

BY FAX/SPEED POST

F.No. 110/9/2015/NA (Part-II)
Government of India
Ministry of Coal
Office of Nominated Authority

131, Ground Floor, World Trade Centre, Babar Road
New Delhi, Dated: December 01, 2016

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

Subject: Transfer of compensation towards cost for Land and Mine Infrastructure in respect of **Talabira-II & III coal mine** to the Commissioner of Payment for further disbursal to the prior allottees i.e. **M/s. Mahanadi Coalfields Ltd. (MCL), M/s. Neyveli Lignite Corporation Ltd. & M/s. Hindalco Industries Ltd.**

Sir/Madam,

I am to convey the sanction of the President to the transfer of a sum of **Rs. 2,66,56,000/-** (Rupees Two crore Sixty Six lakh and Fifty Six thousand only)to the Coal Controller's Organisation for disbursement to M/s. Mahanadi Coalfields Ltd. (MCL), M/s. Neyveli Lignite Corporation Ltd. & M/s. Hindalco Industries Ltd.,the prior allottees of **Talabira II & III coal mine** under the provisions of the Coal Mines (Special Provisions) Act, 2015 by the Coal Controller in his capacity as 'Commissioner of Payments' towards compensation for Land and Mine Infrastructure.

2. The amount of compensation for Land and Mine Infrastructure in respect of Talabira II & III coal mine has been calculated as **"NIL"** and **Rs. 2,66,56,000/-** respectively.

3. Here, it is pertinent to mention that in accordance with the Coal Mines (Special Provisions) Act, 2015 ("Act") and the Coal Mines (Special Provisions) Rules, 2014 ("Rules"), the Nominated Authority had issued notices dated March 12, 2015, April 22, 2015, September 17, 2015, December 15, 2015 and June 02/03, 2016 inviting claims from Secured Creditors/Government Authorities in respect of Schedule I coal mines.

4. In pursuance to the aforesaid notices, claim for an amount of Rs. 99,41,000/- has been lodged by M/s. MNH Shakti Limited. against Talabira II & III coal mine. As per Rule 15 of the Coal Mines (Special Provisions) Rules, 2015, claims from Secured Creditors and Government Authorities against the relevant coal mines are only admissible. Since, the claim of MNH Shakti Ltd. does not fall under aforesaid categories, the same is hereby rejected.

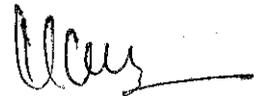
5. The aforesaid amount may be transferred through RTGS to the account of Coal Controller, Coal Controller's Organisation who has been appointed as 'Commissioner of Payments' under the provisions of Section 15 (1) of the Coal Mines (Special Provisions) Act, 2015 for the purpose of the said Act vide Ministry of Coal's Order No. 22/2/2014-ASO dated 15th July, 2015.

6. The expenditure on this account is debitable to the Head **8443.00.117.03.04.00**.

7. This issues with the approval of Integrated Finance Division, Ministry of Coal vide Note dated 18.10.2016.

Encl: as above.

Yours faithfully,



(N.K. Singh)

Deputy Secretary to the Government of India

Copy to:

1. The Coal Controller in the capacity as Commissioner of Payments, Coal Controller Organisation, No. 1 Council House Street, Kolkata-700001 - for further disbursement to the prior allocattees under the provisions of the Coal Mines (Special Provisions) Act, 2015 within **ten days** of the transfer of above amount from PAO. It may be ensured that payment is made to the prior

allottee as per the said Act. The prior allottees may be intimated of the sanction & requested to submit the required document(s) for receiving the amount. The claimant shall need to submit an NOC (**Annexure-I**) from the other allottees/partners. Further, an affidavit in the prescribed format (**Annexure-II**) may also be obtained from the claimant prior to disbursal.

2. US (IFD), Ministry of Coal.
3. US (CA-III), Ministry of Coal.
4. DDO, Nominated Authority.
5. M/s. Mahanadi Coalfields Ltd.
6. M/s. Neyveli Lignite Corporation Ltd.
7. M/s. Hindalco Industries Ltd.
9. M/s. NLC India Ltd.
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)

NO OBJECTION CERTIFICATE BY THE ASSOCIATE PRIOR ALLOTTEE FOR DISBURSAL OF THE AMOUNT TOWARDS COMPENSATION FOR LAND AND MINE INFRASTRUCTURE FOR THE COAL MINE UNDER THE PROVISIONS OF THE COAL MINES (SPECIAL PROVISIONS) ACT, 2015 TO LEADER PRIOR ALLOTTEE/JOINT VENTURE COMPANY

I, _____ aged _____ years, resident of _____ working as _____ an authorized signatory on behalf of _____ (name of the 'Associate Prior Allottee') hereby states as under:

1. That I am the Authorised Signatory of the Associate Prior Allottee. I am conversant with facts and circumstances surrounding the subject of this No Objection Certificate and have been authorized to confirm the same.

2. That M/s. _____ (name of the 'Leader Prior Allottee') and M/s. _____ (name of the 'Associate Prior Allottee (s)') are the joint Prior Allottees of the _____ (the "Coal Mine") in terms of the Coal Mines (Special Provisions) Act, 2015 (the "Act")/successor-in-interest of the Prior Allottees of the Coal Mine.

3. That M/s. _____ (name of the 'Joint Venture Partners') are joint venture partners of M/s. _____ (name of the 'Joint Venture Company') in favour of which Mining Lease had been executed for the _____ (the "Coal Mine"). As such M/s. _____ (name of the 'Joint Venture Company') is the Prior Allottee in terms of the Coal Mines (Special Provisions) Act, 2015 (the "Act")/successor-in-interest of the Prior Allottees of the said Coal Mine. [Applicable in cases where Mining Lease had been executed in favour of third party. Delete the clause whichever is not applicable].

4. As per the terms and condition of letter of allocation dated _____ the Leader Prior Allottee/Joint Venture Company was mandated to make all the investment and undertake all mining operations to develop and extract coal from the Coal Mine. As such the Leader Prior Allottee/Joint Venture Company is entitled to receive compensation for Land and Mine Infrastructure in relation to the Coal Mine.

5. That M/s. _____ (name of the 'Associate Prior Allottee'/Joint Venture Partners) has no objection in disbursement of the amount towards compensation for Land and Mine Infrastructure in relation to the Coal Mine to Leader Prior Allottee/Joint Venture Company.

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

Solemnly affirmed and verified on this _____ day of (month) 2016 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 Associate Prior Allottee) do hereby solemnly declare that what is stated in paragraphs 1 to 5 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) 2016 at (place).

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

(To be stamped in accordance with the relevant Stamp Act and duly sworn before Notary Public)

**UNDERTAKING FOR RECEIVING THE AMOUNT
TOWARDS COMPENSATION FOR LAND AND MINE INFRASTRUCTURE FOR
THE COAL MINE UNDER THE PROVISIONS OF THE COAL MINES (SPECIAL
PROVISIONS) ACT, 2015 TO LEADER PRIOR ALLOTTEE/JOINT VENTURE
COMPANY**

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. The Mining Lease has been executed in favour of M/s. As such the Prior Allottee is entitled to receive compensation for Land and Mine Infrastructure under the provisions the said Act.

3. 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 of for Land and Mine Infrastructure under the provisions the said Act [Applicable where Mining Lease has been executed in favour of third party. Delete the clause whichever is not applicable

4. That M/s.has been authorised by the other Joint Prior Allottee (s)/Joint Venture Partners to receive the claim on its/their behalf. A "No Objection Certificate" in the prescribed format from the Joint Prior Allottee (s)/Joint Venture Partners in this regard is enclosed herewith for record.

5. That the Prior Allottee (s) has incurred the cost on Land and Mine Infrastructure 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 (must be in the name of prior allottee)
Name of the Bank/Branch
Account No.
MICR
IFSC

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

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

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

Solemnly affirmed and verified on this day of (month) 2016 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 8 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) 2016 at (place).

(Signature)

Deponent-Authorised Signatory
(Name, Designation & Seal)