

By E-mail

F.No. NA-110/6/2017-NA-Part(1)
Government of India
Ministry of Coal
Nominated Authority

Room No.120, ' F-Wing', Shastri Bhawan,
New Delhi, Date: September 13th, 2024

OFFICE MEMORANDUM

Subject: - Minutes of 24th meeting of Scrutiny Committee held on 08.08.2024 and 09.08.2024 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 24th meeting of Scrutiny Committee held on 08.08.2024 and 09.08.2024 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.

Encl: As above.

(Alok Verma)
Under Secretary to the Government of India
Tel: 011-23384106

To,

1. The Chief Secretaries of the State Government of Chhattisgarh/ West Bengal/ Jharkhand/ Odisha/ Arunachal Pradesh/ Madhya Pradesh/ Maharashtra.
2. Principal Secretary (Mines) of the State Government of Chhattisgarh/ West Bengal/ Jharkhand/ Odisha/ Arunachal Pradesh/ Madhya Pradesh/ Maharashtra.
3. Shri Partha S. Bhattacharyya, Chairman, Scrutiny Committee and Ex-Chairman, Coal India Limited.
4. Shri N. C. Jha, Member, Ex-Chairman, 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. Allocattees of coal mines as per meeting notice dated: 02.08.2024

Minutes of the 24th meeting of Scrutiny Committee held on 08.08.2024 and 09.08.2024 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.

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 views on the show cause notices.

The list of participants is given at Annexure -I.

1. MarkiBarka- M/s Birla Corporation Limited (BCL)

Show Cause Notice dated 03.06.2024 for delay in completion of MS-2, i.e approval of Mining Plan and the corresponding reply dated 18.06.2024 of the Allottee were considered in the meeting.

Show Cause Notice	Deliberation
<p>Date- 03.06.2024 MS-2 i. Mining Lease Application ii. Submission of Mining Plan subject to the provisions of clause 15 iii. Approval of Mining Plan/ Project Report subject to the provisions of clause 15</p> <p>Due Date for MS-2: - 16.07.2023 Actual date: Pending.</p>	<p>Representatives from M/s BCL stated that due to health issues of the company's representative who are aware of the matter are unable to attend this meeting. The Allottee regretted the inability of the authorized representative to attend the 24th meeting of the Scrutiny Committee Meeting on 8th August 2024. The Allottee requested the Committee to defer the deliberation and decision in the meeting and allow them to put up their point of view in the next meeting.</p> <p>The office of Nominated Authority informed that the meeting notice was issued well in advance on 02.08.2024; however, they requested only at the last moment for not considering their case in this meeting. They have already given the written reply on the said Show Cause Notice and therefore, the Committee may deliberate and decide on the basis of the written reply of the Allottee.</p> <p>O/o NA also informed that the clearances such as Mining Plan, EC, FC-I etc of the Prior Allottee were vested to M/s BCL along with the vesting order. The Successful Allottee is required to get the geological block boundary certified by the CMPDIL on the basis of DGPS survey report. Subsequently, the Allottee is required to obtain all clearances for the entire geological block area. It has been made clear verbally several times to Allottee to obtain Mining Plan and other clearances for entire Geological block irrespective of the clearances vested to them. The Vested clearances such as Mining Plan, EC, FC-I were not for the same area as that of Geological block. The area corresponding to vested clearances of MP, EC and FC-I is different from the area of the geological block. Therefore, M/s BCL is required to get a Mining Plan revised for the area incorporating the whole Geological block to operationalize the entire coal block allocated. As per the efficiency parameter of CMDPA, the due date for approval of Mine Plan is 16.07.2023.</p> <p>In the matter, the Office of Nominated Authority also informed M/s BCL vide letter dt. 05.04.2024 that irrespective of the vested clearances, the allocated mine boundary delineated through DGPS and certified by CMPDIL shall form the basis for obtaining further clearances and operationalization.</p>

Observation & Recommendation:-

The Committee observed that, M/s BCL is required to revise the Mining Plan to encompass the entire Geological block, in order to operationalize the allocated coal block in accordance with the efficiency parameters of CMDPA. However, the Allottee has failed to obtain approval for the Mining Plan covering the entire Geological block within the stipulated timeline in the CMDPA, thereby hindering the operationalization of the entire allocated coal block.

The committee also noted that the M/s BCL's representative who are aware of the issues have failed to attend the meeting and therefore the committee was unable to get the views of the allottee. In view of the above, the Committee agreed with the request of allottee to defer the decision till the next meeting and advised allottee to put up their point of view in the next meeting. Accordingly, the final decision the show cause notices will be taken.

2. Amelia Coal Mine-M/s THDCIL

Show Cause Notice (SCN) dated 09.09.2020 for milestone of land acquisition, opening of Escrow account and application for Mine Opening Permission and SCN dated 27.05.2024 & 09.07.2024 for deviation of scheduled production in FY 2023-24 and EUP Synchronization respectively and the corresponding replies of the Allottee were considered in the meeting.

Show Cause Notice	Deliberation
1.Date of SCN - 09.09.2020 Land Acquisition Revised Due date 12.06.2022 Actual Date: pending opening of Escrow account Revised Due date: 12.07.2022 Actual date: 13.09.2021 Application of MOP Revised Due date: 12.07.2022 Actual Date: 29.12.2021	Regarding land acquisition, the Allottee informed that the entire forest area has been acquired. To achieve PRC of 5.6 MTPA, they require 405 Ha land and they were already having this much land by end of 2021,i.e., long before the revised scheduled date of 12.07.2022. Regarding opening of Escrow account, the Allottee informed that it was obtained on 13.09.2021, long before the revised stipulated date 12.07.2022. Regarding application for Mine Opening Permission, the Allottee informed that it was done on 29.12.2021, long before the revised stipulated date 12.07.2022.
2.Date of SCN : 27.05.2024 Deviation of Scheduled production for FY 2023-24 Target production: 2 MT Actual Production: 1.251 MT	Regarding coal production in FY 2023-24, the Allottee stated that they have achieved more than 90 % of production for FY 2023-24 on pro rata basis i.e. achieved production of 1.251 MT against pro rata production target of 1.271 MT. The Allottee represented that the due date of Mine opening permission was 12.08.2022 and considering the construction period of 1 year the commencement of production should be notionally considered as 12.08.2023. Considering this date, the proportionate schedule production for 2023-24 was 1.271 MT from which the shortfall of actual production achieved is only 0.02 MT. O/o NA informed that the production target for FY 2023-24 as per the approved Mine Plan is 2.0 MT after considering FY 2022-23 as construction year as per Mine Plan.
3.Date of SCN: 09.07.2024 EUP Synchronization	Regarding synchronization of the End-Use-Plants (EUP), the Allottee informed that the synchronization of Unit 1 of EUP was scheduled to be commissioned in 4 years from the date of

Show Cause Notice	Deliberation
Schedule date: As per mining Plan: FY 2023-24 Actual Status: pending	commencement i.e., 08.03.2019. Due to covid-19 pandemic, Ministry of Power has given 8.5 months relaxation in commencement of the units. However, due to delays like outbreak of Covid-19, and disruptions due to the Russia-Ukraine war, the commissioning of EUPs (Unit 1 & 2) was delayed and they submitted that the same will be completed by September 2024 (Unit I) & March 2025 (Unit II) respectively.

Observations and Recommendations:

Amelia coal mine was allotted to M/s THDCIL vide vesting order dated 17.01.2017. The Committee observed that the actual date of Mine opening permission is 15.02.2022 against the scheduled date 12.08.2022. Committee noted that mine opening permission was granted before the scheduled date. They were given 3 Show Cause notices.

The Committee observed that the Allottee was already having sufficient land for achievement of PRC before the stipulated timeline. The Committee also observed that the milestone of opening of Escrow amount and application of mine opening permission were also obtained before the scheduled timeline. Accordingly, the committee recommended for not imposing any penalty for the corresponding Show Cause Notice and it is waived off.

Regarding the issue of shortage in coal production in FY 2023-24, the committee agreed with the arguments given by the Allottee and therefore recommended for not imposing any penalty for the corresponding Show Cause Notice and it is waived off.

Regarding the issue of delay in synchronization of EUP, the Committee observed that Unit 1 of EUP was scheduled to be commissioned in 4 years from the date of commencement i.e., 08.03.2019. In addition, a relaxation of 8 ½ months was also given on account of Covid 19 from the Ministry of Power. Hence, the synchronisation for Unit 1 was scheduled by 23.11.2023. However, it is still pending. The Allottee has confirmed that the synchronization will happen in September 2024. Therefore, the Allottee themselves has admitted a delay of about 10 months in synchronization of EUP. The Committee therefore recommended for imposition of penalty in form of appropriation of PBG as per the provision of CMDPA for the milestone of EUP synchronization.

3. Marwatola VI coal mine: - M/s JSW Cement Limited (JSWCL)

Show Cause Notice dated 15.03.2024 for delay in completion of MS-2, i.e. approval of Mining Plan and the corresponding reply dated 27.03.2024 of the Allottee were considered in the meeting.

Show Cause Notice	Deliberation
Date- 15.03.2024 MS-2 i. Mining Lease Application ii. Submission of Mining Plan	The Allottee informed that immediately after getting vesting order, they appointed consultant for preparation of the Mining Plan. The delay in approval of Mining Plan has arisen mainly due to discrepancy in the coal reserves amount mentioned in the Geological Report. The updated and correct quantity of Geological Reserves from CMPDIL was received after about 5 months of

Show Cause Notice	Deliberation
<p>subject to the provisions of clause 15</p> <p>iii. Approval of Mining Plan/ Project Report subject to the provisions of clause 15</p> <p>Due Date for MS-2: - 07.12.2023 Actual date:23.07.2024</p>	<p>allocation of the mine. CMPDIL provided the hard copy of the revised / corrected Geological Report on 18.01.2024.</p> <p>The Allottee further stated that they had applied for grant of Mining Plan in time. However, based on the observation of the Mining Plan approving committee, they modified the Mining Plan proposal as per the new GR and submitted for its approval. Finally in - principle approval was received on 23.07.2024.</p> <p>The Committee inquired from the Allottee that when they are expecting that next milestone MS-3 will be achieved and whether it will be achieved within the original scheduled timeline or not.</p> <p>The Allottee informed that the scheduled date for the achievement of MS-3 milestone, i.e. Grant of Environment Clearance, Forest Clearance Stage-I and Forest Clearance Stage-II is 08.06.2025. On the basis of the progress that has taken place in respect of MS-3, they are sure that it will be achieved within the stipulated timeline.</p>

Observations and Recommendations:

Marwatola VI coal mine has been allotted to M/s JSW Cement limited on 08.06.2023 and the scheduled date of operationalization of the mine is 08.09.2027. The Committee observed that the milestone MS-2, i.e., approval of Mining Plan was completed on 23.07.2024 while the scheduled date was 08.12.2023 as per CMDPA. There is delay of about 7 months. The major reason for the delay seems to be discrepancy in the geological reserve value. The Committee also noted that the Allottee has assured that the next milestone will be completed within the scheduled timeline and whatever delay has occurred in completion of MS-2 will be covered-up in completion of MS-3, i.e. grant of EC and thus delay in MS-2 will not impact completion of MS-3.

Based on the deliberation and the commitment given by the Allottee, the committee felt that an opportunity may be given to the Allottee till the scheduled date of completion of next milestone. Therefore, the committee made the following recommendation: -

1. The decision on this Show Cause Notice is deferred till 08.06.2025, i.e. due date for completion of MS-3.
2. The Allottee will give a written undertaking to O/o NA within 3 working days that the MS-3 milestone will be completed by the scheduled date, i.e. 08.06.2025.
3. In the event the MS-3 milestone is completed by the scheduled date, i.e. 08.06.2025, the issue of MS-2 will again be put up before the Scrutiny Committee for the final decision.
4. However, if the MS-3 milestone is not completed by the scheduled date, the Committee recommended for imposition of penalty in the form of appropriation of PBG as per the provision of CMDPA for MS-2 milestone.

4. Brahampuri Coal Mine -M/s Birla Corporation Limited

Show Cause Notices dated 20.05.2022, 01.09.2022 & 05.06.2024 were issued for delay in achievement of FC Stage-1, FC stage-2, EC and grant of Mining Lease

milestone respectively. The above mentioned Show Cause Notices and the corresponding replies of the Allottee were considered in the meeting.

Show Cause Details		Deliberation
Due date	Milestone as per Efficiency parameters	<p>Representatives from M/s BCL stated that due to health issues of the company's representative who are aware of the matter are unable to attend this meeting. The Allottee regretted the inability of the authorized representative to attend the 24th meeting of the Scrutiny Committee Meeting on 8th August 2024. The Allottee requested the Committee to defer the deliberation and decision in the meeting and allow them to put up their point of view in the next meeting.</p> <p>The O/o NA informed that a case has been filed by the Allottee in the Hon'ble High Court of Madhya Pradesh in respect of MoC's guideline for Mining Plan regarding the clause related to reduction in extractable reserve and PRC. The Hon'ble High Court vide its order dated 01.02.2023 has directed "not to take any coercive action against the petitioners till next date".</p> <p>In this regard, the opinion of the Dy Solicitor General (DSG) was sought that whether show cause notice for other milestone can be given or not to the Allottee.</p> <p>In the matter, DSG vide letter dated 18.05.2024 has provided the following legal opinion: 'The Hon'ble High Court vide interim order dated 01.02.2023 passed in Writ Petition W.P. No. 1611 of 2023 directed not to take any coercive action against the petitioners therein, hence as such there is no bar to present show cause notice however pursuant to show cause notice till the subsistence of interim order no final order can be passed. The fate of final action/final order pursuant to show cause notice shall remain depend upon the final outcome of the petition".</p>
10.02.2022	Forest Clearance Stage I	
10.08.2022	(i) Forest Clearance Stage II (ii) Environmental Clearance	
10.12.2023	Grant of Mining Lease	

Observations and Recommendations.

The committee observed that an interim order from the Hon'ble High Court regarding a Writ Petition on the Brahampuri Coal Mine directs that no coercive action be taken against the petitioners till the next date. The final order of the Hon'ble High Court is still pending. In view of this, the Committee decided for not considering any pending show cause notices for this mine till the matter remains sub judice. Therefore, the Committee did not deliberate on the above mentioned Show Cause Notices and the corresponding replies of the Allottee. The Committee recommended to put up these issues before it only after the order of the Hon'ble court.

5. GondbaheraUjheni (East) coal mine: - M/s MP Natural Resources Private Limited (MPNRPL)

Show Cause Notice dated 18.03.2024 for delay in completion of drilling & preparation of GR, i.e MS-1 and the corresponding reply dated 29.03.2024 of the Allottee were considered in the meeting.

Show Cause Notice	Deliberation
<p>Date- 18.03.2024 MS-I 1Prospecting License or notification under section 4 of CBA Act, 1957 Completion of drilling/ exploration in accordance with the provisions of clause 14 Preparation of geological report (GR) Due Date for MS-I:- 09.01.2024</p>	<p>The Allottee informed that the delay in completion of MS- I i.e. preparation of Geological Report has arisen mainly due to delay in permission from State Forest Department for drilling in forest area. In the beginning,the Allottee submitted that the State Forest Department verbally asked to submit application in offline mode and the same was forwarded to PCCF Bhopal. However, after significant delay, the State Forest Department again verbally communicated to them to submit online application for forest clearance for drilling in forest area and accordingly they processed the submission of forest application. Due to this, there was a delay of about 8 months in the submission of the proposal for obtaining Forest Permission for PL cum ML in forest area. The permission for drilling in forest area was granted on 28.05.2024 and thereafter in about 2 months they completed the drilling. 59 boreholes have been drilled.</p> <p>Further, the Allottee informed that there was an accidental outbreak of fire in SatpudaBhavan, MP Govt. secretariat on 12.06.2023. As a part of the safety measure all departmental offices, including PCCF office, were vacated thus resulting in significant delay in Organizing PSC-1 meeting by Forest officials.</p> <p>Further, Allottee stated that the drilling has been completed yesterday and the GR will be prepared by September 2024.It is expected that GR will be approved by November 2024 and thus MS-1 will be completed by end of November 2024. They promised to submit the proposal for grant of Mining Plan immediately thereafter and the samewould be approved by the end of December 2024.</p>

Observation & Recommendation:-

The Committee observed that the scheduled timeline for MS-1, i.e. preparation of GR is 15 months from the date of allocation. The scheduled date of completion of MS-1 is 10.01.2024; however, it has not been completed till date.

The Committee noted that the delay in granting permission for drilling in forest department is also due to fire outbreak at the MP State Government Secretariat and for such delay the Allottee may not be held responsible. The Committee also took note of the assurance given by the Allottee that GR will be prepared by September 2024 and thus MS-1 will be completed by September and MS-2,i.e Mining Plan approval will be completed by December 2024.

Based on the deliberations and the commitment by the Allottee, the Committee made the following recommendation: -

1. The decision on this Show Cause Notice is deferred till 31.12.2024.
2. The Allottee will give a written undertaking to O/o NA within 3 working days that the MS-1, i.e. GR preparation will be completed by 30.09.2024 and MS-2, i.e Mining Plan approval will be completed by 31.12.2024.
3. In the event the MS-2 milestone i.e Mining Plan approval is completed by 31.12.2024, the issue of MS-1 will again be put up before the Scrutiny Committee for the final decision.
4. However, if the MS-2 milestone is not completed by 31.12.2024, the Committee recommended for imposition of penalty in the form of appropriation of PBG as per the provision of CMDPA for MS-1 milestone.

6. Beherabandh North Extn-M/s Auro coal Private Limited

Show Cause Notice dated 21.02.2024 for MS-1 for delay in Completion of drilling & preparation of GR and the corresponding reply dated 06.03.2024 of the Allottee were considered in the meeting.

Show Cause Notice	Deliberation
<p>Date- 21.02.2024</p> <p>MS-I</p> <p>Prospecting License or notification under section 4 of CBA Act, 1957</p> <p>Completion of drilling/ exploration in accordance with the provisions of clause 14</p> <p>Preparation of geological report (GR)</p>	<p>The Allottee informed that DGPS survey and land schedule was completed on 15.11.2022. The exploration plan was approved on 01.06.2023. The block boundary certificate was verified on 03.07.2023. The PL was granted on 05.10. 2023 and the PL deed was executed on 06.10.2023. Immediately thereafter, they initiated exploration activity on 28.10.2023 and the exploration in non-forest area was completed on 17.012024.</p> <p>Regarding the forest land, the Allottee told that the PL deed includes a condition requiring forest clearance for drilling 30 boreholes within the forest area. They applied for the necessary permissions from the forest department on July 6, 2023. Allottee further submitted that the delay happened due to delay in DGPS survey & delay in obtaining Boundary certification. The delay in getting permission for drilling in forest area was also due to upcoming Legislative Assembly election in state of Madhya Pradesh. The permission was finally granted on 28.06.2024.</p>
<p>Due Date for MS-I:- 09.01.2024</p>	<p>The O/o NA informed that the Allottee sought permission for drilling in forest area on 06.07.2023. Thus there was delay of about 9 months in applying for this permission and they should have avoided this delay.</p>

Observations and Recommendations.

The Committee observed that the Allottee delayed in applying for permission for drilling in the forest area and due to this the permission was granted from the forest department about 1 year and 8 months after the allocation of the mine while the schedule timeline for preparation of GR is 15 months only. The drilling and preparation of GR is still pending. The committee is of the view that MS-1 may have been completed if the timely action were taken by the Allottee.

The Committee finds the Allottee responsible for delay in completion of MS-1 milestone and therefore recommended for imposition of penalty in the form of appropriation of PBG as per the provision of CMDPA for MS-1 milestone.

7. GondbaheraUjheni coal mine: - M/s MP Natural Resources Private Limited (MPNRPL)

Show Cause Notice dated 09.02.2024 for delay in completion of MS-2, i.e. approval of Mining Plan and the corresponding reply dated 20.02.2024 of the Allottee were considered in the meeting.

Show Cause Notice	Deliberation
<p>Date- 09.02.2024</p> <p>MS-2</p>	<p>The Allottee informed that there was delay in carrying out DGPS survey in the forest area of the mine and in certification</p>

Show Cause Notice	Deliberation
<p>i. Mining Lease Application</p> <p>ii. Submission of Mining Plan subject to the provisions of clause 15</p> <p>iii. Approval of Mining Plan/ Project Report subject to the provisions of clause 15</p> <p>Due Date for MS-2:- 07.12.2023</p> <p>Actual Date for MS-2:- 22.05.2024</p>	<p>of the mine boundary. To carry out DGPS survey in the forest area, the permission of the forest department is required. They applied for permission in time, however, forest department delayed abnormally in giving permission for DGPS survey. After the completion of the DGPS survey, they applied to CMPDIL for certification of the boundary coordinates. CMPDIL took more than a month in just giving quotation for the block boundary certification.</p> <p>The Allottee stated that for such delay by the forest department and CMPDIL, they are not at all responsible. The reasons for such delay are beyond their control. They submitted draft Mining Plan for approval on 31.10.2023 and In Principle approval was granted on 22.05.2024.</p> <p>The O/o Nominated Authority informed that shortly after the submission of the application for Mining Plan on 31.10.2023, observations were raised by the Internal committee(IC) and after the submission of the compliance report, the presentation was made before the Committee on 11.12.2023. Observations were again raised by the Internal committee on 21.12.2023.</p> <p>The Allottee requested for rejection of their proposal for approval of Mining Plan on 29.12.2023. Then, the Allottee again submitted revised Mining Plan for approval on 16.01.2024.</p> <p>The Allottee again requested for rejection of the proposed Mining Plan on 12.02.2024. Thereafter, the Allottee submitted another revised Mining Plan for approval on 01.03.2024 for the 3rd time.</p> <p>The O/o NA emphasized that the Allottee has repeatedly requested for rejection of its own proposal for approval of Mining Plan and this delayed in completion of MS-2.</p> <p>The Scrutiny Committee inquired from the Allottee the reasons for its two times request for rejection of its own proposal of Mining Plan. The Allottee informed that earlier the Company had decided to use coal through washery route for its cement plant. However, later, the management decided to use the raw coal for thermal power plant.</p> <p>Further, the Allottee informed that they are working for obtaining other clearances. They have obtained grant of ToR for Environment Clearance and Forest Clearance activities are in progress in fast track mode. Private land purchase for shaft sinking has been completed. They have also applied to State government for grant of Mining Lease.</p> <p>The Allottee also assured that the delay in achievement of MS-2 will not lead to delay in achievement of next milestone MS-3 within the scheduled timeline. MS-3 milestone will be achieved before 08.06.2025, i.e. scheduled date for completion of MS-3.</p>

Observation & Recommendation: -

The Committee observed that the scheduled timeline for completion of MS-2, i.e. approval of the Mining Plan was six months from the date of allocation. The

scheduled date for completion of MS-2 was 08.12.2023 while the actual date of completion is 22.05.2024 and thus there is a delay of more than 5 months.

Based on the deliberations, reply of the Allottee and the comments of O/o NA, the Committee is of the view that the Allottee is partially responsible for the delay in completion of MS-2. However, the other agencies are also responsible. The Committee also took note of the commitment made by the Allottee that the next milestone MS-3 will be completed before the scheduled date of 07.06.2025.

The Committee made the following recommendations:-

1. The decision on this Show Cause Notice is deferred till 08.06.2025.
2. The Allottee will give a written undertaking to O/o NA within 3 working days that the MS-3, i.e. grant of EC will be completed by 08.06.2025.
3. In the event the MS-3 milestone, i.e. grant of EC is completed by 08.06.2025, the issue of MS-2 will again be put up before the Scrutiny Committee for final decision.
4. However, if the MS-3 milestone is not completed by 08.06.2025, the Committee recommended for imposition of penalty in form of appropriation of PBG as per the provision of CMDPA for MS-2 milestone.

8. Utkal –C Coal Mine

Show Cause Notice dated 19.03.2024 was issued for non-achievement of efficiency parameter (MS-2) within the stipulated timeline pertaining to Approval of Mining Plan/Project Report. The Show Cause Notice and the corresponding reply of the Allottee were considered by the Scrutiny Committee.

Show Cause	Deliberation
<p>Approval of Mining Plan/Project Report subject to provisions of Clause 15.</p> <p>Due Date: 10.04.2023 Actual Date : Pending</p>	<p>The Office of Nominated Authority informed that the Utkal C coal mine has been allocated to M/s Jindal Steel & Power Limited (JSPL) on 10.10.2022. The total area of the coal block is 753 Ha. As the Prior Allottee was having various clearances for 575 Ha area only, therefore such various clearances for 575 Ha area were vested to M/s JSPL along with the Vesting Order. The Allottee is required to conduct a DGPS survey and certification of the entire block boundary. Subsequently, all necessary clearances are to be obtained based on the certified boundary for the entire allocated block area. The Allottee is required to obtain all the clearances for the entire coal block within 51 months from the date of allocation. In the present case, the Allottee has not obtained Mining Plan approval for the entire coal block within the given timeline and they are working on the basis of the vested clearances for a part of the mine.</p> <p>M/s JSPL informed that they applied for the transfer of vested clearances. Once the vested clearances were transferred to them, they started operation on that part of the mine. They produced more than 1.0 MT coal in FY 2023-24 and they are trying to achieve PRC of 3.37 MT in FY 2024-25. M/s JSPL emphasized that Utkal C is a fully explored coal mine. As a fully explored mine, statutory clearances, including the approved Mining Plan for 575 hectares, were transferred to JSPL upon the issuance of a Vesting Order. M/s JSPL stated that the auction of fully explored mines aims to commence mining operations promptly through the transfer of statutory clearances from the Prior Allottee to the Successful Allottee under CMSP Act and it implies no necessity for a new Mining Plan approval for entire coal block.</p>

Show Cause	Deliberation
	<p>The Allottee also stated that out of the allocated area of 753 ha, only 575 Ha is mineable. The remaining 178 Ha area is unsuitable for mining due to low thickness of seam, environmental constraints, and cashew plantation. Hence, there is no need for approval of new Mining Plan for entire block area.</p> <p>The Allottee further added that there is an overlap of 8.122 Ha area with the boundary of Utkal D&E combined coal block. However, they stated that there is no physical overlap of allocated block boundaries of Utkal D&E with Utkal C coal mine. The DGPS surveyed block boundary is within the bounding co-ordinates mentioned in the vesting order. However, a part of the mining lease area of Utkal C is going beyond the bounding co-ordinates mentioned in the vesting order and is encroaching into the block boundary of Utkal D&E combined coal block. The boundary certification for the entire Utkal-C block has not been done by MoC till date</p> <p>The Allottee stated that despite of all these issues, a revised Mining Plan for 5.0 MT PRC was submitted by them on 05.10.2023 and the area is again restricted to 575 Ha only. However the same was rejected by CCO. The Committee asked the Allottee the date by which the revised Mining Plan will be approved. In reply, the Allottee stated that they expect that the revised Mining Plan will be approved within next 3 months.</p>

Observations and recommendations of the Committee:

The Committee observed that by Executing the Coal Mine Production Agreement (CMDPA), M/s JSPL agreed to the conditions stipulated in the agreement, including the requirement to achieve efficiency parameters within the specified timelines. The second milestone (MS-2) pertaining to the approval of the mining plan for the entire allocated coal block area was due on April 10, 2024. However, the Allottee has not completed the MS-2 milestone within the due date. However, the Committee also took note of the fact that based on clearances for 575 Ha area, the production has started in the mine from FY 2023-24 itself.

Based on the deliberations and the reply of the Allottee, the Committee made the following recommendations:

1. The decision on this Show Cause Notice is deferred for three months till 08.11.2024.
2. In the event the approval of the revised Mining Plan (MS-2 milestone) is achieved by 08.11.2024, the issue will again be put up before the Scrutiny Committee for the final decision.
3. However, if the approval of the revised Mine Plan (MS-2 milestone) is not achieved by 08.11.2024, the Committee recommended for imposition of penalty in the form of appropriation of PBG as per the provision of CMDPA for MS-2 milestone.

9. Utkal B1 and B2 Coal Mine

Show Cause Notice dated 20.03.2024 was issued for non-achievement of efficiency parameter within stipulated time pertaining to approval of Mining Plan/Project Report subject to provisions of Clause 15. The show cause notice and the corresponding reply of the Allottee were considered by the Scrutiny Committee.

Show Cause	Deliberation
<p>Approval of Mining Plan/Project Report subject to provisions of Clause 15 ((MS-2)</p> <p>Due Date : 10.04.2023</p> <p>Actual Date : Pending</p>	<p>The Office of Nominated Authority informed that Utkal B1 and Utkal B2 coal mines were allocated to M/s JSPL as a combined block through a Vesting Order dated 10.10.2022. The combined Utkal B1 and Utkal B2 coal mines are required to be operationalized within 51 months from the date of allocation. DGPS survey and certification of the entire block boundary are to be done post-allocation. However, the boundary certification and approval of the Mining Plan for the entire allocated area is still pending.</p> <p>M/s JSPL stated that the Utkal B1 and B2 coal mines were allocated as a combined block for better commercial valuation and to expedite domestic coal production. Despite initial delays and discrepancies in the boundaries as per the vesting order and DGPS survey report, they proactively proceeded on the basis of the vested clearances. Clearances which have been vested to them are for Utkal-B1 & Utkal-B2 blocks separately. Also, they took proactive steps to align the Mining Plans of Utkal B1 and B2, however, they faced challenges due to lack of cooperation from the Prior Allottee and discrepancies in the boundary data. The Prior Allottee transferred all the documents to them 2 months after the allocation.</p> <p>The Allottee informed that there were discrepancies in the boundary coordinates mentioned in the vesting order with the DGPS survey conducted by ORSAC and CMPDIL. Despite several follow up with CMPDIL, the discrepancies in the boundary issue remain unresolved. Then, they moved ahead with the submission of Mining Plan based on the approved ORSAC boundary and the same was submitted on 15.07.2023. The presentation before the Mining Plan approving committee was made on 01.09.2023 where the committee advised to submit CMPDIL certified block boundary. Due to failure in submission of the CMPDIL certified boundary of the block within the stipulated timeline, the Mining Plan proposal was rejected by the committee.</p> <p>The representative of CCO stated that due to absence of CMPDIL certified boundary coordinates of the combined blocks, the proposal for grant of Mine Plan was rejected.</p> <p>The Allottee argued that their efforts to amalgamate the Mining Plans of 2 coal blocks were voluntary and beyond the requirements of the CMDPA. They also pointed out that all milestones up to MS-4 have been met and they will soon obtain the MS-5 milestone of mine opening Permission. The Allottee also informed that the presence of a GAIL pipeline passing through the mine was not disclosed at the time of auction process of the mine. Despite these hurdles, based on the existing clearances and approvals, Mining Lease has been granted for the two blocks separately.</p>

Observations and recommendations of the Committee:

The Committee observed that there was delay in obtaining certified boundary coordinates of the combined blocks. The Allottee has not made due diligence before submission of proposal for approval of Mining Plan for the combined blocks.

Based on the deliberation, reply of the Allottee and comments of O/o NA and CCO, the Committee has come to the conclusion that the Allottee is responsible for failure in completion of MS-2 within the stipulated timeline. Accordingly, the

Committee recommended for imposition of penalty in the form of appropriation of PBG as per the provision of CMDPA for MS-2 milestone.

The Committee also conveyed that in case the Utkal B1 &Utkal B2 mines becomes operational within 51 months of allocation, the appropriated amount of performance bank security will be refunded back to the Allottee as per the provision of CMDPA and advised M/s JSPL to operationalise mine on best efforts basis before the scheduled timeline.

10. Manoharpur&DipsideManoharpur Coal Mine

Show Cause Notices dated 06.03.2023 and 09.07.2024 were issued for non-achievement of efficiency parameters within stipulated timeline pertaining to Forest Clearance, Environment Clearance, Opening of Escrow Account, Application for opening permission, Grant of opening permission, Deviation from scheduled production for FY 2019-20, FY 2020-21 and FY 2023-24 and the corresponding reply of the Allottee were considered by the Scrutiny Committee.

Show Cause	Deliberation
<p>Forest Clearance (EC) Environment Clearance (FC) Opening of Escrow Account Application for opening permission Grant of opening permission Scheduled Production for FY 2019-20 Scheduled Production for FY 2020-21 Scheduled Production for FY 2023-24</p>	<p>The Office of Nominated Authority informed that both Manoharpur and DipsideManoharpur coal mines have separate timelines for achievement of Efficiency Parameters. Manoharpur coal block is operational while Manoharpurdipside block is non-operational. The said Show Cause Notice and the corresponding reply were considered in the 21st meeting of the Committee held on 07/08.12. 2023 and the Allottee had then assured that Environmental Clearance and Forest Clearance will be obtained by January 2024. The EC for 16 MTPA has been granted on 05.02.2024 for combined Manoharpur&ManoharpurDipside block, FC Stage-I has been granted for Dip-side Manoharpur mine on 29.12.2023, however, FC stage-II is still pending.</p> <p>Approval of CTE and CTO for 16 MTPA were obtained from Odisha State Pollution Control Board on 29.02.2024 and 12.03.2024 respectively. However, M/s OCPL has produced only 8.51 MT coal against the target of 10 MT in FY 2023-24.</p> <p>M/s OCPL stated that the grant of combined EC for Manoharpur&DipsideManoharpur for 16 MT was delayed at MoEF&CC. Due to the substantial reduction in coal demand in the region, commercial sale of surplus coal was hampered. Therefore, in spite of capacity and preparedness for production of 10 MT, coal production was restricted to 8.51MT in the FY 2023-2024. After the grant of Environmental Clearance (EC) and CTE in Feb 2024 and CTO in March 2024, M/s OCPL is on track to meet future production schedules.</p> <p>The Allottee also assured that they will produce 13 MT coal in current financial year and they will achieve PRC of 16 MT in FY 2025-26 in line with the calendar programme of approved Mining Plan.</p>

Show Cause	Deliberation
	<p>M/s OCPL again reiterated that the delay in grant of EC,FC and Mine opening Permission for the combined blocks was beyond their control and for these delays they are not responsible. The Escrow Account for Manoharpur mine was opened in October 2017 and agreement signed in December 2017 and the same Escrow account is now operative for both the coal blocks.</p> <p>The Allottee stated that they produced 1.002 MT coal in FY 2019-20 against the target of 1.00 MT. The shortage in coal production in FY 2020-21 was mainly due to Covid-19 Pandemic.</p> <p>Regarding shortfall in production in FY 2023-24, the Allottee stated that the reasons are such constraints which are beyond their control. Therefore, the Allottee requested for not imposing any penalty on them in respect of the said Show Cause Notices.</p>

Observations and recommendations of the Committee:

The Committee observed that the combined Mining Plan for both the coal blocks for 16 MT annual capacity was approved on 26.09.2019, i.e., with delay of nearly 9 months from the scheduled date of approval of Mining Plan of Manoharpurdipside. The Committee also noted that due to delay in grant of EC and FC of ManoharpurDipside Block, the scheduled coal production was not much affected over the years mentioned in the Show Cause Notice and they achieved the scheduled production in FY 21-22 & FY 22-23 and committed to achieve the schedule production of 13 MT in FY 24-25.

Based on the deliberations and the assurance of the Allottee, the Committee made the following recommendations:-

1. The Committee recommended for deferring the decision on these Show Cause notices till March 2025.
2. In case 13 MT coal is produced in FY 2024-25 as assured by the Allottee, these issues will again be put up to the Scrutiny Committee for the final decision.
3. However, if the commitment for production of 13 MT is not achieved in FY 2024-25, the Committee recommended for imposition of penalty in form of appropriation of PBG as per the provision of CMDPA for the above mentioned milestones.

11. Radhikapur (West) Coal Mine

Show Cause Notice dated 06.06.2024 was issued for non-achievement of efficiency parameter within stipulated time pertaining to Forest Clearance Stage -II, and Environment Clearance. The show cause notice and the corresponding reply of the Allottee were considered by the Scrutiny Committee.

Show Cause	Deliberation
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Show Cause	Deliberation
<p>Due Dates - Forest Clearance Stage -II Environment Clearance</p>	<p>Office of the Nominated Authority stated that the Radhikapur (West) coal mine has been vested to M/s Vedanta Limited on 03.03.2021. As per CMDPA, the completion time for obtaining Forest Clearance (FC) and Environmental clearance (EC) is 18 months from the previous milestone, i.e, by 03.09.2022 as the Mining Plan was vested to M/s Vedanta Limited. The EC was obtained on 23.01.2023 with a delay of 4 months and FC stage 2 is yet to be obtained. It is pertinent to mention that FC Stage-1 was granted on 06.01.2022. The compliance of the conditions mentioned in FC Stage- I and in the DFO's report dated 24th Feb 2023 has not been completed by M/s Vedanta Ltd.</p> <p>The Allottee stated that there were discrepancies in Boundary Coordinates with an adjacent coal block. After several joint meetings, this issue was clarified on 8th February 2022. The Allottee stated that although the mine was vested on 3rd March 2021, the finalization of their boundary coordinates occurred only on 8th February 2022. Therefore, compliance of the milestones began only after this boundary clarification. However, Office of the Nominated Authority Stated that till date M/s Vedanta has not requested MoC for revision of the Zero date.</p> <p>The Allottee stated that they applied for transfer of EC on 8th April 2021. Since FC Stage I was not vested, they had to obtain it, which was granted on 6th January 2022. Consequently, they approached MoEF&CC, which instructed them to apply for a fresh TOR as the earlier EC had lapsed. After receiving boundary clarification on 8th February 2022 and completing all necessary studies, they approached MoEF&CC, received the fresh TOR on 8th September 2022, and the EC was granted on 23rd January 2023. The Allottee also emphasized that as per CMDPA, only the EC and not FC stage-II is a milestone for penal action in case of failure in completion within the scheduled timeline.</p> <p>The Allottee stated that the Forest Clearance Stage I proposal faced delays due to deferrals and additional conditions, with final approval granted on 6th January 2022. A part of the vested CA land was not acceptable to MoEF&CC and therefore they have to arrange fresh CA land. Additionally, concerns were raised about the impact of mining in the coal block on an elephant corridor. All these issues delayed the approval of FC stage-I.</p> <p>The Allottee also assured that they will cover up the delay in approval of FC stage-II and will operationalize the mine within the scheduled 51 months timeline given in CMDPA.</p>

Observations and recommendations of the Committee:

The Committee observed that due to initial confusion about the boundary coordinates of the mine and rearrangement of a part of CA land, there was delay in completion of this milestone. The issue of EC and FC stage-II matter was

considered in detail. The Committee also took note of the fact that despite the delay in achievement of this milestone, the Allottee has confirmed that the mine will be operationalized within the scheduled 51 months timeline given in CMDPA, i.e by 03.06.2025.

Based on the deliberations and the assurance of the Allottee, the Committee made the following recommendations:-

1. The Allottee will give an undertaking in next 3 days to O/o NA that they will operationalize the mine before the scheduled timeline, i.e by 03.06.2025.
2. In the event the operationalization of the mine happens on or before the due date, the matter will be put up to the Scrutiny Committee for the final decision on the Show Cause Notice for MS-3.
3. However, in the event the mine is not operationalized by 03.06.2025, the Committee recommended for imposition of penalty in the form of appropriation of PBG as per the provision of CMDPA.

12. Utkal –A Coal Mine

Show Cause Notice dated 06.06.2024 was issued for non-achievement of efficiency parameter within stipulated time pertaining to Environment Clearance. The show cause notice and the corresponding reply of the Allottee were considered by the Scrutiny Committee.

Show Cause	Deliberation
<p>Environment Clearance(MS-3) Due date: 24.06.2023</p>	<p>Office of the Nominated Authority stated that Utkal A coal mine has been allotted to M/s Mahanadi Coalfields Limited (MCL) vide Allotment Order dated 18.11.2021 . Utkal A coal mine is a fully explored coal mine and therefore MS-1 is not applicable. The stipulated timeline for completion of MS-2, approval of Mining Plan is 6 months from the date of allocation i.e., by 18.05.2022. The Mining Plan was approved by the Board of Director of MCL on 27.12.2021 itself before the due date. Further, as per efficiency parameters stipulated in the Allotment Agreement of Utkal A coal mine, MS-3 has to be obtained within 18 months from completion of previous milestone i.e., by 24.06.2023. However, the EC was obtained on 06.03.2024 after a delay of about 8 months from the scheduled timeline.</p> <p>M/s MCL informed that Utkal-A Coal Mine had a six-month period from 18.11.2021 to 17.05.2022 to complete MS-2. By taking proactive measures, they obtained approval for the Mining Plan on 24.12.2021, which was 4 months and 24 days ahead of the scheduled timeline. They have obtained EC on 06.03.2024 while the scheduled date is 18.11.2023 as per Allotment agreement and therefore, the delay is only of 3 months and 18 days and not the alleged 8 months and 11 days. Even this delay is not on account of them.</p> <p>The Allottee further stated that the earlier approved TOR condition conflicted with the excavation plan of Utkal-A Coal Mine which required the stream's diversion for overburden dumping. The EAC did not consider the significant impacts this would have on the Mining Plan, coal reserve, stripping ratio, and mine economics. Consequently, they requested a modification of this ToR condition from MoEF&CC on 10/11.12.2021, and the final ToR with the necessary modifications was obtained on 28.02.2022. This</p>

Show Cause	Deliberation
	<p>resulted in a delay of 3 months and 6 days, which was beyond their control.</p> <p>Further, MoEF&CC raised 10-points EDS on 27.02.2023, necessitating minor modifications to the Mining Plan. The modified Mining Plan was approved and received on 16.05.2023. The EIA/EMP report and modified Mining Plan were submitted to State Pollution Control Board (SPCB) for Public Hearing on 05.06.2023. Despite continuous follow-up, the Public Hearing was held 81 days after the submission of application. The Allottee further informed that due to some technical glitches in Parivesh-2.0 portal, there was delay in uploading of the application for grant of EC. All these delays were beyond their control.</p> <p>The Committee inquired from the Allottee about the status of the next milestone, i.e MS-4, related to land possession. The Allottee informed that they have acquired 1100 Ha land, however, only 307 Ha land is in their possession. Rise side land from where mining is to start is still not available with them. They are continuously trying to possess sufficient land for starting the mining activity.</p> <p>On being inquired by the Committee, the Allottee assured that they will have in possession sufficient land for achieving the PRC by the due date for the MS-4, i.e by 24.03.2025</p>

Observations and recommendations of the Committee:

Based on the deliberations and the assurance of the Allottee, the Committee made the following recommendations:-

1. The Allottee will give an undertaking in next 3 days to O/o NA that they will complete the MS-4 Milestone before the scheduled timeline, i.e by 24.03.2025 as per the Allotment agreement.
2. In the event MS-4 Milestone is completed on or before the scheduled date, the matter will be put up to the Scrutiny Committee for the final decision on the Show Cause Notice for MS-3.
3. However, in the event MS-4 Milestone is not completed on or before the scheduled date, i.e by 24.03.2025, the Committee recommended for imposition of penalty in the form of appropriation of PBG as per the provision of Allotment Agreement for failure in completion of MS-3 within the scheduled timeline.

13. East of Damagoria (Kalyaneshwari) Coal Mine

Show Cause Notice dated 04.06.2024 was issued for non-achievement of efficiency parameter within stipulated timeline pertaining to Possession of land and R&R to reach rated capacity as per approved Mining Plan and Mine Opening Permission. The Show Cause notice and the corresponding reply of the Allottee were considered by the Scrutiny Committee.

Show Cause	Deliberation
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Show Cause	Deliberation
<p>(i) Possession of land & R&R to reach rated capacity as per approved mining plan</p> <p>(ii) Mine Opening Permission</p>	<p>Office of the Nominated Authority informed that East of Damagoria (Kalyaneshwari) coal mine is allotted to M/s Bharat Coking Coal Limited (BCCL) vide Allotment Order dated 21.11.2019. Total allocated block area of East of Damagoria coal mine is 710 Ha and approved Mining Plan is for 503.394 Ha.</p> <p>M/s BCCL informed that Forest clearance is not applicable to them as there is not any forest within the area of the approved Mining Plan of the coal block. The Environmental Clearance for 503.394 Ha area was granted within the scheduled timeline. They are having Mining Lease for a total 552.69 Ha area, out of which 503.394 Ha has been obtained under the CMN Act 1973 and 49.296 Ha as per the Gazette notification dated March 26, 2022.</p> <p>Office of the NA informed that the due date for possession of land and R&R to reach PRC is 21.08.2023 and the due date for obtaining Mine Opening permission is 21.02.2024 and these milestones have not been completed.</p> <p>M/s BCCL conveyed that East of Damagoria coal mine was deallocated from M/s WBPDCCL and assigned to CIL. Accordingly, mining activity was commenced by BCCL in the block and continued even subsequent to signing of Allotment Agreement on 26.09.2019. Hence, there is no requirement for obtaining Mine Opening Permission for commencement of production from the block.</p> <p>Additionally, M/s BCCL stated that, the allocation of the Kalyaneshwari coal block to BCCL initially faced challenges due to overlapping lease areas with the adjacent Sitarampur block, totaling approximately 55.18 Ha. Despite ongoing efforts through correspondence and meetings, resolution of these boundary issues delayed the finalization of the Kalyaneshwari Block Project Report. To address these obstacles, the Nominated Authority directed the revision of boundary coordinates and the merging of the northern part of the Sitarampur block with Kalyaneshwari. Also, in consent with SAIL, decision was taken that BCCL will make DPR involving Ramnagar coal block area of SAIL. This directive resulted in a corrigendum on October 25, 2023.</p> <p>M/s BCCL stated that the geological area of the East of Damagoria coal block spans 703 Ha of land. However, M/s BCCL currently holds lease and ownership rights over only 533.14 Ha, including the land transferred from ECL to BCCL.</p> <p>The remaining 169.86 Ha are not under BCCL's lease and ownership, with a portion of this area belonging to</p>

Show Cause	Deliberation
	<p>SAIL and Sitarampur CMSP block. This situation has posed challenges for M/s BCCL in preparing a DPR for the entire East of Damagoria coal block. To overcome this obstacle, for 30 Ha of land, a Memorandum of Understanding (MoU) between M/s BCCL and M/s SAIL was made with provisions that mining will be done by BCCL and the coal will be utilized by SAIL. Additionally, an area of 26.19Ha is no man's land as its lease is not with any company.</p> <p>Subsequent to direction of the Nominated Authority, BCCL's Board approved a Detailed Project Report (DPR) on April 24, 2024, encompassing the East of Damagoria Coal Mine and collaborating with Ramnagar mine. M/s BCCL mentioned in its reply that the preparation of the DPR for the East of Damagoria (Kalyaneshwari) Coal Block was delayed due to unresolved boundary issues.</p> <p>M/s BCCL emphasized that the completion of time limit of activities mentioned in SCN does not tally with the Allotment Agreement. For MS-6, time line should be 60 Months (ie, due date should be 13.11.2024) and for MS-7 time limit should be 66 Months (ie, due date should be 13.05.2025).</p> <p>The Office of the Nominated Authority asserted that M/s BCCL provided no communication to O/o NA concerning the coal production from the East of Damagoria coal mine, resulting in the office being completely unaware of any such activities. Moreover, M/s BCCL did not submit the required production reports to Nominated Authority.</p>

Observations and recommendations of the Committee:

Based on the deliberation and the reply of the Allottee, the Committee concludes that at this stage it is not possible to assess whether the Allottee is responsible for the delay in these milestones. The Committee, therefore, recommended that M/s BCCL first sit together with O/o NA and resolve the issue of timeline for various milestones. Only thereafter, these matters should be put up before the Scrutiny Committee for the final decision.

14. Trans Damodar Coal Mine

Show Cause Notices dated 22.06.2023 and 23.06.2023, was issued for non-achievement of Schedule Production for year 2020-21, 2021-22 and 2022-23. The show cause notices and the corresponding replies of the Allottee were considered by the Scrutiny Committee.

Show Cause	Deliberation
<p>Schedule Production for year 2020-21. Schedule Production for year 2021-22 Schedule Production for year 2022-23</p>	<p>Office of Nominated Authority informed that in the 21th Scrutiny Committee meeting held on 07.12.2023 and 08.12.2023, the matter related to the delay in obtaining grant of Mine Opening Permission and deviation in achieving Scheduled Production from FY 2015-2016 to FY 2019-2020 was deliberated. Based on the comment of the Chief Secretary of West Bengal regarding the challenges faced in land issues and deliberation held in the meeting, the Committee had then</p>

Show Cause	Deliberation
	<p>recommended for not imposing penalty for the delay in obtaining MoP and non-achievement of the coal production target till date of obtaining MoP from period of FY 2015-2016 to FY 2018-2019. However, the committee was in the opinion that as Mine opening permission was available with Allottee in FY 2019-2020, they should have achieved the production target in FY 2019-2020 and so recommended for imposition of penalty for shortage in production in FY 19-20. Subsequently, appropriation Order was issued and PBG was appropriated.</p> <p>Subsequently, Show Cause Notices dated 22.06.2023 and 23.06.2023, was issued for non-achievement of Schedule Production for year 2020-21, 2021-22 and 2022-23.</p> <p>M/s DPL stated that Mine Opening Permission was obtained on 04.03.2019 and MDO was appointed on 04.09.2019. Villagers diverted water to the quarry leading to water logging of the mine. Lots of time was taken in dewatering of such a huge quantity of water. After dewatering, the coal seam was exposed and the Coal production started from December 10, 2020. Claim of employment by more than 500 ex-employees of the prior Allottee led to unrest which most of the time culminated to closure of the mine. Allottee mentioned that there was a dispute regarding encroachment of Rayati land through mining activities done by the prior allottee and subsequent water logging on the un-purchased land led to unrest by the adjacent villagers.</p> <p>The Allottee further stated that there are three factories namely M/s Sonic Thermal Pvt Ltd. M/s Eurasia Industries Ltd and M/s Extrusion (1985) pvt Ltd lying inside the mine boundary. Due to this, the progress of mining activity towards western side of coal mine was prohibited. They approached District Magistrate for the acquisition of the factories, however the owners didn't respond to District Authority.</p> <p>Further, M/s DPL required 970 acre of land for TDCM project, but, they are having only 390 acre land. Further purchase of land is under process with the help of local administration. TDCM is situated in densely populated area in close vicinity of Durgapur Municipality. Villagers are not willing to lose their land. They have taken different approach for purchase of land through Dept of Power of Govt of west Bengal.</p> <p>The Allottee also stated that the State government is well aware of the difficulties faced by them in achieving the scheduled production from FY 20-21 to FY 22-23 and comment of the state government may be sought on the issue before taking final decision. The Allottee further requested the Committee to give some time to obtain comment of the state government on the issue.</p>

Observations and recommendations of the Committee:

The Committee observed that about 6%, 51 % and 55 % of the target production was achieved in FY 20-21, FY 21-22 and FY 22-23 respectively. The committee also noted that PRC of 1.0 MT was achieved in the FY 23-24.

Based on the deliberation and the assurance of the Allottee, the Committee decided to seek the comment of the State government on the issue of the difficulties faced by the Allottee in achieving the target production for the above mentioned periods before making final recommendation. Therefore, the Committee made the following recommendation:-

1. The Committee asked the Allottee to submit the comment of the state government regarding the said issue within a month to O/o NA. In case of failure of submission of the comment of the state government within one month, it will be assumed that the state has no comment to make and then the committee will decide accordingly. However, in case the comment of state is received within the given timeline, the issue of shortage in coal production in FY 21-22 and FY 22-23 will be considered in the next meeting for final decision.
2. Regarding shortage in coal production in FY 20-21, the Committee observed that the production is only 6 % of the target and Committee also took note of the statement of the Allottee that production was also affected due to Covid-19 pandemic as there was lockdown for 6 months in the state of West Bengal. The Committee recommended that in case the comment of the state government is received within a month, the issue will be considered in the next meeting for final decision, however, in case of failure of submission of the comment of the state government within one month, penalty in form of appropriation of PBG will be imposed as per the provision of CMDPA.

15. Deocha-Pachami-Dewanganj-Harinsingha Coal Block:-West Bengal Power Development Corporation Ltd. (WBPDCCL)

The Deocha-Pachami-Dewanganj-Harinsingha coal block has been allocated to M/s. The West Bengal Power Development Corporation Ltd. (WBPDCCL). Following the allocation of the Deocha-Pachami-Dewanganj-Harinsingha Coal Block, it was noted that there was a discrepancy between the resources allotted by the Ministry of Coal (MoC) and those available within the block boundary. To address this, it was necessary to annex an additional area to the eastern side of the block. The original area of 9.70 sq. km mentioned in the agreement only covered the Deocha-Pachami section and did not include the Dewanganj-Harinsingha portion.

To rectify this, a draft amendment agreement was sent to WBPDCCL on 7th October 2020, with follow-up reminders issued on 29th December 2020, 22nd February 2021, 6th April 2021, 10th June 2021, 9th September 2021, 27th December 2021, and a DO letter on 17th February 2022. WBPDCCL confirmed on 22nd February 2022 that necessary approvals from the State Government had been obtained. The amendment agreement was eventually signed by WBPDCCL on 28th March 2022.

WBPDCCL has informed that delay in completing drilling and exploration by the initial deadline of 15th August 2020 was due to the fact that bounding coordinates were only finalized after the execution of the amendment agreement. WBPDCCL appointed M/s. CMPDIL for detailed coal exploration and preparation of the Geological Report and Mining Plan on 13th January 2022, subsequent to the allotment agreement but prior to the amendment agreement. The block area was subsequently expanded after the amendment agreement.

Observation & Recommendation: - After a comprehensive examination of the case, the Committee recommended that the date of signing of the 1st Amendment to the Allotment Agreement, which is 28th March 2022, should be considered as

the zero date. All milestone dates associated with the Coal Block will be redefined using the aforementioned zero date. Accordingly, the revised milestone dates will be compiled and presented for discussion at the subsequent Scrutiny Committee meeting.

16. Brinda and Sisai Coal Mine -M/s Dalmia Cement (Bharat) Limited (DCBL)

Show Cause Notice dated 25.04.2024 for non-compliance with Milestone MS-2 for approval of Mining Plan/Project report and corresponding reply of the Allottee dated 08.05.2024 were considered in the meeting. The Allottee was given opportunity to present its case before the Committee.

Milestone for which show cause notice was given	Deliberation
<p>Due Date of MS-2: 09.04.2023 Approval of Mining Plan/Project report Status- Pending</p>	<p>The Allottee informed that the Mining Plan prepared by the Prior Allottee has been vested to them. This Mining Plan is based on the Geological Reports prepared by CMPDIL. The boundary coordinates given in the vested Mining Plan is same as that of geological block.They also informed that DGPS Survey has been carried out in the Brinda and Sisai Coal Block. However, CMPDIL has refused to do its vetting as the DGPS survey has been done by other agency. Then, they have requested CMPDIL for DGPS survey for the geological block area and it is still pending.</p> <p>Further, Office of Nominated Authority informed that the total Geological block area is 1974 ha as per mine summary whereas total area of the coal block as per the approved Mining Plan is 1943 ha and the vested Mining Lease area and EC area is 1377.62 ha. Therefore, the Allottee is required to projectise the entire geological block area. In reply, the Allottee stated that the area of the geological block lying outside the leasehold area is non-coal bearing and no working or infrastructure is proposed in this area and therefore revision of Mining Plan is not required. They also mentioned that area of the coal block is not 1974 ha as stated by O/o NA. The O/o NA advised the Allottee to submit a copy of CMPDIL certified DGPS survey report at the earliest.</p> <p>The Committee inquired from the Allottee whether they would be able to submit the certified copy of the DGPS Survey from CMPDIL within 60 days.The Allottee assured that they would obtain the certified DGPS Survey report within the given timeline.</p>

Observation & Recommendation: -

The Committee is of the opinion that the entire Geological Block area should be fully projectized. The Committee also observed that the scheduled timeline for the Approval of Mining Plan/Project report is 6 months from the date of allocation, i.e., 10.10.2022; however, it has not been completed till date. O/o NA and the Allottee differed on the issue of the total geological block area and this can only be decided on the basis of DGPS survey of the entire block boundary. The Committee also took note of the fact that the Allottee has given assurance that they will obtain certified DGPS Survey within 60 days.

Based on the reply of the Allottee and deliberations in the meeting, the Scrutiny Committee decided for deferring the decision on MS-II milestone till the time of certification of block boundary based on certified DGPS survey report. The Committee made the following recommendations:

1. The Allottee will give an undertaking that they will submit the certified copy of the DGPS survey report of the geological block within 60 days.
2. Based on the DGPS survey report, the area of the geological block will be finalised. Thereafter, the issue will be put up before the Scrutiny Committee for final decision in the next meeting of the committee.

17. Basantpur Coal Mine: - M/s Gangaramchak Mining Private Limited (GMPL)

Show Cause Notice dated 02.04.2024 for non-compliance with Milestone (MS-1), which consists of Preparation of Geological report and the corresponding reply of the Allottee dated 15.04.2024 were considered in the meeting. The Allottee was given opportunity to present its case before the Committee.

Milestone for which show cause notice was given	Deliberation
<p>Due Date of MS-1: 11.03.2024 Preparation of Geological report Status- Pending</p>	<p>The Allottee informed that the entire 75 Ha area of the coal block was earlier acquired by Central government and vested to CCL under CBA Act. They requested Ministry of Coal for arranging permission/consent from CCL for allowing prospecting operation; however, it is still pending. O/o NA informed that amendments in land use policy in respect of CBA land was under consideration in the Ministry and finally amendments in land use policy in respect of CBA land has been made on 29.07.2024.</p> <p>The Allottee further informed that they applied for PL-Cum-ML to District Mining Officer (DMO) on 14.08.2023 and the same was forwarded by DC, Ramgarh to Director (Mines) on 09.11.2023. Since then, the application for PL-Cum-ML is with Director (Mines). On further enquiry by Director (Mines) regarding the details of forest land, clarification from Circle Officer, Mandu was submitted on 17.01.2024. After receiving all clarifications, it is revealed that Director (Mines) has now asked some clarifications by its letter dated 7th August 2024 after 8 months, regarding discrepancy in the area mentioned as 75 Ha whereas the actual area comes to 74.93 Ha and for clarification about the Hindi and English version of name of village "Barisum".</p> <p>The Allottee informed that they requested Ministry of Coal on 04.12.2023 for correction in the block area mentioned in CBDPA from 0.8 Sqkm to 0.75 Sqkm on the basis of DGPS survey report.</p> <p>O/o NA informed that the Allottee was asked to submit the certified copy of the DGPS survey report on 06.12.2023. The Allottee submitted the letter of Director (Mines) of state government and pre-commencement report; however, they have not yet submitted the DGPS survey report. Further, the Allottee has not submitted any request to O/o NA for clarification about the name of the village, whether it is Barisum or Barisun. They have not also made any follow up with our office.</p> <p>The representative of state government stated that they will address and resolve the issue regarding the correct name of the village, whether it is Barisum or Barisun.</p> <p>The Committee inquired from the Allottee whether they would obtain the GR by 28.02.2025. The Allottee assured that they would submit the approved Geological Report within the given timeline.</p>

Observation & Recommendation:-

The Committee observed that the scheduled timeline for MS-1 milestone regarding the Preparation of Geological report is 15 months from the date of allocation. The date of allocation is 12.12.2022 while the due date for completion of MS-1 is 12.03.2024; however, it has not been completed till date. The Committee observed that there was some delay on part of the State government and it also took note of the fact that the Allottee has assured that MS-1 will be completed by 28.02.2025. Based on the reply and assurance of the Allottee and the deliberation that took place, the Committee is of the view that some extra time may be given for completion of MS-1 milestone and decided to defer the decision on MS-1 milestone. The Committee, further, made the following recommendations:

1. The Allottee will give written undertaking to O/o NA declaring that they will complete the MS-1 milestone by 28.02.2025
2. In the event the MS-1 is completed by 28.02.2025, the said issue will again be considered in another meeting of the Committee after the above given date.
3. However, in the event the said milestone is not achieved by 28.02.2025, the Committee recommended for imposition of penalty in the form of appropriation of PBG as per provision of CMDPA without again referring the matter to the Scrutiny Committee.

18. Rauta Closed Coal Mine: - M/s Shreesatya Mines Private Limited (SMPL)

Show Cause Notice dated 02.04.2024 for more than 24 months delay from date of Allocation in grant of Prospecting Licence (PL) and GR and corresponding reply of the Allottee was considered in the meeting.

Milestone for which show cause notice was given	Deliberation
MS-I (i) Preparation of geological report (GR) Due Date for first part of MS-I:- 17.02.2023 (15 months from the zero date) Due date for IInd part of MS-I:- 17.11.2023 (24 months from the zero date) Status- Pending	Office of NA informed that the earlier given Show Cause Notice(SCN) dated 20.02.2023 for delay in Prospecting Licence (PL) and GR (1 st part of MS-1)and the corresponding reply were considered in the 21 st Scrutiny Committee meeting held on 07/08.12.2023. The Committee had then observed that the Allottee is required to make more serious efforts to fulfill the requirement as mentioned by the State representative and if they do the right things in time bound manner, the mine will be operational within the given time line. In view of the opinion of the state government and deliberation, the Committee had then found the Allottee responsible for the delay in completion of MS-1 within stipulated 15 months and therefore recommended for appropriation of PBG as per the CMDPA. Accordingly, penalty was imposed and PBG was appropriated. The SCN was again given for more than 24 months delay from date of allocation in grant of Prospecting License (PL) and GR as per CMDPA. The Allottee informed that there is a lot of difficulties in getting approval in the state of Jharkhand and they are unable to commence work until they receive permission for prospecting from the Government of Jharkhand. The approval for their Prospecting License (PL) cum Mining Lease (ML) application for the coal block is still pending with State Government of Jharkhand and it is beyond their control, as it must be granted by the State Government of Jharkhand. There is procedural delay in the state government. There was lots of delay in recertification of land schedule and they got it from CO,Ramgarh and Mandu in December 2021.However, they were asked to submit revised land schedule after a gap of about 2 years in August

Milestone for which show cause notice was given	Deliberation
	<p>2023.</p> <p>The Deputy Director (Mines),GoJ, informed that he has inquired from the DMO and it is found that the boundary certification by CMPDIL is still pending. The verification of forest land from the DFO has also not been completed as in the forest land issue some discrepancy has been found. However, the Allottee stated that the CMPDIL certified boundary certificate has already been submitted to DMO on 15.11.2023. The Allottee also stated that revised land schedule was again certified by the CO,Ramgarh and Mandu in March 2024.</p> <p>The Allottee further stated that due to all these delays at the end of officials of state government, for which they themselves are not at all responsible, MS-1 has not been completed. However, the Allottee assured that in next 3 months, they will get PL cum ML and GR will be prepared in 9 months. The Allottee, therefore, requested the Committee to grant 9 more months for completion of MS-1.</p> <p>The Committee inquired whether they would complete the exploration and submit the approved Geological Report by 31.05.2025 or otherwise initiation will be taken for penal action. The Allottee once again assured the Committee that GR would be approved by 31.05.2025.</p>

Observation & Recommendation:

The Committee observed that the scheduled timeline for MS-1,i.e., preparation of GR is 15 months from the date of allocation; however, it has not been completed till date. As per the CMDPA, in case the GR is prepared after 15 months up to 24 months from date of allocation, 25 % of PBG is to be appropriated and in case GR is prepared after 24 months, additional 25 % of PBG is to be appropriated.

The Committee is of the view that the Allottee seems to be responsible for the failure in preparation of GR within 24 months from the date of allocation. However, the Allottee has also given assurance that MS-I, i.e., GR preparation and approval will be completed by 31.05.2025 and they will submit the undertaking regarding this within three days.

Based on the deliberations during the meeting and the assurance of the Allottee, the Committee recommended for deferring the decision on the issue till 31.05.2025. The Committee further recommended that In the event the MS-I regarding GR preparation and approval is not completed by 31.05.2025, the penalty in the form of PBG appropriation as per CMDPA will be imposed and in case the MS-I is completed by 31.05.2025, the matter will again be considered by the Committee for further decision.

19. Parbatpur Central Coal Mine: - M/s JSW Steel Limited (JSWSL)

Show Cause Notice dated 02.04.2024 for delay in achievement of Milestone which consists of Completion of transfer of statutory permissions obtained by prior allottee/obtaining fresh statutory permissions, if required and opening of Escrow Account and corresponding reply of the Allottee dated 16.04.2024 were considered in the meeting.

Milestone for which show cause notice was given	Deliberation
<p>Due Date- 07.03.2024 Within 9 Months from the date of allocation MS-I Completion of transfer of statutory permissions obtained by prior allottee/obtaining fresh statutory permissions, if required. Opening of escrow account. Status- Pending</p>	<p>The Allottee informed that they applied to the relevant department of the State Government of Jharkhand by 16.06.2023 for the transfer of all vested statutory clearances in their favor, including execution of the Mining Lease. The Environment Clearance (EC) was transferred to them on 04.01.2024. As per the approved vested Mining Plan, there is no Forest land in this mine. As there is no forest land, despite this on 22.06.2024, the DMO has written to forest department to confirm that there is not any forest area within the mine boundary and confirmation from the forest department is still pending.</p> <p>Further, the Allottee also informed that the mining lease execution should proceed under the statutory clearances vested to M/s JSW SL along with all existing clearances. However, the District Administration is treating it as De Novo while under the CMSP Act, it should not be treated as De Novo and transfer of Mining Lease should be done by the State Government. As a result, they have to carry out several activities including cadastral survey etc. afresh. The Allottee also stated that they submitted the required documents for the mining lease transfer in time, however, they are still awaiting the Grant Order from the State Government.</p> <p>Regarding opening of the Escrow Account, the Allottee stated that the Escrow account was opened by the prior allottee, i.e., M/s Electrosteel Casting Ltd and an amount of Rs 3.68 Cr was deposited in this account.</p> <p>The representative of the CCO stated that to accomplish the escrow account, a tripartite agreement has to be made among the successful Allottee, CCO and Bank and as of now the Escrow Account is still in the name of Prior Allottee i.e. M/ECL. It is required to be transferred in the name of Successful Allottee i.e. M/s JSW Steel Ltd</p> <p>Deputy Director(Mines),GoJ stated that a part of this coal block is CBM block and Co-development agreement is required to be done with the CBM block Allottee before grant of Mining Lease. The Allottee stated that the draft co-development agreement has been prepared and once the DGMS gives the concurrence, the co-development agreement will be made. He assured that co-development agreement will be submitted to the state government before grant of mining lease.</p> <p>The Committee advised the Allottee that in line with the direction of the state government, they should obtain NOC from the Forest Department to the effect that the mine is not having any forest land. Regarding the mining lease, they should follow the statutory procedure instead of requesting for transfer. The Committee also requested State Government to expedite the matter of grant of Mining Lease as the documentation has been completed.</p> <p>The Committee observed that the opening of the Escrow account is unnecessarily delayed and advised the Allottee to open it within a month.</p> <p>The Allottee assured that they will open the Escrow Account by 15.09.2024 and all the statutory permissions will be transferred to them by 31.03.2015.</p>

Observation & Recommendation:

The Committee observed that the scheduled timeline for the completion of transfer of statutory permissions obtained by prior allottee/obtaining fresh statutory permissions, if required and opening of Escrow Account is 9 months from the date of allocation; however, it has not been completed till date.

Based on the deliberations during the meeting and the assurance of the Allottee, the Committee recommended for deferring the decision on opening of Escrow account and transfer of statutory permissions. The Committee further recommended the following:

- I. In case the milestone of opening of Escrow account is opened by 15.09.2024, the matter will again be considered by the Committee for further decision, however, in case this milestone of opening of Escrow account is not completed by 15.09.2024, the penalty in the form of PBG appropriation as per CMDPA will be imposed.
- II. The Committee also recommended that in case the statutory permissions are completed by 31.03.2025, the matter will again be considered by the Committee for further decision. However, in case the statutory permissions are not completed by 31.03.2025, the penalty in the form of PBG appropriation as per CMDPA will be imposed on 01.04.2025.

20. Rohne Coal Mine- NMDC Limited

Show Cause Notice dated 04.06.2024 issued for non-compliance with timeline of below mentioned Milestone specified in Schedule E of Allotment Agreement of Rohne coal mine and the corresponding reply of the Allottee were considered in the meeting. The representative of the state government and the Allottee also put up their views on the issues before the Committee.

Sl. No.	Milestone No	Milestone for which show cause notice was given	Deliberation
1	MS-4	Land Acquisition & possession of land and R&R required to reach rated capacity as per approved mining plan <i>Due Date- 18.06.2023</i> <i>Actual Date- Not Done</i>	The representatives of O/o NA informed the Committee that M/s NMDC has been issued Show Cause Notice for delay in Land Acquisition whose due date was 18.06.2023. It was further stated that M/s NMDC took decision of going for Land Acquisition under CBA Act 1957 after lapse of more than 01 year of Allotment wherein NMDC requested MoC to issue Notification under Sec 3 on 03.08.2022 and the said Notification was issued on 22.09.2022. The application for notification under section 4(1) of CBA Act was submitted on 25.08.2023. Further, the current status is that the application for notification under Sec 7(1) of CBA Act has been submitted on 08.05.2024. Representatives of M/s NMDC stated that they received the documents related to the coal mine from the Prior Allottee after delay of around 6 months from Allotment. Further, the coordinates given in the vested Mining Plan differed from the bounding coordinates given in the Allocation order. They requested MoC for providing Cartesian coordinates of the coal mine to which MoC informed on 22.11.2022 that boundary Cartesian coordinates can be fixed only after completion of DGPS Survey. They engaged CMPDIL to undertake DGPS Survey. CMPDIL submitted the

Sl. No .	Miles tone No	Milestone for which show cause notice was given	Deliberation
			<p>boundary coordinates of Rohne coal mine on 04.08.2023. Following the receipt of Cartesian coordinates of the coal block from CMPDI on 04.08.2023, they promptly submitted an application for a Sec 4(1) notification under the CBA Act on 25.08.2023. MoC issued the Sec 4(1) notification on 12.12.2023.</p> <p>The office of NA responded that vide Allotment order, only Bounding Coordinates are being vested and the same were vested to NMDC Limited vide Allotment order dated 18.06.2021. Delineating the boundary of the coal block through DGPS Survey and getting it certified by CMPDIL timely is the responsibility of the Allottee. The decision of acquiring land under CBA Act, instead of LA Act was their own.</p> <p>The Committee thereafter enquired from the Allottee about the expected timeline for completion of Land Acquisition and possession of land. To this, the Allottee responded that this mine has almost 90% Forest area and hence arrangement of around 712 Ha of Compensatory Afforestation (CA) land is a huge challenge. Moreover, although EC & FC-I were vested to NMDC, fulfilling condition of FAC-I pertaining to CA Land is huge challenge for them. In this regard, NMDC had requested MoEF&CC for modification of CA land condition to raise CA over degraded forest land twice the extent of land required (extended to Govt. companies) but the same was rejected by MoEF&CC on 27.05.2024. Now, they have taken various steps for arrangement of fresh CA land, including hiring an external agency and going to various villages to identify suitable land.</p> <p>The Committee took note of the fact that since FC was vested, the timeline of 18 months granted for completion of Milestone No. MS-3 i.e. transfer of EC and FC was not applied for Rohne coal mine. In view of the difficulties faced by NMDC in acquisition of CA land as enumerated by Allottee, the Committee concluded that 18 months (scheduled time for completion of milestone of EC&FC) from date of rejection by MoEF& CC i.e. 27.05.2024 for completion of MS-4 i.e. Land Acquisition may be given. Thus, the new scheduled date for completion of MS-4 may be taken as 27.11.2025.</p> <p>The Committee directed M/s NMDC to submit an undertaking to the Ministry of Coal within 3 working days that they will complete Milestone No. MS-4 till</p>

Sl. No .	Miles tone No	Milestone for which show cause notice was given	Deliberation
			27.11.2025.

Observation & Recommendation: -

Based on the facts presented by the Allottee and O/o NA, the Scrutiny Committee recommended that M/s NMDC would submit an undertaking to the Ministry of Coal within 3 working days to the effect that they will complete Milestone No. MS-4 by 27.11.2025 i.e. 18 months from date of rejection of NMDC's request for modification of CA land condition to raise CA over degraded forest land by MoEF& CC.

The Committee recommended that till 27.11.2025, the imposition of penalty for delay in achievement of MS-4 will be put on hold. The Committee further recommended that in the event MS-4 Milestone is not achieved by 27.11.2025, there will be imposition of penalty in form of appropriation of PBG as per provision of CMDPA for MS-4 without referring the matter to the Scrutiny Committee. However, in the event, NMDC is able to complete the Milestone No. MS-4 before 27.11.2025, the matter will be put up again before the Scrutiny Committee for consideration of Show Cause Notice and corresponding reply.

21. Sugia Closed Coal Mine- Jharkhand State Mineral Development Corporation Limited (JSMDCL)

Show Cause Notices dated 26.12.2022, 08.04.2024 and 03.06.2024 issued for non-compliance with timelines of below mentioned Milestones specified in Schedule E of Allotment Agreement of Sugia Closed coal mine and the corresponding replies of the Allottee were considered in the meeting.

Sl. No .	Mil est one No.	Milestone for which show cause notice was given	Deliberation
1	MS-3B	Forest Clearance Stage-II <i>Due Date- 21.12.2022</i> <i>Actual Date- Not Done</i>	The representative of JSMDCL stated that the main reason was the discrepancy in bounding geographical coordinates for the Mining Lease (ML) area as mentioned in the Allotment Order and as in the Approved Mining Plan. JSMDCL conducted DGPS survey for the ML area and submitted the DGPS survey report to MoC on 05.07.2022 for rectification in bounding coordinates.They had requested MoC for modification of bounding coordinates of the coal mine but the same was rejected. This delayed in timely achievement of the said milestones.
2	MS-4	Environment Clearance <i>Due Date- 21.12.2022</i> <i>Actual Date- Not Done</i>	The office of NA informed that MoC had advised JSMDCL that there was no need to change the

Sl. No	Milestone No.	Milestone for which show cause notice was given	Deliberation
3	MS-5	Grant of ML or notification under section 11 of the CBA Act, 1957, as applicable <i>Due Date- 21.04.2024</i> <i>Actual Date- Not Done</i>	bounding coordinates of Sugia Closed Mine as the coordinates of ML area in the approved Mining Plan in WGS 84 Datum are well within the bounding coordinates given in allotment order. Further, the Allottee was advised by NA office on 29.08.2022 to get DGPS Survey of the geological block boundary. The same was completed by JSMDCL after lapse of one year on 18.08.2023. Even after DGPS Survey of geological block boundary, it was re-established that no change in bounding coordinates are necessary and the same was communicated to JSMDCL on 18.09.2023. Subsequently, JSMDCL took lot of time in getting certificate of non-coal bearing area from CMPDIL for the area lying outside the vested area from CMPDIL. The said certificate has been issued recently on 30.07.2024. Moreover, the Allottee has not yet submitted application for Environment Clearance, Forest Clearance and Mining Lease.

Observation & Recommendation: -

The Committee observed that based on comment of CMPDIL, O/o NA had informed Allottee that there was not any need to change the bounding coordinates of the coal block and the bounding coordinates given in the Allocation order will remain the same. In view of this, the Allottee should have initiated the process for grant of EC, FC and Mining Lease; however, they have not even applied for grant of these clearances. The Committee is also of the view that JSMDCL should have done DGPS survey of the block in the beginning itself for fixation of the boundary of the coal block, however, they have delayed in obtaining DGPS survey report for the geological boundary of the coal block.

Based on the reply of the Allottee, comment of O/o NA and detailed deliberation, the Committee concludes that the delay in instant case is only attributable to the Allottee and therefore, the Committee recommended imposition of penalty in the form of appropriation of PBG as per provision of CMDPA for delay in achievement of Milestone No. MS-3B, MS-4 and MS-5.

22. Bhaskarpara Coal Mine- Prakash Industries Limited (PIL)

Show Cause Notice dated 09.05.2024 was issued for delay in completion of MS-3 Milestone of "Environment Clearance" specified in Schedule E of Coal Mine Development and Production Agreement (CMDPA) of Bhaskarpara coal mine and the corresponding reply of the Allottee were considered in the meeting.

S l. N o	Milestone No	Milestone for which show cause notice	Deliberation
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o	No.	was given	
1	MS-3	Environment Clearance <i>Due Date- 10.09.2023</i> <i>Actual Date- 18.09.2023</i>	The Allottee informed that EAC during its meeting on 13.03.2023, recommended for grant of EC, however, formal grant letter was issued on 18.09.2023 i.e. 8 days after the scheduled date. The delay in issuing grant letter for EC was due to want of FC stage-I which was granted on 21.08.2023. While the due date for grant of EC was 10.09.2023, EC was granted in respect of Bhaskarpara coal mine on 18.09.2024. The Committee noted that the delay is only of 8 days.

Observation & Recommendation: -

Based on the written reply of the Allottee and the deliberation, the Scrutiny Committee observed that EAC during its meeting on 13.03.2023, recommended for grant of EC, however, formal grant letter was issued on 18.09.2023 due to delay in grant of FC stage-1. The Committee observed that the delay in achievement of Milestone is only of 8 days and for this delay the Allottee is not responsible. Accordingly, the Committee recommended for grant of relaxation to Allottee and for not imposing any penalty for minor delay in achievement of MS-3.

23. Durgapur -II/ Taraimar&Sarya Coal Mine- Karnataka Power Corporation Limited (KPCL)

Show Cause Notices dated 21.11.2023 and 08.04.2024 issued for non-compliance with timelines of below mentioned Milestones specified in Schedule E of Allotment Agreement of Durgapur -II/ Taraimar and Sariya coal mine and the corresponding replies of the Allottee were considered in the meeting. The representative of the state government and the Allottee also put up their views on the issues before the Committee.

Sl. No.	Milestone No.	Milestone for which show cause notice was given	Deliberation
1	MS-5	Grant of Mining Lease by GOI under Section 11 of CBA Act, 1957, as applicable <i>Due Date- 02.10.2023</i> <i>Actual Date- Not Done</i>	The representative of KPCL stated that the Mining Lease Application was submitted on 09.04.2020. Thereafter, on advice of the State Government, they submitted revised application on 12.10.2020. The application was forwarded by the Directorate of Mines to DC, Raigarh for comment, however, it was only for Durgapur-II Sariya. On our request, application for Durgapur-II/Taraimar was also forwarded for comment. SDM, Dharamjaigarh, vide its letter dated 14.09.2021, had ordered for a joint survey of ML area which was completed by KPCL representative along-with local administration. After several reminders, NOC from Collector, Raigarh was issued on 02.08.2023 and it was submitted to Directorate
2	MS-6	Possession of land & R&R to reach rated capacity as per	

Sl. No.	Milestone No.	Milestone for which show cause notice was given	Deliberation
		<p>approved Mining Plan</p> <p><i>Due Date- 02.03.2024</i> <i>Actual Date- Not Done</i></p>	<p>of Geology and Mining on the same date. Further, Directorate of Mines, vide its letter dated 11.08.23, sought report from DC, Raigarh regarding the passage of Lemuru elephant corridor through Durgapur-II/Taraimar mine. DC, Raigarh asked for DGPS survey report of Mining Lease area to find out the exact boundary of the coal block.</p> <p>To this, the representative of Government of Chhattisgarh informed that KPCL didn't submit required compliances for two years. Further, based on DGPS survey report, the block boundary has still not been finalized by KPCL. Also, forest clearance (FC) has still not been obtained and it is mandatory for grant of Mining Lease.</p> <p>The Committee enquired from the Allottee about the present status of DGPS Survey wherein the representative of KPCL intimated that DGPS Survey of Durgapur-II/Sarya coal block has been completed but it is still pending in respect of Durgapur-II/Taraimar coal block. Further, KPCL has requested CMPDI to furnish the offer to carry out the DGPS survey of the Mining Lease area on 19.01.2024.</p> <p>The office of NA informed the Committee that the Scrutiny Committee had earlier recommended for imposing of penalty for delay in grant of FC stage-I and FC stage-II in its 19th and 21st meeting respectively. The Scrutiny Committee had then made observation that the EUPs linked with the coal block is not ready and KPCL is not sure whether this EUP will ever be constructed or not. Due to delay in taking decision whether the linked end-use thermal power plants for the mine will be established or not, the whole process of operationlization of the mine got delayed. KPCL is still not sure whether end use plant will be established or not.</p> <p>The Committee also took note of its earlier decision taken in the 19th and 21st Scrutiny Committee meetings wherein penalty had been imposed upon KPCL for non-compliance with timeline of Milestone of FC-I, FC-II and EC wherein an observation was made that the EUPs linked with the coal block is not ready and KPCL is not sure whether this EUP will ever be constructed or not.</p>

Observation & Recommendation: -

The issue of delay in the grant of the Mining Lease and Possession of land & R&R were deliberated upon. The Committee took note of its earlier decision taken in the 19th and 21st Scrutiny Committee meeting wherein penalty had been imposed upon KPCL for non-compliance with timeline of Milestone of FC-I, FC-II and EC and made observation that the EUPs linked with the coal block is not ready and KPCL is not sure whether this EUP will ever be constructed or not.

The Committee also took note of the fact that the representative of the state government did not agree with the reasons for the delay given by the Allottee and they also found Allottee responsible for the delay.

Despite the reasons provided by the Allottee for the delays in grant of Mining Lease and possession of land, the Committee is of the view that the Allottee themselves are mainly responsible for not achieving these milestones within given timeline.

Based on the comment of the Allottee, representative of State government and O/o NA, the Committee has concluded that the Allottee themselves are responsible for non-achievement of Milestone MS-5 and MS-6. Accordingly, the Scrutiny Committee recommended for imposition of penalty in the form of appropriation of PBG as per provision of CMDPA for delay in achievement of Milestone No. MS-5 and MS-6.

24. Parsa Coal Mine- Rajasthan RajyaVidyutUtpadan Nigam Limited (RVUNL)

Show Cause Notices dated 17.05.2023 and 30.05.2024 for non-compliance with timelines of below mentioned Milestones specified in Schedule E of Allotment Agreement of Parsa coal mine and the corresponding replies of the Allottee were considered in the meeting. The representative of the state government and the Allottee also put up their views before the Committee.

Sl. No.	Milestone for which show cause notice was given	Deliberation
1	Schedule of production FY 2022-23 <i>Target- 5.0 MT Actual- Nil</i>	The representative of RRVUNL stated that even though the Mine Opening Permission was obtained by them on 02.11.2021, they have not been unable to commence production due to pending tree felling activity and subsequent handover of forest land by the Forest Department of Chhattisgarh state. This is affecting supply to their End Use Plants and affecting electricity production in Rajasthan. They are repeatedly taking up the issue with State government and Ministry of Coal has also written several letters to the State government. However, tree felling is still pending. The major challenge is the resistance of the local villagers and the NGOs.
2	Schedule of production FY 2023-24 <i>Target- 5.0 MT Actual- Nil</i>	The Committee asked from the representative of the State Government of Chhattisgarh about the law and order situation and resistance of the local villagers regarding Parsa coal mine as highlighted by the Allottee. The state government representative agreed that tree felling activity

Sl. No.	Milestone for which show cause notice was given	Deliberation
		<p>could not be done since there is law & order issue and resistance of villagers and NGOs in whole HasdeoArand area where Parsa coal mine is located.</p> <p>The office of NA informed that Coal Ministry has also taken up the said issue with the State Government of Chhattisgarh several times but the issue remains unresolved till date. It was also informed that the Scrutiny Committee, during its 21st meeting held on 7/8.12.2023, had not found Allottee responsible for delay in achievement of FC,MOP and production in FY 2019-20,FY 2020-21 and FY 2021-22 and therefore the Committee recommended for not imposing any penalty.</p> <p>The Committee also took note of its earlier recommendations made with regard to Parsa coal mine wherein the Committee had recommended for waving off penalty for the delay in achievement of various Milestones since the Committee had not found the Allottee responsible for those delays.</p>

Observation & Recommendation: -

The Committee took note of the representations of the Allottee regarding law and order situation and resistance of the villagers and NGOs in Parsa coal mine and the corresponding comment of the State Government representative on the issue of tree felling activities. The Committee also took note of its earlier decision in its 21st meeting held on 7/8.12.2023 for not imposing any penalty for delay in FC, MOP and production in previous financial years.

Based on submissions made by the Allottee and comment of State government representative and O/o NA, the Committee recommended for not imposing any penalty on the Allottee and recommended for waiver of penalty for non-achievement of Milestones of Schedule of production for FY 2022-23 and FY 2023-24.

25. Gare Palma Sector –I Coal Mine- Jindal Power Limited (JPL)

Show Cause Notice dated 07.05.2024, issued for non-compliance with timelines of below mentioned Milestones specified in Schedule E of Allotment Agreement of Gare Palma Sector –I coal mine and the corresponding reply of the Allottee were considered in the meeting. The representative of the Allottee was allowed to put up its views before the Committee.

Sl. No.	Milestone	Milestone for which show cause notice was given	Deliberation
1	MS -1	Preparation of Geological	The representatives of M/s JPL stated that this is a large coal mine and most ambitious project of JPL.

Sl. No.	Milestone	Milestone for which show cause notice was given	Deliberation
		Report (GR) <i>Due Date-</i> 08.08.2023 <i>Actual Date-</i> Not Done	When the mine was re-allotted to them in 2023, the area of the mine was reduced from 57.39 sq.km to 30.2 sq.km, necessitating a new Geological Report (GR) and Mining Plan (MP). Further, in view of the new guidelines, CMPDIL asked for change in old GR to adhere to the new ISP 22 guidelines.
2	MS-2	Approval of Mining Plan/Project Report <i>Due Date-</i> 08.02.2024 <i>Actual Date-</i> Not Done	<p>Further, the Allottee stated that the Prior Allottee handed over 47 plates of the Mining Plan after 1.5 months only upon intervention of office of NA and thus 2 months given for GR were not sufficient.</p> <p>Regarding the Mining Plan, the Committee noted that the Mining Plan was submitted by JPL on 03.06.2024 i.e. after lapse of due date of Mining Plan approval. To this, the representatives of JPL replied that in view of voids existing in nearby coal mines (also allocated to JPL) an integrated Mining Plan was being made by them to utilise the said voids in Dec 2023. However, MOC did not accept the said proposal and as such new Mining Plan had to be made by them which delayed the submission of Mining Plan.</p> <p>O/o NA informed that though the Gare Palma Sector-I coal mine is fully explored mine, an additional two months were given for the preparation of the Geological Report, as per note 7 of Schedule D of the CMDPA. As such, MS-1 is not applicable, and the completion date for MS-2 i.e. 08.02.2024, has been calculated while duly considering the additional two-months provided for the preparation of the Geological Report (GR).</p> <p>The office of NA also informed the Committee that JPL was always advised to prepare the Mining Plan as per the prevailing guidelines and the lease hold area of another mine cannot be taken in Mining Plan of any other mine. Moreover, the Mining Plan proposal is considered by another committee and not by office of NA.</p> <p>On enquiring about the present status of approval of Mining Plan, the representative of Coal Controller office (CCO) informed that the minutes of the Committee for Mining Plan has already been issued and JPL has been advised to submit revised GR within 1 month, failing which Mining Plan will be automatically rejected.</p> <p>The Committee observed that approval of GR is expected to take at least 1.5 months after vetting by CMPDIL, provided there are no further changes.</p>

Sl. No.	Milestone	Milestone for which show cause notice was given	Deliberation
			<p>Thus, it seems unlikely that M/s JPL will be able to comply with CCO's directives.</p> <p>The Committee asked the Allottee if they ever requested for extension in timelines for GR to which JPL stated that they did request MoC for additional 6 months time but they were informed by the O/o NA that an additional 2 months' time from the date of the vesting order had already been granted to JPL in accordance with the CMDPA. However, the Scrutiny Committee may grant additional time if it considers it appropriate.</p>

Observation & Recommendation: -

The Scrutiny Committee noted that in line with the provision of CMDPA, if 2 months are taken for GR preparation and 6 months time for Mining Plan approval, the scheduled date for MS-2 i.e. Mining Plan Approval is 08.02.2024. The committee also noted that even if 6 months time is given for GR preparation, the scheduled time for grant of MS-2 would be 08.06.2024. However, it is still pending till date and it seems that it will be further delayed.

Based on the deliberations, written reply of the Allottee and the comment of O/o NA, the Committee has come to the conclusion that M/s JPL itself is mainly responsible for failure in timely completion of MS-2 milestone. The Committee, therefore, recommended for imposition of penalty in the form of appropriation of PBG as per provision of CMDPA for MS-2 for failure in obtaining Mining Plan approval within the given timeline.

26. Datima Coal Mine- Shree Cement Limited (SCL)

Show Cause Notice dated 09.02.2024 was issued for non-compliance with timeline of Milestone MS-2 for "Mining Plan approval" in respect of Datima coal mine. The corresponding reply of the Allottee was considered in the meeting. The representative of the M/s Shree Cement Ltd. put up their views before the Committee.

Sl. No.	Milestone No	Milestone for which show cause notice was given	Deliberation
1	MS-3	<p>Mining Plan Approval</p> <p><i>Due Date-</i></p>	<p>The Allottee stated that the ground realities in the coal block differed very substantially from those given in the data furnished in the relevant tender document issued for bidding in the Auction. While</p>

		<p>07.12.2023 Actual Date- 08.04.2024</p>	<p>area of the forest land had been reported as only 32 Ha but it was found to be 245.5 Ha. Further, there was thick human habitation in 5 villages on the surface. There also existed 6 faults in the mine.</p> <p>To this, the office of NA responded that all the Bidders are given the opportunity to visit the mine prior to bidding for the coal mine. M/s SCL could have done their due diligence prior to taking decision for bidding in the mine and the problem they are citing could have been known to them before bidding.</p> <p>Further, the Allottee informed that Datima is a small coal mine having very low quantity of coal reserve. To examine the possibilities of optimum coal extraction, CIMFR was engaged for selecting a method of mining which would result in decent percentage of coal extraction while considering the challenges being faced. CIMFR carried out detailed study and submitted report in October 2023. Based on the report of CIMFR report and DGPS survey report, they decided to go for UG mining with Continuous Miner. Thereafter, the Mining Plan was prepared and submitted for approval on 03.12.2023.</p> <p>The office of NA stated that the Allottee should not have taken so much time in doing the DGPS survey and in choosing the mining method as GR was already with them and therefore, they should have submitted the proposed Mining Plan timely. A crucial few months' time could have been saved if they had taken early decision for UG mining.</p> <p>However, M/s SCL defended its decision to engage CIMFR as it helped them maximize the extractable reserves quantity. The Allottee also stated that presence of OB dumping by erstwhile NCDC over 2.4 ha area within the mine boundary raised concerns during approval process of the Mining Plan. The Internal Committee for approval of Mining Plan made observations regarding overlap with adjacent areas. This was sorted out with the help of CMPDIL.</p> <p>The Committee then asked the Allottee that when they expect the achievement of next Milestones, i.e., MS-3. The Allottee assured that MS-3 Milestone will be achieved within the scheduled timeline as per CMDPA. The Allottee also agreed to give an undertaking for above mentioned assurance within 3 working days to the office of NA.</p>
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Observation & Recommendation: -

The Allottee explained the reasons for delay in obtaining approval of Mining Plan. However, the Committee felt that the Allottee delayed in deciding the mining

method and in applying for approval of the Mining Plan and it delayed in achievement of MS-2 by 4 months.

Accordingly, the Committee noted that taking into consideration the due date for MS-2, i.e., Mining Plan Approval as 07.12.2023 and allowing normative period of 18 months for MS-3, the scheduled date for achievement of MS-3 Milestone works out to be 07.06.2025. The Committee also took note of the assurance of the Allottee that they will give undertaking to O/o NA to achieve MS-3 by 07.06.2025 as per CMDPA within 3 working days.

Based on the deliberations, written reply of the Allottee and the assurance of the Allottee for timely achievement of next milestone, the Committee decided to put on hold the decision on Show Cause Notice for MS-2, i.e., Mining Plan Approval. The Committee further recommended that in the event next milestone i.e. MS-3 is achieved by 07.06.2025, the issue of Show Cause notice for MS-2 Milestone will again be put up before the Scrutiny Committee for a decision. However, in the event MS-3 Milestone is not achieved by 07.06.2025, the Committee recommended for imposition of penalty in the form of appropriation of PBG as per provision of CMDPA for MS-2 without referring the matter to the Scrutiny Committee.

27. Jhigador Coal Mine- CG Natural Resources Private Limited (CGNRPL)

Show Cause Notices dated 29.05.2023 and 03.06.2024, issued for non-compliance with timelines of below mentioned Milestones specified in Schedule E of Allotment Agreement of Jhigador coal mine and the corresponding replies of the Allottee were considered in the meeting. The representative of the state government and the Allottee also put up their views on the issues before the Committee.

Sl. No.	Milestone No.	Milestone for which show cause notice was given	Deliberation
1	MS-1	Preparation of Geological Report (GR) -(After 15 months upto 24 months from the date of allocation) <i>Due Date- 18.02.2023</i> <i>Actual Date- Not Done</i>	The representative of M/s CGNRPL informed the Committee that till date, exploration and drilling has not commenced as the State Government has not yet granted Prospecting License. The application for PL was Submitted to State government on 25.11.2021. Thereafter, several letters have been written by them for grant of PL. O/o NA has also written several letters to State Government to expedite grant of PL.
2		Preparation of Geological Report (GR) -(After 24 months upto 30 months from the date of allocation) <i>Due Date- 18.11.2023</i>	The representative of State Government of Chhattisgarh agreed that it is pending with State government, as the area of the mine is more than 25 square km, while as per MMDR Act. PL can be granted for a maximum 25 square km area. The office of NA informed the Committee that now the Central Government has amended the MMDR Act and vide its order dated 07.03.2024 has increased the area limit for PL to 90 Sqkm

		<i>Actual Date- Not Done</i>	<p>for coal blocks located in Chhattisgarh. The area of Jhigador coal mine is 39.71 Sqkm and now the PL may be granted by the State Government.</p> <p>The office of NA also informed that Show Cause notice dated 29.05.2023 was considered by the Committee in its 21st meeting held on 07/08/12.2023. Due to absence of State representative and their comment; the committee had then deferred the decision.</p>
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Observation & Recommendation: -

The Committee observed that Central Government amended the MMDR Act and vide its order dated 07.03.2024 increased the area limit for PL from 25 Sqkm to 90 Sqkm for coal blocks located in Chhattisgarh while the area of Jhigador coal mine is 39.71 Sqkm . Based on submissions made by the Allottee, office of NA and representative of the State Government, the Committee recommended that the date of Central govt's notification i.e. 07.03.2024 regarding increase in area for grant of PL should be taken as the new Zero Date for the said coal mine. Accordingly, the committee recommended for revision in timeline for milestones by taking 07.03.2024 as the Zero Date.

28. Khargaon Coal Mine-CG Natural Resources Private Limited (CGNRPL)

Show Cause Notices dated 29.05.2023 and 03.06.2024, issued for non-compliance with timelines of below mentioned Milestones specified in Schedule E of Allotment Agreement of Khargaon coal mine and the corresponding replies of the Allottee were considered in the meeting. The representative of the state government and the Allottee also put up their views on the issues before the Committee.

Sl. No.	Milestone No.	Milestone for which show cause notice was given	Deliberation
1		Preparation of Geological Report (GR) - (After 15 months upto 24 months from the date of allocation) <i>Due Date- 18.02.2023</i> <i>Actual Date- Not Done</i>	<p>The representative of M/s CGNRPL informed the Committee that till date, exploration and drilling has not commenced as the State Government has not yet granted Prospecting License.</p> <p>The application for PL was Submitted to State government on 25.11.2021. Thereafter, several letters have been written by them for grant of PL. O/o NA has also written several letters to State Government to expedite grant of PL.</p>
2	MS-1	Preparation of Geological Report (GR) - (After 24 months upto 30 months from the date of allocation) <i>Due Date- 18.11.2023</i> <i>Actual Date- Not Done</i>	<p>The representative of State Government of Chhattisgarh agreed that it is pending with State government, as the area of the mine is more than 25 square km, while as per MMDR Act. PL can be granted for a maximum 25 square km area.</p> <p>The office of NA informed the Committee that now the Central Government has amended the MMDR</p>

			<p>Act and vide its order dated 07.03.2024 has increased the area limit for PL to 90 Sqkm for coal blocks located in Chhattisgarh. The area of Khargaon coal mine is 40.11 Sqkm and now the PL may be granted by the State Government.</p> <p>The office of NA also informed that Show Cause notice dated 29.05.2023 was considered by the Committee in its 21st meeting held on 07/08/12.2023. Due to absence of State representative and their comment the Committee had then deferred the decision</p>
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Observation & Recommendation: -

The Committee observed that Central Government amended the MMDR Act and vide its order dated 07.03.2024 increased the area limit for PL from 25 Sqkm to 90 Sqkm for coal blocks located in Chhattisgarh while the area of Khargaon coal mine is 40.11 Sqkm . Based on submissions made by the Allottee, office of NA and representative of the State Government, the Committee recommended that the date of Central govt's notification i.e. 07.03.2024 regarding increase in area for grant of PL should be taken as the new Zero Date for the said coal mine. Accordingly, the Committee recommended for revision in timeline for milestones by taking 07.03.2024 as the Zero Date.

29. NamchikNamphuk–M/sCoal Pulz Private Limited (CPPL)

Show Cause Notice dated 12.06.2024 for delay in completion of transfer of statutory permissions obtained by Prior Allottee and opening of Escrow Account and the corresponding replies of Allottee were considered by the Scrutiny Committee.

Milestone for which show cause notice was given	Deliberation
<p>Delay in completion of transfer of statutory permissions obtained by prior allottee/ obtain fresh statutory permissions (if required).</p> <p>Delay in Opening of Escrow account</p> <p>Due Date: 17.05.2024</p> <p>Actual Date: Pending</p>	<p>The Office of the Nominated Authority informed that a Show Cause Notice dated 12.06.2024 was issued due to M/s CPPL's failure to meet the milestones outlined in the Coal Mine Development and Production Agreement for the Schedule-II Coal Mine within nine months from the date of vesting.</p> <p>M/s CPPL informed the Committee that they were vested with Forest Clearance for Stage-I (128.97 hectares) and Stage-II (39.02 hectares), Environmental Clearance and Mining Plan for 133.65 hectares. Further, it was stated that the Environmental Clearance was transferred on March 11, 2024, for 133.65 hectares. They applied for the transfer of Forest Clearance for 128.97 hectares area on 23.08.2023. However, due to procedural delays by the forest department, only slow progress has happened in respect of grant of FC. Despite the environmental sensitivity of the area, M/s CPPL expressed optimism about obtaining approval soon, given the lower tree density.</p> <p>Regarding the Mining Lease and Mining Plan, the Allottee stated that the vested Mining Plan covered 133.65 hectares which included only 25 hectares from 92 hectares of vested area.</p>

Milestone for which show cause notice was given	Deliberation
	<p>Therefore, the Allottee initially applied for a Mining Lease of 194.68 hectares to secure the entire vested area, However, the Government of Arunachal Pradesh did not respond to this application. Further, on advice of O/o NA, the Allottee subsequently applied for a Mining Lease for 133.65 hectares, aligning with the transferred Environmental Clearance and the vested Mining Plan.</p> <p>The Committee inquired whether M/s CPPL intended to seek approval for the entire vested coal area. M/s CPPL confirmed their intention to commence Phase-I mining operations within the 133.65 hectares as per the vested Mining Plan. The Directorate of Geology and Mining officials corroborated that the Mining Lease application would be approved following clearance from the Forest Department</p> <p>Regarding the delay in opening the escrow account, M/s CPPL informed that the vested Mining Plan does not include Mine Closure Plan and therefore, they are not able to open Escrow Account. Further, they applied for modifications (addition of mine closure plan) in Mining Plan and they have also responded to all the EDS raised by the Coal Controller's Organization (CCO).</p> <p>The Committee inquired whether M/s CPPPL intend to pursue any additional clearances. In reply, M/s CPPL confirmed that they plan to obtain a modification to the Mining Plan and Mining Lease in alignment with the vested Environmental and Forest Clearances.</p> <p>The Allottee also assured that they will be able to get all statutory clearances including opening of Escrow Account within 6 months.</p>

Observations and Recommendations of the Committee:

Show Cause Notice dated 12.06.2024 for delay in completion of transfer of statutory permissions obtained by Prior Allottee and opening of Escrow Account were issued. The due date for completion of the above mentioned milestones is 17.05.2024, however, completion of this listed milestones is still pending. During the discussion it was observed by the Scrutiny Committee that the Allottee submitted a Mining Lease application for 194.68 Ha area while the vested Mining Plan was of only 133.65 Ha area. The Committee also acknowledged the fact that the vested Mining Plan does not include mine closure plan and this delayed in applying for opening of Escrow Account.

After considering the above facts, the Committee recommended that the Allottee may be provided with additional time for completion of statutory clearances and opening of Escrow Account.

Based on the assurance of the Allottee for completion of all clearances in next 6 months, the Committee recommended for giving 6 additional months for completion of all clearances from the due date(17.05.2024) for completion of milestone as per CMDPA. The Allottee also agreed that they will achieve all clearances by 17.11.2024.

The Committee directed the Allottee to give an undertaking to the Nominated Authority within three working days declaring that they will complete the said milestone by 17.11.2024. The Scrutiny Committee further recommended that in the event the above mentioned milestone is achieved by 17.11.2024, the issue will again be put up before the Committee for a decision. However, in the event the said milestone is not achieved by 17.11.2024, the Committee recommended for imposition of penalty in form of appropriation of PBG as per provision of CMDPA without again referring the matter to the Scrutiny Committee.

30. MarkiMangli II -M/sYazdani International Private Limited (YIPL)

Show Cause Notice dated 18.06.2024, for delay in completion of MS-3 Milestone related to Forest Clearance, Wildlife Clearance and Environment Clearance and the corresponding reply of the Allottee were considered by the Scrutiny Committee.

Milestone for which show cause notice was given	Deliberation
<p>Delay in Grant of Environment Clearance (MS-3)</p> <p>Due Date: 13.04.2024</p> <p>Actual Date:Pending</p>	<p>The Office of the Nominated Authority informed that earlier a Show Cause Notice dated 21.09.2022 was issued for delay in achieving MS-II (approval of the Mining Plan). The Scrutiny Committee in its 20th meeting had observed that the revised Mining Plan was approved 19 months after the allocation and for this delay the Committee had recommended penalty as per CMDPA.</p> <p>The due date for achievement of MS-III is 18 months from the actual date of completion of MS-II as per CMDPA. MS-II, i.e, Mining Plan approval was achieved on 13.10.2022 and therefore the due date for MS-III is 13.04.2024. However, the Allottee failed to achieve this milestone till date.</p> <p>The Allottee informed the Committee that MS-III (which includes Forest Clearance Stage-I & Stage-II, Wildlife Clearance, and Environmental Clearance) is pending due to non-approval of Forest Clearance Stage-I. Public Hearing and final EIA/EMP report have been completed. However, the final EIA/EMP report and Public hearing minutes have not been submitted as Forest Clearance Stage-I is still pending.</p> <p>The Allottee further informed that the Forest Clearance application was recommended by the Government of Maharashtra to the MoEF&CC on 02.08.2023, and the proposal for FC Stage-I for MarkiMangli-II was presented at the Forest Advisory Committee (FAC) meeting on 30.04.2024. They mentioned that the delay was partly due to the late submission of the Regional Officer's (RO) report. The Allottee also stated that they are unable to proceed with other clearances due to pending FC Stage-I.</p> <p>The Nodal Officer & APCCF, Nagpur stated that FC Stage-I would have been granted during the FAC meeting on 30.04.2024, but the Allottee requested a 20% relaxation in Compensatory Afforestation (CA) land, as the CA land was adjacent to an eco-sensitive zone. The MoEF&CC asked the Regional Officer to verify and submit a report, which has been done, and FC Stage-I approval is now expected during the next FAC meeting scheduled for 27.08.2024.</p> <p>The Nodal Officer also informed that M/s YIPL registered on the Parivesh portal on 31.07.2021 but took 10 months to submit the</p>

Milestone for which show cause notice was given	Deliberation
	required documents for Stage-I diversion, which they submitted on 23.05.2022. EDS was raised and compliances submitted in December 2022. Despite this, there was an overall delay of 18 months in submitting the necessary documents for the FC Stage-I application. Once the application was forwarded to the MoEF&CC, another EDS was raised in January 2024 by MoEF&CC. M/s YIPL further delayed in submission of the compliance report to the MoEF&CC. Due diligence has not been done by the Allottee in submission of application which is complete in all aspect for FC stage-I and this led to the delay in grant of FC stage-I.

Observations and Recommendations of the Committee:

Show Cause Notice was issued for failure in achievement of MS-III (Forest Clearance (Stage-I & Stage-II), Wildlife Clearance & Environmental Clearance). The Committee observed that the due date for completion of the MS-III milestone is 13.04.2024, however, it is still pending. During the discussion it was observed that due diligence was not done by the Allottee in submission of application for FC Stage-I which is complete in all aspect and this led to issuance of EDS at different levels. The Committee also noted that the time required for normal administrative procedures are already factored into the timeline given for various milestones in the CMDPA. It is the responsibility of the Allottee to submit application along with all requisite documents and do proper follow-ups. Committee also took note of the statement of the official of State Forest department who didn't endorse the comment made by the Allottee.

Based on the reply of the Allottee and comment of O/o NA and State government official, the Scrutiny Committee is of the view that the Allottee is responsible for non-achievement of MS-III within the Scheduled timeline. Accordingly, the Committee recommended for appropriation of Performance Bank Guarantee for failure in achievement of MS-III as per the provisions of CMDPA.

31. Kalyanpur-Badalpara Coal Block:-M/s. Haryana Power Generation Co. Ltd. (HPGCL)

The Kalyanpur-Badalpara Coal Block has been allocated to M/s. Haryana Power Generation Co. Ltd. (HPGCL). Following the allocation of the Kalyanpur-Badalpara Coal Block in 2016, HPGCL faced difficulties in commencing drilling activities due to law & order issues. On 19th October 2020, HPGCL requested the termination of the Coal Block Development and Production Agreement (CBDPA) due to an Extended Force Majeure condition and sought the release of Bank Guarantee of Rs 15.015 Crore. The request of HPGCL was forwarded to state government for comments which are awaited.

Subsequently, a policy allowing government companies a one-time opportunity to surrender non-operational coal blocks without penalty was approved on 7th April 2022. HPGCL submitted a surrender request on 26th August 2022. However, their request was not within the amnesty scheme's window period (9th May 2022 to 8th August 2022) and was thus not considered. This was communicated to HPGCL on 12th December 2022.

On 10th July 2023, HPGCL withdraw their previous surrender plea and requested that they may be allowed to make another attempt to develop the Kalyanpur-Badalpara coal block and requested an extension for the timeline of activities

specified in Schedule-IV-A of the CBDPA. Ministry of coal agreed to their request on condition that milestone should be achieved. However, no update of further development of the block has been received from HPGCL.

Observation & Recommendation: The allottee did not attend the meeting. Consequently, the Committee has deferred the case of HPGCL to the next meeting for further consideration.

32. Kente Extension Coal Block:-M/s RajsthanRajyaVidyutUtpadan Nigam Ltd.(RRVUNL)

The Kente Extension Coal Block was allocated to M/s RRVUNL on 31.03.2015, with the Coal Block Development and Production Agreement (CBDPA) signed on 26.10.2015 and the first amendment on 10.08.2016. The 15th Scrutiny Committee meeting discussed these issues and found that while delays in obtaining the prospecting license was not on the part of RRVUNL's fault, there were delays in the preparation of the Geological Report (GR) and submission of the Mining Plan. Accordingly, BG was appropriated as recommended by the scrutiny committee. The allottee contends that, delays in granting of PL and due to COVID-19, other milestones have also been delayed which would have been otherwise achieved, there would be no further delays or only minor delays in other milestones.

Observation & Recommendation: -During the 24th Scrutiny Committee meeting, representative of the Government of Chhattisgarh, confirmed that the delays cited by the allottee were valid. These delays were attributed to local resistance, law and order issues, and opposition from activists related to the Hasdeo Forest. Given these circumstances, the Committee concluded that the allottee should not be held responsible for these delays and recommended towaive off the appropriation of the Bank Guarantee (BG) for delay in Mining Plan approval, Previous approval, FC application, EC application & grant of Mining Lease.

For pending milestones i.e. Forest Clearance, Environment Clearance, Land Acquisition, Opening of Escrow account, Application for opening permission, Grant of opening permission, the decision on BG appropriation is deferred until 31.03.2026. The allottee must provide an undertaking to the Ministry of Coal that all activities would be completed by 31/03/2026. The matter will again be reviewed by the Scrutiny Committee after 31/06/2026.

Annexure – I

List of participants:

Members of the Scrutiny Committee and State Govt. representatives:

Sl No.	Name	Designation
1.	Shri P S Bhattacharya	Chairman of the Committee, Ex-Chairman, CIL
2.	Shri N C Jha	Member, Ex-Chairman, CIL
3.	Shri P Mohangandhi	Secretary Mines, State Govt. of WB
4.	Shri S K Swain	Additional Secretary, State Govt. of Odisha

5.	Shri Sanjeev Kumar	Deputy Director, Mines & Geology Department, Govt. of Jharkhand
6.	Shri Sanjay Khare	Deputy Director, Department of Mines & Geology, Govt. of Chhattisgarh
7.	Shri Er. SamsamNgemu	Tech. Officer, Govt. of AP
8.	Shri Anand Singh Rawal	Geologist, Govt. of AP
9.	Shri Naresh Jhurmure	PCCF, Govt. of Maharashtra
10.	Shri Anurag Choudhary	Director, Govt. of Madhya Pradesh
11.	Shri S SBaghel	Dy. Director, Govt. of Madhya Pradesh
12.	Shri C Patra	GM, CMPDIL
13.	Shri Ashish Verma	Office of CCO

Ministry of Coal:

Sl No.	Name	Designation
1.	Shri MarapallyVenkateshwarlu	Director (Tech.)/NA
2.	Shri AlokVerma	Under Secretary, O/o NA
3.	Shri Jitendra Kumar	General Manager (Min), O/o NA
4.	Shri Prince Kumar	Executive Engineer, O/o NA
5.	Shri KomirineniVenkateshwarlu	Additional Manager, O/o NA
6.	Shri Jaibant Dev Varma	Deputy Chief Manager, O/o NA
7.	Shri Harishchand	Manager, O/o NA
8.	Ms Harpreet Kaur	Manager, O/o NA
9	Shri Arvind Mehta	Dy. Manager, o/o NA

Allottees:

Sl No.	Name	Company
1.	Kapil Dhagat	EVP, M/s JSPL
2.	Tarun Panda	DGM, M/s JSPL
3.	Ashok Kumar	DGM, M/s JSPL
4.	K S Singh	GM, MCL
5.	A Rai Chaudhary	GM/Mining, M/s DPL
6.	Jyant Kumar Bishoi	DGM/Mining, M/s DPL

7.	Niraj Kumar	GM/ Mining, M/s BCCL
8.	PraladhRawat	CFO, M/s Vedanta Limited
9.	C Bhowmic	CEO, M/s Vedanta Limited
10.	Vinod Purohit	Legal, M/s Vedanta Limited
11	LRC Reddy	HoM, M/s OCPL
12	Sandeep Kumar Jain	Dy. Executive Director, Dalmia Cement Bharat Limited
13	Sushil Kumar	AGM, Dalmia Cement Bharat Limited
14	Ambuj Kumar Srivastav	Assistant Executive Director-Legal, Dalmia Cement Bharat Limited
15	Shikha Sandhu	Manager-Legal, Dalmia Cement Bharat Limited
16	Gora Koley	President –Mining, Gangaramchak Mining Private Limited
17	Rajiv Thakur	GM-Laising, Gangaramchak Mining Private Limited
18	Naveen Gaur	AGM-Laising, Gangaramchak Mining Private Limited
19	MrigankShekhar	Business-Head, Shreesatya Mines Private Limited
20	Rajeev Raman	GM-Coal Projects, JSW Steel Limited
21	Arindham Sinha	AGM-Legal, JSW Steel Limited
22	Vijayant Chaudhary	Deputy-GM-Mining, JSW Steel Limited
23	Jayapal Reddy	Executive Director, NMDC Limited
24	DK Kundu	General Manager, NMDC Limited
25	B.P. Mahudwale	Dy. General Manager, NMDC Limited
26	Sudhir R Singh	Dy. General Manager, NMDC Limited
27	S. Swaminathan	Assistant General Manager, NMDC Limited
28	Abhinesh Kumar Singh	Incharge (Coal), Jharkhand State Mineral Development Corporation Limited
29	Sanju Sinha	Incharge(Survey), Jharkhand State Mineral Development Corporation Limited
30	A. K.Chaturvedi	Director(Corporate Affairs), Prakash Industries Limited
31	S. Sharma	Resident Engineer, Karnataka Power Corporation Limited
32	DevendraShringi	Chairman cum Managing Director, Rajasthan RajyaVidyutUtpadan Nigam Limited
33	M. S. Rathore	Commercial Head-MDO, Rajasthan RajyaVidyutUtpadan Nigam Limited
34	U Kumar	Advisor(Coal Mines), Shree Cement Limited
35	Pankaj Agarwal	Authorised Signatory, Shree Cement Limited
36	Shanto Mukherjee	Head(Mine Planning), CG Natural Resources Private Limited
37	AkshitDhamecha	DGM(Contracts Administration), CG Natural Resources Private Limited

38	Jayapal Reddy	Executive Director	NMDC Limited
39	DK Kundu	General Manager	
40	B.P. Mahudwale	Dy. General Manager	
41	Sudhir R Singh	Dy. General Manager	
42	S. Swaminathan	Assistant General Manager	
43	Abhinesh Kumar Singh	Incharge (Coal)	Jharkhand State Mineral Development Corporation Limited
44	Sanju Sinha	Incharge(Survey)	
45	A.K.Chaturvedi	Director(Corporate Affairs)	Prakash Industries Limited
46	S. Sharma	Resident Engineer	Karnataka Power Corporation Limited
47	DevendraShringi	Chairman cum Managing Director	Rajasthan RajyaVidyutUtpadan Nigam Limited
48	M. S. Rathore	Commercial Head-MDO	
49	U Kumar	Advisor(Coal Mines)	Shree Cement Limited
50	Pankaj Agarwal	Authorised Signatory	
51	Shanto Mukherjee	Head(Mine Planning)	CG Natural Resources Private Limited
52	AkshitDhamecha	DGM(Contracts Administration)	
53	Naveen Kumar Gupta	Director, Coal PulzPvt. Ltd.	
54	Atiqur Rahman Barbhuiya	Director, Coal PulzPvt. Ltd.	
55	Pallav Kumar Phukan	Advisor, Coal PulzPvt. Ltd.	
56	Ashok Kumar Pani	Vice President, Yazdani Int. Pvt. Ltd.	
57	Ashish Goswami	Manager, Yazdani Int. Pvt. Ltd.	
58	Debashish Choudhury	M/s RCCPL Pvt Ltd.	
59	Somdatt Bhardwaj		
60	Rajesh Kumar Chaudhary	M/s Auro Coal Private Limited	
61	Satya Narayan Meena		
62	A.K. Sharma	OSD, M/s THDCIL	
63	Vijay Kumar	AGM, M/s THDCIL	
64	Samrat Mukherjee	Manager, M/s THDCL	
65	Prakash Kr Sahu	Dy. Manager, M/s THDCL	
66	Chandra Deo Prasad Tewari	DGM, M/s JSW Cement Limited	

67	SudhakarGundla	DGM, M/s JSW Cement Limited
68	Arindam Sinha	AGM, M/s JSW Cement Limited
69	LollaSudhakar	M/s MP Natural Resources Pvt. Limited
70	Shanto Mukherjee	
71	Rakesh Kumar	