

A. Suggestions

Sl. No.	Suggestions	Remarks
1.	<p>Clause 3.2 – Tender Document</p> <p>a. Tender fee charges should not be levied for the coal blocks which prospective bidders have already purchased at the time of auction process under rolling auction or under second attempt of coal blocks auction process.</p>	<p>a. A non-refundable fee of Rs. 5 Lakh has been kept for participation in the tender process so as to ensure only serious bidders participate in the tender process and submit their bids.</p>
2.	<p>Clause 3.3.2 (b) – Ranking and Qualification</p> <p>a. In case of single bids, the auction process should be concluded in the 1st attempt itself at the revenue share of Initial Offer + 0.5%.</p> <p>b. Coal blocks which receive single bid should be allotted in 1st round only & process of 2nd round of auction should be abolished (as there is no Qualification Criteria for bidding i.e., prior experience in mining or any financial credentials)</p> <p>c. The provision should be deleted and all the parties should be allowed to participate in electronic auction</p>	<p>a & b. As per the approved methodology for auction of coal mines, in case of less than 2 Technically Qualified Bidders, the auction process for the coal mines shall be annulled and the second attempt of auction of coal mines will be launched with the same set of terms and conditions.</p> <p>c. The ranking and elimination process for bidders in the auction process has been kept so as to ensure competition and that the bidders submit the high Initial Offers and mine can fetch fair % of revenue share in the auctions.</p>
3.	<p>Clause 7 - Performance Security</p> <p>a. MoC has provided relaxation in submission of performance guarantee for coal block allottees of 5th/6th round of commercial coal block auctions and upcoming coal block auctions. This provision of submission of revised Performance Security should be provided to all commercial coal block allottees of previous tranches also.</p>	<p>a. The revision in Performance Security will not be retrospective.</p>
4.	<p>Clause 9.3 – Revision in Mining Plan upon allocation</p> <p>a. New Clause A suitable clause may be inserted (May be after Clause 9.3. Revision in Mining Plan upon allocation</p>	<p>a. Noted. The Govt. of India is committed to development of coal sector infrastructure. However, the evacuation infrastructure shall be the responsibility of the successful bidder. The coal evacuation route</p>

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	<p>“The successful bidder will be provided a coal evacuation route of 30 m width along the boundary of each adjacent/ nearby existing mines or proposed blocks as per the approved Mining Plan. The Mining Plan may be revised by the successful bidder to include coal evacuation route.”</p>	<p>may be kept at 30m width along the boundary and shall be shifted upon exhaustion of reserves.</p>
5.	<p>Attractiveness:</p> <p>a. Coal blocks that are land-locked and deep-seated face severe issues of OB dumping and hence lose attractiveness. Partially explored Blocks with major reserve forest areas also pose serious issues to undertaking detailed exploration as the lower density of BHs is allowed in RF areas by Forest Deptt. The blocks with serious coal evacuation issues like the blocks located in the Tatapani-Ramkola region, etc also lose attractiveness.</p> <p>b. Few coal blocks having typical issues of reserve, unviability due to grade or other reasons shall be looked into by a competent committee along with stakeholder consultation for outlining the reasons of no bidding in last 3 or more tranches and shall be given additional concessions/ relaxations in BG, aid in creating infrastructure, moratorium of Bid amount and royalty etc to attract its bidding.</p> <p>c. Coal blocks that are land-locked and deep-seated face severe issues of OB dumping and hence lose attractiveness. There are many examples like Gorhi-Mohloi group of blocks in Mand-Raigarh CF, Tentuloi, Brahmanbil-Kardabahal, Kosla West (Eastern part) & Kosla West (Western Part), etc. These blocks attract very less or zero bidders and hence it is suggested that such blocks may be reviewed and removed from the offered list. The area should be freed for use for infrastructure development, OB dumping, R&R Site, etc so that the neighbouring potential blocks can be developed without any hassles. Over these blocks, land can be allocated for setting up Gasification plants.</p>	<p>a-c. Noted. Ministry of Coal will take appropriate decision in this regard.</p>

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6.	<p>Auction Process:</p> <p>a. The bidders should be allowed to do Proxy bidding, in which automatic bidding for the online auction process can be done where bidder could set the maximum bid for himself and allowing himself to further increase/give up once that % is reached. Provision for Proxy bidding will help bidders in mitigating issues like hanging of server / system, error in number / password entering etc.</p> <p>b. In the auction process instead of entering the revenue share %, a drop-down menu of % increment on the current bid can be provided. This will help to minimize the chance of error inputs as bid %.</p>	<p>Noted. The matter is under examination and the bidders shall be informed in this regard.</p> <p>However, the drop-down menu for % increment is not required since it will limit the increment values only to the increments provided in the drop-down whereas, as per the current auction process, the bidder can quote any % revenue share during the e-auctions.</p>
7.	<p>Coal Evacuation:</p> <p>a. Establish better coal evacuation routes after discussion with new allottee and schemes to ensure seamless transportation of coal from mines to processing facilities or end-users.</p> <p>b. Re-alignment of Sardega-Pelma rail line to remove overlaps with certain Mand-Raigarh & Odisha blocks.</p>	<p>a. The coal evacuation infrastructure shall be the responsibility of the Successful Bidder. However, in case the Government of India is coming up with any new evacuation infrastructure plan for any particular region, the Successful Bidders of the coal mines from that region may also be made a part of the discussions before finalisation of the plan. The re-alignment of Sardega-Pelma rail line has already been done considering the issue and is under the approval of Ministry of Railways.</p>
8.	<p>Clearances:</p> <p>a. Collaborate with the Ministry of Environment, Forest and Climate Change (MoEF) to streamline and expedite the approval process for EC and FC, allowing new allottees to begin mining operations more quickly.</p> <p>b. All the permissions/clearances/licences like CTE, CTO, CGWA and other permissions/clearances/licences with limited time validity, obtained by prior allottee may be transferred with some time validity extension.</p>	<p>a. The Office of Nominated Authority, Ministry of Coal has already setup a PMU to handhold bidders in obtaining the clearances and getting the mine operationalised. Also, the Ministry of Coal is collaborating with MoEFCC and State Govt. to expedite the approval process of EC/FC.</p> <p>b-c. All the clearances/ approvals/ permissions already obtained by Prior Allottee gets vested to the new Successful Bidder and the PMU that has already been set up at office of Nominated</p>

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	<p>ii. There should be a separate wing for coal block related renewal cases and new permission cases for the grant of CGWA to expedite the coal block dev.</p> <p>iii. EC obtained prior to EIA notification of 2006 may be given exemption of public hearing to transfer EC.</p> <p>c. Clearances Issues related to coal blocks auctioned for commercial mining. All the permissions/clearances/licences like CTE, CTO, CGWA and other permissions/clearances/licences with limited time validity, obtained by prior allottee may be transferred with some time validity extension. There should be separate wing for coal block related renewal cases and new permission cases for the grant of CGWA to expedite the coal block development. EC obtained prior to EIA notification of 2006 may be given exemption of public hearing to transfer EC.</p>	<p>Authority helps the Successful bidders in getting these clearances.</p> <p>For the EC obtained prior to EIA Notification of 2006, the public hearing was not done earlier during grant of EC. Therefore, it is required as per the applicable laws.</p>
9.	<p>Geological Report: Allow new allottees to prepare partial GRs covering a majority of the area (e.g., 70%), enabling them to commence mining operations sooner while completing the remaining GR in a phased manner.</p>	As per the provisions, GR of the entire block has to be prepared.
10.	<p>Geological Surveys: Conduct Differential Global Positioning System (DGPS) surveys to provide reliable data for cost estimations and due diligence, assisting new allottees in their decision-making process.</p>	Conducting DGPS survey is the responsibility of the Successful Bidder.
11.	<p>Hindrances: The overlaps with other infrastructures like gas pipeline, railway lines, HT power lines, important buildings, etc should be told upfront as Govt has already announced PM Gati Shakti Scheme to fast-track the projects. The diversions are taken up speedily with the concerned departments and if such diversions/shifting is not possible, such blocks should not be offered.</p>	Coal blocks had been revised or subdivided in the earlier tranches under commercial coal mine auction taking into consideration any underlying infrastructure or any environmental concern. The decision before putting up the coal mines for auction is taken in consultation with CMPDI and considering all the factors, if not viable, such blocks are not being offered.

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12.	<p>Incentives: Offer 20% rebates or incentives for implementing environmentally friendly underground mining operations, which help preserve the environment and reduce surface disturbances.</p>	Noted.
13.	<p>Land:</p> <p>a. Develop a comprehensive policy for land acquisition in the coal mining sector to facilitate a smooth process for acquiring private land and address challenges faced by new allottees.</p> <p>b. Make land bank details available on government portals, enabling new allottees to purchase land directly from the government and simplifying the land acquisition process.</p>	<p>a&b. Few states like Orissa and Jharkhand have already identified land banks for the allottees.</p> <p>Ministry will liaison with other state governments to identify land banks.</p>
14.	<p>Litigation: Any legal issue which was prevalent between the prior joint allottees of the coal block should also be resolved before putting the block in the auction. Any joint venture litigation would delay the block development by the new allottee.</p>	Noted.
15.	<p>Mine Dossier:</p> <ul style="list-style-type: none"> • Suggestions for Mine Summary and Mine Dossiers: <ul style="list-style-type: none"> o There are deficiencies & errors in MSTC Mine Summaries which is an important document before taking a decision to buy the Mine Dossier by paying Rs. 5 lakhs <ul style="list-style-type: none"> • The cost of Mine Dossier for partially explored blocks where only a few boreholes are drilled shall be considered for the downward revision. 	<p>a-d. Discrepancies, if any, will be removed. Ministry will take up matter with CMPDI to ensure that there are no discrepancies in the name of villages and mine boundary coordinates in the Vesting Order.</p> <p>The decision before putting up the coal mines for auction is taken in consultation with CMPDI and considering all the factors, if not viable, such blocks are not being offered.</p>

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	<ul style="list-style-type: none"> • Name of villages, mine boundary coordinates, etc have been found with discrepancies which lead to the issuance of Vesting Orders with errors. • Water reservoirs and small dams should be excluded from the block area. <p>b. The cost of Mine Dossier for partially explored blocks where only a few boreholes are drilled shall be considered for the downward revision. The coal blocks under MMDR Act where exploration has not been conducted or partial exploration has been conducted or only Regional Exploration has been conducted, the non- refundable fees charged for the Mine Dossier shall be kept at nominal or Rs. One Lakh only or the cost of printing the documents, etc. whichever is lower.</p> <p>There is no justification to charge the same amount for the Tender Document where there is no Geological Report or other Technical Reports like Mine Plan, etc. Both cannot be equated. With only scanty borehole data, it is not possible to assess the technical indices of the block. Internationally such data of partially explored or unexplored or regionally explored blocks are available either free or with nominal cost</p> <p>c. Name of villages, mine boundary coordinates, etc have been found with discrepancies which lead to the issuance of Vesting Orders with errors. Such discrepancies result into additional time for the bidder and MOC to get it rectified and in turn delay the entire process and create confusion among the State Officials.</p> <p>d. Presence of Water reservoirs and irrigation check dams should be excluded from the block area.</p>	
16.	<p>National Coal Index:</p> <p>a. Re-grouping of grades and overall review of NCI Policy should be done fast.</p>	a&b. Noted. Appropriate action will be taken in this regard.

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	<p>b. Re-grouping of grades and overall review of NCI Policy should be done at the earliest. Grade 17 should be separated from the basket of G15-G17 Basket and paying same basket price for G17 coal is not justified as there is almost zero auction quantity under G-17 grade. But, due the overall impact of the basket, the applicable price is impacted.</p> <p>c. Different blocks offered under different tranches for the same grade of coal shall be paying different Revenue Share to the State Govt for the same % Rev Share. For example, a block holder of a recently conducted auction shall be paying less for a particular grade as compared to a prior mine for the same grade due to falling NCI based prices.</p> <p>d. Different blocks offered under different tranches for the same grade of coal shall be paying different Revenue Share to the State Govt for the same % Revenue Share. For example, a coal block which has been auctioned in round-6 conducted auction shall be paying less for a particular grade as compared to a prior mine for the same grade due to falling NCI based prices. The NCI price at the time of Tranche 14 and Tranche 15 was at its peak and mines sold during those time will be paying higher revenue as compared recently concluded Tranche 16 auction for the same grade. Suggestion:-Ministry should adopt a policy of taking taking average of last Six month NCI based data for that particular grade payment and not consider the Tender time price.</p>	<p>c&d. Periodic Payments payable by the Successful Bidder is on the basis of Notional Price or Actual Price, whichever is higher, where (i)Notional Price shall mean the price arrived at after adjusting the Representative Price with sub-index of National Coal Index or National Lignite Index, as applicable, of the relevant basket of coal grade(s) on the date on which royalty becomes payable.</p>
17.	<p>Project Management Consultancy: Establish PMC teams in key mining states (e.g., Jharkhand and Madhya Pradesh) to provide assistance and support to new allottees.</p>	Noted.
18.	<p>Stamp Duty: a. Different states have different methodology of arriving at the payable stamp duty for ML execution. May be made simpler and uniform</p>	<p>a), b) & c) Stamp duty is being governed as per the Indian Stamps Act. However, Ministry of Coal will explore the possibilities in consultation with the states.</p>

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	<p>b. Provide a unified calculation methodology for stamp duty across states, eliminating discrepancies and creating a level playing field for all stakeholders.</p> <p>c. Government should take initiative for Rationalization of Stamp Duty which ultimately will benefit various stakeholders. Further in case current allocattee exit the coal blocks by transferring to new allocattee after signing of mining lease, new allocattee should not be levied with stamp duty of mining lease once again as already stamp duty on mining lease has been paid. Or simply mine lease should be transferred without paying the stamp duty again in case lease period has not ended.</p>	
19.	<p>State Government:</p> <p>a. Encourage state governments to sign the CMDPA agreement to ensure legal compliance and facilitate the operations of new allottees.</p> <p>b. The issues related with Block boundaries are resolved as there are mis-matches found on the ground especially in Odisha where ORSAC has conducted the survey.</p> <ul style="list-style-type: none"> o At some places, land rates are exorbitantly high making the operations unviable due to high cost & delays. o Nodal Officers should be appointed by each State Govt where coal blocks are earmarked and these Nodal Officers shall be trained upfront by Ministry of Coal and State Govt on provisions under CMSP Act' 2015, MMDR Act' 1957 (with Amendments), CMDPA & Tender Documents and other related provisions. In many cases, the misinterpretation of Vesting Orders and CMDPAs by the State Officials results in unnecessary confusion & delays. <p>c. State government official who are catering to the statutory permission should be well versed with the provisions under CMSP Act' 2015, MMDR Act' 1957 (with Amendments), CMDPA & Tender Documents and other related provision. Nodal Officers should be appointed by each State Govt where coal blocks are earmarked and these Nodal Officers shall be trained upfront by Ministry of Coal and State Govt on provisions under CMSP Act' 2015, MMDR Act' 1957 (with Amendments), CMDPA & Tender Documents and other related provisions. In many cases, the misinterpretation of Vesting Orders and CMDPAs by the State Officials results into unnecessary confusion & delays. This should be done for expediting the process of mine development.</p>	Noted.

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20.	Clause 5.2 - Change in control and transfer a. MoC should allow transfer of coal block within same group companies even within the lock-in period as same is not impacting overall ownership of the coal block	Noted.
21.	GST Cess: a. GST Compensation Cess of Rs 400/T applicable on coal sale shall be waived for the coal quantity used for coal gasification or coal liquefaction.	Noted.