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File No NA-203/5/2022-NA
Government of India
Ministry of Coal
Office of Nominated Authority

4th Floor, Zone-6, GPOA-3, Netaji Nagar
New Delhi-110023, Dated: October 27, 2026

FINAL COMPENSATION ORDER

Subject: Final determination of compensation payable to the Prior Allottee, M/s Hindalco Industries Limited, in respect of Dumri Coal Mine under the Coal Mines (Special Provisions) Act, 2015 and in compliance of the judgment dated March 9, 2017 passed by Hon'ble High Court of Delhi in WP(C) No. 973/2015- reg.

Cancellation of Allotment of 204 coal mines by Hon'ble Supreme Court of India

2. Vide order dated 24.09.2014 in WP (Crl.) No. 120/2012; Manohar Lal Sharma & Ors. v. The Principle Secretary & Ors., Hon'ble Supreme Court quashed the allotments of 204 coal mines. However, for 32 of such mines belonging to the schedule-III the cancellation was effective from 24.09.2014. Dumri coal mine is one such mine whose earlier allotment to M/s Nilachal Iron & Power Limited (NIPL) and M/s Bajrang Ispat Pvt. Limited (BIPL) was cancelled by the Hon'ble Supreme Court effective from 24.09.2014.

Coal Mines (Special Provisions) Act, 2015 and provisions for compensation and disbursal thereof

3. Thereafter, Coal Mines (Special Provisions) Ordinance 2014 was brought in by Union of India which was later substituted by Coal Mines (Special Provisions) Act, 2015. The Act and the Rules made thereunder provide for allocation of the 204 coal mines, provision of compensation to the prior allottees (whose allocation was cancelled) and other ancillary and incidental matters.

4. As per section 6 of the Act the Central Government acts through the Nominated Authority. The valuation of compensation payable to the prior allottees of the coal mines is undertaken by the Nominated Authority as per section 16 of the Act read with Rule 14 of the Rules.

5. Apart from the compensation for land and mine infrastructure in accordance with Section 16 of the Act, cost of Geological Report and Cost of Consents obtained by the prior allottee is also provided to the prior allottees. Further, Section 9 of the Act mandates that compensation so determined by the Nominated Authority is to be deposited by the successful allottee of the mine. Further, the successful bidder is also under a contractual obligation, through tender document, to deposit the compensation amount and any upward revision in the same to the Nominated Authority. The Nominated Authority, thereafter, disburses the compensation in accordance with section 9 of the Act r/w. rule 15 of the Rules. The order of priority of disbursement shall be secured creditors, thereafter dues to Government and local authority and then the prior allottee.

6. As per clause (n) of sub-section (1) of section 3 of the Act M/s Nilachal Iron & Power Limited & Bajrang Ispat Pvt. Limited qualified as 'Prior Allottee' and, hereinafter referred as 'Prior Allottee-1'.

Allocation of the Mine to M/s Hindalco Industries Limited.

7. Post enactment of the Coal Mines (Special Provisions) Act, 2015, the Mine was allocated by way of auction conducted by the Nominated Authority under the provisions of CMSP Act and CMSP Rules to M/s HIL. CMDPA was executed between the Nominated Authority and HIL on 24.03.2015. Vesting order in favour of M/s HIL was issued by the Nominated Authority on 22.04.2015.

Compensation Determined for Prior Allottees – M/s Nilachal Iron & Power Limited (NIPL) and M/s Bajrang Ispat Pvt. Limited (BIPL)

8. This Office provisionally determined the compensation payable to prior allottee towards the Geological Report (GR), Consents, Land and Mine Infrastructure in accordance with the provisions of the Coal Mines (Special Provisions) Act, 2015 (CMSP Act, 2015) and the rules made thereunder, read with the judgment dated 09.03.2017

passed by the Hon'ble High Court and the Office Memorandum dated 16.11.2018 issued pursuant thereto. Accordingly, the Provisional Compensation Order dated 25.08.2020 was issued, and an opportunity of personal hearing was afforded to M/s Nilachal Iron & Power Limited (NIPL), M/s Bajrang Ispat Pvt. Limited (BIPL), and Successful allottee, M/s Hindalco Industries Limited (HIL) to present their respective submissions/claims. After considering the submissions made by the concerned parties and examining the relevant records and documents, this Office issued the Final Compensation Order dated 08.01.2021.

HIL Surrendered the Dumri Coal Block:-

9. Thereafter, in compliance with the Order dated 28.02.2023 passed by the Hon'ble Court, the CMDPA dated 24.03.2015 and the Vesting Order No. 104/24/2015/NA dated 22.04.2015 in respect of the Dumri Coal Mine stood **terminated on 03.01.2024**. By virtue of sub-section (15) of section 8 of the Act the successful bidder of the coal mine whose vesting order has been terminated shall be deemed to be the prior allottee for the purposes of immediate next auction or allotment of the coal mine. Thus, HIL shall be deemed as prior allottee for the purposes of immediate next auction/allotment of the Mine and hereafter, referred as 'Prior Allottee-II'.

Fresh Allotment of the Mine to M/s S M Steels and Powder Limited (hereinafter referred as 'SMSPL' or Successful Allottee').

10. Following the termination of the Vesting Order in respect of Prior Allottee-2, the Dumri Coal Mine was subsequently vested in M/s SMSPL (Successful Allottee) vide Vesting Order dated 01.08.2024. Prior to issuance of the Vesting Order, the Coal Mine Development and Production Agreement (CMDPA) was executed between the Nominated Authority and M/s SMSPL on 14.05.2024. In terms of the CMDPA, the Successful Allottee was required to fulfil the prescribed conditions, including the deposit of the stipulated Fixed Amount, as a pre-condition for issuance of the Vesting Order. Accordingly, upon fulfilment of the requisite conditions under the CMDPA, including deposit of the Fixed Amount of ₹12,74,54,059.50/-, as detailed in Table-A, the Dumri Coal Mine was vested in M/s SMSPL vide Vesting Order dated 01.08.2024.

10.1 Thereafter, this office subsequently sought a claim on 29.08.2024 from Prior Allottee-2 for the compensation of the amount incurred for the Dumri Coal Mine. HIL submitted the claim on 12.09.2024, 25.03.2025, 04.06.2025 and 26.08.2026 for the compensation of cost of geological report, cost of consent, land and mine infrastructure for the Dumri coal mine that is Payable to HIL. The details of claimed amount of compensation of Cost of Geological Report, cost of consent, land and mine infrastructure of HIL are as under in Table (A):-

Table 'A' & Amount in '₹'

Particulars	Cost of Geological Report (A)	Cost of consent (B)	Mine Infrastructure (C)	Land (D)	Any Other (E)	Total Claimed amount (F)= [A to E]
Fixed Amount deposited by SMSPL	7,38,22,263	-	-	5,36,31,796	-	12,74,54,059
HIL submitted claimed	1,86,40,975	15,65,48,927	-	94,15,38,075	27,53,57,583	139,20,85,560

Upon examination of the documents, it is found that under the following head, prior allottee -2, HIL is provisionally entitled for the compensation of

11. Cost of Geological Report and cost of consents:-

11. A **Cost of Geological Report** : The total cost of the Geological Report was ₹1,86,40,975/-, as certified by CMPDI. Of this amount, NIPL and BIPL paid only ₹1,70,00,454/- to CMPDI, leaving an unpaid balance of ₹16,40,521/-. However, HIL deposited the entire amount of ₹1,86,40,975/- towards the cost of the Geological Report as part of the fixed amount. Accordingly, HIL is provisionally entitled to reimbursement of ₹1,86,40,975/- towards the cost of the Geological Report.

11. B **Cost of consents**: The HIL has claimed an amount of ₹15,65,48,927/- towards the cost of consents payable to the Ministry of Environment, Forest and Climate Change (MoEF&CC) in respect of the Dumri Coal Mine. As per the claim, HIL deposited ₹12,83,59,244/- towards Net Present Value (NPV) in the Jharkhand CAMPA Account on 29.08.2018 through Challan/Document No. 10901451 (Payment Reference No. IBKLR92018082900092797). Thereafter, differential NPV payments aggregating to ₹2,49,59,563/- were made as follows: ₹55,87,137/- on 02.02.2019 through Challan No.

10901717 (Payment Reference No. IBKLR92019020200034667); ₹63,10,917/- on 11.02.2019 through Challan No. 10901722 (Payment Reference No. IBKLR92019021100090603); ₹32,65,687/- on 28.02.2019 through Challan No. 10901723 (Payment Reference No. 4572019022545992); ₹48,25,522/- on 15.03.2019 through Challan No. 10901764 (Payment Reference No. IBKLR92019031500029028); and ₹49,70,300/- on 05.04.2019 through Challan No. 10901789 (Payment Reference No. IBKLR92019040500001688). Further, HIL deposited ₹32,30,120/- towards NPV for the 5-hectare Safety Zone on 13.08.2019 through Challan No. 10901978 (Payment Reference No. IBKLR92019081342901). **Further, it is also hereby noted that SMSPL already applied before the MoEF&CC for transfer this in their name on 26.08.2026. Accordingly, HIL provisionally entitled for an amount of ₹15,65,48,927/- towards the cost of consents is ₹15,65,48,927/- (Copy attached).**

12. Mine Infrastructure and Land

12. A Mine Infrastructure: HIL has not claimed any amount towards Mine Infrastructure in respect of the Dumri Coal Mine, as no expenditure was incurred by HIL under this head. Accordingly, no amount is provisionally determined as payable towards Mine Infrastructure.

12.B Procedure followed to determine the compensation of Land:-

- In terms of the Section 16(1) of the Coal Mines (Special Provisions) Act, 2015, the quantum of compensation of land in relation to the coal mine, is to be “as per” the registered sale deeds lodged with the Nominated Authority in accordance with such rules as may be prescribed, together with 12% simple interest per annum from the date of such purchase or acquisition till the date of execution of the Vesting Order or Allotment Order as the case may be.
- After passing of the judgment dated March 09, 2017 by Hon’ble Delhi High Court, it has been decided that the higher determination of the value of land either as per Section 16(1) of CMSP Act or as per the prevailing circle rate of such land on date of vesting will be compensated to the prior allottee.
- In order to determine the value for compensation for Land, a land valuer has been engaged by the Nominated Authority. In respect of land pertaining to Dumri coal

mine, all the documents related to land submitted by M/s HIL were forwarded to the land valuer for carrying out valuation by taking the valuation as on 01.08.2024.

- Based on the valuation report submitted by the land valuer, the land valuation as on 01.08.2024 has been considered for determination of compensation. The details of the valuation are provided in Table 'B' below.

Table 'B':- Area in 'Acres', CA 'Compensatory Afforestation' & Fig in '₹'

Type of Land	Claimed Area	Considered Area	Cost of land, CoL	Interest @ 12% on CoL	Value as per CMSP Act as on 01.08.2024	Fair Market Values on 01.08.2024
Land for Mining (A)	119.28	83.73	3,48,85,813	3,52,83,885	7,01,69,698	5,38,16,220
Land for CA (B)	818.14	408.19	25,48,98,797	19,75,20,173	45,24,18,970	22,41,84,730
Grand Total (A+B)	937.42	491.92	28,97,84,610	23,28,04,058	52,25,88,668	27,80,00,950

The land valuer has assessed 491.92 acres out of the claimed 937.42 acres. The value of the considered land is ₹27,80,00,950/- based on FMV, whereas the value under the CMSP Act, including 12% interest, works out to ₹52,25,88,668/-. The reasons for exclusion of the remaining 445.50 acres are as follows:

- Duplicate land:** Land measuring **0.41 acres**, bearing Khata No. 44, Plot No. 123, was covered under two separate sale deeds in favour of M/s Nilachal Iron & Power Ltd. Since the same parcel was accounted for twice, it was excluded from the valuation to avoid duplication.
- GM Aam & Khas land:** In respect of **35.15 acres** of GM Aam & Khas land falling within the Project Area, HIL deposited ₹3,16,30,532/- with the Government of Jharkhand on 27.04.2017 against Demand Note No. 548 dated 25.02.2017. Although a Rajyadesh dated 16.10.2019 was issued in favour of HIL, the deed has reportedly not yet been executed.
- Compensatory Afforestation land:** The claim in respect of 409.95 acres of land, purportedly acquired by M/s Nilachal Iron & Power Ltd. (NIPL) and M/s Bajrang Ispat Pvt. Ltd. (BIPL) for the purpose of Compensatory Afforestation (CA), has not been considered, as the said land was not found suitable for Compensatory

Afforestation. Accordingly, no compensation has been provisionally admitted in respect of the said land.

- As per the directions of the Hon'ble High Court of Delhi, the compensation for land is to be determined on the basis of the higher of the cost of land together with 12% simple interest up to the date of vesting or the Fair Market Value (FMV) as on the date of vesting. Accordingly, ***this office has considered the land valuation report submitted by the valuer, and, based on the details contained therein, the value of the land works out to ₹52,25,88,668/- for 491.92 acres***, which has been considered for determination of compensation. Further, in respect of 35.15 acres of GM Aam & Khas land, for which ₹3,16,30,532/- was deposited by HIL with the Government of Jharkhand, SMSPL has already requested the State Government, vide its letter dated 21.06.2025 and as also indicated in its Pre-Commencement Report, for completion of the requisite process for transfer of the said land and execution of the deed in its favour. Since the deed has not yet been executed in favour of HIL, no 12% interest has been considered on the said amount.
- Accordingly, based on the valuation report and records available, the provisional land compensation works out to ₹55,42,19,200/- (₹52,25,88,668 + ₹3,16,30,532), subject to verification of the relevant records and final determination by the Nominated Authority.

12.1 HIL has claimed interest for the period from 02.08.2024 to 22.08.2026 on the Cost of Geological Report, Cost of Consents, Land and Mine Infrastructure, i.e., for the period subsequent to the date of the Vesting Order dated 01.08.2024.

12.1.1 In this regard, it is observed that Section 16(1) of the Coal Mines (Special Provisions) Act, 2015 (CMSP Act, 2015) does not provide for payment of interest on such compensation amounts for any period subsequent to the date of the Vesting Order. Accordingly, the interest claimed by HIL for the period from 02.08.2024 to 22.08.2026 has not been provisionally considered in respect of the Cost of Geological Report, Cost of Consents, Land and Mine Infrastructure.

13. Provisional Determination of Compensation:

In view of the foregoing, the compensation provisionally determined as payable to HIL towards the Cost of Geological Report, Cost of Consents, Land and Mine Infrastructure is as follows:

Table 'C' FA means fixed Amount, & Amount in ₹

Particulars	Cost of Geological Report (A)	Cost of consent(B)	Mine Infrastructure (C)	Land (D)	Total amount (E)=[A to D]
Fixed amount deposited by SMSPL (a)	7,38,22,263	-	-	5,36,31,796	12,74,54,059
Amount provisionally determined as payable to HIL (b)	1,86,40,975	15,65,48,927	-	55,42,19,200	72,94,09,102
Upward revision in FA to be deposited by SMSPL (c = b - a)	(5,51,81,288)	15,65,48,927	-	55,42,19,200	60,19,55,043

Note: The negative figure (₹5,51,81,288) under the Geological Report represents the reduction in that component compared with the amount included in the Fixed Amount already deposited by SMSPL. The overall upward revision in the Fixed Amount is therefore ₹60,19,55,043/-.

14. Based on the provisional determination of compensation, the Provisional Compensation Order dated 10.09.2026 was issued by the Nominated Authority, whereby compensation of ₹72,94,09,102/- was provisionally determined as payable to M/s Hindalco Industries Limited (HIL), comprising ₹1,86,40,975/- towards Cost of Geological Report, ₹15,65,48,927/- towards Cost of Consents, ₹55,42,19,200/- towards Land and Nil towards Mine Infrastructure. Against the aforesaid provisional determination, the Successful Allottee, M/s S M Steels and Power Limited (SMSPL), was required to deposit the differential amount of ₹60,19,55,043/-.

14.1 In order to provide **an adequate opportunity to the concerned parties** to submit their comments/objections on the aforesaid provisional determination, HIL, being the Prior Allottee, and SMSPL, being the Successful Allottee, were invited to submit their respective representations. Accordingly, a **personal hearing was held on 15.09.2026**, wherein representatives of both HIL and SMSPL were present and made their respective submissions.

14.2 During the hearing, both parties elaborated upon and reiterated the issues raised in their respective written submissions dated 14.09.2026. The submissions/objections received from HIL and SMSPL were shared with the other concerned party by this office

in the interest of transparency and in adherence to the principles of natural justice, thereby affording each party an opportunity to peruse the submissions made by the other party and to respond thereto.

14.3 Subsequent to the hearing held on 15.09.2026, further submissions and documents were furnished by the concerned parties, including the submission made by SMSPL on 15.09.2026 , 06.10.2026 & 17.10.2026 and the subsequent submission made by HIL on 18.09.2026. All written submissions, objections, documents and clarifications furnished by HIL and SMSPL, whether prior to, during or subsequent to the hearing, have been duly examined and considered by the Nominated Authority in arriving at the final determination of compensation and issuance of the present Final Compensation Order.

14.A. Submissions/Objections raised by SMSPL on 14.09.2026, 15.09.2026 06.10.2026 and 17.10.2026 :-

14.A.1 14.09.2026:- SMSPL submitted that it accepted the compensation claims determined in favour of HIL in respect of all other eligible land parcels and other components covered under the Provisional Compensation Order without prejudice to our claims/objections in this letter in support of exclusion of 34.15 Acres of CA Land and 9.94 Acres of Vested Land and Verification of Possession of Vested Land. Notwithstanding anything contrary mentioned in this letter, SMSPL's status as the Successful Bidder and its acceptance of the undisputed components of compensation should not be construed as acceptance of entitlement in respect of the specifically disputed land parcels. Therefore, the objections are strictly limited to the following matters, 34.15 acres of Compensatory Afforestation (CA) land, which was disputed/not accepted by the Forest Department, Government of Jharkhand; Possession of the vested land, which was not with HIL; And 9.94 acres of vested land (which is a part of 83.732 Acres of vested land), in respect of which the title/ownership was not transferred/registered / mutated in favour of HIL and possession was also not with HIL. The detailed objections/submissions of SMSPL in respect of the aforesaid issues are set out below, point-wise:

14.A.1.a 34.15 acres of Compensatory Afforestation (CA) land :- SMSPL submitted that the 34.15 acres of CA land was reported as disputed by the Forest Department, Government of Jharkhand, vide Memo No. 1069 dated 01.09.2021. SMSPL further referred to Letter No. 274 dated 03.02.2021, wherein the Forest

Department, upon verification, reported that out of the 40.91 acres (16.56 ha) offered as CA land, 34.15 acres (13.82 ha), comprising 11.15 acres in Mouza June and 23.00 acres in Baligarh Mouza, was already notified forest land. The Forest Department subsequently reiterated the disputed status vide Letter No. 1409 dated 04.06.2021 and, vide Letter No. 406 dated 12.05.2022, directed HIL to furnish alternative non-forest land along with the requisite KML file, map and suitability certificate. SMSPL therefore submitted that, in the absence of any conclusive documentary evidence establishing that the aforesaid dispute was subsequently resolved and that the 34.15 acres was lawfully accepted as CA land in favour of HIL, the said land could not be treated as an accepted and available land asset for determination of compensation. Accordingly, SMSPL requested that 34.15 acres be excluded from the compensation payable to HIL and the corresponding compensation and interest, if any, be recomputed accordingly.

14. A.1.b Possession of the vested land, which was not with HIL: SMSPL further submitted that possession of the vested land forming part of the Dumri Coal Mine, measuring approximately 83.732 acres, was not with HIL. It was submitted that although the said land had been purchased by the original landowners in favour of NIPL, the actual possession of the land was not subsequently obtained by HIL from the original landowners. SMSPL contended that payment of compensation to HIL in respect of such land, while SMSPL would thereafter be required to approach and negotiate with the original landowners for securing actual possession and uninterrupted access, may result in a double financial and operational burden on SMSPL. It was therefore requested that the actual possession status of the vested land be verified from the concerned Revenue Authorities and relevant possession/revenue records and, pending such verification, the compensation attributable to land in respect of which the corresponding rights and actual possession were not available with HIL be separately identified and not treated as finally payable to HIL.

14. A.1.c 9.94 acres of vested land: SMSPL further submitted that, without prejudice to its general objection regarding possession of the vested land, the specific case of 9.94 acres also requires separate consideration. The Land Valuation Report considered 9.94 acres under land covered by a Registered Sale

Deed in the name of M/s NIPL, against 10.34 acres claimed, with a corresponding CMSP value of ₹89,86,188/-. The Report also records that, as per Annexure-II, the calculation of land value payable to HIL was based on the original registered sale deeds executed in favour of NIPL, while the ownership/title of the subject land was yet to be transferred/registered in the name of HIL. SMSPL further submitted that, vide its communication dated 27.07.2026 to the Circle Officer, it had pointed out that, although the registered deeds relating to land purchased by NIPL had subsequently been handed over to HIL, registration in favour of HIL had been completed only for 73.79 acres, whereas approximately 10.344 acres remained unregistered and unmutated. It was also submitted that possession of the said land was not with HIL. Accordingly, SMSPL requested that, pending verification of title, mutation and possession, the compensation attributable to the 9.94 acres, along with corresponding interest, be excluded from the compensation payable to HIL and the amount be recomputed accordingly.

14.A.2 15.09.2026 :- Further, after the meeting held on 15.09.2026, SMSPL, vide submission dated 15.09.2026, reiterated its objections regarding 34.15 acres of CA land, 9.94 acres of vested land and possession of the vested land, requesting necessary verification by the competent Forest Authorities. Further, SMSPL stated that it had no objection to the other compensation claims as determined under the Provisional Compensation Order dated 10.09.2026.

14.A.3 06.10.2026:- SMSPL, vide its letter dated 06.10.2026, submitted that the Land Verification Report issued by the Circle Officer, Keredari, dated 19.09.2026, in respect of 10.3344 acres of land purchased by NIPL. The report, based on verification of the relevant revenue records, mentioned that Jamabandi had not been established in the name of NIPL and mutation in its favour had not been carried out in respect of the concerned land parcels; it also stated that the requisite documents relating to the land records were not available in the revenue records. Thus, the report of the competent State Revenue Authority supports SMSPL's contention that the mutation of the said land in favour of NIPL/HIL requires verification before compensation is treated as finally payable. SMSPL accordingly requested that the said report be taken on record and considered while finalising the compensation determination.

14.A.4. 17.10.2026:- Furthermore, SMSPL, vide letter dated 17.10.2026, requested that the compensation payable to M/s Hindalco Industries Limited, the prior allottee of Dumri Coal Mine, be kept in abeyance until the transfer of Stage-I Forest Clearance by the Government of Jharkhand is completed, stating that the pending transfer is impeding the development of the coal block.

14.B Submissions/objections raised by HIL on 14.09.2026 and 18.09.2026:-

14.B.1 14.09.2026:- HIL, vide letter dated 14.09.2026, has supported the provisional determination and requested confirmation of the compensation and issuance of the Final Compensation Order. HIL also reiterated its separate request for refund/release of ₹1,74,87,102/-, as raised vide its earlier letter dated 24.07.2025, stated to have been deposited by HIL in 2015 towards Compensatory Afforestation (CA) land claimed to have been acquired by the erstwhile Prior Allottee, M/s NIPL & BIPL, whose claim in respect of the said CA land was subsequently rejected.

14.B.2 18.09.2026:- Further, following the meeting, HIL, vide its letter dated 18.09.2026, submitted that;

14.B.2.a 34.15 acres of Compensatory Afforestation (CA) land: - As per the latest records of the Jharkhand Forest Department, particularly Letter No. 550 dated 19.06.2026 issued by the PCCF-cum-Nodal Officer, Land Management Board, Jharkhand, the status of the said 34.15 acres of CA land has been clearly established as non-forest land. The said letter further records that

"DFO Garhwa has informed that Conservator of Forests, Regional Circle Garhwa has been requested to provide guidance with respect to the format for notification of 16.56 Ha. [i.e., 40.92 acres] non-forest land. Upon receipt of directions, proceedings for sending the format for notification will be undertaken."

Accordingly, HIL submitted that the records of the Jharkhand Forest Department clearly establish the non-forest status of the said 34.15 acres of CA land, while the proceedings for its notification as notified under the Indian Forest Act, 1927 are ongoing. Thus, as submitted by HIL, there is no subsisting dispute regarding the status or suitability of the said CA land for compensatory afforestation purposes.

14.B.2.a (1) They also explained the manner in which the said 34.15 acres of CA land was acquired from the original Raiyats (tenancy holders) through registered sale deeds upon payment of compensation in accordance with law. The said 34.15 acres CA land also stands duly transferred and mutated in the name of Jharkhand Forest Department. The said 34.15 acres CA land was acquired by HIL from Raiyats only after verification regarding the status and suitability of the said non-forest land for compensatory afforestation purposes by the Circle Officer, Garhwa and issuance of suitability certificates by DFO Garhwa, Garhwa and issuance of suitability certificates by DFO Garhwa'. In support of the same, HIL submitted the following records:

Quote:-

(i) Letter dated 22.05.2017 (**Annexure B**) issued by Circle Officer Garhwa *inter alia* certifying that the 23 acres CA land identified in Baligarh village had been settled in favour of Raiyats for the past 60-70 years; that the said land was recorded as "Tand and Dhan", i.e., non-forest land in the revenue records; that lease rent had been collected from Raiyats with respect to the said land till 2016-17; and that the said land was suitable for compensation afforestation purposes.

(ii) Suitability Certificate dated 19.06.2017 (**Annexure C**) issued by DFO Garhwa with respect to CA land in Baligarh providing no objection certificate for utilization of 24.83 acres non-forest land falling outside forest boundaries in Baligarh for compensatory afforestation purposes.

(iii) Letter dated 22.04.2017 (**Annexure D**) issued by Circle Officer Garhwa *inter alia* certifying that the 11.15 acres CA land identified in June village had been settled in favour of Raiyats; that the said land was recorded as "Tand and Dhan", i.e., non-forest land in the revenue records; that lease rent had been collected from Raiyats with respect to the said land till 2016-17; and that the said land was suitable for compensation afforestation purposes.

(iv) Suitability Certificate dated 22.04.2017 (**Annexure E**) issued by DFO Garhwa with respect to CA land in June providing no objection certificate for utilization of 11.15 acres non-forest land falling outside forest boundaries in June for compensatory afforestation purposes.

13. The observations regarding the status of 34.15 acres CA land as recorded vide Minutes of Meeting held on 23.08.2021 (**Annexure F**) under the Chairmanship of PCCF-cum-Nodal Officer, Land Management Board Jharkhand are misconceived and contrary to the record. Vide Letters dated 21.01.2022, 18.05.2022 and 19.05.2022 (**Annexure G**), HIL had furnished detailed representations along with supporting documentations to the Jharkhand Forest Department which establish that the 34.15 acres CA land is non-forest land.

14. In light of the Letter dated 19.06.2026 issued by PCCF-cum-Nodal Officer which records that status of 34.15 acres CA land in question as non-forest land, the observations recorded vide Minutes of Meeting held on 23.08.2021 stand superseded and rendered infructuous.

15. Further, we understand that vide Letter dated 11.08.2026 (**Annexure H**), PCCF (HOFF), Jharkhand has submitted the proposal for notification of certain parcels of CA land as notified / protected forest to Secretary (Forests), Jharkhand Government. The said Letter dated 11.08.2026 only states that the proposal for notification of 34.15 acres CA land in June and Baligarh has not yet been received by the office of PCCF (HOFF) Jharkhand. The said letter dated 11.08.2026 neither disputes the status of 34.15 CA land as non-forest land nor raises any concern regarding suitability of said CA land for compensatory afforestation purposes. On the other hand, the Letter dated 19.06.2026 issued by PCCF-cum-Nodal Officer clearly records that upon receipt of guidance regarding the format of notification from the Conservator of Forests, proceedings for notification of the said 34.15 CA land in June and Baligarh as notified / protected forests will be undertaken by Jharkhand Forest Department.

16. Hence, there is no dispute regarding the status or suitability of 34.15 acres CA land for utilization for compensatory afforestation purposes.

Unquote:

14.B.2.b 9.94 acres block land for mining: HIL informed on 18.09.2026 that the previous prior allottee of Dumri Coal Mine, M/s Nilachal Iron & Power Limited (NIPL) and M/s Bajrang Ispat Pvt. Limited (BIPL), had acquired 83.73 acres of block land from the original landowners through registered sale deeds, which

subsequently vested in HIL upon allocation of the Dumri Coal Mine in its favour in 2015 pursuant to the Vesting Order issued by the Nominated Authority, and HIL had deposited compensation with the Nominated Authority in respect of the entire 83.73 acres. HIL further informed that, out of the said 83.73 acres, 73.79 acres had been duly registered and mutated in its favour, whereas mutation in respect of the remaining 9.94 acres could not be completed as the said land had not been mutated in the name of NIPL, the previous prior allottee. HIL stated that it is willing to facilitate resolution of the issue relating to the said 9.94 acres and extend necessary assistance to M/s S M Steels and Power Limited (SMSPL), the successful allottee, for completion of the requisite mutation formalities. Accordingly, HIL requested that compensation in respect of 73.79 acres may be disbursed at this stage, while compensation pertaining to the remaining 9.94 acres may be kept subject to completion of the requisite mutation formalities in favour of SMSPL.

14.B.2.c Refund of amounts deposited by HIL in 2015 towards NIPL's CA land which was rejected by Jharkhand Government: HIL informed that, at the time of allocation of Dumri Coal Mine in its favour in 2015, it had deposited ₹1,74,87,102/- as part of the Fixed Amount towards compensation for the CA land stated to have been acquired by the previous prior allottee, M/s Nilachal Iron & Power Limited (NIPL) and M/s Bajrang Ispat Pvt. Limited (BIPL). HIL further submitted that the Jharkhand Government, vide Letters dated 22.01.2016, 03.03.2016 and 09.03.2016, had rejected the entire CA land claimed to have been acquired by M/s Nilachal Iron & Power Limited (NIPL) and M/s Bajrang Ispat Pvt. Limited (BIPL) and, accordingly, the Nominated Authority, vide Order dated 08.01.2021 (Annexure I), rejected NIPL's claim for compensation in respect of the said CA land. HIL stated that, vide its letter dated 25.07.2025 (Annexure J), it had requested the Nominated Authority for refund of the aforesaid amount deposited by it in 2015 towards NIPL & BIPL's CA land, which, according to HIL, has neither been refunded to HIL nor disbursed to NIPL& BIPL.

HIL further submitted an affidavit (Annexure K) confirming that it has not received any refund of the said amount and undertaking that, in the event it is subsequently established that the amount had already been refunded to HIL, the

amount released pursuant thereto would be returned. Accordingly, HIL requested the Nominated Authority to release and disburse ₹1,74,87,102/- deposited by HIL in 2015 towards the CA land claimed by NIPL & BIPL, which was subsequently rejected by the Jharkhand Government.

14.B.2.d Secured Creditors:-HIL further submitted an **affidavit (Annexure-L)** affirming that, to the best of its knowledge and based on the records maintained by HIL in the ordinary course of business, **HIL had not availed any loan from any creditor in relation to the Dumri Coal Mine and there was no loan or outstanding debt, whether secured or unsecured, payable to any creditor in respect of the Dumri Coal Mine during the period from April 2015 to January 2024.** HIL further undertook that, in the event any amount is subsequently established in accordance with law as due or payable to any secured creditor in respect of the Dumri Coal Mine for the said period, HIL would bear responsibility for such amount, if any.

16. Examination and Findings by the office of Nominated Authority:-

16.1 Applicable statutory position:- Relevant provisions of the CMSP Act, 2015 and the Rules made thereunder, along with pertinent details of the judgment dated 09.03.2017 passed by the Hon'ble High Court of Delhi in W.P. (C) No. 973/2015, GVK Power (Goindwal Sahib) Limited & Anr. v. Union of India & Ors., arising out of writ petitions filed by the prior allottees, read with Office Memorandum dated 16.11.2018;

16.2 Sub section (4) of section 8 of CMSP Act 2015, stated that "The vesting order shall transfer and vest upon the successful bidder, the following, namely:— (a) all the rights, title and interest of the prior allottee, in Schedule I coal mine concerned with the relevant auction; (b) entitlement to 6[prospecting licence, mining lease or prospecting licence-cum mining lease, as the case may be] to be granted by the State Government; (c) any statutory licence, permit, permission, approval or consent required to undertake coal mining operations in Schedule I coal mines if already issued to the prior allottee; (d) rights appurtenant to the approved mining plan of the prior allottee; (e) any right, entitlement or interest not specifically covered under clauses (a) to (d)."

16.3 Sub section (1) of section 16 of CMSP Act 2015, stated that “The quantum of compensation for the land in relation to Schedule I coal mines shall be as per the *registered sale deeds* lodged with the nominated authority in accordance with such rules as may be prescribed, together with twelve per cent simple interest from the date of such purchase or acquisition, till the date of the execution of the vesting order or the allotment order, as the case may be.”

16.4 Rule 14(2) of CMSP, Rules 2014 specifies that “The *prior allottee* shall lodge the *registered sale deeds or its certified copy or both with respect to the Schedule I coal mines* with the nominated authority in accordance with the provisions of sub-section (1) of section 16 of the Act, within the time specified by the nominated authority in this regard.”

16.5 Sub section (p) of section 3 (1) of CMSP Act 2015, stated that “Schedule I coal mines” means,—(i) all the coal mines and coal blocks the allocation of which was cancelled by the judgment dated 25th August, 2014 and its order dated 24th September, 2014 passed in Writ Petition (Criminal) No.120 of 2012, including those allotments which may have been de-allocated prior to and during the pendency of the said Writ Petition; (ii) all the coal bearing land acquired by the prior allottee and lands, in or adjacent to the coal mines used for coal mining operations acquired by the prior allottee; (iii) any existing mine infrastructure as defined in clause (j);

16.6 Sub section (n) of section 3 (1) of CMSP Act 2015, stated that “prior allottee” means prior allottee of Schedule I coal mines as listed therein who had been allotted coal mines between 1993 and 31st day of March, 2011, whose allotments have been cancelled pursuant to the judgment of the Supreme Court dated the 25th August, 2014 and its order dated 24th September, 2014 including those allotments which may have been de-allocated prior to and during the pendency of the Writ Petition (Criminal) No.120 of 2012”.

16.7 Sub section (e) of section 16 of CMSP Act 2015, stated that “coal mining operations means any operation undertaken for the purpose of winning coal;

16.8 Sub section (j) of section 16 of CMSP Act 2015, stated that “mine infrastructure” includes mining infrastructure such as tangible assets used for coal mining operations, being civil works, workshops, immovable coal winning equipment, foundations, embankments, pavements, electrical systems, communication systems, relief centres, site administrative offices, fixed installations, coal handling arrangements, crushing and conveying systems, railway sidings, pits, shafts, inclines, underground transport systems, hauling systems (except movable equipment unless the same is embedded in land for permanent beneficial enjoyment thereof), land demarcated for ***afforestation and land for rehabilitation and resettlement of persons affected*** by coal mining operations under the relevant law;

16.9 The said writ petitions were disposed of by Hon’ble High Court of Delhi vide judgment dated March 09, 2017 in WPC 973/2015 GVK Power (Goindwal Sahib) Limited & Anr. Vs UoI Anr. and 14 others , wherein the Hon’ble Court held as under:-

“26. For the land and mine infrastructure, which is transferred from the prior allottee to the successful bidder, the latter has to pay compensation and the same has to be collected by the respondents and disbursed in the manner indicated in Section 9 of the said Ordinance..... The valuation of compensation for payment to the prior allottee in the manner to be disbursed as per the priority described under Section 9 of the said Ordinance is provided for in Section 16 thereof. Section 16(1) of the said Ordinance pertains to the quantum of compensation for the land in relation to the Schedule-1 coal mine. Section 16(2) provides for the quantum of compensation for the mining infrastructure in relation to such mines.

“29. Reading the provisions of Section 16(1) with Rule 14(2), it is evident that the quantum of compensation for land in relation to the concerned coal mine is to be ‘as per’ the registered sale deeds (whether in original or through certified copies or both) which are to be lodged with the Nominated Authority within the time specified by such authority. The quantum is to be computed as per the registered sale deeds, together with 12% simple interest from the date of such purchase or acquisition till the date of issuance of the vesting order or the allotment order, as the case may be.

“30. When all the rights, title and interest in the land in question are to be transferred from the prior allottee to the successful bidder, it cannot be expected

of the Legislature (or the Government) to make a provision designed to enrich the successful bidder at the cost of the prior allottee. Such enrichment would be unjust and is to be avoided as then, it would amount to being discriminatory and arbitrary and violative of Article 14 of the Constitution of India. It must be remembered that the mining lease had been annulled by the Supreme Court and the mines were to be re-allocated in a fair, just and transparent manner. This certainly did not mean that the land was to be confiscated or some penalty qua the land was to be imposed. In fact, even Section 16 speaks of 'Compensation', which would obviously have to be fair, just and reasonable. Otherwise, it would not amount to compensation 'at all. Unfairness and arbitrariness can be avoided if a just, fair and reasonable amount by way of compensation is awarded for the land in question. This may be and, usually is, the market price or the market value of the said land. It may well be that the quantum of compensation for the land based on the registered sale deeds along with 12% simple interest per annum is a just and fair compensation as it is equal to the market value or is very close to it. But, this may not necessarily be the case. By fixing a rigid formula of the value of the land as per the historical value given in the sale deeds together with 12% simple interest may operate unfairly against the prior allottee and to the benefit of the Successful Bidder."

"31. Whenever there is a challenge to the validity of a provision on the ground that it is ultra vires the Constitution, it is well-settled that the courts must attempt to read the provision in such a manner which would uphold its validity and avoid an interpretation which would compel the court to declare it as invalid. In our view, all the arguments with regard to arbitrariness and discrimination vis-à-vis Section 16(1) of the said Ordinance can be put aside by interpreting Section 16(1) to mean that the quantum of compensation for the land in relation to Schedule-I coal mines would be **based on the registered sale deeds** and together with 12% simple interest thereon per annum only as a bench mark. If the prior allottee is able to produce tangible evidence before the Nominated Authority that the fair market value of the land on the date of the execution of the vesting order was more than the said bench mark figure, then the prior allottee ought to be entitled to the same. Of course, the determination would be subject to review under the adjudicatory process stipulated in Section 27 of the said Act by the Tribunal and perhaps,

ultimately, by the High Courts and the Supreme Court. The point being that the successful bidder ought not to get the land for a song and, that too, at the expense of the prior allottee. Interpreting in the above manner, we uphold the validity of Section 16(1)."

"35. Section 16 of the said Ordinance and Rule 14 of the said Rules are to be interpreted and worked in the manner indicated above. As such, they cannot be held to be violative of Articles 14, 19(1) (g) or 300-A of the Constitution. It is open to the individual petitioners to raise disputes with regard to the quantum of compensation, if the same has not been done in the manner indicated above, before the Tribunal which has been specifically indicated for this purpose under Section 27."

16.10 Recommendations of Inter-Ministerial Valuation Committee issued on 16.11.2018, Annexure-I:- The said OM, provides that before finalizing the compensation amount, the Nominated Authority, following the principles of natural justice, is required to provide opportunity of hearing to both the parties, i.e. prior allottee and the subsequent allottee (successful bidder/allottee).

16.10.1 "As per para 4 of the Inter-Ministerial Valuation Committee report that:- "4. Hon'ble High Court judgment dated 09.03.2017 upheld the constitutional validity of Section 16 of the Act and Rule 14 of the Rules and directed that the provisions should be interpreted and worked out in the following manner:

As regards 'Land': if the prior allottee is able to produce tangible evidence before the Nominated Authority that the fair market value of the land on the date of the execution of the vesting order was more than the said bench mark figure (i.e. registered sale deed with 12% simple interest per annum), then the prior allottee ought to be entitled to the same."

16.10.2 "As per para 11 of the Inter-Ministerial Valuation Committee report that: - "11. After due deliberations the Committee has made the following recommendations on the valuation and assessment of the Mining Infrastructure of 204 Coal Mines:

Leasehold land rights - The Committee was informed by the Nominated Authority that the valuation of the leasehold land rights was being undertaken by the Nominated Authority as the same was related to valuation of land and this task was to be carried out

by the Nominated Authority with the assistance of an expert agency. The Committee was also informed that though the compensation of land for Rehabilitation & Resettlement (R&R) and land demarcated for compensatory afforestation is covered under the definition of Mine Infrastructure in the Act, however, in the light of Ministry of Coal's OM No. 13018/04/2014-CA-III dated 03.02.2015 (Annexure-II), the compensation for the same is being determined as compensation for land under Section 16(1) of the Act and is being dealt with in the Nominated Authority."

OM No 13018/04/2014-CA-III dated 03.02.2015 stated that "The undersigned is directed to say that it has been decided with the approval of the Competent Authority that the value of compensation of land for Rehabilitation & Resettlement (R&R) and land demarcated for compensatory afforestation included in the definition of 'Mine Infrastructure' under Section 3(1)(j) of 'the Coal Mines (Special Provisions) Second Ordinance, 2014' shall be determined in accordance with the provisions of Section 16(1) i.e. the simple interest (12%) on the acquisition cost of the land as determined through registered sale deeds shall be payable."

17. Section 21 of the CMSP Act, 2015:

17.1 In addition to above, attention is invited to Section 21 (Acquisition of Land) of Coal Mines (Special Provision) Act 2015 provides that: - (1) All existing land acquisition proceedings under the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013, in relation to Schedule I coal mines, shall continue in respect of such areas of land in accordance with the provisions of the said Act. (2) All such areas of land which are not subject matter of land acquisition proceedings, in relation to the coal mines, under the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 may be proceeded with by the Central Government in terms of the Coal Bearing Areas (Acquisition and Development) Act, 1957. (3) The State Governments which have initiated land acquisition proceedings under provisions of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 (30 of 2013), and all such lands which are also subject matter of the said Act in respect of Schedule I coal mines, shall— a) not transfer any land to the prior allottees which have been acquired under the said Act; b) continue the land acquisition proceedings till the appointed date; c) for such Schedule I coal

mines which have not vested in the successful bidder or the allottee, as the case may be, by the appointed date, continue the land acquisition proceedings for and on behalf of the Central Government; d) upon the vesting or the allotment, as the case may be, after the appointed date, continue such land acquisition proceedings on behalf of the successful bidder or the allottee.

18. In view of the foregoing statutory provisions, judicial pronouncement, recommendations of the Inter-Ministerial Valuation Committee and the documents placed on record, the matter has been examined and determined as follows:

18.1 In terms of Sections 3(1)(n), 3(1)(p), 8(4) and 16(1) of the CMSP Act, 2015, read with Rule 14(2) of the CMSP Rules, 2014, compensation in respect of land forming part of a Schedule-I coal mine is to be determined **on the basis of the registered sale deeds furnished by the prior allottee** to the Nominated Authority, together with the applicable interest. The Hon'ble High Court, in the aforesaid judgment dated 09.03.2017, has further held that the value **reflected in the registered sale deeds**, together with simple interest at the rate of 12% per annum, constitutes the benchmark for determination of compensation, subject to consideration of tangible evidence establishing a higher fair market value, if produced by the prior allottee.

18.2 34.15 acres of Compensatory Afforestation (CA) land :- In the present case, the registered sale deeds pertaining to 34.15 acres of Compensatory Afforestation (CA) land have been furnished by the Prior Allottee, M/s Hindalco Industries Limited (HIL). As per the available records, the said 34.15 acres of CA land was acquired by HIL from the original Raiyats (tenancy holders) through registered sale deeds, upon payment of due compensation in accordance with law. It is further observed from the available records that the said CA land has been duly transferred and mutated in the name of the Jharkhand Forest Department. It is also observed that the said 34.15 acres of CA land was acquired by HIL from the Raiyats only after verification of the status and suitability of the land as non-forest land for the purpose of compensatory afforestation by the Circle Officer, Garhwa, followed by issuance of the requisite suitability certificate by the Divisional Forest Officer (DFO), Garhwa. Further, HIL has obtained Stage-I Forest Clearance in respect of the said land. It is pertinent to mention that the submissions made by

M/s S M Steels and Power Limited (SMSPL) vide letters dated 14.09.2026 and 15.09.2026 do not disclose any final adjudication or order declaring the aforesaid registered sale deeds to be invalid or the subject land to be non-transferable. Rather, the submissions contemplate initiation of appropriate proceedings for determination of the rights/title in respect of the land and for cancellation of the registered sale deeds. In view of the foregoing, and based on the documents and records presently available, the 34.15 acres of CA land is considered eligible for compensation in favour of HIL, subject to verification of the relevant records and applicable provisions. SMSPL may, however, be advised to pursue the matter with the concerned Forest Department and furnish the requisite supporting documents, including FC-II/Stage-II Forest Clearance, as and when obtained, for further consideration and record.

18.3 9.94 acres mining-related land :-In the present case, the registered sale deeds pertaining to the mining-related land measuring 9.94 acres, or approximately 10.33 acres as reflected in the revenue verification records, were furnished by the erstwhile Prior Allottee-I, namely M/s Nilachal Iron & Power Limited (NIPL) and M/s Bajrang Ispat Pvt. Ltd. (BIPL), and the said land formed part of the land vested in Prior Allottee-II, M/s Hindalco Industries Limited (HIL). In this regard, SMSPL, vide letter dated 06.10.2026, submitted the Land Verification Report dated 19.09.2026 issued by the Circle Officer, Keredari, in respect of 10.3344 acres of land purchased by NIPL. The said report, based on verification of the relevant revenue records and land particulars, contains parcel-wise details of the land, the corresponding registered sale deeds and the names of the persons from whom NIPL had acquired the respective parcels. The report further records that Jamabandi in respect of the said land has not been established in the name of NIPL and the land has not been mutated in favour of NIPL.

It is, however, observed that the aforesaid land forms part of the mining-related land required for the operation of Dumri Coal Mine and the corresponding registered sale deeds have been furnished as the basis of the land claim. The fact that Jamabandi has not been established or mutation has not been carried out in favour of NIPL, by itself, does not negate the existence of the registered sale deeds or the acquisition of the land by NIPL as reflected therein, particularly when the

said land formed part of the land subsequently vested in HIL. The registered sale deeds furnished by the Prior Allottee, therefore, constitute the relevant documentary basis for determination of compensation in respect of the subject land, subject to the applicable statutory provisions and the principles laid down by the Hon'ble High Court of Delhi in its judgment dated 09.03.2017.

During the meeting, HIL also confirmed that it would extend all necessary assistance and cooperation to SMSPL in completing the requisite formalities for registration/mutation of the subject land in favour of SMSPL, as may be applicable. In view of the above, and considering the documentary evidence available on record, SMSPL was advised/directed to deposit the amount determined towards the subject land in the Provisional Compensation Order, in accordance with the applicable provisions and the terms of the said Order.

18.4 Possession of the vested land, which was not with HIL: It is further clarified that completion of mutation and securing possession/transfer of the land are matters to be undertaken by the Successful Allottee in accordance with the applicable law not the prior allottee, as per CMSP Act 2015 and Honourable judgement dated 09.03.2017, it is clear that only registered sales deed is required to finalise the compensation. The Successful Allottee is accordingly liable to deposit the compensation determined under the Act, including any upward revision in the fixed amount determined by this Office, subject to the final determination contained in the Compensation Order.

18.5 Further, Section 21 of the CMSP Act, 2015 provides for continuation of the existing land acquisition proceedings in respect of Schedule-I coal mines in accordance with the applicable provisions of law. Thus, the pendency or continuation of land-related proceedings does not, by itself, alter the statutory mechanism for determination of compensation under Section 16(1) of the Act, where the land is otherwise covered by the registered sale deeds and the relevant records furnished by the prior allottee.

18.6 Refund of amounts deposited by HIL in 2015 towards NIPL's CA land which was rejected by Jharkhand Government: The request of HIL for refund/release of ₹1,74,87,102/-, as raised vide its earlier letter dated 24.07.2025,

stated to have been deposited by HIL in 2015 towards Compensatory Afforestation (CA) land claimed to have been acquired by the erstwhile Prior Allottee, M/s NIPL & BIPL, whose claim in respect of the said CA land was subsequently rejected, was examined and found that in order dated 08.01.2021, it is mentioned that an amount of ₹ 5,63,35,161/- was released to prior allottee-1, NIPL through sanction letter dated 13.07.2017 and remaining amount is still lying with MoC.

It is further clarified that completion of mutation and securing possession/transfer of the land are matters to be undertaken by the Successful Allottee in accordance with the applicable law not the prior allottee, as per CMSP Act 2015 and Honourable judgement dated 09.03.2017, it is clear that only registered sales deed is required to finalise the compensation. The Successful Allottee is accordingly liable to deposit the compensation determined under the Act, including any upward revision in the fixed amount determined by this Office, subject to the final determination contained in the Compensation Order.

18.7 Further, Section 21 of the CMSP Act, 2015 provides for continuation of the existing land acquisition proceedings in respect of Schedule-I coal mines in accordance with the applicable provisions of law. Thus, the pendency or continuation of land-related proceedings does not, by itself, alter the statutory mechanism for determination of compensation under Section 16(1) of the Act, where the land is otherwise covered by the registered sale deeds and the relevant records furnished by the prior allottee.

18.8 Refund of Amounts Deposited by HIL in 2015 Towards NIPL's CA Land, Which Was Rejected by the Jharkhand Government: HIL's request for the refund/release of ₹1,74,87,102/-, as raised vide its earlier letter dated 24.07.2025, was examined. The amount is stated to have been deposited by HIL in 2015 towards Compensatory Afforestation (CA) land claimed to have been acquired by the erstwhile Prior Allottees, M/s NIPL and BIPL, whose claim in respect of the said CA land was subsequently rejected. It is noted that the order dated 08.01.2021 mentions that an amount of ₹5,63,35,161/- was released to Prior Allottee-I, NIPL, vide sanction letter dated 13.07.2017, and that the remaining amount is still lying with the Ministry of Coal.

Table 'D' FA means fixed Amount, & Amount in '₹'

Particulars	Cost of Geological Report	Cost of consents	Cost of Mine Infrastructure	Land	Transaction Expenses	Fixed Amount
FA deposited by HIL	1,86,40,975	-	-	7,38,22,263	16,85,400	9,41,48,638
Amount released to NIPL & BIPL	1,70,00,454	-	-	5,63,35,161	-	7,33,35,615
Balance Amount	16,40,521	-	-	1,74,87,102	16,85,400	2,08,13,023

Note: An amount of ₹1,70,00,454/- was released towards the Cost of Geological Report vide Sanction Letter dated 12.09.2016. In respect of the balance amount of ₹16,40,521/-, CMPDI was directed to confirm the payment status/details. Further, an amount of ₹5,63,35,161/- was released towards Land to the Prior Allottee-I vide Sanction Letter dated 13.07.2017. An amount of ₹16,85,400/- pertains to the Office of the Nominated Authority (NA).

In view of above, this office considered the requested of HIL, further HIL also submitted the affidavit in this regard.

19. Secured Creditor :- In compliance with Section 9 of the Coal Mines (Special Provisions) Act, 2015 (CMSP Act, 2015), read with Rule 15 of the CMSP Rules, 2014, the compensation payable towards land and mine infrastructure is required to be disbursed in accordance with the prescribed priority, with payment to secured creditors having priority.

19.1 In this regard, the claims from the secured creditors, the Government of India, the State Government(s), and the Local Authority in respect of the Schedule I coal mines, including the Dumri Coal Mine, invited on 06.10.2026. In this regard, no claim was received, therefore, this amount to be released to HIL.

19.2 It is further submitted that the claims of compensation of Prior Allottee-I, M/s Nilachal Iron & Power Limited (NIPL) and M/s Bajrang Ispat Pvt. Limited (BIPL) have already been settled. Accordingly, there is no requirement to invite any further claim from Prior Allottee-I in respect of the said compensation.

20. Conclusion and directions:

In view of the foregoing, this Office hereby considered the provisional compensation Order dated 10.09.2026 stands final and issues the following directions to M/s Hindalco Industries Limited (HIL), M/s SMSPL, and the Government of Jharkhand, as under:

20.1 Prior Allottee-II, M/s Hindalco Industries Limited (HIL), is to be entitled to compensation amounting to ₹72,94,09,102/- towards the Cost of Geological Report (GR), Cost of Consents, Land and Mine Infrastructure, as detailed in Table-C. An amount of ₹72,04,22,914/- shall be released to HIL, while the remaining amount of ₹89,86,188/-, corresponding to the presently unregistered Land in the name of HIL, shall be retained by the Nominated Authority and released to HIL upon completion of the requisite registration formalities in favour of SMSPL, subject to verification of the relevant records. Further, HIL is also entitled to get back the amount of ₹1,74,87,102/- deposited as CA land of NIPL & BIPL. Hence, the total amount to be released to HIL an amount of ₹73,79,10,016/- (₹72,04,22,914/- plus ₹1,74,87,102/-).

20.2 M/s SMSPL, the Successful Allottee, is hereby directed to deposit an amount of ₹60,19,55,043/- (Rupees Sixty Crore Nineteen Lakh Fifty-Five Thousand Forty-Three only) towards the Cost of Geological Report (GR), Cost of Consents, Land and Mine Infrastructure, as detailed in Table-C, as earliest from the date of issuance of this Order, as one and half month has already passed from the date of provisional compensation order. The said amount shall be deposited with the Office of the Nominated Authority for further disbursement towards the compensation payable to the Prior Allottee, subject to compliance with the applicable provisions of the CMSP Act, 2015 and the rules made thereunder.

Name of the Bank	PUNJAB NATIONAL BANK (PNB)
Name of the Beneficiary	PAO, M/o Coal
Branch Name	Connaught Circus (0276)
Account No.	0276050414586
IFSC Code	PUNB0027620
MICR Code	110024773

20.3 The Government of Jharkhand is hereby directed to take necessary action in compliance with the provisions of Section 21 of the CMSP Act, 2015, and to complete the requisite proceedings in respect of the land pertaining to the Dumri Coal Mine, which was acquired by M/s HIL and which is now vested in M/s SMSPL. Accordingly, the concerned

authorities of the Government of Jharkhand shall take necessary steps, in accordance with the provisions of the CMSP Act, 2015 and the applicable rules, for completion of the requisite land records proceedings and change/mutation of the name of the land in favour of the Successful Allottee, M/s SMSPL, wherever applicable, so as to give effect to the vesting of the Dumri Coal Mine.

21. Statutory Remedy : In accordance with section 27 of the Act and the judgement dated 09.03.2017, it is open to prior allottee-2, M/s Hindalco Industries Limited and M/s S M Steels and Powver Limited 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 Compensation Order dated 10.09.2026;
2. Letter dated 14.09.2026 submitted by M/s S M Steels and Power Limited;
3. Letter dated 14.09.2026 submitted by M/s Hindalco Industries Limited;
4. Letter dated 15.09.2026 submitted by M/s S M Steels and Power Limited;
5. Letter dated 18.09.2026 submitted by M/s Hindalco Industries Limited;
6. Letter dated 06.10.2026 submitted by M/s S M Steels and Power Limited; and
7. Letter dated 17.10.2026 submitted by M/s S M Steels and Power Limited;


(Rupinder Brar)

Additional Secretary & Nominated Authority

To

1. Prior Allottee-II, **Authorized Signatory**, Hindalco Industries Limited, 8th Floor, Parsvnath Capital Tower, Bhai Vir Singh Marg, New Delhi-110001. E Mail: - vinod.verma@adityabirla.com, CIN L27020MH1958PLC011238.
2. Successful allottee, **Authorized Signatory**, M/s S M Steels and Powver Limited, Godrej Waterside, Tower-1, Unit-504, 5th Floor, Sec-V, Saltlake City, Block DP-5, Kolkata-700091, bearing Corporate Identity Number (CIN) U27209WB2022PLC252950,

Copy to:-

1. The Coal Controller, Coal Controllers' Organisation, New Delhi.

2. U.S, PS-II (For Kind information).
3. Sr.T.D, NIC, MOC with request to upload this on the website of MOC.

Annexure- I, List of Participants: -

SN	Participants	Designation	Name of Company
1	Smt. Rupinder Brar	Additional Secretary & Nominated Authority	Ministry of Coal
2	Shri Marapally Venkateshwarlu	Director (Tech), NA	Ministry of Coal
3	Shri Arvind Kumar	Under Secretary, NA	
4	Shri Harishchand	Sr Manager	
5	Dr Vinod K Verma,	President & Head Corporate Affairs	M/s Hindalco Industries Limited
6	Smt. Sumita Singh	Asst Vice President – Corporate Affairs	
7	Shri Kaustav Mishra	General Manager -Legal	
8	Shri Sanjeev Nayak	General Manager -Accounts	
9	Shri Kodumuru Srinivasa Rao	CEO (Mining Operations)	M/s S M Steels and Powver Limited
10	Shri Rohan Bansal	CFO	
11	Smt Madhumitha Gosh	Manager, Legal	
