

THROUGH EMAIL/SPEED POST

File No NA-203/21/2021-NA
Government of India/भारत सरकार
Ministry of Coal/कोयला मंत्रालय
O/o Nominated Authority / नामनिर्दिष्ट प्राधिकारी का कार्यालय

R.No. 120, F-Wing, Shastri Bhawan,
New Delhi, Dated: 2nd November, 2022

FINAL ORDER

Subject: Determination of Compensation for Cost of Geological Report ("GR"), Cost of Consents ("CC"), Cost of Land and Cost of Mine Infrastructure payable to the prior allottee of Sahapur West Coal Mine, viz. M/s National Mineral Development Corp. in terms of the Coal Mines (Special Provisions) Act, 2015 and Judgment dated March 09, 2017 passed by Hon'ble High Court of Delhi – Reg.

In pursuance to Order dated September 01, 2022, determining the disbursement of compensation amount for Cost of Geological Report ("GR"), Cost of Consents ("CC"), Cost of Land and Cost of Mine Infrastructure in relation to Sahapur West Coal mine, the prior allottee M/s. National Minerals development Corporation (NMDC.) as well as the present allottee M/s. Sarda Energy and Minerals Limited (M/s. SEML) were called upon on September 12, 2022 at 12.30 P.M to present their comments/objection, if any, on the determination made by the Nominated Authority.

2. Subsequently, both the prior allottee and present allottee attended the meeting on September 12, 2022 at 12.30 P.M. In the meeting, it was informed by the prior allottee (M/s. NMDC) that in the valuation of compensation an amount of ₹ 1,94,76,840/- for Geological data/exploration carried out by CMPDIL for Sahapur East & West coal mine has not been included. Furthermore, prior allottee also requested O/o NA to include additional amount pertaining to Tax Deducted at Source in the compensation.

3. Thereafter, objections raised by the prior allottee (M/s. NMDC) were re-examined by O/o NA. In the matter of inclusion of ₹ 1,94,76,840/- for the geological data/exploration carried out by CMPDIL, O/o NA vide email dated September 12, 2022 sought clarifications & details from CMPDIL regarding the cost of exploration in relation to the said coal mine. The details sought were furnished by the CMPDIL vide email dated September 20, 2022 (copy enclosed) wherein an amount of ₹70,04,530/- was admitted by CMPDIL for the exploration of the said coal mine. For the matter related to TDS amount, O/o NA vide email dated September 22, 2022 sought supporting documents from M/s. NMDC to substantiate their claim. M/s NMDC on October 10, 2022 submitted relevant supporting documents & based on which an additional amount of ₹ 9,06,743/- was admitted this office.

4. Consequently, Provisional Order dated October 20, 2022(copy enclosed) was issued re-determining the compensation payable to the prior allottee. Details of which may be found below in the table marked as 'A':

Table "A"

Particulars	Land	Mine Infrastructure	Geological Report	Cost of Consent	Total
	[A]	[B]	[C]	[D]	[E=A+B+C+D]
Fixed Amount* available with O/o NA	-Nil-	-Nil-	₹ 8,87,46,921.00*	-Nil-	₹ 8,87,46,921.00
Determined Compensation as per provisional order (September 01, 2022)	-Nil-	-Nil-	₹ 4,14,60,200.00	-Nil-	₹ 4,14,60,200.00
Revised compensation Amount	-Nil-	-Nil-	₹ 4,93,71,473	-Nil-	₹ 4,93,71,473/-

*NOTE- the fixed amount excludes cost incurred by CMPDIL of Rs. 3,17,892/-. Thus, total fixed cost deposited by M/s SEML (successful allottee) is Rs. 8,90,64,813/-

In pursuance to the said order (dtd 20-10-2022) following the principle of natural justice, another opportunity of hearing was provided to both the prior allottee (M/s NMDC.) and present allottee (M/s. SEML) of Sahapur West Coal mine and a meeting was convened on October 27, 2022 at 11:00AM to present their comments/objection, if any, on the re-determination made by the Nominated Authority. In the meeting no objections/queries were raised by both the prior allottee (M/s. NMDC) and present allottee (M/.SEML) against the re-determined amount for Cost of Geological Report, Cost of Consent, Cost of Land and Cost of Mine Infrastructure.

5. In view of above, **the valuation of Compensation for Geological report, Cost of Consent, Land and Mine infrastructure stands final as ₹ 4,93,71,473 (Rupees Four Crore Ninety Three Lakh Seventy One Thousand Four Hundred and Seventy Three only) enumerated in Table B below:**

Table "B"

Land	Mine Infrastructure	Geological report	Cost of Consent	Total
[A]	[B]	[C]	[D]	[E=A+B+C+D]
-Nil-	-Nil-	₹ 4,93,71,473	-Nil-	₹ 4,93,71,473/-

6. Furthermore, based on the above determination, the remaining amount of **₹ 3,93,75,448/-** (Rupees Three Crore Ninety Three Lakh Seventy Five Thousand Four Hundred and Forty Eight only/-) [**₹ 8,87,46,921.00 (fixed amount deposited by M/s. SEML) minus ₹ 4,93,71,473 (Revised compensation Amount)**] will be returned to the successful allocattee (M/s. SEML) on account of excess Fixed Amount deposited by them for Cost of Geological Report pertaining to Sahapur West coal mine.

7. In accordance with Section 27 of the Act and the judgment dated 09.03.2017, it is open to M/s. NMDC and M/s. SEML to raise disputes with regard to the quantum of compensation before the Tribunal constituted under the Coal Bearing Areas (Acquisition and Development) Act, 1957.

M. Nagaraju
21/11/22

(M Nagaraju)

Additional Secretary & Nominated Authority

To,

- I. Prior Allocattee:- M/s NMDC, Khanij Bhavan, Masab Tank, Hyderabad - 500028, INDIA. Grams: MINDEV Email:- cmd@nmdc.co.in
- II. Successful Allottee:- M/s SEML, 73 A Central Avenue, Nagpur, Maharashtra 440018 Email:- pdutttagupta@seml.co.in

Copy to:-

1. The Coal Controller, Coal Controllers' Organisation, 5, floor, core-II, Laxmi Nagar Delhi-110092
2. US (P&S-II), MoC (For Kind information).
3. Sr.T.D, NIC, MOC with request to upload this on the website of MOC.

Annexure –I

List of participants in the meeting dated October 27, 2022:-

S.No.	Name	Designation
Ministry of Coal		
1.	Shri M. Nagaraju	Additional Secretary & Nominated Authority
2.	Shri Ajitesh Kumar	Director
3.	Shri Manish Uniyal	Under Secretar
4.	Shri. Abhishek Kumar	Assistant Section Officer
5.	Shri Harishchand	Manager
6.	Shri Shubham Singh	Financial Analyst
M/s National Minerals Development Corporation (Prior allottee)		
7.	Shri M. Swaminathan	AGM
8.	Shri A. K. Prajapati	Executive Director, Coal
M/s Sarda Energy and Metals Limited (Successful allottee)		
9.	Shri Mrinal Sachdev	Deputy Manager, planning and Coordination
10.	Shri S.S. Srivastava	Vice President, Mining



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A Mini Ratna Company



(केंद्र) इण्डिया लिमिटेड की अनुबंधित कंपनी / भारत सरकार का एक लोक उद्यम)
गोन्दवाना प्लेस, कान्के रोड, रांची - 834 031, झारखण्ड (भारत)
Central Mine Planning & Design Institute Limited
(A Subsidiary of Coal India Limited / Govt. of India Public Sector Undertaking).
Gondwana Place, Kanke Road, Ranchi - 834 031, Jharkhand (INDIA)
CORPORATE IDENTITY NUMBER - U14242JH1975601001223

पत्रांक संख्या: सीएमपीडीआई/डीजी/ShahpurEast&West/ 629

दिनांक: 20.09.2022

To
Nominated Authority
Ministry of coal
New Delhi

Subject- Valuation of compensation of Cost of Geological Report ("GR") incurred by the Prior Allottee M/s National Minerals Development Corporation(NMDC) in Respect of Shahpur East & West coal blocks.

Sir,

In reference to letter dated 04.01.2008 from CMPDIL to M/s NMDC for the cost of exploration (geological data) of Shahpur East and West for an amount of 1,90,60,306/- the following observation may be noted

1. CMPDI conveyed the interim cost of Exploration work for the above mentioned blocks Vide letter no CMPDI/DG/033.7/2193-94 dated 02/05.11.2007 (copy attached). The bifurcation for the interim cost for the above mentioned Exploration work in Shahpur East and West are shown in Table I Table I

Sl No	Name of the Block	Amount	Remarks
1	Shahpur East	Rs 1,22,05,752.00	Money receipt No A-12541 towards cost of exploration of the mentioned two blocks.
2	Shahpur West	Rs 68,54,554.00	
	Total	Rs 1,90,60,306.00	

2. The Final cost of Exploration in respect to Shahpur East and West was assessed and communicated to M/S NMDC vide letter No CMPDI/DG/033.7/888-890 dated 21.04.2008. M/S NMDC was requested to pay the balance amount of **Rs 4, 16, 534.00 (Four lakhs sixteen thousand five hundred thirty Four) Rs 1,24,72,490.00** for Shahpur East and Rs 70,04,530.00 for Shahpur West. The bifurcation for the Final cost for the above mentioned GR is shown in Table II.

Table II

Sl No	Name of the Block	Amount	Remarks
1	Shahpur East	Rs 1,24,72,490.00	Money receipt No A-13981 Dtaed 15.05.2008 for amount of Rs 4,16,534.00
2	Shahpur West	Rs 70,04,530.00	
	Total	Rs 1,94,76,340.00	

1. Letter no CMPDI/DG/033.7/2193-94 dated 02/05.11.2007
2. Letter No CMPDI/DG/033.7/888-890 dated 21.04.2008.
3. Letter No CMPDI/DG/033.4/28 dated 04.01.2008.
4. Letter from NMDC- Nil dated 08.05.2008.

Vijay Kumar
महाप्रबंधक (गवेषणा)

प्रतिलिपी: Copy for kind information to:

1. निदेशक (तकनीकी/सी.आर.डी), सी.एम.पी.डी.आई, रांची।
2. Advisor (Projects), MoC, GoI, New Delhi.
3. महाप्रबंधक (UMD), सी.एम.पी.डी.आई, रांची।



फोन नम्बर/Phone No. :

फैक्स नम्बर/Fax No. :

ई-मेल/E-mail:

वेब साइट/Website: www.cmpdi.co.in

THROUGH EMAIL/SPEED POST

File No NA-203/21/2021-NA
Government of India
Ministry of Coal
Office of Nominated Authority

R.No. 120, F-Wing, Shastri Bhawan,
New Delhi, Dated: 20th October, 2022

PROVISIONAL ORDER

Subject: Determination of compensation for Cost of Geological Report ("GR") and Cost of Consents ("CC") payable to the prior allottee of Sahapur West Coal Mine, viz. M/s National Mineral Development Corporation in terms of the Coal Mines (Special Provisions) Act, 2015 and Judgment dated March 09, 2017 passed by Hon'ble High Court of Delhi – Reg.

Prior to cancellation of 204 coal blocks by Hon'ble Supreme Court of India in 2014, Sahapur West Coal Block was allocated to M/s National Mineral Development Corp (NMDC). Post cancellation the said block has been allocated to M/s Sarda Energy And Minerals Limited (SEML) under the Coal Mines (Special Provisions) Act, 2015 (CMSP Act, 2015) and Vesting Order has been executed on 03rd March, 2021 (enclosed). Prior Allottee is entitled to receive compensation in the manner as laid down in the CMSP Act, 2015.

2. Provisional order for the compensation of GR & CC was issued on September 01, 2022, wherein payable compensation payable to the prior allottee was determined as ₹ 4,14,60,200.00/- and ₹ NIL/- for GR & CC respectively. In reference to the said order, prior allottee (M/s NMDC) and present allottee (M/s. SEML) of Sahapur West Coal mine were called upon on September 12, 2022 at 12.30 P.M to present their comments/objection. In the meeting, it was informed by the prior allottee (NMDC) that in the valuation of compensation, total amount of ₹ 1,94,76,840/- for the exploration of Sahapur East & West coal mine carried out by CMPDIL has not been included. Furthermore, prior allottee also requested O/o NA to include additional amount pertaining to Tax Deducted at Source in the compensation.

3. Thereafter, O/o NA re-examined the matter of compensation and vide email September 12, 2022 sought clarifications & details from CMPDIL regarding the cost of exploration in relation to the said coal mine. The details sought were furnished by the CMPDIL vide email dated September 20, 2022 (copy enclosed) wherein for an amount of ₹ 70,04,530/- out of ₹ 1,94,76,840/- was admitted by CMPDIL for the exploration of the Sahapur West coal mine. For the matter related to TDS amount, O/o NA sought supporting documents from M/s. NMDC vide email dated September 22, 2022 to substantiate their claim. M/s NMDC on October 10, 2022 submitted relevant supporting documents & based on which an additional amount of ₹ 9,06,743/- has been admitted.

4 Accordingly, O/o NA has re-determined payable compensation to the M/s. NMDC (prior allottee) details of which may be found below in the Table 'A'.

[Table A]

Particulars	Land	Mine Infrastructure	Geological Report	Cost of Consent	Total
	[A]	[B]	[C]	[D]	[E=A+B+C+D]
Fixed Amount*	-Nil-	-Nil-	₹8.87,46,921.00	-Nil-	₹ 8.87,46,921.00
Compensation Determined as per provisional order (September 01, 2022)	-Nil-	-Nil-	₹ 4,14,60,200.00	-Nil-	₹ 4,14,60,200.00
Revised Computed Compensation Amount	-Nil-	-Nil-	₹ 4,93,71,473	-Nil-	₹ 4,93,71,473 /-

*NOTE- the fixed amount excludes cost incurred by CMPDIL of Rs. 3,17,892/-. Thus, total fixed cost deposited by M/s SEML (successful allottee) is Rs. 8,90,64,813/-.

5. The above determination of compensation in relation to Sahapur West coal mine is being made. However, in case any objection is raised by prior allottee -M/s. NMDC or by present allottee of the coal mine-M/s. SEML, an opportunity of hearing is given as per OM dated 26.11.2018, the same would be examined and a further determination would be made, if required. M/s. NMDC and M/s. SEML are hereby called upon to present their comments/objection if any on the above determination on 27th October 2022 at 11:00 AM.

6. In accordance with Section 27 of the Act and the judgment dated 09.03.2017, it is open to M/s. NMDC and M/s. SEML to raise disputes with regard to the quantum of compensation before the Tribunal constituted under the Coal Bearing Areas (Acquisition and Development) Act, 1957.

Enclosures:

- I. Annexure-I- Vesting Order, Dated March 03rd, 2021.
- II. Annexure-II- Clarifications from CMPDIL.
- III. Annexure-IV- Supporting documents for TDS.

(M. Nagaraju)

Additional Secretary & Nominated Authority

Tel : 011-23383356

To,

1. Prior Allocattee:- M/s NMDC, Khanij Bhavan, Masab Tank, Hyderabad - 500028, INDIA. Grams: MINDEV Email:- cmd@nmdc.co.in
2. Successful Allottee:- M/s SEML, 73 A Central Avenue, Nagpur, Maharashtra 440018 Email:- pduttagupta@seml.co.in