

Through Email/Speed Post

F. No. 110/01/ 2014-NA
Government of India
Ministry of Coal
O/o Nominated Authority

Room No 120,'F' Wing, 1st Floor, Shastri Bhawan
New Delhi-110001 Dated: April 06, 2021

To,
M/s Essar Power Limited,
Equinox Business Park,
5th Floor, Tower 2 of Bandra Kurla Complex,
L.B.S Marg, Kurla West, Mumbai – 400070.

Ref:-

1. F.No.110/01/2014-NA dated May 15, 2020.
2. F.No.110/01/2014-NA dated March 08, 2021.

Subject: The Coal Mines (Special Provisions) Act, 2015- Valuation of compensation for payment to prior allottee-reg.

Sir/ Madam,

In pursuance of the sub-section 8(15) of the CMSP Act inserted vide the Mineral Laws (Amendment) Act, 2020, in order to carry out the valuation/ computation of compensation payable to the prior allottees, certain information/ documents as detailed in **Annexure-I** and **Annexure-II** are required to be provided by the prior allottees urgently.

2. You are, therefore, directed to provide the said information/ documents as prescribed in **Annexure-I** along with the supporting documents in two sets. One set of the information/ documents may be sent to the Principal Adviser (Cost), O/o Chief Adviser (Cost), 2nd Floor, C-Wing, Lok Nayak Bhawan, New Delhi - 110003 and another set to CMD, CMPDIL, Gondwana Palace, Kanke Road, Ranchi, Jharkhand - 834031.

3. You are further directed to provide the information required as per **Annexure-II** to the O/o Nominated Authority, 120, 'F' Wing, Shastri Bhawan, New Delhi in MS Excel format along with the supporting documents (Scanned copies in PDF Format) in CD/ DVD with a covering letter. The same shall be accompanied with an affidavit in the enclosed format **Annexure-III**, duly sworn in

by the authorized signatory on behalf of the allocatee company, confirming that the information supplied is true and correct.

4. In addition, it is directed that soft copies of **Annexure-I, II & III** in MS Word/ Excel/ PDF Format be sent at the email addresses given below:-

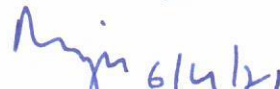
- i. nomauthority.moc@nic.in
- ii. web-cac@nic.in
- iii. anandji.prasad@coalindia.in

5. The contact no. and email ID of the person concerned of the respective company may also be furnished for seeking further clarification, if required.

6. In view of above, it is to inform you that the said information has been sought vide letter dated May 15, 2020 and March 08, 2020 but the same is not furnished till date. In this regard it is once again requested to furnish aforesaid information within 7 days positively.

7. In case the information is not received within 7 days, Nominated Authority will unilaterally decide the compensation to M/s GVK & M/s ESSAR.

Yours faithfully,


(M. Nagaraju)

Additional Secretary & Nominated Authority

Encl: as annexed

Copy to:-

1. Additional Chief Advisor (Cost), O/o CAC, Department of Expenditure, Ministry of Finance.
2. CMD, CMPDIL, Ranchi.
3. TD, NIC — with a request to upload in the Website of the Ministry.
4. Under Secretary, CBA-II Section, Ministry of Coal.

Annexure I

Information exclusively related to the coal mining operations in respect of "Mine Infrastructure excluding land and leasehold rights (except movable assets)" as defined under section 3(1)(j) for the purpose of determination of valuation of compensation under Section 16(2) of the Coal Mines (Special Provisions) Act, 2015 and finalized by CMPDIL / Ministry of Coal in terms of decision of Delhi High Court in W.P.(C) no. 973/2015.

1. BASIC INFORMATION IN RESPECT OF COAL BLOCK:-

- (i) Name of the Coal Block
- (ii) Name of Company to whom Coal Block was originally allotted
- (iii) Name of Company to whom the Coal Block now vested
- (iv) Type of Mine (Open-cast/Underground)
- (v) Mine Area
- (vi) Movable Reserves
- (vii) Date of Mining lease obtained
- (viii) Date on which production started
- (ix) Date of execution of the vesting order or the Allotment order
- (x) Production during the financial years from 2013-14 to 2016-17

2. ASSETS:-

- (i) Item-wise details of Assets (separately for each asset) included under the "Mine Infrastructure excluding land and leasehold rights" In terms of decision of Delhi High Court in W.P. (C) no 973/2015 as finalized by CMPDIL / Ministry of Coal.

227662/2020/Nominated Authority

The formats to be filled by the prior allottees.

	Sl. No.	Head of the asset	Name of the Item	Gross Block	Depreciation charged (Yes or No)	Earlier classification (Immovable(I) / Movable(M) / Unclassified(U) / Land (L))	Suggested change in classification, if any	Reasons for suggested change (Only if the asset is part of Mine Infrastructure, tangible and Immovable item)	Net Block as on 31.3.14	Net Block as on 31.3.15	Net Block as on 31.3.16	Net Block as on 31.3.17	Net block of the quarter immediately preceding the execution of Vesting order/ Allotment order duly certified by the statutory auditors of the company	Remarks
A.	As per the list provided earlier (For Net block items given as on 31.3.2014)													
B.	New item Additions in 2014-15													

1 Soft copy in excel format

2 Signed print copies of the same under affidavit

3 The prior allottee is advised to enlist the items in the same order as provided earlier.

Added columns for additional information

(ii) **Assets of the Coal Block:**

Head of the Asset	Net Block as 31.03.2014	Net Block as 31.03.2015	Net Block as 31.03.2016	Net Block as 31.03.2017	Net Block of the quarter immediately preceding of Vesting / Allotment Order duly certified by the Statutory Auditor of the company
1	2	3	4	5	6
Assets mentioned under Mine Infrastructure					
Moveable					
Land including leasehold land					
Unclassified/ other items					
Total Assets of coal block					

☐ Assets of the coal Block should reconcile with the Balance Sheet of the respective F.Y.

(iii) Broad technical specifications (e.g. in case of civil structures – type of structure, area covered, etc.; or in case of Plant & Machinery – type of machine, capacity of the machine, etc.; Make/brand of the asset, Railway Sidings- No. of Kilometres, Approach Roads- Concrete / Tarcoal / Kuchcha, Length & Width).

(iv) Apart from coal block, if company has other businesses, then Assets included in mine infrastructure may be got certified from statutory auditor to the effect that these are related to coal mine operation and cannot be used for any other business/operation of company.

(v) In case of any common use assets included in mine infrastructure, the justification for their inclusion may be provided (Common use assets means assets which are being used for coal block as well as other business activities of the company), alongwith basis of allocation/apportionment of cost of assets.

(vi) Details of any Impairment (including obsolescence) of asset concerned.

(vii) Details of any Revaluation of the asset, if any and the treatment thereof in the financial statements.

(viii) Details of Insurance stores & spare parts related to immovable infrastructure, if any.

3. **LIABILITIES:**

(i) Complete details of liabilities, if any, attached with Mine Infrastructure assets to be transferred to new allottee (item wise of all such liabilities as prevailing on the quarter immediately preceding the date of execution of Vesting / Allotment Order).

4. **LIST OF DOCUMENTS REQUIRED :**

(i) Copy of Statutory Audit Report from the financial year 2013-14 onwards till the quarter immediately preceding of execution of Vesting / Allotment Order.

(ii) Copy of detailed Schedules of the Fixed Assets and Depreciation from the financial year 2013-14 onwards till the quarter immediately preceding of execution of Vesting / Allotment Order showing clearly and unambiguously the value of the each individual asset pertaining to the mine infrastructure as defined under Section 3(1)(j) of The Coal Mines (Special Provisions) Act, 2015.

(iii) If details of assets pertaining to mine infrastructure are not identifiable separately from the schedule of assets/depreciation, then give separate details (item-wise) thereof alongwith copies of supporting documents.

(iv) An Affidavit on Non Judicial stamp paper of Rs. 10/- from the senior functionary of the company not below the rank of CEO/CFO of the company certifying that information provided to the Ministry of Coal in respect of assets of Mine Infrastructure in claim is true and correct.

Annexure II

Proforma referred to in MOC's letter No. 110/01/2014-NA regarding details of land for coal Mining Operation

NAME OF THE COAL BLOCK									
Type of Land (Details of only leasehold land must be provided)	Sl.No. (See note below)	Locati on of lease land	Area (hectares)	Leas e Deed No.	Date of Registration of Lease Deed	Cost of lease Land (including Registration/ Stamp duty charges) as mentioned in the Registered lease deed	Name of lessor	Name of Lessee	Total Period of lease
Lease Hold Land for Mining (As per Mining Lease)	1				DD/MM/YYYY				
	2				DD/MM/YYYY				
	3				DD/MM/YYYY				
	4				DD/MM/YYYY				
	5				DD/MM/YYYY				
Compensatory Afforestation Land (lease Hold)	1				DD/MM/YYYY				
	2				DD/MM/YYYY				
	3				DD/MM/YYYY				
	4				DD/MM/YYYY				
	5				DD/MM/YYYY				
Rehabilitation & Resettlement Land (lease Hold)	1				DD/MM/YYYY				
	2				DD/MM/YYYY				
	3				DD/MM/YYYY				
	4				DD/MM/YYYY				
	5				DD/MM/YYYY				
Any other land for Mining Infrastructure as defined in Section 3(1)(j) of the ordinance (Indicating the Purpose) (lease Hold)	1				DD/MM/YYYY				
	2				DD/MM/YYYY				
	3				DD/MM/YYYY				
	4				DD/MM/YYYY				
	5				DD/MM/YYYY				

NB: Details of each parcel of lease hold land for which the deed has been executed should be mentioned under separate Sl No.

Annexure III**Format of Affidavit to be submitted by the prior allocatees for the information/documents provided in response to the letter No. 110/01/2014-NA dated __. __.2018 of the Nominated Authority**

(To be executed on non-judicial stamp paper of Rs. 10/- and duly sworn before Notary Public)

I _____, aged _____ years, resident of _____ working as _____ an authorized signatory on behalf of _____ (name of the allocatee company) hereby state as under:-

1. That I have been authorized by my company to swear this affidavit on behalf of the company.
2. That the information/documents provided vide letter Nos. _____ dated _____ along with its Annexures/ supporting documents on behalf of the company, in response to the letter No. 110/01/2014-NA dated __. __.2018 of the Nominated Authority, Ministry of Coal, Government of India, has been submitted after verification from the records and is true and correct to the best of my knowledge.
3. That nothing has been concealed in the information provided above.

Solemnly affirmed and verified on this the _____ day of _____, 2018 at _____ (place).

(Signature)

Name, Designation & Seal