

No. NA-301/1/2021-NA
Government of India
Ministry of Coal
O/o Nominated Authority

Shastri Bhawan, New Delhi
Date : 9th May, 2022

OFFICE MEMORANDUM

Sub: - Policy granting one-time window to allottee Government Companies to surrender non-operational coal mines without penalty.

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The undersigned is directed to state that the policy for granting one-time window to Government Companies to surrender non-operational coal mines without penalty has been approved on 07.04.2022.

2. Under the said policy, Government Companies or corporations, which have been allotted coal mines under the CMSP Act or the MMDR Act through allotment route, may surrender its non-operational coal block/ mine i.e., where mine opening permission could not be obtained by the allottee. Though reasons for surrender are not required but it is desirable that technical/mining related issues, if any, due to which the mine could not be operationalized be provided.

3. Upon acceptance of request for surrender, the performance security (bank guarantee) shall be returned to the allottee. Pending show cause notices, issued for delays, would be considered withdrawn. However, wherein order for appropriation has been issued such appropriation order shall not be waived off and the corresponding amount of performance security shall be forfeited. Other payments already made by the allottee, such as upfront amount, compensation paid to prior allottee, etc. shall not be returned.

4. Request for surrender must accompany copies of consents/clearances obtained by the allottee and copies of land documents, if any. Any other document or information sought by the Nominated Authority shall be provided by the allottee within the time specified by the Nominated Authority.

5. Accordingly, the allottee Government Companies or corporations may submit their request to surrender as per the Annexure-A to the Nominated Authority within **three months' time** from the date of issue of this OM. Any request received after the said time shall not be considered. Cases of surrender/ termination of allocation orders of coal mines which have been disposed of by Nominated Authority/Ministry of Coal shall not be re-opened under this policy. Allottee Government Companies or Corporations whose request for surrender of non-operation coal mines/blocks is pending with the Nominated Authority as on date of publishing of this OM need to apply afresh for benefit under the instant policy.

6. Allottees must submit the request for surrender in writing by the authorized signatory to O/o Nominated Authority, Room No. 120-F, Shastri Bhawan, New Delhi-110001. The request must accompany board resolution expressly resolving for surrendering of coal mine and designating an authorized signatory for making the

said request. The request for surrender along with the accompanying documents must be received at the address specified within three months from the date of this OM.

M. Nagaraju 9/5/22

[M. Nagaraju]

Additional Secretary & Nominated Authority

Tel: 23383356

Distribution:

1. PS to Hon'ble Minister of Coal
2. PS to Hon'ble MoS of Coal
3. PPS Secretary (Coal)/ PPS to AS (Coal)/ PS to AS (MN)
4. JS (P&S)/JS(CPD)/Coal Controller/DDG/Advisor (Projects)
5. Director (CPD)/Director (NA)/Director-Technical (NA)/DS (P&S)
6. CMD to CIL/BCCL/CCL/ECL/MCL/NCL/SECL/WCL
7. CMD to SCCL/NLC
8. All allottee government companies
9. Sr. TD (NIC), Ministry of Coal- with request to upload this OM on website of Ministry of Coal

Annexure-A

(ON NON-JUDICIAL STAMP PAPER WITH VALUATION OF INR 500)

Request for surrender of coal block/mine as per policy granting one-time window to allottee Government Companies to surrender non-operational coal mines without penalty

1. I, _____, aged _____ years, working as _____ at _____ having _____ its _____ registered _____ office _____ at _____ (hereinafter, 'allottee company') have been designated and authorized by the board of the said named allottee company vide its board resolution dated _____ for making this request for surrender of _____ coal mine located in the state of _____ (hereinafter, 'mine').
2. I undertake to state that the mine has not received Mine Opening Permission as on date _____ i.e., the date of making this request for surrender of the mine. It is understood that upon acceptance of request of surrender of the mine the allottee company shall have no right of any nature or to any extent on the mine and the allottee company shall have no objection to the Nominated Authority allocating the mine to any entity.
3. I undertake to state that upon acceptance of the request of surrender any cases pending before any court or tribunal, in connection with any pending show cause notice or recommendations of scrutiny committee relevant to the mine shall be withdrawn by the allottee company.
4. I understand that any compensation in lieu of land or mine infrastructure or cost of consent or cost of preparation of Geological Report, if any shall, be payable to the allottee company under the provisions of Coal Mines (Special Provisions) Act, 2015 and Rules made therein, and only after the mine is successfully allocated to a new entity and the acceptable claim for compensation or costs is deposited by the said entity with the Nominated Authority.
5. I undertake to state that upon acceptance of this request for surrender of mine, only the performance security shall be returned subject to forfeiture in accordance with the appropriation orders, if any. It is also understood that if any appropriation orders are under challenge before any court or tribunal then the surrender shall be accepted with the condition that the performance security to the extent for which the appropriation order is under challenge shall be kept alive and be kept lodged with the Nominated Authority by the allottee company and the same shall be subject to the directions of the court or tribunal.
6. I undertake to state that subject to the contents of paragraph number 4 and 5 above no claim, financial or otherwise, shall be made against the Nominated



Authority or Ministry of Coal in consequence of acceptance of this request for surrender of coal mine. I further undertake that the allottee company shall indemnify the Nominated Authority and/or the Ministry of Coal for any damages suffered by them in consequence of acceptance of this request for surrender of the mine.

7. I undertake to state that any document or information sought by the Nominated Authority shall be provided within the time specified by the said authority.
8. Therefore, the Nominated Authority may accept this request for surrender of the mine by the allottee company and such surrender shall be effective from date of acceptance of request by the Nominated Authority.
9. Status of submission of documents along with this request is as below: -

S. No.	Particulars of Document	Attached/ Not Attached
1.	Original Board Resolution dated:	
2.	Copies of consents obtained: a. b. c. d.	
3.	Copies of clearances obtained: a. b. c. d.	
4.	Copies of land documents: a. b. c. d.	
5.	Any other document: a. b. c. d.	
6.	Reasons for surrender (may include technical/ mining related reasons)	

Date:

(Signatures of the Authorized Signatory)

Place:

Name: _____

Designation: _____

Office Address:
