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F.No. NA-110/6/2017-NA
Government of India
Ministry of Coal
O/o Nominated Authority

Room No.120, 'F-Wing', Shastri Bhawan,
New Delhi, dated the 04.03.2020

OFFICE MEMORANDUM

Subject: 10th meeting of Scrutiny Committee to consider/examine the submissions/replies made by Successful Bidders/Allottees of the coal mines in respect of deviation from milestones/the scheduled production mentioned in the Mine Plan.

The undersigned is to refer to subject mentioned above and to forward herewith minutes (**Annexure-A**) of 10th meeting of Scrutiny Committee held on 05.02.2020 & 06.02.2020 at Scope Complex, New Delhi for information and further necessary action, if any.



[Manish Uniyal]

Under Secretary to the Government of India

Encl: As above.

To,

All the participants

Minutes of the 10th meeting of the Scrutiny Committee held on 05/06th February 2020 at Lodhi Road, New Delhi

List of participants is annexed at Annexure

The Deputy Secretary (NA) and Member Convener welcomed the Chairman and members of the Scrutiny Committee and apprised the members that this meeting has been convened to consider/examine the cases involving deviation from scheduled operationalization of coal mine in regard to 19 coal mines.

Show Cause Notices (SCNs) and replies received from the Successful Bidders/ Allottees (SB) were presented before the committee on a mine by mine basis and the representatives of the Allottees were requested to present their case before the Committee. Mine-wise discussions held are briefed as under:

Coal Mines considered by Committee on 05th & 6th February 2020.

1. Parsa East & Kanta Basan

Allottee- M/s Rajasthan Rajya Vidyut Utpadsan Nigam Limited

Allotment Date- 1st April, 2015

Show Cause Notice dated 09.07.2019 has been issued to Allottee for non-compliance with the production schedule as per the mine Plan, for FY 2017-18.

Scheduled Production	Actual Production
(In MT)	(In MT)
15	8.33

As per the reply dated 23.07.2019 submitted by Allottee the reasons for the non-compliance are as below.

1. Delay in grant of Environment Clearance
2. Lack of Railway Infrastructure
3. Constraint in coal evacuation through road
4. Revision of Mine Plan as per conditions stipulated by MoC

Deliberation of the Committee: The Chairman of the Committee observed that since M/s RRVUNL has gone to Court in matter of appropriation of Performance Bank Guarantee in respect of earlier Show Cause Notice issued for non-compliance with Production Schedule for FY 2015-16 and FY 2016-17, the Committee will be able to decide anything in the matter based on the outcome of the Court case. As such, the said matter may be put up before the Scrutiny Committee after the Court's decision in the matter.

2. Gare Palma IV/5

Successful Bidder - M/s Hindalco Industries Limited

Vesting Date- 01st April, 2015

Deviation from the Efficiency Parameters	Show Cause Notice Date	Reply of SB to Show Cause Notice	Weightage assigned for appropriation (In %)	Observation of the Committee
1. Mine Opening Permission (Due Date- 01.07.2015)	06.07.2018	1. Application for Mine opening Permission was submitted timely on 08.04.2015. 2. After more than 2 months, Coal Controller office vide its letter dated 18.06.2015 directed HIL to reapply for seam opening permission in separate format and sought further documents including	8	In the 09 th meeting of Scrutiny Committee, the Committee observed that the application was submitted timely by the Successful Bidder (SB). The office of Coal Controller after lapse of two months directed the SB to submit certain documents and hence the delay cannot be attributable to SB.

		<p>Mining Lease and DGMS Permission. HIL could not respond to the said request immediately since DGMS Permission and ML had still not been granted to HIL.</p> <p>3. Application for transfer of all the statutory clearances was submitted within timeline by M/s HIL. However, actual transfer of such clearances was not in HIL's hand and it was dependent upon various departments of the Central and State Government agencies. There was the procedural delay of various government departments which caused substantial delay in grant and/or transfer of such permissions to HIL.</p> <p>4. After grant of ML and DGMS Permission, HIL responded to CCO's request vide letter dated 22.08.2015.</p> <p>5. Subsequently, permission was granted on 23.11.2015.</p>		<p>The CCO should give its comments regarding advising the SB to submit documents after two months in new format. Further, it needs to be ascertained whether the SB had access to the new format as desired by CCO.</p>
				<p>Now, CCO vide its letter dated 31.01.2020 has submitted the following comments.</p> <p><i>"Office of CCO asked SB to submit copy of CMDPA on 7th May, 2015. After receiving CMDPA on 20th May, 2015 and going through the CMDPA as well as Vesting Order, it was decided by CCO that if the prior allocattee and successful bidder are not the same, then application for opening permission is to be made in the prescribed format of CCO along with requisite documents as to be obtained as per Annexures of vesting order of concerned block. Accordingly SB was asked to apply for opening permission in prescribed format on 18.06.2015. The permission was granted to HIL on 23.11.2015 after receiving copy of grant of ML and DGMS permission which was granted by DGMS on 30.10.2015 & received by CCO on 06.11.2015. Also these are prerequisites for grant of opening permission. After inspection of the mine by CCO field office, the permission was granted on 23.11.2015.</i></p> <p><i>SB was having access to the opening permission format as they applied earlier to CCO. However the format was modified after issuance of Mine Closure guidelines by MoC in 2013 and the company might not be aware about new format."</i></p> <p>However, it was stated by SB that the matter of</p>

				appropriation of PBG in respect of earlier Show Cause Notices is subjudice and as such no deliberation should be done.
2. Non compliance with Production Schedule for FY 2017-18 and FY 2018-19	03.12.2019	<p>1. PRC for Gare Palma IV/5 coal mine was achieved in FY 2016-17 and Hindalco Industries Limited (HIL) promptly sought to return the Performance Bank Guarantee (PBG). Despite the same, MoC has caused HIL to keep the PBG renewed since March 2017 under threat of termination.</p> <p>2. The issue with respect to return of PBG is currently sub judice before the Hon'ble High Court of Chhattisgarh at Bilaspur. Any action in furtherance of the Show Cause Notice while issue of return of PBG is sub- judice would amount to over reaching the proceedings pending before the Hon'ble High Court.</p> <p>3. Also, issuance of Show Cause Notice is illegal since as per clause 6.1.5 of the CMDPA, the Performance Security should remain valid untill such time when the Coal Mine achieves the PRC.</p>	20% for each FY	<p>The SB submitted that they have approached the Mines Tribunal at Bilaspur for refund of Performance Bank Guarantee appropriated vide order dated 26.04.2018 (<i>for Show Cause Notice dt. 03.07.2017</i>) and for return of PBG vide Civil Suit No. 59/2018. ASs such, no deliberation should be made in respect of Show Cause Notice dated 06.07.2018 and 03.12.2019.</p> <p>Since the SB has approached Court in matter of previous Show Cause Notice dated 03.07.2017 which was not being deliberated currently, the Committee directed the SB to submit clear documents which prove that the Show Cause notice dated 06.07.2018 and 03.12.2019 are also sub judice and cannot be deliberated upon by the Committee in terms of Court's/Tribunal's directions.</p>

3. Gare Palma IV/4

Successful Bidder - M/s Hindalco Industries Limited

Vesting Date- 01st April, 2015

Deviation from the Efficiency Parameters	Show Cause Notice Date	Reply of SB to Show Cause Notice	Weightage assigned for appropriation (In %)	Observation of the Committee
2. Noncompliance with Production Schedule for FY 2017-18 and FY 2018-19	03.12.2019	<p>1. PRC for Gare Palma IV/4 coal mine was achieved in FY 2016-17 pursuant to which the Performance Bank Guarantee (PBG) has been returned.</p> <p>2. Neither Clause 6.3 nor 10.3 of the CMDPA relied upon in the Show Cause Notice entitles MoC to recover any amount equal to appropriation of PBG.</p>	20% for each FY	The SB submitted that the matter is sub judice and may not be deliberated upon by the Committee. The Chairman of the Committee took note of the same and advised to wait for court's order on the said matter.

5. Chotia

Successful Bidder - M/s BALCO

Vesting Date- 01st April, 2015

- Show Cause Notice dated 03.12.2019 was issued to M/s BALCO for non-compliance with the below mentioned Milestones of Chotia Coal Mine.

Deviation from the Efficiency Parameters	Reply of SB to Show Cause Notice	Weightage assigned for appropriation (In %)	Observation of the Committee
1. Execution of Mining Lease Done on 09.07.2015 (Due Date- 01.07.2015)	1. Application for ML was submitted timely on 25.03.2015. 2. Govt. of Chhattisgarh issued a 5 point query which was replied by M/s BALCO on 30.03.2015. Subsequently, another query was raised by State Government on 01.04.2015 whose reply was submitted on 02.04.2015.	8	The committee observed lot of disparity with regard to date of Milestones. While the date of grant of ML was 09.07.2015, the ML deed was executed on 16.10.2015. Representative of CCO stated application for Mine Opening Permission was submitted on 21.10.2015 and after Mine inspection, the MOP was granted on 20.11.2015.
2. Mine Opening Permission Done on 20.11.2015 (Due Date- 01.07.2015)	3. Govt. of Chhattisgarh granted ML on 09.07.2015. After grant of ML, Mine opening Permission and Consent to Operate were transferred on 13.07.2015 and 10.07.2015.		The Chairman of the Committee directed the SB to give clear submission of all the dates along-with relevant documents, to ascertain the said delays.
3. Grant of Consent to Operate Done on 10.07.2015 (Due Date- 01.07.2015)	4. Transfer of Statutory licenses, permits, permissions, approvals or consent issued by the Central and State Government took more than 3 months' time and this delay was beyond the control of BALCO.		With regard to CTO, the Committee observed that application was submitted timely and the delay is only of 10 days. However, the final call pertaining to the same will be taken in the next meeting after examination of documents which the SB has submitted on 06.02.2020.

6. Sial Ghoghri
Successful Bidder- M/s RCCPL Private Limited
Allotment Date- 01st April, 2015

- Show Cause Notice dated 018.07.2018 was issued to M/s RCCPL Private Limited for non-compliance with the below mentioned Milestones of Sial Ghoghri Coal Mine.

Deviation from the Efficiency Parameters	Reply of SB to Show Cause Notice	Weightage assigned for appropriation (In %)	Observation of the Committee
1. Grant of Consent to Operate Done on 17.11.2015 (Due Date- 01.07.2015)	<p>1. Reliance Cement Company Pvt. Ltd. applied to the Regional Officer, Madhya Pradesh Pollution Control Board (MPPCB), Jabalpur on 27.03.2015 and also to The Member Secretary, Madhya Pradesh Pollution Control Board, Bhopal on 04.04.2015 for the transfer of existing mine opening permission granted to the prior Allottee well within prescribed time of 1 month from the vesting date.</p> <p>2. The Regional Officer, Jabalpur, vide his letter dated 15.04.2015 and Member Secretary, Bhopal, vide letter dated 29.04.2015 asked to submit certain documents which were submitted by RCCPL on 02.05.2015 and 06.05.2015. Also, RCCPL submitted the Mining Lease Grant Order on 21.08.2015 to the Madhya Pradesh Pollution Control Board, Jabalpur and Bhopal.</p> <p>3. Finally, MPPCB accepted the application on 02.10.2015 and asked for technical presentation on 15.10.2015.</p> <p>4. The Madhya Pradesh Pollution Control Board granted Consent to Operate on 17.11.2015.</p>	<p>8</p>	<p>It was observed that the application for CTO was submitted timely by SB on 27.03.2015. Thereafter, the SB was advised to submit certain documents including Mining Lease.</p> <p>The SB stated that they submitted that the Mining Lease grant order to MPPCB on 21.08.2015 sine there was delay in grant of ML due to correction in Vesting order in terms of village names and area of different category of land.</p> <p>The Chairman of the Committee advised the SB to submit chronology of events along-with supporting documents leading to delay in grant of ML.</p> <p>In this regard, reference is invited to the 6th meeting of the Scrutiny Committee held on 19.04.2018, wherein in the matter of deviation from Milestone of application for transfer of DGMS Permission issued vide Show Cause Notice dated 22.07.2016, the Committee had revised the Zero Date to 24.07.2015 i.e. the date of issuance of Corrigendum No. 02 to the Vesting order. However, the erstwhile dealing executive while issuance of Show Cause Notice dated 18.07.2018, which is under deliberation currently, had incorrectly stated the due date as</p>

		<p>01.07.2015 whereas it should be 24.10.2015 i.e. 3 months from revised Zero Date of 24.07.2015. However, even after considering the revised due date, the SB has defaulted for the said two Milestones under consideration.</p> <p>Also, as advised by the Chairman of the Committee, the SB has submitted the details of events leading to delay in grant of ML and issuance of Corrigendum to Vesting Order vide its letter dated 05.02.2020 and the matter will be taken up again the next meeting of the Scrutiny Committee for its recommendation.</p>
<p>2.Mine Opening Permission Done on 07.03.2016 (Due Date- 01.07.2015)</p>	<p>1. Application for Mine opening Permission was submitted on 18.04.2015.</p> <p>2. Coal Controller office vide its letter dated 10.07.2015 advised to submit fresh application in prescribed format along-with documents like Environment Clearance, Forest Clearance, DGMS Permission, Ground Water clearance, Mining Lease etc. As such fresh application along-with desired documents was submitted to CCO on 07.12.2015.</p> <p>3. Subsequently, Mine Opening Permission as granted on 07.03.2016.</p>	

2. Gare Palma Sector I

Allottee- M/s Gujarat State Electricity Corp. Limited

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
1.Non submission of Mining Plan (Due date was 14.03.2016):	<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</p>	8	<p>Representative of M/s GSECL stated that the entire process of operationalization of the coal mine got delayed due to issuance of Corrigendum to Allotment order on 17.02.2017 modifying the geographical co-ordinates of the coal mine.</p> <p>The Scrutiny Committee recorded that since the coordinates of the coal mine were modified, the Allottee could not proceed further with regard to obtaining various clearances. As such, the date of issuance of Corrigendum to Allotment order i.e. 17.02.2017 should be considered as the Zero Date for the said coal mine.</p> <p>Considering Zero Date as 17.02.2017, the revised Due Date for Mine Plan submission comes out to be 17.08.2017 (06 MONTHS) and since the Allottee had submitted its Mine plan</p>

	<p>opencast mining potential.</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. The eastern-side of Kelo River has a Coal Washery owned by Jindal and its dump area, and Residential colony,</p>		<p>to MoC firstly on 30.12.2016, there is no delay.</p>
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	<p>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.</p>		
	<p>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 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>	<p>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.</p> <p>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>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.</p>	8	<p>Considering Zero Date as 17.02.2017, the revised Due Date for Mine Plan Approval comes out to be 17.01.2018 (11 MONTHS) . However, the Mine Plan was approved on 11.04.2018 and hence Performance Bank Guarantee to the extent of 8% may be appropriated.</p>

	<p>Subsequently, the validity of RQP had expired, which was conveyed by MoC to CMPDIL on 02.05.2017.</p> <p>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.</p> <p>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>		
<p>3. Non submission of application for Previous approval (Due Date- 14.09.2016)</p>	<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</p>	6	<p>The Committee observed that the said delay may be attributable to the State Government. As such, the State Government of Chhattisgarh should verify with all facts and revert back to the office of the Nominated Authority. In case the reasons for delay are on bona fide ground, the Committee will take a call.</p> <p>Considering Zero Date as 17.02.2017, the revised Due Date for Previous Approval Application comes out to be 17.02.2018 (12 MONTHS) . State Government of Chhattisgarh had forward the Previous Approval proposal to MoC on 30.11.2017. As such, there is no delay.</p>

4. Delay in Grant of Previous Approval (Due Date- 14.10.2016)	<p>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>	5	<p>The Committee observed that the said delay is no more relevant since M/s GSECL is now going for Land Acquisition under CBA Act 2015.</p>
	<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 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</p>		<p>Considering Zero Date as 17.02.2017, the revised Due Date for Grant of Previous Approval comes out to be 17.03.2018(13 MONTHS).</p> <p>It was noted by the Committee that the said clearance is not required anymore since M/s GSECL subsequently decided to go for Land Acquisition under CBA Act wherein application under Sec 3 was submitted on 14.09.2017. However, this decision was taken subsequent to issuance of Show Cause Notice dt. 22.03.2017 for the same. As such, Performance Security of 5% may be appropriated.</p>

	<p>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>		
<p>5. Late submission of FC application on 30.11.2016 (Due Date- 14.08.2016)</p>	<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	<p>Considering Zero Date as 17.02.2017, the revised Due Date for application of Forest Clearance comes out to be 17.01.2018 (11 MONTHS). Since FC application was done on 30.11.2016, there is no delay.</p>

6. Late submission of EC application i.e. on 30.11.2016(Due Date.- 14.08.2016)	<p>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 available based on survey undertaken by consultant M/s Greencindia.</p>	<p>8</p>	<p>Considering Zero Date as 17.02.2017, the revised Due Date for application of Environment Clearance comes out to be 17.01.2018 (11 MONTHS). Since EC application was done on 30.11.2016, there is no delay.</p>
	<p>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>		
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>Considering Zero Date as 17.02.2017, the revised Due Date for obtaining Forest Clearance comes out to be 17.11.2018 (21 MONTHS). Since FC is still pending, Performance Security to the extent of 5% may be appropriated.</p>
8. Delay in grant of EC (Due Date-	<p>1. Environment Clearance Application (Form-I) (Application for ToR) uploaded on e-Portal of MoEF on</p>	<p>5</p>	<p>Considering Zero Date as 17.02.2017, the revised Due Date for obtaining Environment</p>

14.06.17)	<p>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>Clearance comes out to be 17.11.2018(21 MONTHS). Since EC is still pending, Performance Security to the extent of 5% may be appropriated.</p>
<p>9.Delay in Grant of ML or Notification under Sec 11 of the CBA Act (Due Date- 14.09.2017)</p>	<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 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.</p> <p>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</p>	5	<p>Considering Zero Date as 17.02.2017, the revised Due Date for "Grant of ML or Notification under Sec 11 of the CBA Act" comes out to be 17.02.2019 (24 MONTHS). Since the said Milestone is still pending, Performance Security to the extent of 5% may be appropriated.</p>

	<p>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.</p>		
	<p>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:</p> <ul style="list-style-type: none"> • 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. 		
	<ul style="list-style-type: none"> • 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. 		
	<ul style="list-style-type: none"> • 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. 		

	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 area of Mining.		
10. Delay in Land Acquisition(Due Date- 14.03.2019)	Non availability of details of Gare Palma Sector I Block boundary and land Schedule from Collector Office, 1. Non availability of details of Gare Palma Sector I Block boundary and land Schedule from Collector Office, Raigarh.	5	Considering Zero Date as 17.02.2017, the revised Due Date for "Land Acquisition" comes out to be 17.08.2020 (42 MONTHS) which is yet to come. Hence, Show Cause for said Milestone may be negated.
11. Delay in opening of Escrow Account (Due Date- 13.04.2019)	2. Delay in submitting "Previous Approval application", obtaining "Previous Approval" and decision for Land Acquisition under CBA Act.	8	Considering Zero Date as 17.02.2017, the revised Due Date for "opening of Escrow Account" comes out to be 17.09.2020 (43 MONTHS) which is yet to come. Hence, Show Cause for said Milestone may be negated.
12. Delay in application of Mine opening (Due Date- 13.04.2019)	3. Delay in deciding for eviction of existing structures.	2	Considering Zero Date as 17.02.2017, the revised Due Date for "Application of Mine opening" comes out to be 17.09.2020(43 MONTHS) which is yet to come. Hence, Show Cause for said Milestone may be negated.
13. Delay in grant of Mine Opening Permission (Due Date- 13.05.2019)	4. Delay in publication of notification under Section 4(i) of the CBA Act.	2	Considering Zero Date as 17.02.2017, the revised Due Date for "Grant of Mine Opening Permission" comes out to be 17.10.2020 (44 MONTHS) which is yet to come. Hence, Show Cause for said Milestone may be negated.

3. Gare Palma Sector III

Allottee- M/s Chhattisgarh State Power Generation C Limited

Allotment Date- 14th Sept, 2015

Deviation from the Efficiency Parameters	Reply of Allottee to Show Cause Notice	Weightage assigned for appropriation (%)	Observation of the Committee
1. Application for Environment Clearance Done on 23.09.2016 (Due Date- 14.08.2016)	<p>1. Application for transfer of EC (granted earlier to prior allottee) in name of CSPGCL was made to MoEF & CC on 23.09.2015 which is well before the due date. The said request was followed up by CSPGCL vide repeated reminders well before the timeline. Thus the Show Cause Notice incorrectly states that application for EC was made on 23.09.2016.</p> <p>2. Also, MoC vide its letter 13.10.2015 had notified regarding change of geographical coordinates of all the Gare Palma coal mines.</p> <p>3. Corrigendum to the Allotment order modifying the Geographical coordinates was issued by MoC on 22.08.2016.</p>	8	<p>It was observed that M/s CSPGCL had applied to MoEF & CC for transfer of EC vested to them, vide letter dated 23.09.2015. As such, the said Show Cause Notice wrongly stated that EC application was made on 23.09.2016.</p> <p>Hence, the said Show Cause may be dropped.</p>

4. Gourangdih ABC

Allottee- M/s West Bengal Mineral Development & Trading Corporation Limited

Allotment Date- 29th Sept, 2016

Deviation from the Efficiency Parameters	Reply of Allottee to Show Cause Notice(s)	Weightage (In %)	Observation of the Committee in the meeting held on 13.12.2019	Observation of the Committee
1. Delay in Grant of Previous Approval (Due date- 29.10.2017)	<p>Show cause issued on 19.03.2018 and the reply was submitted by the Allottee on <u>28.03.2018</u></p> <p>Actual date of achievement of this Milestone: 12.01.2018</p> <p>The application for Previous Approval was made by GoWB on 05.06.2017 which was more than three months ahead of milestone. As per the milestone, MoC, GOI is required to issue Previous Approval within 1(one) month of receiving GoWB recommendation, however it is delayed by 76 days. It is evident that the delay was not caused at the level of WBMDTCL. Had the 'previous approval' been received from MoC, GoI even within 30 days of date of GoWBs submission of the last document (Form K) on 21.09.2017, it would have still been within the time limit of 28.10.2017". In view of the reason quoted above as given by the Allottee, they have requested to condone the alleged slippage in achieving the milestone of 'Previous Approval.</p>	5	<p>The Committee observed that the said delay as indicated in the reply of show cause by the Allottee is not attributable to them. The committee advised the office of NA to obtain comments from the concerned dept. of MoC, GOI and submit the same in the next meeting of the committee for framing recommendations.</p>	<p>The Committee observed that the relevant documents in support of the delay indicated in the reply of show cause has not been furnished. The office of NA was advised to submit the documents in support of the reply of the show cause as was advised in the meeting held on 13.12.2019</p>

2. Delay in grant of FC (Due date- 29.06.2018)	<p>Show cause issued on 13.09.2018 for the above milestones and the reply was submitted by the Allottee on <u>27.09.2018</u></p> <p>Delay in grant of Forest Clearance:</p>	<p>5</p>	<p>The Committee observed that a lot of latest updates have been made with regard to grant of FC. The Allottee needs to provide the latest facts and status in this milestone to the O/o Nominated Authority. In the next meeting the facts and the delay in obtaining the clearances on part of Allottee/other authorities as provided by the Allottee is to be put up again.</p>	<p>The Committee considered the submissions made by the Allottee and directed office of Nominated Authority to seek clarifications from the relevant Government Departments of West Bengal to determine whether the delay is beyond the control of Allottee or otherwise.</p> <p>The matter to be put up in the next Scrutiny Committee meeting for final decision.</p>
	<p>In case of FC, the online application in Form-A was submitted on time i.e. 12.07.2017 which was accepted by Nodal Officer on 18.07.2018 after identification of CA land, uploading of DGPS survey report, several rounds of corrections and modifications and other computer system related issue at the office of Nodal Officer. WBMDTCL is constantly pursuing with the concerned authorities for expeditious completion of the events subsequent to the acceptance of FC application in Form-A.</p> <p>In view of the above, facts provided by the Allottee in their reply to the showcause dated 27.09.2018, they have mentioned that slippage in the compliance of these two Efficiency Parameters may kindly be condoned. The Allottee Company is confident to commence the mining operation as per prescribed milestone.</p>			
<u>Submissions of the Allottee on directions of the Committee on</u>	<p>The Allottee has made a submission that the time taken by L&R Deptt (District/block offices) in identifying Forest Land in the Project area (which increased from 91 ha was mentioned on approved Mine Plan of MoC, GOI to 111 ha on physical verification) and identifying CA patches and time taken by Forest department in giving suitability after due process, were beyond their control. To issue certificate by the DM, Paschim Bardhaman under the Scheduled Tribes and Other Traditional Forest Dweller (Recognition of Forest Rights) Act, 2006 was also delayed due to some ground level formalities.</p> <p>Inspections of Mine Site/CA Sites by the concerned Authorities of Forest Department, GoWB took months</p>			

13.12.2019:	to recommend to the FC proposal to MoEF&CC.			
	The Allottee has mentioned that the time taken by MoEF&CC in conducting physical inspection of Forest Land and CA Land nearly four and half months. The Ministry's guidelines regarding the size of more than 5Ha for CA patches was issued about 2 years after the initial application when the process of approval was already advanced substantially. The Allottee has brought to the notice that although the Guideline was issued just 7 (seven) days prior to their site inspection, MoEF&CC, Bhubaneswar had nevertheless, forwarded the application with their recommendation to MoEF&CC, New Delhi considering that the application was made long before the Guidelines and it had already matured. Had it been inspected early, the proposal might not be faced the Ministry's guidelines dated 22.05.2019 and probably WBMDTCL might be able to get the Stage-I Clearance.			
3. Delay in grant of EC (Due Date- 29.06.2018)	Environment Clearance: The application was made within the stipulated time (28.08.2017). The TOR was issued by the MoEF& CC on 29.09.2017 with the validity of three years of submission of final EIA/EMP report for considering the proposal of EC. As per the MoEFCC O.M no. J-11013/41/2006-IA.II (I) dated 98.10.2014, the preparation of EIA/EMP, interalia, involves: <i>i. The collection/ generation of data and information in respect of the Environmental quality encompassing air, water, biotic community, land etc. of the region.</i> <i>ii. Surveying for the purpose of delineation of the major topographical features, preparation of land use map, contour map etc.</i> The major constraint faced by WBMDTCL for carrying out the above activities is the fact that the Approved	5	Regarding the contention of the SB that during the time gap between approval of the mine plan (April 2011) and handing over the same to SB by MOC, there has been major changes in surface features, land use pattern etc, the committee observed that no specific evidence has been furnished. Allottee was accordingly advised to provide the same and submit the latest facts and status in this milestone to the O/o Nominated Authority. In the next meeting the facts and the delay in obtaining the clearances on part of	The Committee considered the submissions made by the Allottee and directed office of Nominated Authority to seek clarifications from the relevant Government Departments of West Bengal and MoEF& CC to determine whether the delay is beyond the control

	<p>Mining plan of Gourangdih ABC coal mine, which was provided to WBMDTCL by MoC in the Mine Dossier, dates back to April 2011. So, surface features, land use pattern, nature and extent of habitation/ construction, demographic pattern etc. have undergone major changes during this period necessitating the data collection/ survey work to be undertaken afresh.</p> <p>In view of the above, facts provided by the Allottee in their reply to the show cause dated 27.09.2018, they have mentioned that slippage in the compliance of these two Efficiency Parameters may kindly be condoned. The Allottee Company is confident to commence the mining operation as per prescribed milestone.</p>		<p>Allottee/other authorities as highlighted by the Allottee is to be put up again.</p>	<p>of Allottee or otherwise.</p> <p>The matter to be put up in the next Scrutiny Committee meeting for final decision.</p>
<p><u>Submissions of the Allottee on directions of the Committee on 13.12.2019:</u></p>	<p><u>The point wise submission made by the Allottee:</u></p> <ol style="list-style-type: none"> 1.The application for the EC was made within the stipulated time (28.08.2017). 2.TOR was issued by the MoEF& CC on 29.09.2017. 3.NABET/ QCI accredited Consultant, engaged by WBMDTCL, had completed EIA study on 10.02.2018 as per the TOR. 4.The Ground water seepage study was completed on 17.04.2018 and application was submitted to State Water Investigation Directorate on 25.05.2018 for necessary ground water Extraction permission. 5. EIA/EMP report was submitted to WBPCB on 16.07.2018 for conducting Public Hearing. 6. Public Hearing conducted by District Administration was held on 20.09.2018. 7. Minutes of Public Hearing was sent by WBPCB to the Member Secretary, EAC, MoEFCC, GoI on 04.10.2018. 8. Final EIA/EMP report was submitted to EC Monitoring Cell, MoEFCC, GoI on 25.02.2019. 9. Presentation before the EAC, MoEFCC, GOI is still awaited over which WBMDTC has no control. 10. Meanwhile, in terms of application of WBMDTCL and as per recommendation of the State Level 			

	Authority, the High Level Ground Water Resources Development Authority has accorded permission for dewatering of coal mines from Gourangdih ABC Coal Mine in its 4 th meeting on 22.07.2019 and accordingly, West Bengal State Water Investigation Directorate has issued the Certificate in favour of WBMDTCL on 09.12.2019.	
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5. Kasta East

Allottee- M/s West Bengal Power Development Corporation Limited

Allotment Date- 16th May 2016

Deviation from the Efficiency Parameters	Reply of Allottee to Show Cause Notice(s)	Weightage (In %)	Observation of the Committee	Recommendation of the Committee
1. Non submission of Mining Lease application Due date of completion of Milestone: 16.08.2016	First Show Cause Notice dated 09.11.2016 in regard to the milestone <u>Submission of application for Mining Lease.</u> Actual date of completion: 23.05.2017 Show cause issued on 09.11.2016 and the reply was submitted by the Allottee on <u>21.11.2016.</u> 1. The aforesaid Show Cause notice has been issued based on the Allotment Agreement dated 30 th March 2015, however the action is	7	The Committee observed that the office of NA should furnish their observations point wise to the response sent by the Allottee based on which the committee will recommend action. Meanwhile the Allottee informed of their intention to surrender the block against which the Committee mentioned their inability to recommend relaxation in deduction for PBG. Further,	The Committee was not satisfied with the submissions/ explanations provided by the Allottee and therefore concluded that the delay cannot be attributed to factors beyond the control of the Allottee. Hence, Performance bank guarantee to the extent of 7% for non-compliance of Milestone

	<p>required to be undertaken by WBPDCCL after receipt of Allotment order. The Allottee has requested that the period for time limit in months shall be computed with effect from the date of Allotment order as indicated in Schedule E attached with the Allotment Agreement and not based on the date of Agreement.</p> <p>2. The GR available with prior Allottee was not legible and the Allottee has requested MoC to Authorize CMPDIL for supply of fresh and legible GR. In the meeting convened by NA, held on 19.07.2016, THE Allottee have been authorized to request to CMPDIL for GR. CMPDIL vide mail dated 02.09.2016 forwarded the Allottee the soft copy of GR for Kast East.</p> <p>3. For submission of application for ML the Allottee stated that land details which includes bounding co-ordinates of the block boundary and the land details of the villages falling under the block boundary. The field survey for this purpose was in progress though they faced resistance from local villagers.</p>		<p>the Committee asked the Allottee that in case it has any documents in supports of the efforts made by Allottee to get clearances on time, the same may be furnished immediately to the O/o NA.</p>	<p>i.e. Non-submission of Mining Lease application may be appropriated.</p>
2. Non submission of Mining Plan (Due date was 16	<p>Actual date for achievement of Milestone: 22.02.2019</p> <p>Show cause issued on 22.03.2017 and the reply was submitted by the Allottee on</p>	8		<p>The Committee was not satisfied with the submissions/ explanations provided by the Allottee and</p>

<p>Nov 2016):</p>	<p><u>04.04.2017</u></p> <ol style="list-style-type: none"> 1. The aforesaid show cause notice has been issued on the basis of the Allotment Agreement dated 30.03.2015 but WBPDCCL can act only after receipt of the Allotment order which was issued on 16.05.16. 2. The GR available was not legible, and the Allottee requested MoC to authorize CMPDIL for supply of fresh and legible GR. 3. In the meeting convened by NA on 19.07.16, the Allottee was authorized to request CMPDIL for legible copy of GR. In reply, CMPDIL vide mail dated 02.09.16 forwarded a legible copy of GR. 4. Vide MoC CIRCULAR NO. 34011/(48)/2009-CPAM dated 15.07.2015, guidelines was issued for preparation of Mining Plan for the coal block and accordingly certified boundary coordinates was issued by CMPDIL to WBPDCCL on 16.12.2016. 5. Kasta (East) being schedule III coal mine, land details within the block boundary including details of the villages falling within was obtained for preparation of Mine Plan, which was time consuming. 6. After obtaining land details, work order has been issued to CIMFP on 31.03.17 after due process for preparation of Mine plan along 			<p>therefore concluded that the delay cannot be attributed to factors beyond the control of the Allottee. Hence, Performance bank guarantee to the extent of 8% for non-compliance of Milestone i.e. Non-submission of Mining Plan may be appropriated.</p>
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	with other jobs.			
3. Delay in Mine Plan approval (Due Date- 16 April 2017))	<p>Third Show Cause Notice dated 17.07.2017 in regard to following milestone:</p> <ol style="list-style-type: none"> 1. Mine Plan Approval- 16.04.2017 (Due date) 2. Forest Clearance Application- 16.04.2017 (Due date) 3. Environment Clearance Application- 16.04.2017 (Due date) 4. Previous Approval Application- 16.05.2017 (Due date) 5. Grant of Previous Approval- 16.06.2017 (Due date) <p>Show cause issued on 17.07.2017 for the above milestones which have not been achieved till date. Reply was submitted by the Allottee on <u>27.07.2017</u></p>	8		<p>The Committee was not satisfied with the submissions/ explanations provided by the Allottee and therefore concluded that the delay cannot be attributed to factors beyond the control of the Allottee. Hence, Performance bank guarantee to the extent of 8% for non-compliance of Milestone i.e. delay in Mine Plan approval may be appropriated.</p>
4. Non submission of application for Previous approval (Due Date- 16 May 2017)	<ol style="list-style-type: none"> 1. GR available was not legible and on request to MoC, WBPDCCL was authorized to request CMPDIL for a copy of legible GR by NA on meeting dated 19.07.2016. 2. Vide MoC CIRCULAR NO. 34011/(48)/2009-CPAM dated 15.07.2015, guidelines was issued for preparation of Mining Plan for the coal block and accordingly certified boundary coordinates was issued by 	6		<p>The Committee was not satisfied with the submissions/ explanations provided by the Allottee. Hence, Performance bank guarantee to the extent of 6% for non-compliance of Milestone i.e. Non-submission of</p>

	CMPDIL to WBPDCCL on 16.12.2016.			application for Previous approval may be appropriated.
5. Delay in Grant of Previous Approval (Due Date- 16 June 2017)	<p>3. Kasta (East) being schedule III coal mine, land details within the block boundary including details of the villages falling within was obtained for preparation of Mine Plan, which was time consuming.</p> <p>4. Work order was issued to CSIR-CIMFR on 31.3.17 who opined that GR as provided by CMPDI is also not legible to serve their purpose and needs to be digitized. CISR-CIMFR has submitted technical reasons, for not achieving the timelines as per the efficiency parameters vide their letter no. CIMFR/WBPDCCL/2017 dated 25.07.2017</p>	5		The Committee was not satisfied with the submissions/ explanations provided by the Allottee and therefore concluded that the delay cannot be attributed to factors beyond the control of the Allottee. Hence, Performance bank guarantee to the extent of 5% for non-compliance of Milestone i.e. delay in grant of previous approval may be appropriated.
6. Late submission of FC application on 30.11.2016 (Due Date- 16 April 2017)		8		The Committee was not satisfied with the submissions/ explanations provided by the Allottee and therefore concluded that the delay cannot be attributed to factors

				beyond the control of the Allottee. Hence, Performance bank guarantee to the extent of 5% for non-compliance of Milestone i.e. Late submission of FC application may be appropriated.
7. Late submission of EC application i.e. on 30.11.2016 (Due Date.- 16 April 2017)		8		The Committee was not satisfied with the submissions/ explanations provided by the Allottee. Hence, Performance bank guarantee to the extent of 8% for non-compliance of Milestone i.e. Late submission of EC application may be appropriated.
8. Delay in grant of FC (Due date- 16 February 2018)	Fourth Show Cause Notice dated 19 th March 2018 in regard to following milestone: 1. Forest Clearance- 16.02.2018 (Due date) 2. Environment Clearance- 16.02.2018 (Due date) Show cause issued on 19.03.2018 for the above milestones which have not been	5		The Committee was not satisfied with the submissions/ explanations provided by the Allottee and therefore concluded that the delay cannot be

	<p>achieved till date. Reply was submitted by the Allottee on 02.04.2018</p> <p>1. GR available was not legible and some pages were also missing. Further on request to MoC on 31.05.2016, WBPDCCL was authorized to request CMPDIL for a copy of legible GR in a meeting on 19.07.2016 chaired by NA.</p> <p>2. Vide MoC CIRCULAR NO. 34011/(48)/2009-CPAM dated 15.07.2015, guidelines was issued for preparation of Mining Plan for the coal block and accordingly certified boundary coordinates was issued by CMPDIL to WBPDCCL on 16.12.2016.</p> <p>3. Work order was issued to CSIR-CIMFR on 31.3.17 who opined that GR as provided by CMPDI is also not legible to serve their purpose and needs to be digitized.</p> <p>4. It may also be noted that co-ordinates of boreholes as provided in GR are all in local grid, thereby posing difficulty while superimposing in global coordinates and was time consuming in converting to Global Coordinates.</p> <p>5. The above mentioned unavoidable circumstances, which are not ascribable to WBPDCCL, have resulted in delay in preparation of Mining Plan and affected the progress of other milestones as specified in the Efficiency Parameters in the Allotment Agreement. Hence, the delay in receipt of</p>			<p>attributed to factors beyond the control of the Allottee. Hence, Performance bank guarantee to the extent of 5% for non-compliance of Milestone i.e. delay in grant of FC may be appropriated.</p>
<p>9. Delay in grant of EC (Due Date- 16 February 2018)</p>		5		<p>The Committee was not satisfied with the submissions/ explanations provided by the Allottee and therefore concluded that the delay cannot be attributed to factors beyond the control of the Allottee. Hence, Performance bank guarantee to the extent of 5% for non-compliance of Milestone i.e. delay in grant of EC may be appropriated.</p>

	legible GR and proper block boundary co-ordinates from CMPDIL followed by digitization of GR has resulted in delay preparation of Mining Plan which in turn had a cascading effect on all other efficiency parameters.			
10. Delay in Grant of ML or Notification under Sec 11 of the CBA Act (Due Date- 16 May 2018)	<p>Show cause issued on 13.09.2018 for the above milestone which has not been achieved till date. Reply was submitted by the Allottee on <u>24.09.2018</u></p> <ol style="list-style-type: none"> 1. GR available was not legible and some pages were also missing. Further on request to MoC on 31.05.2016, WBPDCCL was authorized to request CMPDIL for a copy of legible GR in a meeting on 19.07.2016 chaired by NA. 2. The boundary coordinates for coal block boundary of Kasta (East) coal block was received from CMPDIL on 16.12.2016. 3. Since Kasta (East) is a schedule III coal mine, land details within the block boundary including details of the villages falling within had to be obtained which was time consuming. Work order was issued to CSIR-CIMFR on 31.3.17 for preparation of EIA/EMP, Mine Plan & Mine Closure Plan and GNSS survey for Kasta (East) coal block after due process. 4. Thereafter, application for Mining lease was submitted to the Chief Mining Officer, Govt of West Bengal vide letter WBPDCCL/Director (Mining)/251 DATED 23.05.17. Further, after 	5		<p>The Committee was not satisfied with the submissions/ explanations provided by the Allottee and therefore concluded that the delay cannot be attributed to factors beyond the control of the Allottee. Hence, Performance bank guarantee to the extent of 5% for non-compliance of Milestone i.e. delay in grant of ML or Notification under section 11 of the CBA Act may be appropriated.</p> <p>Total appropriation of 65% of Performance bank</p>

	<p>detailed field survey, land schedule and cadastral map was prepared by CIMFR and submitted to Chief Mining Officer, Govt of WB on 02.4.2018 for necessary action towards grant of Mining Lease.</p> <p>5. In the meantime, preparation of Mine Plan & Mine Closure Plan and EIA/EMP was in progress by M/s CIMFR. Grant of Mining lease is getting delayed for want of preparation & approval of Mine plan & Mine closure Plan. After obtaining of Mine Plan & MCP and previous approval from MoC, grant of mining lease will be obtained from Government of West Bengal.</p>			<p>guarantee has been recommended by the Committee for not meeting the timelines of above mentioned milestones (sl. No. 1-10).</p>
<p><u>Submissions of the Allottee on directions of the Committee on 13.12.2019:</u></p>	<p>The point wise submission made by the Allottee:</p> <p>1.As per directives of MoC, GOI vide no.34011/ (48)/2009-CPAM dated 15th July, 2015, a certificate from CMPDI is required that the Geological Co-ordinates (Longitude and Latitude) used in the preparation of New Mining Plan are in accordance with the vesting order and Geological Co-ordinates covered by Mining Plan do not encroach in to any, other/ adjacent coal block.</p> <p>2. Accordingly the Allottee submitted the Mining Plan prepared by RQP to CMPDI vide letter no. WBPDC/ Director (Mining)/488 dated 04.09.2018 for the required certification mentioned above.</p> <p>3.CMPDI observed that there is a discrepancy for which they have sent a proposal to MoC, GOI on 12.09.2018 for revision and modification of Geographical Co-ordinates (Longitudes & Latitudes) given in the vesting/ allotment order.</p> <p>4. Ministry of Coal, Govt of India issued corrigendum to the Allotment order vide no 103/16/2015/NA dated 21.12.2018 containing revised Geographical Co-ordinates (Longitudes</p>			

	& Latitudes). 5. Subsequently, the required certification was obtained from CMPDI vide letter no CMPDI/BD/C (886-A)/E- 252486/I-5246 dated 14.01.2019. 6. Thereafter, Mine plan & Mine Closure Plan was prepared and submitted to MoC, GOI vide letter no. WBPDC/ Director (Mining)/ 600 dated 22.02.2019. 7. In view of above submissions, the Allottee have requested for change of zero date and further decided to surrender the Kasta (East) block.	
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6. Talabira II & III

Allottee- M/s NLC India Limited

Allotment Date- 02nd May 2016

Deviation from the Efficiency Parameters	Reply of Allottee to Show Cause Notice	Weightage assigned for appropriation (In %)	Observation of the Committee
1. Forest Clearance & Environment Clearance Due date of completion of both Milestones: 02-February-2018 Actual date of completion of Forest Clearance: 28-March-2019 Actual date of completion of Environment Clearance: 11-Oct-2018	1. The CA land (2092 Hectares) proposed by the prior Allottee was verified by FAC and declared that the identified CA land is not suitable, as the forest canopy falls under moderate category (i.e. more than 40%). Hence, the FAC in its meeting held on 16.11.2017 has advised the State Nodal Officer of Odisha to identify fresh double the degraded forest land for CA, after analyzing the same on the DSS portal, prior to submission to MoEF& CC. 2. Accordingly, the Add. PCCF/ Nodal Officer, Odisha issued a letter to DFO of Sonepur, Bolangir, Bawanipatna, Boudh, Sambalpur and Jharsuguda to identify 2000 Ha of degraded forestland.	5 & 5 respectively	The Committee considered the reply submitted by the Allottee on non-compliance of Efficiency Parameters and opined that the Nominated Authority may seek the comments from State Government on the submissions made by the Allottee and furnish the same to the Committee in the next meeting to arrive at appropriate recommendations.

7. Mandakini B
Allottee- M/s NTPC Limited
Allotment Date- 08th August 2016

Deviation from the Efficiency Parameters	Reply of Allottee to Show Cause Notice	Weightage assigned for appropriation (In %)	Observation of the Committee
<p>1. Completion of Exploration and preparation of GR</p> <p>Due date of completion of both Milestones: 08-June - 2018</p> <p>Actual date of completion :Exploration completed in June-2019 and GR is under preparation in CMPDI</p>	<p>NTPC engaged CMPDIL for detailed exploration and preparation of GR. Since the Coal block area was 20.73 sq km and as many as 113 bore holes were required to be drilled, it was decided with CMPDIL to explore the block in two phases. Accordingly CMPDIL completed detailed exploration for first phase (10.57 sq km out of 20.73 sq km) and handed over the interim GR to NTPC on 07th March 2018 i.e. within the minimum possible period of 19 months.</p> <p>Hence, there is no slippage with reference to efficiency parameter for this activity. Subsequently CMPDIL has completed detailed exploration in the balance area in June 2019 and the final GR is expected in February 2020. Accordingly date of availability of final GR for the whole coal block from the CMPDIL will be considered as "Zero Date" for all the subsequent activities covered in the efficiency parameter.</p>	<p>5</p>	<p>The Committee observed that the reply to the said delay as indicated in the letter by the Allottee is not consistent with the Allotment Agreement.</p> <p>In the reply, the Allottee has mentioned that availability of final GR for the whole coal block from the CMPDIL will be considered as "Zero Date" for all the subsequent activities covered in the efficiency parameter, which is not in line with the Allotment Agreement.</p> <p>The replies for not meeting the efficiency parameter at sl. no.2 to 4 is also not in line with the Allotment Agreement / Allotment Order.</p> <p>Allottee has asked for the time span of three months for taking up the matter of Efficiency parameters with the Ministry to which the Committee agreed. The Allottee has been asked to submit the reply to the Scrutiny Committee</p>

<p>2. Mining Lease application or Notification under Sec 7 of the CBA Act Due date of completion: 08-September-2018 Actual date of completion : 29-March-2019</p>	<p>As per the efficiency parameters, Section-7 notification for land acquisition under CBA Act, 1957 is to be completed within May '20 i.e. three (03) months from preparation of GR of complete block. Notification for Section-7 was issued by MoC on 29th March '19 much before the scheduled time of May 2020.</p>	<p>7</p>	<p>after taking up the matter with MoC and the onus of the time lies with the Allottee.</p> <p>The Chairman asserted that the Committee will be within its rights to take a call on the matter based on evidence on record anytime after lapse of the time period of three months sought by the Allottee.</p>
<p>3. Submission of Mining Plan Due date of completion of both Milestones: 08-September-2018 Actual date of completion : 27-December-2018 (For phase 1)</p>	<p>As per the efficiency parameters, submission of Mining Plan is to be completed within August 2020 i.e. six (06) months from preparation of GR. Mining plan for phase 1 was submitted to MoC on 27th Dec'2018, much before the schedule of August'20 and the same for Phase 2 will also be submitted within the schedule.</p>	<p>8</p>	
<p>4. Approval of Mining Plan Due date of completion of both Milestones: 08-May-2019 Actual date of completion : 27-September-2019 (For phase 1)</p>	<p>As per the efficiency parameters, approval of Mining Plan is to be completed within January 2021 i.e. five months from submission of Mining plan or within eleven (11) months from preparation of GR. Mining Plan for Phase 1 was approved by MoC on 26th September 2019 i.e. nine months after submission by NTPC. Similarly, NTPC expects that MoC will approve the Mining Plan for Phase 2 well within the schedule 2021.</p>	<p>8</p>	

8. Naini

Allottee- M/s TheSingareni Collieries Company Limited

Allotment Date- 13th August 2015

Deviation from the Efficiency Parameters	Reply of Allottee to Show Cause Notice	Weightage assigned for appropriation (In %)	Observation of the Committee
1. Prospecting License Due date of completion: 13-Dec-2015 Actual date of completion: 11-May-2016	<p>1. After Allotment of coal mine, a team of Officers have visited site on 22.08.2015 and officers have been visiting the site regularly and are inter-acting with Odisha Government authorities for achieving the milestones as per committed time schedule. Subsequently application for Prospecting License was submitted to District Collector, Angul vide letter dated 28.09.2015 by the Allottee and acknowledgement in Form-D was obtained by them. The district Administration after Scrutiny of Application, sought further information to process the Application.</p> <p>2. Regarding the status of various activities including sensitive status of law and order which was hindering the progress of work and also proposed activities such as Vendors meet etc, was brought to the kind notice of Nominated Authority in the meeting convened on 19.01.2016.</p>	5%	<p>The Allottee informed that the mine is located in Western Talcher of Odisha and is an isolated block and faced stiff resistance from villagers in the beginning. Logistic is a big problem along with the resistance faced. Allottee stated that delay was mainly due to Law and Order problem and as villagers insisted for acquisition of lands while it was supposed to be done later on.</p> <p>The Committee considered the submissions made by the Allottee and asked the Allottee to submit details of written correspondences between them and State Government officials such as DM/Commissioner etc. and directed office of Nominated Authority to seek comments/clarifications from the relevant</p>
2. Completion of Exploration and preparation of GR Due date of	<p>1. Action was initiated for completion of Exploration & preparation of GR and work order dated 16.07.2016 was placed to M/s South West Pinnacle Exploration Pvt Ltd for drilling bore holes in the coal block for exploration. While SCCL Officers were making bore holes points in the reserve forest area on 17.08.2016, a few miscreants of Brahmanbill village have taken them hostage by threatening with dire consequences and locked them all in small room illegally for</p>		

<p>completion: 13-June-2017</p> <p>Actual date of completion: 14-May-2018</p>	<p>about 10 hours and beaten them severally. SCCL has not file any FIR with Police in order to ensure cordial atmosphere in the villages and avoid distraction from core activities of the Project. The matter was reported to District Collector &Prl. Secretary to Steel & Mines Dept, Govt of Odisha. Dist Collector, Angul had taken up the matter with villagers on 22.08.2016.</p>		<p>Government Departments of Odisha. The matter along with the State Government comments to be put up in next Scrutiny Committee meeting.</p>
	<p>2. During Review meeting chaired by Secretary (Coal) on 24.05.2017, efforts put up by SCCL for completion of exploration and poor law & order situation prevailing in the villages were explained to which Secretary (Coal) immediately advised Spl. Secretary, Steel & Mines dept to provide police protection and advised SCCL to complete the work within two months.</p>		<p>The office of NA was also asked to furnish its comments on the above issue.</p>
<p>3. Mining Lease application or Notification under Sec 7 of the CBA Act (13-September-2017/04-May-2019)&</p> <p>Submission of Mining Plan</p> <p>(13-Dec-2017/14-May-2018)</p>	<p>1. Action was initiated for completion of Exploration & preparation of GR and work order dated 16.07.2016 was placed to M/s South West Pinnacle Exploration Pvt Ltd for drilling bore holes in the coal block for exploration. While SCCL Officers were making bore holes points in the reserve forest area on 17.08.2016, a few miscreants of Brahmanbill village have taken them hostage by threatening with dire consequences and locked them all in small room illegally for about 10 hours and beaten them severally. SCCL has not file any FIR with Police in order to ensure cordial atmosphere in the villages and avoid distraction from core activities of the Project. The matter was reported to District Collector &Prl. Secretary to Steel & Mines Dept, Govt of Odisha. Dist Collector, Angul had taken up the matter with villagers on 22.08.2016.</p> <p>2. During Review meeting chaired by Secretary (Coal) on 24.05.2017, efforts put up by SCCL for completion of exploration and poor law & order situation prevailing in the</p>	<p>7 & 8 respectively</p>	

	<p>villages were explained to which Secretary (Coal) immediately advised Spl. Secretary, Steel & Mines dept to provide police protection and advised SCCL to complete the work within two months.</p> <p>3. After constant follow up by the Allottee, Odisha Government issued orders dated 03.06.2017 to DGP for deployment of Force and finally police force was deployed at site from 12.06.2017 to 15.06.2017. SCCL continued its effort to persuade the villagers to co-operate with SCCL and allow taking up the drilling work. On 16.01.2018, Chief Secretary, Government of Odisha also reviewed the status of Naini and directed Collector, Angul to extend necessary administrative help to SCCL to carry out the drilling work smoothly. In the 2nd Monitoring Committee meeting held on 27.02.2018, issues in regard to the difficulties in taking up at the drilling works at Naini coal project. The Allottee requested to permit SCCL to prepare & submit GR & Mining Plan for Naini coal block with available BH data (54 Nos of BHs with a density of 6BH per sq km). MoC agreed for submission of GR & Mining plan by SCCL with the available BH data by end of March 2018 and to submit revised GR & Mining Plan after completion of drilling.</p>		
<p>4. Mining Plan Approval (13.09.2018/ 08.04.2019) , Previous Approval Application (13.06.2018), Previous approval (13.07.2018)</p>	<p>1. Series of incidents which took place in the mine has been briefed above in regard to reply for other show cause notices. Meanwhile, after Scrutiny of the Mine Plan, MoC informed that the boundary demarcation plan of Naini coal block is prepared by ORSAC and as per the guidelines for submission of Mine plan, the plan requires authentication from CMPDIL. Further vide letter dated 29.06.2018, MoC directed SCCL to re-submit the Mine Plan incorporating the CMPDIL are authentication certificate and necessary correction in the vesting order by the Nominated Authority.</p>	<p>8, 6, 5 & 8 respectively</p>	

and Environment Clearance application (13.05.2018/19.04.2019)	2. Due to likely changes in the boundary co-ordinates which are to be authenticated by CMPDIL and also to be corrected in the Vesting order to be issued by MoC, the Mine Plan Approval, Previous Approval Application, Previous Approval & Environmental Clearance Application could not be completed in accordance to timeline stipulated in the efficiency parameter.		

9. Coal Mine – Dumri

Vesting Date – 22nd April 2015

Successful Bidder – Hindalco Industries Limited

Deviation from efficiency Parameter	Reply of Allocattee	Observation of the Committee
The Show Cause notice 21.03.2017 was given for delay in grant of FC . The due date was 21.01.2017	<ul style="list-style-type: none"> Prior Allottee had applied for FC stage I only for 163.64 Ha inclusive of 5 Ha Safety Zone out of 183 Ha . FC stage I was granted for only 153.64 Ha and same was transferred to SB on 04.06.2015 by MoEF&CC. While pursuing application for transfer of EC, SB was directed by MoEF&CC on 12.08.2015 to obtain FC stage I for 19.36 Ha also. SB decided to surrender the said 19.36 Ha as the said area non coal bearing. Accordingly, SB made an application on 05.02.2016 for surrender of same. MoEF&CC considered the same and granted EC excluding 19.36 Ha of forest land. After due diligence of the land titles , the SB , on 07.09.2015 and 14.09.2015, had applied to Deputy commissioner , Bokaro and Deputy Commissioner , Chatra for transfer and mutation Vested CA land. 	After hearing the submissions made by the Successful Bidder, the committee is of view that it is necessary to obtain the comments of the State Government on the submissions made by the Successful Bidder through the replies of the Show

	<ul style="list-style-type: none"> • In compliance of the Divisional Forest officer, Hazaribagh letter dated 12.10.2015, the SB had deposited the money in CAMPA account on 10.11.2015. • GoJ on 26.11.2015 issued guidelines in the form of a SANKALP no 5281 specifying how the land can be transferred in case of a vested category land. The SB had submitted that 7 month has already been passed and entire exercise of the company was wasted due to process changes by State Government. • The SB has further submitted that due to non-clarity related to some of the provisions the CM (SP) Act, 2015, ignorance on the part of government official and conflict of interest of various Revenue Department, no progress could be made in relation to land matters in Jharkhand. • Entire CA land of 409.95 acres vested to SB was rejected by GoJ and same was communicated by Deputy Commissioner Bokaro and AC Chatra on 06.03.2016 and 09.03.2016 respectively. • The SB has submitted that aforesaid reason was sudden set back and resulted in delay in grant of Forest Clearance Stage II. • The SB had on 23rd April 2016 requested GoJ for 200 acres of CA land from government land's bank for the coal mine. • The SB had submitted an alternative application to Secretary (Land & Revenue) on 23rd April 2016, wherein it was requested that the land purchased for Tubed Coal Block by Tubed Coal Mine Limited (A joint venture of Hindalco) could be directly transferred to forest department to save the time. The SB had received a letter dated 13.12.2016 from District collector , Bokaro in relation of 220 acres land from government land bank which was duly replied by the SB on 13.12.2016 with a request to allocate 220 acres land. • The SB has submitted that since it was very tough to purchase large portion of land in Jharkhand, they approached GoJ to acquire GMJJ land from Government land bank as per SANKALP 5888 dated 10.11.2016 regarding direction of State Govt. on use of GMJJ land for CA purpose. SB had applied for getting balance CA of 220 acres from State Government on 13.12.2016. In this regard, the SB had received a letter cum demand notice dated 27.03.2017 from DC, Bokaro in which 71.75 Acres of land has been identified in 2 villages of Nawaduh. • SB had registered 192 acres land in Giridih District their favour. After the mutation of said land, SB had offered the same to Division Forest Officer, Giridih for transfer. The Forest Officer, Giridih provided clearance for registry of 181.46 acres land on 20.03.2017. The same has been registered on 21.03.2017. Subsequently, the SB on 22.03.2017 informed to all concerned regarding the registration of 181.46 acres land in favour of Dept. of environment, Forest and climate change, GoJ. 	<p>Cause Notice as well as during the meeting. The final view of the Committee in respect of waiver or appropriation of Performance Guarantee will be taken pursuant to the receipt of comments of State Government.</p> <p>Recommendation:- The Committee expressed that NA may obtain the comments of State Government for delay in grant of Forest Clearance till date, within a stipulated time of one month. The committee also expressed that if the response of the State Government not be received within the stipulated time , the Committee would take the final decision in respect of waiving or imposition of penalty , after taking into consideration the submissions made by</p>
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	<ul style="list-style-type: none"> The SB has further reiterated that above reasons resulted in delay in Forest Clearances. <p>The Forest Clearance has still not been obtained by Successful Bidder.</p>	Successful Bidder
The Show Cause Notice dated 19.02.2018 was given for Delay in Grant of Mining Lease. The Due date was 24.04.2017.	<ul style="list-style-type: none"> The SB had made application for Mining Lease on 17.07.2015. The SB has submitted that Mining Lease could not be executed without the getting Forest Clearance and Environment Clearance 	
The Show Cause Notice dated 24.07.2019 was given for delay in Land Acquisition, Opening Escrow Account, application of Mine Opening Permission and grant of Mine Opening Permission. The due dates were 22.10.2018, 22.11.2018, 22.11.2018 and 22.12.2018 respectively.	<p><u>Land Acquisition</u></p> <ul style="list-style-type: none"> SB has submitted that total block area is 259.64 Ha of which 163.64 is forest land and balance 94 ha is private land. The Execution of Mining Lease is pending for want of Forest Clearance and Environment Clearance. EC granted on 28.10.2016 but kept in abeyance since 09.03.2017 in relation to issue of 19.36 Ha forest land . Mine Plan has been revised excluding the said 19.36 Ha and has been submitted to MoEF& CC for issuance of EC. However, the same is still pending. Of this 94 ha Prior Allottee has already acquired about 79 ha post obtaining necessary permissions under Chota Nagpur Tenancy Act, 1908. while the one of the arm the state government approved the transfer of said land, another arm of the State Government has raised objections and has desired fresh approval under the said Act. Balance 15 Ha is comprised of GM Khas and GM Aam . The request in this regard is pending with State Government. SB has further stated that without Mining Lease they cannot go for Land Acquisition. <p><u>Opening of Escrow Account</u></p> <ul style="list-style-type: none"> Escrow Account will be opened after obtaining DGMS Permission which is subsequently dependent on execution of Mining Lease <p><u>Application of Mine Opening Permission</u></p> <ul style="list-style-type: none"> Pending for want of execution of Mining Lease. <p><u>Mine Opening Permission</u></p> <ul style="list-style-type: none"> Pending for want of execution of Mining Lease. 	

10. Coal Mine - Kerandari**Allotment Order- 08th September 2015****Alloctee- NTPC Limited**

Deviation from efficiency Parameter	Reply of Alloctee	Observation of the Committee
Show Cause Notice dated 17.07.2017 was given for delay in grant of Forest Clearance. The Due date was 17.07.2016 whereas the same was granted on 28.08.2019	The Matter was presented in 9 th meeting of the Scrutiny Committee held on, the Allottee was asked to submit the complete details along with documentary evidences in respect of Forest Clearance. The Allottee submitted the chronology with Documentary evidences indicating the various query raised by the MoEF&CC time to time.	Recommendation:- The Committee expressed that NA may obtain the comments of State Government within a stipulated time of one month. The committee also expressed that if the response of the State Government not be received within the stipulated time , the Committee would take the final decision in respect of waiving or imposition of penalty , after taking into consideration the submissions made by Allottee
The Show Cause dated 19.12.2019 was given for delay in land acquisition , application for Mine Opening Permission and approval of Mine Opening Permission. The due dates were 08.03.2019 , 08.04.2019 and 08.05.2019 respectively.	Land Acquisition :- <ul style="list-style-type: none">Section 11 notification for land acquisition under CBA Act , was published before the allotment of coal mine in 2015 under CM(SP) Act, 2015. Hence there is no slippage with reference to the said efficiency parameter	The committee observed that Allottee was also the prior allottee of the coal mine . The Section 11 of notification for land acquisition under CBA Act, 1957 was already done in the year 2009 even before the allocation of coal mine under Coal Mines (Special Provisions) Act, 2015. Recommendation :- The Committee Recommended that as there is no delay ,allottee is in

		compliance with the Efficiency Parameter in relation to the Land Acquisition. Hence, the Show Cause notice for this milestone should be dropped.
	<p><u>Delay in Application & Approval of Mine Opening Permission</u> <u>C:\Users\HP\AppData\Local\Temp\Jharkhand\Kerandari\Kerandari\SCN 2nd show cause\NTPC reply to Kerandari show cause notice.pdf:-</u></p> <ul style="list-style-type: none"> • All the pre-requisite clearance /approvals (except Stage II FC an CTE & CTO) for submitting application for seam /Mine opening Permission were applicable. NTPC had to wait for Stage II Forest Clearance which was received on 28.08.2019. • The allocattee has submitted that delay in Forest Clearance is due to following reasons"- <ul style="list-style-type: none"> i. Delay in submission of compliances of Stage I FC by GoJ . ii. Delay in approval of "integrated Wild Life management Plan" by GoJ 	<p>The Committee observed that Forest Clearance is essential for Mine Opening Permission. As per the Schedule E "Efficiency Parameter" of the Allotment Order, it would take 23 months to get Mine Opening Permission from the date of Forest Clearance. However, the Forest Clearance was granted on 28.08.2019 and subsequently the Mine Opening Permission was granted on 13.01.2020 i.e within 4-5 months instead of 23 months. Hence, apparently, the delay in Forest Clearance resulted in delay of Mine Opening Permission.</p> <p>Recommendation: - The Committee expressed that the final decision in respect of delay in application and approval of Mine Opening Permission will be taken subsequent to receipt of comments from State Government in respect of delay in Forest Clearance.</p>

11. Coal Mine - Moitra
Vesting Date – 22nd April 2015
Successful Bidder – JSW Steel Limited

Deviation from efficiency Parameter	Reply of Allocattee	Observation of the Committee
<p>A Show Cause Notice dated 21.03.2017 was given for delay in grant of Forest Clearance. The due date was 22.01.2017.</p>	<ul style="list-style-type: none"> • SB had stated that there was ambiguity in state of Jharkhand, on the transfer of land including CA land. Whether, the SB would have to pay any further sum to the State Government for this purpose on the present value of land. • In this regard, MOC issued a clarification on 13.10.2015 that no documents nor any registration fee or stamp duty is to be paid for executing registered deed. Whereas, the vesting order was issued on 22.04.2015. Thus there is lapse of almost 6 months. • Subsequent to MOC clarification dated 13.10.2015, GoJ had published Gazette Notification on 26.11.2015 for effecting such transfer and mutation on payment of registration free @3 % and stamp duty @4 %. • Despite of repeated follow ups, SB had not received any directives from GoJ for effective the said notification till 25.05.2016. Finally the vested land was transferred on 30.05.2016 on payment of stamp duty. However, the said land had not mutated till the date of show cause notice. Hence there is a delay of 13 months on the part of state Government and MoC in actual transfer. • Transfer and mutation of CA land in 4 Districts were still pending despite the expiry of 23 months. The SB has made various representation to concern districts but their representation had not been responded. • Vested CA land in Dhandbad, got transferred in their favour on 14.06.2016 after the lapse 14 months. • Some portion of vested CA land in Palamu got transferred in their favour on 24.06.2016 and 17.08.2016 after the lapse of 16 and 14 months. The remaining portion of land was transferred for an unknown reason. • In respect of Vested CA land in Gumla , State Authorities was of opinion that the said land was of Manjihas nature and district authorities had sought clarification from the 	<p>After hearing the submissions made by the Successful Bidder, the committee is of view that it is necessary to obtain the comments of the State Government on the submissions made by the Successful Bidder through the replies of the Show Cause Notice as well as during the meeting. The final view of the Committee in respect of waiver or appropriation of Performance Guarantee will be taken pursuant to the receipt of comments of State Government.</p> <p>Recommendation:- The Committee expressed that NA may obtain the comments of State</p>

	<p>State. Even after the lapse of 24 months (as on date of reply of Show Cause) the said land was not transferred. This leads to delay in FC stage I.</p> <ul style="list-style-type: none"> Vested CA land in Garhwa was transferred in their favour on 17.06.2016, after a lapse of 15 months. 	Government within a stipulated time of one month. The committee also expressed that if the response of the State															
The Show Cause notice dated 19.02.2018 was given for delay in Mining Lease. The due date was 24.04.2017	<ul style="list-style-type: none"> The Allottee had reiterated that they had not received any directives from GoJ for effective the said notification till 25.05.2016. There after the vested land within the Mining Lease area got transferred by executing a registered deed on payment of Stamp duty. On 11.06.2016, the SB had requested for mutation of said land, however, the said vested land within mining lease area was not mutated till the reply of show cause notice, even after the lapse of 33 months which is not attributable to JSW Steel Limited. Further, Deputy Commissioner, Hazaribagh had initiated a process related grant of permission under sec 49 of CNT Act, 1908. In this regard, a notice dated 03.01.2018 issued notice. With regard to applicability of the Section 49 of CNT Act, the said provisions does not apply in the instant case. 	Government not be received within the stipulated time , the Committee would take the final decision in respect of waiving or imposition of penalty , after taking into consideration the submissions made by Successful Bidder.															
<p>The Show Cause Notice dated 24.07.2019 was given for following deviations :-</p> <table border="1"> <thead> <tr> <th>Particular</th><th>Due date</th><th>Actual Date</th></tr> </thead> <tbody> <tr> <td>Land Acquisition</td><td>22.10.2018</td><td>Pending</td></tr> <tr> <td>Opening of Escrow A/c</td><td>22.11.2018</td><td>Pending</td></tr> <tr> <td>Application for Mine Opening permission</td><td>22.11.2018</td><td>Pending</td></tr> <tr> <td>Mine Opening Permission</td><td>22.12.2018</td><td>Pending</td></tr> </tbody> </table>	Particular	Due date	Actual Date	Land Acquisition	22.10.2018	Pending	Opening of Escrow A/c	22.11.2018	Pending	Application for Mine Opening permission	22.11.2018	Pending	Mine Opening Permission	22.12.2018	Pending	<p><u>Land Acquisition</u></p> <ul style="list-style-type: none"> The SB had reiterated the aforesaid reasons. The SB had stated that total Vested area is 242.22 acres (150.71 with ML and 91.84 outside the ML). Out of the total land of 407.64 acers within Mining Lease only 150.71 acres was vested. 256.93 needed to be acquired. In State of Jharkhand, acquisition of land for industrial and mining purpose requires permission u/s 49 of CNT Act, 1908. The entire process takes a minimum of 6 months. SB had applied for 142.86 acres for permission of Deputy Commissioner u/s 49 of CNT Act. Out of this permission of for only 78.48 acres had been granted and permission for 64.38 acres was still pending even after 8 months (as on date of reply of Show Cause) <p><u>Opening of Escrow Account</u></p> <ul style="list-style-type: none"> The same be applied after the execution of Mining Lease. The FC is pending at MoEF&CC since Jan 2019. 	
Particular	Due date	Actual Date															
Land Acquisition	22.10.2018	Pending															
Opening of Escrow A/c	22.11.2018	Pending															
Application for Mine Opening permission	22.11.2018	Pending															
Mine Opening Permission	22.12.2018	Pending															

	<p>However, on 24.07.2019, the SB have applied to Coal Controller for Escrow account.</p> <p><u>Application for Mine Opening permission and Grant of Mine Opening Permission</u></p> <ul style="list-style-type: none"> The same can be applied after the execution of Mining Lease. The FC is pending at MoEF&CC since Jan 2019. 	
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12. Coal Mine – Brinda&Sasai

Vesting Date – 22nd April 2015

Successful Bidder – Tata Steel Long Products Ltd.

Deviation from efficiency Parameter	Reply of Allocattee		Observation of the Committee
The Show Cause Notice dated 21.03.2017 was given for delay in grant of Forest Clearance. The due date was 22.01.2017	<p>• SB had stated that following facts were revealed after entering into CMDPA :-</p>		After hearing the submissions made by the Successful Bidder, the committee is of view that it is necessary to obtain the comments of the State Government on the submissions made by the Successful Bidder through the replies of the Show Cause Notice as well as during the meeting. The final view of the Committee in respect of waiver or appropriation of
	Information available at the time of CMDPA	Actual status	
	EC available for the entire block	On application, MoEF&CC had stated that it cannot be transferred until FC stage I on entire block is available including additional revealed area of 229.94 Ha	
	FC stage I was available for 49.07 Ha	-	
	Compliance like NPV, Ca scheme, and transfer of CA land in the name of Forest Department for FC	CA land of 46.42 at Hurnali and 7.28 ha at Khodhas has been rejected by GoJ . Hence entire activity of transfer of CA land had to start afresh which	

		was time consuming.	Performance Guarantee will be taken pursuant to the receipt of comments of State Government.
	Substantial increase in the forest area	As per Mine Dossier Mine Plan and FC stage I , total Forest area was 632.67. however, on detailed verification area has become 862.21 ha .	
	No hand over of documents by prior Allottee	No response from prior allottee. Thus could not trace some vital documents like subsidence report, action status on FC land etc.	
		With the increase in forest are by 229.94 and non progress on forest area of 813.54 ha by prior allottee , the SB had to start the FC activities from beginning.	
	<ul style="list-style-type: none">The SB had stated that once they acquired the detailed information , all possible steps has been taken to ensure the progress of coal block:-<ul style="list-style-type: none">I. Land use patterns of the coal block has been changed, SB had got it verified by GoJII. Obtained FRA for forest land of 862.61 HaIII. Obtained NOC from Palamu and Lohardaga district. Although the DFO Palamu took long time to issue NOC and issued it on 15.03.2017. <p>SB has stated that Prior Allottee has left 583.6 Ha FC clearances and additional 229.94 Ha was found later apart from approved mine Plan, which is substantial area for FC. Therefor requesting for additional time to obtain FC.</p>		Recommendation:- The Committee expressed that NA may obtain the comments of State Government within a stipulated time of one month. The committee also expressed that if the response of the State Government not be received within the stipulated time , the Committee would take the final decision in respect of waiving or imposition of penalty , after taking into consideration the submissions made by Successful Bidder.
The Show Cause Notice dated 22.04.2017 was Given for delay in Grant of Mining Lease. The Due date was 22.04.2017.	<ul style="list-style-type: none">The SB had reiterated aforesaid reasons for delay in Mining Lease also.SB had stated that they had applied for Mining Lease on 14/15-07-2015.		

The Show Cause Notice dated 24.07.2019 was given for following deviations :-

Particular	Due date	Actual Date
Land Acquisition	22.10.2018	Pending
Opening of Escrow A/c	22.11.2018	Pending
Application for Mine Opening permission	22.11.2018	Pending
Mine Opening Permission	22.12.2018	Pending

- The Assignee has stated that coal mine has been transferred to TSIL vide Deed of Adherence dated 04.04.2019. The present Show cause notice has come when TSIL has just step in and taking all necessary action to get the permission/sanctions in their name. The reason for the delay in development of coal mine have been explained in the replies to previous show cause notices by UML.

13. Nerad Malegaon

Successful Bidder - M/s Indrajit Power Pvt. Ltd.

Vesting Date- 22nd April, 2015

Deviation from the Efficiency Parameters	Show Cause Notice Date	Reply of SB to Show Cause Notice	Observation of the Committee
1. Land Acquisition (to reach rated capacity) Due Date: 22.04.2018 Actual Date of Completion: Still pending	<u>24.07.2018</u> <u>26.07.2019</u>	<u>Vide reply dated 02.08.2018</u> <ul style="list-style-type: none"> Delay in TILR survey is the major factor cause delay in meeting the efficiency parameters of the CMDPA agreement. Completion of TILR & survey and getting the map approved by the Concerned Authority before Opening Permission was pre-requisite before purchase and initiation of land acquisition. But in records of TILR, village maps were not updated. Problems are being faced for TILR survey because of the involvement of huge area(450 Ha in lease area spread out in 4 villages), non-availability of updated subdivision maps, major area under cultivation. Once the minimum land (70 Ha) required would be acquired, first phase of process of opening of Escrow account, application of mine opening permission and subsequent grant of opening permission from respective authorities will be carried out. <p>Other problems mentioned in reply are:-</p>	<p>Allocattee stated that partial acquisition of land has been done and 72 Hectare land is yet to be acquired and mine working is to start from this left out land. Allocattee also mentioned that one of its partner company having 36% shareholding is under NCLT. Committee members are not satisfied with the reply given by the Allocattee and find lack of seriousness of effort of Allocattee and observes that due penalty should be imposed on them</p>
2. Opening of Escrow Account Due Date: 22.05.2018 Actual Date of Completion: Still pending	<u>24.07.2018</u> <u>26.07.2019</u>		

3. Application of Opening Permission Due Date: 22.05.2018 Actual Date of Completion: Still pending	<u>24.07.2018</u> <u>26.07.2019</u>	<ul style="list-style-type: none"> Subsequent to the allotment of Nerad Malegaon coal mine and expiry of the Fuel Supply Agreement (FSA) and as per the revised MOC Policy of e-auction of Coal Linkage, IPPL did not get the opportunity to participate fully in tranche I, tranche II & tranche III due to eligibility criteria set for the computation of normative coal requirement. IPPL has to rely on Coal consumption, for running the captive power plant from the open market at very high cost, due to which company risks serious impairment due to financial losses. After vesting of 61.92 Ha of Land vide vesting order, IPPL cannot start the mining operation because location of this land is coming under western part and the western pit mining operation is planned from 10 the year onwards as per the mining plan. Revision of the Mining Plan, at this stage and starting the mining operation from the Western part does not seem to be viable from the technical point of view. Also, the process of revision of the mining plan is extremely lengthy and time consuming. <p><u>Vide reply dated 05.08.2019</u></p> <ul style="list-style-type: none"> Completion of TILR & survey and getting the map approved by the Concerned Authority before Opening Permission was pre-requisite before purchase and initiation of land acquisition. Maximum time (2 years) was consumed to complete total survey process as ML has total area of 450 Ha for which physical verification of land in the field by Total Station 	<p>Committee members are not satisfied with the reply given by the Allocattee and is of the view that serious effort has not been done by the Allocatee and observes that due penalty should be imposed on them</p>
4. Grant of Opening Permission Due Date: 22.06.2018 Actual Date of Completion: Still pending	<u>24.07.2018</u> <u>26.07.2019</u>		

		<p>instrument and presence of land owners/Government Surveyor/ Mine Representatives as compulsory at the spot and other allied activities. TILR survey was approved along with Joint Measurement Report (JMR) on 14.02.2019.</p>	
		<ul style="list-style-type: none"> • After completion of TILR survey, IPPL started discussions and conducted meetings with private land owners/collectively/individually for purchase of land with land compensation at par with government rates in that region. However, the demand of land owners for compensation of land is very high for which IPPL are in regular discussion with land owners to further negotiate at reasonable rate. • To acquire the minimum land in first phase (72 Ha) for Mine Opening Permission another 6 to 9 months are required. • Once the minimum land required has been acquired, first phase of process of opening of Escrow account, application of mine opening permission and subsequent grant of opening permission from respective authorities will be carried out. <p>Other problems mentioned in reply are:-</p> <ul style="list-style-type: none"> • Same as in reply dated 02.08.2018 	

.14. MarkiMangli-III

Successful Bidder - M/s BS Ispat Ltd.

Vesting Date- 17thApril, 2015

Deviation from the Efficiency Parameters	Show Cause Notice Date	Reply of Allottee to Show Cause Notice(s)	Observation of the Committee																		
1. Execution of Mining Lease (Due Date: 17.07.2015 Actual Date of Completion: Still pending	19.08.2019	<p>EC issued on 13.05.2019 and uploaded on EC portal on 24.05.2019. EC was one of the main document required for Execution of Mining Lease deed. Chronological correspondence provided by allocatee as:</p> <table><tr><th>Date</th><th>Regarding</th></tr><tr><td>01.03.2019</td><td>From BSIL to DGM Govt of Maharashtra Regarding Execution of ML</td></tr><tr><td>02.04.2019</td><td>From DMO Yawatmal to JDRS collector , Yawatmal regarding Execution of ML</td></tr><tr><td>26.04.2019</td><td>Online Stamp Duty adjudication uploaded</td></tr><tr><td>23.05.2019</td><td>JDRS Collector, Yawatmal to DMO Yawatmal regarding query for grade of coal of MM III & rate of royalty</td></tr><tr><td>06.06.2019</td><td>DMO Yawatmal to JDRS collector Yawatmal regarding reply grade and royalty of MMIII</td></tr><tr><td>18.06.2019</td><td>JDRS collector, Yawatmal to Deputy Director Town Planning Dept Amravati regarding confirmation on which method stamp duty to be calculated</td></tr><tr><td>15.07.2019</td><td>BSIL to Hon. Chief Secretary GoM regarding to bring knowledge about the delays</td></tr><tr><td>24.07.2019</td><td>Meeting with Joint Sec Industries Energy and labor deptGoM regarding assurance to sort it out</td></tr></table>	Date	Regarding	01.03.2019	From BSIL to DGM Govt of Maharashtra Regarding Execution of ML	02.04.2019	From DMO Yawatmal to JDRS collector , Yawatmal regarding Execution of ML	26.04.2019	Online Stamp Duty adjudication uploaded	23.05.2019	JDRS Collector, Yawatmal to DMO Yawatmal regarding query for grade of coal of MM III & rate of royalty	06.06.2019	DMO Yawatmal to JDRS collector Yawatmal regarding reply grade and royalty of MMIII	18.06.2019	JDRS collector, Yawatmal to Deputy Director Town Planning Dept Amravati regarding confirmation on which method stamp duty to be calculated	15.07.2019	BSIL to Hon. Chief Secretary GoM regarding to bring knowledge about the delays	24.07.2019	Meeting with Joint Sec Industries Energy and labor deptGoM regarding assurance to sort it out	.
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06.08.2019	Total documents handed over regarding lease and met with Prin. Sec. forwarded all documents to IGR Pune						
22.08.2019	Still waiting for reply						
2. Mine Opening Permission Due Date: 17.07.2015 Actual Date of Completion: Still pending	<u>19.08.2019</u>	<p>Reason submitted as:</p> <p>On 06.03.2019, letter from BSIL to CCO Kolkata regarding online application for mine opening permission with application no. BOCMA0001058 but it was kept on hold for submission of ML, CTO and NOC for CGWA</p>					
3. Permission from DGMS Due Date: 17.07.2015 Actual Date of Completion: Still pending	<u>19.08.2019</u>	It can only be applied after obtaining Mining Lease Deed and Mine Opening Permission.	<p>Allocattee stated that there was change in the boundary of the mine through corrigendum in vesting order in year 2017. Also the EC granted to previous allottee was not transferred to it by MoEF&CC as mandated and instead MoEF&CC advised it to revise the mine plan and apply afresh for Environment Clearance. All this caused delay in grant and execution of Mining Lease. Also it delayed in grant of successive clearances such as opening of Escrow Account. Mine Opening Permission etc.</p> <p>Committee observed that before taking final decision reply given by allocate is required to be verified from the documents provided.</p>				

4. Consent to Operate Due Date: 17.07.2015 Actual Date of Completion: Still pending	<u>19.08.2019</u>	<p>Chronology submitted as:</p> <table><tr><th>Date</th><th>Regarding</th></tr><tr><td>27.04.2019</td><td>From BSIL to MPCB, Chandrapur regarding online application submitted for CTO</td></tr><tr><td>15.05.2019</td><td>From SRO Chandrapur to MCB , Mumbai regarding application forwarded</td></tr><tr><td>26.06.2019</td><td>From Jt. Director MPCB, Mumbai to BSIL regarding Show cause notice issuance</td></tr><tr><td>01.07.2019</td><td>From BSIL to Jt. Director MPCB Mumbai regarding reply of show cause notice</td></tr><tr><td>07.08.2019</td><td>From BSIL to MPCB Mumbai regarding mail forwarded received from CGWA office containing CGWA NoC approved</td></tr><tr><td>22.08.2019</td><td>Under process with MPCB Mumbai</td></tr></table>	Date	Regarding	27.04.2019	From BSIL to MPCB, Chandrapur regarding online application submitted for CTO	15.05.2019	From SRO Chandrapur to MCB , Mumbai regarding application forwarded	26.06.2019	From Jt. Director MPCB, Mumbai to BSIL regarding Show cause notice issuance	01.07.2019	From BSIL to Jt. Director MPCB Mumbai regarding reply of show cause notice	07.08.2019	From BSIL to MPCB Mumbai regarding mail forwarded received from CGWA office containing CGWA NoC approved	22.08.2019	Under process with MPCB Mumbai	<p>Committee advised the office of Nominated Authority to provide it the details and advised to write to State Government on representation of the allocattee regarding delay at their end and obtain comments of State Government in a time bound manner.</p>
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5. Opening of Escrow Account Due Date: 17.10.2015 Actual Date of Completion: Still pending	<u>19.08.2019</u>	<p>Chronology submitted as:</p> <table><tr><th>Date</th><th>Regarding</th></tr><tr><td>08.03.2019</td><td>From BSIL to CCO Kolkata regarding application submitted for opening an account</td></tr><tr><td>17.04.2019</td><td>From BSIL to CCO Kolkata again application submitted for opening an account</td></tr><tr><td>23.05.2019</td><td>From BSIL to CCO Kolkata regarding by hand application submitted for opening an account</td></tr></table>	Date	Regarding	08.03.2019	From BSIL to CCO Kolkata regarding application submitted for opening an account	17.04.2019	From BSIL to CCO Kolkata again application submitted for opening an account	23.05.2019	From BSIL to CCO Kolkata regarding by hand application submitted for opening an account							
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Annexure

List of participants on 05.02.2020

A. List of participants from the Nominated Authority/Ministry of Coal

S.No.	Name	Designation
1	Shri Parthasarathi Bhattacharya	Chairman of Scrutiny Committee & Ex-Chairman, CIL
2	Shri N.K. Singh	Deputy Secretary
3	Shri Jitendra Kumar	Sr. Manager
4	Ms. Nisha	Dy. Manager
5	Ms. Harpreet Kaur	Dy. Manager
6	Ms. Swati	Dy. Manager

Sl. No.	Name	Designation	Organization
1.	Arun Kumar	DDG	Govt. of Jharkhand
2.	Dr. Sujoy majumder	OSD (Mining&QM)	Coal Controller Office, Kolkata
3.	A. Prasad	GM (UMD)	CMPDI
4.	Bijesh Kumar Jha	President (Mines)	Hindalco Industries Limited
5.	Vivek Mishra	Head- CG Coal Mine	
6.	Sumita	Sr. Manager	
7.	Abhishek	Sr. Manager	
8.	Rajiv Kumar	Head, CHotia Coal Mine	Bharat Aluminium Company Ltd.
9.	Sarvanand Jhajhoria	Asst. Manager, Chotia Coal Mine	

10.	Virendra Kumar Jaiswal	Asst. Manager, Chotia Coal Mine	
11.	Arvind Kumar Agrawal	Supredentent Engineer	Rajasthan Rajya Vidyut Utpadan Nigam Ltd.
12.	Subir Chaowdhary	AGM	
13.	Asim Chattopadhyay	Executive- VP	Reliance Cement Company Private Limited
14.	S K Jain	AVP	
15.	Bhupenndra Singh Chowdhary	AVP	
16.	Debashish Choudhury	VP	Birla Corporation
17.	S S Nag	Dy. Director	Government of Chhattisgarh
18.	B Bhaskar Rao	Director (PCP)	The Singareni Collieries Company Limited
19.	Ch. Vijaya Rao	GM (Naini)	
20.	N K Ojha	RM	
21.	Praveen Kashyap	Dy. Manager (Naini)	
22.	A Dubey	SE (ECM)	
23.	Dr. Umesh	Joint Director of Mines	Government of Odisha

List of participants on 06.02.2020

S.No.	Name (S/Sri)	Designation	Company/Ministry
1.	P.M. Patel	Chief Engineer	Gujarat State Electricity Corporation Limited
2.	K.J. Vyas	Executive Engineer	
3.	Ranghvendra Agrawal	E.D.	Indrajit Power Pvt. Ltd.
4.	Dharanipati	VP	
5.	Sandeep Naik	Manager	
6.	Ajit Chatterjee	GM	West Bengal Mineral Development & Trading Corporation Limited
7.	Arindam Shome	Sr. Manager	
8.	Dr. Sujoy Majumder	OSD(Mining& QM)	Coal Controller's Organisation
9.	Niranjana Das	Advisor (Coal)	Chhattisgarh State Power Generation Co Ltd
10.	Devendre Naik	ACE (Civil)	
11.	Dr. Umesh	Joint Director of Mines	Government of Odisha
12.	B.P. Mishra	MD	B.S. Ispat Ltd.
13.	S.S. Nag	Deputy Director	Government of Chhattisgarh
14.	Partha Mazumder	ED(Coal Mining)	NTPC Limited
15.	Sanjiv Kr. Singh	AGM(Coal Mining)	
16.	Neeraj Jalati	AGM(Coal Mining)	
17.	Prabhakar Choudhary	DGM(Mining)	