

**F.No.110/2/2015/NA  
Government of India  
Ministry of Coal  
O/o Nominated Authority  
\*\*\*\*\***

**World Trade Tower, Barakhamba Lane  
New Delhi, dated the 28<sup>th</sup> January, 2016**

**NOTICE**

**Set off/Adjustment of compensation payable against the Fixed Amount already taken or to be taken.**

It has been decided with the approval of the Competent Authority that if the Successful Bidder/Allottee is the Prior Allottee for the same coal mine, then, the compensation payable to such prior allottee under the provisions of the Coal Mines (Special Provisions) Act, 2015 and the Rules shall be set off or adjusted against the Fixed Amount already taken or to be take from such Successful Bidder/Allottee.

2. However, before such set off, the Successful Bidder/Allottee has to furnish an undertaking on affidavit in the prescribed format that their secured creditors have chosen to continue with the facility agreements and security interest in terms of Section 12 (1) (a) of the Coal Mines (Special Provsions) Act, 2015 along with confirmation from such secured creditors to this effect.

3. Accordingly, the Successful Bidder/Allottee, who is prior allottee as well of the same coal mine, is requested to submit the abovementioned undertaking on affidavit as per prescribed format (Annexure-I) for further necessary action at this end.

*Vivek Bharadwaj*  
**(Vivek Bharadwaj)**

Joint Secretary to the Govt. of India/ Nominated Authority

**To,**

**The Successful Bidder/Allottee who is also prior allottee of the same coal mine**

**Copy to:-**

1. US (CA-III), MoC
- ✓ 2. TD, NIC, MoC: for uploading on the website of Ministry of Coal.

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

UNDERTAKING-CUM-AFFIDAVIT

I, \_\_\_\_\_ aged \_\_\_\_\_ years, resident of \_\_\_\_\_ working as  
\_\_\_\_\_ an authorised signatory on behalf of \_\_\_\_\_  
(name of Successful Allottee/Bidder) (the "Successful Allottee/Bidder") hereby  
states as under:

1. That I am the Authorised Signatory of the Successful Allottee/Bidder. I am conversant with the facts and circumstances surrounding the subject of this Undertaking and have been authorized to undertake the same.
2. That the Successful Allottee/Bidder of the \_\_\_\_\_ coal mine (the "Coal Mine") is also the Prior Allottee of 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.
3. That the Successful Allottee/ Bidder is entitled to set off or adjustment of the Fixed Amount against the compensation payable to the Prior Allottee in accordance with Section 16 of the Act and Clause 3.4.3(b) of the Allotment Document/ Clause 3.3.2(g) of the Tender Document.
4. That the Successful Allottee/ Bidder undertakes that it's secured creditor(s) have chosen to continue with the facility agreements and security interest with it in terms of Sec. 12(1) (a) of the Act. That the Successful Allottee/ Bidder is also submitting confirmation from such secured creditor(s) regarding continuance with the facility agreements and security interest to the Nominated Authority alongwith this Undertaking.
5. That the Successful Allottee/ Bidder also undertakes that if any revenues, taxes, cess, additional levy and rates are due from the Prior Allottee to the Central Government or a State Government or to a local authority, the same shall be payable by it.
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 authorised signatory on behalf of \_\_\_\_\_ (name of  
Successful Allottee/Bidder) do hereby solemnly declare that what is stated above in  
paragraphs 1 to 6 above are on the basis of the books and records of the Successful  
Bidder, 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)