

Through Email/SPEED POST/Website of Ministry of Coal

File No NA-203/7/2022-NA

Government of India

Ministry of Coal

O/o Nominated Authority

Room No. 120, "F" Wing, Shastri Bhawan,
New Delhi – 110001, Dated: September 19, 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 Bhaskarpara Coal Company Limited [Joint venture of M/s Electrotherm (India) Ltd and M/s Ultra Tech Cement Limited (Formerly known as M/s Grasim Industries Limited)] for Bhaskarpara coal mine.

Pursuance to Provisional Compensation Order dated August 17, 2023, both the prior allottee M/s. Bhaskarpara Coal Company Limited [Joint venture of M/s. Electrotherm (India) Ltd. and M/s. Ultra Tech Cement Limited (Formerly known as M/s. Grasim Industries Limited)] and successful allottee M/s. Prakash Industries Limited (PIL) were called upon August 21, 2023 at 3.00 PM, to present their comments / objections, if any, on the determination made by Nominated Authority..

2. Further, meeting was rescheduled on August 25, 2023, at 3.30 PM. Subsequently, both the prior allottee, M/s Bhaskarpara Coal Company Limited (BCCL) and successful allottee, M/s Prakash Industries Limited (PIL) attended the meeting and raised objections/comments on the Provisional Order dated August 17, 2023. The objections/comments from allottees regarding the provisional determination of compensation of Nominated Authority are summarized as follows:

a) **Mine Infrastructures:** Both allottees, M/s BCCL and M/s PIL accepted the determination of compensation towards Mine Infrastructure amounting to Rs 'NIL'.

b) **Geological Reports (GR):** M/s BCCL and M/s PIL accepted the determination of compensation towards Geological Reports amounting to Rs.7,87,93,918.00/-. However, M/s. PIL had received only photocopies of Geological reports from CMPDIL and made a payment of Rs.48,616/- for these photocopies as the original Geological Report was misplaced by M/s. BCCL. M/s. PIL requested Nominated Authority to direct CMPDIL to furnish the original or certified copies of the Geological Report documents.

c) **Cost of Consents (CC):** M/s BCCL requested for expediting the verification of claims pertaining to Cost of Consents (CC) of Bhaskarpara coal mine.

d) **Land:** M/s. BCCL raised objections to the Provisional Order dated August 17, 2023, regarding land. M/s. BCCL contended that out of the total land area of 294.42 Ha, sale deeds have been executed for 59.52 Ha along with mutation, and for the remaining land, only the mutation of land was pending.

Therefore, M/s BCCL requested compensation consideration for the entire 294.42 Ha. In contrast to the objection of M/s BCCL, M/s PIL claimed that the land has been registered in the name of common individuals in the State Government records and not in name of M/s BCCL.

3. After deliberation of above comments and objections from both allocate, the following decisions were made:-

i) **Mine Infrastructures** : Both allottees, M/s BCCL and M/s PIL, agreed to the compensation determined in the Provisional Compensation Order dated August 17, 2023, pertaining to Mine Infrastructure, therefore the same may be settled as 'Nil.'

ii) **Geological Reports (GR)** : It was decided that the sum of Rs.48,616/-, which represents the charges incurred by M/s. PIL for obtaining copy of the Geological Report (GR), shall be deducted from the compensation amount determined in the Provisional Order dated August 17, 2023, which comes to, Rs.7,87,45,302.00. (i.e. Rs 7,87,93,918.00 - Rs 48,616).

iii) **Cost of Consents (CC)** : It was decided that the claim for Cost of Consents will be addressed after verification in due course.

iv) **Land**: Both prior and successful allottees has been directed to jointly consult with the respective State Government Authorities to collect necessary documentation regarding land ownership. Further, it was determined that a final decision on ownership of land will be made subsequent to a comprehensive review of the documents that have been submitted by allottees.

4. In view of the above, compensation towards Geological Reports (GR) and Mine infrastructure in respect of Bhaskarpara coal mine stands settled as mentioned in below table 'A'

Table 'A' fig in 'INR'

Geological Reports 'GR' (A)	Mine Infrastructure (B)	Total Amount {C=A+B}
7,87,45,302.00	NIL	7,87,45,302.00

5. In accordance with section 27 of the Act and the judgement dated 09.03.2017, it is open to M/s. BCCL (prior allottee) and M/s. PIL (Successful allottee) to raise disputes with regard to the quantum of compensation before the Tribunal constituted under the Coal Bearing area (Acquisition and Development) Act, 1957. .


[M. Nagaraju]

Additional Secretary & Nominated Authority

Enclosure :- Provisional Order Dated 17.08.2023.

To,

1. **(Prior Allottee):** - The Managing Director, M/s Bhaskarpara Coal Company Limited, Crystal Tower, Ist Floor, G.E Road Opp. Minocha Petrol Pump, Telibandha Raipur, Chattisgarh- 492006. **Joint venture** of (a) M/s Electrotherm (India) Ltd and (b) M/s Ultra Tech Cement Limited (Formerly known as M/s Grasim Industries Limited)

2. **(Successful Allottee):** - The Managing Director, M/s Prakash Industries Limited, 15Km Stone Delhi Road Hissar, Haryana- 125044.

3. **Coal Controller's Organisation,** Ministry of Coal, SCOPE MINAR ,5th Floor, Core - II Laxmi Nagar, Delhi – 110092

4. **Under Secretary** (CBA-II Section), Ministry of Coal.

5. **Sr. TD,** NIC: for uploading on the Website of Ministry of Coal.

List of Participants in meeting held on August 25, 2023 at 3.30 PM

Sl No	Participants	Designation	Organization
1	Shri M Nagaraju	Additional Secretary	NA, MoC
2	Shri Ajitesh Kumar	Director	NA, MoC
3	Shri Marapally Venkateshwarlu	Director (Tech)	NA, MoC
4	Shri Manish Uniyal	Under Secretary	NA, MoC
5	Shri Jaibant Kishore Dev Varma	Deputy Chief Manager/Legal	NA, MoC
6	Smt. Reshma Mohan	Financial analyst	NA, MoC
7	Shri Rajiv Saxena	Joint President	M/s Bhaskarpara Coal Company Limited
8	Shri Sanjay Mantri	Vice President	M/s Bhaskarpara Coal Company Limited
9	Shri Deepak Ajmera	Manager	M/s UltraTech Cement Ltd
10	Shri A K Chaturvedi	Director	M/s Prakash Industries Limited