

BY FAX/SPEED POST

**F.No. 110/9/2015/NA (part-I)
Government of India
Ministry of Coal
Office of Nominated Authority**

131, Ground Floor, World Trade Centre, Babar Road
New Delhi, Dated: the 11th November, 2016

To,
The Pay & Accounts Officer,
PAO, Ministry of Coal,
Trikoote II, Bhikaji Cama Place,
R.K.Puram,
New Delhi-110066.

Subject: Transfer of compensation towards cost for Land and Mine Infrastructure in respect of Lohari coal mine to the Commissioner of Payment for further disbursement to the prior allottee i.e. M/s. Usha Martin Ltd.

Sir/Madam,

I am to convey the sanction of the President to the transfer of a sum of **Rs. 2,17,71,839.00/-** (Rupees Two crore Seventeen lakh Seventy one thousand Eight hundred thirty nine only) to the Coal Controller's Organisation for disbursement to **M/s. Usha Martin Ltd.**, the prior allottee, of **Lohari coal mine** under the provisions of the Coal Mines (Special Provisions) Act, 2015 by the Coal Controller in his capacity as 'Commissioner of Payments' towards compensation for Land and Mine Infrastructure.

2. Here, it is pertinent to mention that in accordance with the Coal Mines (Special Provisions) Act, 2015 ("Act") and the Coal Mines (Special Provisions) Rules, 2014 ("Rules"), the Nominated

Authority had issued notices dated March 12, 2015, April 22, 2015, September 17, 2015, December 15, 2015 and June 02/03, 2016 inviting claims from Secured Creditors/Government Authorities in respect of Schedule I coal mines.

3. In pursuance to the aforesaid notices, no claims were received in respect of Lohari coal mine. However, the successful bidder of the coal mine, M/s. Araanya Mines Private Limited, vide letter No. AMPL/12/2016-17 dated 06.06.2016 had requested to hold the payment of compensation amount to the prior allottee claiming that information of land acquired was incorrectly given by the prior allottee. The successful bidder further vide letter No. AMPL/20/2016-17 dated 15.09.2016 requested to hold the payment of compensation amount to the prior allottee giving details of difficulties being faced by them.

4. In order to examine the matter, the successful bidder as well as prior allottee of the said coal mine were called by Nominated Authority for a hearing on 18.10.2016 at the office of the Nominated Authority. The representatives of M/s. Araanya Mines Private Limited (AMPL) and that of M/s. Usha Martin Limited (UML) were present at the hearing. The submissions made by M/s. AMPL and M/s. UML were considered and examined and Speaking Order bearing no. 110/9/2015/NA (Part) dated 31.10.2016 (copy enclosed) has been passed in the matter. As per the said speaking order the details of the amount to be released to the Commissioner of Payment for onward disbursement to the prior allottee is as under:-

Type of Land	Area considered for compensation as per the annexure	Sale Consideration	Interest	Compensation
	Hectare	INR	INR	INR
Compensatory Afforestation Land	92.02	1,61,17,157	15,02,827	1,76,19,984
Rehabilitation & Resettlement Land	2.36	34,55,710	6,96,145	41,51,855
Total	94.38	1,95,72,867.00	21,98,972.00	2,17,71,839.00

5. It is mentioned that an amount of Rs. 1,35,76,835/- towards compensation for 32.02 Hectare of land for mining (as per Mining Lease) has been withheld in terms of the aforesaid Speaking Order. It is also pertinent to mention that re-estimation of compensation for land (earlier done till 24.09.2014) in respect of Lohari coal mine till the date of vesting order (till 22.04.2015) has been carried out later and the successful bidder is yet to pay Rs. 20,41,209/- towards the incremental amount. The same will be released subsequently.

6. The amount of **Rs. 2,17,71,839.00/-** may be transferred through RTGS to the account of Coal Controller, Coal Controller's Organisation who has been appointed as 'Commissioner of Payments' under the provisions of Section 15 (1) of the Coal Mines (Special Provisions) Act, 2015 for the purpose of the said Act vide Ministry of Coal's Order No. 22/2/2014-ASO dated 15th July, 2015.

7. The expenditure on this account is debitable to the Head **8443.00.117.03.04.00**.

8. This issues with the approval of Integrated

Finance Division, Ministry of Coal vide note dated

Encl: as above.

Yours faithfully,


(N.K. Singh)

Deputy Secretary to the Government of India

Copy to:

1. **The Coal Controller in the capacity as Commissioner of Payments**, Coal Controller Organisation, No. 1 Council House Street, Kolkata-700001 - for further disbursement to the prior allocattees under the provisions of the Coal Mines (Special Provisions) Act, 2015 within **ten days** of the transfer of above amount from PAO. It may be ensured that payment is made to the prior allottee as per the said Act. The prior allottees may be intimated of the sanction & requested to submit the required document(s) for receiving the amount. For this purpose an affidavit in the prescribed format (**Annexure-I**) may be obtained from the prior allottee prior to disbursal.
2. US (IFD), Ministry of Coal.
3. US (CA-III), Ministry of Coal.
4. DDO, Nominated Authority.
5. M/s. Usha Martin Limited.
6. M/s. Arranya Mines Pvt. Ltd.
7. TD, NIC: for uploading on the Website of Ministry of Coal.

ANNEXURE-I

(To be stamped in accordance with the relevant Stamp Act and duly sworn before Notary Public)

**UNDERTAKING FOR RECEIVING THE AMOUNT
TOWARDS COMPENSATION FOR LAND AND MINE
INFRASTRUCTURE**

I, _____ aged _____ years, resident of _____ working as _____ an authorized signatory on behalf of _____ (name of Prior Allottee) hereby states as under:

1. That I am the Authorised Signatory of the Prior Allottee. I am conversant with facts and circumstances surrounding the subject of this Undertaking and have been authorized to undertake the same.

2. That M/s. _____ is/are the Prior Allottee (s) of the _____ (the "Coal Mine") in terms of the Coal Mines (Special Provisions) Act, 2015 (the "Act")/successor-in-interest of the Prior Allottee of the Coal Mine. The Mining Lease has been executed in favour of _____ M/s. _____. As such the Prior Allottee is entitled to receive compensation on account of cost of Land and Mine Infrastrucutre.

3. That the Prior Allottee (s) has incurred the cost of Land and Mine Infrastructure for _____ coal mine and is entitled to get refund of the same. The details of account for this purpose is as under:

Name of the Account holder company (must be in the name of Prior Allottee) _____

Name of the Bank/Branch _____

Account No. _____

MICR _____

IFSC _____

4. That the Prior Allottee (s) indemnifies the

Nominated Authority &/or the Central Government against any liability, cost, damages or losses in relation to this disbursement.

5. That the Prior Allottee (s) also undertakes that it is liable to return the amount disbursed to it, in case the above cost (part or in full) is claimed and established by any other party.

6. That nothing has been concealed in the information submitted as mentioned above.

Solemnly affirmed and verified on this _____ day of (month) 2016 at (place).

(Signature)
Deponent-Authorised Signatory
(Name, Designation & Seal)

VERIFICATION

I, _____ aged _____ years, resident of _____ working as _____ an authorized signatory on behalf of _____ (name of Prior Allottee) do hereby solemnly declare that what is stated in paragraphs 1 to 8 above is on the basis of the books and records of the Prior Allottee, and verify that the contents of the above affidavit are true and correct, no part of it is false and nothing material has been concealed therefrom.

Verified at _____ day of (month) 2016 at (place).

(Signature)
Deponent-Authorised Signatory
(Name, Designation & Seal)