

THROUGH EMAIL/SPEED POST

File No NA-203/20/2021-NA

Government of India/भारतसरकार

Ministry of Coal/कोयलामंत्रालय

O/o Nominated Authority / नामनिर्दिष्टप्राधिकारीकाकार्यालय

R.No. 120, F-Wing, Shastri Bhawan,
New Delhi, Dated: 22nd 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 East 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 05, 2022, provisionally determining the disbursement of compensation amount for Cost of geological report, Cost of Consent, Land and Mine Infrastructure in relation to Sahapur East coal mine, the prior allottee M/s. National Minerals development Corporation (NMDC) as well as the present allottee M/s Chowgule and Company Private Limited (CCPL) were called upon on September 08, 2022 at 11.00 A.M to present their comments/objection, if any, on the determination made by the Nominated Authority.

2. Accordingly, both the prior allottee and present allottee attended the meeting on September 08, 2022 at 11.00 A.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 ₹ 1,24,72,490/- was admitted by CMPDIL for the exploration/geological data of the said coal mine. For the matter related to TDS amount, O/o NA vide email dated September 15, 2022 sought supporting documents from M/s. NMDC to substantiate their claim. M/s NMDC on October 11, 2022 submitted relevant supporting documents. Similarly, vide email dated September 27, 2022 details related to TDS were also sought from M/s. MECL & based on which an additional amount of ₹ 9,90,531.123/- has been admitted (Minimum of TDS amount details submitted by NMDC and MECL).

4. Accordingly, another provisional order dated October 28, 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]	[D=A+B+C+D]
Fixed Amount deposited by CCPL	-Nil-	-Nil-	₹ 5,88,52,571*	-Nil-	₹ 5,88,52,571
Determined Compensation as per provisional order (September 05, 2022) [1]	-Nil-	-Nil-	₹ 4,53,85,561.00	-Nil-	₹ 4,53,85,561.00
Cost of Exploration by CMPDIL [2]	-Nil-	-Nil-	₹ 1,24,72,490	-Nil-	₹ 1,24,72,490
Amount for Tax deducted at source [3]	-Nil-	-Nil-	₹ 9,90,531.123	-Nil-	₹ 9,90,531.00^ (rounded off)
Revised Compensation Amount [4=1+2+3]	-Nil-	-Nil-	₹ 5,88,48,582.12	-Nil-	₹ 5,88,48,582/-

*NOTE- the said amount excludes cost incurred by CMPDIL of Rs. 3,17,892/-. Thus, total fixed cost deposited by M/s CCPL (successful allottee) is Rs. 5,91,70,463/-

^This amount is minimum of amount claimed by NMDC vide email dated October 11, 2022 and TDS details furnished by MECL vide email dated October 11, 2022.

In pursuance to the aforementioned order (i.e.. 28-10-2022), 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. CCPL) of Sahapur East Coal mine and a meeting was convened on November 04, 2022 at 03:00 PM 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 the present allottee (M/.CCPL) against the re-determined amount for Cost of Geological Report, Cost of Consent, Cost of Land and Cost of Mine Infrastructure. However, prior allottee raised objections regarding the consideration of minimum of the TDS amount for the compensation. Afterwards, it was informed to the prior allottee that the TDS amount considered has been determined on the basis of the documents furnished by the prior allottee, to which prior allottee had no objections or queries and agreed to the determined amount.

5. In the view of order dated order dated October 28, 2022, **the valuation of compensation for Geological report, Cost of Consent, Land and Mine infrastructure stands final as ₹ 5,88,48,582/- (Rupees Five Crores Eighty Eight Lakh Forty Eight Thousand Five hundred and Eighty Two only)** enumerated in the 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-	₹ 5,88,48,582/-	-Nil-	₹ 5,88,48,582/-

6. Furthermore, based on the above determination, the remaining amount of ₹ 3,989/- [₹ 5,88,52,571(fixed amount deposited by M/s. CCPL) minus ₹ 5,88,48,582/- (Revised compensation Amount)] will be returned to the successful allottee (M/s. CCPL) on account of excess fixed amount deposited by them for Cost of Geological Report pertaining to Sahapur East 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. CCPL 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 22/11/22

(M Nagaraju)

Additional Secretary & Nominated Authority

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 CCPL, Chowgule House, Mormugao Harbour, Goa- 403803 Email:- shivnath.jha@chowgule.co.in

Copy to:-

1. The Coal Controller, Coal Controllers' Organisation, 5, floor, core-II, Laxmi Nagar Delhi-110092
2. P&S-II (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 November 04, 2022:-

S.No.	Name	Designation
Ministry of Coal		
1.	Shri M. Nagaraju	Add. Secretary & Nominated Authority
2.	Shri Ajitesh Kumar	Director
3.	Shri Manish Uniyal	Under Secretary
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
M/s Chowgule and Company Private Limited (CCPL) (Successful allottee)		
8.	Priyabrata Mukherjee	Unit Head
9.	Barun Tripathy	Sr. Manager