

File No: NA-203/8/2022-NA

Government of India

Ministry of Coal

O/o Nominated Authority

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Room No. 120, “F” Wing, Shastri Bhawan,  
New Delhi – 110001, Dated: June 14, 2023

FINAL ORDER

Subject: The Coal Mines (Special Provisions) Act, 2015 and Hon’ble High Court of Delhi, Judgment dated March 09, 2017– Valuation of Compensation for payable to M/s Abhijeet Infrastructure Pvt. Ltd (Prior to prior allottee) & Tata Sponge Iron Limited (prior allottee) for Brinda&Sasai/Sisai coal mine.

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In pursuance to the Provisional Order dated April 21, 2023, M/s Abhijeet Infrastructure Pvt. Ltd [AIPL], M/s Tata Sponge Iron Limited [TSPL], M/s Dalmia Cement (Bharat) Limited [DCBL] (Successful allottee) and consortium of Banks led by State Bank of India (Secured Creditors of M/s AIPL) were called upon April 27, 2023 at 3.00 PM to present their comments/objections, if any, on the determination of Compensation Amount made by Nominated Authority.

2. However, meeting was rescheduled to June 2, 2023, at 2.30 PM on the request of secured creditors who also intended to submit their claim pertaining to Brinda&Sasaicoal mine. It is important to note that SBI (Secured Creditors of M/s AIPL) have not submitted any mine-specific claims for Brinda&Sasaicoal mine despite of several reminders issued by O/o NA dated 25.04.2023, 15.05.2023, 19.05.2023 and 22.05.2023. Further, vide email dated May 19, 2023, SBI requested Nominated Authority to accept their prior claims (prior claim refers to:- the consortium's consolidated claim with regard to Brinda&Sasai coal mines and Meral coal mine), as they were unable to submit the mine-wise and Bank wise specific information as requested by NA. Additionally, they failed to submit the basic details, such as the loan's purpose, the interest rate, and a copy of the agreement for the loan to the Brinda&Sasaicoal mine from M/s AIPL.

3. Allottees (AIPL, TSPL, and DCBL) and secured creditors were present at the meeting on June 2, 2023, and their submissions before the Nominated Authority is summarized below.-

- I. M/s AIPL accepted the compensation of Brinda&Sasai coal mines as determined by Nominated Authority in provisional order dated April 21, 2023.
- II. M/s TSPL accepted the compensation determined by Nominated Authority in provisional order dated April 21, 2023 and further TSPL vide letter dated 24.04.2023 stated that M/s Usha Martin Limited furnished them some of the documents pertaining to Consents, Approval & Land Documents etc. However, they did not receive the original set of Geological Report (GR) from them.
- III. M/s DCBL stated that they did not receive original copy of GR and they are still struggling to take possession of vested land.

4. After hearing to submissions from all the parties, the following is directed :-
1. M/s TSPL is directed to handover all the original documents to M/s DCBL which they got from M/s UML within seven days of receipt of this order.
  2. M/s DCBL is directed to take the possession of land and mutate it in their name as sale deeds of land in the name of prior allottee, as per letter no 1376 dated 11.12.2017 of Government of Jharkhand (GoJ). Further, they may take a legible copy from CMPDIL.
  3. CMPDIL is directed to handover the legible copy of GR report to M/s DCBL.
  4. The claim of secured creditors is not acceptable since relevant documentary proofs have not been provided by SBI (Consortium Leader) even after giving ample opportunity.
5. In view of the above, the compensation determined in Provisional Order dated April 21, 2023 stands final which is restated below:-
- I. M/s AIPL, prior allottee-1, is entitled to compensation of Rs.3,31,07,352/-. Out of this, total compensation Rs 2, 97, 40,125/- is related to land and balance Rs.33,67,227/- is related to Mine Infrastructure.
  - II. M/s TSPL, prior allottee-2, is entitled to compensation Rs.5,64,03,573/- that is related to land compensation and Rs 7,87,26,057/- is related to refund from the fixed cost deposited by them. Therefore, M/s TSPL is entitled for total amount of Rs.13,51,29,630/-.
  - III. M/s DCBL is directed to deposit Rs.1,44,78,698/- in the designated account of Ministry of Coal within 7 days of receipt of this order.
6. In accordance with section 27 of the Act and the judgement dated 09.03.2017, it is open to M/s AIPL (prior to prior allottee), M/s TSPL (prior allottee), M/s DCBL (Successful allottee) and SBI to raise disputes with regard to the quantum of compensation before the Tribunal constituted under the Coal Bearing area (Acquisition and Development) Act, 1957.

Enclosure as above

1. Provisional Order dated 21.04.2023
2. Letter No 1376 dated 11.12.2017.
3. Email to Secured creditors 25.04.2023, 15.05.2023, 19.05.2023 and 22.05.2023.
4. Reply from Secured creditors through email dated 19.05.2023.
5. TSPL letter dated 24.04.2023

 14.6.23

[M. NAGARAJU]

Additional Secretary & Nominated Authority

To,

1. (Prior Allottee-1) The Managing Director, M/s Abhijeet Infrastructure Private Limited, 178, Light Industrial Area, Bhillai, Chhattisgarh-490026
2. (Prior Allottee-2) The Managing Director, M/s Tata Steel Long Products Limited (Formerly known as Tata Sponge Iron Limited) PO - Gamharia, Dist :Saraikela-Kharsawan Jamshedpur 832 108 Jharkhand India. Email:-sandesh\_kshirsagar@tatasteellp.com, ankan.mitra@tatasteel.com, [bhuwan\\_sahu@tatasteellp.com](mailto:bhuwan_sahu@tatasteellp.com)



3. (Successful Allottee), M/s Dalmia Cement (Bharat) Limited, registered office is at Dalmiapuram, Dist. Tiruchirappalli, Tamil Nadu- 621651, India and principal place of business is at Fagun mansion, 4th Floors, 26, EthirajSalai, Egmore, Chennai, Tamil Nadu 600008, India.
4. Secured creditors:-State Bank of India, Stressed Assets Management Branch-1 Mumbai, Arcade, 2nd Floor, World Trade Center, Cuffe Parade, Mumbai-400005, Email sbi.07136@sbi.co.in
5. The CMD, CMPDIL, Godwana Palace, Kanke Road, Ranchi, Jharkhand

**Copy to:-**

1. The Coal Controller, Coal Controllers' Organisation, 1, Council House Street, Kolkata.
2. U.S, CBA-II (For Kind information).
3. Sr.T.D, NIC, MOC with request to upload this on the website of MOC.

**Annexure 1**

<b><u>List of Participants</u></b>			
<b>SL No</b>	<b>Participants</b>	<b>Designation</b>	<b>MoC/Organization /Secured Creditors</b>
1	Shri M Nagaraju	Additional Secretary	Ministry of Coal
2	Shri MarapallyVenkateshwarlu	Director (Tech)	
3	Shri Harishchand	Manager	
4	Mrs Reshma Mohan	Financial Analyst	
5	Shri Satish Shrikhande	Vice President	M/s Abhijeet Infrastructure Pvt. Ltd (AIPL)
6	Shri VipinKhodke	General Manager	
7	Shri Nitin Kumar Mudgal	Chief Manager	State Bank of India,
8	Shri AjitVerma	Chief Manager	Punjab National Bank,
9	Mrs Geeta Yadav	VP(LEGAL) department	ASREC India,
10	Shri Gautam Kumar Basak	VP Kolkata	ASREC India,
11	Shri Ankanmitra	Head Regulatory Affairs	M/s Tata Sponge Iron Limited
12	Shri SantanuPramanik	Sr. Manager Regulatory Affairs	
13	Shri V.Karthikeyan	Deputy Executive Director	M/s Dalmia Cement (Bharat) Limited
14	Shri ShivashankarMahato	Project Head	
15	Shri Ambuj Kumar Srivastava	Sr. General Manager	
16	Shri Mukesh Kumar	DGM	