



DAMODAR VALLEY CORPORATION

(Mining Section)

D.V.C.TOWERS. V.I.P. ROAD.
KOLKATA -700 054

Phone: (033) 6607-2303

email: anil.kashyap@dvc.gov.in

No. HQ/Mining/Tubed/FC/1266

dated 22.09.2017

Additional Information

The Tubed Coal Block was previously allocated to M/s HINDALCO Industries and M/s TATA Power Company Ltd vide Allocation letter no. 38011/11/2006-CA-I dated 01.08.2007(**Annexure-I**). M/s HINDALCO and TATA had formed a Joint Venture Company named M/s Tubed Coal Mines Limited for development, operation and transfer of coal to End Use Plants of M/s HINDALCO and M/s TATA. M/s Tubed Coal Mines Limited submitted applications to various Central and State Government authorities for obtaining necessary approvals and clearances for development and operation of Tubed Coal Mine. In the process, M/s Tubed Coal Mines Limited had submitted application vide no. FP/JH/MIN/1018/2013 to the State Forest Department, Jharkhand for "Diversion of 159.064 Ha of Forest Land (excluding of 3.33 Ha of Forest Land in Safety Zone) for mining purpose for Tubed Opencast Coal Mine (6.0 MTY) Auranga Coalfield, District-Latehar, Jharkhand" (**Annexure-II**). The application was deliberated upon by the Forest Advisory Committee for Ministry of Environment, Forest & Climate Change, Government of India in its meeting held on 29-30 April, 2014 as Agenda Item No. 3. FAC after detailed deliberations recommended that the MoEF may await decision of the Hon'ble Supreme Court in the PIL on alleged irregularities in allocation of coal blocks to private parties (**Annexure-III**). Hon'ble Supreme Court of India vide Judgment dated 25.08.2014 and Order dated 24.09.2014 cancelled allocation of Tubed Coal Mine amongst other mines.

Damodar Valley Corporation is a corporation constituted with participation of State Government of West Bengal, Bihar (now Jharkhand) and Government of India as per provisions of the Damodar Valley Corporation Act, 1948 (**Annexure-IV**). Ministry of Coal, Government of India vide Allotment Order no. 103/04/2016/NA dated 7th October, 2016 allotted Tubed Coal Mine to Damodar Valley Corporation (DVC) for development, operation and End Use of Coal in its Mejia Thermal Power Station Unit nos. 7 & 8 and Chandrapura Thermal Power Station Unit no. 8 (**Annexure-V**). DVC is in the process of obtaining various clearances and approvals required from Central and State Governments authorities for development and operation of Tubed Coal Mine. On request of DVC, Ministry of Coal, Government of India issued Gazette Notification under Section 4 of the Coal Bearing (Acquisition and Development) Act, 1957 which was published on 11th September, 2017 (**Annexure-VI**). In terms of Letter No. 11-584/2014-FC (Pt.) dated 09.06.2015 of Ministry of Environment, Forest and Climate Change, Government of India, DVC is submitting herewith application for consideration its proposal for Diversion of 159.064 Ha of Forest Land (excluding of 3.33 Ha of Forest Land in Safety Zone) for mining purpose for Tubed Opencast Coal Mine (6.0 MTY) Auranga Coalfield, District-Latehar, Jharkhand.

(Handwritten signature)
22.09.17

(Anil Kr Kashyap)

Chief Engineer (Mining)

ए०के० कश्यप / A. K. Kashyap
मुख्य अभियंता (खनन) / Chief Engineer (Mining)
दामोदर घाटी निगम / Damodar Valley Corpn.
डी.वी.सी. टावर्स.वी.आई.पी.रोड, कोलकाता-54
DVC Towers,VIP Road, Kolkata-54

Enclosure-D

No. 38011/11/2006-CA-I
Government of India
Ministry of Coal
.....

New Delhi, dated the 1st August, 2007.

To

1. M/s. HINDALCO Industries Ltd.,
UCO Bank Building,
4th Floor, Parliament Street,
New Delhi - 110 001.
2. M/s. TATA Power Company Ltd.,
Jeevan Bharati, 10th Floor,
Tower No.1,
124, Connaught Circus,
New Delhi - 11 001.

Subject : Allocation of Tubed coal block in the State of Jharkhand for captive mining of coal by a joint venture company of M/s. HINDALCO Industries Ltd. and M/s. TATA Power Company Ltd. as per Option-I.

Sir,

I am directed to refer to your request for allocation of coal blocks in the State of Jharkhand and to state that the request of the companies have been considered by the Central Government and it has been decided to allot Tubed coal block in CCL command area for working through a joint venture company for meeting their proportionate share of requirement of coal i.e. 72.21 MT for 750 MW in District Latehar, Jharkhand to be set up by HINDALCO and 47.79 MT for 500 MW in District West Singhbhum, Jharkhand to be set up by TATA Power. This allocation is in pursuance of the provisions contained in Section 3(3)(a)(iii) of the Coal Mines (Nationalization) Act, 1973 and subject to the following conditions :-

- i) A joint venture company be formed between M/s. HINDALCO Industries Ltd. and M/s. TATA Power Company Ltd. The equity holding in the joint venture company will be in proportion to the assessed coal requirement of the companies.
- ii) The joint venture company shall be formed and registered by the allocatees within 60 days from the date of allocation of this letter.
- iii) The mining lease shall be obtained in the name of the Joint Venture Company and coal extracted from the mine shall be distributed among the allocatees in the proportion of their assessed requirement.



- iv) The block is meant for captive use in their own specified end use projects i.e. 750 MW in District Latchar, Jharkhand to be set up by HINDALCO and 500 MW in District West Singhbhum, Jharkhand to be set up by TATA Power. The coal produced from the block shall not replace any coal linkages given to you by the Coal India Ltd. / its subsidiary and/or by the Singareni Collieries Company Ltd., without prior permission of this Ministry.
- v) Middlings generated in the process of washing the coal shall be used for power generation in their own power plant i.e., the useable middlings/rejects generated during beneficiation shall be used captive by the allocatee. The modalities of disposal of surplus coal/middlings/rejects, if any, would be as per the prevailing policy/instruction of the government at the relevant point in time and could also include handing over such surplus coal/middling/rejects to the local CIL subsidiary or to any person designated by it at a transfer price to be determined by the Government.
- vi) Coal production from the captive block shall commence within 36 months (42 months in case the area is in forest land) in case of open cast mine and in 48 months (54 months in case the area falls under forest land) in case of underground mine from the date of this letter. The end-use project schedule and the coal mine development schedule should be modified accordingly and submitted to the Ministry within 3 months from the date of this letter. A copy of the indicative milestone chart is enclosed.
- vii) The joint venture company shall buy geological report from CMPDIL within six weeks from the date of this letter.
- viii) The joint venture company shall submit a bank guarantee for Rs. 28.4 crore (equal to one year's royalty amount based on mine capacity of 4 mtpa assessed by CMPDIL, grades of coal from E to G grade and the average royalty @ Rs. 71 per tonne) within three months from the date of this letter. Subsequently, upon approval of the mining plan, the Bank Guarantee amount will be modified based on the final peak/ rated capacity of the mine.
- ix) The joint venture company shall submit a mining plan for approval by the competent authority under the Central Government within six months from the date of this letter.
- x) The progress of the mine will be monitored annually with respect to the approved mining plan, which will mention the zero date. In case of any lag in the production of coal, a percentage of the bank guarantee amount will be deducted for the year. This percentage will be equal to the percentage of deficit in production for the year with respect to the rated/peak capacity of the mine, e.g., if rated/peak capacity is 100, production as per the approved mining plan for the relevant year is 50 and actual production is 35, then $(50-35)/100 \times 100 = 15\%$ will lead to deduction of 15% of the original bank guarantee amount for that year. Upon exhaustion of the Bank Guarantee amount the block shall be liable for de-allocation/cancellation of mining lease. The Joint Venture Company shall ensure that the Bank Guarantee remains valid at all times till the mine reaches its rated capacity or till the Bank Guarantee is exhausted.



- xi) No coal shall be sold, delivered, transferred or disposed of except for the stated captive mining purposes, and except with the previous approval of the Central Government.
- xii) Mining of coal from the allocated captive coal block shall be carried out in accordance with the applicable Statutes/Rules/Orders/Directions governing the mining of coal in the country.
- xiii) Those of the above conditions relevant at the time of grant of mining lease shall be included as additional conditions in the mining lease in addition to any further conditions imposed by or agreed to by the Central Government.
- xiv) The State Government at the time of seeking previous approval for the grant of mining lease shall submit a draft of the mining lease containing the above relevant conditions for vetting by the Central Government. The final mining lease shall be as vetted/modified by the Central Government. Any deviation from the vetted/modified draft shall render the mining lease deed *ab-initio* null and void and without effect.

2. Allocation / mining lease of the coal block may be cancelled, inter-alia, on the following grounds :-

- a. Unsatisfactory progress of implementation of their end use power plant.
- b. Unsatisfactory progress in the development of coal mining project.
- c. For breach of any of the conditions of allocation mentioned above.

The de-allocation/cancellation of mining lease shall be without any liability to the Government or its agencies, whatsoever. Any expenses incurred by the allocatee or any right or liability arising on the allocatee out of the measures taken by him shall solely be to his account and in no way be transferred to or borne by the Government or its agencies.

3. The Joint Venture Company may approach CMPDIL for the geological report and contact the State Government authorities concerned for the necessary permissions/clearances etc. for attaining mining rights and related matters. The arrangement of transport of coal will have to be worked out by the company in consultation with the Ministry of Railways / the Ministry of Surface Transport depending on the mode of transport.

Encls. As above.

Yours faithfully,


(K.C. Samra)
Deputy Secretary



| EVENT | TIME LIMIT in months from '0' date |
|---|---------------------------------------|
| 1 Allocation | 0 |
| 2 Purchase of GR | 1.5 |
| 3 Bank Guarantee | 3 |
| 4 Mining Lease Application | 3 |
| 5 Mining Plan submission | 6 |
| 6 Mining Plan approval | 8 |
| 7 Previous approval application | 11 |
| 8 Previous approval | 11 |
| 9 Forest Clearance application | 12 |
| 10 Forest Clearance | 18 |
| 11 Environment Clearance Application | 12 |
| 12 Environment Clearance | 18 |
| 13 Mining Lease grant | 24 |
| 14 Land acquisition begin | 9, 19 |
| 15 Land Acquisition | 30, 36 |
| 16 Opening permission application | 34, 40 for OC 46, 52 for UG |
| 17 Opening permission grant | 35, 41 for OC 47, 53 for UG |
| 18 Production | 36, 42 for OC 48, 54 for UG |





Ministry of Environment, Forest and Climate Change Government of India

Online Submission & Monitoring of Forest and Wildlife Clearance Proposals



List of Proposals

Help

Using this report, you can view details of proposals. Click on to print, Click on link button to view Related Document. For Searching, enter any of the values given below.



Proposal Year : 2013 ▼

State : Jharkhand ▼

Category : Mining ▼

Enter value for Search :

SEARCH

Note :-All areas are in Hectares(ha.)



| SNO. | STATE NAME | PROPOSAL NO. | RO/MINISTRY FILE NUMBER | PROPOSAL NAME | CATEGORY | USER AGENCY NAME | AREA (HA.) | PROPOSAL STATUS | PROPOSAL PHYSICALLY RECEIVED ON | RELATED DOCUMENTS | RECOMMENDATION OF | SITE INSPECTION REPORT |
|------|------------|---------------------|-------------------------|--|----------|---------------------------|------------|--------------------|---------------------------------|-------------------|-------------------|------------------------|
| 1 | JHARKHAND | FP/JH/MIN/1018/2013 | NA | DIVERSION OF 159.064 HA OF FOREST LAND (EXCLUDING OF 3.33 HA OF FOREST LAND IN SAFETY ZONE()) FOR MINING PURPOSE FOR TUBED OPENCASE COAL MINE (6.0MTY) AURANGABAD COALFIELD, DISTRICT-LATEHAR, JHARKHAND (COAL MINING) | MINING | M/S TUBED COAL MINES LTD. | 159.064 | PENDING AT DFO/DCF | 28 FEB 2013 | | | |

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Government of India
Ministry of Environment & Forests
(Forest Conservation Division)

Proceedings of the Meeting of the Forest Advisory Committee Held On
29th - 30th April, 2014

No. of Pages: 40
No. of Proposals: 19
AIGF (HCC)

Agenda No. 1: Diversion of 48.986 hectares of forest land in favour of the Border Roads Organization (BRO) for widening of Simli - Gwaldam State Highways in Chamoli district, Uttarakhand (File No. 8-23/2014-FC)

FAC after examination of the proposal observed as below:

- (i) Forest land proposed to be diverted is required for widening of 53 Kilometer length of the existing highways;
- (ii) Apart from 48.986 hectares of forest land, project involves 25.214 hectares of private land also;
- (iii) Legal status of forest land proposed to be diverted is Reserved Forest;
- (iv) Crown density of vegetation available in the forest land proposed to be diverted is 0.40;
- (v) Project involves total 7,385 trees, out of which 4,478 trees are proposed to be felled. Out of the 4,478 trees proposed to be felled, 936 trees are standing on Reserved Forest, 123 trees are standing on civil forest land, 2,886 trees are standing on van panchayat land and 533 trees are standing on private land;
- (vi) Project does not involve diversion of forest land within a protected area. No protected area is located within 10 kilometer from boundary of forest land proposed to be diverted;
- (vii) No work in violation of the FC Act has been carried out; and
- (viii) Compensatory afforestation is proposed to be raised over degraded Reserved Forest land twice in extent to the area of forest land proposed to be diverted.

FAC after detailed deliberations recommended diversion of the said forest land subject to general conditions and standard conditions applicable to Border Road projects implemented by the Border Roads Organization (BRO).

FAC further recommended that, researchers from the Forestry Department of H.N.B. Garhwal University, Srinagar Garhwal or any other University/ Research institute may be allowed to collect measurement/data from trees to be felled from the forest land proposed to be diverted. After collection of data, the researchers may hand over the timber to the State Forest Department for its disposal as per the extant procedure.



Agenda No. 2: Diversion of 180 hectares of forest land in favour of National Technical Research Organization in Samardha Range of Bhopal Forest Division, District Bhopal (File No. 8-17/2014-FC)

FAC after examination of the proposal observed as below:

- (i) Forest land proposed to be diverted is required for setting up of a project of strategic importance by the National Technical Research Organisation (NTRO);
- (ii) Legal status of forest land proposed to be diverted is Protected Forest;
- (iii) Crown density of vegetation available in the forest land proposed to be diverted varies from 0.10 to about 0.40;
- (iv) Forest land proposed to be diverted contains 1,08,778 trees, out of which 71,758 trees are of below 60 cm girth. Remaining 37,020 trees are of above 60 cm girth. However, project will involve felling of approx. 10 % of trees available in the forest land proposed to be diverted;
- (v) Proposal does not involve displacement of people;
- (vi) Compensatory afforestation is proposed to be raised on 360.00 hectares of Revenue Forest land; and
- (vii) Project does not involve diversion of forest land within a protected area. No protected area is located within 10 kilometer from boundary of forest land proposed to be diverted.

FAC after detailed deliberations recommended diversion of the said forest land subject to general conditions and the following additional conditions:

- (i) User agency shall minimize felling of trees available in the forest land proposed to be diverted. In any case, not more than 10 % of trees available in the forest land proposed to be diverted shall be felled;
- (ii) To ensure long term protection, revenue forest land identified to raise compensatory afforestation shall be transferred and mutated in favour of State Forest Department and notified as Reserved Forest;
- (iii) User agency shall provide a detailed land use plan for the forest land proposed to be diverted to the State Government and the Ministry of Environment and Forest before grant of stage-II approval under the FC Act for diversion of the said forest land;
- (iv) User agency shall afforest blank and degraded patches located within the forest land proposed to be diverted which are not required to be utilised for non-forest activities related to the project as per the approved land use plan.

14 only

Agenda No. 3: Matter pertaining to processing of proposals seeking prior approval of Central Government under the Forest (Conservation) Act, 1980 for diversion of forest land located in Coal Blocks allocated to Private Companies for specified end use based on recommendation of the Screening Committee. [File No. 3-2/2009-FC (pt.-I)]

FAC after examination of the matter observed as below:

- (i) FAC in its meeting held on 13th February 2014 examined proposals seeking stage-I Forest Clearance to four captive coal blocks from among the 61 coal blocks as per details given in the list enclosed with the said letter, allocated to private companies for specified end use based on recommendation of the Screening Committee. These Blocks are Chakla, Tubed, Bijahan and Radhikapur (West).
- (ii) FAC during examination of these proposals took note of the Ministry of Coal's letter No. 13016/04/2014-CA-I dated 15th January 2014 wherein it has *inter-alia* been stated that coal blocks where Forest Clearance Stage-I (wherever required) have not been obtained till 5th February, 2014 will be de-allocated.
- (iii) FAC after detailed deliberations recommended that opinion of the Ministry of Coal may first be obtained whether keeping in view the time-lines stipulated in their said letter dated 15th January 2014 wherein it has *inter-alia* been stated that coal blocks where Forest Clearance Stage-I (wherever required) have not been obtained till 5th February, 2014 will be de-allocated, grant of stage-I approval under the FC Act for diversion of forest land located within these blocks can be considered by the MoEF? The FAC further recommended that comments received from the Ministry of Coal may be put up to FAC for consideration.
- (iv) Accordingly, MoEF vide O.M. dated 14th February 2014 requested the Ministry of Coal to indicate whether keeping in view their said letter dated 15th January 2014 prior approval of Central Government under the FC Act for diversion of forest land located within the above-mentioned four Blocks can be accorded by the MoEF.
- (v) In reply the Ministry of Coal vide their O.M. dated 19th February 2014 informed the MoEF as below:
 - (a) In this context they would like to reiterate that, in order to avoid such a situation, Secretary (Coal) had immediately after the decision by the CCEA and submission of the 'Statement' before the Supreme Court written to the MoEF stating that all such actions needs to be completed before the deadline of 05th February, 2014 as submitted in the 'Statement' before the Supreme Court. This was preceded by two Senior Officers of the level of Joint Secretary of the Ministry of Coal meeting Secretary, MoEF and other senior officers to apprise them about the decision of the CCEA and the timelines which had been set by CCEA.

M. Anand

- (b) The Coal Ministry has already taken necessary action as per the decisions of the CCEA. In view of the facts stated in MoEF letter, the MoEF may seek opinion of the Ministry of Law and Justice or approach the CCEA as deemed necessary.
- (vi) Hon'ble Supreme Court has concluded hearings on a PIL on alleged irregularities in allocation of Coal Blocks to private parties and reserved their judgment
- (vii) Allocattees of most of the coal blocks where requisite Forest Clearance Stage-I could not be obtained till 5th February, 2014 have approached various High Courts. In most of these cases, High Courts have directed to maintain *status quo* till further orders.

FAC after detailed deliberations recommended that the MoEF may await decision of the Hon'ble Supreme Court in the PIL on alleged irregularities in allocation of coal blocks to private parties. After receipt of the decision of the Hon'ble Supreme Court in the said PIL, from among 61 coal blocks allocated to private parties, the MoEF may process applications seeking Stage-I Forest Clearance to only those blocks whose allocation is upheld by the Hon'ble Supreme Court. Pending decision of the Hon'ble Supreme Court, the MoEF may process any of these applications only if any High Court or any other Court of Law specifically directs the MoEF to process such applications.

Agenda No. 4: Amendment to a condition stipulated in the stage-I approval under the Forest (Conservation) Act, 1980 accorded by the MoEF for diversion of 75.828 hectares of forest land for construction of railway line by South Eastern Railways from Food Corporation of India (FCI) shunting neck of Jharsuguda to Sardega (Gopalpur) in Sundargarh and Jharsuguda Forest Divisions (Jharsuguda to Chichhinda in Jharsuguda district involving 6.93 ha. of forest land) and Kanaktora to Sardega (Gopalpur) in Sundargarh District involving 68.898 hectares of forest land) for transportation of coal through railway infrastructure (File No. 8-67/2013-FC)

FAC after examination of the matter observed as below:

- (i) Government of Odisha vide their letter dated 19.08.2013 submitted a proposal to obtain prior approval of the Central Government, under section-2 of the FC Act for diversion of 75.828 hectares of forest land for construction of railway line by South Eastern Railways from Food Corporation of India (FCI) shunting neck of Jharsuguda to Sardega (Gopalpur) in Sundargarh and Jharsuguda Forest Divisions (Jharsuguda to Chichhinda in Jharsuguda district involving 6.93 ha. of forest land) and Kanaktora to Sardega (Gopalpur) in Sundargarh District involving 68.898 hectares of forest land) for transportation of coal through railway infrastructure.
- (ii) State Government in the said proposal reported that the user agency has undertaken construction of a major bridge over river IB and minor bridges in the initial 3 Kms of the said line in Jharsuguda district starting from Howrah-Mumbai main trunk railway line in the non-forest area. User agency has therefore, violated Para 4.4 of guidelines issued under the FC Act;

M. C. Choudhary

The Gazette

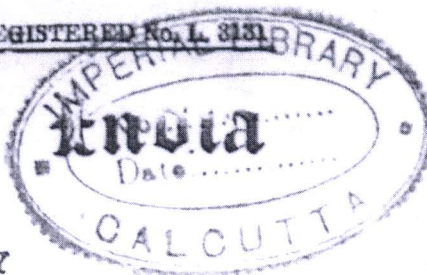


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NEW DELHI, SATURDAY, MARCH 27, 1948

Separate paging is given to this Part in order that it may be filed as a separate compilation

PART IV

Acts of the Dominion Legislature assented to by the Governor-General

GOVERNMENT OF INDIA

MINISTRY OF LAW

New Delhi, the 27th March 1948.

The following Acts of the Dominion Legislature received the assent of the Governor General on the 27th March 1948 and are hereby published for general information:—

ACT No. XIV OF 1948

An Act to provide for the establishment and regulation of a Corporation for the development of the Damodar Valley in the Provinces of Bihar and West Bengal.

WHEREAS it is expedient to provide for the establishment and regulation of a Corporation for the development of the Damodar Valley in the Provinces of Bihar and West Bengal;

AND WHEREAS in pursuance of section 103 of the Government of India Act, 1935 (26 Geo. 5, c. 2), resolutions have been passed by all the Chambers of the Provincial Legislatures of the said Provinces to the effect that certain matters dealt with in this Act which are enumerated in the Provincial Legislative List should be regulated in those Provinces by Act of the Dominion Legislature;

It is hereby enacted as follows:—

PART I

INTRODUCTORY

1. Short title, extent and commencement.—(1) This Act may be called the Damodar Valley Corporation Act, 1948.

(2) It extends to the Provinces of Bihar and West Bengal.

(3) It shall come into force on such date as the Central Government may, by notification in the official Gazette, appoint in this behalf.

2. Interpretation.—In this Act, unless there is anything repugnant in the subject or context,—

(1) "Corporation" means the Damodar Valley Corporation;

(2) "Damodar Valley" includes the basin of the Damodar river and its tributaries;

(3) "member" means a member of the Corporation and includes the Chairman;

(4) "Participating Governments" means the Central Government, the Provincial Government of Bihar and the Provincial Government of West Bengal;

(5) "prescribed" means prescribed by rules made under section 59;

(6) "Provincial Government" means the Government of Bihar or as the case may be of West Bengal and "Provincial Governments" means the Governments of Bihar and of West Bengal;

(7) "regulations" means the regulations made by the Corporation under section 60.

PART II

ESTABLISHMENT OF THE CORPORATION

3. Incorporation.—(1) With effect from such date as the Central Government may, by notification in the official Gazette, appoint in this behalf, there shall be established a Corporation by the name of the Damodar Valley Corporation.

(2) The said Corporation shall be a body corporate having perpetual succession and a common seal, and shall by the said name sue and be sued.

4. Constitution of the Corporation.—(1) The Corporation shall consist of Chairman and two other members appointed by the Central Government after consultation with the Provincial Governments.

(2) A person shall be disqualified for being appointed, or for continuing as, member of the Corporation—

(a) if he is a member of the Central or any Provincial Legislature; or

(b) if he has, directly or indirectly, any interest in a subsisting contract made with, or in any work being done for, the Corporation except as a shareholder (other than a director) in an incorporated company provided that where he is a shareholder, he shall disclose to the Government the nature and extent of shares held by him in such Company.

(3) No act or proceeding of the Corporation shall be invalid by reason only of the existence of any vacancy amongst its members or any defect in the appointment of a member thereof.

5. Conditions of service of members.—(1) Every member shall be a whole-time servant of the Corporation.

(2) The remuneration and other conditions of service of the members shall be such as may be prescribed.

6. Appointment of officers and servants.—(1) The secretary and the financial adviser of the Corporation shall be appointed by the Central Government.

(2) The secretary shall be the chief executive officer of the Corporation.

(3) The Corporation may appoint such other officers and servants as it considers necessary for the efficient performance of its functions.

7. Conditions of service of officers and servants.—The pay and other conditions of service of the officers and servants of the Corporation shall—

(a) as respects the secretary and financial adviser, be such as may be prescribed; and

(b) as respects the other officers and servants, be such as may be determined by regulations.

8. Functions and duties of the financial adviser.—The functions and duties of the financial adviser shall be such as may be prescribed.

9. General disqualification of all officers and servants.—No person who has directly or indirectly, by himself or his partner or agent, any share or interest in any contract, by or on behalf of the Corporation, or in any employment under, by or on behalf of the Corporation otherwise than as an officer or servant thereof, shall become or remain an officer or servant of the Corporation.

10. Appointment of Advisory Committee.—Subject to any rules made under section 59 the Corporation may from time to time appoint one or more Advisory Committees for the purpose of securing the efficient discharge of the functions of the Corporation, and in particular for the purpose of securing that those functions are exercised with due regard to the circumstances and requirements of particular local areas.

PART III

FUNCTIONS AND POWERS OF THE CORPORATION

General

11. Limits of Damodar Valley and area of operation.—(1) The Central Government shall, by notification in the official Gazette, specify the limits of the Damodar Valley.

(2) The Corporation shall carry out all or any of its functions and exercise all or any of its powers within the Damodar Valley.

(3) The Central Government may, after consultation with the provincial Governments, by notification in the official Gazette, direct that the Corporation shall carry out such function and exercise such power in such other area as may be specified therein and the area so specified shall be called the "area of operation" of the Corporation.

12. Functions of the Corporation.—The functions of the Corporation shall be—

(a) the promotion and operation of schemes for irrigation, water supply and drainage,

(b) the promotion and operation of schemes for the generation, transmission and distribution of electrical energy, both hydro-electric and thermal,

(c) the promotion and operation of schemes for flood control in the Damodar river and its tributaries and the channels, if any, excavated by the Corporation in connection with the scheme and for the improvement of flow conditions in the Hooghly river,

(d) the promotion and control of navigation in the Damodar river and its tributaries and channels, if any,

(e) the promotion of afforestation and control of soil erosion in the Damodar Valley, and

(f) the promotion of public health and the agricultural, industrial, economic and general well-being in the Damodar Valley and its area of operation.

Irrigation and water-supply

13. Provision for irrigation and water-supply.—The Corporation may, with the approval of the Provincial Government concerned which shall not be unreasonably withheld, construct canals and distributaries and maintain and operate them:

Provided that the Provincial Government may, after giving notice and subject to the payment of fair compensation, take over the maintenance and operation of any such canal or distributary.

14. Rates for supply of water for irrigation.—(1) The Corporation may, after consultation with the Provincial Government concerned, determine and levy rates for the bulk supply of water to that Government for irrigation, and fix the minimum quantity of water which shall be made available for such purpose.

(2) The rates at which such water shall be supplied by the Provincial Government to the cultivators and other consumers shall be fixed by that Government after consultation with the Corporation.

15. Rates for supply of water for industrial and domestic purposes.—The Corporation may determine and levy rates for bulk supply and retail distribution of water for industrial and domestic purposes and specify the manner of recovery of such rates.

16. Supply of water to those whose supply has been stopped or reduced.—If, with a view to operating its schemes, the Corporation has stopped or reduced the supply of water to any person for agricultural, industrial or domestic purposes which such person was, prior to such stoppage or reduction, enjoying by virtue of any prescriptive right, the Corporation shall arrange such supply of water on the same terms as before.

17. Construction of dam, etc., prohibited except with approval of the Corporation—Save as otherwise prescribed, no person shall construct, operate or maintain in the Damodar Valley any dam or other work or any installation for the extraction of water without the consent of the Corporation.

Supply and generation of electrical energy

18. Supply and generation of electrical energy.—Notwithstanding anything contained in the Indian Electricity Act, 1910 (IX of 1910) or any licence granted thereunder—

(i) No person shall without the permission of the Corporation—

(a) sell electrical energy to any consumer in the Damodar Valley where the energy is taken by the consumer at a pressure of 30,000 volts or more;

(b) transmit electrical energy in the Damodar Valley at a pressure of 30,000 volts or more;

(c) generate any electrical energy at an installation having an aggregate capacity of more than 10,000 kilowatts in any part of the Damodar Valley lying to the north of a straight line drawn east to west passing through a point at latitude twenty-two degrees, fourteen minutes and forty-seven seconds and longitude eighty-seven degrees, fifty-one minutes and forty-two seconds except such portion of the municipal area of Burdwan as may lie to the north of such straight line:

Provided that nothing in sub-clause (c) shall apply to any person who was, at the commencement of this Act, generating electrical energy at an installation having an aggregate capacity of more than 10,000 kilowatts, so long as the capacity of such installation is not increased:

Provided further that nothing in sub-clause (c) shall apply to the power station installation of the fertiliser factory at Sindri having an aggregate capacity of 80,000 kilowatts so long as the capacity of such installation is not increased beyond 80,000 kilowatts.

(ii) The Corporation may sell electrical energy to any consumer in the Damodar Valley but no such sale shall, except with the permission of the Provincial Government concerned, be made to any consumer requiring supply at a pressure of less than 30,000 volts.

(iii) The Corporation may, with the permission of the Provincial Government concerned, extend its transmission system to any area beyond the Damodar Valley and sell electrical energy in such area.

19. Effect on existing licences.—(1) Where any licence granted under the Indian Electricity Act, 1910 (IX of 1910), becomes inoperative wholly or partly by virtue of the provisions of section 18, the licence shall be deemed to have been revoked or modified so as to be consistent with those provisions.

(2) Where a licence is deemed to have been revoked under sub-section (1), the Corporation shall purchase the undertaking of the licensee, and where a licence is modified under that sub-section, the Corporation shall, at the option of the licensee, either purchase the undertaking or pay fair compensation to the licensee.

(3) The purchase price or the amount of compensation payable by the Corporation under sub-section (2) shall be such as may be agreed to between the Corporation and the licensee or, in the event of disagreement, as may be determined by arbitration.

20. Charges for supply of electrical energy.—The Corporation shall fix the schedule of charges for the supply of electrical energy, including the rates for bulk supply and retail distribution, and specify the manner of recovery of such charges ;

Provided that the Corporation may in any contract for bulk supply of electrical energy impose such terms and conditions including a retail rate schedule as it may deem necessary or desirable to encourage the use of electrical energy.

Other activities

21. Other activities of the Corporation.—(1) The Corporation may establish, maintain and operate laboratories, experimental and research stations and farms for conducting experiments and research for—

(a) utilising the water, electrical energy and other resources in the most economical manner for the development of the Damodar Valley,

(b) determining the effect of its operations on the flow conditions in the Hooghly river, -

(c) making improvements in navigation conditions in the port of Calcutta, and

(d) carrying out any other function specified under section 12.

(2) The Corporation may set up its own planning, designing, construction and operating agencies, or make arrangements therefor with the participating Governments, local authorities, educational and research institutions or any person carrying on the business of an architect, an engineer or a contractor.

Powers

22. General powers of the Corporation.—(1) The Corporation shall have the power to do anything which may be necessary or expedient for the purposes of carrying out its functions under this Act.

(2) Without prejudice to the generality of the foregoing provision, such power shall include the power—

(i) to acquire and hold such movable and immovable property as it may deem necessary and to lease, sell or otherwise transfer any such property ;

(ii) to construct or cause to be constructed such dams, barrages, reservoirs, power houses, power structures, electrical transmission lines and sub-stations, navigation works, irrigation, navigation and drainage canals and such other works and structures as may be required ;

(iii) to prevent pollution of any water under its control and to take measures to prevent discharges into such water effluents which are harmful to water supply, irrigation, public health or fish life;

(iv) to stock its reservoirs or water courses with fish and to regulate or prohibit taking out fish from the water under its control;

(v) to undertake resettlement of the population displaced by the dam or acquisition of land for reservoirs and protection of watersheds;

(vi) to aid in the establishment of co-operative societies and other organisations for the better use of facilities made available by the Corporation;

(vii) to undertake measures for the prevention of malaria.

23. Power to close roads and open spaces.—(1) The Corporation may, after giving notice to the persons concerned or to the public generally,—

(a) turn, divert or discontinue the public use of, or permanently close, any road or any part thereof, or

(b) discontinue the public use of, or permanently close, any open space or any part thereof.

(2) Whenever the Corporation discontinues the public use of, or permanently closes, any road or open space, the Corporation shall pay reasonable compensation to every person—

(a) who was entitled, otherwise than as a licensee, to use such road or open space or part thereof as a means of access, or

(b) whose immovable property was receiving air and light on account of such open space or part,

and who has suffered damage—

(i) in any case falling under clause (a) from such discontinuance or closure and

(ii) in any case falling under clause (b) from the use to which the Corporation has put such open space or part.

(3) In determining the compensation payable to any person under sub-section (2), the Corporation may take into consideration any benefit accruing to such person from the construction, provision or improvement of any other road, or open space at or about the same time that the road or open space or part thereof, on account of which the compensation is to be paid, is discontinued or closed.

(4) When any road or open space or any part thereof, is permanently closed under sub-section (1), the Corporation may sell or lease such part of it as is not required for its purposes.

24. Powers under certain other enactments.—(1) Notwithstanding anything contained in the Acts specified in column one of Part I of the Schedule, the Corporation may carry out all or any of the functions and exercise all or any of the powers of a Provincial Government in the Damodar Valley under the provisions of such Acts specified in column two thereof against each item of column one.

(2) Notwithstanding anything contained in the Acts specified in column one of Part II of the Schedule, any officer authorised by the Corporation may carry out all or any of the functions and exercise all or any of the powers of a Canal Officer, collector, or Forest Officer, as the case may be, in the Damodar Valley under the provisions of such Acts specified in column two thereof against each item of column one.

Co-operation and avoidance of submersion

25. Co-operation with other authorities to minimise inconvenience caused by submersion.—The Corporation shall co-operate with the participating Governments, railway authorities and local authorities and bodies, with a view to minimising the inconvenience likely to be caused by the submersion of roads and communications and shall bear the cost of any realignment thereof or resettlement of any population rendered necessary by such submersion.

26. Submersion of coal mines to be avoided by the Corporation.—The Corporation shall make every endeavour to avoid submersion of coal or mineral deposits and shall co-operate with the coal mining industry and the bodies set up by the participating Governments to ensure the maintenance of supplies of sand for stowing purposes in coal mines and in other ways to minimise the inconvenience to the coal mining industry.

PART IV

FINANCE, ACCOUNTS AND AUDIT

27. Expenditure till the Corporation is established.—All expenditure incurred by the Central Government for and in connection with the establishment of the Corporation up to the date of its establishment shall be treated as the capital provided by the Central Government to the Corporation and such capital shall be adjusted between the Participating Governments in accordance with the provisions of sections 30 to 36.

28. Vesting of property in the Corporation.—All property acquired and works constructed for the purposes of the Damodar Valley scheme before the establishment of the Corporation shall vest in the Corporation and all income derived and expenses incurred in this behalf shall be brought into the books of the Corporation.

29. Fund of the Corporation.—(1) The Corporation shall have its own fund and all receipts of the Corporation shall be carried thereto and all payments by the Corporation shall be made therefrom.

(2) Except as otherwise directed by the Central Government, all moneys belonging to that fund shall be deposited in the Reserve Bank of India or the Agents of the Reserve Bank of India or invested in such securities as may be approved by the Central Government.

30. Liabilities of Participating Governments to provide capital to the Corporation.—The Participating Governments shall, as hereinafter specified, provide the entire capital required by the Corporation for the completion of any project undertaken by it.

31. Payment by Participating Government on specified date.—Each Participating Government shall provide its share of the capital on the dates specified by the Corporation and if any Government fails to provide such share on such dates the Corporation may raise loan to make up the deficit at the cost of the Government concerned.

32. Expenditure on objects other than irrigation, power and flood control.—The Corporation shall have power to spend such sums as it thinks fit on objects authorised under this Act other than irrigation, power and flood control and such sums shall be treated as common expenditure payable out of the Fund of the Corporation before allocation under Section 32.

33. Allocation of expenditure chargeable to project on main objects.—The total capital expenditure chargeable to a project shall be allocated between the three main objects, namely, irrigation, power and flood control as follows, namely :—

(1) expenditure solely attributable to any of these objects, including a proportionate share of overhead and general charges, shall be charged to that object, and

(2) expenditure common to two or more of the said objects, including a proportionate share of overhead and general charges, shall be allocated to each of such objects in proportion to the expenditure which, according to the estimate of the Corporation, would have been incurred in constructing a separate structure solely for that object, less any amount determined under clause (1) in respect of that object.

34. Capital allocated to irrigation.—The total amount of capital allocated to irrigation shall be shared between the Provincial Governments as follows, namely:—

(1) the Government concerned shall be responsible for the capital cost of the works constructed exclusively for irrigation in its Province; and

(2) the balance of capital cost under irrigation for both the Provinces of Bihar and West Bengal shall be shared by the Provincial Governments in the proportion to their guaranteed annual off-takes of water for agricultural purposes:

Provided that the divisible capital cost under this clause shall be provisionally shared between them in accordance with their previously declared intentions regarding their respective guaranteed off-takes and any payments made accordingly shall be adjusted after the determination of the guaranteed off-takes.

35. Capital allocated to power.—The total amount of capital allocated to power shall be shared equally between the three Participating Governments.

36. Capital allocated to flood control.—The total amount of capital up to fourteen crores of rupees allocated to flood control shall be shared equally between the Central Government and the Government of West Bengal and any amount in excess thereof shall be the liability of the Government of West Bengal.

37. Disposal of profits and deficits.—(1) Subject to the provisions of sub-section (2) of section 40, the net profit, if any, attributable to each of the three main objects, namely, irrigation, power and flood control, shall be credited to the Participating Governments in proportion to their respective shares in the total capital cost attributed to that object.

(2) The net deficit, if any, in respect of any of the objects shall be made good by the Governments concerned in the proportion specified in sub-section (1):

Provided that the net deficit in respect of flood control shall be made good entirely by the Government of West Bengal and the Central Government shall have no share in such deficit.

38. Payment of interest.—The Corporation shall pay interest on the amount of capital provided by each Participating Government at such rate as may, from time to time, be fixed by the Central Government and such interest shall be deemed to be part of the expenditure of the Corporation.

39. Interest charges and other expenses to be added to and receipts taken for reduction of capital cost.—For a period, not exceeding fifteen years, from the establishment of the Corporation, if the Corporation runs in deficit, the interest charges and all other expenditure shall be added to the capital cost and all receipts shall be taken in reduction of such capital cost.

40. Provision for depreciation and reserve and other funds.—(1) The Corporation shall make provision for depreciation and for reserve and other funds at such rates and on such terms as may be specified by the Auditor General of India in consultation with the Central Government.

(2) The net profit for the purposes of section 37 shall be determined after such provision has been made.

41. Corporation's share in betterment levy by Provincial Governments.—In the event of any betterment levy being imposed by a Provincial Government, the proportionate proceeds thereof in so far as they are attributable to the operations of the Corporation shall be credited to the Corporation.

42. Borrowing of money.—The Corporation may, with the approval of the Central Government, borrow money in the open market or otherwise for the purposes of carrying out its functions under this Act.

43. Liability to pay Central taxes.—(1) The Corporation shall be liable to pay any taxes on income levied by the Central Government in the same manner and to the same extent as a company.

(2) The provincial Governments shall not be entitled to any refund of any such taxes paid by the Corporation.

44. Budget.—(1) The Corporation, in consultation with the financial adviser, shall in October each year prepare in such form as may be prescribed a budget for the next financial year showing the estimated receipts and expenditure and the amounts which would be required from each of the three Participating Governments during that financial year.

(2) Printed copies of the budget shall be made available to each of the three Participating Governments by the 15th day of November each year.

(3) The budget shall be laid before the Central and the Provincial Legislatures concerned as soon as may be after it is prepared.

45. Annual Report.—(1) The Corporation shall prepare, in such form as may be prescribed, an annual report within six months after the end of each financial year giving a true and faithful account of its activities during the previous financial year, with particular reference to—

- (i) irrigation ;
- (ii) water supply ;
- (iii) electrical energy ;
- (iv) flood control ;
- (v) navigation ;
- (vi) afforestation ;
- (vii) soil erosion ;
- (viii) use of lands ;
- (ix) resettlement of displaced population ;
- (x) sanitation and public health measures ; and
- (xi) economic and social welfare of the people.

(2) The annual report shall also give a true and faithful account of the income and expenditure during the previous financial year, the net amounts attributable to each of the three main objects and the distribution of the capital cost between the three Participating Governments and show the progressive totals from the inception of the Corporation and the up to date financial results.

(3) The payments provisionally made by each of the three Participating Governments on the basis of the budget estimates shall be adjusted as soon as possible in accordance with the allocation made in the annual report.

(4) Printed copies of the annual report shall be made available to each of the three Participating Governments by the 15th day of October each year.

(5) The annual report shall be laid before the Central and the Provincial Legislatures concerned as soon as may be after it is prepared.

46. Other annual financial statements.—(1) The Corporation shall also prepare such other annual financial statements in such form and by such dates as may be prescribed.

(2) Printed copies of each such annual financial statement shall be made available to each of the three Participating Governments by such date as may be prescribed.

47. Accounts and Audit.—The accounts of the Corporation shall be maintained and audited in such manner as may, in consultation with the Auditor General of India, be prescribed.

PART V

MISCELLANEOUS

48. Directions by the Central Government.—(1) In discharge of its functions the Corporation shall be guided by such instructions on questions of policy as may be given to it by the Central Government.

(2) If any dispute arises between the Central Government and the Corporation as to whether a question is or is not a question of policy, the decision of the Central Government shall be final.

49. Disputes between the Corporation and Governments.—(1) Save as otherwise expressly provided in this Act, any dispute between the Corporation and any Participating Government regarding any matter covered by this Act or touching or arising out of it shall be referred to an arbitrator who shall be appointed by the Chief Justice of India.

(2) The decision of the arbitrator shall be final and binding on the parties.

50. Compulsory acquisition of land for the Corporation.—Any land required by the Corporation for carrying out its functions under this Act shall be deemed to be needed for a public purpose and such land shall be acquired for the Corporation as if the provisions of Part VII of the Land Acquisition Act, 1894 (I of 1894) were applicable to it and the Corporation were a company within the meaning of clause (e) of section 3 of the said Act.

51. Control of Central Government.—(1) The Central Government may remove from the Corporation any member who in its opinion—

- (a) refuses to act,
- (b) has become incapable of acting,
- (c) has so abused his position as a member as to render his continuance on the Corporation detrimental to the interest of the public, or
- (d) is otherwise unsuitable to continue as member.

(2) The Central Government may suspend any member pending an enquiry against him.

(3) No order of removal under this section shall be made unless the member concerned has been given an opportunity to submit his explanation to the Central Government, and when such order is passed the seat of the member removed shall be declared vacant and another member may be appointed under section 4 to fill up the vacancy.

(4) A member who has been removed shall not be eligible for reappointment as member or in any other capacity to the Corporation.

(5) The Central Government may declare void any transaction in connection with which a member has been removed under sub-section (1).

(6) If the Corporation fails to carry out its functions, or follow the directions issued by the Central Government under this Act, the Central Government shall have the power to remove the Chairman and the members of the Corporation and appoint a Chairman and members in their places.

52. Application of certain provisions of the Indian Forest Act, 1927, to the forests of the Corporation.—All acts prohibited in respect of a reserved forest under section 26 of the Indian Forest Act, 1927 (XVI of 1927) shall be deemed to be prohibited in respect of any forest owned by or under the supervision or control of the Corporation and all offences in respect of such forest shall be punishable under the said Act as if they were committed in respect of a reserved forest.

53. Penalty.—Whoever contravenes the provisions of Sections 17 and 18 of this Act or any rule made thereunder shall be punished with imprisonment for a term which may extend to six months or with fine or with both.

54. Procedure for prosecution.—No Court shall take cognisance of an offence under this Act except on the complaint of an officer of the Corporation authorised by it in this behalf.

55. Power of entry.—Any officer or servant of the Corporation generally or specially authorised by the Corporation may at all reasonable times enter upon any land or premises and there do such things as may be reasonably necessary for the purpose of lawfully carrying out any of its works or of making any survey, examination or investigation preliminary or incidental to the exercise of powers or the performance of functions by the Corporation under this Act.

56. Members, officers and servants of the Corporation to be public servants.—All members, officers and servants of the Corporation, whether appointed by the Central Government or the Corporation, shall be deemed, when acting or purporting to act in pursuance of any of the provisions of this Act to be public servants within the meaning of section 21 of the Indian Penal Code (XLV of 1860).

57. Protection of action taken under the Act.—(1) No suit, prosecution, or legal proceeding shall lie against any person in the employment of the Corporation for anything which is in good faith done or purported to be done under this Act.

(2) Save as otherwise provided in the Act no suit or other legal proceeding shall lie against the Corporation for any damage caused or likely to be caused by anything in good faith done or purported to be done under this Act.

58. Effect of other laws.—The provisions of this Act or any rule made thereunder shall have effect notwithstanding anything contained in any enactment other than this Act or any instrument having effect by virtue of any enactment other than this Act.

59. Power to make rules.—The Central Government may, by notification in the official Gazette, make rules to provide for all or any of the following matters, namely :—

(1) the salaries and allowances and conditions of service of members, the secretary and the financial adviser ;

(2) the functions and duties of the financial adviser ;

(3) the dams or other works or the installations which may be constructed without the approval of the Corporation ;

(4) the forms of the budget, the annual report and the annual financial statements and the dates by which copies of the annual financial statements shall be made available to the Participating Governments ;

(5) the manner in which the accounts of the Corporation [shall be maintained and audited ;

(6) the appointment of an Advisory Committee ; and

(7) the punishment for breach of any rule made under this Act.

60. Power to make regulations.—(1) The Corporation may, with the previous sanction of the Central Government, by notification in the *Gazette of India*, make regulations for carrying out its functions under this Act.

(2) In particular and without prejudice to the generality of the foregoing power in such regulation the Corporation may make provision for—

- (a) making of appointments and promotions of its officers and servants
- (b) specifying other conditions of service of its officers and servants ;
- (c) specifying the manner in which water rates and charges for electrical energy shall be recovered ;
- (d) preventing the pollution of water under its control ;
- (e) regulating the taking out of fish from the water under its control ;
- (f) regulating its proceedings and business ;
- (g) prescribing punishment for breach of any regulation.

(3) All regulations made under sub-sections (1) and (2) shall, as soon as possible be published also in the official Gazettes of the Provincial Governments.

THE SCHEDULE

(See section 24)

PART I

| Acts | Provisions of the Acts specified in column (1) |
|--|--|
| (1) | (2) |
| 1. The Canals Act, 1864 (Ben. Act V of 1864) | Section 6 (Power of Provincial Government to fix and alter rates of tolls). Section 8 (Power of Provincial Government to appoint persons to collect tolls who may farm collection). |
| 2. The Indian Forest Act, 1927 (XVI of 1927) | Section 35 (Protection of forests for special purposes). Section 36 (Power to assume management of forests). |

PART II

| Acts | Provisions of the Acts specified in column (1) |
|--|--|
| (1) | (2) |
| 1. The Bengal Irrigation Act, 1876 (Ben. Act III of 1876). | Part III (Power of the maintenance of canals). Section 41 of Part IV (Power of Canal Officer to issue notice to person causing obstruction). Section 42 of Part IV (Power of Canal Officer to cause obstructions to be removed). |
| 2. The Bengal Embankment Act, 1882 (Ben. Act II of 1882). | Part II (Powers of Collector and procedure thereon). Part III (Powers of Collector in cases of imminent danger to life or property). |
| 3. Indian Forest Act, 1927 (XVI of 1927) | Section 36 (Power to assume management of forests). |

Government of India
Ministry of Coal
O/o the Nominated Authority

World Trade Centre, New Delhi

Office of the Nominated Authority constituted under section 6 of the Coal Mines (Special Provisions) Act, 2015.

Allotment order under clause (c) of sub-rule (2) of rule 7 and sub-rule (1) of rule 13

In re: **Tuber Coal Mine** (the “mine”) particulars of which is specified in **Annexure 1**

Order no.: 103/04/2016/NA

Date: October 07, 2016

In favour of: **Damodar Valley Corporation** incorporated in India under the DVC Act, 1948, whose head office is at Damodar Valley Corporation, DVC Towers, VIP Road, Kolkata – 700054, India (the “Allottee”)

For utilisation in: End Use Plant situated at (i) Durlavpur, PO: MTPS, Bankura, West Bengal-722183 and (ii) Chandrapura, Bokaro, Jharkhand-825303, India as more particularly described below (the “End Use Plant”)

| S. No. | Name of Specified End Use Plant | Address | Configuration (MW*) | Capacity (MW*) |
|--------|---|---|---------------------|----------------|
| 1 | Mejia Thermal Power Station (MTPS) Unit-7&8 | Mejia Thermal Power Station, Durlavpur, PO: MTPS, District: Bankura West Bengal-722183 | 2x500 MW | 1000MW |
| 2 | Chandrapura Thermal Power Station (CTPS) Unit-8 | Chandrapura Thermal Power Station, Chandrapura, District: Bokaro Jharkhand-825303 | 1x250MW | 250MW |

*MW: Mega Watt

WHEREAS, the Central Government vide order dated June 08, 2016 has directed the Nominated Authority to issue the Allotment Order for allotment of the mine, in accordance with the provisions the Coal Mines (Special Provisions) Act, 2015 (the “Act”) and sub-clause (ii) of clause (a) of sub-rule (2) of rule 8 read with sub-rule (1) and sub-rule (10) of rule 11 of the Coal Mines (Special Provisions) Rules 2014 (the “rules”);



AND WHEREAS the allottee is eligible to receive this allotment order with respect to the mine, including, inter-alia -

- (a) the coal bearing land acquired by the prior allottee and the lands, in or adjacent to the coal mines used for coal mining operations acquired by the prior allottee; and
- (b) any existing mine infrastructure as defined in clause (j) of sub-section (1) of section 3 of the Act;

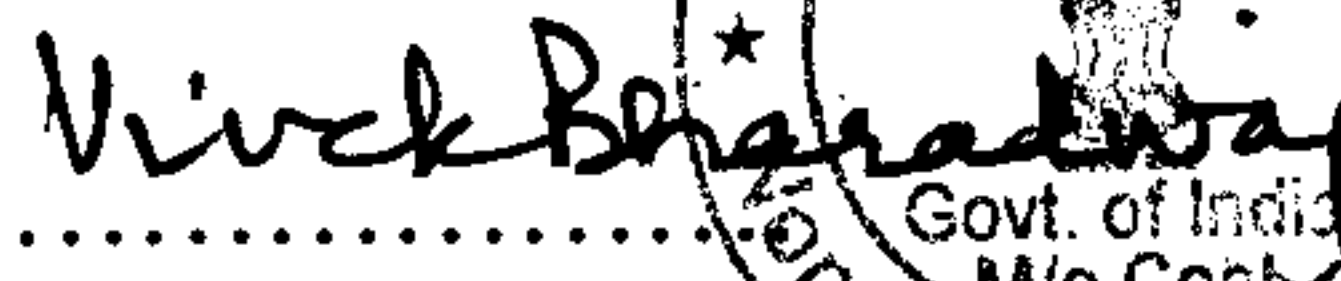
AND WHEREAS the allottee has furnished a performance bank guarantee dated September 21, 2016 for an amount equal to INR 123,84,00,000.00 (Indian Rupees One Hundred Twenty Three Crore and Eighty Four Lakh) issued by Punjab National Bank in accordance with the provisions of sub-section (6) and sub-section (12) of section 8 of the Act;


AND WHEREAS the allottee has entered into an Allotment Agreement dated September 08, 2016 (as amended) with the Nominated Authority in accordance with the provisions of sub-rule (5) of rule 13.

NOW, THE NOMINATED AUTHORITY DOES ORDER:

1. On and from October 07, 2016 ("allotment date") and in accordance with sub-section (4) of section 8 read with sub-section (12) section 8 of the Act, with respect to the mine, the following shall stand fully and absolutely transferred and vested in the allottee, namely: -
 - (a) all the rights, title and interest of the prior allottee in and over the land and mine infrastructure free from all encumbrances;
 - (b) entitlement to a mining lease to be granted by the State Government with the terms and conditions of the Allotment Agreement forming a part of it on making an application;
 - (c) all statutory licences, permits, permissions, approvals or consents as per rules, required to undertake coal mining operations in the mine, if already issued by the Central Government, to the prior allottee on the same terms and conditions as were applicable to the prior allottee, as listed in the **Annexure 2**;
 - (d) entitlement to any statutory licence, permit, permission, approval or consent required to undertake coal mining operations in the mine, if already issued by the Central Government, to the prior allottee on making an application on the same terms and conditions as were applicable to the prior allottee, as listed in the **Annexure 3**;
 - (e) entitlement to any statutory licence, permit, permission, approval or consent required to undertake coal mining operations in the mine, if already issued by the State Government, to the prior allottee on making an application on the same terms and conditions as were applicable to the prior allottee, as listed in the **Annexure 4**;
 - (f) rights appurtenant to the approved mining plan of the prior allottee;

- (g) any subsisting contract in relation to coal mining operations, to which the prior allottee was a party and which is assumed, adopted and continued by the Allottee and listed in the **Annexure 5** shall stand novated (by virtue of a deemed consent from the relevant party(ies)), in accordance with the provisions of sub-section (1) of section 11 of the Act in favour of the allottee for the residual term or residual performance of such contract;
2. The Allottee may seek any change in the terms and conditions attached to such licence, permit, permission, approval or consent by making an application in accordance with applicable laws;
3. Hereinafter, the Allottee shall be entitled to take possession of the mine as specified in Annexure-1 without let or hindrance;
4. This allotment order is liable to be cancelled in accordance with the provisions of sub-rule (6) of rule 13.


.....
(By the Nominated Authority)

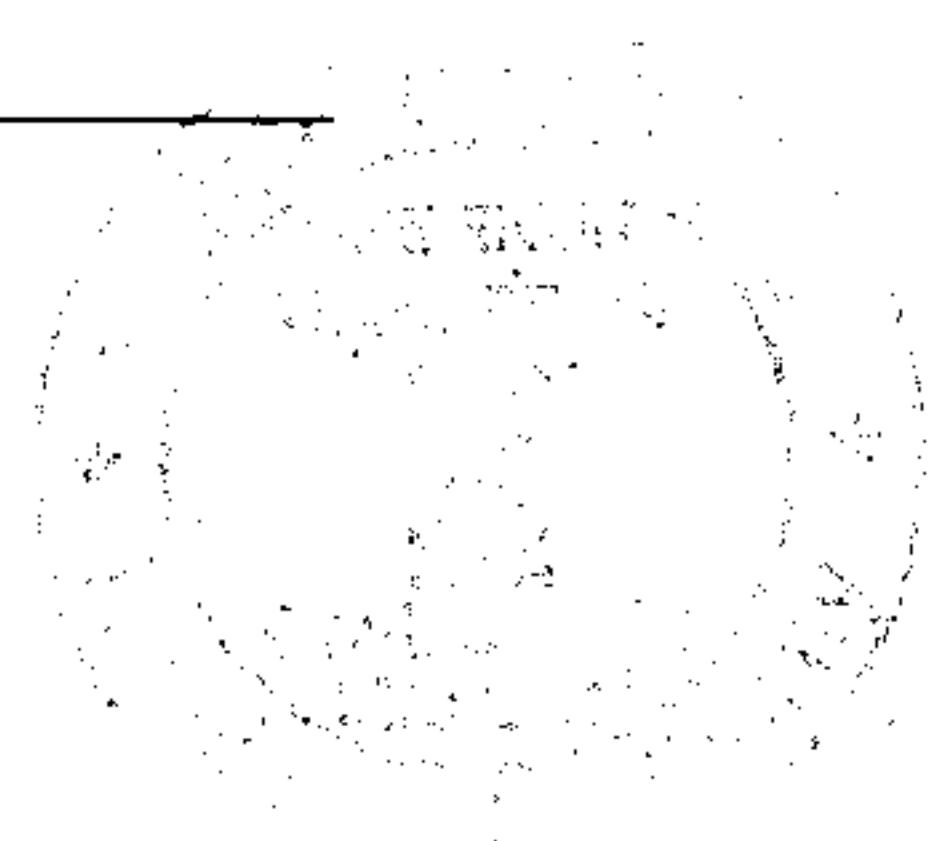


Annexures**Annexure 1: Particulars of the mine****Part A – Description of the mine**

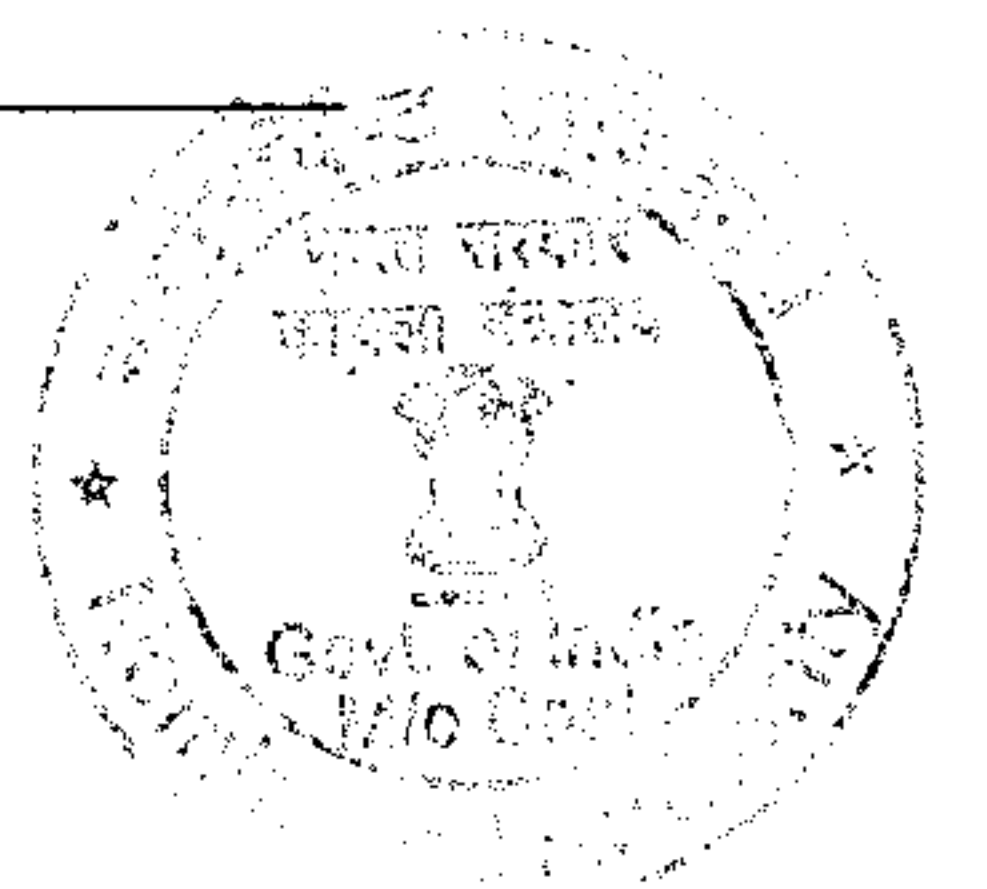
| | |
|--------------------------|--|
| Name of Coal Mine | Tuber |
| Latitude | 23°48'20" to 23°50'09"N |
| Longitude | 84°34'09" to 84°35'45"E |
| Coalfield | Auranga Coalfield |
| Villages | Tuber, Dhobiajharan, Dihi, Ambajharan, Mangra and Nawari (As per the approved Mine Closure Plan) |
| District | Latehar |
| State | Jharkhand |

Part B – Description of Land in relation to the mine**Type of Land:** Freehold Land for Mining as per Mining Lease

| S. No. | District/Block/Village | Deed Number | Date of Registration | Area (Hectare) |
|--------|------------------------------|-------------|----------------------|----------------|
| 1 | Latehar/Latehar/Newari | 1979 | 09-10-2012 | 0.21465000 |
| 2 | Latehar/Latehar/Newari | 1980 | 09-10-2012 | 0.04860000 |
| 3 | Latehar/Latehar/Newari | 1981 | 09-10-2012 | 0.10732500 |
| 4 | Latehar/Latehar/Newari | 1982 | 09-10-2012 | 0.29058750 |
| 5 | Latehar/Latehar/Dhobiajharan | 1982 | 09-10-2012 | 0.81607500 |
| 6 | Latehar/Latehar/Mangra | 2090 | 31-10-2012 | 0.05265000 |
| 7 | Latehar/Latehar/Dhobiajharan | 2089 | 31-10-2012 | 0.14580000 |
| 8 | Latehar/Latehar/Ambajharan | 2088 | 31-10-2012 | 0.40500000 |
| 9 | Latehar/Latehar/Dhobiajharan | 2088 | 31-10-2012 | 0.25920000 |
| 10 | Latehar/Latehar/Newari | 2216 | 29-11-2012 | 0.28350000 |
| 11 | Latehar/Latehar/Dhobiajharan | 2215 | 29-11-2012 | 0.08505000 |
| 12 | Latehar/Latehar/Dhobiajharan | 242 | 06-02-2013 | 0.04860000 |
| 13 | Latehar/Latehar/Dhobiajharan | 243 | 06-02-2013 | 0.06075000 |
| 14 | Latehar/Latehar/Dhobiajharan | 609 | 08-04-2013 | 0.10125000 |
| 15 | Latehar/Latehar/Dhobiajharan | 612 | 08-04-2013 | 0.28350000 |
| 16 | Latehar/Latehar/Dhobiajharan | 610 | 08-04-2013 | 0.22781250 |
| 17 | Latehar/Latehar/Tuber | 611 | 08-04-2013 | 0.13365000 |
| 18 | Latehar/Latehar/Dhobiajharan | 658 | 11-04-2013 | 0.40702500 |
| 19 | Latehar/Latehar/Dhobiajharan | 719 | 18-04-2013 | 2.16270000 |
| 20 | Latehar/Latehar/Dhobiajharan | 721 | 18-04-2013 | 0.20655000 |
| 21 | Latehar/Latehar/Newari | 879 | 03-05-2013 | 0.44550000 |
| 22 | Latehar/Latehar/Newari | 880 | 03-05-2013 | 0.08910000 |
| 23 | Latehar/Latehar/Dihi | 881 | 03-05-2013 | 0.20655000 |
| 24 | Latehar/Latehar/Newari | 882 | 03-05-2013 | 0.17820000 |
| 25 | Latehar/Latehar/Dhobiajharan | 987 | 17-05-2013 | 0.12555000 |
| 26 | Latehar/Latehar/Dhobiajharan | 988 | 17-05-2013 | 0.04050000 |
| 27 | Latehar/Latehar/Dhobiajharan | 1120 | 05-06-2013 | 0.14580000 |
| 28 | Latehar/Latehar/Dhobiajharan | 1121 | 05-06-2013 | 0.16503750 |
| 29 | Latehar/Latehar/Newari | 1118 | 05-06-2013 | 0.11947500 |
| 30 | Latehar/Latehar/Newari | 1321 | 22-06-2013 | 0.21465000 |
| 31 | Latehar/Latehar/Tuber | 1320 | 22-06-2013 | 0.53055000 |
| 32 | Latehar/Latehar/Dhobiajharan | 1319 | 22-06-2013 | 0.06204600 |
| 33 | Latehar/Latehar/Dhobiajharan | 1469 | 05-07-2013 | 0.09720000 |
| 34 | Latehar/Latehar/Dhobiajharan | 1467 | 05-07-2013 | 0.16503750 |
| 35 | Latehar/Latehar/Dhobiajharan | 1465 | 05-07-2013 | 0.03341250 |
| 36 | Latehar/Latehar/Dhobiajharan | 1464 | 05-07-2013 | 0.16605000 |
| 37 | Latehar/Latehar/Dhobiajharan | 1470 | 05-07-2013 | 0.06783750 |



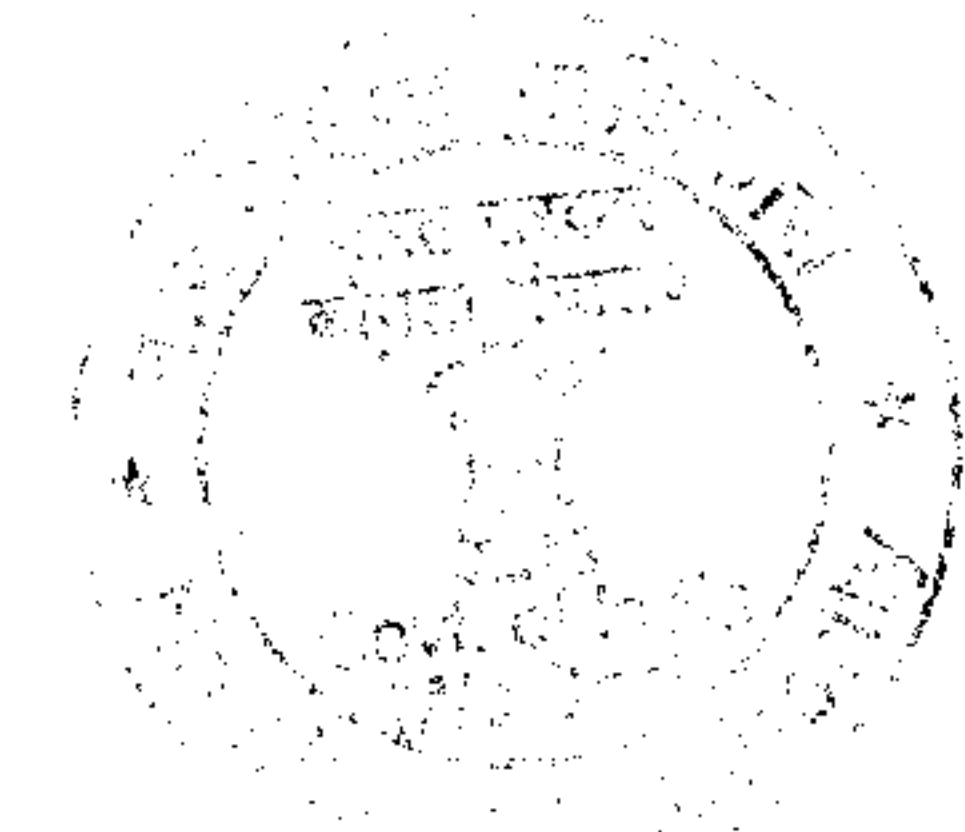
| S. No. | District/Block/Village | Deed Number | Date of Registration | Area (Hectare) |
|--------|------------------------------|-------------|----------------------|----------------|
| 38 | Latehar/Latehar/Dhobiajharan | 1466 | 05-07-2013 | 0.35235000 |
| 39 | Latehar/Latehar/Dhobiajharan | 1468 | 05-07-2013 | 0.19743750 |
| 40 | Latehar/Latehar/Dhobiajharan | 1471 | 05-07-2013 | 0.08100000 |
| 41 | Latehar/Latehar/Dhobiajharan | 1581 | 05-07-2013 | 0.12150000 |
| 42 | Latehar/Latehar/Dhobiajharan | 1582 | 20-07-2013 | 0.17010000 |
| 43 | Latehar/Latehar/Dhobiajharan | 1580 | 20-07-2013 | 0.14175000 |
| 44 | Latehar/Latehar/Dhobiajharan | 1726 | 08-08-2013 | 0.10254600 |
| 45 | Latehar/Latehar/Dhobiajharan | 1727 | 08-08-2013 | 0.10254600 |
| 46 | Latehar/Latehar/Dhobiajharan | 1731 | 08-08-2013 | 0.16200000 |
| 47 | Latehar/Latehar/Dhobiajharan | 1733 | 08-08-2013 | 0.04050000 |
| 48 | Latehar/Latehar/Dhobiajharan | 1730 | 08-08-2013 | 0.05062500 |
| 49 | Latehar/Latehar/Dhobiajharan | 1739 | 08-08-2013 | 1.08540000 |
| 50 | Latehar/Latehar/Dhobiajharan | 1736 | 08-08-2013 | 0.23490000 |
| 51 | Latehar/Latehar/Dhobiajharan | 1728 | 08-08-2013 | 0.73710000 |
| 52 | Latehar/Latehar/Dhobiajharan | 1735 | 08-08-2013 | 0.05062500 |
| 53 | Latehar/Latehar/Dhobiajharan | 1732 | 08-08-2013 | 0.12352500 |
| 54 | Latehar/Latehar/Dhobiajharan | 1777 | 17-08-2013 | 1.48837500 |
| 55 | Latehar/Latehar/Dhobiajharan | 1799 | 22-08-2013 | 0.30375000 |
| 56 | Latehar/Latehar/Dhobiajharan | 1798 | 22-08-2013 | 0.04050000 |
| 57 | Latehar/Latehar/Dhobiajharan | 1940 | 07-09-2013 | 0.06075000 |
| 58 | Latehar/Latehar/Dhobiajharan | 1946 | 07-09-2013 | 0.28755000 |
| 59 | Latehar/Latehar/Dhobiajharan | 1947 | 07-09-2013 | 0.67837500 |
| 60 | Latehar/Latehar/Newari | 1941 | 07-09-2013 | 0.24300000 |
| 61 | Latehar/Latehar/Dhobiajharan | 2013 | 20-09-2013 | 0.30476250 |
| 62 | Latehar/Latehar/Dhobiajharan | 2014 | 20-09-2013 | 0.76443750 |
| 63 | Latehar/Latehar/Dhobiajharan | 2016 | 20-09-2013 | 0.29160000 |
| 64 | Latehar/Latehar/Newari | 2015 | 20-09-2013 | 0.31590000 |
| 65 | Latehar/Latehar/Newari | 2135 | 04-10-2013 | 0.20452500 |
| 66 | Latehar/Latehar/Dhobiajharan | 2338 | 13-11-2013 | 0.69052500 |
| 67 | Latehar/Latehar/Dhobiajharan | 2336 | 13-11-2013 | 0.17010000 |
| 68 | Latehar/Latehar/Dhobiajharan | 2344 | 13-11-2013 | 0.08100000 |
| 69 | Latehar/Latehar/Dhobiajharan | 2340 | 13-11-2013 | 0.13567500 |
| 70 | Latehar/Latehar/Dhobiajharan | 2339 | 13-11-2013 | 0.05670000 |
| 71 | Latehar/Latehar/Dhobiajharan | 2337 | 13-11-2013 | 0.27945000 |
| 72 | Latehar/Latehar/Dhobiajharan | 2341 | 13-11-2013 | 0.04860000 |
| 73 | Latehar/Latehar/Dhobiajharan | 2405 | 21-11-2013 | 0.14985000 |
| 74 | Latehar/Latehar/Dhobiajharan | 2406 | 21-11-2013 | 0.19845000 |
| 75 | Latehar/Latehar/Dhobiajharan | 2403 | 21-11-2013 | 0.19845000 |
| 76 | Latehar/Latehar/Dhobiajharan | 2408 | 21-11-2013 | 0.05062500 |
| 77 | Latehar/Latehar/Dhobiajharan | 2407 | 21-11-2013 | 0.09720000 |



| S. No. | District/Block/Village | Deed Number | Date of Registration | Area (Hectare) |
|--------|------------------------------|-------------|----------------------|--------------------|
| 78 | Latehar/Latehar/Dhobiajharan | 2409 | 21-11-2013 | 0.22072500 |
| 79 | Latehar/Latehar/Dhobiajharan | 2417 | 25-11-2013 | 0.34222500 |
| 80 | Latehar/Latehar/Mangra | 2418 | 25-11-2013 | 0.42322500 |
| 81 | Latehar/Latehar/Newari | 2479 | 30-11-2013 | 0.17212500 |
| 82 | Latehar/Latehar/Newari | 2476 | 30-11-2013 | 0.25920000 |
| 83 | Latehar/Latehar/Newari | 2477 | 30-11-2013 | 0.25920000 |
| 84 | Latehar/Latehar/Newari | 2478 | 30-11-2013 | 0.38475000 |
| 85 | Latehar/Latehar/Newari | 2631 | 18-12-2013 | 0.23895000 |
| 86 | Latehar/Latehar/Dhobiajharan | 2633 | 18-12-2013 | 0.34830000 |
| 87 | Latehar/Latehar/Mangra | 55 | 10-01-2014 | 0.10125000 |
| 88 | Latehar/Latehar/Newari | 54 | 10-01-2014 | 0.20452500 |
| 89 | Latehar/Latehar/Dhobiajharan | 53 | 10-01-2014 | 0.23085000 |
| 90 | Latehar/Latehar/Dhobiajharan | 52 | 10-01-2014 | 0.08100000 |
| 91 | Latehar/Latehar/Dhobiajharan | 1641 | 25-08-2012 | 0.19845000 |
| 92 | Latehar/Latehar/Dhobiajharan | 1642 | 25-08-2012 | 1.40940000 |
| 93 | Latehar/Latehar/Dhobiajharan | 1601 | 17-08-2012 | 0.06075000 |
| 94 | Latehar/Latehar/Dhobiajharan | 1864 | 21-09-2012 | 0.31590000 |
| 95 | Latehar/Latehar/Mangra | 1602 | 17-08-2012 | 0.05467500 |
| 96 | Latehar/Latehar/Mangra | 1603 | 17-08-2012 | 0.05467500 |
| 97 | Latehar/Latehar/Mangra | 1863 | 21-09-2013 | 0.38677500 |
| | Total | | | 25.83377550 |

Type of Land: Leasehold Land for Mining as per Mining Lease

| Nature | Area (Hectares) |
|-----------------|-----------------|
| Government Land | 39.29 |
| Private Land | - |
| Forest Land | - |



Part C – Description of Mine Infrastructure in relation to the mine**C1- Mine Infrastructure: Immovable Assets***Nil***C2- Mine Infrastructure: Land for Compensatory Afforestation****Type of Land:** Freehold Land for Compensatory Afforestation*Nil***Type of Land:** Leasehold Land for Compensatory Afforestation

| Nature | Area (Hectares) |
|-----------------|------------------------|
| Government Land | - |
| Private Land | - |
| Forest Land | - |

C3- Mine Infrastructure: Resettlement and Rehabilitation Land**Type of Land:** Resettlement and Rehabilitation Freehold Land*Nil***Type of Land:** Resettlement and Rehabilitation Leasehold Land

| Nature | Area (Hectares) |
|-----------------|------------------------|
| Government Land | - |
| Private Land | - |
| Forest Land | - |

Annexure 2: Particulars of statutory licences, permits, permissions, approvals or consents issued by the Central Government which are being transferred along with this Allotment Order.

| S. No | Statutory Clearance | Ministry/ Agency | Letter No. | Date |
|-------|---|---------------------|---------------------------|------------|
| 1. | Approval of Mining Plan | Ministry of Coal | No.13016/19/2009-CA-I | 12.10.2009 |
| | Mine Closure Plan | | No. 34011-03-2011-CPAM | 10.08.2011 |
| 2. | Mining Lease – Administrative Approval of the Central Government under Section 5 (1) and/ or Section 6 (1) of MMDR Act, 1957 | Ministry of Coal | No. 13016/19/2009-CA-I | 28.03.2012 |

Annexure 3: Particulars of statutory licences, permits, permissions, approvals or consents issued by the Central Government to be obtained on application by the Allottee.

| S. No | Statutory Clearance | Ministry/ Agency | Letter No. | Date |
|-------|--------------------------|---|-----------------------|------------|
| 1. | Ground water clearance | Central Ground Water Authority, Ministry of Water Resources | 2262 | 17.09.2010 |
| 2. | Railway Siding Approvals | Ministry of Railway | No.2010/TT(V)/18/TCML | 25.03.2010 |



Annexure 4: Particulars of statutory licences, permits, permissions, approvals or consents issued by the State Government to be obtained on application by the Allottee.

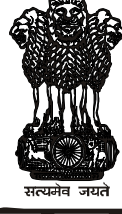
| S. No | Statutory Clearance | Ministry/ Agency | Letter No. | Date |
|-------|----------------------------|---|------------------|------------|
| 1. | Rain Water Harvesting | Water Resources Department, Government of Jharkhand | G.W.D/365/Ranchi | 14.11.2011 |
| 2. | Tribal Development Plan | Office of the Tribal Welfare Commissioner, Jharkhand | No. 68 | 07.1.2011 |
| 3. | River Diversion | Office of the Chief Engineer, Design Master Planning & Hydrology, Jharkhand | Letter No. 50 | 18.01.2011 |
| 4. | Wildlife Conservation Plan | Biodiversity Conservation-cum-Chief Wildlife Warden, Jharkhand | Letter No. 977 | 05.09.2012 |



Annexure 5: Particulars of the contracts adopted by the Allottee.

The Allottee does not intend to adopt and continue with any of the contracts of the Prior Allottee.





भारत का राजपत्र The Gazette of India

असाधारण

EXTRAORDINARY

भाग II—खण्ड 3—उप-खण्ड (ii)

PART II—Section 3—Sub-section (ii)

प्राधिकार से प्रकाशित

PUBLISHED BY AUTHORITY

सं. 2614]

नई दिल्ली, सोमवार, सितम्बर 11, 2017/भाद्र 20, 1939

No. 2614]

NEW DELHI, MONDAY, SEPTEMBER 11, 2017/ BHADRA 20, 1939

कोयला मंत्रालय

अधिसूचना

नई दिल्ली, 8 सितम्बर, 2017

का.आ. 2984(अ).—केन्द्रीय सरकार को यह प्रतीत होता है कि, इससे उपाबद्ध अनुसूची में उल्लिखित परिक्षेत्र की भूमि से कोयला अभिप्राप्त किए जाने की संभावना है;

और, उक्त अनुसूची में उल्लिखित भूमि के क्षेत्र के अंतर्गत आने वाले रेखांक संख्या डीवीसी/तुबेद/003, तारीख 27 जुलाई, 2017, का निरीक्षण, मुख्य महा प्रबंधक, (खोज प्रभाग), केन्द्रीय खान आयोजना और डिजाइन संस्थान लिमिटेड, गोंडवाना प्लेस, कांके रोड, रांची – 834 001, झारखण्ड के कार्यालय में, या कोयला नियंत्रक का कार्यालय, 1, काउंसिल हाउस स्ट्रीट, कोलकाता- 700 001 या कलक्टर, जिला-लातेहार, झारखंड के कार्यालय में या कार्यपालक निदेशक (ईंधन), दामोदर घाटी निगम, डीवीसी टावर्स, वीआईपी रोड, उल्टाडंगा, कोलकाता-700054 के कार्यालय में किया जा सकेगा;

अतः, अब, केन्द्रीय सरकार, कोयला धारक क्षेत्र (अर्जन और विकास) अधिनियम, 1957 (1957 का 20) (जिसे इसमें इसके पश्चात् उक्त अधिनियम कहा गया है) की धारा 4 की उपधारा (1) द्वारा शक्तियों का प्रयोग करते हुए उक्त अनुसूची में उल्लिखित भूमि से कोयले का पूर्वोक्त करने के अपने आशय की सूचना देती है ;

उक्त अनुसूची में उल्लिखित भूमि में हितबद्ध कोई व्यक्ति, इस अधिसूचना के राजपत्र में प्रकाशन की तारीख से नब्बे दिन की अवधि के भीतर, कार्यपालक निदेशक (ईंधन), दामोदर घाटी निगम, डीवीसी टावर्स, वीआईपी रोड, उल्टाडंगा, कोलकाता-700054 के कार्यालय को, -

- (i) संपूर्ण भूमि या उसके किसी भाग या ऐसी भूमि में या उसके ऊपर किसी अधिकार के अर्जन पर आक्षेप कर सकेगा; अथवा
- (ii) उसकी धारा 4 की उप-धारा (3) के अधीन की गयी किसी कार्रवाई से हुई या होने वाली संभावित किसी क्षति के लिए उक्त अधिनियम की धारा 6 के अधीन प्रतिकर का दावा कर सकेगा; अथवा

- (iii) उक्त अधिनियम की धारा 13 की उप-धारा (1) के अधीन पूर्वोक्त अनुज्ञप्तियों के प्रभावहीन होने के संबंध में या उक्त अधिनियम की धारा 13 की उप-धारा (4) के अधीन खनन पट्टे प्रभावहीन होने के लिए प्रतिकर का दावा कर सकेगा और उसे उक्त अधिनियम की धारा 13 की उप-धारा (1) के खंड (i) से खंड (iv) में विनिर्दिष्ट मदों की बाबत उपगत व्यय को उपदर्शित करने के लिए पूर्वोक्त भूमि से संबंधित सभी मानचित्रों, चाटों और अन्य दस्तावेजों को परिदत्त कर सकेगा।

अनुसूची

तुबेद कोयला ब्लॉक, औरंगा कोलफील्ड

जिला – लातेहार, झारखण्ड

[रेखांक संख्या डीवीसी/तुबेद/003, तारीख 27 जुलाई, 2017]

| क्र. सं. | मौजा का नाम | थाना संख्या | थाना | जिला | क्षेत्र हेक्टेयर में | टिप्पणी |
|------------------------------|-------------|-------------|---------|---------|----------------------|---------|
| 1. | अम्बाझारण | 335 | लातेहार | लातेहार | 113.53 | भाग |
| 2. | धोबियाझारण | 336 | लातेहार | लातेहार | 126.43 | पूर्ण |
| 3. | डिही | 334 | लातेहार | लातेहार | 51.34 | भाग |
| 4. | नवारी | 337 | लातेहार | लातेहार | 34.88 | भाग |
| 5. | मंगरा | 330 | लातेहार | लातेहार | 32.24 | भाग |
| 6. | तुबेद | 333 | लातेहार | लातेहार | 101.77 | भाग |
| कुल : 460.19 हेक्टेयर (लगभग) | | | | | | |

कुल: 460.19 हेक्टेयर (लगभग) या 1137.12 एकड़ (लगभग)

सीमा वर्णन :

- (1) रेखा 1-3 : बिन्दु – 1 से रेखा तुबेद ग्राम के नजदीक वन क्षेत्र में, कोयला ब्लॉक के उत्तर पश्चिम दिशा में शुरू होती है, उत्तर-पूर्व दिशा में मुड़ती है और अम्बाझारण गाँव के पास बिंदु – 3 तक पहुँचती है।
- (2) रेखा 3-8 : बिंदु – 3 से रेखा शुरू होती है, दक्षिण-पूर्व दिशा की ओर मुड़ती है तथा नवारी गाँव में बिंदु – 8 तक पहुँचती है।
- (3) रेखा 8-10 : बिंदु – 8 से रेखा शुरू होती है और दक्षिण-पश्चिम दिशा की ओर मुड़ती है और मंगरा ग्राम में बिन्दु – 10 पर पहुँचती है।
- (4) रेखा 10-12 : बिंदु – 10 से रेखा शुरू होती है, दक्षिण-पश्चिम दिशा की ओर मुड़ती है और मंगरा ग्राम के वन क्षेत्र में बिंदु – 12 तक पहुँचती है।
- (5) रेखा 12-14 : बिंदु – 12 से रेखा शुरू होती है, दक्षिण-पश्चिम दिशा की ओर मुड़ती है और मंगरा ग्राम के वन क्षेत्र में बिंदु – 14 तक पहुँचती है।
- (6) रेखा 14-17 : बिंदु – 14 से रेखा शुरू होती है, उत्तर-पश्चिम दिशा की ओर मुड़ती है और तुबेद ग्राम में सुकरी नदी के दाहिने तट में बिंदु – 17 तक पहुँचती है।
- (7) रेखा 17-18 : बिंदु – 17 से रेखा शुरू होती है, उत्तर-पूर्व दिशा की ओर मुड़ती है और तुबेद ग्राम में सुकरी नदी के बाएँ तट में बिंदु – 18 तक पहुँचती है।
- (8) रेखा 18-1 : बिंदु – 18 से रेखा शुरू होती है, उत्तर दिशा की ओर मुड़ती है और तुबेद ग्राम में बिंदु – 1 तक पहुँचती है।

[फा. सं. 43015/34/2017-एलए एण्ड आईआर]

विवेक भारद्वाज, संयुक्त सचिव

MINISTRY OF COAL**NOTIFICATION**

New Delhi, the 8th September, 2017

S.O. 2984(E).—Whereas, it appears to the Central Government that coal is likely to be obtained from the land in the locality mentioned in the Schedule annexed hereto;

And, whereas, the plan bearing number DVC/Tubed/003, dated the 27th July, 2017 containing the details of the area of land described in the said Schedule may be inspected at the office of the Chief General Manager (Exploration Division), Central Mine Planning and Design Institute Limited, Gondwana Palace, Kanke Road, Ranchi-834031 or at the Office of the Coal Controller, 1, Council House Street, Kolkata-700001 or at the office of the Collector, District- Latehar, Jharkhand or at the office of the Executive Director (Fuel), Damodar Valley Corporation, DVC Towers, V.I.P. Road, Ultadanga, Kolkata – 700054;

Now, therefore, in exercise of the powers conferred by sub- section (1) of section 4 of the Coal Bearing Areas (Acquisition and Development) Act, 1957 (20 of 1957), (hereinafter referred to as the said Act), the Central Government hereby gives notice of its intention to prospect for coal from the land described in the said Schedule;

Any person interested in the land described in the said Schedule may, -

- (i) object to the acquisition of the whole or any part of the land or of any rights in or over the said land; or
- (ii) claim compensation under section 6 of the said Act for any damage caused or likely to be caused by any action taken under sub-section (3) of section 4 thereof ; or
- (iii) claim compensation under sub-section (1) of section 13 of the said Act in respect of prospecting license ceasing to have effect or under sub-section (4) of section 13 of the said Act for mining lease ceasing to have effect and deliver all maps, charts and other documents relating to the aforesaid land to show the expenditure incurred in respect of items specified in clauses (i) to (iv) of sub-section (1) of section 13 of the said Act,

to the office of the Executive Director (Fuel), Damodar Valley Corporation, DVC Towers, V.I.P. Road, Ultadanga, Kolkata – 700054, within a period of ninety days from the date of the publication of this notification in the Official Gazette.

SCHEDULE

Tubed Coal Block, Auranga Coalfield

District – Latehar, Jharkhand

[Plan bearing number DVC/Tubed/003, dated the 27th July, 2017]

| Sl. No. | Mouza Name | Thana number | Thana | District | Area in hectares | Remark |
|---|--------------|--------------|---------|----------|------------------|--------|
| 1. | Ambajharan | 335 | Latehar | Latehar | 113.53 | Part |
| 2. | Dhobiajharan | 336 | Latehar | Latehar | 126.43 | Full |
| 3. | Dihi | 334 | Latehar | Latehar | 51.34 | Part |
| 4. | Nawari | 337 | Latehar | Latehar | 34.88 | Part |
| 5. | Mangra | 330 | Latehar | Latehar | 32.24 | Part |
| 6. | Tubed | 333 | Latehar | Latehar | 101.77 | Part |
| Total : 460.19 hectares (approximately) | | | | | | |

Total : 460.19 hectares (approximately) or 1137.12 acres (approximately)

Boundary description:

- (1) Line 1-3: The line starts at point – 1 in the north-west corner of the coal-block, at forest area near Tubed village trends in north-east direction reaches at point – 3 near Ambajharan village.
- (2) Line 3-8: The line starts from point -3, trends in the south eastern direction and reaches point – 8 in the field of Nawadi village.

- (3) Line 8-10: The line starts from point - 8, trends in the south-west direction and reaches point – 10 in the field of Mangra village.
- (4) Line 10-12: The line starts from point - 10, trends in the south-west direction and reaches point – 12 in the forest area of Mangra village.
- (5) Line 12-14: The line starts from point - 12, trends in the south-west direction and reaches point – 14 in the forest area of Mangra village.
- (6) Line 14-17: The line starts from point - 14, trends in the north-west direction and reaches point – 17 in the right bank of sukri river at Tubed village.
- (7) Line 17-18: The line starts from point - 17, trends in the north-east direction and reaches point – 18 in the left bank of sukri river at Tubed village.
- (8) Line 18-1: The line starts from point - 18, trends in the northern direction and reaches point – 1 at Tubed village.

[F. No. 43015/34/2017-LA & IR]

VIVEK BHARADWAJ, Jt. Secy.

F. No. 11-584/2014-FC (pt.)
Government of India
Ministry of Environment, Forests and Climate Change
(Forest Conservation Division)

Indira Paryavaran Bhawan
Aliganj, Jorbagh Road
New Delhi - 110 003
Dated: 9th June, 2015

To

The Principal Secretary (Forests),
All States / Union territories

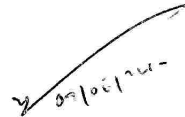
Sub: Diversion of forest land for non-forest purpose under the Forest (Conservation) Act, 1980- processing of proposals in respect of Coal Blocks whose allocation has been cancelled by the Supreme Court.

Sir,

I am directed to say that the Supreme Court in their Judgment dated 25th August 2014 in the Writ Petition (Civil) No. 120 of 2012 in the matter of Mohan Lal Sharma *versus* Union of India and others and such other similar petitions held that the allocations of 218 coal blocks made, both under the Screening Committee route and the Government dispensation route, are arbitrary and illegal. The Supreme Court in their order dated 24th September 2014 cancelled allocation of 204 Coal Blocks.

2. To facilitate re-allocation of these Blocks Parliaments has enacted the Coal Mines (Special Provisions) Act, 2015. Appropriate actions, in accordance with the provisions of the aforementioned Act and the Rules framed thereunder are being taken by the Central Government for allocation of these Blocks. In case of the coal blocks where in-principle or final approval under the Forest (Conservation) Act, 1980 for diversion of forest land falling in such blocks has already been accorded, this Ministry vide letter of even number dated 31st March 2015 issued guidelines to facilitate transfer of such approvals in favour of the allottee selected or to be selected by the Central Government in accordance with the provisions of the Coal Mines (Special Provisions) Act, 2015 and the Rules framed thereunder.

3. It has however, been observed that proposals seeking in-principle approval under the Forest (Conservation) Act, 1980 for diversion of forest land located in some of these 204 coal blocks were under examination in the Central Government and the State Government on the day the allocations of these blocks were cancelled by the Supreme Court. Submission of de-novo proposals to seek prior approval of Central Government under the Forest (Conservation) Act, 1980 for diversion of forest land located in such coal blocks by the new allottee selected or to be selected by the Central Government in accordance with the provisions of the Coal Mines (Special Provisions) Act, 2015 and Rules framed thereunder, and processing of such new proposals once again by various authorities in the States/ UTs and the Central Government will not serve any useful purpose.

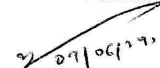


4. Accordingly, after careful examination of the matter, I am directed to say that the proposals seeking in-principle approval under the Forest (Conservation) Act, 1980 for diversion of forest land located in any of the 204 coal blocks whose allocation has been cancelled by the Supreme Court submitted by the original allottee, which were at processing/examination stage in the State Government or the Central Government on the day allocations of these blocks were cancelled by the Supreme Court, shall be processed as if they have been submitted by the respective new allottees selected or to be elected by the Central Government in accordance with the provisions of the Coal Mines (Special Provisions) Act, 2015 and Rules framed thereunder, once the following procedural formalities are completed:

- (i) Duly filled in part-I of the application in the format prescribed in Form-A appended to the Forest (Conservation) Rules, 2003 along with all necessary undertakings/certificates, including documentary proof in support of allocation of such block in favour of the new allottee and details of non-forest/revenue forest land identified for creation of compensatory afforestation, wherever required, is submitted by the new allottee to the Nodal Officer concerned;
- (ii) Non-forest/revenue forest land identified by the new allottee for creation of compensatory afforestation, wherever required, is inspected and found to be suitable for creation of compensatory afforestation and from management point of view by the Divisional Forest Officer(s) having jurisdiction over such land; and
- (iii) A copy of part-I of Form-A along with all necessary undertakings/certificates submitted by the new allottee along with a certificate from the Divisional Forest Officer(s) having jurisdiction over the non-forest/revenue land identified for creation of compensatory afforestation, wherever required, stating therein that such land is suitable for creation of compensatory afforestation and from management point of view, is provided by the Nodal Officer or the State Government concerned to the authority with whom the proposal submitted by the original allottee is presently pending. Such documents will substitute and replace the corresponding documents available in the proposal submitted by the original allottee.

This issues with approval of the Hon'ble Minister of State (Independent Charge) for Environment, Forest and Climate Change.

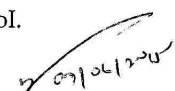
Yours faithfully,


(H.C. Chaudhary)
Director

Copy to:-

1. Prime Minister's Office (*Kind attn.*: Shri Santosh D. Vaidya, Director).
2. Secretary, Ministry of Coal, Government of India.
3. Secretary, Ministry of Steel, Government of India.

4. Principal Chief Conservator of Forests, all State/UT Governments.
5. Nodal Officer, the Forest (Conservation) Act, 1980, all State/UT Governments.
6. All Regional Offices, Ministry of Environment, Forests and Climate Change (MoEFCC), GoI.
7. Joint Secretary in-charge, Impact Assessment Division, MoEFCC, GoI.
8. All Assistant Inspector General of Forests/ Directors in the Forest Conservation Division, MoEFCC, GoI.
9. Director Regional Office Headquarters Division, MoEFCC, GoI.
10. Sr. Director (Technical), NIC, MoEFCC with a request to place a copy of the letter on website of this Ministry.
11. Sr. PPS to the Secretary, Environment and Forests.
12. Sr. PPS to the Director General of Forests & Special Secretary, MoEFCC, GoI.
13. Sr. PPS to the Addl. Director General of Forests (Forest Conservation), MoEFCC, GoI.
14. PS to the Inspector General of Forests (Forest Conservation), MoEFCC, GoI.
15. Guard File.


(H.C. Chaudhary)
Director