File No.23014/3/2014-CPD(pt-II) Government of India Ministry of Coal

<<>>

New Delhi, the 11th March, 2015

 $\underline{\mathbf{To}}$

1.The Chairman, Coal India Limited 10, NS Road, Kolkata 2. The Chairman-cum-Managing Director, Singareni Collieries Company Limited,

18, Red Hills, Khairatabad PO, Hyderabad, AP.

Subject:

Minutes of the Standing Linkage Committee (Long-Term) for Power/Sponge/Cement Sectors held on 23rd December, 2014 to review the status of existing coal linkages/LoAs and other related matters

Sir,

I am directed to forward herewith the minutes of the Standing Linkage Committee (Long-Term)) for Power/Sponge/ Cement Sectors held on 23rd December, 2014 to review the status of existing coal linkages/LoAs and other related matters.

2. Approval of the competent authority on specific recommendations shall be communicated in due course.

Yours faithfully,

19-11-8, 11.3.2015

Encl: as above

(Pilli Ravi Kumar) Under Secretary to the Govt. of India Tele: 23384285

To		Ob since and on
1	Additional Secretary, (Coal), Ministry of Coal	Chairperson
2	Principal Advisor(Energy), NITI Ayog, Yojana Bhawan New Delhi.	Member
3	Joint Secretary, (Coal), Ministry of Coal	Member
4	Advisor (Projects), Ministry of Coal	Member
5	Joint Secretary(Thermal), Ministry of Power, Shram Shakti Bhawan, New Delhi	Member
6	Joint Secretary (Ports), Ministry of Shipping, Transport Bhawan, New Delhi	Member
7	Joint Secretary, Ministry of Steel, Udyog Bhawan, New Delhi	Member
8	Joint Secretary, Department of Industrial Policy & Promotion, Udyog Bhawan, New	\mathbf{Member}
	Delhi	3.6. 1
9.	Executive Director, T. T. (F), Room No. 261, Railway Board, Ministry of Railways, New	\mathbf{Member}
	Delhi	Mamban
10	Chairman-cum-Managing Director, CIL, 10-Netaji Subhas Rd., Kolkata. – 700001	Member
11	Director(Marketing), Coal India Limited, 15-Park Street, Kolkata	Member
12	CMD's BCCL, CCL, ECL, MCL, NCL, SECL & WCL	Members
13	Chairman-cum-Managing Director, Central Mine Planning & Design Instit Ltd.,	\mathbf{Member}
	Gondwana Place, Kanke Road, Ranchi.	26 1
14	Chairman-cum-Managing Director, SCCL, P.O. Kothagudem Collieries, Distt.	\mathbf{Member}
	Khammam-507101	3.6 1
15	Chairman, Central Electricity Authority, Sewa Bhawan, RK Puram, New Delhi	Member
16	Chairman, NTPC, Scope Complex,, Lodhi Road, New Delhi-110003	\mathbf{Member}

Copy to:
(i) Director(Technical), CIL, 10, NS Road, Kolkata, ii) GM(S&M), CIL, 15-Park Street, Kolkata, iii) CGM(CP), CIL, 10 NS Road, Kolkata, iv) Shri G.K, Vashisth, GM(S&M), CIL, Scope Minar, Laxmi Nagar, Delhi.

Copy also to:-

1. PS to Minister of State (I/C) for Power, Coal and NRE, 2. OSD to Minister of State (I/C) for Power, Coal and NRE, 3. Sr. PPS to Secretary(Coal), 4. PPS to Additional Secretary(Coal), 9-4-8_{11-3.2015}
(Pilli Ravi Kumar) Additional Secretary(AKB), 6. PPS to Joint Secretary(SKS), 7. Director (CPD).

Under Secretary to the Govt. of India

Copy to NIC, Ministry of Coal with a request to place it on the Website of this Ministry for information of all concerned.

Copy to: Nodal Officer, Social Media, Ministry of Coal.

No. 23014/3/2014-Part(II) Government of India Ministry of Coal

New Delhi, Dated 11th March, 2015

Minutes of the meeting of the Standing Linkage Committee (Long Term) for Power held on 23rd December, 2014

A meeting of the Standing Linkage Committee (Long Term) for Power was held on 23.12.2014 under the Chairmanship of Additional Secretary (Coal) to review the status of LoAs issued by Coal India Ltd, its subsidiaries and SCCL and other related matters. A list of the participants is attached as Annexure II.

Agenda Item & No.	Brief Description of the Agenda item	Summary of Discussion	Recommendations with the Reasons
Agenda Item No. 1	Confirmation of Minutes of the SLC (LT) review meeting held on 22.09.2014	There was no objection, except item no. 3 (ii), which has been included as Agenda item no. 3 of this meeting.	The Minutes were confirmed, subject to agenda item no. 3 of this meeting.
Agenda Item No. 2	CIL vide their letter dated 22.10.2014 has informed that a number of units of pre-2009 power		The Committee recommended that quantity of FSAs corresponding to decommissioned
CIL agenda – Reduction in quantity due to Decommissioned /closed/ de-rated units of pre-2009 TPPs	plants, which were in existence during the signing of initial FSAs, have already been decommissioned/closed, a list of which is enclosed as Annexure-I. The allocation of coal for all the pre-2009 power plants was done by CEA and allocation was not based on the normative requirement. All these units were	coal against their erstwhile quota. CEA suggested that the coal thus released should go to the other units of the same TPP. Concerned	units would be reduced on pro- rata basis and consequent change in the supply scenario would be analysed with a view to improve overall coal materialisation.

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commissioned prior to April, 2009 and were covered under the FSA model where the Clause 2.2 stipulated that "This Agreement shall, unless terminated in accordance with the terms of Clause 16 of this agreement, remain in force for a period of twenty (20) years from the effective date except for the power plants having life lesser than twenty years where the tenure of the agreement shall be limited to the life of the power plant as given in Schedule-I"

The matter regarding transfer of linkage of scrapping of old units by replacing them with new plants was deliberated in the SLC (LT) meeting held on 27.06.2014 wherein, on the recommendations of MOP that new plants will come up in a staggered way by the end of the 13th plan and may also spill over to the 14th plan, some guidelines were decided the Committee.

CIL has stated that in view of the above and as per policy in vogue, it is requested that the issue may be deliberated in the next SLC (LT) Meeting for decision for proportionate/normative reduction in the quantity due to

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Agenda Item No.3 CIL agenda Modification of the recommendation of the Committee made in Agenda Item No. 3(ii) in the minutes of SLC (LT) Meeting for Power/Sponge/Cem ent Sectors held on 22.09.2014	decommissioning/closure of such old units. CIL has stated that in the Agenda Item No. 3(ii) in the minutes of SLC (LT) Meeting for Power/Sponge/Cement Sectors held on 22.09.2014 the recommendation of the Committee is as follows: i. "Notice for cancellation issued due to non-achievement of COD may be kept in abeyance in all such cases. ii. CEA and CIL should formulate a common policy in the matter. iii. CEA should furnish a comprehensive list of TPPs with revised COD and	CIL submitted that in respect of CoD, CIL accepts the recommendation of CEA CEA should furnish a comprehensive list of TPPs with revised CoD as decided in previous meetings and that should be final. Some plants have not achieved their CoDs even 1 year beyond their stipulated dates. There should be an upper limit to this extension. Some plants have not achieved CoD since they do not have requisite	
Item No. 3(ii) in the minutes of SLC (LT) Meeting for Power/Sponge/Cem ent Sectors held on	issued due to non-achievement of COD may be kept in abeyance in all such cases. ii. CEA and CIL should formulate a common policy in the matter. iii. CEA should furnish a comprehensive list of TPPs	be final. Some plants have not achieved their CoDs even 1 year beyond their stipulated dates. There should be an upper limit to this extension. Some plants have not achieved CoD since they do not have requisite PPAs.	comprehensive list of TPPs with revised CoD by 15 th January, 2015. Wherever commissioning/ carpet coal is required as per CEA's communication, it shall be made available by CIL for achievement

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since the achievement of COD is the basis for starting of regular supply of coal, therefore, there is need to monitor the date of COD in all cases. It was also decided that CEA will indicate the project wise expected date of COD.

The matter was again deliberated in the SLC (LT) Meeting held on 7th January, 2013 under Item 3 (i) wherein it was agreed that LOAs have to be cancelled in case COD is not achieved on time after following due process for cancellation and issue of notice. While recommending on this issue, the course of action recommended in SLC (LT) Meeting dated 14.02.2012 was reiterated and it was recommended by the Committee that imposition of penalty in case of non-achievement of COD may be kept in abeyance at this stage. However, action for initiation of cancellation of LOA would be initiated after following due process in case of non-achievement of COD.

CIL has further stated that the modality of communicating COD/expected date of COD lies with CEA/MOP and the issue of non-achievement/delayed achievement of COD has always been decided by

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take action accordingly. In view of the above, CIL has further stated that they would not be in a position to formulate any policy along with CEA since it has no technical exposure on this issue and any decision in the matter may be taken by SLC (LT) on the advice of CEA/MOP. Hence, the recommendation made by SLC (LT) at point (ii) of the Agenda Item No. 3 (ii) of the minutes of SLC (LT) dated 22.09.2014 may be modified as "A policy decision in the matter may be framed by CEA in consultation with MOP for placing before the SLC (LT)". The policy regarding transfer Representative of HPGCL The Committee recommended that recommendation of MoP may of existing coal linkage in case of informed that execution of be accepted. Regarding coal from scrapping of old units by replacing new supercritical unit will the closed Faridabad Unit, it shall them with new plants was placed take about 50 months. before the SLC (LT) in its meeting The new unit size would be covered as per Agenda Item Transfer of existing No. 2. The additional requirement held on 27.06.2014. Based on the be 800 MW. Against this, coal linkage of units a capacity of 440 MW is coal consequent upon

being retired. Further, coal corresponding to 3

units of 55 MW at FTPS,

Faridabad, which have

already been closed, may

also be allocated to the

the SLC (LT) and CIL was directed to

recommendations of MoP that new

plants will come up in a staggered way by the end of the 13th plan and

may also spill over to the 14th plan,

Committee decided with regard to

scrapping of old plants as under:-

Agenda Item

PTPS, Panipat:

1 to 4 at PTPS,

Panipat

Panipat to the new

supercritical unit to

be set up at PTPS,

No.4

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of

additional capacity of the new

plant will be covered by the extant

policy of scrapping old units and

their replacement by new units.

(i) L	_oA/lir	าหล	ge gra	anted	to the	old
plant shall be automatically						
transferred to the new plant of						
nearest supercritical capacity.						

- (ii) If the capacity of the new supercritical plant is higher than the old plant, additional coal may be accorded priority subject to the availability of coal on the best effort basis from CIL.
- (iii) At present 50% of capacity of new supercritical plant has to be retired (Illustration for setting up of a new supercritical plants of 1000 MW capacity, atleast 500 MW capacity of old plant has to be retired). Old plants can be clubbed together to achieve this minimum benchmark of 50% of proposed supercritical capacity.
- (iv) This policy shall be applicable to pre-NCDP plants in public sector only, which have already been granted long term linkage/LoAs.
- (v) Automatic transfer of LoA as explained above shall be permissible only when the new plant is set up within the State in which the old plant was located and the old plant is actually scrapped. This old

new Unit. As per policy on scrapping of old plants, additional (balance) coal should also be made available on best effort basis.

Ja-4-2

plant shall continue to operate till the COD of new plant.

In view of the above, Ministry of Power was requested to furnish their comments so that further necessary action can be taken for formulation of policy in this regard.

In this connection, Chief Secretary, Govt. of Haryana and Chief Minister, Govt. of Haryana had requested regarding transfer of existing coal linkage of units 1 to 4 at PTPS, Panipat to the supercritical unit to be set up at PTPS, Panipat. MoP vide their OM dated 16.10.2014 forwarded a letter dated 26.8.2014 of HPGCL indicating that the subject matter of setting up of supercritical unit 9 (660/800 MW) at PTPS, Panipat and transfer of existing coal linkage has been examined in consultation with CEA.

MoP further stated that recommendations/decisions of SLC (LT) meeting dated 27.6.2014 are fulfilled in the proposal of HPGCL for transfer of existing coal linkage for old units (units 1 to 4, 4x110 MW i.e. 440 MW, PTPS, Panipat and 3 units

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of 55 MW at FTPS, Faridabad) to proposed new supercritical unit 9 (660/800 MW) at PTPS, Panipat. Capacity of old units to be phased out is more than 50% of the proposed supercritical unit. In view of the above, MoP requested to consider following:-Allowing for transfer of coal linkage of 9 lakh TPS (0.9 MTPA) from 3 phased out units of 55 MW at FTPS Faridabad (already phased out during 2010-11) to the new supercritical unit 9 (660/800 MW) at PTPS Panipat. (ii) Allowing transfer of coal linkage of 21.35 lakh TPS (2.135 MTPA) from old units 1 to 4, 4x110 i.e. 440 MW, PTPS Panipat to new supercritical unit 9(660/800 MW) PTPS pat so that activities such as environment clearance etc Panipat so that pertaining to new supercritical unit can be initiated. Coal linkage for 8 units (1360 MW) of PTPS as per FSA is 6.6 MTPA. As per

HPGCL, proportionate linkage of 4

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linkage or rights henceforth will be

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named as Genus Paper & Boards Limited (GPBL). Applicant has also informed that there is no change in place of work, location, assets, Plan & Machinery or any other business activities in the newly formed company. Applicant further informed that the project and its location and the conditions for which long term linkage/LoA was granted has not been changed.

Comments of NEC

1. NEC has informed that M/s. Kailash Papers was granted 10400 tonnes of Grade A coal for 6 MW CPP for the month of June 2004 by rail mode on adhoc basis. The coal quantity was regularized in the SLC (LT) meeting held on 27.10.2004 to the tune of 33133 tonnes per annum of Grade A coal from NEC. Subsequently in 2005 name of the M/s Kailash Papers was changed to M/s. Kailash Paper Products Limited. The name of the company was again change with the approval of MOC in 2007 from M/s. Kailash Paper Products Ltd. to M/s. Genus Paper Products

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		Ltd.
	2.	In year 2006 Coal Supply
		Agreement (CSA) was
		concluded between M/s.
		Kailash Paper Products Ltd.
		and NEC for 21000 tonnes for
		a period of 5 years.
1	3.	In year 2008 as per the
1		minutes of SLC (LT) on CPPs
		held on 06.11.2007 wherein
i		for issue of LoA by CIL for 6
i		MW CPP of Genus Paper
į		Products Ltd. on normative
		basis was recommended as
		per NCDP. Accordingly
		authorization to issue LoA to
		the approved CPP Units in
ļ		term of the provisions of
		NCDPwherein 21000 tonnes
		of grade A coal was
		recommended in favour of
		Genus Paper Products Ltd. for
		their 6 MW CPP from NEC.
	4.	On 07.07.2008 LoA was
		issued to the unit. Based on
į		the physical inspection report
i		and submission of the required
		documents by the units, FSA
		was concluded between NEC
		and the unit for 21000 tonnes
		for a period of 5 years (till
		31.12.2013) as per the
		provisions of NCDP 2007.
	5.	NEC has further informed that

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coal supplies to M/s. Genus Paper Products Ltd. Under the existing FSA has been stopped w.e.f. 26.12.2013 on receipt of the letter from the unit regarding change of name of the company from Genus Paper Products Ltd. to Genus Paper & Boards Ltd. 6. The existing FSA for the first unit of Genus Paper Products Ltd. expired on 30.09.2013 and the FSA for second unit expired on 31.12.2013. Further FSAs are to be concluded only after annual verification of documents for the year 2012-13 and after due approval of change of name from Genus Paper Products Ltd. to Genus Paper & Boards Ltd. by MOC/CIL 7. No complaints have been received against the said unit.

8. Apart from the above NEC has also mentioned the following

i. The unit had suppressed the fact that M/s. Genus Paper Products Ltd. had ceased to exist w.e.f. 30.11.2013 which was conveyed at a later date

concerns :-

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to NEC vide letter dated		•
	i	
	1	
	1	
under the existing FSA in		
favour of Genus Paper		
Products Ltd. though the	}	
	İ	
existw.e.f. 30.11.2013.		
ii. Till date, the unit has failed to		
respond / reply to NECs query.		
iii. As per the order of the Hon'ble		
High Court at Allahabad,		
Genus Paper Product Limited	1	
has merged with Genus Power		
Infrastructure Limited and the	1	
non-power division of the	1	
merged company has de-		
merged into Genus Paper and		
Board Limited. Hence		
clarification may be obtained		
as to how the CPP linkage has		
been transferred to Genus		
Paper and Board Limited	j	
which is the non-power	ļ	
division of the new company.	ł	
The unit has also not	1	
submitted any paper from		
Registrar of Companies for		
this merger and change of		
name.		
made by the unit for change of		
	25.12.2013. As NEC was not aware of change of name, 2 rakes were dispatched (on 30.11:2013 & 14.12.2013) under the existing FSA in favour of Genus Paper Products Ltd. though the company had ceased to existw.e.f. 30.11.2013. ii. Till date, the unit has failed to respond / reply to NECs query. iii. As per the order of the Hon'ble High Court at Aliahabad, Genus Paper Product Limited has merged with Genus Power Infrastructure Limited and the non-power division of the merged company has demerged into Genus Paper and Board Limited. Hence clarification may be obtained as to how the CPP linkage has been transferred to Genus Paper and Board Limited which is the non-power division of the new company. The unit has also not submitted any paper from Registrar of Companies for this merger and change of name. iv. Representation has been	25.12.2013. As NEC was not aware of change of name, 2 rakes were dispatched (on 30.11:2013 & 14.12.2013) under the existing FSA in favour of Genus Paper Products Ltd. though the company had ceased to existw.e.f. 30.11.2013. ii. Till date, the unit has failed to respond / reply to NECs query. iii. As per the order of the Hon'ble High Court at Allahabad, Genus Paper Product Limited has merged with Genus Power Infrastructure Limited and the non-power division of the merged company has demerged into Genus Paper and Board Limited. Hence clarification may be obtained as to how the CPP linkage has been transferred to Genus Paper and Board Limited which is the non-power division of the new company. The unit has also not submitted any paper from Registrar of Companies for this merger and change of name. iv. Representation has been

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coal allocation from NEC to CCL which was one of the agenda matter in 22nd meeting CO.AL meeting on 13.01.2013 wherein MOC vide letter no. 23021/191/2008-CPD (pt) dated 17th September, 2013 had requested CIL to take necessary action for change of source of supply from NEC to CIL in respect of two CPPs of 6 MW each of Genus Paper Products Ltd. This fact was also suppressed by the unit from NEC for reasons unknown.

In view of the details submitted by the applicant company and subsequent comments received from concerned coal company, the matter was examined. Keeping in view certain observations, applicant company was requested to submit the certified copies of detailed balance sheet showing the assets and liabilities of GPPL and GPIL on 31.03.2014, and immediately after demerger, for clarification in respect of the following:-

The assets and liabilities of M/s. GPPL and M/s. GPIL as on

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31.03.2013, and M/s. GPIL and M/s. GPBL immediately after demerger (or as on 31.03.2014), shall conclusively prove whether the CPP has been passed on to M/s. GPBL or otherwise. In view of the above, applicant company i.e. M/s. GPBL furnished the certified copies of balance sheets showing the assets and liabilities of GPPL as on 31.03.2013, GPIL as on 31.03.2013, 31.03.2014 and GPBL as on 31.03.2014. A comparative statement of the tangible assets and plant and machineries of GPPL, GPIL and GPBL has been summarized in the following table:-31.03.2013 31.03.2 (old) 126.47/100.43 Assets/P Tangible Before Merger After 96.16/33.06 97.36/3 (New) Assets/P 174.36 On perusing the balance sheets GPPL, GPIL & GPBL, it was seen that there is no specific mention about the CPP in the balance sheets.

However. there appears significant increase in the Tangible Assets and Plant & Equipment component of GPIL before and after GPPL was merged subsequent demerger of GBPL from GPIL. Moreover, the P&M component is on decreasing side. It was further observed from the balance sheet of GPIL that in the Plant & Equipment component, the addition on merger and deletion of merger has the same figure i.e. 95.08 crore. It appears that the component which was added on merger of GPPL in GPIL has been forwarded to GBPL on demerger.

It appears that only 'rest of the business' which was added due to the merger with GPPL was transferred as non-power component to GPBL. In the light of these facts, it appears that on merger of GPPL and GPIL on 31.03.2013, and formation of GPIL and GPBL immediately after demerger, the CPP has been passed on to GPBL.

The above request of the applicant was examined on the file in detail and it was decided that the matter may be placed before the next SLC (LT) meeting. Ministry of Power may also be requested to furnish

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their comments in the matter.

It is also pertinent to mention here that with a view to settle the issues of name change, the SLC (LT) in its review meeting held on 18.04.2011 decided as under:-

"In future all the requests from linkage/LoA holders for change in the name of the company, duly certified by RoC/Assistant RoC without involving any change in management/shareholding pattern would be examined by the concerned coal company and decide them suitable. However, the requests for change in name of the company as a result of other reasons(s) like change in management/shareholding pattern, amalgamation, demerger, court order etc. shall continue to be processed in the Ministry of Coal as per extant procedure".

With the above submission, the proposal is submitted to the SLC (LT) for taking a view as to whether the request of the applicant for change in the name of the company/ transfer of LoA from M/s. Genus Paper Products Limited (Transferor Company) to Genus Paper & Boards Limited (Resulting Company) as a

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Agenda Item No.6 M/s. Patel Energy Ltd Request of change	result of scheme of arrangement consequent upon the Hon'ble High Court, Allahabad Order dated 12.11.2013, may be accepted, subject to the following conditions:- (i) That the project(s) for which long term coal linkage/"Letter of Assurance"(LoA) has been given remains unaltered and its location is not changed and (ii) The conditions under which long term coal linkage/ Letter of Assurance (LoA) was given, will remain unaltered. M/s. Patel Energy Ltd requested for grant of long term coal linkage in respect of their proposed 2x600 MW IPP at Bhavnagar, Gujarat. The proposal was placed before the meeting of the SLC(LT) for Power	Representative of M/s Patel Energy Ltd. submitted that LoA was issued in July 2010 and they applied for change in location in June 2011.	The Committee recommended that the matter may be examined on file.
Request of change of location of the		location in June 2011. The matter was pending	
Power Plants.	regard to recommendation of CEA/MoP, the committee authorized issuance of LoA by CIL for the	in MoP, CEA and MoC till July 2012 i.e. 13 months. There was no fault on the	
	capacity of 1x500 MW subject to the special milestones approved in	part of M/s PEL. The environment clearance	
i	November, 2008 meeting and also conditions applicable in respect of	was not given to the project since change of	
	projects recommended in that	location was not	
	meeting. The remaining capacity was dropped and the developer was	approved.	
	to apply afresh on achieving certain	SECL informed that BG	

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level of preparedness in future in accordance with the extant procedure in this regard.

M/s. Patel Energy Ltd also submitted a request for change in the location of the power plant within the State from Bhavanagar District to Pipavav area in Amreli District due to technical reasons. Ministry of Power also recommended the same.

The request of M/s. Patel Energy Ltd was examined on the file and it was noted that one of the conditions for change in location is that all the LoA milestones are to be achieved within the LoA validity period. M/s. Patel Energy Ltd was yet to achieve the milestones of environment clearance and placement of orders for BTG which was not likely to be achieved within the validity of LoA. They would not hence be fulfilling one of the conditions for change of location.

The request of the applicant for change in the location of the power plant was examined on the file and the applicant vide letter dated 30.07.2012 was informed that one of the conditions to be fulfilled before examining the request for

was forfeited and LoA cancelled due to non-achievement of the milestones.

Matter is pending in the High Court and there is no interim order in the case.

Dq-4-2

ocation from Bhavnagar, Gujarat to ripavav area, Lunsapur&Lothpur illages of JafrabadTalukinAmreli vistrict, Gujarat. M/s. Patel Energy Ltd filed a Vrit Petition in Delhi High Court gainst MoC letter dated 30.07.2012 or its quashing, quashing action of		
Vrit Petition in Delhi High Court gainst MoC letter dated 30.07.2012		
SECL regarding invokation of BG, or grant request for change of ocation of power plant, and for extension of LoA by 15 months.		
he matter is Sub-Judice.		
M/s. PEL Power Ltd equested for grant of long term coal linkage in respect of their	Company informed that	The Committee recommended that since the environmental issue is pending in the High Court, the verdict should be awaited. The
	the matter is Sub-Judice. M/s. PEL Power Ltd equested for grant of long term	with the matter is Sub-Judice. M/s. PEL Power Ltd Company informed that the environmental issue to all linkage in respect of their contents.

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Nagap	attinam,
Tamil	Nadu

Extension of validity the LoAupto 26.08.2015

Nagapattinam, Tamil Nadu. The proposal was considered by the SLC(LT) in its meeting held on 29.1.2010. During the course of the meeting CEA/MoP informed that the capacity has been revised as 2x500 MW. Based on the recommendation of CEA/MoP, the committee authorized issuance of LoA by CIL for the capacity of 1x500 MW. The remaining capacity was dropped and the developer was to apply afresh for 2nd unit.

In view of the above decision of the SLC(LT) for Power, the applicant submitted an application for grant of LoA for balance 550 MW indicating that they are now proposing 3x350 MW (1050 MW) capacity configuration. Later on the applicant requested for reduction in the capacity of the 1st unit from 500 MW to 350 MW and submitted revised data sheet for 3x350 MW.

As per the decision of the SLC (LT) held on 18.4.2011, reduction/enhancement in capacity, where LoA has been issued, was to be considered by CIL. Accordingly request of applicant for

It was pointed out by CIL that EC for this Unit is for imported coal, and, therefore, it does not require domestic coal. The party informed that they have applied for

Court.

The party informed that they have applied for blending in ratio of 70:30. But as on date, EC is for 100% imported coal. SECL informed that final letter of Financial Closure has also not been received.

pending papers like financial closure, BG etc. should be submitted to SECL by the party.

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reduction in the capacity from 1x500 MW to 1x350 MW was forwarded to CIL/MCL and for remaining capacity of 2x350 MW comments of MoP were called for. The MoP informed that they have no objection to the reconfiguration of unit size from 2x500 MW to 3x350 MW of M/s. PEL Power Limited at Nagapattinam, Tamil Nadu. Accordingly the same was forwarded to MCL for necessary action, as per norms.

The applicant company requested for extension of validity period of LoA for one year from 27.8.2012 to 26.8.2013. MOC vide letter dated 27.08.2012 advised CIL not to take any coercive action .

The proposal for extension of validity of LoA was considered by the SLC (LT) in its meetings held on 07.01.2013, 31.05.2013 and 20.12.2013. SLC (LT) dated 31.05.2013 resolved that since EC is for imported coal, the present LoA cannot be processed further. In the meeting dated 20.12.2013 the committee noted that EC was awaited and a few other milestones also remained to be achieved. It was to be reviewed, once intimation

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about achieving of all these milestones is received.

In response to the minutes of the SLC (LT) dated 20.12.2013 M/s. PEL Power Ltd vide their letters dated 16.6.2014 and 30.06.2014 informed that they have achieved all the milestones of the LOA except start of construction which could not be taken up for want of a mandatory clearance viz. consent for Establishment (CFE) from Tamil Nadu Pollution Control Board (TNPCB). The latest position in this regard is that TNPCB informed that their proposal for CFE has been forwarded to the Environment and Forest Department, Govt of TN for consideration. DFE is a mandatory requirement for start of construction and since all the statutory clearances including full extent of land are in place they would be able to start power plant construction no sooner the DFE is received. However, they are continuing their efforts at the highest level with the Govt of TN to obtain the CFE and considering the positive developments at GOTN level. As regards amendment to EC for use of blended coal in the proportion of 70% domestic and 30% imported

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	coal, they have already applied to MOEF and it is under consideration of the Expert Appraisal Committee (EAC) of the MOEF. In view of the above, the applicant company has requested for grant of extension of validity of the LoA upto 26.08.2015. considering the force majeure situation of non-receipt of CFE from TNPCB.	The representative of	The Committee recommended
Agenda Item No.8 Dinabandhu Steel & Power Limited. Early disposal of their case for approval of name change.	Request for change of the name of the company from Dinabandhu Steel & Power Limited to Yazdani Steel & Power Limited was received in the Ministry. The applicant company has stated that in the absence of the requisite approval from the Ministry of Coal, they are not in a position to avail of their quota of linkage coal for operating their plant and have so far dependent on coal procurement through e-auction and private traders. This has made operation of their unit very unviable as well as irregular causing heavy losses to the unit as well as jeopardizing the livelihood of their workman and other staff. E-Auction of coal at MCL has	party explained that the ownership of the original plant had changed along with change in shareholding pattern. Entire equity shareholding of Rs. 18 crore was transferred to the new owners, after about 7 years of commissioning of plant, when the plant became sick. FSA was signed in 2009 and ownership pattern changed in 2011. MCL stated that they had sent a detailed letter to MoC but the same was	that detailed report/letter of MCL should be examined in the MoC.

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been stopped up to March, 2015, MoC. Another copy of the which means that their unit would go letter was given by MCL without supply of coal and its operation have to be stopped.

applicant Therefore, the company has requested to arrange for early disposal of their case so that the requisite approval is available to them and they are in a position to re avail the linkage coal quota from MCL.

The company has requested that in the meantime they may be allowed to avail linkage of coal supply from MCL as per their existing FSA with them, which would ensure continuing of operation of the unit.

The case of name change was taken up in the SLC (LT) meeting held on 21.02.2014. It was intimated by representative of MCL that there is change in ownership also. The committee decided that "MCL will give a detailed report in the matter within a month which shall be examined". The same is awaited.

to MoC.

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	M/s. Sree Rayalaseema	The representative of	The Committee recommended
Agenda Item No.9	Alkalies and Alied Chemicals Ltd	party explained that, due	that extension of time till
10.5	submitted a request for grant of coal	to floods in Kurnool distt.	31.03.2015 may be granted.
M/s. Sree	linkage in respect of their 36 MW	the boiler was damaged	
Rayalaseema	CPP situated at Gondiparia, Kurnool,	during construction stage.	
Alkalies and Alied	AP. SLC(LT) in its meeting held on	However, they will be able	
Chemicals Ltd.	6.11.2007 recommended issue of	to commission the plant	
Ciletificate Ltd.	LoA by SCCL for 36 MW CPP on	by 31 st March, 2015.	
36 MW	normative basis as per provisions of		
CPP at Gondiparla,	NCDP.		
Kurnool, AP	11331		
Kulliooi, AF	The applicant company has		
	requested for granting extension of		
	time for commissioning of their 36		
	MW CPP till 31.03.2015, explaining		
	the reasons for the delay for		
	commissioning of the Boiler. The		
	applicant company has also stated		
	that they have submitted the details		
	of the status of the milestones		
	achieved to the SCCL along with the		
	reasons for delay in commissioning		
	of the Boiler of 36 MW CPP.		
	of the Bollet of column of the		
	In this connection it is		
	submitted that the proposal for		
	extension of time for non-		
	achievement of milestones regarding		
	commissioning of the plant in time		
	due to mechanical problems was also		
	placed before the SLC (LT) in its		
	meeting held on 21.02.2014. The		
	committee had recommended for the		
i	extension in time upto September,		
	extension in time apto deptember,	26	

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	2014.	
Agenda Item No.10 M/s. Bhubaneshwar Power Private Ltd (BPPL)- 2x67.5 MW (135 MW)-Request for restoration for FSA	M/s. Bhubaneshwar Power Private Ltd has stated that BPPL is a joint venture of Jasper Industries Pvt Ltd, Tata Steel and Tata Steel Alloys (a 100% subsidiary of Tata Steel Ltd). They have LoA for 2x67.5 MW CPP. They have signed the FSA on 10.12.2010 adhering to the Supreme Court guidelines they could not take up the construction work till end of August 2012 till they received the clearance from National Board of Wildlife, MOEF, New Delhi. The work was taken up only after the receipt of the wildlife clearance from the National Board of Wildlife. In case, if they had started the project immediately on signing the FSA without waiting for the wildlife clearance from NBWL, they could have completed the project as per the guidelines provided in the FSA. The applicant company has also furnished the following reasons for the delay in receiving the approvals from the State and Central	The Committee recommended that request for extension of time till December, 2015 may be agreed to, since it took a lot of time for them to obtain Wild Life Clearance which was beyond their control.
	Governments and the construction of the project:-	
	i. Cyclone Phailin in October	

M/s. Maa Mahamaya Industries Ltd. Industries L	The Committee recommended that in this and similar other matters, CIL may devise a suitable policy measure to facilitate running of such units provided that they fulfil requisite conditions in this regard. This policy should be finalised by 28-02-2015 and a copy sent to MoC. Decision in such matters should be taken within 30 days of the party applying to the coal company.
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The applicant company has further stated that an integrated steel power plant which was shut down due to the agitations, for starting of the unit once again requires a complete overhaul of the units & the process of overhauling was started only after the state was bifurcated in the month of February, 2014 for which they need coal. They are in perfect position to collect the coal and start their unit. As they could not collect coal on the desired date due to the agitation MCL stopped coal supply to them. According to FSA terms and conditions it only says that in case of non-lifting of coal agreement may be cancelled, but MCL has taken the stand that the agreement must necessarily be cancelled.

Further the applicant company has stated that because this was an unavoidable situation which had made many innocent employees unemployed and made their plant suffer an irreparable loss, they have requested to put their proposal in meeting of SLC (LT).

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Agenda Item No.12

M/s. Bharat Aluminium Company Ltd (BALCO) CPP

M/s. BALCO vide their e-mail dated 18.09.2014 has stated that Balco was allocated Durgapur II Tarimar coal block in November, 2007 for its operative CPP's. Normative date of production from this block was fixed as 6.05.2011 considering only open cast mining. The normative date was revised to 6.5.2012 by MoC vide letter no. dated CA-I 13016/39/2008-09.12.2011, as the block involved operations simultaneous underground mining. Meanwhile, CIL tapered quantity of coal by 25% w.e.f. 07.05.2011. Normal linkage quantity was restored only w.e.f. 26.01.2012. In this way Balco was supplied 25% less quantity for the period 7.5.2011 to 26.01.2012 Balco requested that the issue of supply of 789456 mt coal to Balco by SECL be considered by SLC (LT) in its forthcoming meeting.

Representative of the party stated that normative date of their production from fixed as hlock was 6.05.2011 which was revised to 6.5.2012 by MoC, as the block involved simultaneous of operations underground mining. Meanwhile, CIL tapered quantity of coal by 25% w.e.f. 07.05.2011. Normal was linkage quantity only w.e.f. Therefore, restored 26.01.2012. Balco was supplied 25% less quantity for the 7.5.2011 to period Balco 26.01.2012. that this requested backlog quantity supplied to them.

CIL stated that there is no provision of supply of any backlog quantity. Any such consideration would lead to many such demands. Further, Balco has already filed a Court Case in this regard.

The Committee recommended that outcome of the Court Case may be awaited, before a final decision was taken in this regard.

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No. 23014/3/2014-Part(II) Government of India Ministry of Coal

New Delhi, Dated 11th March, 2015

Minutes of the meeting of the Standing Linkage Committee (Long Term) for Cement held on 23rd December, 2014

A meeting of the Standing Linkage Committee (Long Term) for cement was held on 23.12.2014 under the Chairmanship of Additional Secretary (Coal) to review the status of LoAs issued by Coal India Ltd, its subsidiaries and SCCL and other related matters. A list of the participants is attached as Annexure II.

Agenda Item & No.	Brief Description of the Agenda Item	Summary of Discussion	Recommendations with the Reasons		
Agenda Item No. 1	Confirmation of Minutes of the SLC (LT) review meeting held on 22.09.2014	There was no objection pointed by anyone.	The Minutes were confirmed.		
Agenda Item No. 2	M/s. UltraTech Cement Ltd., at Hirmi Works, Vill. Hirmi, Tehsil Simga, Dist. Balodabazar-Bhatpara, Chhattisgarh, with	the final issuance of EC solely depended on the processing	The Committee recommended that extension of time upto 31.03.2015 may be		
M/s. UltraTech Cement Ltd., at Hirmi Works, Vill. Hirmi, Tehsil Simga, Dist. Balodabazar- Bhatpara, Chhattisgarh Extending the dead	regard to "Expansion of Integrated Cement Project" DIPP vide their OM dated 26.11.2014 has forwarded a letter of CMA enclosing there with a letter of UltraTech Cement Ltd dated 14.10.2014 addressed to SECL. In their letter M/s. UltraTech Cement Ltd has requested for providing extension in	department, which was beyond their control. Therefore they requested to consider for extension of time till 31st March, 2015, as the delay was beyond their control.	granted.		
line for a period of 3 months	submission of required documents related to MOEF clearance with mentioning of clinker production. The applicant company has				

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stated that their application for EC is under active consideration and being processed at different levels in concerned department.

In this connection, an Expanded committee consisting of representatives of MoC/SECL was constituted to look after the proposals of 20 cement plants where no FSA were signed due to non-achievement of milestones.

The Expanded Committee submitted its report to SLC (LT) in its meeting held on 27.06.2014. The Committee noted that the report of the Expanded Committee had been finalized and submitted, which lays down the broad principles for resolving the issues. The papers/documents of each of the 20 companies would be examined by SECL in the light of these broad principles and decision on each individual case taken by SECL. However, in this course, wherever relaxation or extension of time was required for meeting procedural formalities and achievement of milestones, the same shall be given for the period till 31.10.2014.

The applicant has stated that since the final issuance of EC solely depends on the processing of the matter by the Govt. department, which is beyond their control. Therefore the applicant company has requested to consider their request for extension for a period of 3 months.

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Agenda Item No.3

Century Cement

Extending the dead line of 31.10.2014 for compliance of milestones

The applicant company vide their email dated 21.11.2014 enclosing therewith a letter dated 15.10.2014 addressed to SECL has stated that in respect of LoA they have fulfilled all the milestones except only one milestone i.e. for including clinker capacity in the Environment Clearance (EC), since in the present EC, only cement word is mentioned. They have applied to MOEF for necessary amendment in EC. Their presentation was made on 30.7.2014 before Expert Appraisal Committee (Industry) of the MOEF. The said committee has accepted their submission and has recommended their case in the minutes of the committee for including their clinker capacity as 16.7 Lac TPS. They are requesting MOEF for immediate issue of amendment letter. Based on the minutes of EAC, they have also applied to Chhattisgarh Environment Conservation Board, Raipur for necessary amendment in EC by including clinker capacity on the basis of MOEF.

In this connection, an Expanded committee consisting of representatives of MoC/SECL was constituted to look after the proposals of 20 cement plants where no FSA were signed due to non-achievement of milestones.

The Expanded Committee submitted its report to SLC (LT) in its meeting held on 27.06.2014. The Committee noted that the

The representative stated that The despite their constant follow up with MOEF for amendment of clinker capacity in the EC, they could not submit the same by 31.10.2014. Therefore they requested to consider extension of time till 31st March, 2015, as the delay was beyond their

Committee recommended that extension of time upto 31.03.2015 may granted.

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Agenda Item No.4 JaypeeSidhi Cement Plant Request for extension of time limit to respond to SECL	report of the Expanded Committee had been finalized and submitted, which lays down the broad principles for resolving the issues. The papers/documents of each of the 20 companies would be examined by SECL in the light of these broad principles and decision on each individual case taken by SECL. However, in this course, wherever relaxation or extension of time was required for meeting procedural formalities and achievement of milestones, the same shall be given for the period till 31.10.2014. The applicant company has stated that despite their constant follow up with MOEF for amendment of clinker capacity in the EC they could not submit by 31.10.2014 and requested for extending the dead line of 31.10.2014 for compliance of milestones. Request for extension of time limit to respond to M/s. SECL- case of long term coal linkage for JaypeeSidhi Cement Plant, Sidhi. (i) The applicant company has stated that against their application for Coal to JaypeeSidhi Cement Plant, MOC had approved a coal linkage of 2.55 lac Tons per annum for their green field plant of 2.0 Million Tons per Annum Cement capacity and 1.5 Million Tons per annum of Clinker capacity.	The representative requested to consider extension of time till 31 st March, 2015 to seek suitable amendment from MoEF in their letter, as the delay was beyond their control.	extension of time upto
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(ii) Meanwhile, MoEF letter dated 09.08.2007 had given the Environmental Clearance for their JaypeeSidhi Cement Plant, Dist. Sidhi (MP) for 2.0 Million Tons Per Annum Cement and 1.5 Million Tons per annum Clinker Plant. In this letter, use of 50,000 MTs per annum of Indigenous coal for both their Cement and Captive Power Plant (CPP) has been mentioned with supplies from Central Coalfields Limited (CCL). This was inspite of the fact that as per EIA report Table T2.7 submitted along with their application to MoEF clearly mentions the use of 230,000 MTs of coal for their Cement Plant.

(iii) The applicant company has stated that they have complied with all the

(iii) The applicant company has stated that they have complied with all the requirements of M/s. SECL to convert this coal linkage to Fuel Supply Agreement (FSA). However, M/s. SECL has asked for the amendment to MoEF letter as referred at Para (ii) above.

(iv) Further, M/s. South Eastern Coalfields Ltd. (SECL) has now advised that unless requisite amendments from the MoEF to their above letter are obtained, [as desired by Standing Linkage Committee (SLC) Long Term (LT) meeting held on 27th June 2014] and submitted to SECL on or before 30th October 2014, their case for Long Term Linkage will

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not be pursued by them.

In this connection,an Expanded committee consisting of representatives of MoC/SECL was constituted to look after the proposals of 20 cement plants where no FSA were signed due to non-achievement of milestones.

The Expanded Committee submitted its report to SLC (LT) in its meeting held on 27.06.2014. The Committee noted that the report of the Expanded Committee had been finalized and submitted, which lays down the broad principles for resolving the issues. The papers/documents of each of the 20 companies would be examined by SECL in the light of these broad principles and decision on each individual case taken by SECL. However, in this course, wherever relaxation or extension of time was required for meeting procedural formalities and achievement of milestones, the same shall be given for the period till 31.10.2014.

The applicant company has requested that they may be given 3 months extension i.e. upto 31st January 2015 to seek suitable amendment from MoEF in their above referred letter with a suitable advise to M/s. SECL, Bilaspur.

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ANNEXURE

LIST OF PARTICIPANTS WHO ATTENDED THE MEETING OF THE STANDING LINKAGE COMMITTEE (LONG TERM) FOR POWER/SPONGE/CEMENT SECTORS HELD ON 23rd DECEMBER, 2014 TO REVIEW THE STATUS OF EXISTING COAL LINKAGES/LOAS AND OTHER RELATED MATTER

Singareni Collieries Company Ltd (SCCL) Sh. B.K. Saxena, Director (Marketing)), CIL Deptt of Industrial Policy and Promotion Coal India Limited and Coal Companies Dr. A.K. Dubey, Additional Secretary (Coal) Sh. S. Chandramoli, GM (S&M), SECL Sh S.K. Singh, Joint Secretary(SKS) Sh. Harpreet Singh Prothi, Director Sh. A.K. Tiwari, Director (O), MCL Sh. K. Srinivasu, Under Secretary Sh. A.K. Mishra, Chief Enegineer Sh. V.K. Singh, GM(S&M), ECL Sh. S.S. Malhi, Dir(Tech), WCL Sh. R.P. Thakur, Dir (O), SECL Shri K.B. Nair, Under Secretary Sh. R. Gupta, GM(S&M), CCL Sh. J.S. Bindra, Director(CPD) Central Electricity Authority Sh. G. Singh, CMD, CCL Sh. S.D. Prasad GM(FM) Sh. J.K. Mehra, Director Sh. Tarak S. Roa, CIL Sh. P.D. Siwal, Director Sh. D.K. Saha AGM Sh. N.V.K. Srinivas Ministry of Power Sh. S.K. Jain, DD Ministry of Steel Ministry of Coal 12 15 16 18 6 20 21 17 13 7 10 2 ω တ

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Sh. G.K. Vashishtha, General Manager (S&M), CIL Office, New Delhi

Sh. Rajesh Bhushan, Chief Manager, CII

Sh. A.C. Verma, GM (S&M), CIL Office New Delhi

Sh. Raghu Nandan GM(S&M), MCL

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Shri S.K. Roy, Sr. MGR (S&M), SECL

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Sh. S. N. Prasad, GM (S&M), WCL

Annexure I {Agenda Item 2}

Details of Pre-2009 TPP units indicated to be derated/closed as per information received at CIL (Provisional)								
SI. No.	TPP name	Capacity (MW)	Capacity Configuration of the plant	FSA quantity (MT)	Coal Company	Decommissi- oned capacity (MW)	Cunfiguration of decommissi- oned capacity	Remaining capacity (MW)
				0.553	BCCL		1X60	165
1	HARDUAGANJ	225	1X55 + 1X60 + 1X105	0.347	CCL	60		
				0.900	CIL TOTAL	_		
2	·OBRA	~1372	1X40 + 1X50 + 3X94 + 5X200	5.000	NCL	94	1X94	1278
3	SARNI/SATPURA	1142.5	5X62.5 + 1X200 + 3X21() + 2X250	6.600	WCL	250	4X62.5	892.5
4	BHUSWAL	475	1X55 + 1X60 + 1X105	2.800	WCL	55	1X55	420
			4X105 + 1X200 +	3.105	SECL	420	4×105	620
				0.615	WCL			
	Koradih	1040	2X210	1.580	MCL			
				5.300	CIL			
				3.689	WCL	WCL		
5	NASIK	880	2X 125 + 3X250	1.011	SECL	250	2X125	630
				4.700	CIL			

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6	PARLI	920	2X20 + 3X210 + 1X250	2.500	WCL	40	2X20	880
7	PARAS	305	1X55 + 1X250	1.800	WCL	55	1X55	250
8	PATRATU	840	4X40 + 2X90 + 2X105 + 2X110	1.000	CCL	80	2X40	760
				0.655	BCCL			
9	CHANDRAPURA	750	3X120 + 3X130 2X30 + 3X77 + 1X110 + 1X300	1.045	CCL	360	3X120 2X30 + 3X77	390 410
				1,700	CIL			
				().300	ECL			
10	DPL	701		0.500	BCCL			
10				1.400	MCL			
				2.200	CIL			ļ
	CIL TOTAL	8651		34.500		1955		6696

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