

By E-mail/Speed Post

F.No. NA-110/6/2017-NA
Government of India
Ministry of Coal
O/o Nominated Authority

Room No.120, 'F-Wing', Shastri Bhawan,
New Delhi, Date : 21.08.2023

OFFICE MEMORANDUM

Subject: - Minutes of 20th meeting of Scrutiny Committee held on 27/28.07.2023 to consider / examine the submissions/replies made by Successful Bidders / Allottees of the coal mines in respect of deviation from the efficiency Parameters as mentioned in the Coal Mines Development and Production Agreement/Allotment Agreement of coal mines - Circulation reg.

The undersigned is directed to refer to the subject mentioned above and to forward herewith minutes of 20th meeting of Scrutiny Committee held on 27/28.07.2023 in order to examine the replies to the Show Cause Notices (for deviation from various milestones prescribed in Efficiency Parameter). The recommendations of the Scrutiny Committee will be placed before the Competent Authority in Ministry of Coal for approval.



(Manish Uniyal)

Under Secretary to the Government of India
Tel: 011-23384106

Encl: As above.

To,

1. The Chief Secretaries of the State Government of Chhattisgarh/ West Bengal/ Jharkhand/ Odisha/ Maharashtra/ Madhya Pradesh.
2. Principal Secretary (Mines) of the State Government of Chhattisgarh/ West Bengal/ Jharkhand/ Odisha/ Maharashtra/ Madhya Pradesh.
3. Shri Partha S. Bhattacharyya, Chairman, Scrutiny Committee and Ex-Chairman, Coal India Limited.
4. Shri N. C. Jha, Ex- Director (Technical), Coal India Limited.
5. CMD, CMPDIL, Gondwana Place, Kanke, Road, Ranchi.
6. Coal Controller, Coal Controller Organization, Scope Minar 5th Floor, Core-2, Laxmi Nagar, Delhi- 110092.
7. Director(NA) ,MoC.
8. Director (Tech)/NA,MoC
9. The participants/ participating Allocattees of coal mines.

Minutes of the 20th meeting of Scrutiny Committee held on 27.07.2023 and 28.07.2023 to consider/examine the submissions/replies of Allottees against the Show Cause Notices for deviation from milestones mentioned in Coal Mines Development and Production Agreement.

List of Participants is enclosed as Annexure I

The Chairman of the Scrutiny Committee welcomed all the members of the committee and the participants. Mine-wise discussions on Show Cause Notices and corresponding replies were held and Allottees were given the opportunity to share their point of view.

1. Gare Palma Sector II – M/s Maharashtra State Power Generation Co. Ltd

Show Cause Notices dated 24.12.2020, 19.01.2022 & 26.05.2023 for non-compliance with the land acquisition, opening of Escrow Account, Mine opening permission, and Coal production in FY 2022-23 milestones and corresponding replies of the Allottee were considered by the Scrutiny Committee.

Show Cause	Deliberation
<p>Due Dates -</p> <p>(i) Land Acquisition: 17.11.2020</p> <p>(ii) Opening of Escrow Account: 17.11.2020</p> <p>(iii) Application for Opening Permission: 17.12.2020</p>	<p>In the beginning, O/o Nominated Authority informed that the issues were earlier considered in the 14th & 17th meetings of the Scrutiny Committee held on 09/10.03.2021 & 02.03.2022 respectively.</p> <p>In the 17th meeting of the Scrutiny Committee, the committee advised the Allottee to submit the chronological details of the efforts made by them for the purpose of obtaining EC/FC, CA land and other categories of land to the O/o NA. The committee advised the O/o NA to send these chronological details along with Show Cause notices to State Government and seek their comments. Accordingly, M/s MAHAGENCO vide letter dated 13.05.2022 submitted the chronological details of the efforts made by them to O/o NA which was further forwarded to GoCG vide letter dated 22.06.2022 seeking their comments on the matter. The MoC also issued DO letter dated 04.07.2023 to GoCG requesting their comments on the matter. However, the reply from Chhattisgarh State Government is still awaited.</p>
<p>Due Date</p> <p>(i) Grant of Mine Opening Permission: 17.01.2021</p>	<p>Allottee informed that the non-compliance of these milestones was mainly due to revision in mine boundary co-ordinates, delay in grant of EC, non-availability of Govt. CA land and delay in Forest Clearance Stage-II. MoC vide corrigendum to the Allotment order on 17.02.2017, modified the bounding coordinates of the mine. Due to this, they had to start everything from scratch.</p>
<p>Schedule Production for FY 2022-23: 0.25 MT</p>	<p>The Allottee informed that they submitted application for EC and FC in time and started all relevant activities. Lots of time were consumed in arrangement of CA land. After lots of effort, FC stage-I was granted on 02.06.2022. EC was recommended by MoEF&CC on 01.01.2021 but it was kept on hold due to absence of FC-I. Finally, they got EC on 11.07.2022 after grant of FC-I. They further</p>

	<p>informed that FC stage-II was granted on 27.01.2023. However, even after several requests from M/s MAHAGENCO and DO letter from MoC, State government has neither issued the FC Stage-II order nor handed over forest land to them. Due to this, the execution of mining lease and other successive activities are still pending.</p> <p>The Committee inquired from the state government about the delay in transfer of forest land. State officials informed them that the necessary communication has been sent to the forest department and decision is pending thereby.</p> <p>Regarding delay in land acquisition, the Allottee further stated that illegal construction has taken place within the mining lease area and that the asset survey could not be carried out due to resistance from the local villagers.</p>
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Observations and Recommendations of the Committee:

It was observed that the completion of land acquisition and other successive milestones have been delayed due to delay in grant of EC and FC. The application of EC and FC were stuck at the State Government level. It is seen that even after grant of FC stage-II by MoEF&CC, the forest land has not been transferred to the Allottee. Thus, the Committee is of the view that the Allottee cannot be held responsible for the delay in achieving the said milestones, as the timely achievement was beyond the control of the Allottee. Since Land Acquisition was delayed, there was delay in applying for Mine Opening Permission and Escrow account opening. In view of these points, the committee recommended for not imposing any penalty on the Allottee for delay in completion of the milestones mentioned in the show cause notices as they are not found to be responsible for the delay.

2. Gare Palma IV/8 – M/s Ambuja Cements Limited

Show Cause Notices dated 09.09.2020 & 17.06.2021 for deviation in the scheduled production/Reaching Rated Capacity for the year 2019-20 and 2020-21 and the corresponding replies of the Allottee were considered by the Scrutiny Committee.

Show Cause	Deliberation
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<p>Schedule Production for FY 2019-20 FY 2020-21</p>	<p>O/o Nominated Authority informed that the issues were earlier considered in the 16th meeting of the Scrutiny Committee. The Committee directed the O/o NA to seek comments from CMPDIL for the year-wise production schedule referring to the approved Mining Plan. The committee was of the opinion that the State Government should not withdraw the transit permit without any valid reason and therefore advised the O/o NA to seek comments from the Government of CG State. Accordingly, MoC issued DO letters and requested the Govt. of Chhattisgarh for their comments on the matter. However, no reply has been received from the Govt. of Chhattisgarh State on the matter.</p> <p>O/o NA further informed that the shortfall in coal production in FY 2019-20 was due to the absence of CTO for UG working, however, the coal production from the opencast mine was 0.40 MT as per the scheduled target. The shortfall in production in FY 2020-21 was due the absence of transit permits for the transportation of coal from August 2020 onwards. O/o NA had intervened in the matter vide DO letters dated 03.12.2020 and 03.03.2021, and a transit permit had been granted in April 2021.</p> <p>The representative of CMPDIL stated that the FY 2018-19 has been considered as the first year, in which production from the opencast mine has been envisaged as 0.10 MT and zero from underground mine. For FY 2019-20, the production from the underground mine should have been 0.20 MT and 0.4 MT from the opencast mine.</p> <p>Allottee informed that there was a delay of 24 months in land acquisition as the land issue was sub-judice in Bilaspur high court. They didn't get land for underground mining in time. They got the possession of forest land in December 2018 and Mine Opening permission was obtained in January 2019. Allottee further stated that they applied for CTO for operation in underground mine on 30.10.2019, however, they obtained it on 29.12.2020 after the intervention of the O/o Nominated authority.</p> <p>The Allottee further informed that they have achieved PRC of 1.2 MTPA in FY 2022-23 and certainly will achieve the PRC in the current year.</p>
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Observations and Recommendations of the Committee:

For Shortfall in Production in FY 2019-20: The committee observed that the production target of 0.4 MT from opencast mine was achieved by the Allottee. However, the production target of 0.2 MT from Underground Mine could not be achieved due to a delay in grant of CTO from the State pollution control board and it was granted only after the intervention of O/o Nominated Authority. Hence, the Committee recommended for not imposing any penalty as the shortage in production is not attributable to the Allottee and also, they have achieved PRC of 1.2 MT in FY 2022-23 as scheduled.

For Shortfall in Production in FY 2020-21: The committee observed that the Transit Pass was withheld from August 2020 to March 2021 by the State government and the production from the mine was done only in the first 4 months of the financial year 2020-21. In the first four months, they had produced about 0.17 MT coal.

Therefore, the Committee was of the view that the shortage in coal production cannot be attributed to the Allottee and hence recommended for not imposing any penalty on the company.

3. Parsa East and KantaBasan–M/s Rajasthan Rajya Vidyut Utpadan Nigam Limited

Show Cause Notices dated 09.07.2019 and 04.10.2021 for deviation in the scheduled production/Reaching Rated Capacity for the year FY 2017-18 and Transfer/Grant of Mining Lease and corresponding replies of Allottee were considered by the Scrutiny Committee.

Show Cause	Deliberation
(i) Shortfall in coal production in FY 2017-18	<p>O/o Nominated Authority informed that the issues were earlier considered in the 9th & 10th meetings of the Scrutiny Committee held on 03.12.2019 & 05.06.2020 respectively. The allottee had stated that they had Environment Clearance (EC) of 10 MT and had applied for EC for 15 MT and there was delay in grant of EC for 15 MT. The Committee observed the Allottee had EC for 10 MT, but production was only 8.33 MT in FY 2017-18 which was less than the approved EC capacity. The Committee also observed during the 10th meeting on 05.06.2020 that the matter had gone to the Court in the matter of the appropriation of the Performance Security for shortfall in coal production in FY 2015-16 and FY 2016-17. Therefore, the Committee will be able to decide the matter based on the outcome of the court case. The matter may be put before the Scrutiny Committee after court decision.</p> <p>O/o Nominated authority informed that Hon'ble Bilaspur Tribunal vide its order dated 29.03.2023 has dismissed the petition of M/s RRVUNL in relation to the appropriation of the Performance Security for shortfall in coal production in FY 2015-16 and FY 2016-17 and the Allottee has appealed before the hon'ble high court of Chhattisgarh.</p> <p>During deliberation M/s RRVUNL once again reiterated that they could not achieve the Scheduled Production target of 15 MT as they had EC of only 10 MT in 2017-18. Then the Committee inquired that in that case why even 10 MT coal was not produced. The Allottee then informed that the shortage was due to the dispatch constraints. There was lack of railway infrastructure and evacuation of such a big quantity of coal through road was very difficult. The mine is in a Greenfield location of Hasdeo Arand Area, devoid of railway infrastructure required for coal evacuation, and the nearest railway siding was about 85 km away from the mine site. The railway siding from Sarguja road to PEKB mine boundary was completed only in April 2018 resulting in less coal production in FY 2017-18.</p>
(ii) Delay in Transfer/Grant of Mining Lease	

Show Cause	Deliberation
	<p>Allottee further informed that the district administration had allowed transportation of coal through road only for a limited hour per day.</p> <p>Regarding delay in transfer of Mining lease, Allottee informed that they had submitted the application for revalidation of the Mining Lease on 30.04.2015. The revalidated EC & FC was issued by MoEF&CC on 19.06.2015 and 26.06.2015 respectively which was further submitted to the State Mines Department on 26.06.2015. Mineral Resource Department of Chhattisgarh revalidated the Mining lease on 02.11.2015 and thus, the delay was on part of the state government.</p>

Observations and Recommendations of the Committee:

Regarding Shortfall of Coal Production in FY 2017-18: The committee observed that M/s RRVUNL being the prior Allottee of the mine was well aware of the evacuation infrastructure constraints issues at the mine site and should have systematically planned to tackle it from the time of allocation in the year 2015 itself. The Allottee was not able to produce even 10MT coal for which EC was available. The committee is therefore of the opinion that the responsibility for shortage in coal production in FY 2017-18 is attributable to the Allottee. Therefore, the committee recommended for appropriation of PBG for shortfall in coal production in FY 2017-18 as per the provision of the Allotment Agreement.

Regarding Transfer/Grant of Mining Lease: Show cause notice was issued on 04.10.21 for delay in grant/transfer of mining lease. The Committee is of the opinion that the major reason for the delay is procedural delay in the office of DC, Sarguja and for this delay allottee cannot be made responsible. The Committee, therefore, recommended for not imposing any penalty for delay in grant of mining lease.

4. Talaipalli Coal Mine- M/s NTPC Ltd.

Show Cause Notices dated 06.09.2022 and 19.05.2023 for deviation in the Scheduled production/Reaching Rated Capacity for the year 2021-22 and 2022-23 respectively and the corresponding replies of the Allottee were considered in the meeting.

Show Cause	Deliberations
<p>Schedule Production for FY 2021-22 (Scheduled Production: 8 MT Actual Production: 0.396 MT)</p>	<p>O/o NA informed that Show Cause Notices were issued for deviation in the scheduled production/Reaching Rated Capacity for the year 2021-22 and 2022-23.</p> <p>The Allottee informed that the delay in starting coal production was due to MDO issue. M/s NCC-BGR consortium was appointed as MDO on</p>

<p>FY 2022-23</p> <p>(Scheduled Production: 13 MT)</p> <p>Actual Production: 2.402 MT)</p>	<p>13.11.2017. However, due to default of MDO the contract was terminated on 04.07.2019.</p> <p>Thereafter, Thriveni Earth Movers Pvt. Ltd. (TEMPL) was appointed as the MDO on 26.08.2020. However, MDO did not start the mining operation and rather rescinded the project agreement on 04.05.2021 citing the reason that the approved Mining Plan is not executable. TEMPL also filed a commercial civil suit before the Hon'ble Delhi High Court on 05.05.2021 requesting the refund of Bank Guarantee and expenditure incurred during mobilization. As per the direction of Hon'ble Delhi High Court dated 10.05.2021, discussions took place between M/s NTPC and M/s TEMPL for amicable settlement. However, settlement could not be reached and subsequently the MDO contract was terminated on 18.01.2022.</p> <p>O/o Nominated Authority informed that that in its earlier meeting, the Scrutiny Committee had recommended for appropriation of PBG for shortfall in coal production for FY 2019-20 and FY 2020-21. Accordingly, a sanction order was issued for appropriation of PBG. NTPC filed a writ petition before the Hon'ble High Court of Delhi challenging the appropriation order dated 06.07.2022 for the appropriation of PBG against non-achievement of coal production targets for FY 2019-20 & 2020-21. The matter is sub-judice and the Committee may decide on the shortfall in production in FY 2021-22 and FY 2022-23 independently.</p>
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Observations and Recommendations of the Committee:

The representatives of M/s NTPC explained the reasons for non-performance which essentially has arisen due to the failure of MDO to deliver as per the contract. The Committee is of the view that despite efforts by M/s NTPC, the MDO issue could not be resolved in time and it contributed to the delay in starting coal production. The Committee was constrained to take a view that the matter of selection of MDO falls exclusively within the ambit of Allottee. Any failure on account of non-performance by the MDO cannot justify waiver of imposition of penalty as per the Coal Mine Development and Production Agreement (CMDPA). Therefore, the Committee recommended for appropriation of PBG for shortfall in coal production in FY 2021-22 and FY 2022-23 as per the provision of the CMDPA.

5. ChattiBariatu and ChattiBariatu South - M/s NTPC Limited

Show Cause Notice dated 17.05.2023 for deviation in the Scheduled production/Reaching Rated Capacity for the year 2022-23 and corresponding reply of the Allottee was considered in the meeting.

Show Cause	Deliberations
<p>Schedule of production/ Reaching Rated Capacity for FY 2022-23.</p> <p>Target; 7.0 MTPA</p> <p>Actual: 0.576 MTPA</p>	<p>The Allottee informed that they have achieved 17 parameters within the scheduled timeline out of total 18 parameters. They appointed M/s BGR Mining & Infra Ltd as MDO on 13.11.2017. However, due to some issues involving a CBI case, the MDO contract became sub-judice and finally the contract was terminated on 04.07.2019. Fresh NIT for MDO appointment was issued on 19.08.2019. However, contract could not be awarded due to very high price quoted by the L1 bidder. Fresh NIT was issued on 25.11.2020 and MDO contract was awarded to M/s AMR-Rithwik Consortium on 02.10.2021.</p> <p>The Allottee further informed that that Law & Order in the area is a major challenge, and 3 employees were shot dead by the miscreants. The mine got mine opening permission within the scheduled timeline, however, coal production could be started only in September 2022 due to MDO issue. Due to resistance of local villagers along the dispatch road, coal evacuation from the mine is always a challenge.</p> <p>O/o Nominated Authority informed that that in its earlier meeting, the Scrutiny Committee had recommended for appropriation of PBG for shortfall in coal production for FY 2019-20, FY 2020-21 and FY 2021-22 and accordingly, PBG has been appropriated.</p> <p>In the end, the representative of NTPC also stated that penalty for every year slippage from coal production target of the order of 8% of total PBG is rather too high; particularly as the reason for such penalty is same. They appealed that they have represented the matter to be honorable high court and therefore the decision on the said issue may be deferred till the order of the honorable court.</p>

Observation & Recommendation:

The Committee observed that the Show Cause Notice was issued to NTPC for production of only 0.576 MT coal against the target of 7.0 MT in FY 2022-23. The cause for failure in achieving the target production was attributed to the non-performance of MDO operator and certain court cases resulting from such appointment. The Committee is of the view that the responsibility of selection and appointment of MDO and production of coal up to the target quantity is entirely that Allottee. Hence, failure in doing so cannot be considered as grounds for waiver of penalty through non invocation of BG. Any failure on account of non-performance by the MDO cannot justify waiver of imposition of penalty as per the Coal Mine Development and Production Agreement (CMDPA).

Therefore, the Committee recommended for appropriation of PBG for shortfall in coal production in FY 2022-23 as per the provision of the CMDPA.

6. Tubed Coal Mine: - M/s DVC

Show Cause Notices dated 22.03.2017, 19.03.2018, 13.09.2018, 01.02.2022, 26.05.2022 & 18.05.2023 for delay in grant of Environment Clearance, Forest Clearance, Land acquisition, opening of Escrow account, mine opening permission and for deviation in the scheduled production/Reaching Rated Capacity for the year 2020-21, 2021-22 & 2022-23 and the corresponding replies of the Allottee were considered in the meeting.

Show Cause	Deliberation
Mining Lease Application or Notification u/s 7 of CBA Act: Due date is - 07.01.2017	<p>O/o NA informed that the issues were earlier considered in 13th, 16th & 18th meeting of the Scrutiny Committee held on 26.11.2020, 24.09.2021 & 23.08.2022 respectively. In the 18th meeting, the Committee advised the Allottee to submit complete chronological details along with documentary evidence in respect of the delays in achieving clearances to O/o Director (Mines), GoJ with a copy to the O/o NA referring to the observation of the Scrutiny Committee. The details submitted by the Allottee will be further forwarded to the district authority & Forest Department of GoJ for their comments. Accordingly, M/s DVC submitted chronological details of the efforts made by them to the Director (Mines), Department of Mines and Geology, GoJ, Ranchi with a copy to O/o Nominated Authority on 17.12.2022. The MoC issued letters to the GoJ for their comments. However, comments are still awaited from the State Govt of Jharkhand in the matter.</p> <p>Regarding delay in grant of EC, the Allottee stated that it was mainly due to large time taken by the MoEF&CC in granting TOR and due to delay in conducting public hearing by the Jharkhand State Pollution Control Board.</p> <p>Regarding delay in grant of FC, the Allottee informed that the Forest department of Jharkhand took considerable time in scrutinizing and processing the proposal at various level which is beyond the control of DVC. DFO and other forest officials issued so many EDS at various stages. After lots of effort, finally the FC-I was granted on 13.11.2019 and FC -II was granted on 28.03.2022.</p> <p>The Allottee further stated that the delay in getting other successive clearances was due to delay in EC and FC.</p>
Forest Clearance Application: - Due date- 07.09.2017	
(i) Grant of Forest Clearance (ii) Grant of Environment Clearance: Due date is 07.07.2018	
Due Date is 06.04.2020 for Land Acquisition	
Due Date is 06.05.2020 for Opening of Escrow Account and for Application for opening permission	
Due date-is 06.06.2020 for Grant of mine opening permission.	
Scheduled coal production for FY 2020-21 FY 2021-22	

Show Cause	Deliberation
FY 2022-23	

Observation & Recommendation: -

1. The Allottee was given six show cause notices on slippage of various milestones. On detailed examination of the replies, it was found that though there was delay in submission of application for ML, the ML was granted within the given timeline. The Committee also observed that there was delay of only 18 days in submission of FC application. The Committee is of the view that since delay in submitting application for ML has not resulted in delay in grant of ML, and there was minor delay in submission of FC application, therefore, the committee recommended for not imposing penalty for delay in submission of ML application and for delay in submission of application for Forest clearance.

2. For delay in grant of other clearances, the committee took note of the recommendation of 13th Scrutiny Committee meeting held on 26.11.2020 where the delay has been attributed to both State Government and Allottee. Accordingly, on the recommendation of 13th and 18th SCM the O/o NA sought the comment of State Government on the submission made by the Allottee. Despite periodic follow up, no response has been received so far from Government of Jharkhand (GoJ).

The Committee is of the view that the decision on these show cause notices cannot be further deferred as these have been deferred so many times in the past.

Accordingly, the Committee, on the basis of the reply of the Allottee and in line with the recommendation of the 13th Scrutiny Committee, comes to the conclusion that except for delay in application for ML and application for FC, the Allottee is responsible for failure in timely completion of the milestones given in the show cause notices and therefore, Committee recommended for appropriation of PBG as per the Allotment Agreement.

7. Kotre Basantpur & Pachmo: - M/s CCL

Show Cause Notice (SCN) dated 17.12.2021 for non-compliance with the milestones of Forest Clearance, Environment Clearance, Grant of ML, SCN dated 28.03.2022 for non-compliance with the milestone of Opening of Escrow Account, Application and Grant of Mine Opening Permission and SCN dated 25.05.2023 for failure in coal production in FY 2022-23 and the corresponding replies of the Allottee were considered by the Scrutiny Committee.

Show Cause	Deliberation

<p>1.Show cause for grant of Forest Clearance, Environment Clearance and ML: Due date for EC and FC is 18.01.2020 and for ML is 18.04.2020</p>	<p>In the beginning, O/o Nominated Authority informed that the issues were earlier considered in the 17th & 18th meetings of the Scrutiny Committee held on 02/03.03.2022 and 23.08.2022 respectively.</p> <p>In the 17th meeting of the Scrutiny Committee, the committee directed the Allottee to submit the date wise details of the efforts made for obtaining the various clearances to the O/o NA. In the 18th meeting, the Committee found it difficult to understand the reasons for the delay on basis of the reply given by the Allottee and by the representative of the state government. The Committee directed Allottee to submit the details of the efforts made along with complete land schedule and correspondences made with different agencies of state govt. to Mines Department of Jharkhand state with a copy to O/o NA. The state government was advised to furnish its comment to O/o NA within a month from the date of the receipt of such details from the Allottee. Accordingly, M/s. CCL submitted the details to the Govt. of Jharkhand on 16.09.2022. Thereafter, a letter dated 27.01.2023 and DO letter dated 24.04.2023 was issued from the office of NA requesting comments of Govt. of Jharkhand in the matter. However, the comments of Govt. of Jharkhand are still awaited.</p>
<p>2.Show cause for Opening of Escrow Account, Application and Grant of Mine Opening Permission: Due date for Opening of Escrow Account and Application for opening permission is 18.02.2022 and for grant of opening permission is 18.03.2022</p>	<p>The Allottee informed that the prior Allottee had not taken these clearances for the entire area of the mine and therefore EC, FC and other clearances were vested to them by Coal Ministry only for a part of the mine. Due to this, they had to take all the clearances afresh.</p>
<p>3.Schedule Production for FY 2022-23</p>	<p>The Allottee further stated that the coal block falls in two districts i.e., Ramgarh and Bokaro districts. He stated that the issuance of NOC under FRA from Ramgarh district took 2 years and 8 months and from Bokaro district took 2 years and 11 months accordingly such delay should not be attributable to M/s CCL. They faced lots of difficulty in arrangement of CA land and in getting its suitability certificate. On the advice of MoEF&CC, they have to even revise the project report. After lots of effort, the Forest Stage I was obtained on 27.01.23 and EC has recently been recommended by MoEF&CC. They are now hopeful to obtain FC stage-II in a few months and as they have already got mining lease, the mining operation may not be further delayed.</p> <p>The Allottee mentioned that the delay in other clearances like opening of Escrow account and mine opening permission are due to delay in EC and FC.</p> <p>The O/o Nominated authority informed that the Allottee has submitted the details of the efforts made for obtaining the clearances, however, the state government has not given its perspective on the details submitted by the Allottee. It was informed that MoEF&CC raised some observations on the Mining Plan submitted to them for grant of EC and asked Allottee for the vetting of the Mining Plan by an international agency. The O/o NA has also written a letter to the MoEF&CC to validate the Mining Plan</p>

	prepared by the CMPDIL, The Allottee has recently completed the vetting of the Mining Plan by IIT (ISM) and EC has been recommended by MoEF&CC.
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Observation & Recommendation:

In the 18thScrutiny Committee meeting, the decision was taken to obtain the views of the State government on the Allottee's effort for obtaining the clearances. However, the state government has not given any response. Further, it is noted that EC and FC-I has been obtained and Forest Clearance (FC –II) is pending. The Committee, therefore, took a view that the issues should be placed before the Committee after grant of FC-II and after the response from State government is received. However, in case of absence of response from State government, the O/o NA should analyze the submissions made by the Allottee as M/s CCL is a PSU under MoC. Based on the submission of Allottee, comment of state government and office of NA, the Committee will give its recommendation in the next meeting.

8. Jogeshwar& Khas Jogeshwar: - M/s Southwest Pinnacle Exploration Limited (SWPE)

Show Cause Notice dated 28.03.2023 for delay in grant of Prospective License, Drilling/Exploration and preparation of Geological Report and corresponding reply of the Allottee was considered in the meeting.

Show Cause	Deliberation
<p>Due Date- 17.02.2023</p> <p>MS-I</p> <p>(i) Prospecting License or Notification under section 4 of the CBA Act, 1957, as applicable</p> <p>(ii) Completion of Drilling/Exploration</p> <p>(iii) Preparation of geological report (GR)</p>	<p>Allottee informed that the non-compliance of the milestones was mainly due to objection raised by DMO Bokaro on non-mentioning of Bokaro district in the Vesting order. This resulted in delay of 3 months. There was delay of 7 months by DMO, Bokaro and 10 months by DMO, Ramgarh in forwarding of PL Cum ML application to the Director Mines, Govt. of Jharkhand after submission of PL cum ML application. They regularly followed up with the district offices for an early grant of PL The MoC also issued DO letters to the State Government for expediting the grant of PL.</p> <p>Director (Mine), GoJ informed that the application was not complete in all aspect and therefore clarifications were sought through DMO of Bokaro and Ramgarh district regarding block boundary certification and verification of exploration scheme from CMPDIL, approval of exploration scheme for forest area from state forest department etc.</p> <p>O/o NA informed that the application for a corrigendum in the vesting order was received by the Ministry of Coal on 28.02.22 for inclusion of name of Bokaro district in the vesting order and after due deliberation the corrigendum was issued on 12.04.2022. The date of issue of corrigendum of vesting order is about 5 months after the allocation date, while even after lapse of more than 5 months from the due date ,the grant of PL and other activities of MS-1 is still pending. The</p>

	submission of complete application with all necessary documents to the concerned authority is the responsibility of the Allottee.
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Observation & Recommendation: -

The Allottee was given the show cause notice for the delay in MS-I which includes Prospecting License or notification under section 4 of the CBA Act, 1957, as applicable, completion of drilling/exploration and preparation of geological report (GR). The due date for completion of MS-1 is 17.02.2023. and it is still pending. The Allottee presented in chronological order the various factors for the delay. The Committee, on perusal of these submissions, came to the conclusion that the Allottee had not submitted the complete application and it is their responsibility for submission of application which is complete in all aspects. The state authority is right in seeking additional documents which are required for processing the application. In view of this, the Committee found the Allottee responsible for the delay in completion of MS-1 and therefore recommended for appropriation of PBG as per the CMDPA.

9. Brahmadiha Coal Mine: - M/s Andhra Pradesh Mineral Development Corporation (APMDC)

Show Cause Notice dated 16.06.2023 for delay in grant of Environment Clearance and the corresponding reply of the Allottee was considered in the meeting.

Show Cause	Deliberations
For delay in grant of Environment Clearance, - --Due date is 01.06.2023 and actual date is 19.06.2023.	The Allottee informed that they had applied for the transfer of EC on Parivesh portal within given timeline. They stated that MoEF&CC took 11 months 10 days to take a policy view in transfer of EC for the project area less than 150 ha. Finally, after a gap of about 11 months, MoEF&CC advised APMDC to apply for a fresh EC to State Environment Impact Assessment Authority (SEIAA). APMDC immediately applied to SEIAA and they have taken expeditious actions in all aspects of EC processes and EC was approved by appropriate authority well within given timeline on 28.05.2023 and EC letter was issued on 19.06.2023.

Observation & Recommendation: -

The allottee was given Show cause notice on 16.06.23 for delay in grant of Environment Clearance (EC). The scheduled date of EC was 01.06.23 and against this, EC was granted on 19.06.23. In view of the details given by the Allottee, it is found that even after substantial delay by MoEF&CC in giving advice to the Allottee to apply afresh to SEIAA, the EC was approved by the competent authority within the given timeline and only there was

slight delay in issuing grant letter. Therefore, for the delay in grant of EC, the Allottee is not responsible, and the Committee recommended for not imposing any penalty for this milestone.

10. Suliyari Coal Mine - M/s Andhra Pradesh Mineral Development Corporation (APMDC)

Show cause notice dated 03.07.2023 for deviation in the scheduled production/Reaching Rated Capacity for the year 2022-23 and the corresponding reply of the Allottee was deliberated in the meeting.

Show Cause	Deliberations
Schedule production for FY 2022-23	<p>Allottee informed that the shortage in coal production for FY 2022-23 is due to geological disturbances and the law & order problem. They found that there was a 40 to 60 meter down throw fault which was not shown in the mining plan. Due to this, the stripping ratio increased from 5.11 to 10.27. As per the mining plan, the designated OB removal was 12.78 million cubic meter to get 2.5 MT of coal but the actual OB removal due to the occurrence of fault was 20.32 million cubic meter and the actual coal production was 1.95 MT. This affected the targeted coal production for the 1st and 2nd year of scheduled production.</p> <p>Allottee also stated that the preliminary valuation of the land was done prior to year 2014 and when the award was passed, the villagers were not agreeing with this. The villagers also built additional structures on the site and resisted mining operation. All this led to law-and-order problem.</p> <p>Allottee stated that at the time of award, 3 areas of land stretching to 33.39 Ha did not form part of the award as district administration could not decide whether it was govt. land or tenancy land. However, the District Collector had declared 15.43 ha as tenancy land and 17.59 ha as Govt. land. Aggrieved by a decision of the district administration, the occupants of land that was declared as government land went to the High Court, Jabalpur. High Court, Jabalpur passed a stay order which continued till the final disposal of the matter on 15.03.2023. This area was falling in the middle of mine during the first year of operations. Due to the non-availability of this critical land area, APMDC was restricted to doing smaller blasting, and thus the desired progress was drastically reduced. This has been a major cause leading to the restricted continuity of the Mining operations and severely impeded planned production of coal.</p>

Observation & Recommendation: -

The Allottee was served the show cause notice for shortfall in production in FY 2022-23 as against the target production of 2.5 MT, the production was 1.95MT only. In respect of this, the representative of APMDCL submitted that they faced a down throw fault of 40 to 60 m which was not shown in the mining plan which led to

the increased stripping ratio from 5.11 to 10.27. They also faced resistance of villagers and non -availability of a patch of critical land area.

In view of the geological disturbances and other challenges faced by the Allottee and their promise that they will achieve PRC in the current year, the Committee recommended for not imposing any penalty for shortfall in production in FY 2022-23.

11. Bikram Coal mine: - M/s Birla Corporation Limited

Show cause notice dated 05.09.2022 for the delay in grant of FC Stage-II, Wildlife Clearance and approval under PESA and the corresponding reply of the Allottee were considered in the meeting.

Show Cause	Deliberations
<p>For delay in Grant of FC Stage-II, Wildlife Clearance and approval under PESA</p> <p>Due date: 10.08.2022, Actual date: Still pending.</p>	<p>O/o Nominated Authority informed that the issue was earlier considered in the 19th meeting of the Scrutiny Committee held on 19/20.04.2023. The Allottee had assured that FC-II will be granted by June 23 and the Committee deferred the decision and recommended to reconsider it after June 23.</p> <p>The Allottee informed that there is discrepancy in the land record as mentioned by the revenue department and forest department across the state of Madhya Pradesh. Compensatory Afforestation land was identified in the district of Chhindwara and cleared by both departments at various levels and suitability certificate was also issued by DFO. However, Western Coalfield Limited (WCL) raised an objection that the identified CA land is falling under its Mining Lease Area. This detail was not present in any of the government or forest revenue records. The revenue department issued a letter withdrawing the availability of this land for CA purpose. In the process, they lost 4 crucial months. Still, they succeeded in getting FC stage-I clearance on 21.04.2022 against the scheduled date of 10.02.2022.</p> <p>The Allottee further stated that they have made all-out efforts for timely completion of FC stage I, however, due to land record issue of state government and objection of WCL, it was slightly delayed. Another proposal for a parcel of Government land identified in the District of Shahdol had to be abandoned due to similar issues.</p> <p>A third parcel of private land in Satna district is identified and IRO inspection by the MoEF&CC team was conducted on 15th June 2023 and the CA scheme was prepared by DFO, Shahdol. Allottee informed that during the meeting with Secretary, Coal in July 2023, PCCF (land Management) assured that the demand note against the CA scheme will be raised by the end of July 2023. They are following up with state forest department on day-to-day basis.</p>

	<p>In addition, MDO has been appointed. CTE is in place and once FC-II is granted, they will apply for CTO. Allottee further stated they are hopeful to start coal production in current financial year itself.</p>
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Observation & Recommendation: -

During the 19th meeting of the Committee, it had observed substantial progress in the mine and the Allottee had given assurance to get Forest Clearance Stage-II by the end of June 2023. Because of this, the Committee had then decided to reconsider the issue after June 23 in next meeting. The Allottee has informed that the wildlife clearance is not required for this mine, and they will certainly get FC-II in two months' time. The allottee has also confirmed that they will start coal production ahead of the scheduled timeline in FY 2023-24 itself and for which they will give commitment in writing to the O/o NA by 15th August 2023.

In view of the above, the Committee decided to hold the decision in abeyance for two months and they will consider the matter for final decision in the Scrutiny Committee Meeting to be held thereafter.

12. Sarisatolli Coal Mine – M/s CESC Limited

Show Cause Notices dated 13.10.2020, 30.06.2021, 05.09.2022 & 29.05.2023 for deviation from milestones for non-compliance with the scheduled production as per the approved Mine Plan from 2017-18 to 2022-23 and corresponding replies of the Allottee were considered by the Scrutiny Committee.

Show Cause	Deliberation
<p>Shortfall in coal Production from the scheduled production for the year FY 2017-18, FY 2018-19, FY 2019-20, FY 2020-21, FY 2021-22, and FY 2022-23</p>	<p>O/o NA informed that the issue of shortfall in coal production in FY 2017-18, FY 2018-19 and FY 2019-20 was considered in the 17th meeting of the Scrutiny Committee wherein it had recommended for detailed study by CMPDIL to find out the annual coal production capacity of the mine. Accordingly, CMPDIL was assigned the task of finding out the annual production capacity of the mine. CMPDIL has submitted the study report.</p> <p>The report provides an assessment of the balance reserve in the remaining active area of the mine, and it excludes certain areas that could not be mined due to various constraints such as the presence of graveyard, village and other social issues. The report states that the estimated reserve in the active working area is about 4.43 MT, however, factors such as fire and development haven't been accounted for determining the balance mineable reserve and actual reserve may vary based on the extent of fire and developed workings during actual operations.</p> <p>The report also mentions that additional reserve could be made potentially available from the high wall side and from the areas locked up due to presence of the Diguli village in the east and Rakhakura village and graveyard in the south. However, this would require land acquisition and significant re-handling of the dumped overburden. The report further stated that after taking into consideration of all the constraints, the annual production capacity of the mine is estimated to range from about 1.3 MT to 1.6 MT.</p> <p>The Committee observed that it is not clear from the CMPDIL report that from which year the production capacity of the mine has reduced from original capacity of 3.5 MT and how CMPDIL can assess that the land can't be acquired.</p> <p>The Allottee informed that a district road is passing through the mine, and it has created obstacles in the mining operation. Also, high tension electric lines and water pipeline are passing along the road. They have applied for shifting of this road; however, state government has still not given permission for this. Multiple follow ups have been taken with the Government of West Bengal however no action has been taken. Due to presence of the Khandeswar temple and graveyard within the leasehold area, the mining got affected. There were also safety constraints due to fire. The Allottee also informed that the presence of Jhamain B-VI seam blocked up operation in the underlying seams and MoC has not yet given permission for disposal of Jhama.</p>

Observation & Recommendation: -

The Committee is of the opinion that the some of the constraints such as presence of some villages, road, graveyard etc. are generally found in several other coal mining blocks also. The Committee, therefore, advised Allottee to submit a chronological detail of the efforts made by them for removal of such constraints along with the supporting documents to the O/o NA. The office of NA was advised to send the reply of the Allottee having the details of the effort made by them to the government of West Bengal and seek its perspective on the issues within a timeline of 2 months. Regarding Jhama, MoC should make a policy for its disposal.

The Committee also observed that CMPDIL in its report has reduced the annual production capacity to the range of 1.3 MT to 1.6 MT from 3.5 MT, however, it has not specified the period from which the production capacity has reduced .It is not clear from the report that what may be taken as the annual production capacity for the period for which the show cause notices have been issued. Therefore, the Committee advised O/o NA to advise CMPDIL to find out the period from which the production capacity has reduced in range of 1.3MT to 1.6 MT and what may be considered as the achievable annual capacity for the period from FY 2017-18 to FY 2022-23.

The Committee recommended that based on the inputs from CMPDIL, GoWB and MoC, the issue of shortfall in production from FY 2017-18 to FY 2022-23 will be discussed in details in next meeting and till that time the decision is deferred.

13. Kasta East Coal Mine – M/s Jitusol Developers Private Limited (JDPL)

Show Cause Notice dated 27.06.2023 was issued for failure in approval of Mining Plan within the scheduled date as per the CMDPA. The show cause notice and the corresponding reply of the Allottee were considered by the Scrutiny Committee.

Show Cause	Deliberation
<p>Mining Plan Approval Due Date: 12.06.2023</p>	<p>O/o NA informed that the due date for the approval of Mining Plan is 12.06.2023 and it has not been approved till date.</p> <p>The Allottee informed that the objective was to begin mining as soon as possible, however after receiving the vesting order on December 12, 2022, it was revealed that a small portion of the block was lying in the state of Jharkhand as well. This caused delay because they had to seek commercial offers from CMPDIL for Block Boundary Certification. Due to law and order issue, the DGPS survey was a little delayed and it was completed in February 2023, and the certification of the Block Boundary was obtained on 3rdMarch, 2023 by CMPDIL</p> <p>Allottee further stated that there was some discrepancy in the land record and some time was spent in rectification of the land record.</p> <p>The Allottee explained that only 0.38 ha land was falling within the state of Jharkhand, therefore it was neglected, and the Mining Plan was prepared in accordance, eliminating the area falling within the state of Jharkhand. The Mining Plan was prepared on 15th April 2023, and after getting it reviewed by an expert agency it was submitted on 18th</p>

	<p>May, 2023 for approval. The first observation was received on 5th July 2023 which was replied within 7 days. The 2nd observation was received on 6th July 2023.</p> <p>JDPL asserted that there was no delay in preparation and submission of Mining Plan after the certification of boundary by CMPDIL. Therefore, the delay in the Mining Plan approval should not be attributed to them, as the work could only commence after the clarification of the coal block boundaries by CMPDIL on March 3, 2023.</p> <p>The representative of CMPDIL and Director (Tech)/NA stated that the presence of the mine in more than one state does not affect the preparation of the Mining Plan.</p>
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Observation & Recommendation: -

The show cause notice was issued to the Allottee due to the delay in approval of the Mining Plan whose due date was 12.06. 2023. The Allottee gave an explanation and stated that contrary to the vesting order, the block falls within two states instead of just one state. Only a small portion of the block falls within the boundary of Jharkhand state and remaining area is in West Bengal.

Consequently, the process included preparation of DGPS survey report and certification of block boundary from CMPDIL. It was observed that the DGPS survey was completed in Feb 23 and block boundary certification was obtained on 3rd March 23. Subsequently, the Mining Plan proposal was uploaded on the SWCS portal on 18.05.2023.

The Committee observed that the block boundary falls in two states and therefore extra time may be required for completion of DGPS survey and thus for obtaining Mining Plan approval. In consultation with the representative of CMPDIL, the Committee has come to the conclusion that two-month extra timeframe from today is appropriate for the approval of the Mining Plan. During this period, the decision on delay in grant of Mining plan will be kept in abeyance. The final decision will be made based on whether the Mine Plan is approved within the specified two-month period or not.

14. Utkal D & Utkal E Coal Mine –M/s NALCO Limited

Show Cause Notices dated 08.11.2021, 10.03.2022, 30.06.2022 & 31.08.2022 for delay in completion of the various Efficiency Parameters and the corresponding replies of Allottee were considered by the Scrutiny Committee. The details of the milestones for which show cause notices were issued are given in column 1 of the table given below.

Show Cause	Deliberation
Due Date -21.02.2021 (ii) Submission of Mining Plan	The O/o NA informed that the milestone of the approval of the Mining Plan was earlier considered in the 17 th meeting of the Committee held on 02/03/2022. The Committee had then observed that the zero date has been revised by NA due to

Show Cause	Deliberation
Due Date -21.07.2021 (i) Approval of Mining Plan (Main Activity)	change in the bounding coordinates and accordingly, scheduled dates for different clearances including Mining Plan approval date has been revised. The Committee was of the view that the reasons given by the Allottee were not satisfactory. The Committee advised the Allottee to submit chronological details related to efforts made for early approval of Mining Plan. Based on that, the decision would be taken in the next meeting.
Due Date -21.07.2021 (i) Environment Clearance Application	The O/o NA further stated that the issues related with all other clearances are to be taken for the first time in the Scrutiny Committee. O/o NA stated that the issues of revision in bounding coordinates was resolved and revised zero date and revised timelines were given for milestones.
Due Date -21.07.2021 (i) Forest Clearance Application	It was stated that the prior allottee for Utkal-D and Utkal-E coal blocks were different companies, however, the two blocks were given together to M/s NALCO and timeline given for two blocks are same. In the beginning, Allottee decided for transfer of the vested clearances for Utkal-D and Utkal-E blocks separately. As a result, the Utkal -D block is already operational and Utkal-E block has also obtained all clearances except Mine opening permission.
Due Date -21.05.2022 (i) Forest Clearance	Allottee informed that due to change in bounding coordinates of the mine, the entire Mining Plan was revised afresh as there was revision in Mining Lease area in Mining Plan and the work was required to be redone due to change in land use pattern. There was difficulty in conducting physical meetings with CMPDI due to COVID-19 Pandemic and many issues related to revised MP could not be resolved in virtual mode. They faced difficulty in uploading each page of Mining Plan in SWCS web portal and there were procedural delays due to implementation of the new guideline for the Mining Plan.
Due Date -21.05.2022 (i) Environment Clearance	Mining plan of Utkal D & E (Combined) was submitted in Single Window Clearance System (SWCS) on 03.09.2021. In principle approval was granted on 14.02.2022.
Due Date -21.08.2022 (i) Grant of Mining Lease	Regarding EC: The EC of Utkal-D was transferred to NALCO on 11.08.2020 while it was available with them from 10.12.2009 itself. O/o NA informed that the Allottee has not yet submitted application for combined EC and FC on the basis of the approved Mining Plan of the combined block.

Observation & Recommendation: -

Show cause notices have been issued to the Allottee for delays in achieving various milestones, including the Submission of Mining Plan, Approval of Mining Plan, Environment Clearance Application, Forest Clearance Application, Forest Clearance, Environment Clearance, and Grant of Mining Lease. After a detailed discussion with the Allottee, it was revealed that these clearances are available separately for Utkal D & Utkal E blocks, but not for the combined Utkal D&E block. The Allottee was advised by the Committee to obtain the necessary statutory clearances for the combined Utkal D&E block by March 2024. Until then, the Committee recommended to keep the decision on the show cause notices in abeyance.

15. Manoharpur & Dipside Manoharpur Coal Mine: - M/s M/s Odisha Coal and Power Limited (OCPL)

Show Cause Notice dated 06.03.2023 issued for deviation from milestones for non-compliance with the various milestones and scheduled production as per approved Mining Plan and corresponding reply of the Allottee were considered in the meeting. The details of the milestones for which show cause notices were issued are given in column 1 of the table given below.

Show Cause	Deliberation
Due Date- 22.10.2019 (i) Forest Clearance	1. Forest Clearance (Due Date: 22.10.2019)- Actual Date: Pending 2. Environment Clearance (Due Date: 22.10.2019)- Actual Date: Pending 3. Opening of Escrow Account (Due Date: 22.08.2021)- Actual Date: 18.10.2022 4. Application for opening permission (Due Date: 22.08.2021)- Actual Date: Pending 5. Grant of opening permission (Due Date: 22.09.2021)- Actual Date: Pending 6. Scheduled FY of Coal Production 2019-20, Schedule production: 2.50 MTPA, Actual production: 1.002 MTPA 7. Scheduled FY of Coal Production 2020-21, Schedule production: 3.00 MTPA, Actual production: 2.001 MTPA
Due Date- 22.10.2019 (i) Environment Clearance	
Due Date- 22.08.2021 (iii) Opening of Escrow Account	
(iv) Application for Mine Opening permission	
Due Date- 22.09.2021 (i) Grant of Mine Opening Permission	O/o NA informed that the Manoharpur and Dip-Side Manoharpur Coal Blocks were initially separate blocks. Manoharpur Coal Block was explored while Manoharpur dipside was regionally explored. However, ministry of coal allotted the two coal blocks together to M/s OCPL with different efficiency parameters. M/s OCPL has obtained all the clearances for the Manoharpur block, and the mine is presently operational while Manoharpur dipside is non-operational.
Scheduled Production FY2019-20 FY2020-21	The Allottee informed that they prepared a revised Mining Plan by combining the two blocks together with a PRC of 16 MTPA while the PRC of the two blocks separately was 8 MT. The combined Mining Plan has been approved. The integrated Mining Plan stated that the Dip-Side Manoharpur Coal Block should be mined as a continuation of the Manoharpur Block, using the same access trench and mine entry.

Show Cause	Deliberation
	<p>The Allottee stated that the excess coal produced from the integrated mining plan would be considered as coal produced from the Dip-Side Manoharpur block. Requests were made to the Ministry of Coal for modification of efficiency parameters and relaxation of production targets due to the COVID-19 pandemic and coal evacuation constraints.</p> <p>OCPL produced 5.25 MT coal in FY 2021-22, exceeding the modified target of 4.5 MT based on the revised Calendar Plan. They requested the Ministry to treat this excess production as coal produced from the Dip-Side Coal Block. OCPL also requested the merger of efficiency parameters for both coal blocks, in line with the Integrated Mining Plan. OCPL commenced operations in Manoharpur block in time, surpassed targets, and supplied surplus coal to consumers as advised by the Ministry of Coal. The Government of Odisha has initiated proposals for Forest Clearance (FC) and Environmental Clearance (EC) to ramp up coal production to 16 MTPA, with support from the concerned authority.</p> <p>Point wise written reply of the Project Proponent:</p> <p>Forest Clearance: - FC of Manoharpur block was obtained within given timeline and coal production started in time. Mine working will reach to Dipside block boundary in 12th year of operation i.e., 2031-32.</p> <p>Environment Clearance: - EC of Manoharpur obtained within given timeline for 8.0 MTPA. Proposal for amendment of EC to 16 MTPA Peak Rated Capacity has already been heard by EAC, MoEF&CC on 04-03-22. Enhancement of Coal production beyond EC calendar plan was not allowed. OCPL obtained CTO beyond EC Calendar plan in FY 2021-22 and produced 5.25 MT.</p> <p>Escrow Account opening: Escrow Account was opened in 12.10.2017 and agreement executed on 19.12.17 for Manoharpur Coal block. After approval of Integrated Mine Plan in September 2019 same Escrow Account now incorporates both the blocks and is operative</p> <p>Application and Grant of Mine Opening permission: - Requirement for separate mine opening permission for Dip-Side Block looks to be inappropriate in current scenario after merger of both the blocks. Mine opening Permission for Manoharpur Mine for opening of all the coal seams has been obtained 28.07.2018. Dip-Side Block is not for independent mining as per approved mining plan. Seam opening permission for all seams in the integrated block is available from Coal Controller Office.</p> <p>Coal Production in FY 2019-20: - 1st Year Coal Production as per the Revision - II of Mining Plan and existing EC Calendar Plan was 1.0 MT. The Mine produced 1.002 MT in FY 2019-20. Permission to enhance coal production beyond EC Calendar plan came in 14.05.2020. The Mine produced 16 % excess coal in FY 2021-22 utilizing the permission dated 14.05.2020. There was coal Evacuation constraint during FY2019-20 and coal production could be resumed only after signing of MoU between MCL & OCPL with the concurrence of MoC on</p>

Show Cause	Deliberation
	<p>11.12.2019. Although, Calendar Plan of approved Mine Plan Rev-II and III are different but the Production target in 4th year of operation FY 2022-23 is 8.0 MT. The Mine has reached this 8.0 MT scheduled capacity in FY 2022-23 in line with the efficiency parameter.</p> <p>Coal Production in FY 2020-21: Considering prevailing Covid-19 situation in the State, Gov. of Odisha on 13.01.2021 had requested Ministry of Coal for relaxation of target to 2.0 MT. However, MoC relaxed to 3.0 MT only. As stated above, MoEF&CC issued OM on 14-05-2020 allowing change in calendar plan of EC in peak COVID-19 period. In H1 of FY20-21, the mine is able to produce only 0.28MT and after easing of COVID-19 restrictions the mine produced 1.72MT in H2 of FY2020-21. Although Calendar Plan of approved Mine Plan Rev-II and III are different (2.5 and 4.0 MT respectively) the Production target in 4th year of operation FY 2022-23 is 8.0 MT.</p>

Observation & Recommendation:

The show cause notice was issued to the Allottee on seven counts for delay in obtaining various clearances such as Forest Clearance, Environmental Clearance, opening of escrow account, application of mine opening permission, grant of mine opening permission and shortfall in scheduled production. During the discussion, the Allottee explained that the integrated mine plan was submitted in July 2018 as per the direction of the MoC and it was approved in September 2019. Therefore, the scheduled production as mentioned in the show cause notices do not align with the calendar program of the integrated Mining Plan.

In view of this, the committee advised O/o NA to look into the matter and specify the scheduled dates for completion of each and every milestone. Based on the decision of O/o NA for the new scheduled dates for various clearances and scheduled production for different years, the committee will decide on the show cause notice served to the Allottee in the next meeting.

16. Nerad Malegaon Coal Mine: - M/s Indrajit Power Private Limited

Show Cause Notices dated 03.09.2021, 01.06.2022, and 05.06.2023 for deviation from Schedule Production/Reaching Peak Rated Capacity for Financial Year 2020-21, 2021-22, and 2022-23 respectively and corresponding replies of the Allottee were considered in the meeting.

Show Cause	Deliberation

<p>Schedule Production for FY 2020-21 FY 2021-22 FY 2022-23</p>	<p>O/o NA informed that the issue of failure in coal production in FY 2020-21 and FY 2021-23 was earlier considered in the 19th meeting of the Committee. On assurance of the Allottee that sufficient land will be available in three months for starting mining, the Committee decided to defer the decision for three months.</p> <p>The Allottee informed that, as per the advice of the Committee, they have submitted the action plan in writing to the office of NA. MDO has been appointed and 18 boreholes have been drilled to assess the reserve and other geological features. The result of the drilling is unfavorable as multiple seams with 14 number of faults were found. Due to this, the underground mining is not feasible in this mine. However, as per the initial information available with them, 3.6 MT was to be mined by opencast and 11 MT coal by underground mining method. The representative of CMPDIL informed that it was the decision of the Allottee for further drilling.</p> <p>Allottee further informed that the company has undergone CIRP through NCLT and they were forbidden by the bank for any further investment and the owner of the company wanted to have a comprehensive detailed plan for the whole mine before going forward.</p> <p>O/o Nominated Authority informed that the mine was allocated in the year 2015 and the decision for further drilling and GR preparation should have been taken by Allottee in the beginning itself. However, they delayed in taking such decision. It is due to financial distress condition of the company and the promotor's decision for delaying the mining that the production has not yet started.</p>
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Observation & Recommendation:

The Committee observed that the three months' time was given to the Allottee to show tangible progress as assured by them in its 19th meeting. However, the Committee observed that there is not much change in the situation in the last couple of months and that as of now there is no scope to give further time. The current situation as indicated by the Allottee shows that quite a few more activities such as preparation of revised Mining Plan are to be done and thus the mining is likely to be further delayed. The Committee is of opinion that the Allottee is mainly responsible for delay in starting mining and for shortfall in coal production in FY 2020-21, FY 2021-22 and FY 2022-23. The Committee, therefore, recommended for appropriation of PBG as per the provision of the Coal Mines Development and Production Agreement (CMDPA).

17. Marki Mangli-II Coal Mine: - M/s Yazdani International Private Limited

Show Cause Notice dated 21.09.2022 for delay in submission of Mining Lease Application and for delay in approval of Mining Plan and the corresponding reply of the Allottee was considered in the meeting.

Show Cause	Deliberation
<p>(i) Mining Lease Application (ii) Approval of Mining Plan Due Date- 03.12.2021</p>	<p>Allottee informed that the statutory permissions that existed with the prior Allottee became invalid as they were only for non-forest area while sizeable forest area lies inside the mine boundary. They will have to take afresh all the clearances. The vested Mining Plan was for non-forest area only and the vested mining lease was also for non-forest area only. Forest Clearance for the entire forest area is to be taken afresh.</p> <p>Allottee further informed that due to Covid-19 pandemic, the office establishment could be opened only in June 2021 near the mine. The revised Mining Plan and Mine Closure Plan was submitted in October 2021. Ministry of Coal revised the efficiency parameters in March 2022 in line with that of Schedule-III coal mine. The delay happened due to late revision in efficiency parameters. The delay caused huge financial losses to M/S YIPL towards payment of additional interest burden against the borrowed loan capital from the banks.</p> <p>The representative of CCO mentioned that the Mining Plan submitted in October 2021 was not complete in all aspect and accordingly observations were raised. The compliances submitted by the Allottee were not complete. The Allottee was given sufficient time to fully comply with the points raised in the observation. Due to failure in submission of compliances to all the points raised, the proposal for approval of revised Mining Plan was rejected. Again, a fresh Mining Plan was submitted by Allottee in June 2022, and this was finally approved in October 2022.</p> <p>Representative of coal ministry informed that the Allottee have failed to get approval of Mining Plan even within the revised timeline.</p>

Observation & Recommendation:

Show Cause Notice was issued for delay in submission of Mining Lease Application and for delay in approval of Mining Plan. The due date for completion of this milestone is 03.12.2021 while the actual date is 13.10.2022. During the discussions, it was observed that the Mining Plan was submitted in October 2021. The representative of CCO mentioned that the submitted mining plan was not complete in all aspect and accordingly observations were raised. Even the compliances submitted by the Allottee were not complete and therefore the Mining Plan was not approved at first instance. Again, a fresh Mining Plan was submitted in June 2022 for approval. The Committee is of the opinion that the responsibility of submission of Mining Plan which is complete in all aspect lies with the Allottee and therefore the reasons for the delay in approval of Mining Plan is attributable to the Allottee. The Committee recommended for appropriation of PBG as per the Coal Mine Development and Production Agreement (CMDPA) for delay in approval of Mining Plan.

List of participants:**Members of the Scrutiny Committee:**

S.N.	Name	Designation
1	Shri P.S.Bhattacharya	Chairman of the Committee, Ex-Chairman, CIL
2	Shri N.C.Jha	Member, Ex Director (Tech), CIL
3	Shri Amit Kumar	Director, Mines & Geology Department, Govt. of Jharkhand
4	Shri Ved Prakash	Deputy Director, Mines & Geology Department, Govt. of Jharkhand
5	Shri Sunil Mishra	APCCF, Forest Department, Govt. of Chhattisgarh
6	Dr. Sanjay Khare	Deputy Director, Mineral Resources Department, Govt. of Chhattisgarh
7	Shri Gajanan Kambdi	DGM, Govt. of Maharashtra
8	Shri S K Swain	Special Secretary, Odisha Govt.
9	Shri C. Patra	General Manager, CMPDIL
10	Shri Ashish Verma	Office of CCO

Ministry of Coal:-

S.N.	Name	Designation
1	Shri Ajitesh Kumar	Director (NA)
2	Shri Marapally Venkateshwarlu	Director (Tech.)/ NA
3	Shri Jitendra Kumar	Chief Manager, O/o NA
4	Shri Jaibant Kishore Dev Varma	Dy. Chief Manager, O/o NA
5	Shri Prince Kumar	Deputy Executive Engineer, O/o NA
6	Shri Harishchand	Manager, O/o NA
7	Shri Komirineni Venkateshwarlu	Additional Manager, O/o NA
8	Young Professionals	
9	PMU team	

Allottees:

S.N.	Name	Comapny
1	Dr D. Savalkar	Mahagenco
2	Shri Nitin Wagde	Mahagenco
3	Shri Venkatareddy Vennapareddy	Ambuja Cements Limited
4	Shri C.K. Bansal	Ambuja Cements Limited
5	Shri Devendra Singh	RRVUNL
6	Shri Subeer Chaudhary	RRVUNL
7	Shri Somes Bandyopadhyay	NTPC
8	Shri Perumal	NTPC
9	Shri Animesh Jain	NTPC
10	Shri Anil Soni	NTPC
11	Shri J K Mandiye	DVC
12	Shri Kumar Saurav	DVC
13	Shri Rajib Hui	CCL
14	Shri Vikash Jain	South West Pinnacle Exploration Limited
15	Shri Manik jain	South West Pinnacle Exploration Limited
16	Shri DLR Prasad	APMDCL
17	Shri Bipin Kumar	APMDCL
18	Shri V Satyanarayan	APMDCL
19	Shri Ramesh Damani	APMDCL
20	Shri Bhupendra Choudhary	Birla Corporation Ltd.
21	Shri Tamalpal	Birla Corporation Ltd.
22	Shri Deb Kumar D	CESC
23	Shri Debapriyo Sen	CESC
24	Shri Anup Kumar Roy	Jitusol Developers Priavte Limited

25	Shri R P Ritoy	Jitusol Developers Priavte Limited
26	Shri Lal babu	Jitusol Developers Priavte Limited
27	Shri Ashutosh Roul	NALCO
28	Shri J P Rath	NALCO
29	Shri S. Mishra	OCPL
30	Shri L.R. Reddy	OCPL
31	Shri Rajiv Munjal	Indrajit Power Private Limited
32	Shri Gajanan Jibhakate	Yazdani International Priavte Limited