

Through Email/Speed Post/Website of Ministry of Coal

File No NA-203/3/2022-NA
Government of India
Ministry of Coal
Nominated Authority

Room No. 120, "F" Wing, Shastri Bhawan,
New Delhi, Date: 28.11.2024

To,

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

Subject: E-Payment of excess amount of INR 15,79,70,226/- deposited towards Cost of Geographical Report payable to the successful allottee, M/s Jindal Steel and Power Limited (JSPL) with respect to Utkal C coal mine.

Sir/Madam,

I am directed to convey the sanction of the President for the E-Payment for a sum of **INR 15,79,70,226/-** (INR Fifteen Crore Seventy-Nine Lakh Seventy Thousand Two Hundred and Twenty-Six only) to the successful allottee under the provisions of the Coal Mines (Special Provisions) Act, 2015 by the Coal Controller in his capacity as 'Commissioner of Payments' towards excess Cost of Geographical Report of **INR 15,79,70,226/-**. It is stated that the above mentioned amount is a part of Excess Fixed Amount deposited by the Successful Bidder of Utkal C coal mine.

2. The aforesaid amount may be transferred through E-Payment to the successful allottee M/s Jindal Steel and Power Limited (JSPL) having CIN: L27105HR1979PLC009913, under the provisions of Section 15 (1) of the Coal Mines (Special Provisions) Act, 2015.
3. The expenditure on this account is debited to the Head **8443.00.117.03.04.00**.
4. This issue with the approval of Integrated Finance Division, Ministry of Coal vide note no # 307 dated 25.11.2024 of file no NA-203/3/2022-NA, Computer No: 352295.

Yours faithfully,

Ajitesh Kumar

(Ajitesh Kumar)
Director

Copy to:

1. The Coal Controller in the capacity as Commissioner of Payments,

Coal Controller Organization, Scope Minar, 5th Floor, Core-II, Laxmi Nagar Delhi-110092 – for further disbursement under the provisions of the Coal Mines (Special Provisions) Act, 2015 to the prior allottee within ten days of the transfer of above amount from PAO. It may be ensured that Payment is made to the prior allottee company as per the said Act. Further, an affidavit in the prescribed format (**Annexure-I**) may also be obtained from the claimant prior to disbursal.

2. **CMD, CMPDI**, Kanke Road, Ranchi

3. **US (IFD)**, Ministry of Coal.

4. **US (P&S section)**, Ministry of Coal.

5. **DDO**, Nominated Authority.

6. (**Prior Allottee**): Managing Director, Utkal Coal Limited (formerly ICCL), IMFA Building, Bomikhal, Rasulgarh, Bhubaneswar-751010, Odisha Email ID: pkhandelwal@imfa.in

7. (**Successful Allottee**): Managing Director, M/s Jindal Steel and Power Limited, O.P Jindal Marg, Hisar, Haryana -125005, India and principal place of business is at Jindal Center, 12, Bhikaji Cama Place, New Delhi- 110066, India.

8. **TD, NIC**: for uploading on the Website of Ministry of Coal.

(Annexure I)

(To be stamped in accordance with the relevant Stamp Act and duly sworn before Notary Public)
UNDERTAKING FOR RECEIVING THE AMOUNT TOWARDS COST OF MINE INFRASTRUCTURE

I, _____aged _____years, resident of _____working as _____an authorized signatory on behalf of _____(name of Prior Allottee) hereby states as under:

1. That I am the Authorised Signatory of the Prior Allottee. I am conversant with facts and circumstances surrounding the subject of this Undertaking and have been authorized to undertake the same.

2. That M/s. _____is/are the Prior Allottee (s) of the _____(the "Coal Mine") in terms of the Coal Mines (Special Provisions) Act, 2015 (the "Act")/successor-in-interest of the Prior Allottee of the Coal Mine. As such the Prior Allottee is entitled to receive compensation on account of Land

OR

2. That the Mining Lease for the Coal Mine has been executed in favour of M/s. _____ and therefore by virtue of the provisions of the Coal Mines (Special Provisions) Act, 2015 (the "Act"), M/s. _____is/are deemed to be the Prior Allottee (s) of the _____(the "Coal Mine")/ successor-in-interest of the Prior Allottee of the Coal Mine. As such the Prior Allottee is entitled to receive compensation on account Land obtained. [Applicable in case where Mining Lease had been executed in favour of third party Delete the clause whichever is not applicable.]

3. That M/s. _____ has been authorized by the other Joint Prior Allottee (s)/Joint Venture Partners to obtain the claim on behalf of it. A "No Objection Certificate" from the Joint Prior Allottee (s)/Joint Venture Partners in this regard is enclosed herewith for record.

4. That the Prior Allottee (s) has incurred the Cost of Land for _____ coal mine and is entitled to get compensation of the same. The details of account for this purpose is as under:
Name of the Account holder company _____ Name of the Bank/Branch _____
MICR _____ IFSC _____ File No NA-203/3/2022-NA

5. That the Prior Allottee (s) indemnifies the Nominated Authority &/or the Central Government against any liability, cost, damages or losses in relation to the disbursement.

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

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

Solemnly affirmed and verified on this _____ day of _____ (month) 2024 at (place).

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

VERIFICATION

I, _____ aged _____ years, resident of _____ working as _____ an authorized signatory on behalf of _____ (name of Prior Allottee) do hereby solemnly declare that what is stated in paragraphs 1 to 7 above is on the basis of the books and records of the Prior Allottee, and verify that the contents of the above affidavit are true and correct, no part of it is false and nothing material has been concealed therefrom.

Verified at _____ day of _____ (month) 2024 at (place).

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

Through E-mail/ on MoC Website

File No. NA-203/3/2022-NA
Government of India
Ministry of Coal
Nominated Authority

120-F, Shastri Bhawan, New Delhi
Date: 11.11.2024

FINAL COMPENSATION ORDER

Subject: The Coal Mines (Special Provision) Act, 2015 and the Hon'ble High Court of Delhi judgment dated March 09, 2017- which pertains to the valuation of compensation payable to prior allottee, M/s Utkal Coal Limited (Formerly known as ICCL) in respect of Utkal-C coal mine.

In accordance with the provisional compensation order dated 15.10.2024, a meeting was convened on 28.10.2024 at 3:30 PM, to present the comments or objections from both the prior allottee M/s Utkal Coal Limited (M/s UCL), as well as the successful allottee M/s Jindal Steel and Power Limited (JSPL) of Utkal-C coal mine regarding the determination made by the Nominated Authority in respect of Mine Infrastructure.

2. During the meeting, M/s Utkal Coal Limited (M/s UCL) and M/s Jindal Steel and Power Limited (JSPL) were present to discuss the provisional compensation determination.

3. Subsequently, M/s JSPL (successful allottee) accepted the provisional compensation determination dated October 15, 2024, pertaining to the Mine Infrastructure for the Utkal-C coal mine. However, vide letter dated 25.10.2024 and in the meeting prior allottee, M/s Utkal Coal Limited (M/s UCL) has raised the following objections:

- I. M/s. UCL raised concerns regarding non-consideration of capital expense related to railway siding, coal washery and R&R infrastructure.
- II. M/s. UCL mentioned that Rs.8,52,86,388/- has been incurred to create only tangible assets and these assets have been handed over to M/s. JSPL on "As in where is basis", this ought to be considered towards compensation to the prior allottee.
- III. R&R capital expense comprise of 93 nos. of residential quarter (71 completed, 4 core houses and 18 nos. completed upto plinth level) Bank building, Community centre, Gym, Temple, Veterinary Hospital, Post office, Primary Health Centre, School etc.

4. In response to the above objections Nominated Authority clarified M/s Utkal Coal Limited (M/s UCL) as follows:

- I. The claim corresponding to the consultancy and licencing free of Railway Siding has not been considered as the said claim does not come under the Mine Infrastructure. And as per 11 B (a) of AVC report dtd. 16.11.2018 coal washery expenses is not directly related to coal mining activity, therefore it is not include for valuation purpose.
- II. As per 11 B (d) of AVC report dtd. 16.11.2018, R&R expenses other than on account of land for R&R are not covered under the definition of Mine Infrastructure.
- III. Therefore, admissibility of Mine Infrastructure outside coal block area is not covered under the definition of Mine Infrastructure under CM (SP) Act2015 and AVC report.

III. Land acquired for R&R outside the mine boundary has already been considered in compensation order of Land, however, the building(s) constructed over the said land will not be treated as mine infrastructure and compensation for such buildings will have to be negotiated between the Successful allottee and Prior allottee.

5. In view of the above, compensation towards Mine Infrastructure for Utkal-C coal mine has been finalized and is as detailed in Table 'A' below:

Table 'A' Fig in 'INR'

Mine Infrastructure (A)	Total Amount
8,62,61,240/-	8,62,61,240/-

6. It is pertinent to mention that M/s JSPL has deposited INR 8,31,80,802/- as part of the fixed cost for Mine Infrastructure. Whereas, the total compensation payable to M/s. UCL for the mine infrastructure of Utkal-C coal mine has been determined as INR 8,62,61,240/-. This results in an additional amount of INR 30,80,438/- which is required to be paid to M/s. UCL to fully settle the compensation for the Mine Infrastructure.

7. It is also provided that M/s. JSPL has also deposited INR 18,55,97,244/- towards fixed cost for the Geological Report, out of this INR 2,45,46,580/- was sanctioned to the prior allottee vide sanction order dtd. 16.11.2022, leaving an excess balance of INR 16,10,50,664/- with Nominated Authority. Therefore, the additional cost of INR 30,80,438/- for the Mine Infrastructure will be adjusted, and the remaining balance of INR 15,79,70,226/- will be refunded to the successful allottee, M/s. JSPL.

8. According to Section 27 of the Act and the judgment dated March 09, 2017, prior allottee M/s Utkal Coal Limited (M/s UCL), as well as the successful allottee M/s Jindal Steel and Power Limited (JSPL), have the option to raise disputes regarding the compensation amount before the Tribunal constituted under the Coal Bearing Area (Acquisition and Development) Act, 1957.



[Rupinder Brar]

Additional Secretary & Nominated Authority

To,

1. **Prior Allottee** :- The Chairman & Managing Director, M/s Utkal Coal Limited (formerly ICCL), IMFA Building, Bomikhal, Rasulgarh, Bhubaneswar-751010, Odisha Email id: pkkhandelwal@imfa.in
2. **Successful Allottee** :- The Managing Director, Jindal Steel and Power Limited, O.P. Jindal Marg, Hisar, Haryana -125005, India and principal place of business is at Jindal Centre, 12 Bhikaji Cama Place, New Delhi-110066
3. **Coal Controller's Organisation**, Ministry of Coal, Scope Minar, 5th Floor, Core - II Laxmi Nagar, Delhi - 110092
4. **Under Secretary** (P&S-II Section), Ministry of Coal
5. **Sr. TD, NIC**: for uploading on the Website of Ministry of Coal

List of Participants for the meeting dated 28.10.2024			
SL No	Participants	Designation	Organisation
1	Smt. Rupinder Brar	Additional Secretary & Nominated Authority	MoC
2	Shri Ajitesh Kumar	Director, O/o NA	
3	Shri Marapally Venkateshwarlu	Director (Tech), O/o NA	
5	Shri Prince Kumar	Executive Engineer, O/o NA	
7	Shri V Reddy	Vice President	M/s Jindal Steel and Power Limited (JSPL)
8	Shri Tarun Panda	AGM	
9	Shri Subarat Naik	Manager	
12	Shri Prem Khandelwal	Director	M/s Utkal Coal Limited (M/s UCL)
13	Shri Ashok Kumar Nayak	Chief Financial Officer	
14	Shri D S N Achary	Senior GM (Legal)	