

Minutes of the 6th meeting of the Scrutiny Committee held on 19.04.18 at Shastri Bhawan, New Delhi

The Chairman of the Committee welcomed the participants and the Successful Bidders/Allottee were asked to present their cases and submissions against the Show Cause Notices issued to them mine-wise. The mine-wise deliberation and recommendation thereon are as under:-

1. Gare Palma Sector I (Allottee: M/s Gujarat State Electricity Corp. Ltd.)

Allotment Date- 14th Sept 2015

Deviation from the Efficiency Parameters	Reply of Allottee to Show Cause Notice(s)	Weightage assigned for appropriation (In %)	Observation of the Committee
<p>1. Non submission of Mining Plan (Due date was 14.03.2016):</p>	<p>1. CMDC, Raipur (prior allottee) handed over the Geological Report on 16/10/2015. The report was with heat value on UHV basis and I-30 quality & thickness (considering Underground Proposition) and Minex Model was not prepared by them.</p> <p>2. M/s GSECL appointed M/s CMPDIL for preparation of Mining Plan. CMPDI has opined that the upper seams in the block can be worked by Opencast Methodology. This will help in better percentage recovery of the available reserves, besides providing reduced cost of production. In view of recommendation of CMPDIL to develop GP-I coal block in area on east side of Kelo river through open cast method, they required that the earlier estimates of Geological Reserves prepared by MECL should be reworked adopting the following norms:</p> <p>a) Re-estimation of the reserves of the Upper Seams (namely upto VI Local) on I-100 basis, (i.e. considering carbonaceous shale's up to 100 cms. thickness included within the coal seam) which is a standard norm of estimation of Geological Reserves for coal seams with opencast mining potential.</p>	<p>8</p>	<p>The delay was caused since it was opined that a fresh GR needs to be prepared. In this regard, a joint meeting was held on 16.11.2015 between NA, MoC, MECL, CMPDIL & GSECL, wherein it was decided that MECL will submit the integrated GR along with the Minex Model on or before 17th Feb, 2016 and CMPDIL will prepare the Mining Plan and submit the same on or before 30th July'2016. M/s MECL submitted the GR on 28.03.2016, consequent to which M/s CMPDIL started preparing the Mining Plan, which was delayed due to issue of alleged encroachment over block</p>

	<p>b) Re-computation of the total reserves in the block on GCV basis instead of UHV basis as per the latest guidelines issued by MoC, also indicating Estimated Seam-wise/Grade-wise Reserves.</p> <p>c) Accordingly, preparing the Minex Model.</p> <p>3. In view of requirement of CMPDIL, GSECL consulted M/s Mineral Exploration Corporation Limited (MECL) for preparation of Geological Report (GR) with Minex Model.</p> <p>4. In this regard, a joint meeting was held on 16.11.2015 between NA, MoC, MECL, CMPDIL & GSECL, wherein it was decided that MECL will submit the integrated GR along with the Minex Model on or before 17th Feb, 2016 and CMPDIL will prepare the Mining Plan and submit the same on or before 30th July 2016.</p> <p>5. M/s GSECL vide its reply to Show Cause Notice informed that M/s MECL has submitted the GR on 28.03.2016, consequent to which M/s CMPDIL has started the preparation of Mining Plan.(Mine Plan finally submitted to MoC on 30.12.2016 and approved on 11.04.2018)</p> <p><u>Major Issue with regard to the development of the said coal mine.</u></p> <p>The block is divided into two parts by Kelo River flowing in almost north-south direction. The portion on the western side of Kelo River has lot of constraints such as a Thermal Power Plant with its infrastructure and ash pond belonging to Jindal Power and the balance portion being thickly populated and occupied by Tamnar town.</p> <p>The eastern-side of Kelo River has a Coal Washery owned by Jindal and its dump area, and Residential colony, School & Hospital also belonging to Jindals. Also there is a Pipe Conveyor of about 5.59 KM in length on concrete pillars, which carries coal from Jindal Washery to Jindal Thermal Power station passing, running across the block, besides a High tension line of about 6.35 KM passes through the block. In reference to series of discussion had with CMPDIL, they had opined that the upper seams in the block can be worked by Opencast Methodology. This will help in better percentage recovery of the available reserves, besides providing reduced</p>		<p>boundary of the coal block.</p> <p>Mine Plan finally submitted to MoC on 30.12.2016 i.e. a delay of around 9 months). Based on the presentations made, the committee opined that it would not be appropriate to take a view unless the issue of structure, located inside the block boundary of Gare Palma Sector-I block not belonging to GSECL is resolved by GoCG for facilitating commencement of opencast mining in the block. And any view on the delay can only be taken on receipt of such feedback from CoCG as mentioned in the previous columns.</p>
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	<p>cost of production. Since all the above mentioned structure, located inside the block boundary of Gare Palma Sector-I block, do not belong to GSECL, they would require to dismantled and removed, before opencast mining can be commenced in the block.</p>		
<p>2. Delay in Mine Plan approval (Due Date- 14.08.2016)</p>	<ol style="list-style-type: none"> 1. Mine plan was submitted by Allottee to MoC on 30.12.2016. The delay was caused due to various reasons like preparation of fresh GR. MoC conveyed for submitting the revised Certificate from CMPDIL for co-ordinates in Mining Plan and that in Allotment Order. 2. NA issued Corrigendum to the Allotment order on 17.02.2017 modifying the geographical co-ordinates of the coal mine in line with notice dated 13.10.2015 issued by MoC for change of boundary co-ordinates of all the Gare Sector coal mines. 3. Based on corrigendum issued by MoC, CMPDIL submitted the modified Mining Plan with revised Certificate on 31/03/2017. Modified Mining Plan uploaded on e-Portal of MoC on 06/04/2017 and physical submission of 4 Nos. of Original Copy of Mine Plan prepared by RQP submitted to MoC on 07.04.2017. 4. Subsequently, the validity of RQP had expired, which was conveyed by MoC to CMPDIL on 02.05.2017. 5. MoC advised GSECL to resubmit mine plan & mine closure plan Accordingly GSECL conveyed to CMPDIL for early necessary changes required in final mine plan, in reference to validation of RQP and thereby for resubmission to MoC vide letter dated 14.07.2017. 6. CMPDIL sent e-mail dated 17.07.2017, requested GSECL to obtain clarification from MoC "whether Shri Rakesh Kumar Sharma can sign the Mining Plan & Mine Closure Plan of Gare Palma Sector-I Coal Block as RQP which has been prepared by Shri Arun Kumar Bal and submitted the plans prior to his RQP expiry date." 	<p style="text-align: center;">8</p>	<p>Subsequent to submission of Mine plan to MoC on 30.12.2016, fresh bounding co-ordinates of the coal mine were issued by NA on 17.02.2017. CPAM Section, MoC advised to submit Mine plan / Corrigendum.....</p> <p>The delay can be attributed to the change in co-ordinates of the coal mine, if such change in co-ordinates lead to change in area of the coal block. In such a scenario, the request of the Allottee for accept the date of issuance of Corrigendum i.e. 17.02.2017 as "Zero Date "may be considered by the office of the Nominated Authority. However, here even if 17.02.2017 is considered as "Zero Date", the due date for approval of Mine Plan comes out to be 17.01.2018(11 Months from Zero Date), while the Mine Plan has been approved on 11.04.2018 i.e. delay of 3 months. Decision on the delay by the committee can only be taken after receipt of a clarification from CPAM section of MoC whether such delay I</p>

			approval of Mining Plan can be attributed to SB or not.
3. Non submission of application for Previous approval (Due Date- 14.09.2016)	<p>1. ML application was submitted timely on 08.12.2015. Collector Office, Raigarh issued instructions to four departments namely Revenue, industries & Trade, Forest & Environment, for submitting the details in required format. But no response were received and instructions were received for follow up with respective department. Further, no details were made available by Collector Office for Land Survey and block boundary demarcation, undertaken by prior allottee.</p> <p>2. GSECL appointed a consultant M/s Greencindia for carrying out necessary survey on 09/09/2016. Thereafter, necessary DGPS Survey and block boundary demarcation and compilation of all 20 villages Maps was completed. All the details required from revenue dept. were submitted and same are verified and approved by Patwaris on 25/01/2017, Revenue Inspector on 30/01/2017 and Tehsil Office on 12/02/2017. At present details are with SDO Office, Gargodaj and under approval with SDM.</p>	6	The committee prima facie opined that GSECL delayed the appointment of consultant to carry out various survey works mentioned in the previous columns.
4. Delay in Grant of Previous Approval (Due Date- 14.10.2016)	<p>The details from other three dept. namely Industries & Trade, Forest & Environment, are already conveyed to Collector Office on 09/02/2017, 10/02/2017 & 05/12/2016, respectively.</p> <p>3. Meanwhile, NA issued Corrigendum to the Allotment order on 17.02.2017 modifying the geographical co-ordinates of the coal mine in line with notice dated 13.10.2015 issued by MoC for change of boundary co-ordinates of all the Gare Sector coal mines.</p> <p>4. Mine Lease Application is verified by SDM, Ghargoda & forwarded to Collector Raigarh on 13.07.2017 for their approval and onward submission to DGM, Raipur.</p> <p>5. In reference to complain by MAHAGENCO - Allottee of GP-II, joint survey was undertaken on site on 5/08/2017 and the co-ordinate fixed by MAHAGENCO on Khasra map was declared wrong. So for no fault of GSECL, ML Application is</p>	5	Based on the presentations made, the committee opined that it would not be appropriate to take a view unless the issue of structure, located inside the block boundary of Gare Palma Sector-I block not belonging to GSECL is resolved by GoCG for facilitating commencement of opencast mining in the block. But prima facie SB may not be held responsible for such delay.

	<p>kept on hold by Collector Office, Raigarh.</p> <p>6. Chhattishgarh Govt. forwarded the Land details to MoC under “Previous Approval Application” on 30.11.2017.</p> <p>7. Meanwhile, due to delay on part of Chhattishgarh State Govt. for processing the Mine Lease Application, GSECL submitted an application to MoC, for Publication of notification under section 3 under CBA, Act for Mine Lease Application on 14.09.2017. Notification under Section 3 issued on 18.10.2017.</p> <p>8. MoC called a joint meeting on 11/12/2017 with CMPDIL and CG Govt. to resolve the issue of existing structures within GP-I and overlap with adjoining coal block GP IV/2 & IV/3. It was decided that CG Govt. shall provide the details about land (on which structures are existing), ownership of said land and approval / permission issued for construction of said structures on that land. GSECL shall apply for Acquisition of Land under Phase-I, by making application under section-4, once the various issues related to removal / shifting of existing structure gets resolved.</p>		
5. Late submission of FC application on 30.11.2016(Due Date- 14.08.2016)	<p>1. GSECL appointed a consultant M/s Greencindia on 09/09/2016, for carrying out necessary survey, collection of forest maps and its superimpose on block layout map.</p> <p>2. Forest Range Map and Forest Compartment Maps collected from office of DFO, Raigarh and layout compilation map prepared on 07/02/2017 by consultant by superimposing on block boundary, based on DGPS Survey. Said details were provided to CMPDIL for incorporating the same in the Mining Plan.</p> <p>3. Further, consultant M/s Greencindia submitted the Socio-Economics Survey Report on 03/02/2017.</p> <p>4. Registration and submission of forest clearance application (Form A) was made on e-portal of MoEF on 21/02/2017, based on details provided in Mine Plan (22/12/2016) and Socio-Economics Survey report (03/02/2017).</p>	8	The committee prima facie opined that GSECL delayed the appointment of consultant to carry out various survey works mentioned in the previous columns. Including DGPS survey which ultimately delayed the submission of FC application.
6. Late submission of EC application i.e. on	<p>1. GSECL, appointed a consultant M/s Greencindia on 09/09/2016, for carrying out necessary survey, collection of forest maps and its superimpose on block layout map. 2. Preliminary Land Use details and socio-economics details were</p>	8	This activity is delayed as consequence of delay appointment of consultant to carry out various works required for

30.11.2016(Due Date.- 14.08.2016)	<p>available based on survey undertaken by consultant M/s Greencindia.</p> <p>2. Environment Clearance Application (Form –I) (Application for ToR) uploaded on e-portal of MoEF on 30/11/2016 based on draft mine plan provided by CMPDIL (06/09/2016).</p>		<p>completing this activity</p>
7. Delay in grant of FC (Due date- 14.06.2017)	<p>1. Registration and submission of forest clearance application (Form A) was made on e-portal of MoEF on 21/02/2017, based on details provided in Mine Plan (22/12/2016) and Socio-Economics Survey report (03/02/2017).</p> <p>2. Though, as per time line given by MoC for Grant of Forest Clearance is 14.06.17, However GSECL has already requested for suitable extension in timeline vide letter dated 23.03.2016 as Re-computation of the total reserves in the Block on GCV basis instead of UHV basis as per the latest guidelines issued by MoC & accordingly for Preparing the Minex Model.</p> <p>3. MoEF&CC uploaded essential detail sought (EDS) letter on Forest Clearance portal on 16.03.2017. The reply to EDS is under preparation. Mine Plan approval is also necessary for grant of FC.</p>	<p>5</p>	<p>Based on the presentations made before the committee apparently the delay on this count cannot be attributed to the SB.</p>
8. Delay in grant of EC (Due Date- 14.06.17)	<p>1. Environment Clearance Application (Form-I) (Application for ToR) uploaded on e-Portal of MoEF on 30/11/2016 based on draft mine plan provided by CMPDIL (06/09/2016).Terms Reference granted by MoEF&CC on 19th May 2017.EIA is under preparation.</p> <p>2. Approved Mine Plan and processing of mine lease application is mandatory for Grant of Environment Clearance. FC-I is also necessary for grant of EC.</p>	<p>5</p>	<p>Any view on the delay on this account can only be taken after receipt of feedback from CPAM section of MoC in processing and approval of mining plan.</p>
9. Delay in Grant of ML or Notification under Sec 11 of the CBA Act (Due Date- 14.09.2017)	<p>1. ML application was submitted timely on 08.12.2015.</p> <p>2. Previous Approval for ML is pending decision due to issues related to overlap with adjacent coal block GP-VI/2 & VI/3 and ownership & legal rights of the land over which structures of JPL .</p> <p>3. Due to delay on part of C'garh State Govt. for processing the Mine Lease Application, GSECL decided to go for Land Acquisition under CBA Act.</p> <p>4. Allottee submitted an application to MoC, for Publication of notification</p>	<p>5</p>	<p>Any view on the delay on this account can only be taken after receipt of feedback from GoCG regarding structures existing within this block not belonging to the SB.</p>

under section 3 under CBA, Act for Mine Lease Application on 14.09.2017 and the notification under Section 3 issued on 18.10.2017.

5. Further, for making application to MoC under Section 4(1), GSECL has to issue a certificate for land, if any, lease out by Central Govt. & State Govt. to any party or person, within the allotted coal block for any other purpose. So GSECL requested Collector, Raigarh, vide letter dated 07/10/17, for providing details for land, if any, lease out by State Govt. to any other person or party for any other purpose along with supporting document. Follow-up visit made on 12th & 13th Oct 2017 to Collector Office and Ind. & Trade Dept. As appraised by them, GSECL requested C'garh State Ind. Dev. Corpor. (CSIDC), vide letter dated 26/10/2017, to provide the land for which lease agreement is signed between them & JPL for construction of Thermal Power Plant.

6. In this regard, no reply has been received from GoC for Legal Rights of JPL over the land on which structures are existing within GP-I block area:

- NA, MoC vide letter dated 30/05/2016 has referred the matter of the Chief Secretary, CG Govt. to provide the comments for permission/approval/authority by which M/s JPL has raised infrastructure on the land of Gare Palma Sector-I & II coal mine.
- NA, MoC vide letter dated 07/11/2016 has reminded to the Secretary, MRD, CG Govt. to expedite fir conveying necessary comments, along with copy of Ministry's letter dated 18/02/2010, for taking prior permission from MoC before giving permission for any construction on Coal Bearing Area.
- NA, MoC arranged a Joint Meeting with CG Govt., GSECL & MAHAGENCO on 11/12/2017, to resolve the issue of existence of alleged infrastructure of M/s JPL in GP-I & GP-II Coal Block area and issue of overlap with lease earlier executed by CG Govt. with M/s JPL for GP-IV/2&3
- NA, MoC vide letter dated 15/02/2018 has again reminded to the Directorate (Mining), DGM, CG Govt. to provide the Land Records on which structures are existing & permission or approval issued by CG Govt. for

	construction of said structures. Also reminded to convey necessary comments to their earlier letter dated 30/05/2016 & 07/11/2016.		
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7. Timely achievement of Milestone activity, "Grant of Mining Lease or Notification under Section 11 of CBA Act" is only possible once the decision for removal/shifting of existing structures of M/s JPL and decision for change in Block Boundary for any encroachment made in GP-I coal block area is finalized, to provide encumbrance free are of Mining.

Recommendation:

1. From the above , it is clear that the Committee cannot take any view on the delays till issue of alleged encroachment over the block boundary is resolved by GoCG after interventions of Ministry of Coal. Also feedback of CPAM section in processing and approval of mining plan will help in deciding certain issues.
2. Further delay in appointment of consultant to carry out various activities including survey work and collection of documents and data may be attributed to SB as mentioned in the observations of the committee in the last column.

**2. Gare Palma Sector II (Allottee- M/s Maharashtra State Power Generation Company Limited
Allotment Date- 31st Aug 2015**

Deviation from Parameters	Reply of Allottee to Show Cause Notice	Weightage assigned for appropriation (In %)	Observation of the Committee
<p>1. Late submission of Mining Lease application i.e. on 08.12.2015(Due Date- 31.11.2015)</p>	<p>1. The original Geological Report (GR) was with the prior allottee i.e. M/s Mahatamil Collieries Limited) and M/s CMPDIL. M/s Mahagenco has been requesting this office and the prior allottee to provide the original documents of Prospecting Licence (PL) and GR.</p> <p>2. Subsequently, vide this office's letters dtd 13.10.2015 and dated 12.11.2015 , the prior allottee was requested to handover all the requisite documents to M/s Mahagenco. As such, the original GR was provided by the prior allottee to M/s Mahagenco on 24.11.2015.Subsequently, the Mining Lease application was submitted to the Director, Geology & Mining, Government of Chhattisgarh, Raipur on date 08.12.2015 causing a delay of just 7 days. The delay in submission of Mining Lease Application by Mahagenco was due to non availability of the Original GR from CMPDIL/Mahatamil.</p> <p>3. M/s Mahagenco have intimated that the Mine Dossier consisted of Geological Report of Gare Palma Sector II coal mine. However, as per clause no 3.1.4 of the allotment document, it was meant for the exclusive purpose of submitting an application by the applicant and should not be transferred, reproduced or otherwise used for purposes other than for which it is specifically issued. As such Mahagenco has not used the same for submission of Mining Lease Application.</p>	<p>7</p>	<p>The delay was caused since the original GR was handed over by the prior allottee to Allottee on 24.11.2015 after intervention of MoC. Soon after, ML application was submitted on 08.12.2015.</p> <p>The delay is of small duration (~ 8 days) and as such the delay may not be attributed to the Allottee for the reasons mentioned in the previous columns.</p>
<p>2. Delay in Mine Plan approval i.e. on 12.08.16 (Due</p>	<p>1. Mine Plan was submitted on time by Allottee to MoC on 26/29.02.2016 and the RQP had made presentation on 29.04.2016.</p> <p>2. MoC vide its letter dt. 03.05.2016 conveyed certain observations of</p>	<p>8</p>	<p>Mine Plan was submitted on time by Allottee to MoC on 26/29.02.2016 i.e. within the timelines. Subsequently, MoC vide its letter dated</p>

date- 31.07.2016)	<p>the Technical Committee of MoC, whose point wise compliance was submitted by RQP on 07.07.2016.</p> <p>3. Subsequently, MoC conveyed the approval of Mine Plan on 12.08.2016.</p>		<p>03.05.2016(<i>The copy of said letter is available with NA office</i>) conveyed certain observations of the Technical Committee of MoC, whose point wise compliance was submitted by RQP on 07.07.2016.</p> <p>The Allottee submitted the Mine Plan timely and as such the delay may not be attributed to them.</p>
3. Late submission of application for Previous approval on 28.09.16(Due date- 31.08.16)	<p>1. M/s MAHAGENCO had submitted application for Mining Lease on 08.12.2015.</p> <p>2. Director, Geology & Mining, Government of Chhattisgarh, Raipur vide letter dated 26.12.2015 has raised the queries on Mining Lease Application. Mahagenco vide letter dated 14.01.2016 has complied all the queries regarding Mining Lease Application.</p> <p>3. Subsequently, the State Government had forwarded the same to MoC on 28.09.2016.</p>	6	<p>Application for Mining Lease was submitted within time by Allottee. The State Government had sent the proposal for previous approval for grant of ML to MoC on 28.09.2016.The delay was of 1 month.</p> <p>The representative of GoC opined that relaxation may be given to the Allottee on this count since the said delay was beyond the control of the Allottee as the said proposal was to be sent by the State Govt.</p>
4. Pending of grant of previous approval.(Due date- 30.09.2016)	<p>1. M/s MAHAGENCO had submitted application for Mining Lease on 08.12.2015. The State Government had forwarded the same to MoC on 28.09.2016.</p> <p>2. Meanwhile, NA issued Corrigendum to the Allotment order on 17.02.2017 modifying the geographical co-ordinates of the coal mine in line with notice dated 13.10.2015 issued by MoC for change of boundary co-ordinates of all the Gare Sector coal mines.</p> <p>3. Subsequent to the issuance of modified Bounding co-ordinates, MoC issued letter dated 12.04.2017 to Under Secretary, Mineral Resource Department, Govt. of Chhattisgarh to submit the proposal for Grant of mining lease accordingly.</p> <p>4. On the basis of above, under secretary, Mineral Resource Department, Govt. of Chhattisgarh vide letter dated 26.04.2017 requested</p>	5	<p>The State Government had forwarded the same to MoC on 28.09.2016.</p> <p>However, in view of MoC's notice dated 13.10.2015, the co-ordinates of the coal block were modified vide Corrigendum dated 17.02.2017.</p> <p>On the basis of above, Govt. of Chhattisgarh vide letter dated 26.04.2017 requested to Director, Directorate of Geology and Mining under intimation to Mahagenco to resubmit the revised proposal for Grant of Mining Lease accordingly.</p> <p>Subsequently, the proposal was sent by State</p>

	<p>to Director, Directorate of Geology and Mining under intimation to Mahagenco to resubmit the revised proposal for Grant of Mining Lease accordingly.</p> <p>5. Therefore, Mahagenco has restarted the procedure by incorporating the modified Bounding co-ordinates and submitted the proposal Collector, Raigarh, Chhattisgarh. In turn Deputy Director Mining has forwarded the proposal to SDM, Ghargoda and District Forest Officer, Raigarh on 18.05.2017 to examine the proposal. Subsequently, the state govt had resend the proposal for grant of PA for ML to MoC on 10.10.2017 . In the said proposal, GoCG mentioned overlapping of Boundary/Lease area of GP II coal mine with adjacent coal mine GP IV/2, GP IV/3 and GP IV/7. A meeting was held between NA, GoCG and Mahagenco on dtd 11.12.2017 at New Delhi to resolve the issues of boundary overlapping. The issue was discussed in the meeting and resolved as below, <i>“The mining lease of GP IV/2, GP IV/3 and GP IV/7 will be revised and GoCG will resend the proposal for grant of Previous Approval of the Central Government for mining lease over the entire area of 2583.487 Ha.</i></p> <p>6. Accordingly, GoCG vide letter dated 29.01.2018 has submitted the Previous Approval Application to the Office of Secretary, MoC, Gol. MoC vide letter dated 20.02.2018 has issued Previous Approval to the Govt. of Chhattisgarh. and the Prior Approval has been granted on 20.02.2018.</p> <p>7. The Allottee in its reply has stated that submission of application for Previous Approval for ML and its grant are activities pertaining to the Government of Chhattisgarh and MoC respectively. Therefore, the delay for submission of application for previous approval also cannot be attributed on account of Mahagenco.</p>		<p>Govt. to MoC on 10.10.2017.</p> <p>Previous Approval has been granted on 20.02.2018.</p> <p>Based on the presentation made before the committee it was opined that the completion of said Milestone is beyond control of the Allottee, since the proposal is to be sent by State Government and its grant is issued by MoC.</p> <p>As such, under the circumstances brought out before the committee in the previous columns it was recommended that relaxation may be given to the Allottee.</p>
<p>5.Delay in grant of FC(Due date- 31.05.2017)</p>	<p>1. The online application for forest clearance was submitted on 26.07.2016 i.e. within the timelines.</p> <p>2. Mahagenco vide letter dated 19.09.2016 requested to Collector,</p>	<p>5</p>	<p>The online application for forest clearance was submitted on 26.07.2016 i.e. within the timelines.</p>

<p>Raigarh for issuance of NoC for 115.231 Ha forest land in Tahsil Tamnar Dist. Raigarh.</p> <p>3. Mahagenco has carried out following activities for Forest Clearance on the basis of CMPDIL survey report dated 07.06.2016 with boundary area 2576.85 Ha.</p> <ol style="list-style-type: none"> i. DGPS SURVEY for fixing of Forest Boundary. ii. Superimposition of Forest Boundary on Topo Sheet and Revenue Khasara map and Superimposition of GP Sector II block boundary provided by CMPDI. iii. Preparation of Land Break Up showing Protected Forest and Revenue forest. iv. Online Submission of Proposal to Nodal Officer cum APCCF land Management for Allotment of Proposal Number. v. Request letter to Collector for issuing of NOC For Revenue Forest land and FRA Certificate details of beneficiaries in Prescribed Format. vi. Letter from Collector to SDM for Inspection of the concerned area and to send NOC and FRA Certificate details. vii. Communication of Fixing of Dates for Gram Sabha from SDM to CEO Janpad and for Inspection of the concerned area and to send NOC and FRA Certificate details. viii. Communication of Fixing of Dates for Gram Sabha by CEO Janpad for discussion on FRA Certificate details to concerned Sarpanch and Secretary of Gram panchayat. ix. Details of FRA Certificate issued to beneficiaries in form of proposal Submitted in gram sabha for consent. x. Consent of Gram Sabha on FRA certificate details issued to beneficiaries submitted to CEO Janpad. xi. CEO Janpad submitted Consent of Gram Sabha on FRA Certificate details issued to beneficiaries to SDM. <p>4. Subsequently, CMPDIL re-conducted the survey and submitted</p>	<p>However, due to Corrigendum dated 17.02.2017, fresh FC application had to be submitted.</p> <p>The delay can be attributed to the change in co-ordinates of the coal mine since such change in co-ordinates lead to change in area of the coal block. In such a scenario, the request of the Allottee for accept the date of issuance of Corrigendum i.e. 17.02.2017 as “Zero Date “may be considered by the office of the Nominated Authority.</p> <p>If 17.02.2017 is considered as Zero Date, the due date for submission of FC application comes out to be 17.01.2018(11 months from Zero Date). Fresh FC application has been submitted on 28.12.2017 i.e. within timelines.</p> <p>As such, relaxation may be given to Allottee on this count.</p>
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	<p>revised survey report on 13.01.2017. As per revised block boundary map of Gare Palma Sector-II Coal Mine area is 2583.48 Ha as against earlier area of 2576.85 Ha.</p> <p>5. Meanwhile, NA issued Corrigendum to the Allotment order on 17.02.2017 modifying the geographical co-ordinates of the coal mine in line with notice dated 13.10.2015 issued by MoC for change of boundary co-ordinates of all the Gare Sector coal mines. Due to revised co-ordinates, fresh application submitted on 28.12.2017.</p> <p><u>The Allottee has submitted that in order to obtain Environment and Forest clearance as per timeline mentioned in Efficiency parameter, Mahagenco has timely initiated all the above activities. However, due to change in bounding co-ordinates vide Corrigendum dated 17.02.2017, it was essential to restart all the procedure required to obtain Environment and Forest clearances.</u></p>		
<p>6. Delay in grant of EC (Due date- 31.05.2017)</p>	<ol style="list-style-type: none"> 1. The application for EC was submitted on 12.04.2016 i.e. within the timelines. 2. MoEF & CC issued ToR on 08.08.2016. EC will be granted after grant of FC. 3. Draft Environmental Impact Assessment (EIA) report by consultant is submitted to the Govt. of Chhattisgarh on dated 13.02.2017. CECB Raipur forwarded Draft EIA report on dated 22.02.2017 to CECB Raigarh for further processing in order to conduct public hearing. CECB vide their letter dated 03.03.2017 has requested Mahagenco to submit copies of EIA report in Hindi. As per requirement of CECB, Allottee submitted Hindi EIA copies on 11.04.2017. Public hearing Dates are to be given/Finalized by Collector, Raipur and CECB Regional Officer. 4. Meanwhile, NA issued Corrigendum to the Allotment order on 17.02.2017 modifying the geographical co-ordinates of the coal mine in line with notice dated 13.10.2015 issued by MoC for change of boundary co-ordinates of all the Gare Sector coal mines. 	<p>5</p>	<p>The application for EC was submitted within the timelines. ToR on 08.08.2016.</p> <p>EC cannot be granted till FC-I is granted, which has been delayed due to reasons apparently beyond the control of the Allottee, as detailed earlier.</p> <p>Also, the Allottee informed in the meeting that the public hearing could not be conducted due to stiff resistance by local inhabitants(Event of Force Majeure)</p> <p>As such, under the circumstances brought out before the committee in the previous columns it was recommended that relaxation may be given to the SB.</p>

<p>8. Delay in Grant of ML or Notification under Sec 11 of the CBA Act (Due Date-31.08.2017)</p>	<ol style="list-style-type: none"> 1. M/s MAHAGENCO had submitted application for Mining Lease on 08.12.2015. (Delay of 7 days due to non availability of GR) 2. The State Government had forwarded the proposal for grant of previous approval for ML to MoC on 28.09.2016. 3. Meanwhile, NA issued Corrigendum to the Allotment order on 17.02.2017 modifying the geographical co-ordinates of the coal mine in line with notice dated 13.10.2015 issued by MoC for change of boundary co-ordinates of all the Gare Sector coal mines. 4. Due to revised co-ordinates, the state govt had resend the proposal for grant of PA for ML to MoC on 10.10.2017. In the said proposal, GoCG mentioned overlapping of Boundary/Lease area of GP II coal mine with adjacent coal mine GP IV/2, GP IV/3 and GP IV/7. A meeting was held between NA, GoCG and Mahagenco on dtd 11.12.2017 at New Delhi to resolve the issues of boundary overlapping. The issue was discussed in the meeting and resolved as below, “The mining lease of GP IV/2, GP IV/3 and GP IV/7 will be revised and GoCG will resend the proposal for grant of Previous Approval of the Central Government for mining lease over the entire area of 2583.487 Ha. 5. Accordingly, GoCG vide letter dated 29.01.2018 has submitted the Previous Approval Application to the Office of Secretary, MoC, Gol. MoC vide letter dated 20.02.2018 has issued Previous Approval to the Govt. of Chhattisgarh. 6. In order to execute the Mining Lease in time, it is mandatory for Mahagenco to obtain Previous Approval, Environment & Forest clearances from GoCG/MoC and MoEF respectively. However, issuing of the Previous Approval was within the purview and control of GoCG and MoC, which recently vide letter dated 20.02.2018 MoC has issued to the Govt. of Chhattisgarh. <p>The Allottee has submitted that the delay in obtaining Mining Lease cannot</p>	<p style="text-align: center;">5</p>	<p>Based on the presentations made before the committee it was opined that upon revision of block boundary, GoCG submitted the Previous Approval to MoC, Gol on 29.1.2018. As the clearance is contingent upon grant of Previous Approval which has recently been granted by MoC on 20.02.2018, as such, delay may not be attributed to the Allottee.</p>
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	<p>be attributed on account of Mahagenco as the Previous Approval, Environment and Forest clearances are the mandatory pre-conditions for the same.</p> <p>7. Mahagenco has requested Nominated Authority to modify/ consider the 'Zero Date' as 17.02.2017 i.e. date of Corrigendum issued to Allotment Order. Mahagenco vide letters dtd 03.08.2017 and 21.11.2017 reminded for the same. Also, during the second meeting of the Monitoring Committee held on 27.02.2018 at New Delhi under the chairmanship of Secretary (Coal) to review progress of coal mines, CMD Mahagenco raised the issue of Zero date modification. Hon'ble Secretary (Coal) directed Nominated Authority to examine the matter appropriately (i.e. revision of Zero Date)</p>		
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Recommendation:

1. It is observed that the delay in submission of Mining Lease application was consequent upon handing over of GR by previous allottee as such it is beyond the control of the Allottee.
2. Also, the delays in Mine Plan approval and application/grant of Previous Approval by the concerned authorities (MoC & State Government of Chhattisgarh) cannot be attributed to the Allottee since it had no control over it.
3. Also, there was a change in the Co-ordinates of the coal mine issued vide Corrigendum dated 17.02.2017. As such, the Zero Date for submission of FC application should be 17.02.2017. Since EC cannot be granted without grant of FC-I, Allottee may be given relaxation.
4. Grant of ML is contingent upon grant of previous approval of the Central Government for ML, which has been granted on 20.02.2018. Hence no delay on the part of the Allottee.

1. Badam (Allottee – M/s Bihar State Power Generation Company Limited)

Allotment Date – 31st Aug, 2015

Deviation from the Efficiency Parameters	Reply of Allottee to Show Cause Notice	Weightage assigned for appropriation (In %)	Observation of the Committee
1 Delay in grant of FC(Due date- 31.05.17)	<p>1. FC Stage-I which was granted to Prior Allottee has been vested vide Allotment order dated 31.08.2015.</p> <p>2. BSPGCL had to comply all conditions imposed by MOEF&CC, GoI for grant of FC Stage-II. Arrangement of 150.49 Ha CA land is also one of the conditions to be complied with for grant of FC-II.</p> <p>3. DFO, Hazaribagh (west) in its letter dated 15.09.2016 had raised a demand of Rs. 1.23 Crs. towards balance amount for CA and the same was deposited in CAMPA account by BSPGCL. Again a revised demand for amount against NPV & CA was raised by DFO, Hazaribagh (west) vide letter dated 29.11.2016 with information that the amount paid by the earlier allottee M/s TVNL under these heads have been reimbursed them and in effect, BSPGCL shall have to pay the reimbursed amount. This revised demand appeared inappropriate to BSPGCL, as a Fixed Amount of Rs. 14.85 Crs. towards cost for Geological Report & Cost of Consent was already paid to Ministry of Coal during the issuance of allotment order for disbursement to the single prior allottee. Therefore, intervention of MoEFCC & MoC in this matter was requested vide letter dated 26.12.2016. Only after kind intervention of MoC vide Office Memorandum dated 07.02.2017, the matter could be resolved and DFO, Hazaribagh withdrew his demand vide letter dated 24.04.2017.</p>	5	

	<p>4. Further, vide allotment order, a total of 176.58 Ha land was vested in BSPGCL as CA land, out of which 133.50 Ha land is Govt. Land & 43.08 Ha is Pvt. Land. In due course of arrangement of CA land, DFO, Hazaribagh (West) vide letter dated 15.09.2016 had informed that 133.50 Ha (329.89 acres) non-forest land has already been made available by earlier allottee in Pakur district of Jharkhand and has also been notified in District Gazette Extra-Ordinary No. 3 of year 2013 on 03.04.2013. However, after 9 months time, DFO Pakur vide letter dated 12.06.2017 informed that out of above 133.50 Ha. land, 121 Ha. land is already forest land from year 1946, hence not acceptable as CA land.</p> <p>5. In reference to above, it is mention that about 5 months of time lapsed in withdrawing the above inappropriate demand and 9 months of time in getting the suitability of vested CA land which ultimately results in non-achievement of milestone</p>		
<p>2. Delay in Grant of ML or Notification under Sec 11 of the CBA Act (Due Date- 31-Aug-17)</p>	<p>1. Badam Coal Block was earlier allotted to M/s Tenughat Vidyut Nigam Limited (“TVNL”). Prior to the allocation of the Badam Coal Block to BSPGCL, 221 Ha area of land as per approved mining plan was to be transferred to BSPGCL as the same area of land was granted earlier to TVNL.</p> <p>2. Application for transfer of the grant order for 97.32 Ha land for Mining Lease in favor of BSPGCL was submitted on 30.11.2015 i.e. within the timelines.</p> <p>3. However, during follow up of transfer of Mining Lease, it was gathered that BSPGCL will have to apply afresh for grant of Mining Lease for which clarification was sought from your office vide letter dated 15.02.2016 , which was replied vide letter dated 02.03.2016 clarifying that BSPGCL may apply afresh to the State Government of Jharkhand for grant of Mining Lease.</p> <p>4. Subsequent to the said clarification, the prior allottee and</p>	<p>5</p>	

	<p>M/s CMPD were requested vide letters dated 27.04.2016 and dt. 09.05.2016 respectively to provide all documents/information/approved boundary plan relevant to the Badam Coal Block, as the same was not made available to BSPGCL till then. The Allottee has submitted that BSPGCL was made to run from one office to other for getting the information/documents, which in any case should have been made available to them as soon as the Allotment Order was issued.</p> <p>5. Meanwhile, on 25.05.2016 with the available information/ documents collected by BSPGCL, the Mining Lease application for 221 Ha area as per approved Mining Plan (vested) with required supporting documents was submitted to the office of DMO, Hazaribagh.</p> <p>6. After lapse of almost 2 months from the submission of the Mining Lease Application, DMO, Hazaribagh vide letter dated 05.07.2016 requested for some additional documents i.e. Survey Cadastral Map, map on tracing cloth including mauza-wise land schedule of applied area duly verified by Circle Officer . Pertinently, photocopy of duly verified land schedule, which was submitted by prior allottee for obtaining the Mining Lease was submitted to DMO office with the ML application, was rejected by DMO, Hazaribagh and thus, BSPGCL was compelled to submit the already verified the verified land schedule to Circle Officer, Barkagaon, Hazaribagh vide letter dated 27.07.2016 for re-verification. As the complete land details/documents as processed/executed by the prior allottee were essentially required to move ahead for obtaining grant of Mining Lease, BSPGCL officials regularly visited the offices of concerned authorities in Jharkhand in order to obtain the requisite documents. It is important to mention that M/s CMPDI, which</p>		
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	<p>was requested for providing approved boundary plan vide letter dated 09.05.2016, provided the plan vide letter dated 22.09.2016 after lapse of 4.5 months and rigorous follow-up . The same was submitted to DMO, Hazaribagh vide letter dated 04.10.2016.</p> <p>7. During follow-up for the Mining Lease, Allottee was orally informed by the concerned authorities that the applied area for Mining Lease (221 Ha, out of which 118.45 Ha forest land, 45.92 Ha Government land and 56.63 Ha private land, Mining Lease granted to earlier allottee for same area) is not the same area which has been vested to BSPGCL through the Allotment Order(168.49 Ha out of which 78.91 Ha Government Land, 89.58 Ha Private Land and Nil Forest Land).Thereafter O/o NA vide letter dated 10.04.2017 informed the Allottee that the Mining Lease area and geological block boundary may or may not be co-terminus and thus, there may not be any requirement for amendment to the Allotment Order.</p> <p>8. Further, land schedule was provided by M/s TVNL on 29.05.2017 after intervention of MoC. However, it is to be noted that the land schedule of 70.23 Ha. private land was still not provided. It is also to mention that with great efforts, the requisite land schedule was verified by the Circle Officer, Barkagaon, Hazaribagh and the same was sent to AC, Hazaribagh vide letter dated 29.06.2017.</p> <p>9. Subsequently, DMO, Hazaribagh vide letter dated 07.08.2017 requested for submission of Mining Plan for 168.49 Ha land only as vested vide the Allotment Order.</p> <p>10. Further, on 11.01.2018, BSPGCL raised the aforesaid issue(s) in the first meeting of the Monitoring Committee. In the meeting, Jharkhand authorities were directed to grant Mining Lease in accordance with the Geological block boundary area and</p>		
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	<p>the approved Mining Plan. In response thereto, State Government of Jharkhand stated that the proposal for Previous Approval of the Central Government for grant of Mining Lease shall be sent to MoC within two weeks as well as the State Government of Jharkhand was directed to arrange for the CA land which shall enable BSPGCL to obtain FC Stage II. However, the issue is still pending with the State Government of Jharkhand.</p> <p>11. Further, in compliance of directions issued during the above-mentioned meeting of Monitoring Committee, BSPGCL attended the meeting chaired by Commissioner, Mines wherein BSPGCL has been directed to submit the Mining Plan afresh for 327 Ha land and Mining Lease for same area.</p> <p>12. In view of the foregoing factual narration, it can be gleaned that BSPGCL has been placed in a situation where neither the complete information has been provided to BSPGCL nor any corrective measure has been taken by the relevant authorities to resolve the difficulties being faced by BSPGCL in obtaining the FC Stage-II as well as the Mining Lease inspite of continuous efforts of BSPGCL.</p>		
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Recommendation:

Surrender of the coal mine: The Allottee vide its letter dated 06.02.2018 has intimated that decision to surrender the Badam coal block is under consideration of Govt. of Bihar and after due approval, formal application for surrender will be submitted to MoC. A letter dated 23.02.2018 has been sent to BSPGCL intimating about the termination clause and other relevant terms & conditions of the Allotment.

In view of pending decision of Government of Bihar, no deliberation by the Committee was done.

4. Saharpur Jamarpani - Allottee- M/s UP Rajya Vidyut Utpadan Nigam Limited)

Allotment Date – 13th Aug, 2015.

Deviation from the Efficiency Parameters	Reply of Allottee to Show Cause Notice	Weightage assigned for appropriation (In %)	Observation of the Committee
<p>1. Not obtaining the Prospecting License (Due Date- 13.12.2015)</p>	<p>1. PL issued to prior allottee i.e. M/s DVC was vested to M/s UPRVUNL vide Allotment order dated 13.08.2015.</p> <p>2. UPRVUNL submitted application for transfer of PL to DMO Dumka on date 17.08.2015.</p> <p>3. Further, CMPDI vide letter dated 28.09.2015 provided a block boundary map. Co-ordinate mentioned in this block boundary map was not matching with the co-ordinates mentioned in allotment order as well as co-ordinates mentioned in regional exploration report provided by geological survey of India. Area mentioned in the Map provided M/s CMPDI was 8.06 sq. km² while area mentioned in prospecting license issued to prior allottee M/s DVC was 11.027 km².</p> <p>4. Deputy Director (Mines) Ranchi verbally informed on date 27.10.2015 that PL issued earlier to M/s DVC cannot be transferred and fresh application has to be filed. As such, fresh application for issue of PL for 11.027 Sq kms was submitted by UPRVUNL to DMO Dumka on 20.11.2015. Further the additional documents desired by DMO, Dumka were submitted on 11.01.2016. The fresh application for PL was forwarded by DMO, Dumka to Director (Mines), Ranchi on 18.01.2016.</p> <p>5. Director (Mines) raised certain short-comings in the documents viz. signature of CO, Shikaripara, DMO & DC Dumka were missing in certain documents. Director (Mines) sent the documents back to DC, Dumka for removal of these short-comings by post on date 03.03.2016. DMO Dumka asked CO Shikaripara to verify the lad records as asked by Director (Mines) on date 10.03.2016.</p>	<p>5</p>	<p>PL issued to prior allottee i.e. M/s DVC was vested to M/s UPRVUNL vide Allotment order dated 13.08.2015.</p> <p>Subsequently, the block boundary area was revised from 11.02 sq. km 15 sq. km approx by M/s CMPDIL which was confirmed on 12.04.2016. Accordingly, Commissioner (Mines), Jharkhand instructed UPRVUNL vide letter dated 02.08.2016 to apply as fresh Prospecting License for 15 sq.km area in accordance with boundary map certified by M/s CMPDIL. Accordingly UPRVUNL applied for fresh PL for 15.00 sq.km to DMO Dumka on 11.01.2017.</p> <p>Subsequent to revision of block boundary area from 11.02 sq. km 15 sq. km by CMPDIL on 12.04.2016, the Allottee applied for PL only on 11.01.2017. As such,</p>

	<p>6. In this regard, vide this office's letter dated 06.05.2016, Secretary(Mines), Govt. of Jharkhand has been requested to expedite the issuance of PL for Saharpur Jamarpani coal mine. Also a letter dated 12.09.2016 has been send to Director(Mines), Deptt. of Mines & Geology, Govt of Jharkhand for issuance of PL, as applied by the allottee.</p> <p>7. Subsequently, the block boundary area was revised from 11.02 sq. km 15 sq. km approx by M/s CMPDIL which was confirmed on 12.04.2016. Accordingly, Commissioner (Mines), Jharkhand instructed UPRVUNL vide letter dated 02.08.2016 to apply as fresh Prospecting License for 15 sq.km area in accordance with boundary map approved by M/s CMPDIL.</p> <p>8. Accordingly UPRVUNL applied for fresh PL for 15.00 sq.km to DMO Dumka on 11.01.2017. The said application was forwarded to Director (Mines), Jharkhand for consideration by Deputy Commissioner, Dumka on 03.03.2017.</p> <p>9. The GoJ has sent the proposal to MoC for grant of prior approval of MoC on 12.07.2017. MoC vide its letter dated 27.11.2017 has returned the same to GoJ for comments as to why another proposal for grant of previous approval for PL has been sent to MoC when the same was issued earlier to the prior allottee. As directed by Secretary(Coal) in the Review meeting held on 02.06.2017, CMPDIL has been advised to take up the task of Exploration and GR preparation. Accordingly, a letter dated 30.06.2017 has been send to CMD, CMPDIL requesting to take up the said task. However, M/s PFCCL has been appointed as consultant on 14.12.2017.As per terms of agreement, exploration work and GR is to be completed in 36 months from 01.01.2018.</p>		<p>relaxation upto 02.12.2015 may be given to the Allottee. However, even if 12.04.2016 is taken as Zero Date, the Allottee was unable to obtain Prospecting License within four months i.e. within the time prescribed as per Efficiency Parameters). Since, User Agency did not submitted approved boundary plan of the CMPDIL and PL application accordingly in time, hence, PL could not be granted on time.</p> <p>Hence in the present case, action for non compliance may be taken as per Allotment Agreement.</p>
<p>2. Delay in "completion of Exploration and preparation of GR"</p>	<p>1. Immediately after the allotment agreement was signed on 30.03.2015, UPRVUNL requested M/s Geological Society of India Dehradun (GSI), M/s MECL, M/s CMPDIL to submit offer for exploratory drilling work. M/s GSI and M/s MECL did not respond. M/s CMPDI vide letter dated</p>	<p>5</p>	<p>The Allottee has stated that it was not able to engage the agency for doing drilling and exploration work due to law and order problem.</p>

<p>(Due Date- 13.06.17)</p>	<p>11.05.2015 informed that “however the present law and order situation in Dumka district is not conducive for taking up drilling operations. CMPDI had outsourced number of coal blocks in Dumka district in the last four years for drilling but the same could not be completed in any of the Blocks due to prevailing law and order situation. Keeping in view the above, it would not be possible for us to take up detailed exploration in Saharpur Jamarpani Coal Block at present. However, if law and order situation improves in Dumka District, We may be able to take up the assignment.” and refused to submit the offer.</p> <p>2. However M/s CMPDI vide letter dated 20.05.2015 agreed to provide all services except drilling/exploration at the site and was appointed for consultancy and supervisory work for preparation of GR vide LOI dated 22.08.2015.</p> <p>3. Open tender was floated on 06.11.2015 for exploratory drilling work of this coal block for 11.02 sq.km area. After three time extension, 3 bids were received. M/s CMPDI informed that it has outsourced exploratory drilling work to LI bidder M/s South West Pinnacle Gurgaon but the firm was not able to start the drilling work even after the passage of ne year. Also LI bidder M/s South West Pinnacle Gurgaon was reluctant in negotiation with M/s UPRVUNL to reduce quoted rates. Due to these reason tender was dropped.</p> <p>4. Further, after the revision of block boundary of this coal block from 11.027 sq.km to 15 sq.km, open tender was again floated on 08.08.2016. After three times extension sole bidder M/s Thriveni Earthmovers Private Limited, Salem Tamil Naidu participated. M/s Thriveni Earthmovers Private Limited, Salem Tamil Naidu did not participated in negotiation meeting and refused to extend the validity of the bid. Therefore this tender was dropped.</p> <p>5. Also, M/s SCCL verbally refused to provide its offer and informed that “Detailed Exploration and Preparation of Geological Report (GR)” work was awarded to them by M/s DVC prior allottee of this coal block but</p>	<p>Since, grant of PL is still pending due to non-submission of Forest Permission, hence delay is absolutely on the part of User Agency. Further, there is no problem of law and order as such.</p> <p>Hence in the present case, action for non compliance may be taken as per Allotment Agreement.</p>
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	<p>exploration work couldn't be started due to local disturbance and later on work was abandoned by M/s SCCL".</p> <p>6. M/s CMPDI has once again on 27.04.2017 refused to take up detailed exploration work and has informed that "there is no change of situation above. As such, it not possible to take up detailed exploration work at present, as requested."</p> <p>7. Thereafter, Secretary (Coal) in the Review meeting held on 02.06.2017 directed CMPDIL to take up the task of Exploration and GR preparation. Accordingly, a letter dated 30.06.2017 has been send to CMD, CMPDIL requesting to take up the said task.</p> <p>8. Subsequently a meeting between M/s CMPDI and M/s UPRVUNL was held on 06.07.2017 (Annexure-9) at CMPDIL (HQ), Ranchi to discuss the issue. It was decided in the meeting that prior to submitting any offer, the work order dated 20.08.2015 already issued to CMPDIL for carrying out supervision work of drilling needs to be cancelled and any outstanding dues pending with M/s UPRVUNL is to be settled.</p> <p>It was also highlighted that since CMPDIL, till date, is unable to carry out drilling either through its own resources or through outsourcing in Dumka district of Rajmahal coalfields due to complex law and order issue the UPRVUNL will have to provide safe passage to the drilling agency deployed by CMPDIL for carrying out smith operation. The other statutory clearance viz. forest and permission under section 4(1) of the CBA Act. also needs to be provided by UPRVUNL prior to start of the drilling in the area.</p> <p>9. However, M/s PFCCL has now been appointed as consultant on 14.12.2017.As per terms of agreement, exploration work and GR is to be completed in 36 months from 01.01.2018.</p> <p>10. In the first meeting of the Monitoring Committee held on 11.01.2018, Secretary(Coal) directed GoJ to expedite the grant of PL. M/s UPRVUNL vide its letter dated 12.02.2018 has intimated that technical expertise of M/s PFCCL was ascertained before issuance of LOI.</p>		
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	11. GoJ vide its letter dated 15.03.2018 has issued LOI to M/s UPRVUNL for fulfillment of certain pre conditions for issuance of PL which are being complied with.		
3. Non compliance with Milestone of "Mining Lease application or Notification under Sec 7 of the CBA Act" (Due Date-13.09.17)	As of now even after the passing of 31 months UPRVUNL has not been granted Prospecting License from Jharkhand Government for reasons which are beyond the control of M/s UPRVUNL as already explained. As such, ML application could not be complied with.	7	Question of Mining Lease does not arise at this stage as first PL, GR has to be prepared by User Agency. Hence in the present case, action for non compliance may be taken as per Allotment Agreement.
4. Non compliance with Milestone of "Submission of Mining Plan" (Due Date- 13.12.2017)	As of now even after the passing of 31 months UPRVUNL has not been granted Prospecting License from Jharkhand Government for reasons which are beyond the control of M/s UPRVUNL as already explained. As such. Mine Plan could not be submitted.	8	Question of Mine Plan submission does not arise at this stage as first PL, GR has to be prepared by User Agency. Hence in the present case, action for non-compliance may be taken as per Allotment Agreement.

Recommendation:

1. The Committee observed that since the block boundary area was revised from 11.02 sq. km 15 sq. km by CMPDIL on 12.04.2016, relaxation upto 12.04.2016 may be given to the Allottee. However, in the present case, the Allottee failed to obtain PL within four months i.e. within the prescribed time. As such, action may be taken as per terms of the Allotment Agreement.
2. With regard to delay in completion of Exploration and preparation of GR, ML application and submission of Mining Plan, since, grant of PL is still pending due to non-submission of Forest Permission, hence delay is absolutely on the part of User Agency. As such, relaxation may be given to the Allottee. Hence, action for non-compliance may be taken as per Allotment Agreement.

5. Sarisatolli- Successful Bidder- CESC Limited.

Allotment Date – 13th Aug, 2015.

Deviation from the Efficiency Parameters	Reply of Allottee to Show Cause Notice	Weightage assigned for appropriation (In %)	Observation of the Committee
<p>1. Non- submission of application for Land Mutation (Due Date- 01.05.2015)</p>	<ul style="list-style-type: none"> • Started mining operation on Apr 10, 2015 with due permission from CCO. • Mutation of land depends on obtaining the mining lease. • Application of mining lease was made on 28.03.2015 (No documentary evidence) . Consequent to this, GoWB had granted Deemed Mining Lease in favour of M/s CESC on 22.04.2015 (in terms of Section 8(10) of CMSP Act, 2015) and directed for the preparation of necessary documents, schedules etc for final execution of the mining lease. • Immediately, after the execution and registration of Mining Lease on 04.11.2015 and 06.02.2016 respectively, application for the mutation of land was on 11.03.2016. (no documentary evidence) . • The State Government thereafter issued the necessary order on 01.08.2016 directing BL&LRO to take steps for mutation of the land in favor of the SB. 	<p>12%</p>	<p>1. The Committee has asked the Successful Bidder to submit the documentary evidence in support of their claim that Mining lease was pre-requisite for application for mutation of land.</p> <p>2. The Successful bidder was also asked to submit the documentary evidence in respect of the application for mutation of land immediately after the execution of Mining Lease.</p>

2. Delay in submission of application for transfer of Explosives Licence (Due Date- 01.05.2015):	SB has stated that execution of Mining Lease is again a necessary condition prior to moving the said application and they applied for the transfer of Explosives License in favor of M/s CESC on 15.02.2016 i.e after the Execution of Mining Lease and registration of the same on 04.11.2016 & 06.02.2016 respectively. The appropriate authority granted the explosive license on May 13, 2016 and the delay in application and grant of explosive license was beyond the control of SB.	12%	3. The Committee has asked the Successful Bidder to submit the documentary evidence in support of their claim that Mining lease was pre-requisite for application for Explosives license.
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Recommendation:

As the member of the committee from the state Government was not present in the meeting, the committee is not in a position to arrive at suitable conclusion and recommends that a letter may be issued to state government for their comments over the requirement of Mining lease for application of land mutation and Explosives license.

6. Kathautia- Successful Bidder- Hindalco Industries Limited.

Vesting Date- 01.04.2015.

Deviation from the Efficiency Parameters	Reply of Allottee to Show Cause Notice	Weightage assigned for appropriation (In %)	Observation of the Committee
1. Delay in submission of application for Mutation of Land (Due Date- 01.05.2015)	<ul style="list-style-type: none"> 1. SB has stated that since the receipt of the Vesting Order, they were seeking clarification on the treatment and process of transfer for all vested land with and from revenue dept and Nodal officer in GoJ. SB has informed that on 19.05.2015 Secretary, MoC had issued a letter to Chief Secretary, GoJ regarding transfer of titles, transfer of statutory permissions, licenses & mutation of land and since there was a lack of clarity to them in said letter they had submitted a letter to DC, palamu on 22.05.2015 (no documentary evidence) regarding treatment and 	12%	It was submitted by the Successful Bidder that they had applied for the land mutation within the stipulated time. However, no documentary evidence in respect of same was submitted by Successful bidder.

	<p>transfer of vested land in their favor. The same was followed by many request letters.</p> <ul style="list-style-type: none"> • 2. State/District Administration did not provide any clarity and direction on the said transfers which caused delay beyond the control of SB. • 3. A request letter for transfer of vested land was again submitted to the Nodal Officer on 29.09.2015. Another letter was sent to Rev. Sec, GoJ on 30.09.15 regarding mutation and lease transfer of vested land. Subsequent letter was submitted on 19.11.15 to Rev Sec, GoJ. • 4. It was only after MoC's clarification to Chief Secretary, Jharkhand State regarding transfer/mutation of land and pursuant thereto, the GoJ issued guideline dated 26.11.2015 on transfer of vested land and accordingly the DC, Palamau released an office order on 4.12.2015 for the transfer and mutation of the land and appointment of DCLR as Govt. representative. • 5. It was in July, 2016 that the SB got the readiness from the government for registration of part of the private vested land. • SB has stated that they had made requisite applications as per the timeline and the delay was beyond their control. 		
<p>2. Delay in submission of application for DGMS permission (Due Date- 01.05.2015)</p>	<ul style="list-style-type: none"> • For filing of application for permission of DGMS, the execution of Mining Lease Deed is pre-requisite and mandatory. Since execution of mining lease was delayed due to the lack of clarity on financial assurance, Land schedule, other issues, the said application could not be made within time. • Further, SB has informed that they, vide letter dated 24.03.2015, had intimate DGMS about the vesting of Kathautia Coal Mine in the favor of M/s Hindalco and thereby requested the authority for incorporating name of the Company in records maintained by DGMS. (<i>letter of copy enclosed</i>). • SB has further informed that they had also submitted notice for 		<p>The successful has submitted the notice for change of ownership on 04.04.2015. i.e within the stipulated time.</p>

	<p>change of Ownership in prescribed format and Notice of appointment of statutory person vide their letter dated 04.04.2015 & 20.04.2015 respectively. (<i>copy enclosed</i>) .</p> <ul style="list-style-type: none"> • Further stated, that after the grant of Mining Lease and in anticipation of early Mine Lease execution , they had submitted the notice of Re-opening & transfer of exemption & permissions granted to Kathautia coal mine vide letter dated 14.07.2015 and 03.08.2015. SB has submitted supporting documents along with the letter. 		
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Recommendation:

1. As no documentary evidence in respect of timely application of land mutation was submitted by Successful bidder, the Committee has asked the Successful Bidder to submit the documentary evidence in support of the same.
2. For application to DGMS , the successful Bidder has submitted the notice for change of ownership on 04.04.2015. i.e within the stipulated time, hence the show cause notice may be dropped.

7. Gare Palma IV/4- Successful Bidder- Hindalco Industries Limited.

Vesting Date- 01.04.2015.

Deviation from the Efficiency Parameters	Reply of Allottee to Show Cause Notice	Weightage assigned for appropriation (In %)	Observation of the Committee
1. Non submission of application for Mutation of Land (Due Date-	<ul style="list-style-type: none"> • Application for transfer of 20.21 Ha of leasehold land was made to GM, District Industrial Corporation, Raigarh and the Director, State Investment Promotion Board, Raipur on 28.04.2015 and 30.04.2015 respectively. (copy of the letters enclosed). 	<p>12%</p>	<p>The successful Bidder has submitted the application for land mutation on 28.04.2015 and 30.04.2015 and documentary</p>

<p>01.05.2015</p>	<ul style="list-style-type: none"> • 2. M/s Hindalco along with Jayswal Neco industries Ltd had submitted a joint application to collector, Raigarh vide letter dated 23rd April, 2015 for handling over/transfer of the surface rights in favour of SB.(letter enclosed). • 3. A MoU was signed between the prior allottee & M/s Hindalco on 2nd May 2015 whereby the payments/compensation were settled for acquiring surface rights of the land from collector Raigarh through SDM Gharghoda. Pursuant to the said MoU, the SB had submitted letter to the collector requesting to pass necessary order approving the transfer of surface right in favour of the company. • 4. Subsequently, Office of Collector, Raigarh sent a letter on 25th May 2015 to concerned departments, requesting to issue necessary guidelines for transfer of the surface rights over the land in favour of SB. 		<p>evidence in respect of same was also submitted by them in their reply to the show cause notice.</p>
<p>2. Application for transfer of Power Line was made on 05/05/2015. (copy enclosed)</p>	<ul style="list-style-type: none"> • SB had informed that they were informed by State Electricity Board that as per standard format, documents relating to Mining Lease Grant/Execution were required for transfer of ownership of LT and HT power connection. Since mining lease grant was delayed the transfer application was incomplete and CSPDCL vide their letter dated 07.05.2015 asked M/s Hindalco to submit requisite documents and M/s Hindalco vide letter 13.05.2015 submitted all the documents available with them. (copy of letter enclosed) • SB has further informed that CSPDCL vide letter dated 20.05.2015 and 18.06.2015 asked for the remaining documents including the lease transfer deed. State government took a long time to grant the mining lease. It has been further stated by SB that after the grant of Mining Lease on 24.07.2015, they applied for the transfer of ownership of the power line in requisite format on 28.07.2015. Mining Lease was granted on 16.10.2015. The CSPDCL transferred the ownership of LT power line to HIL on 5.8.2015 and HT power 		<p>The Successful has submitted that they are using DG sets for power supply at mine, hence power line is not required . Accordingly, they have not applied for the transfer of power line</p>

	<p>connection on 20.11.2015.</p> <ul style="list-style-type: none"> • SB has stated that they had made requisite applications as per the timeline and the delay was beyond their control. 		
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Recommendation:

1. Keeping in view the submissions of the Successful Bidder and presentations made before the committee after receipt and verification of the documentary evidence by the o/o of Nominated Authority, the committee is of opinion that show cause notices for the above deviation may be considered infructuous.

8. Sial Ghogri - Successful Bidder- Reliance Cement Company Private limited .

Vesting Date- 01.04.2015.

Deviation from the Efficiency Parameters	Reply of Allottee to Show Cause Notice	Weightage assigned for appropriation (In %)	Observation of the Committee
1. Delay in submission of application for transfer of DGMS Permission (Due Date- 01.05.2015)	<ul style="list-style-type: none"> • Before the RCCPL got the possession order for mine and prior allottee had also issued closer notice, the re-opening of said mine required a subsisting mining lease otherwise it would be treated as illegal mining. • Application for the mining lease was made on time i.e. 27.03.2015 but GoMP could not process their application for various discrepancies in the vesting order. (copy of letter enclosed) • After the two amendment in Vesting Order on 02.06.2015 and 24.07.2015, M/s RCCPL was granted Mining Lease on 20.08.2015 (copy of letter enclosed). SB has stated that they had submitted notice for re-opening of mine within 4 days i.e on 24.08.2015 after the grant of Mining Lease (copy enclosed) . 	12%	The Committee observed that Vesting Orders has been revised twice with final revision on 24.07.2015. Hence, Zero date may be revised as 24.07.2018.

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Recommendation:

1. As per presentations made before the committee the Successful Bidder has applied for application for DGMS on 24.08.2015 i.e within one month of revised Zero date (24.07.2018), hence the successful bidder is in compliance with the stipulated timelines for applications (one month). Accordingly, the committee recommends that the show cause notice may be dropped .

9. Talabira I - Successful Bidder- GMR Chhattisgarh Energy Limited .

Vesting Date- 01.04.2015.

Deviation from the Efficiency Parameters	Reply of Allottee to Show Cause Notice	Weightage assigned for appropriation (In %)	Observation of the Committee
1. Delay in submission of application for transfer of Ground Water Clearance (Due Date- 01.05.2015):	<ul style="list-style-type: none"> • No letter no. and date of grant of Ground Water Clearance which was earlier granted to prior allottee has been mentioned in Vesting order. • Further in a letter by prior allottee (along with a table permits /License/Permissions/Approvals held by prior allottee) i.e. M/s Hindalco addressed to CMPDIL, which was provided to them during bidding as part of mine dossier, there is no mention of any approval from CGWB with respect to Talabira-1. (copy enclosed) • Said approval from CGWB was not applied by Hindalco for Talabira-1 as the surface & ground water requirements were much less than minimum limit set by CGWB for which approval is mandatory. • Since, the prior allottee did not hold any such clearance, application for transfer of such approval does not arise. 	12%	The successful bidder has submitted that Ground water Clearance was not obtained by the prior allottee and the same was not vested to them in Vesting order. Hence question of the application for transfer of same does not arise.
2. Delay in submission of application for transfer of Power	<ul style="list-style-type: none"> • SB were advised by WESCO to get a NOC from Hindalco for transfer of the Transformer in the name of M/s GCEL. • SB further informed that they had approached M/s Hindalco immediately but till date it has not responded. Thus, anticipating 		The Committee asked the Successful bidder to submit the documentary evidence in support of requirement by WESCO of NOC

Line (Due Date-01.05.2015):	further delay, M/s GCEL filed an application to WESCO on 29.05.2015 and again on 20.06.2015 (copy of letter enclosed) .		from the prior allottee for application for transfer of prior allottee.
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Recommendation:

1. The Committee recommends that as the Ground Water clearance was not obtained by the prior allottee , hence the application for transfer of same could not be submitted. As such, this may be considered as a fresh application and timeline accordingly assigned and monitored.
2. For application for transfer of power line, the Committee has asked the Successful Bidder to submit the documentary evidence in support of their claim.

10. Chotia - Successful Bidder- Bharat Aluminum Company Limited.

Vesting Date- 01.04.2015.

Deviation from the Efficiency Parameters	Reply of Allottee to Show Cause Notice	Weightage assigned for appropriation (In %)	Observation of the Committee
1. Non submission of application for Mutation of Land (Due Date-01.05.2015)	<ul style="list-style-type: none"> • Application for land mutation was made on 30.03.2015. (copy enclosed) • SB further informed that they had re-submitted their request for land mutation for 30.454 Ha on 20.06.2015 and for 5.304 Ha on 28.07.2015 (copy enclosed) and consequent to this land was mutated in favor of M/s BALCO on 04.08.2015 and 21.09.2015 respectively. • Subsequently, a notice from office of Tehsildar, Pasan to present the case and mutation done earlier was proposed to be cancelled. (copy of letter dated 27.11.2015 enclosed). • M/s BALCO vide their letter dated 03.12.2015 (copy enclosed) has indicated their agreement for payment of stamp duty but Naib Tehsildar vide letter dated 18.03.2016 had cancelled mutation of land citing various reasons. (copy enclosed) • SB vide their letter dated 26.04.2016 had requested SDM, Podi Uproda for the issuance of demand note for mutation of land. SB has enclosed supporting documents along with letter. (Documents enclosed) 	12%	The successful Bidder has submitted the application for land mutation on 30.03.2015 and documentary evidence in respect of same was also submitted by them in their reply to the show cause notice.

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Recommendation:

1. Keeping in view the submissions of the Successful Bidder and based on the presentation made before the committee it was opined, that show cause notices for the above deviation may be considered infructuous.

11. Bicharpur - Successful Bidder- Ultratech Cement Limited .

Vesting Date- 01.04.2015.

Deviation from the Efficiency Parameters	Reply of Allottee to Show Cause Notice	Weightage assigned for appropriation (In %)	Observation of the Committee
<p>1. Non- submission of application for Consent to Operate (Due Date- 01.05.2015):</p>	<ul style="list-style-type: none"> • Application for transfer of <i>Consent to Establish</i> was made on 01.04.2015. (no documentary evidence) . • Again a fresh application of same on 25.06.2015 as they were informed by MPPCB (on 11.06.2015) to make fresh application for CTE. On 24.07.2015, MPPCB issued fresh CTE in favour of M/s Ultratech.(no documentary evidence) • In the CTE it was mentioned company may apply for the Consent to Operate at least two months in advance of commencement of operation. • As the substantial part of Bicharpur Coal Mine project was at developing stage, they couldn't apply for the Consent to Operate. • (It may kind be noted that SB has submitted in its pre commencement report that there was a delay in execution of Mining Lease i.e 30.09.2015 due to issue of stamp duty calculation. MoP was granted 10.3.2016. The present status of Consent to operate still has not been provided to NA office) 	<p>12%</p>	<p>The Successful Bidder has submitted that in CTE it was mentioned that company may apply for the Consent to Operate at least two months in advance of commencement of operation. Further the mine opening permission was granted late i.e 10.03.2016 due to the delay in communication of calculation of stamp duty by state government. The Successful Bidder is yet to apply for CTO. Mine Opening Permission has been granted on 10.03.2016 for sinking of shaft and drivage of inclines at Bicharpur coal mine. No regular permission has been granted.</p>

Recommendation:

1. The committee has asked the Successful Bidder to submit the copy of CTE in support of their claim that the application for CTO is to be made two months in advance of commencement of production and the committee will take decision subsequently. However, prima facie it appears that the Successful Bidder has defaulted in timely application for CTO.

12. Marki Mangli I – Successful Bidder- Topworth Urja & Metals Limited

Due to paucity of time it could not be deliberated before the committee.

Annexure I

LIST OF PARTICIPANTS

A. LIST OF MEMBERS

S. No.	Name	Designation	Organization
1.	Shri Om Prakash	Chairman, Professor, IIT ISM, Dhanbad	IIT, ISM, Dhanbad
2.	Shri N K Singh	Member Convenor & Dy. Secretary to the Government of India	Ministry of Coal
3.	Shri Anurag Diwan	Director	Govt. of Chhattisgarh
4.	Shri Arun Kumar	Member & l/c Coal	DIGM Govt. of Jharkhand
5.	Shri A K Rana	Member & GM, UMD, CMPDIL	CMPDIL
6.	Dr. Sujoy Majumder	Member & OSD (Mining & RM)	Coal Controller Organization
7.	B.R.V. Susheel Kumar	Director	State Govt. of Telangana
8.	Subhakanta Mishra	Additional Secretary	State Govt. of Odisha

S.No.	Name (S/Sri)	Designation	Company/Ministry
1	Shyam Wardhane	Director	MAHAGENCO
2	H.N. Baxi	Ex. Director	Gujarat State Electricity Corp. Ltd.
3	H.D. Joshi	Chief Engineer	
4	C.G. Parekh	Superintendent Engr. (Fuel)	
5	V.K. Sinha	Advisor (Mines)	
6	Rajeev Kumar Singh	EEE	Bihar State Power Generation Corporation Limited
7	Shwetabh Verma	Sr. Manager	PFC Consulting Ltd.
8	Masroor Mian	RO	UP Rajya Vidyut Utpadan Nigam Ltd.
9	V.P. Katiyar	CE	
10	D.V. Singh	EE	
11	Bijesh Jha	Head Mining	Hindalco Industries Limited
12	Shouvik Majumdar	VP	
13	Basudev Gangopadhyay	GM	
14	P. Samanta	AVP	
15	Bala jee	Acad. Stratasys	GMR Chhattisgarh Energy Limited
16	MolayMoitra	AGM	
17	Rajesh Tiwari	VP	
18	BCK Reddy	AVP	
19	Debapriyo Sen	Manager (Finance)	CESC Limited
20	Sandeep Jain	AVP	Reliance Cement Co. Private Ltd.

21	Ajit Ostwal	Sr. VP (Mines)	UltraTech Cement Limited
22	Syed Khadry	VP (Mines)	

B. List of Successful Bidders/Allottees