 4**;

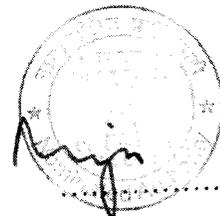
(f) rights appurtenant to the approved mining plan of the prior allottee;

(g) any subsisting contract in relation to coal mining operations, to which the prior allottee was a party and which is assumed, adopted and continued by the successful bidder and listed in the **Annexure 5** shall stand novated (by virtue of a deemed consent from the relevant party(ies)), in accordance with the provisions of sub-section (1) of section 11 of the Act in favour of the successful bidder for the residual term or residual performance of such contract;

2. The successful bidder may seek any change in the terms and conditions attached to such licence, permit, permission, approval or consent by making an application in accordance with applicable laws;

3. Hereinafter, the successful bidder shall be entitled to take possession of the mine as specified in **Annexure 1** without let or hindrance;

4. This vesting order is liable to be cancelled in accordance with the provisions of sub-rule (6) of rule 13.



(By the nominated authority)

Through Email/SPEED POST/Website of Ministry of Coal

File No. NA-104/8/2020-NA
Government of India
Ministry of Coal
O/o Nominated Authority

Room No. 120, "F" Wing,
Shastri Bhawan, New Delhi-110001
Dated: December 21, 2021

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

Subject: Transfer of compensation towards Cost for Geological Reports and Cost Of Consent to the Commissioner of Payment for further disbursement to the prior allottees M/s Rungta Mines Limited, OCL India Limited and Ocean Ispat Limited for Radhikapur West Coal Mine.

Sir/Madam,

I am directed to convey the sanction of the President to the transfer of a sum of **INR 7,66,15,940.00/-** (In words-Seven Crore Sixty Six Lakh Fifteen Thousand Nine Hundred and Forty Only) to the Coal Controller's Organization for disbursement to the Prior Allottees under the provisions of the Coal Mines (Special Provisions) Act, 2015 by the Coal Controller in his capacity as 'Commissioner of Payments' towards cost for Geological Reports **INR 7,66,15,940.00/-** (In words- Seven Crore Sixty Six Lakh Fifteen Thousand Nine Hundred and Forty Only) and Cost of Consent **NIL** as per the claim of the prior Allottee. It is further stated that the above mentioned amount is a part of Fixed Amount deposited by the Successful Bidder of coal mine.

2. The aforesaid amount may be transferred through RTGS to the account of Coal Controller, Coal Controller's Organization who has been appointed as 'Commissioner of Payments' under the provisions of Section 15 (1) of the Coal Mines (Special Provisions) Act, 2015.

3. The expenditure on this account is debited to the Head **8443.00.117.03.04.00**.

4. This issue with the approval of competent authority and Integrated Finance Division's Note No. 79... dated 21/12/2021 of F.No.NA-104/8/2020-NA.

Yours faithfully,



(Ajitesh Kumar)

Dy. Secretary to Government of India

Copy to :-

1. **The Coal Controller in the capacity as Commissioner of Payments,**
Coal Controller Organization, No. 1 Council House Street, Kolkata – 700001 – for further disbursement under the provisions of the Coal Mines (Special Provisions) Act, 2015 to the prior allocattee within ten days of the transfer of above amount from PAO. It may be ensured that Payment is made to the prior allottee company as per the said Act. Further, an affidavit in the prescribed format (**Annexure-I**) may also be obtained from the claimant prior to disbursal.
2. **CMD, CMPDI,** Kanke Road, Ranchi
3. **US (IFD),** Ministry of Coal.
4. **US (CBA-II),** Ministry of Coal.
5. **DDO,** Nominated Authority.
6. (Prior Allottees)
 - a. **The Managing Director ,** M/s Rungta Mines Limited, 8 A Express Tower, 42 A Shakespeare Sarani, Kolkata, West Bengal-700017 Email:coal@rungatamines.com
 - b. **The Managing Director,** M/s OCL India Limited, Dalmiapuram District, Tiruchirapalli, Tamil Nadu 321651. Email:ocl_rajangpur@ocl.in
 - c. **The Managing Director ,**M/s Ocean Ispat Limited, 3rd Old Delhi Road, Golden Jubilee Plaza, Gurugram, Haryana-122001, India. Email:nkchaturvedi1930@gmail.com
7. (Successful **Allottee**)
Shri Himanshu Singh, Director Strategy, M/s Vedanta Limited, Core 63rd Floor Scope Complex 7, Lodhi Road, New Delhi-110003 .Email : himanshu.singh2@vedanta.co.in
8. **TD, NIC:** for uploading on the Website of Ministry of Coal