

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

**120, F- Wing, First Floor, Shastri Bhawan
New Delhi, Dated: 30th Jan, 2019**

OFFICE MEMORANDUM

**Sub: Summary record of the Minutes of the 8th meeting of the Scrutiny
Committee held on 24.09.2018 at Shastri Bhawan, New Delhi.**

The undersigned is directed to refer to the subject mentioned above and to forward the record note of the 8th meeting of the Scrutiny Committee held on 24.09.18 chaired by Chairman of the Committee on the said subject.

Encl: as above



(N.K. Singh)

**Deputy Secretary to the Govt. of India
Tel. No.-011 23384104**

To,
All the Participants

Minutes of the 8th meeting of the Scrutiny Committee held on 24.09.2018 at Shastri Bhawan, New Delhi

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

During the meeting the Shri N K Singh, Deputy Secretary, NA has informed the committee that the Nominated Authority has decided that following will be treated as Statutory Clearances for the purpose of monitoring of Schedule II Coal Mine :-

- a) Execution of Mining Lease
- b) EC
- c) FC I or II (as applicable)
- d) Mine Opening Permission
- e) Consent to Operate

1. Bicharpur - Successful Bidder- Ultra Tech cement Limited.

Vesting Date- 01.04.2015.

Deviation from the Efficiency Parameters	Reply of Allottee to Show Cause Notice	Observation of the Committee						
<p>A Show Cause Notice dated 18.07.2018 was given for following deviation:- Date of Transfer of Statutory Permissions in favour of Successful Bidder. Due date was 01.07.2015</p> <table border="1"> <thead> <tr> <th>Particulars</th> <th>Actual Date</th> </tr> </thead> <tbody> <tr> <td>Execution of Mining Lease</td> <td>30.09.2015</td> </tr> <tr> <td>Mining Opening Permission</td> <td>10.03.2015</td> </tr> </tbody> </table>	Particulars	Actual Date	Execution of Mining Lease	30.09.2015	Mining Opening Permission	10.03.2015	<p>1. Delay in Execution of Mining Lease</p> <ul style="list-style-type: none"> • Application was made on 02.04.2015. • Fresh application in prescribed format of ML-I was made on 15.04.2015 on the advice of Mineral Resource Department. • Director, Geology and Mines verbally asked UTCL to submit some documents and same was submitted by UTCL between 21.05.2018 to 03.06.2015. • Mining lease granted on 17.06.2015. • Demand Notice of Rs 14.86 cr towards stamp duty and 11.14 cr for registration fee considering royalty for entire lease period of 29 years was raised on 02.07.2015. 	<p>1. The Committee observed that delay in execution of mining lease was mainly due to wrong calculation of Stamp Duty which was over casted by the State Government and subsequently amended on 22.09.2015 by the State Government.</p> <p>2. Committee observes that that Mine opening Permission</p>
Particulars	Actual Date							
Execution of Mining Lease	30.09.2015							
Mining Opening Permission	10.03.2015							

Consent to Operate	Pending	<ul style="list-style-type: none"> • UTCL submitted representation to IGR for incorrect interpretation of stamp duty on 04.07.2015. • On 21.07.2015, IGR, Bhopal clarified that stamp duty calculation was not correct and advised District Registrar, Shahdol to calculate stamp duty as per Stamp Act. • On 22nd September 2015, Stamp Duty was adjudicated by District Registrar, the stamp duty was paid by UTCL on 24th September and finally ML was registered on 30.09.2015. <p>Delay in Mine Opening Permission. 10.03.2016</p> <ul style="list-style-type: none"> • Applied on 15.04.2015, however CCO verbally asked for registration of Mining Lease. • Again applied on 15.10.2015 after the execution of mining lease. (documentary evidence given) • On 23rd Nov 2015 CCO asked for DGMS permission and consent from CGWA. (documentary evidence given) • Prior Alottee had not obtained NOC from CGWA and as per the advise of CGWA UTCL had conducted fresh Hydrological studies and applied for fresh NOC. • On 3.12.2015 UTCL approached CGWA for issue a certificate stating that Bicharpur coal mine falls under Safe Zone and shall not be treated as NOC for ground water. (documentary evidence given) • UTCL submitted DGMS permission to CCO on 07.01.2016. As per the advice of CCO via email 05.03.2016, UTCL submitted an undertaking that development work shall be carried out in non-forest land (inclined no I, II and air shaft) on 05.03.2016. • CCO issued mine Opening Permission on 10.03.2016 only for inclines and sinking of shafts in non forest land. <p>Delay in consent to Operate</p>	<p>has been granted only for diverge of inclines and sinking of shaft. However, Mine Opening for Extraction of coal has still not been granted by CCO due to delay in Forest Clearance –II. FC stage II was not obtained by the prior Allottee and subsequently the same was not vested to Successful bidder.</p> <p>3. Committee observed that as per Clause 2 of Consent to Establish, it is mentioned that application for Consent to Operate has to submit 2 months before the commissioning of industry.</p>
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	<ul style="list-style-type: none"> • As per Clause C at Page 2 of Consent to establish, application for same has to submit 2 months before the commissioning of industry. • Mine opening permission is granted for development of inclines therefore application for consent to operate is not yet made by UTCL. 	
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Recommendation of the committee

1. The committee recommends that a confirmation from State Government of Madhya Pradesh may be obtained about overcasting of Stamp Duty which was subsequently amended on 22.09.2015.
2. The Mine opening Permission is granted for drivage of inclines. Mine opening permission for extraction of coal is yet to be granted which is dependent on FC stage II. FC Stage II was not vested to Successful Bidder, the question of transfer of same does not arise. Hence committee recommends that Show Cause Notice issued for mine opening permission is reconsidered or a fresh view may be taken in this regard.
3. The decision of the Committee on delay in consent to Operate will depend on interpretation of definition of "commissioning of industry" mentioned in CTE. Hence the Committee recommends that state Government of Madhya Pradesh may be requested to take a call on interpretation of meaning of "commissioning of industry".

2. Gare Palma IV/5 - Successful Bidder- Hindalco Industries Limited.

Vesting Date- 01.04.2015.

Deviation from the Efficiency Parameters	Reply of Allottee to Show Cause Notice	Observation of the Committee						
<p>A Show Cause Notice dated 06.07.2018 was given for following deviation:- Date of Transfer of Statutory Permissions in favour of Successful Bidder. Due date was 01.07.2015</p> <table border="1" data-bbox="273 667 730 900"> <thead> <tr> <th>Particulars</th> <th>Actual Date</th> </tr> </thead> <tbody> <tr> <td>Mining Opening Permission</td> <td>23.11.2015</td> </tr> <tr> <td>Consent to Operate</td> <td>30.06.2015</td> </tr> </tbody> </table>	Particulars	Actual Date	Mining Opening Permission	23.11.2015	Consent to Operate	30.06.2015	<ol style="list-style-type: none"> 1. Delay in Mine Opening Permission. 10.03.2016 2. Applied on 08.04.2015. 3. On 18.06.2015, CCO directed HIL to re-apply in a separate format and sought further documents including DGMS permission and Mining Lease (no documentary evidence) . 4. HIL submitted part documents on 22.08.2015. 5. After the grant of Mining Lease and DGMS permission on 20.10.2015 and 30.10.2015 respectively Mine Opening Permission was granted on 23.11.2015. <p style="text-align: center;">2. Delay in consent to Operate</p> <p>The Clearance was granted within the timeline.</p>	<p>1. The Committee observed that production from coal mine was supposed to start after 3 months from the date i.e 01.07.2015. and All the statutory Clearance had to be obtained within the 3 months from vesting date. However, the Mining Lease was executed on 20.10.2015 on account of amendment in Stamp Duty Act for the state of Chhattisgarh. A relaxation upto 20.10.2015 has been granted to successful bidder during 4th meeting of the Scrutiny Committee for production from the mine for FY 2015-16. State Government shall confirm whether the Zero /Vesting date will be considered as 20.10.2015 for the purpose of transfer of Statutory Clearance.</p>
Particulars	Actual Date							
Mining Opening Permission	23.11.2015							
Consent to Operate	30.06.2015							

		2. Based on the documentary evidence submitted by the Successful bidder during the meeting, committee observes that Consent to Operate was granted within timeline.
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Recommendation of the committee

1. The decision of the committee will depend on whether the Zero /Vesting date will be considered as 20.10.2015 for the purpose of transfer of Statutory Clearance based on confirmation yet to be given by State authority as decided in 4th meeting. Hence Committee recommends that a comment in this regard may be sought from State Government of Chhattisgarh.
2. The committee recommends that a confirmation from State Government of Chhattisgarh may be obtained about overcasting of Stamp Duty which was subsequently amended on 22.09.2015.
3. As the Consent to operate was obtained within timeline, the committee recommends that Show cause notice issued for same reason may be reconsidered or a fresh view may be taken in this regard.

3.. Kathautia - Successful Bidder- Hindalco Industries Limited.

Vesting Date- 01.04.2015.

Deviation from the Efficiency Parameters	Reply of Allottee to Show Cause Notice	Observation of the Committee								
<p>A Show Cause Notice dated 05.07.2018 was given for following deviation:- Date of Transfer of Statutory Permissions in favour of Successful Bidder. Due date was 01.07.2015</p> <table border="1" data-bbox="271 772 730 1086"> <thead> <tr> <th>Particulars</th> <th>Actual Date</th> </tr> </thead> <tbody> <tr> <td>Execution of Mining Lease</td> <td>07.10.2015</td> </tr> <tr> <td>Mining Opening Permission</td> <td>24.02.2017</td> </tr> <tr> <td>Consent to Operate</td> <td>16.01.2017</td> </tr> </tbody> </table>	Particulars	Actual Date	Execution of Mining Lease	07.10.2015	Mining Opening Permission	24.02.2017	Consent to Operate	16.01.2017	<p>1. Delay in Execution of Mining Lease</p> <p>No explanation was submitted by Successful Bidder vide their reply to show cause notice.</p> <p>However, during the meeting the Successful bidder had submitted delay in execution of mining lease was due to discovery of Jungle Jhari land in the coal mine. The matter was finally resolved on 04.07.2015 after the notification of Revision Survey and Settlement Records - conducted by the Department of Registration, Revenue and Land Records.</p> <p>2. Delay in grant of Mine Opening Permission</p> <ul style="list-style-type: none"> • Mining Lease and Consent to Operate and DGMS permission are pre-requisites. • ML granted on 07.10.2015, CTO granted on 16.01.2017 and DGMS permission granted on 30.07.2017. • Hard copy of the application was submitted to CCO on 31.01.2017. However CCO asked SB to apply online. 	<p>1. The committee observes that during the review meeting held on 1.12.2018, It was decided by the Committee that delay in execution of mining lease on account of discovery of alleged <i>jungle jhari</i> (deemed forest)land may be admissible. The zero date for production from the said mine may be consequently considered as 04.07.2016 (being the date of notification of revised survey records), instead of 01.07.2015. The mining lease could have executed within reasonable time after the issue of jungle jhari was resolved. However , the Mining Lease was executed on 07.10.2015, which leads to the subsequent delay in grant of Mine opening permission. The committee also observes that there is undue delay in grant of Consent to Operate</p>
Particulars	Actual Date									
Execution of Mining Lease	07.10.2015									
Mining Opening Permission	24.02.2017									
Consent to Operate	16.01.2017									

	<ul style="list-style-type: none"> • Escrow account was opened on 6th of Feb 2017. Tripartite agreement was signed on 13th Feb 2017. • On 16th Feb 2017 Mine Opening Permission was granted. <p>3. Delay in grant of Consent to Operate</p> <ul style="list-style-type: none"> • Application was made on 13.04.2015. • JSPCB conducted site inspection on 06.06.2015. However, CTO valid till 31.12.2015 was not transferred. • Fresh application was made on 23.08.2016 on the instruction of JSPCB, • Inspection of mine was done 18.10.2016 after the execution of ML • CTO granted on 16.01.2017 	
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Recommendation of the committee

1. As there is undue delay in the execution of Mining Lease, grant of Mining Opening Permission and grant of consent to operate even after the issue of jungle jhari was resolved, the committee recommends Nominated Authority to take action as per the provisions of CMDPA, for non-compliance with the Efficiency Parameter.

4. Dipside Manoharpur- Allottee- M/s Odisha Coal & Power Limited

Allotment Date- 31st August, 2015

Sl. No.	Deviation from the Efficiency Parameters	Reply of Allottee to Show Cause Notice	Observation of the Committee
1	Prospecting License (Due Date- 30.12.2015)	<ul style="list-style-type: none"> The Allotment Order dated 31st Aug 2015 did not vest the prospecting license granted to prior allottee. OCPL, immediately approached the Nominated Authority vide its letter dated 04.09.2015 to include & vest the Grant of Previous Approval for prospecting license of Dip-side Manoharpur coal block in the Amendment Order. The Nominated Authority issued Corrigendum No. 01 dated 10.12.2015 to the Allotment Order vested the Grant of Previous Approval for prospecting of the Manoharpur & Dip-side coal blocks in favour of OCPL. Subsequently, the State Govt. vide its letter dated 08.01.2016 revised the Grant Order for prospecting license in respect of Dip-side Manoharpur coal block in favour of OCPL, since the Previous Approval for prospecting license is a pre-requisite condition for the same. Thereafter, the PL was executed on 09.02.2016 and registered on 10.02.2016. 	<p>The previous approval for prospecting of the Manoharpur & Dip-side coal blocks was vested to M/s OCPL vide Corrigendum dated <u>10.12.2015</u>. The same is necessary for grant of PL.</p> <p>The time limit for grant of PL as per Efficiency Parameters is four months. The PL was granted on 09.02.2016 i.e. within time period of two months from 10.12.2015. As such, relaxation upto 10.12.2015 may be provided to the Allottee.</p>
2	Completion of Exploration and preparation of GR (Due Date- 30.06.2017)	<ul style="list-style-type: none"> It is pertinent to mention that Prospecting License (PL) is a prerequisite for Exploration and preparation of Geological Report (GR). PL was executed on 09.02.2016. Immediately after receipt of Allotment Order on 31st Aug 2015, OCPL had taken action by appointing CMPDI on 14th Sep 2015 for the job of supervision of exploratory core drilling services and preparation of GR. 	<p>Prospecting License (PL) is a prerequisite for Exploration and preparation of Geological Report (GR). PL was executed on 09.02.2016. The same was delayed due to issuance of corrigendum no</p>

	<ul style="list-style-type: none"> • OCPL had appointed the drilling agency for exploratory drilling in Dip-side Manoharpur coal block on 4th Jan 2016 and Institute of Minerals & Materials Technology (IMMT), a Govt. of India Organization, for testing of coal core samples on 8th Dec 2015 to complete the job in time. • Since, CMPDI is the approved authority of MoC for certification of Geological Coordinates, OCPL approached CMPDI on 10.08.2015 to certify the Geological Coordinates of the coal blocks. • CMPDI vide Letter dated 16.02.2016, recommended the case to the Nominated Authority to modify the Geological Coordinates as per WGS-84 datum and include the same in the Allotment Order. • On 19.02.2016, M/s CMPDI informed M/s OCPL that the Coordinates given in the Allotment Order are the Coordinates of Manoharpur coal block only, whereas, OCPL have been allotted both Dip-side Manoharpur & Manoharpur coal blocks. CMPDI further stated that they cannot take up the job of supervision of exploratory core drilling services and prepare the Geological Report of the coal block unless and until inclusion of Geological Coordinates of Dip-side Manoharpur coal block is approved by the Nominated authority. • On 22.03.2016, the Nominated Authority issued the Corrigendum-3 to the Allotment Order including the Geological Coordinates of Dip-side Manoharpur coal block. • Upon a series of follow ups with CMPDI, the final scheme for exploration of Dip-side Manoharpur was received from CMPDI on 03.05.2016, which is a prerequisite for exploration. Subsequently, CMPDI mobilized its resources for supervision of drilling on 05.05.2016. • It may kindly be appreciated that OCPL has completed the drilling operation (79 boreholes/26801 mtrs) by 7th March 2017 i.e. within a period of less than a year from the date of issue of Corrigendum-3 i.e. 22nd March 2016 • It may kindly be appreciated that OCPL has completed the drilling operation (79 boreholes/26801 mtrs) by 7th March 2017 i.e. within a period of less than a year from the date of issue of Corrigendum no. 3 i.e. 22nd March 2016. 	<p>01 dated 10.12.2018 as explained at Sl. No. 01 above.</p> <p>Further, M/s OCPL approached CMPDI on 10.08.2015 (before issuance of Allotment order on 31.08.2015) to certify the Geological Coordinates of the coal blocks.</p> <p>Subsequently, on 19.02.2016, M/s CMPDI informed M/s OCPL that the Coordinates given in the Allotment Order are the Coordinates of Manoharpur coal block only, whereas, OCPL have been allotted both Dip-side Manoharpur & Manoharpur coal blocks. On 22.03.2016, the Nominated Authority issued the Corrigendum to the Allotment Order including the Geological Coordinates of Dip-side Manoharpur coal block.</p> <p>As per Efficiency Parameters, the activity of completion of exploration and preparation of GR need to be done within 22 months from the Zero Dat. Nominated may take a view whether zero date is considered from the date of issue of Corrigendum i.e. 22.03.2016, the</p>
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		<ul style="list-style-type: none"> It is to mention that OCPL has been requesting to consider the date of Corrigendum No. 03 i.e. 22.03.2016 as Zero Date. As per Efficiency Parameters, the activity of completion of exploration and preparation of GR need to be done within 22 months from the Zero Date i.e. 21st January 2018. However, this activity has been achieved 3 days before the stipulated timeline i.e. 19.01.2018. 	<p>due date for completion of GR may be 22.01.2018. However, this activity has been achieved 3 days before the stipulated timeline i.e. 19.01.2018.</p> <p>As such, relaxation upto 22.03.2016 may be given to Allottee if zero date is agreed to be modified by Nominated Authority.</p>
3	<p>Mining Lease application or Notification under Sec 7 of the CBA Act (Due Date- 30.09.2017)</p>	<ul style="list-style-type: none"> It is to mention that OCPL has been requesting to consider the date of Corrigendum No. 03 i.e. 22.03.2016 as Zero Date. The immediate important events after the exploration and preparation of GR is the filing of the Mining Lese (ML) application within a period of 3 months. The ML application was submitted to the State Government on 06.02.2018 by OCPL. Considering the date 19th January 2018 as the zero date, OCPL has submitted the Mining Lease application well within the 3 months from the zero date. The matter has been discussed during the review meetings taken by the Nominated Authority, where the Nominated Authority had advised to go ahead with development of Manoharpur coal block on priority basis and start the production there from at the earliest. It is pertinent to mention that OCPL is going ahead at a faster pace in developing the Manoharpur coal mine with a target to start the coal production as per the Efficiency Parameters. All the major permits/ clearances are in place and the Mining Lease has already been executed. 	<p>As per Efficiency Parameters, Mining Lese (ML) application is to be done within a period of 3 months from dated of GR.</p> <p>As stated above in respect of Sl. No. 02, in case relaxation upto date of Corrigendum i.e. 22.03.2016 is provided and as GR has been completed on 19.01.2018 the due date of ML application may be considered as 19.04.2018. M/s OCPL had filed the ML application on 06.02.2018.</p> <p>As such, relaxation may be given if zero date is considered to be modified by Nom. Authority as mentioned at 2 above.</p>

4	Submission of Mining Plan (Due Date- 30.12.2017)	<ul style="list-style-type: none"> • It is to mention that OCPL has been requesting to consider the date of Corrigendum No. 03 i.e. 22.03.2016 as Zero Date. • Subsequent to exploration and preparation of GR, Mining Plan is to be submitted within a period of 3 months. • M/s OCPL has appointed CMPDI for preparation of Mining Plan & Mine Closure Plan (MP&MCP) on 12.02.2018 with a condition to submit the MP & MCP within 3 months. • OCPL has submitted the Mine Plan & Mine Closure Plan (Rev-III) to the Ministry of Coal on 07-07-2018 which is well within stipulated time period as per the Efficiency Parameters i.e. within 6 months from 19-01-2018 (the zero date). Hence, it is requested to drop the Show Cause Notice issued in favour of OCPL by the Nominated Authority. 	<p>As per Efficiency Parameters, Mine Plan is to be submitted within a period of 6 months from dated of GR.</p> <p>As stated above in respect of Sl. No. 02, in case relaxation upto date of Corrigendum i.e. 22.03.2016 is considered for modification by Nom. Authority and GR has been completed on 19.01.2018, the due date of Mine Plan submission comes out to be 19.07.2018. M/s. OCPL has submitted the Mine Plan & Mine Closure Plan (Rev-III) to the Ministry of Coal on 07-07-2018.</p> <p>As such, relaxation may be considered if zero date is reconsidered as mentioned at 2.</p>
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Recommendation: The delay in achievement of Milestones of Prospecting License was due to vesting of previous approval of PL vide Corrigendum dated 10.12.2015. Furthermore, another Corrigendum dated 22.03.2016 was issued vesting the geographical co-ordinates of Dipside Manoharpur coal mine to M/s OCL, which caused delay in preparation of GR and subsequent activities namely, Mining Lease application and submission of Mine Plan. As such, the delay may not be attributed to M/s OCPL. Hence the relaxation upto date of Corrigendum(s) i.e. 10.12.2015 for Milestone of obtaining PL and upto 22.03.2016 for date of GR and subsequent activities may be considered, if zero date is extended by Nominated Authority.

5. Banhardih- Allottee- M/s Patratu Vidyut Utpadan Nigam Limited

Allotment Date- 30th June, 2015

**As per deed of Assignment of Agreement dated 18th May 2018, the liability arising out of non compliance with the said Milestone lies with M/s Jharkhand Urja Utpadan Nigam Limited.*

Sl. No.	Deviation from the Efficiency Parameters	Reply of Allottee to Show Cause Notice	Observation of the Committee
1	<p>Prospecting License or Notification under Sec 4 of the CBA Act (Due date- 31.08.2015)</p>	<ul style="list-style-type: none"> • Prospecting License was obtained by JUUNL on dated 24.01.2011 prior to cancellation of this Coal Block by the order of Hon'ble Supreme Court. • After issuance of Allotment order dated 30.06.2015, M/s JUUNL vide its dated 15.07.2015 requested GoJ for time Extension/ Issuance of fresh prospecting License for Banhardi Coal Mine. Secretary, Deptt. Of Mines & Geology, Government of Jharkhand, initiated JUUNL to apply a fresh prospecting License with allotment order & Agreement vide their letter no. 1676 dated 06.08.2015. • Accordingly, application for fresh Prospecting License was submitted to the office of District Mining Officer (DMO), Latehar. • District Mining Officer, Latehar vide his letter no. 688 dated 28.09.2015 requested for submission of documents & clarifications over certain points (submission of Land Schedule, variation in village names in application and Allotment order, Boundary map by CMPDIL, etc.) • The allotment order contained the partially incorrect name of villages which was bottleneck in getting Prospecting License. The necessary corrigendum no. 01 to the Allotment order modifying the village names 	<p>After issuance of Allotment order dated 30.06.2015, M/s JUUNL vide its dated 15.07.2015 requested GoJ for issuance of prospecting License for Banhardi Coal Mine. Government of Jharkhand vide their letter dated 06.08.2015 advised M/s JUUNL to apply a fresh prospecting License. Accordingly, application for fresh Prospecting License was submitted to the office of District Mining Officer (DMO), Latehar.</p> <p>District Mining Officer, Latehar vide his letter dated 28.09.2015 requested for submission of documents & clarifications over certain points (submission of Land Schedule, variation in village names</p>

		<p>was issued on 01.12.2015 which was immediately submitted to Deptt. of Mines & Geology, Government of Jharkhand.</p> <ul style="list-style-type: none"> • Further, CMPDIL has given approved Boundary Map on 21.12.2015. • Compliances against queries of DMO raised vide letter dated 28.09.2015 were submitted to the office of DMO vide M/s JUUNL's letters dated 11.12.2015 and letter dated 23.12.2015. • With regard to compliance to query of DMO, Latehar for preparation of Land Schedule as per revised new revenue survey, JUUNL has engaged M/s Gondwana Geotech Services Pvt. Ltd., Ranchi for preparation of Land Schedule afresh vide work order dated 15.02.2016. • During the collection of data for preparation of Land Schedule as per revised new revenue survey, it has been observed that fixation of Boundary of Banhardi Coal Mine requires more accuracy in view of queries of DMO, Latehar vide his letter dated 28.09.2015. As such CMPDIL has been requested to provide co-ordinates of Banhardi Coal Block vide letter no. 30 dated 16.03.2016. CMPDIL have provided co-ordinates of 117 points of Banhardi Coal Block vide their letter no. 322 dated 31.03.2016. • On the basis of 117 nos. of co-ordinates provided by CMPDIL & certified Boundary Map, draft Land Schedule has been prepared on 20.04.2016. • Notification under Sec 4 of the CBA Act, 1957 i.e. PL was issued on 30.11.2017. 	<p>in application and Allotment order, Boundary map by CMPDIL, etc.) Compliances against said queries of DMO were submitted by M/s JUUNL's on 11.12.2015 and on 23.12.2015.</p> <p>With regard to compliance to query of DMO, Latehar for preparation of Land Schedule as per revised new revenue survey, JUUNL has engaged M/s Gondwana Geotech Services Pvt. Ltd., Ranchi for preparation of Land Schedule afresh vide work order dated 15.02.2016, i.e. after lapse of 5 months from date of queries raised by DMO. On the basis of 117 nos. of co-ordinates provided by CMPDIL & certified Boundary Map, draft Land Schedule has been prepared on 20.04.2016.</p> <p>Moreover, later M/s JUUNL went for land acquisition under CBA Act 1957, wherein notification under Sec 4 of the CBA Act, 1957 i.e. PL was issued on 30.11.2017.</p> <p>From above, it appears that the delay is attributable to M/s JUUNL and as such, action for</p>
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			appropriation of Bank Guarantee may be taken.
2	2. Completion of Exploration and preparation of GR(Due Date- 30.04.2017) &	<ul style="list-style-type: none"> • During the development of Banhardi Coal Mine for end use project at Patratu, it was decided to form a JV Company named 'Patratu Vidyut Utpadan Nigam Limited' (PVUNL) between GoJ/ JBVNL & NTPC for installation of 4000 MW Power Plant at PTPS. Accordingly JV Agreement has been signed on dated 29.07.2015 in which it was mentioned that the captive coal block for end use project at Patratu shall be assigned to PVUNL. • In view of above decision, request was made to the Ministry by Principal Secretary, Deptt. of Energy "for assigning coal block allocated to Jharkhand Urja Utpadan Nigam Limited (JUUNL) for Patratu Project to the Joint Venture Company between National Thermal Power Corporation (NTPC) & Jharkhand Bijli Vitran Nigam Limited (JBVNL). • Subsequently, Ministry accorded "In principle approval" for assignment of Banhardi Coal Block to PVUNL subject to compliances under clause 13.1.1 (b) of the Allotment Agreement dated 30.03.2015. • In view of above, it is clear that delay in execution of assignment caused a slow down with regard to development activities of the coal mine. • <u>Assignment of Agreement has been done on 18.05.2018.</u> 	During the development of Banhardi Coal Mine for end use project at Patratu, it was decided to form a JV Company named 'Patratu Vidyut Utpadan Nigam Limited' (PVUNL) between GoJ/ JBVNL & NTPC for development of the said coal mine. However, there has been inordinate delay on part of M/s JUUNL and M/s PVUNL for completing the Assignment of Allotment Agreement. The same has been done on 18.05.2018. In the meantime, no efforts were made to develop the coal mine as per timelines prescribed.
3	Mining Lease application or Notification under Sec 7 of the CBA Act(Due Date- 30.07.2017):		As such, no relaxation is recommended on these counts.

Recommendation: It has been observed that there has been delay on account of M/s JUUNL for obtaining PL wherein the Allottee was not making headway to obtain PL and ultimately PL was granted under CBA Act, 1957, a step which could have been initiated by M/s JUUNL earlier. Moreover, owing to Assignment of Agreement, the development of the coal mien took a backseat and no efforts were made to complete the Milestones specified in Allotment Agreement. As such, the office of the Nominated authority may proceed with imposition of penalty as per relevant terms and conditions of the Allotment Agreement.

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

S.No	Name	Designation	Company/Ministry
1	Om Prakash	Chairman of Committee	Ex CMD, SECL
2	R.M. Malla	MD	PTC India Financial Services
3	Dr. Sujoy Majuder	OSD (Mining)/HQ	Coal Controller's Organization
4	Shri N.K. Singh	Dy. Secretary	Nominated Authority
5	Shri Jitender Kumar	Sr. Manager	
6	Shri Santosh Ray	ASO	
7	Shri Abhishek Kumar	ASO	
8	Shri Jitender Kumar	Sr. Manager	
9	Ms. Harpreet Kaur	Dy. Manager	
10	Ms. Nisha	Dy. Manager	
11	Ms. Swati	Assistant Manager	

B. List of participants representing coal mines

S.No.	Name (S/Sri)	Designation	Company
1	Syed Khadry	VP (Mines)	UltraTech Cement Ltd.
2	Ajit Ostwal	Senior VP	
3	D.K. Mishra	AGM	NTPC Limited
4	Faiz Taiyab	AGM (Fuel)	NTPC/PVUNL
5	Dr. Kshirod Brahma	CEO (IC)	Odisha Coal & Power Limited
6	J.B. Das	Advisor	
7	Vivek Mishra	Head Chhattisgarh Coal Mine	Hindalco Industries Limited
8	Bijesh Jha	Head Jharkhand Coal Mine	