

**Through Email/SPEED POST/Website of Ministry of Coal**

File No NA-203/25/2021-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: July 27, 2023

**FINAL COMPENSATION ORDER**

Subject: The Coal Mines (Special Provision) Act, 2015 and Hon'ble High Court of Delhi, judgment dated March 09, 2017 - Valuation of compensation payable to Prior allottee, M/s Bharat Aluminium Company Limited (BALCO) for Durgapur II/Taraimar coal mine.

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Pursuant to Provisional Order dated March 15, 2023, both prior allottee, M/s Bharat Aluminium Company Limited (BALCO) and successful allottee, M/s Karnataka Power Corporation Limited [KPCL] were called upon March 20, 2023 at 3.00 PM, to present their comments / objections, if any, on the determination made by Nominated Authority. List of participants is at Annexure-I.

2. M/s KPCL (successful allottee), vide letter dated March 17, 2023, submitted written objections against Provisional Order dated March 15, 2023 pertaining to land of 37.710 Ha, stating the following :-

(a) Out of 18.776 Ha of land area vested vide allotment order dated March 02, 2020, only 14.265 Ha of land is transferred to M/s KPCL from M/s BALCO. The area of 4.511 Ha is not transferable as the land is not in name of M/s BALCO as per the revenue records of office of the Tahasildar, Dharamjaigarh. Also, as per the revenue records of GoC, the above -mentioned lands are still in the name of original owners and is also under mortgage with SBI Dharamjaigarh.

(b) With respect to the additional claim of 18.934 Ha, lands are still in the names of original owners and some of the lands are under mortgage.

3. Accordingly, meeting was held on March 20, 2023, at 3.00 PM wherein both the parties i.e M/s BALCO (Prior allottee) and M/s KPCL (successful allottee) were present in the meeting. As per deliberation held during meeting in respect of compensation towards mine infrastructure, both prior and Successful allottees accepted the determination of Nominated Authority and in respect of compensation towards Land, the successful allottee M/s KPCL raised the issues as mentioned in para 2 above.

4. Further, considering M/s KPCL's (Successful allottee) concerns/objections on the Provisional Order dated March 15, 2023, the compensation claim of M/s BALCO for land of 37.710 Ha was re-valued by O/o.

Nominated Authority. The sale deeds executed in the name of M/s BALCO has only been considered for determination of compensation towards land. The details of the revalued land tabulated in table 'A'

Table 'A', fig in 'INR'

Purpose of Land	Area as per Sales deed (Hectare)	Cost of Land (₹)	As per CMSP Act [Cost plus 12% Interest as on 02.03.2020] (₹)	As per Fair Market Value [2019-20] (₹)
Freehold Land for mining	11.602	2,73,46,566	4,90,07,071	1,03,06,697
Freehold Land – R&R	4.772	1,17,80,000	2,00,21,482	44,36,051
<b>Total</b>	<b>16.374</b>	<b>3,91,26,566</b>	<b>6,90,28,553</b>	<b>1,47,42,748</b>

Hence, as per CMSP Act compensation for land has been determined as ₹ 6,90,28,553/- pertaining to compensation of land (copy of land valuation report enclosed).

5. In view of the above, the valuation of compensation pertaining to land and mine infrastructure payable to M/s BALCO (prior allottee) w.r.t Durgapur II/Taraimar coal mine is settled as mentioned below in table 'B':-

Table 'B' Fig in 'INR'

Land Value (A)	Mine Infrastructure (B)	Total Amount {C=A+B}
₹ 6,90,28,553/-	Nil	₹ 6,90,28,553/-

6. The Successful allottee, M/s KPCL is entitled for ₹ 91,28,066/- towards refund of excess fixed cost deposited for Durgapur II/Taraimar coal mine pertaining to Land & Mine- Infrastructure, as table 'C' mentioned below.

Table 'C' Fig in 'INR'

Fixed cost deposited by M/s KPCL for Land & mine Infrastructure(A)	Compensation payable to M/s BALCO for Land & mine Infrastructure (B)	Excess fixed cost to be refunded back to M/s KPCL for Land & mine Infrastructure (C= A-B)
₹ 7,81,56,619.49/-	₹ 6,90,28,553/-	₹ 91,28,066/- (Round off upto Zero decimal)

7. According to Section 9 of CMSP Act, 2015 r/w Rule 15 of the CMSP Rules, 2014, payment to secured creditors for any portion of the secured debt in relation to a Schedule I, coal mine which is unpaid as on the date of the vesting order has to be paid before disbursement of compensation for land and mine-infrastructure in relation to schedule I coal mine. In compliance, claims from Secured creditors, Government of India, State Government(s) and Local Authority had been invited for the schedule I coal mines (including Durgapur



II/Taraimar coal mine) vide Notices dated 28.12.2021 and dated 28.02.2022, but no responses have been received till date for Durgapur II/Taraimar coal mine.

8. In accordance with Section 27 of the Act and the judgment dated March 9, 2017, it is open to M/s Bharat Aluminium Company Limited (BALCO) (Prior allottee) and M/s Karnataka Power Corporation Limited (Successful allottee) to raise disputes with regard to the quantum of compensation before the Tribunal constituted under the Coal Bearing Areas (Acquisition and Development) Act 1957

  
(M.Nagaraju)

Additional Secretary & Nominated Authority

Enclosure : -

1. Provisional Order dated March 15, 2023
2. M/s KPCL letter dated March 17, 2023
3. Land Valuation Report

To,

1. **Prior Allottee)-** The Managing Director, M/s Bharat Aluminium Company Limited, "Aluminium Sadan" Core -6, Scope Office Complex 7, Lodhi Road, New Delhi -110003
2. **(Successful Allottee)-** The Managing Director, M/s Karnataka Power Corporation Limited (KPCL), Shakti Bhavan, No. 82, Racecourse Road, Bengaluru- 560 00
3. **Coal Controller's Organisation,** Ministry of Coal, SCOPE MINAR, 5th Floor, Core - II, Laxmi Nagar, Delhi – 110092
4. Sr. TD, NIC, MoC: for uploading on the Website of Ministry of Coal.
5. US (P&S-II), MoC

**List of Participants**

**Annexure I**

Sl No	Participants	Organisation/Company/MoC
1	Shri M Nagaraju (Chairperson)	AS&NA
2	Shri Ajitesh Kumar	Director, NA
3	Shri Jaibant Kishore Dev Varma	Deputy Chief Manager/Legal, NA
4	Mrs Reshma Mohan	Financial Analyst, NA
5	Shri S.N Sharma	Resident Engineer, KPCL
6	Shri Himanshu Singh	Director Strategy, Vedanta Ltd
7	Shri Chandan Bhartiya	Manager Strategy , Vedanta Ltd
8	Shri Pramod Nayak	Land Officer, BALCO
9	Shri Amber Siddique	Dy. Manager Legal , BALCO