

Immediate/By Speed Post

No. 13016/16/2008-CA-I(Part-II)
Government of India
Ministry of Coal

New Delhi, the 3rd June, 2015

To
The CMD,
Sasan Power Ltd.,
Dhirubhai Ambani Knowledge City,
I-Block, Thane Belapur Road,
Koparkhairane, Navi Mumbai-400710.

Subject: Submission of downward Revised Mining Plan of Moher and Moher Amlohri Extn. coal blocks from 20 MTPA to 16 MTPA allocated to M/s Sasan Power Ltd.

Sir,

I am directed to refer to this Ministry's letter No.13016/16/2008-CA-I dated 2nd March, 2009 thereby conveying the approval of Central Government under Section 5(2) (b) of MMDR Act, 1957 to the Revised Mining Plan (September, 2008) from Moher, Moher Amlohri Extension coal mining project for 20 MTPA relating to M/s Sasan Power Ltd. for Sasan Ultra Mega Power Project in Singrauli, Madhya Pradesh.

2. Ministry of Coal further issued the **Gazette Notification** No. 335 [S.O.no.397(E)] on 17.02.2010 which specified as an end use the supply of **surplus** quantity of coal up to a maximum nine million tons per annum from the coal mines of Moher, Moher Amlori Extension and Chhatrasal hereto used on an exclusive basis by M/s Sasan Power Ltd. a subsidiary of M/s Reliance Power Limited to the Thermal Power Plant of 3960 MW owned and managed by M/s Chitrangi Power Pvt. Ltd., Chitrangi, Tehsil, Singrauli District, Madhya Pradesh, which is also a subsidiary of M/s Reliance Power Ltd, for generation of thermal power subject to the condition that M/s. Reliance Power Limited shall hold minimum of fifty one per cent of voting equity share capital of M/s Chitrangi Power Pvt. Ltd. at all times during the continuance of the above referred power projects and mines.

3. The Hon'ble Supreme Court in its Judgment dated 25.8.2014 in WP (CrI.) No. 120/2012 and other connected court cases has cancelled the allocations of 204 coal blocks made through Screening Committee route and under Government Dispensation as arbitrary and illegal. In case of Ultra Mega

Power Projects (UMPPs) Hon'ble Supreme Court in its above said judgment has stated as under:

“no challenge was laid before us in respect of blocks where competitive bidding was held for the lowest tariff for power for Ultra Mega Power Projects (UMPPs). As a matter of fact, Mr. Prashant Bhushan, learned counsel for Common Cause submitted that since allocation for UMPPs is in accord with the opinion given in Natural Resources Allocation Reference and the benefit of the coal block is passed on to the public, the said allocations may not be cancelled. However, he submitted that in some cases the Government has allowed diversion of coal from UMPP to other end uses i.e. for commercial exploitation. Having regard to this, it is directed that the coal blocks allocated for UMPP would only be used for UMPP and no diversion of coal for commercial exploitation would be permitted.”

4. The Hon'ble Court has also passed its final order on 24.9.2014 in the matter.

5. In light of the of Judgment/order of Hon'ble Supreme Court, Ministry of Coal in consultation with Ministry of Power and Ministry of Law and Justice examined the use of surplus/incremental coal by M/s Chitrangi Power Project from Moher Moher Amlohri Extn. and Chhatrasal coal blocks allocated to M/s Sasan Power Ltd. for Sasan UMPP. Accordingly, Ministry of Coal issued the **Gazette Notification** No.956 [S.O.1230(E)] dated 7th May, 2015 thereby decided to de-allocate Chhatrasal coal block and **withdraw/cancel** the allocation letter No.13016/04/2006-CA-I dated 26th October, 2006 allocating Chhatrasal Coal Block in favour of M/s. Sasan Power Ltd. and the Gazette Notification No. 335 [S.O.no.397(E)] dated 17.02.2010 mentioned above.

6. A copy of the Gazette Notification No.956 [S.O.1230(E)] dated 7th May, 2015 has since been forwarded to all concerned including M/s Sasan Power Ltd. vide this Ministry's OM of even number dated 11th May, 2015.

7. It has further been decided that M/s Sasan Power Ltd. is required to revise the Mining Plan of Moher and Moher Amlohri Extn. coal blocks from present 20MTPA mine capacity to 16 MTPA mine capacity so as to conform to the coal requirement of 16 MTPA for the Sasan UMPP, being the specified end use plant. Accordingly, M/s Sasan Power Ltd. is hereby directed to immediately **submit the revised mining plan for the said blocks for downward revision from 20 MTPA to 16 MTPA to the Ministry of Coal for consideration.**



8. Till the revised mining plan of 16 MTPA to be submitted by the company is approved by the Ministry of Coal, M/s Sasan Power Ltd. is also directed to **restrict** the coal production to the level of Sasan UMPP requirement and not in any case beyond 16 MTPA from Moher and Moher Amlohri Extn. coal blocks in conformity with the observations of Hon'ble Supreme Court.

Yours faithfully,



(A. Sanjay Sahay)

Under Secretary to the Govt. of India

Tele:23073936

Copy to the following for information and necessary action:-

1. The Secretary, Ministry of Power, Shram Shakti Bhavan, Rafi Marg, New Delhi.
2. The CMD, Power Finance Corporation, Urjanidhi, Barakambha Road, Connaught Place, New Delhi.
3. The CMD, Northern Coalfields Ltd., P.O. Singrauli, Madhya Pradesh.
4. The Coal Controller, 1, Council House Street, Kolkata.
5. The Principal Secretary, Department of Energy, Govt. of Madhya Pradesh, Vallabh Bhavan, Secretariat, Bhopal.
6. The Principal Secretary, Department of Mineral Resources, Govt. of Madhya Pradesh, Vallabh Bhavan, Secretariat, Bhopal
- ✓ 7. Director(T), NIC, Ministry of Coal for uploading in the Website of MoC.
8. CPAM Section, Ministry of Coal.