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F.No NA-203/4/2021-NA
Government of India
Ministry of Coal
Office of Nominated Authority

120-F, Shastri Bhawan, New Delhi
Dated : February 05, 2021

ORDER

Subject : The Coal Mines (Special Provisions) Act, 2015 and Hon'ble High Court of Delhi, Judgment dated March 09, 2017– Valuation of Compensation for payment to prior allottee, M/s Pushp Steel and Mining Limited (PSML) Reg, for Brahampuri Coal Blocks/Mines.

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In reference to vide Order dated January 22, 2021 both prior allottee, M/s Pushp Steel and Mining Limited (PSML) and present allottee, M/s. Birla Corporation Limited (BCL) were called upon February 03, 2021 at 3.00 P.M and same was rescheduled on same date at 11.00 A.M to present their comments/objection, if any, on the determination made by the Nominated Authority.

2. Accordingly, both prior allottee, M/s PSML and successful allottee, M/s BCL attended the meeting on February 03, 2021. The prior allottee ~~is~~ submitted that they were on the verge of obtaining forest clearance when the mine was de allocated. They were also purchased about 4 hector land for opening the underground mine. Environment Clearance (EC) was also approved subject to obtaining Forest Clearance (FC) and they have spent about INR 5,60,37,775/- out of which only the cost of GR amounting to INR 4,92,52,145/- has been determine as their compensation. Further that amount was spent by them from 2008 to 2015 and, hence they are entitled to get interest on the whole amount spent by them. Present allottee rebutted the claim of prior allottee by submitting that they are applying for EC /FC afresh and the land acquired by prior allottee is not required by them. As such, the determination of compensation made by nominated authority seemed reasonable to them and no interest on geological report has been paid to prior allottee.

3. It was communicated to the prior allottee that Central Mine Planning and Design Institute Ltd. [CMPDIL] classified the list of assets provided by M/s PSML as per the guidelines framed by the asset valuation committee and provided list of admissible mine infrastructure to the Office of Chief Advisor (Cost) [CAC]. Thereafter, O/o CAC undertook valuation of admissible mine infrastructure and has submitted its report no 8499 dated November 27, 2015. (i.e. NIL for Brahampuri Coal Block/Mine). Determination of compensation in all cases is done based on the guidelines framed by the assets valuation committee and it may not be possible to deviate from the said guideline for any particular allottee.

4. In view of above and order dated January 22, 2021, it is decided that valuation of compensation for Land and Mine Infrastructure stands settled as NIL.

5. In accordance with Section 27 of the Act and the judgment dated 09.03.2017, it is open to M/s Pushp Steel and Mining Limited and M/s Birla Corporation Limited to raise disputes with regard to the quantum of compensation before the Tribunal constituted under the Coal Bearing Areas (Acquisition and Development) Act, 1957.

M. Nagaraju 5/2/20

(M. NAGARAJU)

Additional Secretary & Nominated Authority

To,

1. Pushp Steel and Mining Limited
751, Ground Floor, Kundenwala Street
Ajmeri Gate, Delhi-110006. , Email: - pushpsteels@gmail.com
2. M/s Birla Corporation Limited
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Copy to:-

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