

No.NA-104/5/2019-NA-Part(1)
Government of India
Ministry of Coal
O/o Nominated Authority

Shastri Bhawan, New Delhi – 110001
Dated : 30th September, 2022

ORDER

Subject: The Coal Mines (Special Provision) Act, 2015 and Hon'ble High Court of Delhi, judgment dated March 09, 2017 - Valuation of compensation towards Land (867.329 Ha) payable M/s Bhushan Power & Steel Limited (Formerly M/s Bhushan Limited) as prior allottee of Jamkhani coal mine.

In pursuance to order dated September 27, 2022, both the prior allottee M/s Bhushan Power & Steel Limited (Formerly M/s Bhushan Limited) and successful allottee M/s Vedanta Limited were called for virtual meeting on September 28, 2022 at 4.00 PM, to present their comments /objections, if any, on the determination made by Nominated Authority.

2. Accordingly, both prior allottee M/s. Bhushan Power & Steel Limited and successful allottee M/s Vedanta Limited attended the meeting and accepted the claim for compensation of Land acquired by IDCO on behalf of Bhushan Power & Steel Ltd. (867.329 Ha) for Jamkhani coal mine, as determined by Nominated Authority vide order September 27, 2022, which is reiterated in the tabular form "A" mentioned below.

Table 'A' Fig in 'INR'

Land Value (A) [867.329 Hectares deposited by IDCO]	Compensation payable to prior allottee M/s. Bhushan Power & Steel Limited
₹ 183,72,99,235.00	₹ 183,72,99,235.00

List of Participants who attend the above-mentioned meeting is enclosed as Annexure-II.

3. **IDCO Land**

Vide letter dated August 10, 2022, IDCO intimated that M/s. Vedanta Limited has deposited amounting to ₹ 183,72,99,235.00 for (867.329 Ha / Ac. 2143.17) i.e. for acquired private land measuring Ac.1462.17 & leased out Govt land measuring Ac.681.00 in four villages under Hemgiri Tahasil in the district of Sundargarh of Jamkhani Coal mine.

The said amount of ₹ 183,72,99,235.00/- (for IDCO Land, 867.329 Ha) has been credited to the account of the Nominated Authority on September 06, 2022.

4. **Other Land & Mine Infrastructure**

Details of Freehold private land of 69.853 Ha [46.308 Ha R&R land + 2.319 Ha Railway Siding + 17.754 Ha for road + 3.472 Ha of Township] submitted by M/s Bhushan Power & Steel Limited has been forwarded to Land valuer M/s Ravi Associates for valuation, for which the land valuation report is awaiting. In respect of mine infrastructure, M/s. Bhushan Power & Steel Ltd. has not furnished the requisite documents alongwith Statutory Auditor's certificate, hence, the compensation for mine infrastructure will be determined after receipt of relevant documents from prior allottee.

5. In view of above the compensation for land (867.329 Ha) acquired by IDCO on behalf of Bhushan Power & Steel Ltd. with respect to Jamkhani coal mine stands settled. **Compensation for other items (Balance land, Mine infrastructure, etc.) will be assessed separately.**

6. In accordance with Section 27 of the Act, it is open to M/s. Bhushan Power & Steel Ltd. and M/s. Vedanta Ltd. to raise disputes with regard to the quantum of compensation before the Tribunal constituted under the Coal Bearing Areas (Acquisition and Development) Act, 1957.

Enclosure as above:-
Order dated September 27, 2022


(M. NAGARAJU)

Additional Secretary & Nominated Authority

ANNEXURE-II

List of Participants during meeting dated 28.09.2022:

Sl.No.	Name and Designation
1.	Shri V. Srikanth, Chief Executive Officer (Mines), Vedanta Limited.
2.	Shri Himanshu Singh, Director Strategy, Vedanta Limited.
3.	Prahlad Rawat, CFO Mines Vedanta Limited.
4.	Chandan Bhartiya, Manager Strategy, Vedanta Limited.
5.	Shri Anil Kumar Singh, Director & President, Bhushan Power & Steel Ltd.
6.	Shri K.B Singh, Head administration, Bhushan Power & Steel Ltd.
7.	Shri Ashish Dash, Assistant Vice President, Bhushan Power & Steel Ltd.
8.	Shri Dhiraj Singh Karki, Sr. Executive, Bhushan Power & Steel Ltd.

To,

1. **(Prior Allottees)** Managing Director, M/s Bhushan Power & Steel Ltd., F Block, 1st Floor, International Trade Tower Nehru Place, New Delhi 110019 Email: kbsingh@jsw.in, dhiraj.karki@jsw.in
2. **(Successful Allottee)**, Shri Himanshu Singh, Director Strategy, M/s Vedanta limited, Core 63rd Floor Scope Complex 7, Lodhi Road, New Delhi 110003 Email: himanshu.singh2@vedanta.co.in
3. **Coal Controller's Organisation**, Ministry of Coal, SCOPE MINAR, 5th Floor, Core - II, Laxmi Nagar, Delhi - 110092
4. **Under Secretary** (P&S-II Section), Ministry of Coal.
5. **Sr. TD**, NIC: for uploading on the Website of Ministry of Coal.

Through Email/SPEED POST/Website of Ministry of Coal

File No NA-104/5/2019-NA-Part(1)

Government of India
Ministry of Coal
O/o Nominated Authority

Room No. 120, "F" Wing, Shastri Bhawan,
New Delhi – 110001, Dated: September 27, 2022

PROVISIONAL ORDER

Subject: Determination of compensation towards Land (measuring Ac.2143.17) payable M/s Bhushan Power & Steel Limited (Formerly M/s Bhushan Limited) as Prior Allottee of Jamkhani coal mine in terms of Coal Mines (Special Provision) Act, 2015 and in accordance with the judgment dated March 09, 2017 passed by Hon'ble High Court of Delhi – Reg.

Jamkhani coal mine was previously allotted to M/s Bhushan Power & Steel Limited (formerly M/s Bhushan Limited). After cancellation, the said block/mine was vested to M/s Vedanta Limited on February 10, 2020. In terms of provisions of the Coal Mines (Special Provisions) Act, 2015 [CMSP Act] and Rules framed there under to a total amount of **INR 17,95,19,268.00/-** (Rupees Seventeen Crore Ninety Five Lakh Nineteen Thousand Two Hundred and Sixty Eight Only) was sanctioned to the prior allottee vide sanction letter dated August 05, 2022 for the expenses related to Cost of Geological Report 'GR' and Cost of Consent 'CC' respectively, as mentioned in below table:-

Table 'A' Fig in 'INR'		
Geological Reports (A)	Cost of Consents (B)	Total C= (A+B)
4,33,00,000.00	13,62,19,268.00	17,95,19,268.00/-

GR and CC is in addition to and is separate from the compensation of land and mine infrastructure as provided under section 16 of the Act.

2. As recommended by Inter Ministerial Valuation Committee the office of the Nominated Authority requested Prior Allottee, M/s Bhushan Power & Steel Limited to submit information regarding land and mine infrastructure as per the revised format. Accordingly, M/s Bhushan Power & Steel Limited has submitted their claim of compensation for land.

3. Further a meeting was held on July 27.07.2022 for resolving the compensation of land pertaining to Jamkhani coal mine wherein the prior allottee and present allottee were also present. During meeting the following was informed:

- It was informed by M/s Bhushan Power & Steel Limited that they had deposited money to IDCO for the acquisition of land of Jamkhani coal mine for 975.627 hectares, out of which 862.918 hectares had been acquired by IDCO on their behalf before cancellation. Lease has been executed between IDCO and M/s Bhushan Power & Steel Limited for the said land admeasuring 862.918 hectares. In respect of balance 43.743 hectares of land, advance amount of Rs.3,48,58,867/- was paid to IDCO, however, IDCO could not acquire land on their behalf before cancellation. Further, in respect of leasehold land admeasuring 4.411 hectares for road, M/s Bhushan Power & Steel

Limited has deposited Rs.1,32,87,593/- with IDCO, however, IDCO could not acquire that land before cancellation.

- M/s. Bhushan Power & Steel Limited also submitted that they purchased Freehold private land of 69.853 Ha [46.308 Ha R&R land + 2.319 Ha Railway Siding + 17.754 Ha for road + 3.472 Ha of Township] which they are entitled to be compensated. In addition to that, M/s Bhushan Power & Steel Limited represented that they have paid Rs.50 crores as *ex-gratia* to LAO, Sundergarh, Odisha and Rs.4.19 crore as compensation to project displaced families which M/s. Vedanta Ltd. should compensate to them.
- M/s. Vedanta Ltd. intimated that subsequent to meeting taken by AS & NA on 04.03.2022, IDCO raised demand for 862.918 hectares of land and they have already paid more than Rs.183 crores to IDCO [for land acquired by IDCO + 12% interest till date of vesting of Jamkhani coal mine]. In respect of land which IDCO could not acquire before cancellation, they are ready to follow the present procedure applicable for land acquisition in Odisha. Further, representatives of M/s. Vedanta Ltd. submitted that they are willing to acquire the 69.853 Ha freehold private land purchased by M/s. Bhushan Power & Steel Limited provided that valuation for the said land by determined and communicated to them by the Nominated Authority.
- CGM, IDCO confirmed the acquisition of leasehold land as mentioned by M/s Bhushan Power & Steel Limited and amount paid for the same, Receipt of Rs.183 crores from M/s. Vedanta Ltd. and transfer of 862.918 hectares of land to M/s. Vedanta Ltd.

IDCO Land

Vide letter dated August 10, 2022 (IDCO intimated that M/s. Vedanta Limited has deposited amounting to ₹ 183,72,99,235.00 (Rupees One Hundred Eighty Three Crore Seventy Two Lakh Ninety Nine Thousand Two Hundred Thirty Five Only), which is cost of land as per lease deed executed with prior allottee by IDCO- Rs.87,75,72,420.00 + 12% simple interest, i.e. Rs.95,97,26,815.00 towards payment of compensation in respect of land measuring Ac.2143.17 (867.329 Hectares) i.e. for acquired private land measuring Ac.1462.17 & leased out Govt land measuring Ac.681.00 in four villages under Hemgiri Tahasil in the district of Sundargarh of Jamkhani Coal mine.

Other Land

Details of Freehold private land of 69.853 Ha [46.308 Ha R&R land + 2.319 Ha Railway Siding + 17.754 Ha for road + 3.472 Ha of Township] submitted by M/s Bhushan Power & Steel Limited has been forwarded to Land valuer M/s Ravi Associates for valuation, for which the land valuation report is awaiting.

3. Mine Infrastructure

Furthermore, M/s Bhushan Power & Steel Limited was directed to submit documents and annexure for valuation of mine Infrastructure, which is still awaiting.

4. In the view of the above, amount of compensation payable to prior allottee M/s Bhushan Power & Steel Limited (Formerly M/s. Bhushan Limited) pertaining to Land (867.329 Hectares) acquired by IDCO is determined as:

Table 'B' Fig in 'INR'

Land Value [867.329 Hectares deposited by IDCO]	Compensation payable to prior allottee M/s Bhushan Power & Steel Limited
₹ 183,72,99,235.00	₹ 183,72,99,235.00

5. The above determination of compensation is being made for Land acquired by IDCO and lease executed with prior allottee. Compensation for other items (Balance land, Mine infrastructure, etc.) will be assessed separately.

6. In case of any objections are raised by Prior Allottee, M/s Bhushan Power & Steel Limited (Formerly M/s Bhushan Limited) or by present allottee M/s. Vedanta Limited; an opportunity of hearing is given as per OM dated November 16, 2018. The same would be examined and further determination would be made. If required M/s Bhushan Power & Steel Limited and M/s. Vedanta Limited are hereby called upon to present their comments/objections if any on the above determination on **September 28th, 2022 at 04:00 P.M.**


[M. NAGARAJU]

Additional Secretary & Nominated Authority

Enclosure: Sanction letter dated August 05, 2022 pertaining to GR & CC

To,

- i. **(Prior Allottees)** Managing Director, M/s Bhushan Power & Steel Ltd., F Block, 1st Floor, International Trade Tower Nehru Place, New Delhi 110019 Email: kbsingh@jsw.in, dhiraj.karki@jsw.in
- ii. **Successful Allottee),** Shri Himanshu Singh, Director Strategy, M/s Vedanta limited, Core 63rd Floor Scope Complex 7, Lodhi Road, New Delhi 110003 Email: himanshu.singh2@vedanta.co.in
- iii. Under Secretary (P&S), Ministry Of Coal.