

226763/2020/CBA-II

CBA2-13011/1/2017-CBA2

Government of India

Ministry of Coal

Shastri Bhawan, New Delhi

Dated the 6th May, 2020

OFFICE MEMORANDUM

Subject: Allotment of Utkal A coal mine to MCL under Rule 8(2) (a)(ii) and Rule 11(1) of the Coal Mines (Special Provisions) Rules' 2014

The undersigned is directed to refer to O/o NA's OM dated 19.09.2019 and OM dated 04.03.2020 on the above mentioned subject and to say that CBA-I Section has informed that combined block of Utkal 'A' and Gopalprasad West (West) were allocated to JV Company in Nov. 2005 and the Hon'ble Supreme Court Judgement dated 25.08.2014 and 24.09.2014 is applicable to the combined block of Utkal 'A' and Gopalprasad West (West). Hence Utkal 'A' block mentioned in Sch. I of CM (SP) Act, 2015 also include Gopalprasad West (West) coal block.

2. Accordingly, it is now conveyed that the present allotment of "Utkal A" coal mine to MCL includes "Gopalparasad West (West)" part also and the Nominated Authority is hereby directed appropriately prepare the Allotment Agreement and Allotment Order in respect of the aforesaid coal mine and to inform MCL in reply to their letter dated 28.12.2019.

Sd/-

(Rishan Ryntathiang)

Under Secretary to the Government of India

Tel. 23073936

US (NA), MoC

CBA2-13011/1/2017-CBA2

Government of India

Ministry of Coal

Shastri Bhawan, New Delhi
Dated the 18th May, 2020

To,

CMD
Coal India Limited,
Coal Bhawan
Premise No-04 MAR,
Plot No-AF-III, Action Area-1A,
Newtown, Rajarhat, Kolkata-700156

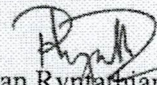
Subject: Cancellation of order for working by a Joint Venture Company in respect of allocation of combined block of Utkal-A and Gopalprasad West (West) block to Joint Venture Company of MCL, JSW Steel Limited, JTPCL, JSSL & Shyam DRI Ltd. (MJSJ Limited).

Sir,

I am directed to refer to CIL's letter No. सी. आई. एल./CH/909 dated 08.05.2020 on the above mentioned subject and to say that the Hon'ble Supreme Court judgement dated 25.08.2014 and order dated 24.09.2014 is applicable to the combined block of Utkal 'A' and Gopalprasad West (West). As such, Utkal 'A' block mentioned in Sch. I of CM (SP) Act, 2015 also include Gopalprasad West (West) coal block.

2. The present allotment of "Utkal A" coal mine to MCL includes "Gopalparasad West (West)" part also and the Nominated Authority has been directed *vide* OM dated 06.05.2020(copy enclosed) to appropriately prepare the Allotment Agreement and Allotment Order in respect of the aforesaid coal mine.

Yours faithfully,


(Rishan Rynfathiang)

Under Secretary to the Government of India
Tel. 23073936

Copy to: US (NA), MoC

ANNEXURE-II

CBA2-13011/1/2017-CBA2

Government of India

Ministry of Coal

महानदी कोलफील्ड्स लिमिटेड
नि (तक) बौ/परि/D (T) P&P
प्रेषण/Des. 4284
दिनांक/Dt. 11.10.18

Shastri Bhawan, New Delhi
Dated the 3rd October, 2018

OFFICE MEMORANDUM

Subject: Direction of the Central Government to the Nominated Authority for allotment of 3 coal mines under Rule 8 (2) (a) (ii) and Rule 11 (1) of the Coal Mines (Special Provisions) Rules, 2014

The undersigned is directed to refer to e. mail dated 20.09.2018 received from Coal India Limited (CIL) requesting for allocation of coal blocks for its 4 subsidiaries, viz. Bharat Coking Coal Limited (BCCL), Mahanadi Coalfields Limited (MCL), South Eastern Coalfields Limited (SECL) and Western Coalfields Limited (WCL) to maintain production growth. The request of CIL has been examined and it has been decided with the approval of the Competent Authority to allot 3 coal mines mentioned in the Table below to CIL in accordance with the provisions of Section 5 (1) of the Coal Mines (Special Provisions) Act, 2015 read with Rule 11 (10) of the Coal Mines (Special Provisions) Rules, 2014.

Table

Sl. No.	Name of coal mine / State	for subsidiary	Sch.	Details as per the CIL's proposal dated 20.09.2018 and minutes of the 8 th & 9 th meeting of TC		
				Exploration status	Reserve (Mt)	Estimated Mine Capacity (Mty)
1	East Of Damagoria (Kalyaneshwari) / West Bengal	BCCL	I	Explored	337.16	04
2	Utkal-A / Odisha	MCL	I	Explored	332.85	25
3	Bijahan / Odisha	WCL	III	Partially Explored	327.00	5.26

2. The methodology dated 08.01.2016 for fixing Upfront Payment and Reserve Price for allotment of coal mines/blocks for sale of coal to Public Sector Undertakings under the Coal Mines (Special Provisions) Act, 2015 shall be applicable in the instant case.

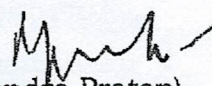
Gm/SP

Sr. J. Dash

3. The request of CIL for allotment of coal mines without considering upfront amount, performance security and adherence to mile stones of efficiency parameters was considered in the Ministry and the same has not been acceded to.

4. As some of the terms and conditions of allotment including efficiency parameters are under consideration of the Government and may undergo a change consequent upon the recommendations of High Powered Expert Committee (HPEC), the revised terms and conditions, if any, shall be applicable in respect of 3 coal mines as mentioned in the Table above.

5. Accordingly, the Nominated Authority is hereby directed to execute an Allotment Agreement and consequently issue an Allotment Order in respect of the 3 coal mines as mentioned in the Table above in favour of CIL in accordance with Rule 8 (2) (a) (ii) and Rule 11(1) of the Coal Mines (Special Provisions) Rules, 2014.


(Mahendra Pratap)
Deputy Secretary
Tel. 23382787

To
The Nominated Authority, Ministry of Coal

Copy to :

1. Chief Secretary, Government of West Bengal, Kolkata.
2. Chief Secretary, Government of Odisha, Bhubaneswer
3. CMD, Coal India Limited, Kolkata
4. CMD, CMPDI Ltd, Ranchi
5. CMD, Bharat Coking Coal Limited (BCCL), Dhanbad, Jharkhand
6. CMD, Mahanadi Coalfields Limited (MCL), Sambhalpur, Odisha
7. CMD, Western Coalfields Limited (WCL), Nagpur
8. Coal Controller, Coal Controller Organization, Kolkata

Copy also for information to:-

1. PS to Minister of Railways and Coal
2. PS to MoS, Coal
3. PSO to Secretary (Coal)/PPS to AS (Coal)
4. PPS to JS (RKS)/PPS to JS (BPP)
5. Director (Technical), Ministry of Coal
6. Director (CLD), Ministry of Coal

CBA2-13011/1/2017-CBA2
Government of India
Ministry of Coal

Shastri Bhawan, New Delhi
Dated the 6th April, 2018

To

1. **The Chairman-cum-Managing Director, Coal India Ltd. (CIL), Coal Bhawan, Newtown, Rajarhat, Kolkata-700156**
2. **The Chairman-cum-Managing Director, Central Mine Planning & Design Institute Limited (CMPDIL), Gondwana Place, Kanke Road, Ranchi - 834031**

Subject: Allotment of coal mines to Coal India Ltd.

Sir,

I am directed to refer to your discussion dated 05.04.2018 held with Secretary (Coal) on the subject mentioned above. Based on the discussion, following action points emerged on the part of CIL / CMPDIL:

- a. Rework on PRC of East of Damagoria (to increase PRC to 8-10 MTPA).
 - b. Re-examine the proposal of Sitarampur.
 - c. PRC of joint working on Utkal-A & West of Gopalprasad West to be 25 MT and approval of Board of MCL thereon.
 - d. Enhanced PRC (6 MT) of combined working on Vijay Central with Vijay West coal mines.
 - e. CMPDIL should expedite presentation on Tokisud-II before the Committee.
2. In view of the above, it is requested to kindly expedite the above process preferably within a week.

Yours faithfully,

Signature Not Verified
Digitally signed by DOMINIC
DUNG DUNG
Date: 2018.04.06 14:58:21 IST
Reason: Approved

(Dominic Dung Dung)

Under Secretary to the Government of India
Tel. 23382148

Copy to: Director (CBA-I), Ministry of Coal

MINISTRY OF COAL

NOTIFICATION

New Delhi, the 1st October, 2021

G.S.R. 717(E).—In exercise of powers conferred by Section 13 of the Mines and Minerals Development and Regulation) Act, 1957 (67 of 1957), the Central Government hereby makes the following rules further to amend the Mineral Concession Rules, 1960, namely:-

1. Short title and commencement.—(1) These rules may be called the Mineral Concession (Amendment) Rules, 2021.
- (2) Save as otherwise provided in these rules they shall come into force on the date of their publication in Gazette of India.
2. In the Mineral Concession Rules, 1960, (hereinafter referred to as the principal rules), in rule 2, in sub-rule (1), after clause (vii), the following clause shall be inserted, namely:-
“(viii) “run-of-mine” means the raw, unprocessed or uncrushed material in its natural state obtained after blasting, digging, cutting or scraping from the mineralised zone of a lease area;”.

3. In the principal rules, after rule 24B the following rule shall be inserted, namely:-

“24C. Period of mining lease granted to Government companies or corporations.—

- (1) All mining leases granted on or after the commencement of the Mineral Concession (Amendment) Rules, 2021 to a Government company or corporation for coal or lignite shall be for a period of fifty years.
- (2) All subsisting mining leases vested or granted to a Government company or corporation before commencement of the Mineral Concession (Amendment) Rules, 2021 for coal or lignite shall be deemed to have been granted for fifty years or till 31st March 2030, whichever is later.
- (3) The State Government, upon an application made to it in this behalf by the Government company or corporation at least three months prior to the expiry of the mining lease, shall extend the period of the mining lease for a further period of twenty years at a time:

Provided that the State Government may condone the delay in application for extension made after the prescribed time limit:

Provided further that no extension of period of mining lease shall be granted to a Government company or corporation that has been selected through auction.

- (4) If an application for extension of mining lease made within the time mentioned in sub-rule (3) is not disposed of by the State Government before the date of expiry of the lease, the period of that lease shall be deemed to have been extended till the State Government passes an order on the same.
- (5) All applications made by a Government company or corporation for renewal of mining lease which were pending as on the date of commencement of the Mines and Minerals (Development and Regulation) Amendment Act, 2021 (16 of 2021) shall be deemed to be applications for extension of the period of the mining lease and shall be disposed of in accordance with the provisions of sub-rule (3).”

4. In the principal rules, after rule 27, the following rule shall be inserted, namely:-

“27A. Manner of sale of coal or lignite by the lessee of a captive mine.— (1) Any lessee may, where coal or lignite is used for captive purpose, sell coal or lignite up to such per cent. of the total coal or lignite produced in a financial year, as allowed under sub-section (5) of section 8, after meeting the requirement of the end use plant linked with the mine.

Explanation 1.- For the purpose of this rule it is clarified that the requirement of the end use plant linked with the mine for a financial year shall be the actual quantity of coal or lignite consumed in the said plant in that financial year or a part thereof.

Explanation 2.- For the purpose of this rule, quantity of coal or lignite produced, sold, utilised in linked end-use plant and the payment of additional amount on the quantity sold shall be assessed on run-of-mine basis.

Explanation 3.- Sale of any tailings, rejects or middlings shall not be restricted by this rule.

(2) For the quantity of coal or lignite sold in accordance with sub-section (5) of section 8, the lessee shall pay to the State Government, at the time of payment of royalty, an additional amount as specified in the Sixth Schedule of the Act, which shall be in addition to royalty or payment to the District Mineral Foundation and National Mineral Exploration Trust or any other statutory payment or payment specified in the tender document or the auction premium, wherever applicable.

(3) Within one month of the end of a financial year, for sale made in the previous financial year, the lessee shall submit to the Nominated Authority, Ministry of Coal, Coal Controller's Organisation and to the State Government, a self-declaration in Form R.

(4) Sale of coal shall not be allowed from the coal mines allotted to a company or corporation that has been awarded a power project on the basis of competitive bid for tariff (including Ultra Mega Power Projects).”

Explanation.-For the purpose of this rule, it is clarified that the provision for sale of coal or lignite as prescribed in this rule shall not affect the eligibility conditions and efficiency parameters prescribed in the respective agreements entered into by the lessee with the Central Government.