

Through Email/SPEED POST/Website of Ministry of Coal

File No NA-110/1/2014/NA (Part)

Government of India

Ministry of Coal

O/o Nominated Authority

Room No. 120-F, Shastri Bhawan, New Delh

Dated: April 13, 2022

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

Subject: E-Payment of compensation towards Cost of Geological Report, Land and Mine Infrastructure **INR 86,08,30,847/-** to M/s Mahan Energen Limited (Formerly Known as Essar Power M.P. Limited) for Tokisud North coal mine.

Sir/Madam,

I am to convey the sanction of the President to the E-Payment of a sum of **INR 86,08,30,847/-** (In words: - Eighty Six Crore Eight Lakh Thirty Thousand Eight Hundred Forty Seven Only) to M/s Mahan Energen Limited (Formerly Known as Essar Power M.P. Limited) , under the provisions of the Coal Mines (Special Provisions) Act, 2015 by the Coal Controller in his capacity as 'Commissioner of Payments' towards Cost of Geological Report **INR 1,10,47,471/-**, Land **INR 27,36,66,433/-** and Mine Infrastructure **INR 57,61,16,943/-**. It is stated that the above mentioned amount is a part of Fixed Amount deposited by the Successful Bidder of coal mine.

2. Here, it is pertinent to mention that in accordance with the Coal Mines (Special Provisions) Act, 2015 ("Act") and the Coal Mines (Special Provision) Rules, 2014 ("Rules"), the Nominated Authority had issued notices dated December 28,2021 and February 28,2022 inviting claims from Secured Creditors/Government Authorities in respect of Schedule I coal mine.



3. In pursuance of the aforesaid notices, no claims have been received from secured creditors, Government of India, any of the department or ministries of the Government of India, State Government(s), any of the department or ministries of the State Government(s) and Local Authority (ies) against the prior allottee, M/s Essar Power M.P. Limited for Tokisud North coal mine.

4. Meanwhile, it was learnt through NCLT order dated 01.11.2021 in Company Petition N. (IB) 863(PB)/2020 that CIRP was initiated against the prior allottee i.e., M/s. Essar Power MP Limited. Adani Power Limited had submitted the resolution plan and the said plan was approved by NCLT. Now, vide letter dated 19.03.2022, Adani Power Limited ('APL') has stated that M/s. Essar Power MP Limited is now under the management of APL. Further, a certificate of incorporation dated 25.03.2022 has been submitted stating that the name of 'Essar Power MP Limited' has now been changed to Mahan Energen Limited.

5. Therefore, the aforesaid amount may be transferred through E-Payment to the 'Mahan Energen Limited' under the provisions of Section 15(1) of the Coal Mines (Special Provision) Act, 2015 for the purpose of the said Act vide Ministry of Coal's Order No. 22/2/2014-ASO dated 15th July, 2015.

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

7. This issue with the approval of Integrated Finance Division, Ministry of Coal vide **Note # 138 Dated April 13, 2022** of file no NA- 110/1/2014/NA (Part), computer No: E 323599.

Yours faithfully,

Ajitesh Kumar

(Ajitesh Kumar)

Director to the Govt. of India

Tel : 23384431

Copy to:-

1. **The Coal Controller in the capacity as Commissioner of Payments**, - Coal Controller's Organization, Scope Minar 5th Floor Core-II Laxmi Nagar, Delhi-110092 for further disbursement under the provisions of the Coal Mines (Special Provisions) Act, 2015 to the prior allocattee 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:-

6.1 The Managing Director, GVK Power (Govindwal Sahib) Limited, 156-159, Paigah House, Sardar Patel Road, Secunderabad-500003.

6.2 The Managing Director, M/s Essar Power M.P. Ltd, Prakash Deep Building, 10th floor, 7 Tolstoy Marg, New Delhi- 110001.

6.3 The Managing Director, Mahan Energen Limited (Formerly Known as Essar Power M.P. Limited) " Adani Corporate House" Shantigram, Near Vaishno Devi Circle, S.G. Highway, Khodiyar, Ahmedabad-382421 and Registered Office:- Adani House, C-105, Anand Niketan, New Delhi-110021.

7. **Successful allottee**:- The Managing Director, M/s NMDC, NMDC Ltd. Khanij Bhawan 10-3-311/A, Castle hills, Masab Tank, Hyderabad-500028.

8. Resolution Professional of M/s Essar Power M.P. Limited Shri Ashish Chhawchharia, Grant Thornton, 11th floor, Tower II, One International Centre, S B Marg, Elphinstone (W), Mumbai 400013. Email: -RP.EPMPL@IN.GT.COM.

9. **Secured Creditors**: - IDBI Bank Limited, IDBI Tower, WTC Complex Cuffe Parade, Mumbai-400005.

10. **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 GR 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. As such the Prior Allottee is entitled to receive compensation on account of Cost of Geological Report, Land and Mine Infrastructure 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 Geological Report, Land and Mine Infrastructure 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 Geological Report, 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 _____ Name of the Bank/Branch _____ MICR _____ IFSC _____ File No _____
NA-110/1/2014/NA (Part).

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.

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

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

Solemnly affirmed and verified on this _____ day of (month) 2022 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 7 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) 2022 at (place).

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