

THROUGH E-MAIL/ ON MOC WEBSITE

File No NA-203/6/2022-NA
Government of India
Ministry of Coal
Office of Nominated Authority

120-F, Shastri Bhawan, New Delhi
Dated: September 10, 2024

Subject: Compensation Order for Kathautia Coal Mine -prior allottee, M/s Usha Martin Limited and successful allottee, M/s Hindalco Industries Limited.

Reference is invited to the Final Compensation Order dated June 27, 2023, vide which M/s Hindalco Industries Limited (HIL) was directed to deposit INR 18,56,50,565.00 into the designated account of the Ministry of Coal (MoC), for further transfer to prior allottee i.e. M/s Usha Martin Limited (UML).

2. M/s HIL deposited the amount into the designated account of MoC on July 6, 2023. Subsequently, a communication was received from M/s HIL that Hon'ble High Court of Jharkhand, in W.P. (C) No. 3541 of 2023 had issued a stay order on the release of the above amount to prior allottee.

3. HIL submitted a representation on July 28, 2024, requesting for an *out-of-court settlement* concerning the pending compensation matter for land and mine infrastructure with the prior allottee, M/s Usha Martin Limited, UML. UML also submitted their consent on the request of HIL on 06.08.2024. MoC vide letter dated 16.08.2024 advised them to file a mutual settlement in court.

4. Accordingly, M/s Usha Martin Limited and M/s Hindalco Industries Limited filed interlocutory application no 9019 of 2024 in WP No. 3541 of 2023 before the Hon'ble High Court of Jharkhand. In sub point (2) of point (4) of IA, it is mentioned that :-' ***the Petitioner, HIL and Respondent No. 2, UML agree that they have no objection in case the Respondent No. 1, MoC disburses INR 9,58,63,966/- crores to the Respondent No. 2 and INR 8,97,86,599/- crores to the Petitioner from the amount of INR 18,56,50,565/- deposited by the Petitioner with the Respondent No. 1 under cover of its letter dated 5.07.2023 annexed as Annexure 13 to W.P.(C) 3541 of 2023 in accordance with letter dated 28.07.2024 from the Petitioner to the Respondent No. 1 and letter dated 16.08.2024. from the Respondent No. 2 to the Respondent No.1, immediately after the disposal of W.P.(C) 3541 of 2023 by this Hon'ble Court.***

5. An order dated 29.08.2024 has been passed by the Hon'ble High Court of Jharkhand wherein it is stated that I.A. No. 9019 of 2024 has been disposed off and also WP No. 3541 of 2023 is disposed off in terms of the joint compromise as available in the said IA.

6. M/s Usha Martin Limited and M/s Hindalco Industries Limited, vide letters dated 03.09.2024, have submitted order dated 29.08.2024 passed by the Hon'ble High Court of Jharkhand and requested the ***release of ₹9,58,63,966*** to the prior allottee, M/s Usha Martin Limited, and a ***refund of ₹8,97,86,599*** to the successful allottee, M/s Hindalco Industries Limited.

7. Since, joint compromise has been made between M/s Usha Martin Limited and M/s

Hindalco Industries Limited, we have no objections in releasing the payment in following manner:

- i. Release of **₹9,58,63,966/-** (Rupees Nine Crore Fifty-Eight Lakh Sixty-Three Thousand Nine Hundred Sixty-Six only) to *M/s Usha Martin Limited* and
- ii. Refund the remaining balance of **₹8,97,86,599** (Eight Crore Ninety-Seven Lakh Eighty-Six Thousand Five Hundred Ninety-Nine) to *M/s Hindalco Industries Limited*.

Enclosure

1. Order dated 29.08.2024 passed by the Hon'ble High Court of Jharkhand along with IA No 9019 of 2024 in WP No. 3541 of 2023.
2. Final Order dated June 27, 2023
3. HIL letter 03.09.2024
4. UML letter dated 03.09.2024


[Rupinder Brar]
Additional Secretary/Nominated Authority

To,

1. Prior Allottee:- The Managing Director, Usha Martin Limited, Crosswindz Building ,3rd Floor,41, Kutchery Road, Ranchi-834001. [CIN :L31400WB1986PLC091621]
2. Successful Allottee : - The Managing Director, Hindalco Industries Ltd. Aditya Birla Centre, 3rd Floor, B-Wing S.K. Ahire Marg, Worli, Mumbai-400030. [CIN :L27020MH1958PLC011238]

Copy to:-

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