

Through E –MAIL/ On MOC website
File No NA-203/12/2021-NA
Government of India
Ministry of Coal
Office of Nominated Authority

120-F, Shastri Bhawan, New Delhi
Dated: August 13, 2021

FINAL 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 Mukund Limited & M/s. Vini Iron & Steel Udyog Limited) Reg, for Rajhara North Central & Eastern Coal Mine.

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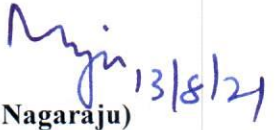
With reference to Order dated August 04, 2021, both prior allottee, M/s Mukund Limited & M/s. Vini Iron & Steel Udyog Limited and present allottee, M/s Fairmine Carbons Pvt. Ltd were called upon August 13, 2021 at 15:00 to present their comments/objection, if any, on the determination made by the Nominated Authority.

2. Accordingly, both prior allottee and successful allottee attended the meeting on August 13, 2021 and accepted the claim of compensation of Land and Mine Infrastructure as determined by the Nominated Authority vide order dated August 04, 2021.(i.e NIL for Rajhara North Central & Eastern Coal Mine).

3. In view of above, the valuation of compensation for Land and Mine Infrastructure for Rajhara North Central & Eastern Coal Mine stands settled as NIL.

Enclosure as above:-

1. Order dated August 04, 2021.


(M. Nagaraju)

Additional Secretary & Nominated Authority

To,

1. (Prior Allottees)

(a) M/s Mukund Limited, Bajaj Bhavanjamnalal, Bajaj Marg 226 Nariman Point
Mumbai MH 40002, Email kjmallya@mukand.com , amkulkarni@mukand.com

And

(b) M/s. Vini Iron & Steel Udyog Limited, 8, Camac Street, Camac Street, Elgin, Kolkata,
West Bengal 700017 Email:- viniironandsteel@gmail.com

2. (Successful Allottee)

M/s Fairmine Carbons Pvt. Ltd, Flat No.401, 4th Floor, Crosswindz Court Road Ranchi
Jharkhand 834001 Email: - fairminecarbons@gmail.com , rajeevnikumbh2016@gmail.com

Copy to:-

1. The Coal Controller, Coal Controllers' Organisation, 1, Council House Street, Kolkata.
2. U.S, CBA-II (For Kind information).
3. Sr.T.D, NIC, MOC with request to upload this on the website of MOC.

Through Mail/Speed Post

File No NA-203/12/2021-NA
Government of India
Ministry of Coal
Office of Nominated Authority

120-F, Shastri Bhawan, New Delhi.
Dated: August 04, 2021

ORDER

Subject: Determination of compensation for land and mine infrastructure payable to the prior allottees of Rajhara North Central & Eastern Coal Mine, viz. M/s Mukund Limited and Vini Iron & Steel Udyog Limited in terms of the Coal Mines (Special Provisions) Act, 2015 and Judgment dated March 09, 2017 passed by Hon'ble High Court of Delhi – Reg.

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Rajhara North Central & Eastern Coal Mine was previously allotted to M/S Mukund Limited and Vini Iron & Steel Udyog Limited. After cancellation, the said mine was allotted to M/s. Fairmine Carbons Pvt. Ltd on March 03,2021. The compensation for Cost of Geological Report (“GR”) and Cost of Consents (“CC”) have been released to the prior allottee vide sanction letter dated May 10, 2021 (Copy of letter attached), i.e. mentioned below in tabular form marked as ‘A’:-

Table ‘A’, Figures in
“Rs.”

Cost of Geological Report (“GR”) (A)	Cost of Consents (“CC”) (B)	Total {C=(A+B)}
106,27,136/-	NIL/-	106,27,136/-

The above compensation of GR and CC cost are in addition to and are separate from compensation of land and mine infrastructure as provided under Section 16 of the Act.

2. Vide letter reference no MoC/Rajhara/2021/003 dated 26th May 2021, M/s Mukund Limited and Vini Iron & Steel Udyog Limited submitted its revised claim for land and mine infrastructure. In the said letter prior allottee mentioned that no land acquisition has been made by them and assets of coal block showed zero figure.

3. The details of mine infrastructure were forwarded to Central Mine Planning and Design Institute Ltd. (CMPDIL) for classification and CMPDIL has not classified any item mentioned by prior allottee as 'Mine infrastructure' and thereafter O/o Chief Advisor (Cost) re-valued compensation, keeping in view of statutory auditor's certificate of the quarter ending 31.03.2015 and has submitted its Report No.8808 dated July 29, 2021 for the amount of Rs. NIL/- (copy of report enclosed).

4. So far as claim of prior allottee is concerned, it is entitled to get compensation for land and mine infrastructure up till March 03, 2021 i.e. when Rajhara North Central & Eastern Coal Mine was vested to M/s. Fairmine Carbons Pvt. Ltd. However, in view of above paragraph 3, the claim of compensation by M/s Mukund Limited and Vini Iron & Steel Udyog Limited regarding land and mine infrastructure pertaining to Rajhara North Central & Eastern Coal Mine is determined as NIL/-.

5. The above final determination of compensation for land and mine infrastructure in relation to Rajhara North Central & Eastern Coal Mine is being made. However, in case any objection is raised by prior allottee- M/s Mukund Limited and Vini Iron & Steel Udyog Limited or by present allottee of the coal mine i.e. M/s. Fairmine Carbons Pvt. Ltd an opportunity of hearing is given as per OM dated November 16, 2018, the same would be examined and a further determination would be made, if required. M/s Mukund Limited and Vini Iron & Steel Udyog Limited and M/s. Fairmine Carbons Pvt. Ltd. are hereby called upon to present their comments/ objection if any on the above determination on August 13,2021 at 15:00.

6. In accordance with Section 27 of the Act and the judgment dated March 09, 2017, it is open to M/s Mukund Limited and Vini Iron & Steel Udyog Limited and M/s. Fairmine Carbons Pvt. Ltd. to raise disputes with regard to the quantum of compensation before the Tribunal constituted under the Coal Bearing Areas (Acquisition and Development) Act, 1957.

Enclosure as above:-

- I. Copy of sanction letter dated May 10, 2021.
- II. Vesting Order, Dated March 03, 2021.
- III. Copy of CAC report no 8808 dated July 29, 2021.



[M. NAGARAJU]

Additional Secretary & Nominated Authority

To,

(1) (Prior Allottees)

M/s Mukund Limited, Bajaj Bhavanjammalal, Bajaj Marg 226 Nariman Point
Mumbai 40002, Email:-kjmallya@mukand.com , amkulkarni@mukand.com

And

M/s. Vini Iron & Steel Udyog Limited, 8, Camac Street, Camac Street, Elgin,
Kolkata, West Bengal 700017 Email:- viniironandsteel@gmail.com

(2) (Successful Allottee),

M/s Fairmine Carbons Pvt. Ltd, Flat No.401, 4th Floor, Crosswindz Court
Road Ranchi Jharkhand 834001.

Email: - fairminecarbons@gmail.com rajeevnikumbh2016@gmail.com

276201/2021/Nominated Authority

Website of Ministry of Coal
Through Email/SPEED POST

File No NA-203/12/2021-NA
Government of India
Ministry of Coal
O/o Nominated Authority

Room No. 120, "F" Wing,
Shastri Bhawan, New Delhi - 110001

Dated: May 10, 2021

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

Subject: Transfer of compensation towards cost for Geological Reports and Consents to the Commissioner of Payment for further disbursal to the prior allottees M/s Mukund Limited and Vini Iron & Steel Udyog Limited for Rajhara North Central & Eastern coal mine.

Sir/Madam,

I am directed to convey the sanction of the President to the transfer of a sum of **INR 1,06,27,136/-** (One Crore Six Lakh Twenty Seven Thousand One Hundred Thirty Six Only) to the Coal Controller's Organization for disbursement to the prior allottees under the provisions of the Coal Mines (Special Provisions) Act, 2015 by the Coal Controller in his capacity as 'Commissioner of Payments' towards cost for Geological Reports **INR 1,06,27,136/-** (One Crore Six Lakh Twenty Seven Thousand One Hundred Thirty Six Only) and cost of consents **NIL**. It is stated that the above mentioned amount is a part of Fixed Amount deposited by the Successful Bidder of coal mine.

2. The aforesaid amount may be transferred through RTGS to the account of Coal Controller, Coal Controller's Organization who has been appointed as 'Commissioner of Payments' under the provisions of Section 15 (1) of the Coal Mines (Special Provisions) Act, 2015.

3. The expenditure on this account is debited to the Head **8443.00.117.03.04.00**.

Ajitesh Kumar

4. This issue with the approval of Integrated Finance Division, Ministry of Coal vide note #22 of F.No NA-203/12/2021-NA & FTS No. 347905 dated 06.05.2021.

Yours faithfully,

Ajitesh Kumar
(Ajitesh Kumar)

Deputy Secretary to the Government of India

Copy to:

1. **The Coal Controller in the capacity as Commissioner of Payments,** Coal Controller Organization, No. 1 Council House Street, Kolkata - 700001 - for further disbursement under the provisions of the Coal Mines (Special Provisions) Act, 2015 to the prior allottee within ten days of the transfer of above amount from PAO. It may be ensured that Payment is made to the prior allottee company as per the said Act. Further, an affidavit in the prescribed format (**Annexure-I**) may also be obtained from the claimant prior to disbursal.
2. **CMD, CMPDI,** Kanke Road, Ranchi
3. **US (IFD),** Ministry of Coal.
4. **US (CBA-II),** Ministry of Coal.
5. **DDO,** Nominated Authority.
6. **(Prior Allottees)**
 - (a) **M/s Mukund Limited,** Bajaj Bhavanjarnalal, Bajaj Marg 226 Nariman Point Mumbai MH 40002, Email kjmallya@mukand.com amkulkarni@mukand.com

And

 - (b) **M/s. Vini Iron & Steel Udyog Limited,** 8, Camac Street, Camac Street, Elgin, Kolkata, West Bengal 700017 Email:- viniironandsteel@gmail.com
7. **(Successful Allottee), M/s Fairmine Carbons Pvt. Ltd,** Flat No.401, 4th Floor, Crosswindz Court Road Ranchi Jharkhand 834001 Email: - fairminecarbons@gmail.com rajeevnikumbh2016@gmail.com
8. **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 COST OF CONSENT

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. As such the Prior Allottee is entitled to receive compensation on account of cost of consent obtained.

OR

2. That the Mining Lease for the Coal Mine has been executed in favour of M/s. _____ and therefore by virtue of the provisions of the Coal Mines (Special Provisions) Act, 2015 (the "Act"), M/s. _____ is/are deemed to be the Prior Allottee (s) of the _____ (the "Coal Mine")/ successor-in-interest of the Prior Allottee of the Coal Mine. As such the Prior Allottee is entitled to receive compensation on account of cost of consent obtained. [Applicable in case where Mining Lease had been executed in favour of third party Delete the clause whichever is not applicable.]

3. That M/s. _____ has been authorised by the other Joint Prior Allottee (s)/Joint Venture Partners to obtain the claim on behalf of it. A "No Objection Certificate" from the Joint Prior Allottee (s)/Joint Venture Partners in this regard is enclosed herewith for record.

4. That the Prior Allottee (s) has incurred the cost of consents 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 _____ Name of the Bank/Branch _____ MICR _____ IFSC _____ File No.110/9/2015/NA(PART-I)

5. That the Prior Allottee (s) indemnifies the Nominated Authority &/or the Central Government against any liability, cost, damages or losses in relation to the disbursement.